

The Illegality Trap: The Politics of Immigration & the Lens of Illegality

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Abstract: The focus on undocumented immigrants in contemporary U.S. immigration debates, often at the expense of other immigration issues, has led to an illegality trap. This situation has serious negative consequences for both U.S. immigration policy and immigrants, including an overwhelming emphasis on enforcement; legislative gridlock and the failure of comprehensive immigration reform; constitutional conflict resulting from tensions between national, state, and local approaches to dealing with undocumented immigration; and the puzzling absence of federal policies addressing immigrant integration. This essay argues for a reframing of “illegality” as a contingent rather than categorical status, building on the insights of Plyler v. Doe and notions of implied contract and attachment to U.S. society. Doing so, we contend, will shift the terms of the immigration debate, enabling more fruitful policy discussions about both immigration and immigrant integration.

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Americans have disagreed about immigration since the founding of the republic. What is curious about the contemporary immigration debate, however, is the degree to which it is focused on “illegal” immigrants. The heated rhetoric and deep partisan divisions over undocumented immigration disguise the fact that there is a durable and broad-based consensus about legal migration to the United States, dating back to the 1965 Immigration and Nationality Act. The key provisions of the 1965 act – equal quotas by country and region and a commitment to family reunification – still guide the federal government’s decisions about whom to admit to the country as legal migrants. However, the current debate obscures this underlying consensus and instead focuses on the conundrum of undocumented migrants currently living in the United States. This emphasis is ultimately dysfunctional for immigration policy and detrimental to the incorporation of

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doi:10.1162/DAED_a_00227

immigrants as residents and citizens of the United States.

There are an estimated 11.1 million undocumented migrants living in the United States, up from an estimated 1.9 million in 1988.¹ The majority, 59 percent, are from Mexico, with the majority of the remainder coming from other Latin American countries.² These migrants either overstayed legal visas for tourism, study, or temporary work or entered the country clandestinely, often by crossing the U.S.-Mexico border. While their numbers are significant, undocumented migrants make up only one in four foreign-born residents in the United States. In 2010, the United States counted almost 40 million foreign-born residents, up from 19.8 million in 1990, including 17.5 million naturalized immigrants.³ All together, legal immigrants now make up 71 percent of all immigrants to the United States, with 44 percent of all foreign-born residents having acquired U.S. citizenship. Given these statistics, it is curious that debates about immigration and its effects on the United States have been driven by the minority of immigrants deemed “illegal.”

The single-minded focus on undocumented immigration in the contemporary immigration debate, and the inability to shift this focus, is what we term the *illegality trap*. This essay begins with a discussion of how illegality is framed in public and political discourse, and how it became subsequently problematized in politics and policy-making. We then address how the focus on “illegal” immigration has produced serious negative consequences for both U.S. immigration policy and immigrants alike, resulting in: 1) an overwhelming emphasis on enforcement; 2) legislative gridlock leading to the failure of comprehensive immigration reform; 3) constitutional conflict resulting from greater state and local pol-

icy activism around the issue of undocumented immigration; and 4) the puzzling absence of federal policies devoted to immigrant integration. The essay concludes by looking again at how discussions of immigration in the United States have been trapped by the illegality frame, and how it might be possible to get out of it. We propose that reframing “illegality” as a contingent rather than categorical status will enable more fruitful policy discussions about immigration and immigrant integration.

Immigrants who enter the United States without documentation or who overstay temporary visas are often referred to, in contemporary popular discourse, as “illegals.” In this discourse, illegality is taken as self-evident, as echoed in the rhetorical question brandished by immigration opponents: “What part of ‘illegal’ don’t you understand?”⁴ In reality, however, illegality is far from self-evident because it is as much a political category as a legal status. Since the late nineteenth century, a series of government policies and practices have constructed and subsequently modified the category of “illegal immigrants,” in the process deepening the division between “illegal” immigrants and their legal counterparts.⁵

Through much of the nation’s early history, “illegal” immigrants were counted alongside other migrants entering the country through formal ports of entry.⁶ Only in 1891, following the creation of the Office of the Superintendent of Immigration and the formalization of an entry process under federal auspices to screen out undesirable immigrants, did illegal immigrants emerge as a distinct category of persons residing in the United States without permission.⁷ However, undocumented immigrants had not yet been problematized as a political issue. Federal immigration officials paid little

attention to land borders until the 1920s, and circular migration – including that of individuals crossing the U.S.-Mexico border without formal documentation – continued to be tolerated by the government and was encouraged by agricultural interests reliant on migrant labor. Being undocumented, a civil violation rather than a criminal one, was a contingent status that could be remedied, and undocumented immigrants had different avenues to regularize their status.⁸

Legislative changes during the second half of the twentieth century hardened the boundaries of illegality and reduced the pathways to legalization. The Bracero Program, which since 1942 had allowed Mexico and Caribbean countries to send millions of temporary migrants to fill U.S. labor shortages, was terminated in 1964, thereby ending official recognition of circular migration.⁹ The 1965 Immigration and Nationality Act again rewrote the rules of the game. Overall, the act liberalized immigration to the United States by removing the restrictive national-origins quotas that for four decades had benefited immigrants from Western Europe and by shifting to a system of family-based migration. However, the act also introduced, for the first time, overall limits and caps on immigration from the Western Hemisphere, which proved particularly problematic for migration from Mexico. In a few short years, visa availability for migrants from Mexico plummeted from 450,000 annual guest worker visas and an unlimited number of residence visas to just 20,000 visas for permanent residence, with no legal guest worker program. Because incentives to migrate to the United States remained, these policy changes did little to reduce net migration from Mexico: they simply meant that most migrants were now considered “illegal.”¹⁰

By the early 1980s, the number of undocumented residents in the United

States, most of them from Mexico, had grown substantially, making illegal immigration a top political issue. A prolonged debate in Congress about how to curb illegal immigration and what to do with undocumented immigrants already in the country led to the passage of the 1986 Immigration Reform and Control Act (IRCA). This law was expected to provide a comprehensive solution to the growing problem of undocumented immigration by providing for increased border control and employer sanctions to curb illegal immigration, as well as a one-time amnesty for undocumented immigrants who could prove their U.S. residence for eight or more years. Although more than 2.7 million undocumented immigrants, including 2.3 million from Mexico, legalized their status under IRCA, the legislation did not address the underlying causes of illegal immigration, and its ineffective enforcement mechanisms failed to curb undocumented immigration.¹¹ Consequently, the undocumented population continued to grow over the next three decades, further hardening the political discourse around illegality.¹²

Laws enacted since the 1990s – which have restricted immigrant admissions, facilitated immigrant deportations, and restricted immigrants’ access to employment, housing, education, and social welfare programs – further distinguished “illegal” from legal immigrants.¹³ In recent years, there has also been an increased blurring of criminal and immigration law, a phenomenon that some legal scholars have referred to as “criminal migration.”¹⁴ While immigration laws are civil and their violation has historically been a civil offense, the federal government has increasingly pursued criminal prosecution for individuals who enter and reenter the United States without documentation.

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In doing so, the federal government has contributed to the public misperception that residing in the country without legal documentation constitutes a crime, thereby making “illegal” immigrants an accepted target of all discussions about immigration. It also casts undocumented immigration as a valence issue, disliked by politicians of both parties, the media, and the electorate. This has made it increasingly difficult to address the underlying structural reasons for why undocumented immigration occurs, or to address illegal immigration in conjunction with legal immigration. The immigration debate has become trapped by the language of illegality.

The gradual hardening of the political discourse around illegality and the growing public dislike of illegal immigrants have given rise to a set of federal initiatives that disproportionately focus on enforcement as the path to curb illegal immigration.¹⁵ Legislatively, Congress enacted the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) and the Antiterrorism and Effective Death Penalty Act (AEDPA) in 1996. These laws have expanded the categories of immigrants subject to deportation, restricted the ability of immigrants to appeal deportation, and increased the crimes for which immigrants could be deported.¹⁶ Five years later, following the terrorist attacks of 2001, Congress enacted the USA PATRIOT Act, which further restricted immigrants’ civil liberties by creating new grounds for deportation and making it easier for federal officials to detain foreign-born individuals suspected of terrorist activities. The criminalization of immigration and the portrayal of undocumented immigrants as dangerous criminals and threats to national security have made it difficult for politicians to speak out against immigration

enforcement initiatives or offer any alternatives.

Administratively, every recent president has focused on immigration enforcement. During President Bill Clinton’s tenure between 1993 and 2001, the Border Patrol’s budget tripled from \$363 million to \$1.1 billion, and the number of agents stationed on the Southwest border increased from 3,444 to 8,580.¹⁷ Under President George W. Bush, enforcement broadened its focus to the country’s interior, executing high-profile workplace raids and neighborhood sweeps to round up unauthorized immigrants, tracking down illegal fugitives who had ignored officials’ orders to leave the United States, and implementing the controversial 287(g) program that authorized designated state and local police officials to perform federal immigration enforcement functions. The emphasis on internal enforcement endured under President Barack Obama, although the focus has shifted to targeting employers with I-9 audits, as well as the identification and removal of dangerous criminal aliens. Under President Obama, federal immigration officials have continued to rely on state and local law enforcement officials to apprehend undocumented residents for deportation, with the 287(g) program superseded by the nationwide implementation of the Secure Communities initiative in 2013.

Those who claim that these enforcement initiatives have been successful point to the recent increase in the number of illegal immigrant removals from the United States and the simultaneous drop in illegal immigrant border apprehensions. However, those arguing that these initiatives have failed instead point to the growth in the undocumented population in the two decades following the enactment of IRCA, from an estimated 1.9 million in 1988 to an estimated 12.4 million in 2007.¹⁸ Given the increased costs and risks of crossing

the U.S.-Mexico border, the federal enforcement initiatives pursued since the 1990s have had the unintended consequence of ending circular migration and increasing the number of undocumented immigrants who have settled permanently in the United States.¹⁹ The 2001 expiration of Section 245(i) of the Immigration and Nationality Act, which since 1994 had helped certain undocumented immigrants to adjust their status without leaving the United States, further increased the size of the settled undocumented population. Despite evidence that the twenty-year rise in the undocumented population in the United States is a direct response to increased border enforcement and a lack of legalization opportunities, calls for an enforcement-only approach have grown only louder in recent years.

The post-IRCA focus on illegality not only produced an immigration regime biased toward enforcement, but also contributed to the failure of recent congressional endeavors to enact a new legalization program as part of a comprehensive immigration reform package. In 2005, while the U.S. Senate considered comprehensive immigration reform proposals of its own, the U.S. House of Representatives acted first, passing the Border Protection, Antiterrorism, and Illegal Immigration Control Act (H.R. 4437), an enforcement-only bill that sought to increase border and interior enforcement, criminalize undocumented immigrants and those who help them, and further restrict due process rights for illegal immigrants.

Widely perceived as draconian, H.R. 4437 catalyzed the largest street protests in U.S. history. In the spring of 2006, an estimated 3.5 to 5.1 million people participated in peaceful rallies in more than 160 cities nationwide to oppose the House bill.²⁰ The Senate subsequently refused to consider the legislation, yet its alterna-

tive proposals that did provide a path to legalization for unauthorized immigrants, including the Comprehensive Immigration Reform Act of 2006 (S. 2611) and the Comprehensive Immigration Reform Act of 2007 (S. 1348), also failed to pass.

While there is a push to introduce comprehensive immigration reform legislation in 2013, disagreements about what to do about the millions of undocumented residents in the United States remain so deep-seated that Congress appears gridlocked over even smaller legislative initiatives that focus on legalizing only specific groups of unauthorized immigrants, such as students (DREAM Act) and agricultural workers (AgJOBS). The continued failure of attempts at comprehensive immigration reform is surprising given that opinion polls routinely find that most Americans favor such legislation as a practical solution to the problem of unauthorized immigration, as do the various interest groups – including labor unions, immigrant rights groups, and business groups – tied to the Democratic and Republican Parties.²¹ Additionally, both Presidents Bush and Obama have supported comprehensive immigration reform proposals that combine enforcement, legalization, and changes to the visa system.

This disconnect between public preferences and immigration reform policy is illustrative of the extent to which the issues of illegality and immigration enforcement have skewed the policy-making process. Conservative politicians are at one end of the spectrum, strategically backing a focus on enforcement that precludes discussion of any type of legalization. A coalition of groups supporting comprehensive immigration reform – business groups, labor unions, civil liberties groups, and immigrant rights groups – are at the other end of the spectrum, struggling with the political valence of

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immigration issues. This coalition of immigration reform supporters has found it difficult to reach consensus about the type of legalization program they support and which undocumented immigrants they believe deserve legalization.

Congress' failure through the 2000s to enact a legislative fix to the illegal immigration problem has compelled state and local governments to fill the federal policy void with their own immigration laws and ordinances. State legislative activity increased more than fivefold between 2005, when legislatures in 25 states considered approximately 300 immigration-related bills and enacted 39 of them, and 2011, when state legislators introduced 1,607 immigration-related bills and resolutions and passed 306 of them in 42 states and Puerto Rico.²² Attention to immigration issues has also spiked in municipalities, and by the end of 2007, 180 cities, towns, and counties across the country had considered immigration-related proposals, enacting close to 120 ordinances.²³

These state and local laws tackle immigration issues across a broad range of policy areas, but most address immigrants' eligibility for state-issued identification documents (such as a driver's license), their access to employment, housing, education, and other public benefits, and the relationship between local law enforcement agencies and federal immigration authorities. Some of these laws help immigrants integrate by granting them in-state college tuition, local voting rights, municipal ID cards, and local sanctuary from federal immigration laws.²⁴ Many other laws, however, seek to make life as difficult as possible for undocumented immigrants by excluding them from employment and housing opportunities as well as from a variety of government benefits.²⁵ Increasingly, state and local

government officials, in addition to federal authorities, have come to view immigration primarily through the lens of illegality.

The explosion in state and local immigration laws is, on the one hand, a consequence of the immigration quandary in the federal legislative sphere. On the other, it has added yet another layer of political conflict, though now in the judicial sphere. State and local laws addressing illegal immigration have produced constitutional conundrums and consequently have triggered legal challenges invoking the preemption and supremacy clauses of the Constitution under which immigration policy has traditionally been understood as a federal prerogative.²⁶

Anti-immigrant state and local laws, however, have also come under legal scrutiny for purportedly subjecting individuals, especially Latinos, to racial profiling and other civil rights violations. Legal challenges have blocked the implementation of local anti-immigrant ordinances that penalize employers for hiring undocumented immigrants and landlords for renting to them.²⁷ More recently, in June 2012, the U.S. Supreme Court invalidated most provisions of Arizona's controversial anti-immigrant law, S.B. 1070, enacted in 2010. The courts thus have sent a clear signal that setting immigration policy remains the purview of the federal government. This does not mean, however, that federal policy-makers have reached any consensus about how to solve the undocumented immigration problem. And as long as they continue to prioritize an illegality frame, policy-makers are unlikely to break the impasse over immigration reform.

The illegality frame, with its consequent shifting of government resources to enforcement, has also meant that federal officials have paid little attention to and

invested few resources in the societal integration of both legal immigrants and undocumented migrants who have long lived, worked, and paid taxes in the United States.²⁸ Even though the federal government has granted legal permanent residency to one million individuals (including an average of 80,000 refugees) annually over the past twenty years, it takes very limited responsibility for immigrants' integration.²⁹ Within an overall *laissez-faire* approach to integration, immigrants are expected to use their own resources, family, friendship networks, and perhaps the assistance of local community organizations and local government to survive and thrive in the United States, while the federal government provides minimal support to help legal immigrants naturalize, learn English, find employment, or participate in civic and political life.³⁰ Illegal immigrants, because they have violated the country's immigration laws, are not even considered legitimate beneficiaries of public policies intended to advance immigrant sociocultural, economic, and political integration in the United States. The political sidelining of immigrant integration, and the exclusion of undocumented migrants from even minimal federal integration efforts, harms immigrants and their families, in addition to the rest of U.S. society.

For undocumented immigrants, the barriers to integration are formidable. Under current law, a person has to prove his or her legal immigration status in order to get a driver's license or get a job. With the exception of emergency medical care, K-12 schooling for undocumented children, and general municipal services such as libraries and policing, undocumented immigrants are excluded from government-funded programs and services that can foster their integration.³¹ Their designation as "illegals" also undermines their ability to integrate. The fear of deporta-

tion forces many undocumented immigrants to lead hidden lives characterized by economic hardship and limited physical mobility, where even the most mundane activities such as working, driving, and traveling become dangerous and illicit acts.³²

The threat of deportation also discourages undocumented immigrants from exercising their rights against unscrupulous employers and landlords who take advantage of them in the labor and housing markets, and from reporting crimes to law enforcement authorities.³³ While undocumented immigrants experience these integration barriers most acutely, they also affect their families and U.S.-born children.³⁴ Just over half of all undocumented immigrants live in mixed-status households, with 4.5 million American-born children having at least one undocumented parent, and 16.6 million people living in families with at least one undocumented immigrant.³⁵

The focus on illegality also deemphasizes the integration of legally admitted migrants, who make up nearly three-quarters of all foreign-born individuals in the United States. Especially for legal immigrants who are ethnoracial minorities, limited-English proficient, uneducated, or poor, the absence of federal integration policies curtails their life chances and their successful integration into U.S. society. Research suggests that government integration policies in countries such as Canada (where the federal government funds and coordinates immigrant integration policies) help immigrants learn the host country's language and secure better jobs more quickly, earn higher incomes, and thus contribute to the economy more fully and provide a brighter future for their children.³⁶ In the Canadian context, government policies targeting immigrants also facilitate their naturalization and encourage their civic

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and political participation.³⁷ Government integration policies thus can benefit the rest of society in addition to the immigrants they target.

Framing the immigration debate around illegality clearly has had a series of very negative consequences: enforcement becomes the only conceivable and acceptable response; it shuts off the possibility of more comprehensive immigration reform; this failure, in turn, leads to the devolution of immigration policy-making to states and localities; and it shifts attention away from the real needs and requirements of immigrant integration. Breaking this impasse around immigration policy requires a reframing of the immigration debate. Since illegality is a valence issue, with no upside, it is difficult to shift away from this frame. We require a fundamental rethinking of the meaning of the term *illegal*.

The first step in rethinking illegality is to stop using it so categorically; there is no single kind of illegality. “Illegality” can include legal and illegal entry, legal and illegal residence, legal and illegal employment, and civil and criminal illegality. Together, they combine to produce different forms and degrees of irregularity.³⁸ For example, despite the popular image of undocumented immigrants jumping or swimming across the border clandestinely, as much as 45 percent of undocumented immigrants in the United States entered the country legally and then overstayed their visas.³⁹ Only a small minority of undocumented immigrants are engaged in criminal activity in the United States.⁴⁰ And finally, many undocumented immigrants – especially those brought to the United States as young children – do not know they are undocumented until they apply for college or try to find a job.⁴¹

In contemporary debates, immigrants are either illegal or they are not. In reality, illegality is often contingent, with people

adjusting their status over time.⁴² Recent studies indicate that significant numbers of immigrants obtain legal status despite previous experience as an “illegal.” For instance, one study tracking legal immigrants who arrived in 1996 found that approximately 19 percent had entered without inspection, another 12 percent had overstayed visas, and 11 percent had worked without authorization. Among those with experiences of being “illegal,” 61 percent were entries without inspection while 38 percent had entered legally but overstayed their visas. A decade later, almost a third of the now “legal” immigrants in this cohort had succeeded in regularizing their status and overcoming the stigma of illegality.⁴³

A second step in rethinking illegality is to recognize that both political parties tend to ignore key aspects of undocumented migration. Republicans, for example, often fail to recognize that many “illegals” are here to stay because they have deep ties to the United States through marriage, children, and work.⁴⁴ Although the U.S. economy declined precipitously after 2008 and the pace of new immigration to the United States certainly decreased, in 2011 there were still an estimated 11.1 million unauthorized immigrants in the country – a number not much lower than during the economy’s previous high point. Democrats, for their part, have focused on proposals providing for “amnesty” or legalization, but they still accept the frame of illegality and the idea that there are categorically “illegal” individuals. Both parties need to recognize that illegality is not an either/or categorization, and that the line delineating illegal from legal is fuzzy.

One way to shift the debate from the illegality trap would be to build on *Plyler v. Doe*, the 1982 Supreme Court decision that found that all children, regardless of legal status, are entitled to a free K-12

public education. The Supreme Court justices based their argument on the idea that “the children who are plaintiffs in these cases are special members of this underclass [of unauthorized immigrants]. . . . The children of . . . illegal entrants can affect neither their parents’ conduct nor their own status. . . . Legislation directing the onus of a parent’s misconduct against his children does not comport with fundamental conceptions of justice.”⁴⁵ The *Plyler* decision implies that we *already* recognize that illegality is not categorical, and that the rights that people hold depend on their circumstances. However, *Plyler* also explicitly limits recognition of these rights to children, not all migrants.

Another way to move forward would be to recognize membership based on implied *contract*, resulting from working in the United States, or *attachment*, resulting from length of residence in the United States.⁴⁶ Recognition of a contractual relationship between migrants and receiving societies hinges on the argument that migrations are not accidental: they occur because the countries receiving immigrants *acquiesce* in their presence.⁴⁷ As legal scholar Hiroshi Motomura notes, the “policy of acquiescing and tolerating immigration outside the law effectively invites immigration outside the law.”⁴⁸

The attachment argument begins with the recognition that people living in the United States, regardless of their age at arrival in the United States, are not sealed off from U.S. society. They are, whether we like it or not, increasingly a part of it, especially with more time spent in the country.⁴⁹ This is the line of reasoning taken by those advocating a DREAM Act, a federal law that would allow a path to citizenship for those who came to the United States at a young age and completed their high school education in the United States. DREAM Act advocates contend that these residents deserve a re-

adjustment of their status because they are *already* good citizens.⁵⁰ Similarly, a group of scholars has argued that preceding their acquisition of rights as full U.S. citizens, undocumented immigrants can acquire local citizenship or membership rights based on their residence and economic contribution to a local community.⁵¹

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Reframing illegality would shift the terms of the debate and allow the deadlocked policy process to move forward. We list three plausible strategies that could be pursued once we accept a more nuanced definition of illegality. A great deal of energy has been expended on the legalization or amnesty option, as a number of other countries have done and as the United States did in 1986. This is a political dead end; and as we noted above, a one-time legalization largely preserves the categorical legal/illegal dichotomy.⁵² A better alternative would be to pursue the idea of “earned legalization,” whereby migrants acquire points toward residency by meeting certain criteria, such as number of years in the country, having a stable job, paying taxes, and not having a criminal record.⁵³ Earned legalization acknowledges the nuances of illegality and could be constructed as a continuous process rather than as a one-shot deal, avoiding the buildup of a large population of undocumented migrants.

Second, Congress could institute a statute of limitations on deportations. Through 1917, the United States very rarely deported illegal immigrants, and there was a statute of limitations on deportation. After 1891, undocumented migrants were deported only if they became a public charge within one year of their entry, and in 1917 this statute of limitations was extended to five years.⁵⁴ It was only in 1924 that Congress eliminated the statute of limitations on undocumented entry. Reinstating a statute of

limitations would place undocumented residence more in line with other kinds of illegal activity for which statutes of limitations already exist. Illegality would subsequently and more appropriately define the behavior of a person, not the person in his or her entirety.

Finally, the United States could expand administrative discretion. Discretionary relief from removal takes into account the time immigrants have been in the country and the ties they have to U.S. citizens or lawful permanent residents.⁵⁵ U.S. law has historically allowed case-by-case administrative determinations of attachments to the United States – through family or time spent in the country – and allowances for “meritorious cases” or for those facing hardship if deported.⁵⁶ Administrative rules applying to deportation were tightened in 1996, when Congress added the requirement that undocumented migrants challenging removal

must prove that deportation would result in “exceptional and extremely unusual hardship” to a close family member who was a U.S. citizen or a legal permanent resident.⁵⁷ The Obama administration’s recent decision, through its Deferred Action for Childhood Arrivals (DACA) program, to expand the role of administrative discretion in the deportation of certain unauthorized immigrants who entered the United States as children is one example of this strategy in action.⁵⁸

Any or all of these policy steps would be possible if the U.S. immigration debate were to break free from the illegality trap. Jettisoning the idea that illegality is categorical rather than contingent would break the logjam in immigration policy, but more important, it would allow for greater opportunities for the many immigrants now in the United States, regardless of how they arrived.

ENDNOTES

* Contributor Biographies: MICHAEL JONES-CORREA is Professor of Government at Cornell University. His publications include *Latinos in the New Millennium* (with Luis R. Fraga, John A. Garcia, Rodney E. Hero, Valerie Martinez-Ebers, and Gary M. Segura, 2012), *Latino Lives in America: Making It Home* (with Luis R. Fraga et al., 2010), and *Between Two Nations: The Political Predicament of Latinos in New York City* (1998).

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Authors’ Note: Authors’ names are listed in reverse alphabetical order; they are equal co-authors. The authors are grateful to Roberto G. Gonzales, Helen B. Marrow, and Monica W. Varsanyi for their very helpful feedback on an earlier version of this essay.

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