

*Confronting the Family Implications
of the Immigration Debate*



January 18, 2007

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Remembering the Laws of Man
Y Las Leyes De La Naturaleza***

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Confronting the Family Implications of the Immigration Debate: Remembering the Laws of Man Y Las Leyes De La Naturaleza

By Bryce Christensen, Ph.D.

"What have we done? With open borders, we have let illegal immigrants invade our country, break our laws without punishment, [and] meld illegal and legal immigration into one category." As one of the many Americans engaged in the recent heated debate over immigration, editorialist Marvin S. Ruth has focused attention on the way an estimated 12 million men and women have flouted American law in entering the United States. "If we allow certain laws to be broken without penalty, even granting approval and amnesty to criminals," Ruth warns, "we are no longer a nation of laws."¹

Nor is Ruth alone in his concern about the way millions of immigrants have violated American law, most with complete impunity. "Americans are not anti-immigration," insists author Carla Wallach, "but they are appalled at illegal aliens ... breaking the law openly."² Dismay at the unlawful conduct of many immigrants pervades the thinking even of young Americans who do not yet bear the responsibilities of citizenship: the 14-year-old son of one prominent journalist cut to "the heart of the controversy" with straight talk: "Illegal aliens are breaking the law. They're criminals."³

Predictably, many government officials are responding to citizens' concerns about the criminal conduct of immigrants with promises to punish rather than coddle immigrant lawbreakers. "We cannot reward illegal immigrants for breaking the law," declares U.S. Senator Jim Inhofe (R-OK), "and we cannot allow illegal immigrants to shortcut our naturalization process."⁴ In the same vein, Congressman Ernest Istook (R-OK) has deplored the "amnesty talk that is causing a surge of illegals" and has called for renewed efforts "to enforce existing [immigration] laws at all levels of government."⁵ President Bush has justified his own aggressive initiatives for sealing the American border against illegal immigrants by invoking the standard of lawfulness: "This nation is a nation of laws. And we're going to enforce our laws. That's what the American people expect."⁶

In decrying the way millions of immigrants have broken U.S. law, Americans are voicing a legitimate concern. Even a journalist worried about the degree to which racist hatred of Latinos sometimes insinuates its way into the immigration debate acknowledges that "saying you don't think illegal immigrants should be granted citizenship because they're breaking the law is not racist."⁷ A nation that turns a blind eye to widespread breaking of its laws is in deep trouble. Lawfulness is foundational to social order.

However, laws operate on more than one level. The laws most often scrutinized in the immigration debate are man-made laws, human laws that can be changed this way or that to advance a range of possible legitimate policy objectives. But an even more fundamental set of laws is inscribed not in books of federal or state statutes, but rather in nature itself. Most Americans recognize the force of natural law. Tens of millions of Americans even recognize that that natural law ultimately reflects the will of Him whom the Founders referred to obliquely in the Declaration of Independence as "Nature's God."

Unfortunately, many of those who deplore the way immigrants break human laws are ignoring the way many native-born Americans are now violating the laws of nature, in particular those laws that govern family life.

The fact that natural laws do indeed govern family life has been recognized even by many empirically minded anthropologists. C. Owen Lovejoy, for instance, has identified "monogamous pair-bonding" with "specialized sexual reproductive behavior" by the male and the female in each pair as defining characteristics of the human species from its very beginning. Lovejoy thus reads the fossil record as evidence that "the nuclear family and human sexual behavior"—which both appear to have had "their ultimate origin long before the dawn of the Pleistocene"—lie at the very heart of the "hominid character system, which included intensified parenting and social relationships."⁸

Anthropologists Duane Quiatt and Jack Kelso share Lovejoy's interpretation of the empirical evidence. These two evolutionary anthropologists identify "the two-parent family household" as a defining characteristic of the species. Tracing the course of human evolution, these scientists highlight the importance of the "sex-based division of labor" that established itself within the "productive pair bond," so creating "dual economy specific to hominids." It was the remarkable success of this dual economy, Quiatt and Kelso argue, that made possible "a social revolution ... from a more apelike to a more human way of life."⁹

In the family patterns that anthropologists interpret as the product of organic evolution, millions blessed with religious faith recognize God's imprint on human nature. It was, after all, God who made Adam and Eve as "man and ... wife" (Gen. 2:25), commanded them to "be fruitful, and multiply" (Gen. 1:28), and assigned distinctive family-supporting gender roles (cf. Gen. 3:16-17; cf. Eph. 5:22-28).

Unfortunately, many affluent native-born Americans are fast moving away from the kind of family life documented by anthropologists and affirmed in Scripture. As they jettison their ties to the nuclear family, they are opting for the single life or for serial polygamy rather than "monogamous pair bonding" and "sex-based division of labor" that make a stable and fully human home. These deracinated Americans are creating a radically individualistic culture not at all in harmony with the natural or scriptural laws for the species. Indeed, sober and careful scrutiny may even reveal that many of those now entering America as illegal immigrants are actually more in harmony with the natural and divine laws of family life than are many of the most prominent, affluent, and influential of America's native-born citizens. What is more, in the refusal of many native-born Americans to submit to the natural laws of family life, we actually see some of the real, but rarely acknowledged, reasons that America increasingly needs its illegal residents.

Americans do have reason to be troubled over the failure of millions of immigrants to comply with relevant laws governing entry to the United States. But they have perhaps even more reason to look closely at the distinctive success of many immigrant communities in maintaining the kind of natural-family ties that are fast disappearing within the nation's native-born population.

Both the breaking of human laws and the preserving of natural laws come into view when Americans look, for instance, at Asian immigrants to the country. Americans have been deeply troubled by reports that immigrant-smugglers based in Mexico are actively "ferrying illegal immigrants from Asia to the United States."¹⁰ Experts estimate that Asians currently account for 13 percent of all illegal immigrants in the U.S.¹¹

But the negative consequences of the breaches of human law committed by these illegal Asian immigrants should obscure neither the fact that most Asian immigrants in the U.S. have entered the country legally nor the fact that Asian immigrants adhere to the natural laws of family life with a distinctive strictness that

brings positive social and cultural benefits. Numerous observers have commented on the remarkable academic achievements of the children of Asian immigrants. "Increasingly in America," remarks journalist Nicholas D. Kristof, "stellar academic achievement has an Asian face. In 2005, Asian-Americans averaged a combined math-verbal SAT of 1091, compared with 1068 for whites; 982 for American Indians; 922 for Hispanics; and 864 for blacks."¹² "Why," asks the prominent broadcast journalist Mike Wallace, "are Asian-Americans doing so exceptionally well in school?"¹³ Seeking an answer to this question, sociologist Harry Kitano has identified the strong family life of Asian immigrants-evident in "low rates of separation and divorce and strong social controls"-as an essential precondition of that success.¹⁴

In part, the academic success of Asian immigrants' children does reflect a distinctively Confucian culture, with its emphasis on learning and scholarship.¹⁵ But natural laws that transcend the specific traits of Asian culture inevitably translate family strength into academic strength. These natural laws predictably operate in the same way among the academically successful children of native-born Americans and among the academically successful children of Asian immigrants: sociologists report that "similarities [between academically successful Anglo students and academically successful Asian-American students] included ... stable family environments and close-knit family relationships."¹⁶ But as millions of native-born Americans break natural family laws by bearing children out of wedlock or by divorcing their spouse and breaking apart their family, they make it very unlikely that their children will keep up with the academic whizzes that Asian immigrants (legal and illegal) are sending to the classroom.¹⁷

But neither the Asian immigrants who have defied immigration laws nor the Asian children who have defied classroom limits have received much attention from those debating immigration issues. No. Sheer numbers put Latino-particularly Mexican-immigrants at the very center of the immigration debate. Recent estimates indicate that of the 12 million illegal immigrants in the United States, over half (56 percent) come from Mexico, with almost another quarter (22 percent) coming from other Latin American countries, mostly Central American countries such as Honduras and Guatemala.¹⁸ It is hardly surprising that in redoubling American efforts to curtail illegal immigration, President Bush has focused on the U.S.-Mexico border, calling for a deployment of 6,000 National Guard troops along that border, as well as the construction of a "virtual fence" maintained by electronic motion detectors, infrared cameras, and unmanned aerial reconnaissance vehicles.¹⁹

But even as they deploy new forces and surveillance technologies to prevent Mexicans from breaking the United States' man-made immigration laws, Americans ought to start looking at the way Mexican immigrants already here (legally or illegally) are complying with natural laws for family life that a growing number of native-born Americans are insouciantly ignoring. With good reason, political scientist Peter Skerry complains that important social realities have been forgotten in a "debate over immigration [which] has been locked into a compelling but misleading framework that distinguishes sharply between legal and illegal immigration." Partly because he is aware of natural laws that transcend human law, Skerry insists that "the social-order effects of immigration do not easily fit into this neat legal-illegal paradigm."²⁰ That is, those who want to know whether immigrants are helping or hurting America must do more than ask whether those immigrants are complying with human law.

The impossibility of interpreting all the social effects of immigration within a paradigm defined exclusively by human laws becomes particularly obvious when considering the most inescapable of demographic facts: population growth. Though the Hispanic community in the United States includes millions who have ignored the nation's man-made immigration laws, it is only this community – with its exceptional commitment to natural-family laws-that is now providing the country with the growth in population that our economy and political system requires.

When it was announced in June of 2006 that the United States population was approaching 300 million, analysts immediately knew where the recent growth had occurred. "Latinos – immigrants and those born in this country – are driving the population growth," remarked one knowledgeable observer. "They accounted for almost half the increase last year, more than any other ethnic or racial group. White non-Hispanics, who make up about two-thirds of the population, accounted for less than one-fifth of the increase."²¹ Nor could another commentator see the situation changing in the decades ahead. "The U.S.A. would hardly grow in the next 50 years," he wrote, "except for Hispanic immigrants, who have a higher birthrate than non-Hispanic whites. White women, who give birth to 56% of the children born here, have an average 1.85 babies...Hispanics 2.8."²²

The distinctively high fertility of Mexican immigrants, however, is only the most visible manifestation of the all-encompassing commitment to the natural family that is characteristic of this community. That commitment is so pervasive that it bears its own name – *familismo* – a name that emerges again and again in the literature of scholars trying to understand or explain the Mexican community living in the United States. Familismo, explains one team of Anglo educational scholars, means "plac[ing] great importance on family attachment, loyalty, and reciprocity."²³ Another scholar elucidates familismo as a manifestation of "the significance of the family in Latino cultures." "Latinos," this scholar remarks, "identify strongly with their extended family and consider the total family system as a supportive, integrated network; the family as a group has precedence [among Latinos] over individual interests." *Familismo* thus entails "obedience and respect towards [parental] authority ... [and] helpfulness, generosity, and loyalty towards the family, and responsibility, sacrifice, and hard work for the benefit of the family."²⁴

A distinctively high fertility rate is only one manifestation of Mexican-American *familismo*. *Familismo* also shows itself in the distinctively traditional gender roles of Mexican immigrants. One American scholar of women's studies acknowledges that female Mexican-American adolescents "experience less conflict [than their Anglo peers] over their identities and social roles, [and] that they select family-related components and social roles, while [adolescent Mexican-American] boys identify more closely with machismo and the husband roles of the traditional Mexican [culture]" than do their Anglo peers. Adolescent immigrants from Mexico are thus preserving a Mexican culture in which "[the] father is held responsible for providing for the family, while the mother's activity revolves around her family and home."²⁵ Such gender-role traditionalism is not surprising among immigrants from a country that deeply frustrates forward-thinking U.S. feminists. Distressed that even Mexico's political revolutionaries have typically endorsed "conservative gender policies," one feminist scholar sadly concludes that Mexico begins the 21st century as a society in which "traditional gender constructions have not been challenged significantly."²⁶

Predictably enough, among immigrants from this land of strong families and traditional gender roles, relatively few women seek employment outside the home. Researchers involved in a 2004 study thus report that the male vs. female "employment gap" is particularly pronounced among Latinos of Mexican origin, a population in which women are significantly less likely to be employed outside the home than within the black or white community. Because immigrant Latinos are a relatively impoverished group, the researchers interpret their findings as evidence that culture counts for more than economics in determining women's employment decisions.²⁷

While skeptical about a woman's need for employment outside the home, Mexican immigrants are exceptionally supportive of a woman's need for a husband. In a 1996 study, researcher R.S. Oropesa found that Mexican-Americans are more supportive of marriage as a social institution than are their Anglo counterparts. "Not only do Mexican-Americans offer greater support for marriage," Oropesa writes, "[but] they [also] exhibit less variation in their support than whites." In explaining why Latinos are decidedly more likely than whites to agree that "it's better to get married than go through life being single" ($p < 0.001$),

Oropesa refers to a "cultural heritage" in which "marriage is often portrayed as an affirmation of womanhood" and in which matrimony is "part of God's plan."²⁸

And the same ideals that enshrine wedlock in the cultural life of Mexican immigrants also strongly condemn fornication. Social scientists at Columbia University report the persistence among Latinos of "strong cultural norms and values proscribing early premarital sexual activity."²⁹ Ohio State researchers likewise find a distinctively high level of sexual restraint among Latino adolescents living in areas with high concentrations of immigrants, evidently signifying "cohesion around more traditional norms regarding delayed sexual onset."³⁰ Similarly, among Latino (mostly Mexican) immigrants newly arrived in the United States, scholars at the University of California at Los Angeles and Northridge find a notably "less permissive attitude toward sex" than has become the norm in our increasingly libidinous national culture.³¹

Given their distinctively strong adherence to traditional ideals of chastity and sexual continence, it may puzzle some observers that the percentage of Mexican-American children born out of wedlock runs well above that found among whites. In 2002—the last year for which complete data are available – 42% of all U.S. births among women of Mexican origin were out of wedlock. The comparable percentage among blacks was 68.2% and for whites 28.5 %.³²

However, out-of-wedlock childbearing among Latinas must be viewed in cultural context. As a team of scholars from the University of Texas and the University of Pennsylvania points out in a 2006 study, much of the out-of-wedlock childbearing among Mexican-American women is quite different from out-of-wedlock childbearing among whites and blacks. First, the researchers point out, because of their deep Catholic commitments, Mexican-American women use contraceptives far less than whites or blacks and submit to abortions decidedly less often. Second, although the researchers find that Mexican-American women are decidedly less likely to live in nonmarital cohabitation than either whites or blacks, they also find that Mexican-American couples who do cohabit apparently view their unions as "surrogate marriages" in the tradition of common-law marriages often found in Mexico. The consequence—as the Texas and Pennsylvania scholars note—is that a disproportionate fraction of out-of-wedlock childbearing among Mexican-Americans occurs among cohabiting couples whose unions are much more fertile and more marriage-like than those of cohabiting Whites or Blacks.³³ It also seems more than likely that some of the Mexican-American couples who do cohabit nonmaritally do so only because they fear that securing a wedding license might expose their status as illegal immigrants.

Nor can out-of-wedlock childbearing among Mexican-Americans be properly assessed without taking into account the relative impoverishment of Mexican immigrants. In every American ethnic group, it has always been the poor who have given birth to a disproportionate number of the out-of-wedlock babies. The poor likewise have accounted for a disproportionate number of marriages that end in divorce or separation. As sociologist Christopher Jencks remarks, "Couples with neither money nor education have always had more trouble keeping their marriages together than more privileged couples."³⁴ Given Mexican immigrants' relative lack of financial or educational resources, it is truly remarkable that social scientists have repeatedly found that the adolescent children of Mexican immigrants are far more likely than blacks (whose economic and educational circumstances are roughly comparable) and about as likely as non-Hispanic whites to live in a two-parent family.³⁵ The relative impoverishment makes it entirely predictable that many Mexican immigrants will fail to make or preserve marital ties. What is remarkable—given the severe economic and educational handicaps under which they labor—is the number of Mexican immigrants who are holding their marriages and families together!

Nor is the *familismo* of Mexican immigrants restricted to home life. Increasingly, that *familismo* is making itself felt internationally in their economic behavior. While native-born citizens take on staggering loads of

consumer debt because they lack the financial discipline to live on their incomes, Mexican immigrants earning far, far less are sending a large fraction of their income back to their extended families in Mexico. In 2004, Mexican immigrants (legal and illegal) sent a staggering \$16.5 billion to family members still living in Mexico. Such intra-family wage-transfers now constitute Mexico's third largest import!³⁶

But it is not only the Mexican economy that is now feeling the influence of Mexican immigrants' strong commitment to the laws of natural family life. Increasingly, so too is the political system that makes and enforces man-made law in the United States. Even illegal Mexican immigrants-to the dismay of many American observers-now make their presence felt in the polling booth. As *Chicago Sun-Times* editorialist John O'Sullivan has observed, "illegal immigrants have cast votes in large numbers" ever since the "Motor Voter" Law (enacted under President Clinton) made "voter registration virtually automatic while removing most safeguards against electoral fraud."³⁷

Leading Democratic politicians have abetted such electoral fraud-and blocked every reform that would curtail it-because they believe that "illegal immigrants ... are likely to be in their column."³⁸ And so long as the issues that have Mexican immigrants' attention remain tied to economics or employment (as in minimum-wage laws or affirmative-action measures), the Democrats' strategy probably works for them. But when the natural family laws that are at stake in issues such as gay marriage or abortion come to the fore, then Democrats find themselves hoisted by their own petard. For on social issues, Mexican immigrants are far too devoted to the natural laws of family life to support a Democratic agenda increasingly written to generate human laws that serve only feminist and homosexual activists.

It can only unsettle Democratic strategists that pollsters consistently report that Mexican immigrants are "overall ... more socially conservative than most American voters, especially on issues involving gender roles, abortion, and homosexuality."³⁹ The political potency of that social conservatism became particularly evident in 2000 when Mexican-Americans in California joined other social conservatives to support a voter initiative that would translate the natural law of marriage into a human law affirming that marriage is a heterosexual institution. Despite the vocal opposition of prominent Democrats-including President Clinton, Governor Davis, and Senators Boxer and Feinstein-Mexican immigrant voters rallied to support Proposition 22. Pre-election polls revealed that while Prop. 22 enjoyed the support of just over half of the overall electorate, fully two-thirds of Latino voters endorsed it.⁴⁰ Latino supporters of Prop. 22 included even many registered Democrats like Carlos Garcia, who understood very well why it was necessary for him to break ranks with the leaders of his party on this issue: "The moment you talk about family," he explained, "that penetrates everything and goes right to the heart of most Latinos."⁴¹ After Prop. 22 passed, post-election analysis identified Hispanic voters as its "staunchest supporters."⁴²

And though activist judges have manipulated human law in ways that make it very difficult for mere voters to have a say on abortion, polling data indicate that Mexican immigrants realize that *Roe v. Wade* jurisprudence has given the country a man-made law deeply at odds with the natural and divine laws of family life. When California academics conclude that "Latino voters are very conservative on abortion," they are merely translating into simple English the surveys showing that even in liberal California "only 42 percent of the state's Hispanics favor an unrestricted right to abortion, compared with 67 percent of non-Hispanic whites."⁴³

Such survey data could keep Democratic pollsters awake at night. Still, when it comes to keeping Mexican immigrants on their side of the political divide, Democratic strategists do possess a powerful secret weapon: namely, the increasingly corrosive power of American culture. Study after study shows that the longer Mexican immigrants live in this country, the less likely they are to live by the natural laws that sustain healthy family life. Compared to new immigrants, Mexican immigrants who have become "acculturated"

to American life are less supportive of marriage, more permissive in their attitude toward fornication, and less successful in holding together their families.⁴⁴ It is a damning indictment of American culture that for many Latino immigrants "acculturation" means fornication, singleness, divorce, abortion, and welfare dependency. And as Democratic strategists know all too well, once immigrants turn away from the natural laws that sustain family life and become dependent upon the man-made laws that run welfare bureaucracies, they can thereafter be counted on as captive soldiers in the liberal-left's ongoing assault on the natural family.

Still, though well aware of how acculturation weakens Mexican immigrants' commitments to the natural laws of family, one prominent researcher nonetheless believes that the Mexican immigrant community's distinctively strong commitment to marriage and family is likely to "last into the future." Why? "Sustained immigration."⁴⁵

In a peculiar way, in fact, the liberal-left's very success in attacking the natural laws of family life helps ensure a steady and continuing future stream of Mexican immigrants-legal and illegal-who will adhere to and help defend those natural laws. It is this very strange dynamic that renders it quite impossible to debate the nation's man-made immigration laws in a wise and sensible way without looking more closely at the natural laws of family.

Though far too few Americans have recognized the fact, the immigrants who break our man-made laws when they cross our Southern border are coming-in large measure-to satisfy demands created by native-born Americans who have repudiated the natural laws of family. When, for instance, Americans repudiated the natural laws that make families fertile and child-rich, they created a "birth dearth" that soon had analysts announcing that the nation would need hundreds of thousands of immigrants to fill jobs and stimulate the economy.⁴⁶ Historian Franz Shurman explains the situation with admirable clarity: "America needs the South's babies ... American civilization wants sex, but does not want children.... America thrives on success and sex. But what about children? Immigrants bring in lots of babies and make even more.... Money makes America go worldwide, but the sense that others must help where money and success cannot-namely by producing children-makes America draw in others from other lands."⁴⁷

The children that immigrants from the South bring into our country or bear after they arrive are particularly needed in an aging nation where "the age structure of the whole country will [soon] come to resemble that of 'retirement states' like Florida, where a fifth of the population is already over sixty five."⁴⁸ Hence, legal scholar Mary Ann Glendon is quite right to assert that "an adequate understanding of today's migration patterns would ... have to include their relation to the approaching 'demographic winter' in the affluent societies of Europe and North America."⁴⁹

The aging of a relatively infertile, but long-lived, Baby Boom generation will indeed soon put such heavy demands on our Social Security and Medicare systems that some government experts look to payroll taxes collected from a massive army of immigrants (possibly as many as five million new ones per year)-as the only way to balance the books.⁵⁰ As Americans belatedly come to realize that the birth dearth has helped make the nation's government system for providing for the elderly fiscally unsustainable, they will perhaps stop worrying about immigrants who break the law by entering the country and start pondering the misguided politics that ignored the natural laws of the family in creating that system in the first place.⁵¹

Sadly, many Americans are now so far removed from the laws of natural family life that even when they do decide to have a designer child or two, they end up creating a demand for more immigrants willing to break human laws. Because many American couples reject the traditional gender roles that would give their children in-home maternal care, legal observers acknowledge that "illegal nannies are now commonplace in

cities where affluent two-career couples are raising children."⁵² And middle-class couples who have so completely repudiated the natural laws of the home economy that they cannot be bothered with caring for their own children are also likely to rely on illegal aliens to prepare and serve their meals, to clean their homes, and to care for their flower gardens.⁵³

It is becoming more and more obvious that in a nation that rejects the natural laws, man-made immigration laws are difficult to enforce-or even understand. That difficulty is all too apparent when more than thirty Hollywood celebrities (virtually all native-born citizens) rally in support of a dangerous law that would allow the illegal immigrants who serve as their nannies to obtain a driver's license.⁵⁴ That difficulty is even more evident when recent Presidents, Democratic and Republican, have repeatedly withdrawn nominations for prominent judicial and law-enforcement positions because the nominees have hired illegal immigrants as nannies.⁵⁵

Though concern for man-made laws ought not to disappear from debates over immigration, those debates will lapse into incoherence and absurdity if they do not also include a recognition of the natural laws of family, natural laws more fully honored by many illegal immigrants than by many native-born Americans. Philosopher JoAnn Pilardi is all too close to the truth when she insists that the "immigration problem is about us, not them."⁵⁶ At a time when some Americans are furious over the way Mexican immigrants are breaking our man-made laws, perhaps we should all look again at the natural laws that these immigrants often honor far better than millions of Americans. Indeed, perhaps we all ought to remember the words of President Ronald Reagan, who twenty years ago reminded Americans that "We have all been enriched by the contributions of Hispanics in every walk of American life" and who justly praised "the casa, the almost mystical center of daily life, where grandparents and parents and children and grandchildren all come together in the *familia*." Perhaps we should also remember the criticism of the native-born culture that Reagan expressed on that occasion: "I fear that too often, in the mad rush of modern American life, some people have not learned the great lesson of our Hispanic heritage: the lesson of family and home and church and community."⁵⁷

Two decades later, Americans have reason to fear that so long as millions of native-born citizens refuse to learn the natural-law lessons of family, they will continue to give millions of immigrants reason to come across our border in defiance of man-made immigration laws.

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