

threaten the very existence of a country as civil as Canada.

For 20 years, Canadian governments have tried to satisfy Quebec's demands by granting it more and more autonomy. Quebec has, for example, its own language police. It goes around fining people for putting up linguistically incorrect signs. Hence, too one of the triumphs of French Canadian separatism to date: the abolition of the apostrophe. (French does not have them.) Eaton's, Canada's Macy's, is now Eaton. Liberté!

There is more, of course.

Laws to force immigrants to send their kids to French-speaking schools. Quasi-diplomatic status for Quebec at meetings of French-speaking nations. But all of this will not do. Quebec's French-speaking majority is not appeased. It wants more. It wants independence.

Quebec should be an object lesson to those American politicians who thrive on the promise of the multilingual, multicultural nirvana awaiting us if only we grant special rights and status to America's various languages, races and ethnicities.

And the disaster awaiting us would be even greater than Canada's.

Why? Because Canada has one saving grace. For the most part, the French live in one place, the English in another. Canada's groups enjoy a neat geographic distinctness. They can have themselves a divorce and build a fence.

We can't. Americans are hopelessly, physically enmeshed with each other. Canada can afford its disastrous indulgence in ethnicity. It has a way out. We don't. **TSC**

Britain Fails to Debate Immigration Issues

An overcrowded island needs no new immigrants

by Ray Honeyford

Immigration is a subject which defies those rules of free speech we normally take for granted. Cant, hypocrisy and emotional blackmail confront anyone who seeks to expose the issues involved. I believe there are, broadly speaking, two reasons for this.

The Role of Race

First, immigration is associated with racial differences, and race is an entirely negative concept in the contemporary world. Some of the worst developments and atrocities in human history have been committed in the name of race: the Atlantic

slave trade, racial segregation in the U.S.A., apartheid, and the unspeakable Holocaust — all these things are evidence of the wrong done by man to man in the name of race. And we are all smeared by the guilt these things have engendered: images, memories, and the expression of racial themes through art and literature serve to keep alive a general sense of disquiet and foreboding. So we prefer to turn away from any subject where race is involved; and where there should be informed discussion and debate about Britain's immigration problems there is a guilty, if unjustified, silence.

The Failure of Debate

Secondly, this unwonted intellectual climate has been ruthlessly exploited by those with an axe to grind about race: the sectarian Left, who perceive race conflict as a useful substitute for the defunct class struggle; the ideological boot boys of the anti-racist lobby; the self-interested apparatchiks of the race relations industry; a group of sociologists who

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have built a career on the allegation that Britain is a society riddled with endemic racism; certain well-meaning, but confused and naive church groups; and an increasing number of cynical politicians out for the ethnic vote. These groups, lobbies and individuals have a very effective method of suppressing dissent — they label anyone who dares to challenge their view of things "racist." Now this term is immensely powerful in a negative way: quite apart from its highly derogatory historical connotations, it sounds like a cross between "rapist" and "fascist" — and no one wants to be associated with such appalling things. So fear serves to extinguish rational anxiety, and an atmosphere of bogus concord is established — not least on the

"The massive immigration into the United States in the post-war era makes clear that diversity can transform a coherent nation, loyalty to which was the duty of all citizens, into a country riven by nationalist, racial, religious, ethnic and linguistic conflict."

subject of immigration, despite the fact that there is considerable public unease surrounding the issue.

Even, perhaps especially, people at the highest levels of public office are prisoners of the notion that immigration must not, under any circumstances, be openly discussed and the public's anxieties addressed. When *The Daily Telegraph* had the temerity to publish a lead article on the subject, it was instantly admonished by the chairman, no less, of the Commission for Racial Equality (CRE), who accused the paper of harboring "racist notions." (14.3.97.) And when Nicholas Budgen, M.P., asked the Prime Minister in the House of Commons if he was in favor of maintaining the primary-purpose rule (which prevents marriages of convenience being used as a device to obtain entry) he was met with an evasive, cowardly and insulting response — a response on which the leader of the opposition

immediately congratulated the Prime Minister (March 12, 1997).

I do not believe that anyone with genuine respect for free speech can possibly support the taboo which surrounds the discussion of immigration. Immigration has enormous significance for the future of this country, and it must be subject to the same open debate as any other matter of such public interest. So what is to be done? Ultimately, of course, the responsibility lies with the politicians, who have the power to enact appropriate legislation and to see it is enforced. But before that can happen parliament will need to feel the force of an informed public opinion. And that can only be created when the race-relations-industry philosophy is successfully challenged. The myths, contradictions and misrepresentations which are regularly retailed as race relations truth must be exposed to the public gaze.

For instance, we need to make clear that the allegation that this country is profoundly anti-immigrant — a key proposition of the race relations industry — is a serious distortion of the truth. Historically this country has had a world-wide reputation for taking in those who wanted refuge for genuine reasons; the seventeenth century Huguenots, the French emigre fleeing from the Revolution, the Jews escaping from persecution in imperial Russia, Ugandan Asians seeking protection from an African tyrant — all these things bear witness to this country's fundamental decency toward newcomers. Moreover, if this nation is as hostile to immigrants as we are told, why is it that people from every part of the globe, of every creed, race and class are desperate to come and live here? And, if it were, indeed, the case that we are as unwelcoming as the lobby alleges, why is it that the self-same lobby constantly challenges the need for immigration control? Surely, if the lobby really cares about would-be immigrants, it would, if its allegations are true, be doing its level best to prevent any newcomers from ever setting foot in the place. The truth is that this country is tolerant to a fault, and bears little relation to anti-racist fictions.

Is More Diversity Always Better?

We also need to challenge the notion constantly propagated by the race relations agitators that continually expanding cultural diversity is an inevitable and valuable consequence of immigration.

This particular myth has been readily and mindlessly accepted by many influential groups, including large parts of the media — particularly the BBC — the trade unions, the welfariate, and, of course, the whole of the race relations industry and its supporters in academe. This essential falsehood is all the more dangerous and seductive in that it contains a grain of truth. Given manageable numbers, immigrants can, over time, enrich the cultural landscape. After all, they bring new languages, new religions, new ideas about marriage and the family, new notions about art and morality, and new ways of thought generally. Some — though not all — of these may prove valuable. I would argue, for example, that British Jewry has had an enormously beneficial influence on the indigenous culture.

But this enriching process is by no means guaranteed. Apart from control of numbers there is the key question of just how far incoming cultures are compatible with the existing culture, and how many diverse cultures can be successfully integrated into an acceptable whole. There is probably a natural limit to the amount of human and cultural diversity with which any country can cope, while remaining a coherent nation with an independent identity. By no means are all countries characterized by diversity the better for it: Bosnia, Somalia, Nigeria, Canada, and, indeed, the USA — all serve to illustrate that, while enriching society in small doses, too much diversity can result in fragmentation and discord.

The massive immigration into the United States in the post-war era makes clear that diversity can transform a coherent nation, loyalty to which was the duty of all citizens, into a country riven by nationalist, racial, religious, ethnic and linguistic conflict. Pressure from large minority groups, enthusiastically supported by the American equivalent of our race relations industry, and by a profoundly unwise judicial activism — these things have destroyed the “melting pot” philosophy that created and maintained the most successful immigrant nation in history. They replaced it with

the “salad bowl” metaphor by means of which loyalty to the nation and indigenous culture takes second place to the interests and aims of the racial, ethnic or cultural sub-group.

Britain now has a cultural diversity unique in its history. There are currently about 200 different language groups settled in this country. We have at least a million Muslims living here; there are about forty journals produced by and in the interests of minority groups, many of them in immigrant languages. The degree of diversity in the schools is truly

astonishing — one London borough is trying to cope with no fewer than 97 different nationalities. Our libraries are awash with non-English literature and our emergency services are multi-lingual.

Is it unreasonable to raise the question of just how far this development can go, before we see the experience of the USA replicated here? Indeed, we may already be some way down the American road. For many years now we have had an extremely active multicultural lobby which encourages immigrants and their descendants to insist that their mother culture be sustained and developed at public expense.

This same lobby also encourages newcomers not to develop loyalty to British culture and institutions, which they regard with something approaching contempt. Norman Tebbit is a former Conservative cabinet minister, well-known and highly respected for his right-wing views, who is now a member of the House of Lords. When he suggested some years ago that immigrants, who enjoy all the privileges of British citizenship, ought to be developing loyalty to this country, he was excoriated by the whole multicultural and anti-racist establishment, and made to appear like a low-browed racist.

Is Immigration Under Control?

The third myth which needs to be exploded is that immigration is under control. There is abundant evidence that there has been no really effective control for many years. A recent bogus asylum-seeker scandal is the tip of a considerable

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iceberg. Legislative attempts to stem the flow have had very little success. For instance, a 1993 Act which was intended to solve the asylum problem has done nothing of the kind. In 1993 there were 22,370 asylum seekers; in 1994 there were 32,380; and, in 1995, 43,965. The 1996 Immigration Appeals and Asylum Act — fiercely resisted by the race relations industry and its supporters — is a positive step in the right direction in that it actually names countries whose citizens we will not accept for asylum purposes. The act has also speeded up procedures.

But there is so much in the way of corrupt and illegal practice associated with immigration that one can have little confidence that the law is being respected. (The latest in a long line of shocking revelations is that several thousand illegal immigrants are working in the Civil Service and as local authorities.) Nor should we forget that the pressure for the much-prized British right to settle here is not just confined to the so-called Third World. There is bound to be more immigration from the European Community, from Hong Kong — where 50,000 heads of family (about 250,000 people) have the right to settle here, and from South Africa — where there are 800,000 entitled to British citizenship.

Nor should we allow ourselves to believe we have some sort of obligation to immigrants just because we had an influx, post-war, when we were short of labor. What a nation needs in one period of its history is no guide to its requirements in other periods. Besides, the numbers involved in the late '40s were infinitesimal — about 10,000 at most. The number of people now entering Britain and remaining here is about 100,000 annually, which amounts to half a million every five years.

But we need to do more than create a more

honest and open intellectual climate by challenging the distortions, half truths and misrepresentations of the race relations industry. We need to raise a very simple but fundamental question: Does this country actually need immigrants? And the simple and blindingly obvious answer is, of course, no. Why? Because this country is a small, overcrowded island with a population density far higher than that of most of the countries from which we receive newcomers. Because we have at least two million people on the dole. Because we have a housing shortage. Because crime is massive and endemic, and can only be made worse by immigrant groups such as Chinese triads and Jamaican yardies. And because continued immigration generates race relations tensions we can well do without.

Above all, we should seek severe limits on immigration because that is what public opinion — including a large proportion of ethnic minority opinion — demands. If the politicians continue to listen to the race relations industry rather than to the voice of most ordinary people, then the much-vaunted multi-culturalism could create divisions the likes of which this country has never known. **TSC**



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‘Subject to the Jurisdiction Thereof’

Clause in the Fourteenth Amendment holds key to birthright citizenship

by William Buchanan

American law has long granted American citizenship to anyone born on American soil regardless of the status of the parents. The children of citizens and legal immigrants are citizens beyond a doubt. However, extending citizenship to children born to illegal aliens or to non-immigrants raises a lot of serious questions. We believe that legislation to deny such citizenship is both constitutional and necessary.

The ability to distinguish between citizens and non-citizens is a fundamental attribute of sovereignty and of nationhood. In recognition of this, our Constitution, in Article I, Section 8, grants to Congress the power “to establish a uniform rule of naturalization....”

Section 1 of the Fourteenth Amendment to our Constitution further states: “All persons born or naturalized in the United States *and subject to the jurisdiction thereof* are citizens of the United States....” This section overturned the Dred Scott decision and declared that former slaves and their progeny were American citizens. That the Congress and the States intended more than this is open to question. Just what did the framers of the Fourteenth Amendment mean by “subject to the jurisdiction thereof”?

Jurisdiction Further Defined

First of all there is **Criminal Jurisdiction**. All persons except accredited diplomats are subject to the criminal jurisdiction of the country in which they reside. This is a universal concept that has nothing to do with citizenship. Moreover, no jurisdiction has

less to do with new-borns — they do not commit criminal acts! It is safe to say that this was not the kind of jurisdiction the Congress and States had in mind when they ratified the Fourteenth Amendment.

Diplomatic Jurisdiction is an accepted international custom, recognized in English and American common law, and confirmed by the Supreme Court, that children born to diplomats are citizens of the country their parents represent. No constitutional amendment was necessary to make that distinction. Nevertheless, the Vienna Convention on Diplomatic Relations (23 UST 3229) empowers the President to declare a diplomat *persona non grata* (Article 9).

Moreover, Article 31, while establishing the diplomat’s “immunity from the criminal jurisdiction of the receiving State,” does not exempt the diplomat from its “civil and administrative jurisdiction” in the case of private ownership of real property, or private actions as an “executor, administrator, heir or legatee,” or in a “professional or commercial activity.” That’s a lot of “jurisdiction thereof” but surely not the kind the framers of the 14th were thinking of.

As to **American Indian Jurisdiction**: how exceeding fine the Supreme Court can grind this issue is illustrated in an historic case brought by a Native American [*Elk v. Wilkins*, 112 U.S. 94 (1884)]. John Elk was born in a part of the 1803 Louisiana Purchase that came to be called Nebraska — born subject to U.S. *military* jurisdiction. Nebraska, “settled” in 1823, accorded territorial status in 1854, and granted statehood in 1867, limited the vote to adult male citizens who were *bona fide* residents of the state for six months. Elk had renounced his tribal membership and by 1880 had lived in Omaha for over a year and claimed the right to vote in

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