The news of June and, so far, July has been heavily dominated by the story of immigrant children separated from their immigrant parents who crossed the border from Mexico to the United States illegally. This has rightly caused a mass outcry from most Americans. Blame has been passed in all directions. But blame is not the topic of this essay. Instead, I wish to propose that each of us, as individuals and as citizens, has a responsibility to take a close look at our immigration laws and examine them to see if they line up with what are largely accepted as innate human rights. That is, it is our responsibility, as citizens of a free society, to examine whether the laws that made the immigrants separated from their children *illegal* immigrants are, in fact, in line with or deviate from natural human rights. If it turns out that they are out of line with human rights, then it is *us* who is responsible because it is us, and us only, who can do something about it. There is, as a matter of fact, law which dictates that it is illegal to cross the border into the United States undocumented (citation would be nice <https://www.uscis.gov/ilink/docView/SLB/HTML/SLB/0-0-0-1/0-0-0-29/0-0-0-9025.html#0-0-0-332>). Thus, if you cross the border without documentation, you are doing so, by definition, *illegally.* But this depends upon a largely unquestioned assumption. Namely, that the aforementioned law is just. It is precisely that assumption that I wish to bring into question in this essay.

On December 10, 1948 the United Nations unanimously[[1]](#footnote-1) passed the *Universal Declaration of Human Rights*. The declaration contained a substantial 30 articles. This is no small matter. Issues of rights and morality are generally considered to be highly ambiguous and it may not seem intuitive that an international community full of drastically different cultures could agree on any issue of human rights. The founding fathers asserted divinely ordained human rights and still only concluded that three human rights were entailed (life, liberty, and the pursuit of happiness). However, this declaration contained 30 articles filled with what are hardly trivial human rights. This is a remarkable phenomenon in international collaboration and I think provides empirical evidence that some moral standards are, in fact, universal and perhaps even innate. For this reason, I argue that this declaration has born the burden of proof of its authority as agreed upon moral rights of all humans. As such, I think it holds a certain weight and should not be taken lightly by any individual or nation.

Article 13 of the *Universal Declaration of Human Rights* states, “(1) Everyone has the right to freedom of movement and residence within the borders of each state. (2) Everyone has the right to leave any country, including his own, and to return to his country.” The usage of the word, “within” in the first right makes this right not apply here. This right only asserts that a Mexican citizen should have the right to move anywhere in Mexico, which is not the issue at hand. The second right does pertain. If someone in Mexico wishes to leave, they have the right to do so. However, a law restricting them from coming to the United States

There is a strange line of reasoning with respect to immigration laws that I wish to address. The assertion is that since the law does not make immigration illegal, but just requires a specific set of steps be taken to enter the country legally, it must not be violating any potential human rights. This argument seems peculiar to me. It seems quite clear that requiring a certain set of steps be taken in order to realize a human right is the same as infringing upon that human right. For example, a law which required you to retrieve a permit in order to speak freely would inhibit your ability to exercise your right of free speech and would quite obviously be considered an infringement of that right. Analogously, a law which requires you to retrieve documentation *before* entering a nation inhibits your ability to exercise your right to autonomy of living location and should quite obviously be considered an infringement of that right.

The most obvious way to attack this essay’s thesis is by challenging the assertion that humans have the *right* to decide in what nation they live. My gut tells me that many people will be uncomfortable with accepting this as a right but would rather call it something like a privilege. But, my gut did not think that the nations of the world could come together and unanimously agree upon a set of human rights, one of which was precisely this one. As a result of this decision, I am hopeful that my readers’ consciousness will surprise me and the proposition will stand.

1. All votes were in favor, none were against. There were eight countries who abstained from the vote. There are two things to note. First of all, I could not find the reason for the abstaining votes. Perhaps some of them thought the rights were *not strong enough* since the intuitive thing to do if you disagreed would be to vote against. The second thing to note is that this happened shortly after WWII. If you were a nation other than the US or USSR, you may have found it best to vote in favor of the declaration even if you didn’t intend to follow it rather than face the disapproval of the US. Regardless of these details, the unanimous vote, at the very least, demonstrates strong and diverse support for the declaration. [↑](#footnote-ref-1)