

IMMIGRATION LAW

Congress is considering major immigration reform. Now, *there* is a matter of profound concern to Jews.

Jews were always movers -- by choice as well as necessity. Two thousand years ago, before the fall of the Temple, there were as many Jews living outside the ancestral homeland as in it. But two of the most dramatic movements were recent: over two and a half million to the U.S. between 1880 and 1948; and over a million and a half back to Israel from the diaspora since 1948.

Of course, emigration is of most urgency to Jews -- and others -- when political oppression is acute -- as it was in Nazi Germany, and as it is in the Soviet Union. The *inability* to get out is often tragically tied to the *need* to get out. Aristotle was among the first to note that the right of emigration was the mark of a free society.

But, free societies have an obligation not only to let anyone leave, but also to receive as many as possible. There is, of course, a common-sense limit. It is estimated that there are at least a billion people who would come to the U.S. next week if they could. In a bigoted over-reaction to this possibility, the U.S. imposed rigid restrictions for three decades. The organized Jewish community was heavily involved in beginning to dismantle the worst of these restrictions in the 1950s. For one thing, the national origins quota system was removed from our law.

In addition, the U.S. began to return to a tradition which it had shamefully -- and for the Jews, tragically -- too often abandoned in those three dark decades: political asylum. Put simply, *no one* should be denied entry or deported who would predictably be politically oppressed if returned to his or her country.

Under that principle did we receive so many Vietnamese refugees. Under that principle, no Iranian Jew -- or Bahai member -- will be returned to the land of Khoumeini. It is not always easy to distinguish between "economic refugees" on whose entry some numerical limit must be placed; and political refugees, on whom we cannot morally afford to place limits. But if we err, it must be on the side of the humane. There are an estimated half million Salvadoran refugees in this country -- who should not be deported as long as they credibly claim to be at political risk in their country. Similarly, Nicaraguan refugees from the oppressive Sandinista government should not be deported.

At the moment, the Simpson immigration bill being considered by Congress includes provisions further liberalizing conditions for political refugees, such as the extension of judicial review and due process for deportation proceedings or granting of political asylum. The Jewish community has supported those provisions. We are also supporting provisions which would humanize conditions for illegal aliens who have been in the country for some time -- including an amnesty which would legalize their presence, as long as some reasonable measures are taken to deter the employment of future illegal (non-political) aliens.

If you are looking for another Jewish issue to discuss with your Congressman, this is it.