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## Introduction

### *A Time to Think Broadly*

The vitriol and hate rhetoric directed at undocumented immigrants in the United States is as palpable as ever: “They are lawbreakers!” “They take our jobs!” “They don’t learn English!” “They commit crimes!” “They run up costs of schools, medical care, and public services!” “We should place the military at the border!” “They should all be deported!” With this level of rancor, is it any wonder that the estimated 12 million undocumented immigrants in the country have become the victims of increased enforcement efforts?<sup>1</sup>

However, the stepped-up efforts by U.S. Immigration and Customs Enforcement (ICE) agents to round up undocumented immigrants in factories and neighborhoods has led to outcries by citizens and co-workers who have witnessed the operations. Allegations that ICE is using “Gestapo tactics” have become common. Residents decry the inhumane treatment to which their friends and neighbors have been subjected. Local business owners wonder why things have to be done this way.

Consider the raid in Stillmore, Georgia, on the Friday before Labor Day weekend in 2006. Local residents were outraged over the action. Nestled amid pine trees and cotton fields, undocumented Mexican immigrants supplied a stable workforce for a thriving poultry industry and for the onion fields in Vidalia only a few miles away. Descending shortly before midnight, ICE agents arrested and deported 125 undocumented workers over a three-day period.<sup>2</sup> Most of those captured by ICE were men, while their wives and children fled to the woods to hide.<sup>3</sup> In the weeks after the raid, at least 200 more

immigrants left town. Many of the women whose husbands were deported used their spouses' final paychecks to purchase bus tickets to Mexico.<sup>4</sup>

The impact was evident, underscoring just how vital the undocumented immigrants were to the local economy. Trailer parks were abandoned. The poultry plant scrambled to replace more than half of its workforce. Business dried up at stores where Mexican laborers had once lined up to buy groceries, household goods, and other living essentials. The former community of about a thousand people became a ghost town.

Neighbors and friends witnessed the events, as ICE officials raided local homes and trailer parks. At one trailer park, operated by David Robinson, immigrants were taken away in handcuffs. Robinson, who bought an American flag and flew it upside down in protest, commented: "These people might not have American rights, but they've damn sure got human rights. There ain't no reason to treat them like animals."<sup>5</sup> Officials were seen stopping motorists and breaking into homes, and there were even reports of officials threatening people with tear gas.<sup>6</sup> Witnesses reported seeing ICE officials breaking windows and entering homes through floorboards.<sup>7</sup> Mayor Marilyn Slater commented, "This reminds me of what I read about Nazi Germany, the Gestapo coming in and yanking people up."<sup>8</sup>

When ICE agents raided several of Swift and Company's meatpacking sites a few weeks after the Stillmore raid, about thirteen hundred undocumented workers—mostly from Mexico—were arrested. Swift and other large companies across the country have come to rely on migrant workers for their hard-to-fill jobs. Nationwide production was severely affected, prompting the following call for immigration reform from company officials: "The impact of this is so widespread. We're being indirectly impacted—Main Street businesses and social services are all impacted. There has to be a better method."<sup>9</sup>

In places like Santa Fe, New Mexico, and Richmond, California, ICE agents have arrested parents walking their children to school or waiting at public-school bus stops. These invasive neighborhood tactics have left communities in fear: Children are afraid to go to school, worried that their parents may be arrested. These enforcement strategies have left a trail of bewilderment and anger in the residents left behind, who wonder how this took place in a society that prides itself on its fairness and support of family values.

Although the vast majority of Americans favor amnesty for undocumented immigrants,<sup>10</sup> Congress has been mired in debate on the topic. In 2007, comprehensive efforts to reform immigration laws in the U.S. Senate were derailed by the perception that any path to legalization for undocumented immigrants would amount to "amnesty" for lawbreakers. More precisely,

enough senators—mostly right-wing Republicans—did not want to be perceived as supporting “amnesty for illegal immigrants” that a cloture motion requiring sixty senators was impossible. Despite the strenuous lobbying of the Bush administration to move the legislation forward, the proposed reforms ultimately failed to garner enough support to pass into law.

The “can’t-support-amnesty-for-lawbreakers” camp claims the moral high ground. It argues that the United States should not forgive undocumented aliens for breaking our laws, because this would simply “reward lawlessness, which naturally encourages more lawlessness.”<sup>11</sup> As the congressman and presidential candidate Tom Tancredo (R-Colo.) wrote, “We must keep maximum pressure on the U.S. Senate to stop this amnesty bill. If we fail, and this bill becomes law, we will have taken the first irrevocable step on the road to national suicide.”<sup>12</sup> Senator Bob Corker (R-Tenn.) declared: “I think Americans feel they are losing their country.”<sup>13</sup> Speaking at an anti-immigrant rally in Washington, D.C., in 2007 that began with the Pledge of Allegiance, T. J. Bonner, a U.S. Border Patrol agent, told the assembly: “What is happening on the border is anarchy. Millions are crossing over, reaping our benefits, taking our jobs, and the government is not doing a damn thing about it.”<sup>14</sup>

Advocates for legalization respond to anti-immigrant sentiment by focusing on the contributions that undocumented immigrants have made to the economy. A journalist for *Time* magazine concluded: “[Amnesty is] a good thing for America. The estimated 12 million illegals are by their sheer numbers undeportable. More important, they are too enmeshed in a healthy U.S. economy to be extracted.”<sup>15</sup> Barbara Ehrenreich, the author of *Nickel and Dimed*, agrees: “In case you don’t know what immigrants do in this country, the Latinos have a word for it—*trabajo*. They’ve been mowing the lawns, cleaning the offices, hammering the nails and picking the tomatoes, not to mention all that dish-washing, diaper-changing, meat-packing and poultry-plucking. . . . There is still the issue of the original ‘crime.’ If someone breaks into my property for the purpose of trashing and looting, I would be hell-bent on restitution. But if they break in for the purpose of cleaning it—scrubbing the bathroom, mowing the lawn—then, in my way of thinking anyway, the debt goes in the other direction.”<sup>16</sup>

I have argued elsewhere that undocumented immigrants’ economic and social contributions should be recognized.<sup>17</sup> Immigrants are seeking the “right to live ‘legally’ and be recognized as . . . productive, valued member[s] of society.”<sup>18</sup> I believe that, for a variety of reasons, the border should not be seen as a barrier to keep out the unwanted. Economic and practical reasons support a more open-minded approach to the border. And, as I hope to show in this volume, ethical reasons and conditions compel us to explore a more open-hearted solution to the challenge of undocumented immigration.

In contrast to the close-the-border perspective taken by some, others, such as former President George W. Bush, believe that U.S. businesses need a pool of low-wage workers and a large guest-worker program to thrive.<sup>19</sup> I sympathize with the latter perspective, but to me U.S. immigration policy should not revolve around businesses' need for workers; it should address the modern-day social, cultural, political, and economic relations between nations—particularly those in our hemisphere. We need to look at these relations in a way that would endorse the free flow of residents of these nations between borders. The flow of immigrants must, however, be addressed in a manner that ensures that a primary sending nation such as Mexico is not disadvantaged by a devastatingly large loss of able workers.

The need to develop an approach to address the challenge of undocumented migration is great—some might even say urgent. Low-wage workers continue to be needed and recruited, yet they are demonized by some political leaders and segments of society. The workers themselves are attracted to the work, yet they are susceptible to exploitation. And since the initiation of Operation Gatekeeper in the early 1990s, restrictive immigration laws enacted in 1996, and increased border militarization after September 11, 2001, the pattern of circular migration of workers to the United States and back to their homes in Mexico has been interrupted.

In spite of increased enforcement and growing resentment directed at them, undocumented migrants continue to flow across the U.S.–Mexican border in record numbers. Billions of dollars have been invested in the U.S. Border Patrol, new fencing, and high-tech surveillance systems at the border. ICE has stepped up raids of factories and neighborhoods where undocumented workers and their families work and live. State and local officials have entered the fray by enacting laws and ordinances aimed at making life difficult for undocumented families living within their jurisdictions. Yet the number of undocumented immigrants—especially from Mexico—has increased across the country. Demographers estimate that approximately half a million new undocumented immigrants enter the United States annually.

The phenomenon of continued undocumented Mexican migration raises two vital questions that I address in this volume: (1) Why do undocumented immigrants from Mexico continue to enter the United States? and (2) What can be done to reduce the undocumented flow? That they come here for a better life is only a partial answer to the first question. We also need to determine why that better life cannot be found in Mexico. Following that line of inquiry also helps us develop an analysis to answer the second question. When we understand the social and economic challenges within Mexico, we begin to understand what needs to be addressed to reduce emigration. We also begin to understand why popular answers to the second question, such

as more border enforcement, employer sanctions, or ICE raids, have been ineffective in curbing undocumented migration.

On closer examination, we find that many of the economic challenges Mexico faces are directly linked to policies that have been supported by the United States, U.S. corporations, or institutions supported by the United States. For example, we were told that the North American Free Trade Agreement (NAFTA), involving the United States, Canada, and Mexico, would remedy the problem of undocumented Mexican migration. NAFTA would promote economic development in Mexico, creating jobs that would keep Mexicans home. The theory was that in a non-protectionist, free-trade environment, each country would specialize in areas and products in which it had a comparative advantage; middle-class jobs would flourish in every region; and Mexico—a poor country—would thrive.

Somehow, things did not turn out that way. Despite warnings from U.S. opponents of NAFTA that U.S. jobs would be lost to Mexico because the low-wage workforce would undercut higher-paid U.S. workers, Mexico has lost far more jobs than it has gained under NAFTA. Incredibly, because of the lifting of tariffs under NAFTA and continued U.S. farm subsidies, for example, Mexico is now importing most of its corn from the United States. Mexican corn farmers have gone out of business, undercut by U.S. prices. So farm workers who once harvested corn in Mexico lost their jobs, and where did they look for work? Across the border.

This project is not simply about pointing fingers. Yes, the United States shares culpability when it comes to Mexico's misfortunes. But corruption and the Mexican government's judgment on how to address economic challenges also are to blame. Yet the power and influence that the United States holds over Mexico positions the United States to play a positive role in Mexico's future. I believe that bold measures can be taken by the United States that would make a world of difference in the lives of Mexicans while bolstering the economy of the United States and affecting emigration.

In my view, the United States, Canada, and Mexico should pursue a true North American integration plan fashioned after the European Union (EU) model. NAFTA was a half-baked idea that left out the ingredients needed to bolster the Mexican economy. A true partnership that included serious support for infrastructure, development, and labor-migration avenues was absent. NAFTA has left the United States and Canada with a neighbor to the south that has a broken economy that loses more and more ground each day; we should not be surprised that Mexican workers look for jobs across borders. But when the wealthy nations of the European Union faced similar prospects, with poor states such as Ireland, Spain, and Portugal seeking membership, the wealthy nations invested heavily in the poorer countries. This helped to

turn around their economies and avoided a flood of workers crossing borders, even though membership entitled EU nationals to free border passage.

The debate over whether millions of undocumented workers in the United States should be granted legalization distracts us from the more important questions about how we can structure the relationship among Mexico, the United States, and Canada in a manner that is good for all three countries. One day, the Minutemen, Lou Dobbs, or the former presidential candidate Tom Tancredo criticize legalization as a reward for lawbreakers and call for the absolute closing of the border. The next day, lawmakers are greeted with passionate calls by immigrant-rights advocates to recognize the contributions of undocumented workers who deserve our respect and lawful status. When President Bush called for a large, temporary guest-worker program in recognition of the needs of his business constituents, he faced resistance from both immigrant-rights advocates who want a path to legalization for workers and the Tancredo restrictionists who labeled the Bush plan an amnesty. While these debates rage on, no one talks about why the workers are here, beyond the standard understandings that they are here for a better life or that U.S. businesses need workers. No one pays attention to why the workers left Mexico in the first place or the effect that emigration of its workers has on Mexico.

Defining the debate in terms of what undocumented immigrants do or do not deserve, or even framing the answer around U.S. businesses' needs for workers, does not enable us to think broadly enough. Understanding the flow of workers between Mexico and the United States provides more than a glimpse of the effects of NAFTA, globalization, and social phenomena. Understanding modern-day social, cultural, and political, as well as economic, relations between nations—particularly those in our hemisphere—helps us begin to formulate a framework for our region that addresses concerns we may have about migration and immigrant rights. The EU model of heavy investment in poor nations, given with serious conditions and later coupled with open labor migration, is worth emulating. I believe that if we take the time to understand the reason for the phenomenon of migration, and if we plan and implement correctly, future undocumented migration among the United States, Mexico, and Canada will become *passé*.

To understand the flow of low-wage Mexican workers into the United States and why an EU model for North America provides valuable instruction, I explore several topics. I believe that these areas and concepts will help us develop the information that we need for a sensible, comprehensive approach to solving the challenge of undocumented Mexican migration. In Chapter 1, I take a close look at NAFTA and its effect on the economies and job forces of the United States, Canada, and Mexico. We begin to see in

Chapter 1 how Mexico was disadvantaged by the terms of NAFTA and why increased undocumented Mexican migration followed, especially given U.S. farm subsidies and manufacturing competition from China. Chapter 2 provides a historical overview of the economic and political history of Mexico, including the election of a new pro-NAFTA president in 2006 and the effect of the U.S. recession; an understanding of that history is necessary if we are to invest effectively in Mexico and rely on its leaders to follow through on those investments. Chapter 3 explores the Canadian experience to get a sense of what a country that engages in free trade with the United States must do to succeed. Lessons from Canada help us understand what needs to be done to develop a successful economy in Mexico but also allow us to understand that Canada has a responsibility to help resolve the migration issue, as well. Chapter 4 introduces the lessons from the European Union. While its process has not been perfect, the EU has developed a powerful structure and economy. The EU model is not simply important to use as a guide for how we might structure North American integration; as a force that must be reckoned with, the EU provides added incentive to re-create a North America that can compete with Europe. Chapter 5 on Ireland provides a closer look at the benefits of the EU approach to a formerly poor, emigrant-exporting country that has developed into an economically successful, immigrant-receiving country. While the analogy between Mexico and Ireland is imperfect, and Ireland recently has experienced new economic challenges, important lessons can still be retrieved from the EU–Irish experience for Mexico. Chapter 6 reviews current U.S. border and enforcement approaches to undocumented immigration and serves as a reminder of how those approaches have been shortsighted, unsuccessful, and wasteful. The stark failures and inhumane border strategy challenge us to think strategically and look for innovative approaches to the migration phenomenon. In Chapter 7, I outline what North American integration using an EU model would entail, including great investment in Mexico’s infrastructure, as well as a more generous visa system. I also explain why, in the face of manufacturing competition from China, the United States as well as Mexico would benefit from bolstering Mexico’s strategic position. In the Epilogue, I argue that we owe it to ourselves and to Mexico to look for innovation and to take a smarter approach to migration. Conceiving of the U.S.–Mexican border simply as a barrier for keeping out the unwanted has led us down a problematic, self-defeating path. There are economic, practical reasons for a more open-minded, regional approach. But ethical reasons and conditions compel us to explore a broader solution, as well.

Some may wonder why—in a discussion of undocumented immigration to the United States—I focus this volume solely on Mexican migration.

Mexicans may make up most—perhaps 60 percent—of the undocumented immigrants in the country, but there are others. I do so because, after thirty-five years of advocacy, representation, teaching, and research in the field, the big complaint that anti-immigrant groups and advocates have is about undocumented Mexican migration. I have seen and heard this in my work before the old Immigration and Naturalization Service and the current Department of Homeland Security. I have seen it in my work in opposition to California's Proposition 187 in the 1990s. I have seen it in my appearances before the courts and in my reading of court decisions. I have seen it in the raids at factories and homes. I have seen it in the expenditures at the U.S.–Mexican border. I have heard it in the audiences before whom I have appeared. And I have read it in the hate mail I receive. If we can resolve the challenge of undocumented Mexican migration, I think we can quiet most of the critics.

If we really want to solve the problem of undocumented Mexican migration, we should look honestly at the situation that we have helped to create with regimes such as NAFTA. Mexico is a friend and ally, and Mexican workers are coming to feed their families while contributing to the U.S. economy. We should take seriously the need to understand why they come here and the economic policies that must be implemented to keep them home if that is our goal. If we want to facilitate the entry of workers, as well, then we must do that above board. We should take to heart what we learn about the forces that affect the flow of labor migration. By doing so, we will begin to see that the answer does not lie in stepped-up militarization of the border that results in avoidable deaths, the harassment of families walking their children to school, or raids on factories and plants that inevitably end up hurting businesses, workers, and local communities. The answer lies in a broader vision of North America.