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Border Crackdowns Won't Solve America's Immigration Crisis

More walls and police will never be enough to stop migrants from coming to the U.S. for the lower-skilled jobs the American economy needs.

By Hein de Haas

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This week's high-profile visits to the Texas border by President Biden and former President Trump were predictable campaign theater. Both candidates pointed an accusing finger at the other, assigning blame for a problem that deeply concerns many voters. The failure last month of the latest immigration reform package on Capitol Hill further highlights what has become a decades-old policy stalemate.

But the issue isn't going away, and neither party can afford to ignore the crisis. According to data from U.S. Customs and Border Protection, the number of border apprehensions rose from 1.86 million in the 2021 fiscal year to about 2.5 million in 2022 and about the same in 2023. The influx is overwhelming border communities and overstretching the asylum system, and the busing of migrants by Texas Gov. Greg Abbott to Democrat-run "sanctuary cities" has put pressure on blue states too.

How did we get here? The dominant narrative on the right has compared illegal immigration to an invasion, facilitated by criminal cartels and accepted by "open borders" liberals. On the left, an alternative narrative is that the surge in immigration is essentially driven by poverty, violence and other misery in origin countries, portraying migrants as refugees in need of protection.

But both narratives ignore the real reason for the border crisis: a hypocritical immigration system that refuses to acknowledge the U.S. economy's persistent need for lower-skilled labor. The rise in illegal immigration is mainly driven by unprecedented labor demand and the

absence of legal channels to accommodate it. Tougher enforcement at the border is no solution to this mismatch. In fact, it is a big part of the problem.

The border crisis dates back to policy changes in the late 1980s. Ronald Reagan's Immigration Reform and Control Act of 1986 was the last major bipartisan immigration reform. It provided amnesty to 2.7 million undocumented, mostly Mexican migrants. But it also fired the opening shot for increasing border surveillance and introduced sanctions for employers hiring undocumented workers.

Since then, successive Republican and Democratic administrations have invested massive resources in ramping up border surveillance and collaborating with countries of transit such as Mexico to deter migration. By 2023, the U.S. border enforcement budget had risen to $25.9 billion—more than double the budget of the FBI.

Yet none of this has stopped people from coming. Migrants are willing to accept the significant costs and risks of the journey because they understand that there are plentiful jobs at much higher wages for them in the U.S. It is an opportunity for them to radically improve the living standards of themselves and their families.

Over the past few decades, a combination of demographic and economic factors in the U.S.—increasing education, an aging population, the rise of double-income families—has fueled a growing demand for migrant workers in sectors such as agriculture, slaughtering and meatpacking, construction, cleaning, child and eldercare, hospitality, warehousing, distribution and transport. Migrants have flocked to such jobs as the supply of local workers willing and able to do them has shrunk.

Ever-more restrictive border enforcement over the past four decades has done little to change this basic economic rationale for migration. But it has had two major perverse effects.

First, it has increasingly driven migration underground while making migrants and asylum seekers more dependent on smugglers ("coyotes") to cross the border. Smugglers' core business is to provide migrants with safe passage without getting caught by criminals, police or border-control agents, which is why migrants are willing to pay for their services. Tougher border restrictions have bolstered this business and pushed migrants to take more dangerous and perilous routes, with costs and risks going up.

Second, immigration restrictions have backfired by pushing temporary migrants into permanent settlement. Research shows that, the more difficult it is to come, the more migrants tend to stay.

The sociologist Douglas Massey of Princeton University has conducted yearly surveys since 1982 on both sides of the border, yielding a unique data set with information on the migration experiences of 29,000 households. An analysis by him and his colleagues published in 2016 showed how border militarization transformed undocumented Mexican migration "from a circular flow of male workers" going back and forth, mainly to Texas and California, "into an 11 million person population of settled families living in 50 states."

Migrants crossing at the edge of the Rio Grande in Eagle Pass, Texas, Feb. 3. PHOTO: MARIA ALEJANDRA CARDONA/REUTERS

The core of the problem is how the U.S. immigration system treats lower-skilled migrant labor as compared with skilled labor. Successive American administrations have lowered barriers for the temporary immigration of skilled workers, intracompany transferees, students, investors and their family members. As a result, temporary legal immigration increased from around three million a year in the 1990s to levels of around six million over the 2010s, reaching an all-time high during the Trump presidency.

Lower-skilled workers also can gain legal admission, mostly for seasonal agricultural work, through H2 visas. Those numbers have remained steady, averaging around 500,000 annually since 2013. But this level has not been nearly enough to meet increasing labor demand, especially for nonseasonal, lower-skilled services. It is exactly where we find the most acute labor crunch.

There is a correlation between rising levels of border crossings and deepening U.S. labor shortages. After the Covid-related slump in labor demand, illegal immigration peaked as U.S. unemployment hit a 50-year low of 3.5% in 2022-23. Labor shortages reached an unprecedented peak, with vacancies topping 10 million, partly because some 1.7 million American workers did not go back to their jobs after the pandemic.

There is no denying that poverty, violence and a lack of opportunity often play a role in motivating people to migrate, but without chronic labor shortages in the U.S., most migrants simply would not come.

The fact is that in today's U.S. economy, the most vilified categories of migrants do all sorts of essential jobs. It's an open secret, but politicians lack the courage to admit it, damning an influx that they have shown themselves unwilling to stop where it matters most, not on the border but in the workplace.

The same politicians—Republican and Democrat—who over the past four decades have repeatedly promised to "crack down" on illegal migration have turned a blind eye to the actual employment of undocumented migrant workers. The clearest evidence of this hypocrisy is the laughably low level of workplace enforcement in the U.S., where inspections and routine checks of immigration status and other papers would serve as the most direct deterrent.

Since 1986, when employing undocumented immigrants was made a criminal offense, data from the Justice Department reveals that, nationwide, there have seldom been more than 15-20 prosecutions of employers a year. Fines for infractions have been symbolic at best, currently ranging from $676 to $5,404 per worker for an employer's first offense, and these fines are routinely negotiated down. Workplace enforcement was as much a joke under Donald Trump as it was under previous presidents.

Indifference to workplace enforcement perpetuates the suffering and insecurity of migrants and refugees. It also leaves largely unpunished the widespread exploitation of undocumented migrant workers, many of them minors.

American politicians need to come clean about immigration and tell an honest story about it. Falling U.S. birthrates and an aging population will only increase the urgency of such discussions, as demand for lower-skilled workers, especially in home care and other service sectors, continues to increase. As long as there is a demand for their labor, and illegal labor is tolerated, migrants will continue to come—and ill-conceived border restrictions will continue to backfire.

Construction is one of many sectors where migrants have filled labor shortages; a home's walls being framed in Folsom, Calif., May 2023. PHOTO: DAVID PAUL MORRIS/BLOOMBERG NEWS

To be successful, any credible comprehensive immigration reform should have three foundations.

First, however unfair it may sound to many, some form of migrant amnesty is inevitable. No matter what they say on television or on the campaign trail, no serious politician really believes that 11 million undocumented migrants, many of whom have been living and working in the U.S. for decades, will all be rounded up and deported.

Second, repairing America's broken immigration system will require opening more legal channels for lower-skilled workers, making it easier for them to move back and forth across the border. Such reforms would have the added benefit of relieving the burden on the asylum system, as economic migrants will have fewer incentives to migrate illegally and apply for asylum to avoid deportation.

Finally, serious investments in the U.S. refugee system are needed so that asylum claims can be processed efficiently and considered decisions can be made in a relatively short term. Policies mainly focused on deterring asylum seekers are counterproductive; they lead to endless litigation, drive refugee migration underground and deprive genuine refugees of humanitarian protection.

Experience shows that creating more avenues for lower-skilled workers does not have to lead to mass immigration. It's easy to forget that until the late 1980s Mexican immigration to the U.S. was largely unregulated. It didn't lead to mass settlement exactly because it was easy for workers to circulate.

This doesn't mean that governments should automatically let more migrants in when employers snap their fingers. There is no evidence that immigration has a substantial effect on the wages or welfare of local workers, but immigration is also not an unmitigated blessing. Research shows that it's primarily the affluent who reap the economic benefits of immigration, while local workers are most directly confronted with its social and cultural consequences in their day-to-day lives.

Such considerations should affect policy decisions about which workers to admit, when and in what numbers. But immigration restrictions can work only when combined with serious workplace enforcement. The only way to keep foreign workers from being exploited is to punish employers who exploit them.

Allowing more lower-skilled workers to enter the U.S. won't just increase the governments' ability to control who is coming in. It will also prevent the further criminalization of economic migration. As incentives for smuggling weaken, migrants will become more visible and more able to contribute to the communities in which they live and work.

The politics of denial has prevailed for too long on the immigration issue. At some point, politicians and the public will need to see that recycling the same old failed policy solutions is only making matters worse.

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