

## IMMIGRATION AND CRIME ACROSS SEVEN NATIONS

My talk this evening is drawn from a larger study of the immigration laws, practices and policies in seven countries: Australia, Canada and the United States, the traditional immigrant receiving countries; France, Germany and Great Britain, countries that have policies that are more ambivalent about immigration; and Japan, a country that has very restrictive immigration laws and practices. Details of this larger study have been reported in our book “A Comparative Analysis of Immigration Practices, Policies and Statutes,” co-authored with James Lynch and published in 2003.

This evening, I shall compare the criminal behavior of immigrants and non-immigrants and public opinions about the criminal behavior of immigrants in the seven countries. The crime data are based on the incarceration rates reported in each of the seven countries. My intention in juxtaposing immigration policy and the criminal involvement of immigrants is to determine if there is a pattern between the two, what that pattern is, and why it exists.

Before concluding I shall also report more generally on public opinion across the seven nations *vis a vis* immigration policies and immigrants.

The types of restrictions placed on admissions reveal a great deal about a nation's attitude toward immigrants and immigration, but how policies reflect these orientations is not simple. In general, admissions policies are inviting when they allow a large number of persons into the country relative to the current population; when they do not subject applicants to extensive screening based upon cultural similarity to the host nation; and when they guarantee, from the beginning, that persons admitted can expect to become permanent citizens if they behave reasonably.

The nature of a country's immigration policy is gauged not only in terms of who and how many people it allows in, but also how completely immigrants are allowed to participate in the life of the nation. Full participation in a country is achieved with citizenship and the relative ease of naturalization says a great deal about the acceptance of immigrants. Here again the traditional immigrant nations are much more open than non-immigrant nations.

France, Germany and Japan have much more stringent control requirements of aliens than the other nations examined here. In Germany, for example, guest workers must apply for residence and work permits.

These permits must be renewed upon change of employment or residence (Hammar, 1985). These episodic checks give immigration authorities the chance to intrude into the lives of immigrants. Although the likelihood of interference may be small, there is the chance that the required permits may not be renewed and the foreign national will be required to leave. This uncertainty reinforces the perception that foreigners are outsiders. The internal controls on foreigners that exist in Germany lessen with the length of residence, such that recent arrivals must renew their permits at more frequent intervals than persons who have lived in Germany for longer periods of time (Convey and Kupiszewski, 1994). The French and the Japanese have similar control arrangements where immigration authorities have numerous opportunities to intrude into the lives of immigrants and the discretion to affect a foreigner=s ability to remain in the country (Hammar, 1985; Shimizu, 1994).

In contrast, persons admitted to the United States, Canada, Australia and Great Britain have very few obligations that do not also apply to citizens. There are no permits required for employment and housing, for example.

In sum, the common perceptions about immigrant and non-immigrant nations are broadly consistent with immigration policies in the respective

nations. Immigrant nations such as the United States, Canada and Australia have relatively open immigration policies and high proportions of foreign born in the resident population. It is interesting to note that the proportions of foreign born is higher in both Canada and Australia than it is in the U.S., but the immigrant ethos appears to figure much more prominently in the U.S. than it does in the civic culture of these other societies. Germany, and more distantly, Japan are clearly non-immigrant nations. They have very restrictive (or no) immigration policies, relatively strict policies for the control of resident aliens, very restrictive naturalization policies and low proportions of foreign born in their populations. France and England have mixed or ambivalent policies. Both the French and the British have very restricted admissions policies based on race and national origin, but naturalization policies are relatively open and pains are taken to ensure equal treatment of residents once they are in the country. The French have stricter internal controls on aliens after they enter the country.

The most consistently available data on criminal involvement of aliens cross-nationally come from incarceration rates. This is the case because there is generally more information available on persons at the time of incarceration than at earlier stages in system processing such as arrest. Consequently, we are better able to determine who is a citizen and who is

not at the incarceration stage. Thus, the crime data I refer to are based on incarceration rates.

Comparing incarceration rates, the pattern that emerges across the seven nations is that overall immigrants in the United States, Canada, and Australia, the traditional immigrant receiving countries have lower crime rates than natives; but immigrants in France, Germany and Japan have higher crime rates than natives. Great Britain is in-between immigrant nations and non-immigrant nations but closer to immigrant nations in the ratio of immigrant to native rates of incarceration.

There is one offense, however, for which immigrants in all seven countries have higher incarceration rates than natives: drug offenses.

In the United States in 1991, immigrants were 2.37 times more likely than natives to be incarcerated for drug offenses and in Australia immigrants were incarcerated for drug offenses at 2.29 times the rate of natives.

In Canada in 1991, among all the imprisonments for drug offenses, 67 percent were natives and 33 percent were immigrants--a much higher percentage than the latter's representation in the country. In England in 1995, 98 percent of all incarcerated immigrants had been convicted of drug

offenses. In France in 1995, 27 percent of the immigrants were incarcerated for drug offenses compared to 22 percent of the natives. In Germany as of 1991, the rate of incarcerated immigrants for drug offenses was 192 per 100,000 compared to 73 per 100,000 natives. In Japan, the incarceration rate for drug offenses by immigrants was .6 per thousand compared to .1 per thousand natives.

The universal over representation of foreigners in incarceration rates for drug offenses is probably due in some measure to the inclusion of sojourning foreigners (rather than immigrants) in the numerator of the incarceration rates. Consequently, it may be more appropriate to emphasize comparisons among those crimes where this distortion is less likely. When immigrant and non-immigrant nations are compared on incarceration rates for violent and property crime only, the patterns are consistent with those observed for overall incarceration rates. Immigrants in immigrant nations have lower incarceration rates relative to natives than immigrants in non-immigrant nations.

Having reported the incarceration rates, I am now going to compare how the public in these seven countries view the relationship between immigrants and crime. In general, cross-national comparisons of public opinion toward immigrants have shown that public opinion towards

immigrants is largely negative regardless of the immigration policies of the nation (Simon and Alexander, 1983; Simon and Lynch). It would be interesting to see if this pattern holds for the perceived criminal involvement of immigrants. Moreover, it would be interesting to see if perceptions of immigrant criminality are consistent with actual incarceration rates. If perceptions are more negative than the reality, this would suggest anti-immigrant feeling.

Public opinion data from the 1995 International Social Survey showed a relationship between public beliefs about immigrants= propensity to commit crime, and the incarceration rates reported in the seven countries. Unfortunately, France was not included in the survey. When asked whether they agree or disagree with the statement AImmigrants increase crime rates@ the responses indicate that the publics in those countries with higher immigrant incarceration rates and more restrictive immigration policies are more likely to express strong agreement with the statement.

Almost two thirds of the respondents in Japan, the country that reports the highest incarceration rates and the smallest percentage of immigrants, believe that immigrants increase the crime rates in their country. The country that had the next largest percent of agreement was Germany, a nation that has the second highest incarceration rate. The much lower

responses among the more traditional immigrant receiving countries (Australia, Canada and the United States) are also consistent with their lower incarceration rates. The responses of the British public are more closely aligned with the latter group than they are with the German and Japanese responses which is consistent with both their incarceration rates and their immigration policy.

The pattern revealed by the data suggests that the more restrictive a nation's immigration policy, the greater the incarceration rates of foreigners and the greater the public's belief that immigrants increase crime rates in their country. But it is not a perfect pattern. The disproportionate involvement of foreigners in crime in France (for which, unfortunately, public opinion data are not available), is much greater than that existing in Germany or Japan, while the latter nations have much more restrictive immigration policies than the former. Nonetheless, the criminal involvement of foreigners is lower than the native population in immigrant nations and substantially and consistently higher than the native population in non-immigrant nations.

Before I conclude I want to comment more generally on public opinion toward immigrants and immigration policies across the seven nations.



The one major and consistent theme that is sharply and clearly defined in each country's responses to national public opinion polls is that no country, those with long histories of admitting immigrants, those with more restrictionist policies, and those who have consistently kept a lock on their doors, have positive feelings about their current cohort of immigrants. At best, the pattern that emerges from the American responses is the tendency to look at immigration with rose-colored glasses, turned backwards. The American public expresses positive and approving attitudes toward immigrants who came "earlier," but expresses negative sentiments about those who are coming at whatever time a survey is being conducted. Thus when asked on national polls from 1993 through 2003 -- "Was immigration a good thing or a bad thing for this country in the past," between 59 and 75 percent said "a good thing", and between 19 and 31 percent answered "a bad thing". Then, on the same poll, when asked: "Is immigration a good thing or a bad thing for this country today?" between 29 and 62 percent answered "a good thing" and between 31 and 60 percent answered "a bad thing".

When asked between 1993 and 2004 whether immigrants are good or bad for the country on specific issues note the following results:

Which of the following statements comes closer to your views:

Categories	1993	1999	2000	2004
	(in percent)			
Immigrants mostly take low paying jobs Americans don't want	67	71	75	77
Immigrants mostly take jobs that American workers want	23	16	13	14
Both/neither	8	8	8	8
No opinion	2	5	4	1

From 1993 to 2004, between 67 and 77 percent of the respondents believe immigrants mostly take low paying jobs American's don't want. In 2004, only 14 percent believe immigrants compete with American workers for jobs American want.

On the theme of whether immigrants make a positive contribution, a June 1995 national poll reported that 52 percent believe "immigrants are a burden on our country because they take our jobs, housing, and health care"; 40 percent believe "immigrants strengthen our country because of their hard work and talent." Consistent with these responses are those made to another national poll conducted in March 1996 that asked: "Do you favor or oppose establishing a five year ban on legal and illegal immigrants into the United

States.” Fifty-two percent favored a ban, 40 percent opposed and 18 percent were not sure.

Between 1946 and 2004 the following question was asked of the American public on at least 18 national polls: Should immigration be kept at its present level; Should immigration be increased, or should immigration be decreased?

The responses show that during periods of economic expansion and growth, during periods of recession and high unemployment, during periods that included the cold war, during periods that were marked by a relaxation of tension among the major powers, the American public's willingness to increase the number of immigrants ranged from 4 to 13 percent. The percentage of Americans who favored decreasing the number of immigrants who should be permitted to enter ranged from 33 to 66 percent.

But there was a shift in responses that began in 1999: From 1999 on, a majority of the respondents favored increasing immigration or keeping it at its present level. At no time before 1999, in the fifty plus years that the question was asked did a majority favor those two categories.

Consistent with the shift shown in the most recent period are responses to a question asked in 1996, 1999, and 2000 national survey.

Suppose that on election day this year you could vote on key issues as well as candidates. Please tell me whether you would vote for or against a law that would stop almost all legal immigration into the United States for the next five years.

	1996	1999 (percent)	2000
Vote for	50	39	43
Vote against	46	58	51
No opinion	4	3	6

Among respondents with opinions 60 would vote against closing off legal immigration to the United States over the next five years.

On a somewhat different theme, one that shows sympathy for the status of immigrants in American society, look at the responses to the following item:

*I want to ask how much discrimination there is against groups in our society today. Would you say there is a great deal of discrimination, some discrimination, only a little discrimination, or none at all against immigrants. (January 2000)*

	Percent
Great deal	26
Some	50
Only a little	13
None at all	5
Don't know/refused	7

Among those who expressed their opinions, almost 80 percent believed immigrants were the target of some or a great deal of discrimination.

It is important that the shift in a more positive direction on the part of the American public not be exaggerated. Here, for example, are responses to recent polls that reflect the more traditional attitudes.

*When it comes to immigration, which statement most clearly represents your feelings? Statement A: Immigration strengthens the American character, as new arrivals increase our diversity and bring ambition and new approaches to the country. Statement B: Immigration weakens the American character, as new arrivals do not adopt our language and culture and put a strain on public services. (March 2000)*

	Percent
Immigration strengthens	36
Immigration weakens	50
Both	8
Neither	3
Not sure	3

Among those who chose between statements A and B, 58 percent believe immigrants weaken the American character, as opposed to 42 percent who believe immigration strengthens the American character.

When asked to choose between “which is the greater threat to the United States’ remaining a major world power in the next century?”

	Percent
Too much population growth within the United States	19
Too much immigration from foreign countries	69
Neither/other	10
Not sure	2

Among those who made a choice, the ratio was almost four to one in perceiving immigration as the greater threat to the United States remaining a major world power.

How similar or different are the reactions of the American public from the publics in other "immigrant receiving" countries. Let’s look first at Canada. The same question "Do you favor an increase, decrease, or keeping immigration at the same level" appeared on national polls in Canada from 1975 through 1993. The responses indicate that while more Canadians favored increasing the level of immigration than did the American public, at the peak they still accounted for only 17 percent of the respondents. Over the full time span, the responses flipped from a higher percent favoring

decreasing the number of immigrants admitted to maintaining them at the same levels. In 1991, 1992, and 1993, there is a small trend toward decreasing the number who should be admitted.

When asked in 1993:

How do you view the increase in the number of immigrants arriving in Canada from Asia, the West Indies, and other mainly third World countries? Only 20 percent said it was a good thing. The others answered that it was very bad, bad, or simply a fact of life.

We found a similar pattern, that government policies are more pro immigrant than public opinion seems to support, in Australia. For example, between 1988 and 1991, when the Australian public was asked whether it favored admitting more, the same number, fewer, or no immigrants into the country, less than 10 percent of the Australian respondent favored admitting more and about two thirds favored admitting fewer or no immigrants.

Although Great Britain has not been one of the major immigrant receiving countries, the attitudes expressed by the British public show they have a lot in common with the Americans, Australians and Canadians. For example, in response to the same item asked of the Americans, Canadians and Australians about preferences for admitting more, the same number or fewer immigrants, most of the British ( public between 53 and 62 percent) in

1989, 1992, and 1993 believed too many immigrants were being admitted. Only six percent thought "too few" were allowed to come in and between 23 and 28 percent believed the right number were being admitted.

Like the major immigrant receiving countries, Britain is also ambivalent about "its immigrants". It clearly does not want more immigrants to come to its shores and it prefers immigrants from Australia and New Zealand to "colored" immigrants from the New Commonwealth and the West Indies. But once in the country most Britains favor fair and equal treatment toward all immigrants, regardless of color or country of origin.

France, and especially Germany, the two European countries that sought the greatest number of guest workers to help rebuild their economies after the Second World War, do not have a history of receiving and welcoming immigrants. Today (or, as of 1993) the majority of the French public believes there are too many immigrants in the country. Much of the French publics' negative reactions to immigrants stem from fear of the loss of a national identity and fear for ones personal safety, rather than concern about what immigrants are doing to jobs, unemployment, and education. The items that were included on national polls from 1985 through 1993 make that point.



For example, "Immigrants do work the French refuse to do":

	Agree	Disagree	Don't Know
1985	72	24	4
1989	71	27	2
1993	76	23	1

"If something isn't done to limit the number of immigrants, France risks losing its national identity":

	Agree	Disagree	Don't Know
1985	68	27	5
1989	74	24	2
1993	67	32	1

When asked for their views about whether immigrants should be under stricter police surveillance, strong majorities favored identity cards, and expulsion of illegals and convicted offenders.

In West Germany, very few items bearing on immigration appeared on national polls in the 1960s, 70s and 80s. The typical question was about foreign workers and whether they posed a serious problem. The responses indicated that about a third to 40 percent of the public did not perceive the foreign workers as a serious problem, another third did perceive them as a problem and the others either had no opinion or were undecided about whether there was a problem.

In the united Germany, surveys were conducted that asked about foreigners in general and specifically about their impact on unemployment and education levels and about particular types of foreigners. For example in September 1992, the results of a national poll found that 78 percent believed immigration was Germany's most pressing problem compared with 20 percent who cited unification.

90 percent believe there are "too many" or "a lot" of foreigners. When asked whether foreigners from non-EEC countries are good or bad for Germany, there are more negative than positive reactions.

Finally, we come to Japan, a country in which the concept of immigration does not exist in law or fact. The "immigration" issues posed on national surveys are about admitting foreign laborers and refugees.

The Japanese responses describe a divided public with a plurality, and by 1993 a majority, who favor allowing unskilled workers to enter legally but with restrictions on length of stay, type of work and number admitted. The responses also show that a plurality do not favor increasing the number of skilled workers or to allowing foreign workers to have a permanent status in their country or bringing their families with them.

### **Concluding Remarks:**

There are two major points that the public opinion data allow us to make. The first is that countries that have major differences in statutes, policies, and practices vis a vis immigration and in the number and types of immigrants they admit per year, nevertheless share a great many attitudes and beliefs about immigrants. While allowing for some differences there is more consensus than dissensus about how the publics in those countries feel about immigrants. Most publics want their country to accept fewer immigrants than the law permits, want them to place more restrictions on immigrants of color, prefer that priority be given to immigrants with special skills as opposed to family unification, and believe their country has done more than its share of accepting refugees and political asylees. The second

point is that there is a low correlation between public opinion and public policy vis a vis immigrants in most of the countries studied. Regardless of history, population density and economic conditions, most people in most countries of the world are fearful, hostile, or at best, indifferent toward immigrants who are coming, or want to come to their country “now”.

**Table 1:**  
**Should Immigration be Kept at its Present Level, Increased or Decreased?**

	More / Increase	Same / Present Level	Fewer / Decrease	No Opinion / Don=t Know
1946*	5	32	37	12
1953	13	37	39	11
1965	8	39	33	20
1977	7	37	42	14
1981	5	22	65	8
1982	4	23	66	7
1986	7	35	49	9
1988	6	34	53	7
1990**	9	29	48	14
1992	4	29	54	13
1993	7	27	61	5
1995	7	24	65	4
1999	10	41	44	5
2000	13	41	38	8
2001	8	45	43	4
2002	8	58	35	1
2003	7	55	35	3
2004	8	49	42	1



**Table 2. Incarceration Ratios for Immigrants and Non Immigrants by Nation and Year**

<b>Nation*</b>	<b>Year</b>	<b>Ratio</b>
France	1993	6.01
Japan	1993	3.83+
Germany	1990	1.90
England	1992	1.29
Australia	1985	0.68
United States	1991	1.13
Canada	1989	0.58

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\* This is the ratio of the population-based stock incarceration rate for foreigners to the same nation

+ This is the ratio of offender rate for foreigners to the offender rate for citizens. Offender rate is the ratio of persons known to police over total persons in that category

**Table 3. Incarceration Ratio for Immigrants and Non Immigrants by Type of Offense, Nation, and Year**

<b>Offense</b>	<b>Nation</b>		
	Australia (1985)	United States (1991)	France (1993)
Violence	0.78	0.83	3.35
Property	0.64	0.62	4.83
Drugs	2.29	2.37	NA
Drug Trafficking	3.02	1.48	11.06

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**Table 4. Opinions About Whether Immigrants Increase Crime by Country**

Country	Strongly Agree	Agree	Neither	Disagree	Strongly Disagree	Total
	(In Percent)					
Australia	9.5	21.9	25.6	31.5	11.5	100 (2,390)
Canada	5.0	15.3	24.0	38.4	17.4	100 (989)
Germany*	19.3	35.4	21.8	17.4	6.2	100 (1,168)
Great Britain	7.8	18.2	34.9	31.7	7.3	100 (996)
Japan	38.7	26.6	19.8	5.6	9.3	100 (1,223)
United States	7.5	25.9	29.1	30.7	6.8	100 (1,265)

\*These responses are based on a survey conducted in West Germany. For East Germany, the distribution looked like this: 28.4, 39.5, 17.7, 11.9, and 2.5.

