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## The American Dream – Job Migration Into The United States

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## 1. Introduction: The United States – the final destination for millions of immigrants

The United States of America is a country formed by millions of immigrants in search of freedom and happiness. They left their native countries because of hunger and poverty or political and religious persecution. From 1892 to 1954 they passed through Ellis Island. The little island at the mouth of the Hudson River in New York Harbor was the primary entrance point to the United States. Around twelve million people were allowed to pass through its gates and enter US territory after being medically examined. For all those people it was a gateway to opportunity, a chance to realize the American dream. Immigration, especially from Asia, was restricted after the implementation of the Immigration Act of 1924, which prescribed that the application process must take place at overseas embassies in order to control the quotas more closely. Today, Ellis Island is part of the Statue of Liberty National Monument. The only new immigrants the many visiting tourists meet are members of the facility staff and the boat crews.

Today's immigrants do not arrive by boat. They cross the border between Mexico and the US, often times illegally. But even the constructed security fence protecting parts of the border cannot stop them. The United States remains an attractive destination for millions of migrants yearning for freedom and prosperity. But immigration has become more difficult over the years. Crime is a daily problem at the border. Illegal immigration has stirred up controversy in both of the neighbor nations: the US and Mexico.

The following essay outlines the contemporary debate over immigration in Mexico and the United States. It discusses the root causes and consequences of immigration and its impact on the economy and public security. Furthermore, the author proposes a comprehensive immigration reform in North America which reflects the need for a liberal market society in the post-Bush era.

## 2. Hispanic migration into the United States – facts and reasons

According to data from the Pew Hispanic Center<sup>1</sup> some 45 million Hispanics resided in the United States in 2007. 27 million of them were native born and 18 million foreign born. Compared to the 2000 census, this was an enormous increase (35 million in total, 21 million native born, 14 million foreign born). Nowadays, the Hispanic population represents 15 percent of the total US population. Hispanics have become the largest growing minority in the US and have already overtaken Black Americans. Among US-Latinos, Mexicans are the largest nationality group. In 2008, Mexicans accounted for 32 percent of all immigrants, but more than 55 percent of them were unauthorized. This means that no other country in the world has as many total immigrants from all countries as the United States has immigrants from Mexico alone. Around 300 million people are crossing the US-Mexican border annually, one million of them illegally on average. According to data from the US Department of Homeland Security some 723,840 people were apprehended in 2008, but then extradited due to limited detention facilities. Many of them try again. There are some 500 confirmed deaths annually. Some are killed by the human traffickers or the mafia. Some get lost and die of thirst in the desert. Despite the increasing danger, migrants are willing to pay smugglers up to 5,000 US-dollars.

The inflow of Mexicans to the US gradually rose in the 1970s, and more than doubled from 1990 to 2000, especially after the North Atlantic Free Trade Agreement (NAFTA) came into effect. Nowadays, Mexico exports some 85 percent of all its goods to the United States, a fact which highlights the deepening economic integration in North America. From 1993 to 2005, Mexican-US trade increased from 88 to over 330 billion US-Dollars (Edmonds-Poli 2009, 363). Mexican immigration is unique in its sheer quantity compared to immigration from the rest of Central America (2.7 millions, mainly from El Salvador, Guatemala and Honduras) or South America (2.6 millions, mainly from Colombia and Brazil). Mexicans now account for about 32% of the total foreign born population of the US. It is indeed

<sup>1</sup> Statistical Portrait of the Foreign-Born Population in the United States, 2007, in: »<http://pewhispanic.org/factsheets/factsheet.php?FactsheetID=45>«, and Statistical Portrait of Hispanics in the United States, 2007, in: »[http://pewhispanic.org/files/factsheets/hispanics2007/2007\\_Hispanic%20Profile\\_Final.pdf](http://pewhispanic.org/files/factsheets/hispanics2007/2007_Hispanic%20Profile_Final.pdf)«, Mexican Immigrants in the United States, 2008, »<http://pewhispanic.org/files/factsheets/47.pdf>«.

the highest percentage of immigrants to the US from a single country since the German and Irish immigration in the 19th century.

Table 1: States with Largest Unauthorized Immigrant Populations (population in thousands)

	Estimated Population	Range
U.S. Total	11,900	(11,400 – 12,400)
California	2,700	(2,500 – 2,850)
Texas	1,450	(1,300 – 1,550)
Florida	1,050	(950 – 1,150)
New York	925	(800 – 1,050)
New Jersey	550	(500 – 600)
Arizona	500	(475 – 550)
Georgia	475	(425 – 500)
Illinois	450	(375 – 525)
North Carolina	350	(300 – 400)
Virginia	300	(275 – 325)

Source: »<http://pewhispanic.org/files/reports/107.pdf>«.

Mexican immigrants will change the composition of US society. As a group, they are younger than either other immigrant groups or the US-born population. The research report "Mexican Immigrants in the United States, 2008" published by the Pew Hispanic Center concludes: "Mexicans have lower levels of education, lower incomes, larger households and higher poverty rates than other groups. They are slightly more likely to be in the labor force, where they are more likely to work in lower-skilled occupations; they currently have a higher unemployment rate than other immigrants or US-born workers."

Most legal immigrants entering the United States are able to get a Green Card or an H-1B-visa. In 2009, the US Green Card lottery grants around 55,000 visas which allow individuals to live and work in the US without any restrictions. The H-1B-visa allows an employer in the United States to employ foreign workers in special occupations for a period of up to six years. The H-2A and H-2B-visas are

regarded as non-immigrant visas which are given to foreigners employed in agriculture or services of a temporary or seasonal nature. Many of those who don't get a visa try to cross the border illegally. The Pew Hispanic Center and the US Government Accountability Office estimate that around 12 million people stay illegally in the United States. Around 57 percent are originally from Mexico, 24 percent from other Latin American countries. Unauthorized migrants are persons who reside in the US, but have neither US citizenship nor permanent residence status. This includes all persons who cross the border illegally (without authorization or inspection) or overstay the expiration dates on their visas. Furthermore, the Pew Hispanic Center calculates that about 7.2 million undocumented persons hold jobs, making up almost five percent of the overall labor force. One quarter of farm workers and up to 15 percent of construction workers are undocumented. In general, illegal immigrants have lower incomes and accept worse working conditions.

There are many reasons for migration. They can be categorized into push- and pull-factors (Priess, 2001). Social problems, deprivation and the effects of remittances favor migration. But not only poor people migrate. Brain-drain is another consequence of markets searching for the highest potential. Today, one third of all Mexicans with PhDs reside in the US. They have better job opportunities and earn more money than in Mexico, because specialized industries, services or universities need highly skilled workers in order to be able to compete in global markets. New approaches focus on transmigration, diasporas and transnational communities, which are wavering between retaining their ethnic identities and assimilation (Stalker 2000; Glick Schiller et. al. 1997, OECD 2007).

People tend to migrate from countries with no or little democratic, social and economic participation and a fragile political system, in which the rule of law is weak. The Irish and Germans, for example, immigrated to the US because of hunger, poverty and political oppression by the British Empire or, respectively, the German dukes. In the case of Mexico, the democratic transformation process hasn't been as successful as expected since Vicente Fox was elected President in 2000. After 71 years of authoritarian rule, the Institutional Revolutionary Party (PRI) for the first time lost an election against the conservative opposition. Nine years later, Mexico is still struggling for democratic institutions and a stronger rule of law. Due to the Mexican drug war, which has cost more than 12,000 lives since the conservative President Felipe Calderón took office as president in December 2006, Mexico has turned into a defective democracy.

In order to gain full political legitimacy after the Mexican presidential election in 2006, when Calderón won by a margin of 35.71 to 35.15 percent against the candidate Andres Manuel Lopez Obrador from the socialist Democratic Revolution Party (PRD), the newly elected President sent 6,500 federal troops to the state of Michoacan in order to stop the drug-related violence. But this didn't stop the further escalation of violence. Today, over 50,000 troops are involved in the anti-drug campaign and the government has spent approximately 7 billion US dollars. There seems to be no exit-strategy and the war has become endless. Indeed, Calderón earned the respect of the Mexican population by using the army, which along with the Catholic Church is the most respected institution in the country, but could not achieve a resounding success due to corruption in the police and in the justice system (Hanson 2008). Consequently, the transformation process in Mexico is stagnating. Democratic institutions and the rule of law are in a state of transition. Democratic reforms were subordinated to the war against drug trafficking. Tightened security has restricted civil rights and transparency. Political and social integration, the stability of the existing democratic institutions, and the rule of law have worsened, according to the latest Bertelsmann Transformation Index of 2008. Mexico fell from rank 17 (in 2006) to rank 28. Furthermore, the political decision-makers' capability to reform the political and economic system also fell from rank 30 to rank 36.

Economic freedom is another indicator to evaluate possible causes of emigration. The Fraser Institute annually presents the Economic Freedom of the World Report. In the 2008 Annual Report Mexico's economy was ranked 58th (the United States was ranked 8th)<sup>2</sup>, its size of government was ranked 30th, its legal structure and security of property rights 73rd, its access to sound money 70th, its freedom to trade internationally 54th, and its regulation of credit, labor and business 47th. According to Friedrich A. Hayek the system of private property is the most important guarantee of freedom. The International Property Rights Index (Chandima Dedigam 2009) measures the protection of property rights and its impact on economic development. Where there is political unrest and corruption, where the rule of law and an independent judiciary are absent, private property is always in danger. Therefore, the index is a good measure of political and economic progress. When people lose their property, they tend to migrate to countries where property rights and civil liberties are protected.

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2 »<http://www.freetheworld.com/2008/EFW2008Ch3.pdf>«.

Table 2: Property Rights in Mexico

Category	Score	World Rank	Regional Rank
<b>Overall</b>	<b>4.8</b>	<b>62 of 115</b>	<b>3 of 3</b>
Legal and Political Environment	4.1	75 of 115	4 of 3
Judicial Independence	4.3	63 of 115	3 of 3
Confidence in Courts	3.8	83 of 115	3 of 3
Corruption	4.2	65 of 115	3 of 3
Political Stability	3.9	87 of 115	3 of 3
<b>Physical Property Rights</b>	<b>5.4</b>	<b>72 of 115</b>	<b>3 of 3</b>
Property Rights Protection	4.3	67 of 115	3 of 3
Registering Property	7.7	61 of 115	4 of 3
Ease of Loan Access	3.0	77 of 115	3 of 3
<b>Intellectual Property Rights</b>	<b>4.9</b>	<b>59 of 115</b>	<b>4 of 3</b>
IP Rights Protection	4.2	62 of 115	4 of 3
Strength of Patent Rights	7.8	39 of 115	3 of 3
Copyright Piracy	2.7	66 of 115	4 of 3

Source: International Property Rights Index 2009 Report, »<http://www.internationalpropertyrightsindex.org/mexico-c70>«.

### 3. The consequences of migration into the United States and its impact on the economy and border security

Mexico and the United States share a common border which is almost 2000 miles long. Therefore, undocumented migration into the US is a huge challenge to border security and US-Mexico relations. The US Department of Homeland Security

criticized programs of certain state and federal agencies in Mexico, which are directed at Mexicans migrating to the United States. They claim that assistance includes advice in form of handbooks, DVDs or comic books on how illegal immigrants may remain undetected in the US, receive assistance from government-run social services in the US, enroll their children in public schools and send money back to Mexico. All Mexican politicians emphasize that migration is a basic human right. But it is also a profitable business for the Mexican government, because it lowers the pressure to improve the country's social and economic conditions by giving poor and jobless people the option to leave. The government hopes that social and political protest will also be exported this way.

The remittances sent home by migrants also benefit a country which promotes emigration. According to data from the World Bank Migration and Remittances Factbook 2008, around 25 billion US-dollars were sent home by Mexicans in 2007. Remittances have become Mexico's second-largest source of income from abroad, following only oil exports. As a form of private capital they could stimulate Mexico's domestic economy, support housing construction and help improve infrastructure in regional areas. The Mexican Social Development Ministry initiated the "3 for 1"-program in order to finance infrastructure projects. For every dollar of private investment into collective projects, the local, state and federal government each add a dollar. But the project wasn't able to attract significant amounts of private capital. Having experienced nepotism and corruption, many people are deeply distrustful of public entrepreneurship. Furthermore, the scarce public resources wouldn't be invested in those areas where infrastructure is needed most (Ambrosius et. al. 2008, 7). Nevertheless, because of the simple fact that remittances demonstrate how a (moderate) level of wealth can be achieved in a short period of time, emigration remains an attractive option for many Mexicans.

Trade and capital investment have become easier within the NAFTA area. In contrast to the European Union, the treaty does not pay attention to labor mobility. Moreover, the market has not been affected so far by multilateral policies designed to harmonize social policies and equalize investment in infrastructure with the help of regional cohesion funds. But NAFTA affected migration in two major ways: First, it led to the creation of maquiladoras along the Mexican border. These factories, usually located in cities like Tijuana or Ciudad Juarez, import materials and equipment for manufacturing and assembly on a duty-free basis and then re-export the products. They profit from low wages, tariffs and taxes. These maquiladoras enabled many workers from Central America and Mexican provinces to find a job at the border, from where many finally emigrate to the United States. Secondly, the flow of migrants stayed the same, though the US government gran-

ted about 150,000 visas annually in the first ten years of NAFTA. Moreover, the US government focuses on highly qualified persons, because Chapter 16 of NAFTA does not really permit low-skilled workers to access the labor market.

### 3.1 Benefits of immigration for the US economy

There can be no doubt that immigration generally benefits the US economy. The Kauffmann Foundation Index, for example, clearly shows that the rate of entrepreneurial activity was nearly 40 percent higher for immigrants than for native-born U.S. citizens (Wadhwa 2007). Moreover, a new study by Keeton Strayhorn (2006) argues that the long run impact of immigration on public budgets might well be positive (see also Griswold 2007). Strayhorn's research rejects an often quoted skeptical study conducted by the National Research Council in 1997 entitled *The New Americans: Economic, Demographic, and Fiscal Effects of Immigration*. The Council calculated that a typical immigrant without a high school education would have a negative net present value of 89,000 USD. However, Strayhorn's study calculates how much we can expect the descendants of immigrants to contribute to the national budget. It found that the children of immigrants would pay around 76,000 USD more in taxes than they would receive public benefits. Strayhorn also shows that in the fiscal year 2005 the estimated 1.4 million undocumented aliens in Texas had a positive impact on the state budget (504 million USD taxes) and the economy (approximately 17.7 billion USD) (Cieslik 2009, 284). Furthermore, even illegal workers contribute to the US Social Security system. They pay around 7 billion US-dollars each year (Porter 2005).

But there are also downsides to immigration. It can be a challenge to social peace, if it turns into a mass movement of people. Political scientist Samuel Huntington discusses the advancing hispanization of American society in his 2004 bestseller *Who Are We? The Challenges to America's National Identity*. He believes the new immigrants don't want to assimilate and Catholic Latinos will undermine the country's Anglo-protestant heritage. This process could weaken national identity. The result, he fears, would be a bifurcated nation. He argues that the first immigrants were settlers who shaped the country's pluralist tradition and democratic institutions. Jews, Italians and Chinese kept their unique cultural and religious identities but also defined themselves as Americans, and so did the Cuban Exiles or Puerto Ricans. So why should Mexican immigration be any different? Huntington offers an explanation. Migration, he argues, can change borders and sovereignty. In the past, most migrants came from overseas. Now they come from a neighboring country and usually move to regions which belonged to Mexico

before the Mexican-American War of 1846-1848, like California, Arizona, New Mexico or Texas.

It is true that Mexicans (without citizenship) and Mexican-Americans (with citizenship) have traditionally been concentrated in the Southwest. Today Mexicans make up one third of all US immigrants and by 2040 it has been predicted that they will make up one quarter of the total population. Some Mexican politicians have even been claiming that there will be an irreversible reconquista. Among the poor, especially during hard times such as now, the daily struggles have been expressed in ethnic strife such as fights between African-American and Hispanic gangs called Maras.<sup>3</sup>

The debate about the role of undocumented workers in the US reached its climax on May 1, 2006, when thousands of illegal immigrants, predominantly from Latin America, peacefully protested against the proposed laws concerning "illegal aliens" and the restrictions on immigration. The organizers of the nationwide campaign "A Day Without Immigrants" argued that they weren't terrorists. They came to the US to settle down, build homes for their families and to make their contributions to American society.

### 3.2 The US Congress' political initiatives

In 1986 the US Congress passed the Immigration Reform and Control Act with the support of President Ronald Reagan in order to improve border controls as a reaction to the growing illegal immigration from Latin America. It established a program for undocumented workers and offered a path towards legalized status to most of the 3.5 million illegal workers in the country. However, especially in the 1990s, the influx continued. This mainly affected California and its education and health services. "Proposition 187" was put on the ballot in 1994 with the aim to make illegal immigrants ineligible for social services, health care and public school education. Moreover, it required state and local agencies to report unauthorized workers to the California attorney general's office. Though the proposi-

3 "Maras" is the name for criminal gangs from Central America. Most of their members escaped from civil war and oppression in their native countries in the 1980s. Their descendants formed gangs in the Latino ghettos in California. After the end of dictatorial rule in El Salvador in 1992, the United States expelled and deported many Salvadorans. Many of them stayed in gangs because they were without jobs and families. They are active in drug and human trafficking, prostitution and burglary. Many of the deported reentered the US illegally (Cieslik 2009, 215).

tion received 60 percent it was overturned by the federal courts because it was considered an encroachment on the federal jurisdiction over immigration policy (Felsen 2009, 183). As a consequence, the Clinton administration and Congress passed the Illegal Immigration Reform and Immigration Responsibility Act of 1996 which included a curtailing of federal benefits to undocumented workers, denial of welfare grants and penalties for any fraudulent production of US documents as well as more border patrol agents and the construction of the wall between Tijuana and San Diego.

After the terror attacks of September 11th, 2001, the security issue changed migration policy completely. The US government's plan to come to an agreement with the new Mexican President Vicente Fox about some kind of legalization and a temporary work visa program for Mexicans became obsolete. The USA Patriot Act of 2001, the Enhanced Border Control and Visa Reform Act of 2002, the Homeland Security Act of 2002, the National Intelligence Reform Act of 2004 and the Real ID Act and Border Protection Act of 2005 tightened security and restricted immigration. The Real ID Act of 2005, for example, restricted regulation regarding immigration as well as political asylum. It curtailed habeas corpus relief for immigrants and imposed restrictions on the issuance of state driver's licenses to immigrants. It also imposed fines on those who support undocumented workers.

However, all reforms that aimed to recognize the reality of the situation and to find a path to legalize illegal immigrants failed, specifically: S.1823 Illegal Immigration Enforcement and Empowerment Act; S.2049 Border Security and Modernization Act of 2005; H.R. 3704 Protecting America Together Act of 2005; H.R. 3622 Border Protecting Corps Act; H.R. 4099 Homeland Security Volunteerism Enhancement Act of 2005. Meanwhile only the H.R. 6061 Secure Fence Act passed, the Senate's Comprehensive Immigration Reform Act of 2007 eventually failed. The Secure Fence Act authorized the construction of 700 miles of double-layered fencing from California to Arizona in areas that have experienced illegal drug, arms and human trafficking. Furthermore, it also authorized the installation of advanced technology like sensors, cameras and satellites as well as border checkpoints and vehicle barriers. Also, despite the national security debates, many states affected by immigration took swift action against illegal immigrants. Over the years, they gradually introduced more immigration-related bills with the objective to take faster and more effective decisions on employment, public benefits, education and law enforcement. Beyond the efforts of federal and state legislature the Supreme Court has also become increasingly more involved in taking on legal matters concerning immigrants and has formed the political debate by making fundamental decisions concerning public benefits to illegal immigrants as well

as deportation in the case of drug possession or recruiting illegal workers (Cieslik 2009, Chapter 11). Consequently, America has become a patchwork rug when it comes to immigration policies.

### 3.3 Border surveillance and the Plan Merida

Currently, some 12,000 United States Border Patrol agents are supported by 6,000 National Guard members along the border. Bi-national security cooperation became a high priority on the agenda since the Mexican drug-war spread out onto US border territory. Drug trafficking has always been a problem between the US and Mexico due to high consumption in the US: "U.S. law enforcement officials estimate that \$12 to 15 billion a year flows from the United States to the Mexican traffickers. And that is just the bulk currency amount, actual dollar bills, and doesn't include all the money sent by wire transfers. In that sense, the U.S. is already financing this war. It is just financing it on the wrong side," Attorney General Medina Mora said grimly. "Another problem is that most of the weapons used by the traffickers come from the United States. Typically, the drug smugglers have much more firepower than local police departments, and sometimes can even outgun the federal police and the Army with high-caliber machine-guns and grenade launchers. Most of the weapons, I would say around 95 percent of the weapons that we have seized, come from the U.S.," said Mora. "If the U.S. would stop the flow of weapons to Mexico the equation would change very rapidly here. We need the U.S. to stay committed in this war in reducing demand, in stopping the flow of weapons and stopping the flow of cash." (Potter 2008).

In March 2007, President Bush and President Calderón met in Merida in order to sign a cooperation agreement on security issues named *Plan Mexico* or *Initiative Merida* in order to fight narco-terrorism. It is a product of the Security and Prosperity Partnership of North America that was founded in March 2005 as a region-level dialogue forum with the purpose of providing deeper security and economic cooperation toward the eventual building of a North American community.

According to the Plan Mexico the US-Congress authorized 1.6 billion US dollars for a three-year initiative. In 2008, the Congress released some 400 million US dollars (100 million US dollars less than originally agreed) to the Mexican army for modern communication technology, helicopters, surveillance airplanes, non-intrusive inspection equipment such as iron scanners and gamma ray scanners as well as training for Mexican soldiers and special police forces. 73.5 million US dollars of this bill have to be used for judicial reform and institution-building. The

agreement is part of the new form of regionalization of the US security structure (Rodríguez Sumano 2008) and actually refers to a recent trend that shows that emigration is significantly linked to the process of failing states (Sing Juss 2006, Chapter: The Failed States Phenomenon), where states fragment into civil war and the central authority loses control. In some northern states of Mexico like Chihuahua for example local authority has disappeared and the state police forces and judicial system are corrupt. A recently published report of the US Joint Forces Command (JFCOM) entitled, "The Joint Operating Environment (JOE)"<sup>4</sup> predicted the collapse of Mexico (along with Pakistan). It argued that politicians, police and the judicial infrastructure are under sustained assault and pressure by criminal gangs and drug cartels. Due to the involvement of the Mexican army, the drug war could develop into a civil war which would imply serious consequences for the US homeland security.

#### **4. The liberal debate about migration in North and Central America: The results of migration conferences organized by Atlas Economic Research Foundation and the Friedrich Naumann Foundation in Monterrey, San Diego and Oaxaca 2006-08**

In collaboration with the Atlas Economic Research Foundation, the offices of the Friedrich Naumann Foundation in Washington D.C. and Mexico City organized three conferences about migration in North America. The participants developed six principal policy recommendations concerning the relations between the US, Mexico and Central America (Cieslik 2007, 29-31) which were presented at the 175th Executive Committee Meeting of the Liberal International in Cancun with its convention theme "Migration, analyzing the challenges it poses for the 21st century." These six recommendations are understood as principles for classical liberal migration approaches in America and bring together different positions on human rights, security challenges and economic demand.

4 USJFCOM: Challenges and Implications for the Future Joint Force. Suffolk (VA) 2008, »[http://www.globalsecurity.org/military/library/report/2008/joe2008\\_jfcom.pdf](http://www.globalsecurity.org/military/library/report/2008/joe2008_jfcom.pdf)«.

#### **First: Improving the dialogue among policy makers from the USA, Mexico and Central America.**

The fact that negotiations for a comprehensive migration reform have failed so far is a result of both a lack of communication and misinterpretation. According to Latin American political tradition, the President is the main decision maker in foreign policy. However, neglecting the US Congress is the main failure of Latin American policy makers, because the Senate and the House of Representatives are the key players in migration reform legislation.

Furthermore, until today, Latin American politicians have not understood that there is no natural right of immigration to the United States. The security issue and the fear of terrorist infiltration through the border is a serious concern in the US. While seeking to protect national security, human rights issues are sometimes pushed into the background. This leads to the question about what Mexico and Central America contribute to enhance security measures in North America against global terrorism, human and drug trafficking?

#### **Second: Latin America needs to speak with one voice.**

There can be no doubt that Washington DC is the world's political center. Thousands of (non-)governmental institutions and organizations, think tanks, embassies and enterprises have representation there. It is obvious that connecting constituents with lawmakers is the necessary tool for successful public policy promotion. The Latin American institutions and embassies should speak together for their interests with one loud voice in order to be heard by US lawmakers. They should act like lobbyists do.

#### **Third: Respecting the migrants' human rights.**

The violation of migrants' human rights by gangs, international organized crime groups like the Mara Salvatrucha, police, border patrol or private vigilante groups like the Minutemen in Arizona is a very serious problem. In order to assure that the migrants are guaranteed their rights, the National Human Rights Commission and NGOs should work together and sue everyone who violates these rights. In general however, national governments in Latin America have to improve the human rights conditions and the treatment of aliens. There is a high rate of violations at the Guatemalan-Mexican border or in the Northern Mexican border cities like the femicides in Ciudad Juarez for example. It is unproductive to always blame

US authorities for human rights violations when the same government lacks the political will or the force to guarantee security in its own country.

#### **Fourth: Contributing to regional security.**

Mexico and Central America have high crime rates. Clearly, crimes like drug and human trafficking are such that they spread out further north. Among the undocumented immigrants are not only Hispanics; according to Border Patrol statistics, foreigners from Asia, the Middle East or Africa have tried to cross the border illegally. Many US citizens fear that coming through Mexico is a possible way for international terrorists to enter the US. Therefore, Mexico and the Central American States need to enhance their own immigration system and border security. They should offer participation in international peace operations against global terrorism in order to prove their credibility. Furthermore, they need to increase their cooperation with US security agencies. A false sense of pride or national egoism behind the shield of national sovereignty won't improve regional security.

#### **Fifth: Enhancing regional development and social cohesion.**

Remittances will play a more decisive role in developing regions than they currently do. However, an intelligent macroeconomic policy framework and comprehensive economic reforms may support more innovative intergovernmental cooperation. The reduction of economic dependence supports political independence, sovereignty and credibility. The development of a coherent strategy in the use of remittances for investment in infrastructure and education could decrease migration pressure. Additionally, political and economic concepts of social and regional cohesion could be applied in less developed regions. The integrative transformation of the Plan Puebla-Panama into a real development concept like a Plan Phoenix-Puebla-Panama might be a step forward toward a Free Customs Zone from Alaska to Panama. The United States could greatly enlarge its commerce zones if the legislature would permit a real liberal market that includes new forms of mobility, or at least a variety of opportunities: from temporary worker migrants, nationalization to legalization initiatives. Eventually, the US could regain Latin America's confidence which the government has lost due to an ignorant, hegemonic behavior and their neglecting to assure adequate social conditions.

#### **Sixth: Implementing concepts for the political and economic transformation in Mexico and Central America.**

In order to discuss this, we must begin with a thorough discussion about the reasons for migration. If working conditions were not so miserable, almost no one would voluntarily choose to leave his/her hometown, family and friends. The lack of true liberal market reforms that would create competition and job opportunities, the arrogance of the elite and family clans towards the poor, a weak middle class, the lack of an appreciation for democracy, anti-corruption and the rule of law are obstacles for this process in Latin America. The United States are so attractive to migrants because of the freedom and the job opportunities that facilitate economic and social ascent. Consequently, the US should work to convince Latin American politicians and the public that democracy, capitalism, competition and a free (social) market are the best answer to misery and oppression. The US lost its good image because of its past unilateral decisions in foreign politics. Anti-democratic elites, most of them left populist, are blaming the US for the failure in neo-mercantilists' experiences. However, their ideas are similar to the communist utopias of the 20th century. Again, the US needs to work on credibility and confidence-building in Latin America as a responsible actor with soft power.

### **5. The call for the market. Lessons on migration.**

Historical experiences have demonstrated that any nation's effort to regulate migration has been a difficult venture. Indeed, most classical liberals are in favor of migration. They evaluate the benefits as being higher than the costs. After the failure of several migration reforms in Congress, business people were aware of the insufficient status quo of migrants and their legal situation. The threat that the state government would punish companies that hire undocumented workers by withdrawing their production licenses and issuing huge fines would dramatically increase their economic pressure on the global market. Without workers, companies could neither defend their market shares nor satisfy their clients. Therefore, the Vernon K. Kriebel Foundation presented a new approach to migration regulations which include the political will for border security. This objective could only be accomplished by a combination of technology, border guards and a temporary work program. It states that this program is not a comprehensive reform, because it does not aim to offer citizenship and immigration or for that matter

integration and assimilation. The proposal focuses only on the temporary worker program. It promotes private employment agencies to open offices in foreign countries in order to facilitate the process: run background security checks, link specific workers to specific jobs, issue smart cards and assure compliance with all US laws. Consequently, border control would be cheaper and easier, because most of the people could enter safely into a regulated legal system. Moreover, undocumented workers already living in the US could quickly leave and obtain legal standing from outside the borders. The initiators emphasize that the foreign workers enter on the US' terms and they will not receive amnesty. However, they would do it voluntarily because the process is quick and efficient. It would also permit them to live and work legally and even to enjoy benefits and the protection of the law. Though the plan is radically optimistic, it is rooted in the idea of the private sector which already works but has until now not been transferred to the illegal immigration debate. It mentions private banks and credit companies that issue smart cards and private companies which routinely run background checks through government databases (Kriebel, 2005).

The fact that the implementation of this idea still remains in political deadlock demonstrates the resistance to it. Illegal workers are still a business – for companies that are able to pay lower than minimum wage, for the politicians who are able to blame illegal workers as a threat to American security and use them for their own parties' interests like the enforcement of law and the tightening of border surveillance and security, for the citizens who benefit from those who cheaply manage their garden or household, for the mafia that earn money through human trafficking, and even for the undocumented people themselves who accept these conditions because they are nonetheless better than in their home countries.

Classical liberals understand migration from the market perspective. Demand and supply regulate migration. The state, however, must establish a framework in which the market can work while guaranteeing human rights and the rule of law, no more, no less. Therefore, it is necessary to face reality. Undocumented migrants need to be legalized in order to protect their human rights and shelter them from abuse, exploitation, prostitution, slavery or human violation. As a next step, the state must set up new regulations and a temporary guest worker program which includes innovating circularity schemes and re-entry mobility programs which all promote the recruitment of both high and low skilled workers. In another step, the USA and Mexico should agree to create a bi-national border control and security policy against the traffic of drug, arms and human beings, but this step should be involved in the enhancement of a deeper integration process by NAFTA.

The political deal, to create opportunities for Mexican workers in the US, also implies new responsibilities for the Mexican government. The US could pressure it in order to boost liberal market, political and constitutional reforms. This includes opening certain industry sectors like energy and infrastructure for foreign direct investment in order to overcome the dependence on remittances and to create sustainable economic growth in Mexico. In spite of all the domestic work the Mexican government has to accomplish in the near future, the US government needs to emphasize that Mexicans can also be part of US society and even citizens, if they learn English, adopt the American way of life and contribute to the nation. In comparison to Europe, immigration into the social system plays a minor role, because of the relatively small welfare state in the US.

## 6. Conclusion and perspective: Is the American dream still alive?

The global wave of enthusiasm about the presidential election of Barack Hussein Obama becoming the 44th President of the United States has once again demonstrated that America attracts the world. Of course, the American dream is still alive. So what might be the future of migration on the bilateral agenda between Mexico and the US? In the election campaign both McCain and Obama largely agreed concerning migration: border security, legalization process and a path to citizenship after paying a penalty, temporary guest worker program, electronic employment verification system, family visa and support of the DREAM (Development, Relief and Education for Alien Minors) Act 2005 that includes sponsorships for children of illegal migrants for their university fees. Only in the question of language (Obama was against English as the official language) and driver's licenses (McCain against) do they differ. Due to their basic agreement on the main points however, the topic of migration became a "non-issue" in the presidential campaign. Although with the election of Obama, migration returns to the agenda because it is linked to security. The Merida Initiative will be continued in a cooperative sense. In their first summits on January 12th and April 16th, 2009, Obama and Calderón agreed in the importance of NAFTA for the Mexican economy, migration and its link to the remittances that help the country to stabilize its own economy, and the challenge of security in the fight against drug trafficking. But they also stated that real changes will not happen so fast due to the economic crisis. Obama suggested actualizing NAFTA and strengthening cooperation concerning migration,

economy and security, especially in regards to drug violence. The USA and Mexico have no other choice if they wish to stop border crime from overshadowing a prosperous future for both nations.

Therefore, the US is capable of once again pulling together intellects from all over the world. Its political, economic, military and cultural dominance is based on the intellectual potential of immigrants. Mexico can contribute to this development; it benefits in the long run from gaining more and more influence through their common fellows and the unstoppable Hispanization of the South of the United States.

Back to Ellis Island, the symbol of immigration from the 19th to the mid 20th century. It has become a museum and memorial site. However migration continues to flow – at the airports or at the Southern border. The US and Mexico need to regulate it in order to successfully combat human trafficking, violation of human rights and to face the reality that the US labor market needs a labor force. Therefore, the current Hispanic immigration wave needs a new center that regulates immigration into the United States. And there could not be a better place than the city of Phoenix. It is the largest city in the US state of Arizona, 175 miles from the Mexican border, and has been transformed into the fifth most populous city and the 12th largest metropolitan area by population in the United States. It has grown by nearly 25 percent since 2000; only Las Vegas has grown more quickly. More than 40 percent of the inhabitants are Hispanics according to data from the U.S. Census Bureau.<sup>5</sup> Phoenix has become the biggest gathering point and distribution hub for people migrating from Mexico and Central America; it is the unofficial port of entry. Though Phoenix was hit harshly by the mortgage and economic crisis, it still has the potential to attract investment from all over the world. Especially due to rising crime, related to kidnappings and human and drug trafficking, it needs security and legalization.

Phoenix could become the new metropolis of immigration from the South, a symbol of a new project that the United States and Mexico could launch together: The enlargement of the Mexican government's ambitious development project in 2003 for the south of Mexico and Central America: the plan Puebla–Panama. Re-

5 U.S. Census Bureau: ACS Demographic and Housing Estimates: 2005–2007, Phoenix city, Arizona: »[http://factfinder.census.gov/servlet/ADPTable?\\_bm=y&-context=adp&-qr\\_name=ACS\\_2007\\_3YR\\_G00\\_DP3YR5&-ds\\_name=ACS\\_2007\\_3YR\\_G00\\_&-tree\\_id=3307&-redoLog=true&-\\_caller=geoselect&-geo\\_id=16000US0455000&-format=&-\\_lang=en](http://factfinder.census.gov/servlet/ADPTable?_bm=y&-context=adp&-qr_name=ACS_2007_3YR_G00_DP3YR5&-ds_name=ACS_2007_3YR_G00_&-tree_id=3307&-redoLog=true&-_caller=geoselect&-geo_id=16000US0455000&-format=&-_lang=en)«.

ality shows there is a need for a plan Phoenix–Panama to stabilize the southern hemisphere for US geopolitical interests and regional security.

In conclusion, for classical liberals, the situation between Mexico and the United States is an excellent opportunity to figure out future migration models. It is necessary to discuss and compare different approaches and evaluate the best practices of regulating migration and integration. The development of indices in order to compare the success of different concepts could be a next step in this research. The global competition for the best labor force has already begun. Protectionism will again weaken the market economy, democratic participation and finally the liberty to choose and realize the life people really want.

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