IMMIGRANTS, IMMIGRATION, BROADER CONTEXTS, AND PUBLIC POLICY DISCONNECTS

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Abstract

This essay attempts to broaden the context of public and policy discourses about the nature and complexities associated with migration to the United States. Several dimensions are examined: (1) global and U.S. migration trends; (2) the effects of migration on both the communities of origin and destination; (3) issues related to the rights and standing of migrants; (4) the gendered dimensions related to migration; (5) patterns of migrants' integration into their host society; (6) the impact of human-capital investment and its consequences; and (7) the limitations of the current policy discussions and initiatives. In the case of the latter, the need to move away from polarizing and simplistic perspectives and to integrate the many socioeconomic and political complexities associated with international migration is discussed. A more comprehensive understanding of migration recognizes that it is not exclusively the result of individual behaviors and motivations. Structural relationships, both domestically and internationally, as well as public policies have also had an effect on migration flows and patterns.

Keywords: Public Policy, International Migration, Globalization, Human Rights, Integration

"*La vida del pobre extranjero* . . . [the life of the poor foreigner/stranger. . .]" was a saying I heard my father use so many times during my youth. More often than not, he said it during difficult situations. My father immigrated to the United States at the age of six with his mother. His father had been killed during the Mexican Revolution, and he and his mother sought some security and a new start in the North. For the next seventy-two years he lived, worked, married, had four sons, and enjoyed success as a small-business entrepreneur and an active civil participant in his community and citywide. So why did a person with all indicators of being well-integrated in U.S. society continue to refer to the life struggles of a foreigner?

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This essay seeks to broaden the analysis of immigration, with a particular emphasis on the context of immigration and the levels of adaptation and integration among immigrants. Public policies and actions from many sectors of U.S. society affect the nature and extent of international migrants' connections to their country of destination. The current waves of public discussions, debates, and policy foci on immigration to the United States have not only consumed the mass media's attention, but have created some real tensions and frictions among the public. While the 2006 congressional and state and local elections resulted in some gains for pro-immigrant Democrats, the content of many campaigns centered upon the "rising and harmful tide" of undocumented immigrants to the United States. Not only was "illegal" immigration a major focus of campaign rhetoric, but punitive policy proposals were proposed and passed in several states and municipalities. The negative wave did not always focus on legal status, but instead highlighted foreign-born parentage.

For example, in the 2006 election cycle in Arizona, three referendum items (as well as an English-only initiative) directly targeted undocumented persons. Undocumented individuals would be subject to a "no bail" mandate for any class felony charge and ineligible for punitive damages in civil lawsuits. In addition, undocumented persons would be ineligible for adult education classes, student financial aid, and registration at Arizona's universities as in-state students. In addition, various municipalities passed ordinances requiring landlords and employers to verify the legal residence of tenants or employees, with failure to do so resulting in fines. One could interpret these actions as expressing individuals' and local governments' frustrations and concerns about immigration in response to the inaction of the federal government. I would add that during these campaigns there were elements of meanspiritedness directed toward immigrants and foreigners, particularly Latinos.

I am anxious to highlight the multifaceted dimensions of migration, both globally and in the United States. Policy initiatives and debating points can be assessed by their attention to the set of interrelated complexities involved. It is my contention that policymaking has a bias toward short-term responses and a tendency toward a simplistic focus at the expense of integrating the complexities of the "problem area" into broader, concrete policy initiatives. Accordingly, I shall address the following dimensions: (1) global and U.S. migration trends and characteristics of the contemporary, foreign-born populations; (2) the implications of such migration on both countries of destination and origin; (3) the rights and standing of migrants; (4) the gender dimension of migration; (5) migrant integration into the receiving country; (6) human-capital investments and the development of migrants and society; and (7) the scope of public policy formation in response to immigrants and overall international migration.

MIGRATION TRENDS AND FOREIGN-BORN POPULATIONS

The saliency of the U.S. public's and policy makers' concerns and frustrations about increasing immigration levels, especially undocumented immigration, tends to isolate this phenomenon, as though it were unique to the United States. Any informed discussion of migration trends requires a broader contextual view that also encompasses the global occurrence of international migration. According to the United Nations, in 2005, international migrants numbered 191 million persons. Approximately 115 million of these international migrants were living in developed countries. These generally high-income countries recorded the greatest increase in the number of international migrants (41 million) from 1990 to 2005. International migrants are quite selective

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about their destinations: in 2005, three-quarters of all migrants lived in only twenty-eight countries. In addition, one out of every five migrants in the world is living in the United States. Thus, U.S. immigration amplifies the magnitude of contemporary migration patterns.

Some other important trends associated with modern-day migration are the characteristics of migrants. It has been estimated that female migrants constitute almost one-half of all migrants worldwide and outnumber males in developed countries. While three-fifths of all migrants reside in high-income economies, some lesser-identified countries, such as Singapore, Qatar, Brunei Darussalam, and the Republic of Korea, are also major recipients of migrants. Approximately one-third of international migrants move from one developing country to another; another one-third move from one developing country to a more developed one. The nature of these multiple moves would suggest the existence of information and communication networks that are continuously updated and sorted out in the decision-making processes of migrants.

Finally, migrants represent a mix of low-income workers and highly skilled, educated persons. The latter type is exemplified by foreign students and other well-educated "foreign nationals," who fill needed technical and professional positions in many developed countries. For the most part, highly skilled migrant workers benefit both themselves and the receiving country. International migration consists of conscious movement to pursue greater economic opportunities and/or to enjoy more stable sociopolitical conditions. Such movement affects individuals' life chances, their families, and both the economy and sociocultural life of the migrants' countries of destination and origin.

But what are the changes occurring in the United States and among its immigrant population? The latest data from the U.S. Bureau of the Census (2004) place the resident, foreign-born population at 33.5 million or 11.7% of the total population. This represents the highest percentage since the turn of the twentieth century. In addition, over 50% (53.3%) come from Latin America, and another 25% from Asia. This population falls disproportionately in the labor force age range of from eighteen to sixty-four years by a ratio of four to three, as compared to the native-born. The foreign-born are 66% more likely than the native-born to reside in central cities. Public concerns about immigration partly reflect the fact that 13.6% of all foreign-born arrived in the United States since 2000; another 36.6% came between 1990 and 2000.

Educationally, a 20% gap exists between the percentages of foreign- versus native-born residents who are high school graduates or beyond. Occupationally, the pattern is bifurcated, such that 23.3% of foreign-born, while only 14.9% native-born are service-related workers. At the same time, 25.1% of foreign-born versus 30.1% of native-born are professional/technical workers. Finally, foreign-born residents experience a 20.9% higher unemployment rate than their native-born counterparts (7.5% vs. 6.2%).

This very brief profile of the foreign-born in the United States is intended to serve three purposes. The first is to connect the U.S. phenomenon of international migration to similar patterns occurring throughout the rest of the world. The second is to illustrate the relative nature of comparisons of immigrants to their native counterparts. While socioeconomic disparities exist, these differences can be even greater when compared to immigrants' counterparts in their countries of origin. In addition, one can characterize the movement of people internationally as evincing an intense motivation to "better themselves" by utilizing their labor market skills (varying degrees of human-capital accumulation) to maximize their returns. The third

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purpose is to expand the perspective of migration beyond the mere size of migration flows and sociodemographic characterizations of migrants.

The implications and consequences of migration patterns and experiences go beyond the migrant unit itself. Migration patterns also affect nuclear and extended families, communities of current residence and origin, in addition to both local and national economies and their social/cultural life.

So far, I have not distinguished regular migration (i.e., formal admission into the country of destination) from irregular migration (i.e., international migration without formal application and admission into the country of destination). While much of the public discourse has been about the growing (and allegedly negative) impact of undocumented migrants upon the United States, their characteristics and migration-related effects parallel those of international migrants.

THE MULTIDIMENSIONAL EFFECTS OF INTERNATIONAL MIGRATION UPON THE COUNTRIES OF DESTINATION AND ORIGIN

The domestic debates on migration (both regular and irregular) concentrate upon the effects of the influx of migrants to U.S. society. But the process of migration is a dynamic pattern, which thus requires that we examine the movement of people from one nation to another. In addition, this movement may involve multiple moves over the migrant's history. The most common pattern involves the departure from a developing nation to a more developed country. Another important migration pattern involves the return to one's country of origin. The return can be temporary, circular, or a permanent resettlement. As a result, virtually all countries can be characterized as both sending and receiving countries; yet each is more one than the other. Thus, it is important to examine the net effect of migration since some nations are "net senders."[1] In 2005, there were twenty-eight nations in this category; while sixteen were net receivers. A major contributing factor is the level and rate of economic development in each country. Net sending countries generally have a low-level of development; net receiving countries have more developed economies. Less predictable factors (in terms of anticipating their occurrence) are catastrophic disasters and severe economic downturns. These events affect the flow, magnitude, and destinations of migration.

Looking at countries of both origin and destination yields a broader perspective by which to assess the multiple effects of migration in each location. From a policy perspective, primary receiving countries are more focused upon matters of admission and regulation, while sending countries emphasize integrating expatriates and their adjustments. In recent years, primary sending countries have focused upon the protection of their *émigrés* in receiving countries. The bi- and multilateral nature of international migration obviously has effects, such that "single-nation" policy initiatives or actions may not yield the expected results.

Other interrelated factors when considering the countries of origin and destination include remittances. In terms of "dollars" sent by migrants to their countries of origin, the four principal nations are: India (21.7 billion); China (18.1 billion); Mexico (18.1 billion); and France (12.7 billion). The other countries that receive substantial remittances are located mainly in Latin America and Asia. The primary recipients of these remittances are immediate and extended family members. At the same time, there is also a multiplier effect, insofar as economic benefits satisfy consumer demands supported by remittances and thus fuel local enterprises. Struc-

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turally, these remittances can defray educational and health-care costs that would otherwise be borne by governmental entities or go unmet.

For the country of destination, a niche market is created and expanded to deal with money transfers. Recently several of the regional Federal Reserve banks have recommended facilitating access for undocumented immigrants, allowing them to open bank accounts and conduct electronic money transfers via the banking system. While migrants send remittances with some regularity, the money generated through their employment in the country of destination helps to stimulate the local domestic economy back home in the country of origin. In addition, some of the economic and population resurgence that is occurring in U.S. central cities is the result of an influx of immigrants into declining neighborhoods. Entrepreneurship is a part of the regular activities associated with immigrants' contributions to their country of origin and of residence, and the concept of co-development becomes quite relevant as well. Co-development involves improving the economies of both the country of origin and the country of destination, where immigrants meet labor demands, as some among them pursue opportunities for entrepreneurial start-ups. Meanwhile, in the country of origin, emigration can enhance employment status for those who stay and generate remittances, savings, and resources for local consumer demands. Although these patterns do not always occur, examining international migration in terms of the interrelationships between the country of destination and the country of origin helps to crystallize the multiple effects to which the process gives rise.

HUMAN RIGHTS AND GLOBAL CITIZENSHIP

Another key dimension in the discussion of international migration lies in the area of human rights. The movement of persons across national borders has been, to a significant degree, motivated by the desire to improve their situation and maximize opportunities. Thus the treatment of migrants in their countries of destination can be examined in terms of the basic human rights accorded to any resident. The legal status and standing of the immigrant affects the range of rights they are accorded and the participatory modes they can engage in. Basic human rights include fair and just treatment, and protection from abuse and injustices by both institutions and individuals. In the United States, equal protection under the law, the right to trial and legal defense, and the prohibition of discriminatory practices based on immigrant status serve as some baseline demarcation of human rights. Other areas include access to social services, family reunification, and labor rights.

Much attention has been directed toward labor rights, and rightly so, given that the primary motivation for migration is employment. Thus, matters such as work conditions, the right to organize, fair wages and benefits, and antidiscrimination in the workplace are general areas of rights and protections that are not accorded to the same degree to immigrants as they are to native workers and/or citizens. In addition, when migrant workers stay in the domestic labor market for a substantial period of time, accumulation of and access to pensions become major issues. For example, through payroll deduction, undocumented workers are contributing to some form of a social security program; yet they may not have access to those funds upon retirement. Historically, and even more so contemporarily, a series of bilateral agreements have been negotiated on behalf of immigrant workers. These agreements have created a portable pension program in which workers do not lose their contributions to pension systems.

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A related problem is that some countries require immigrants' employers to keep their passports and/or other travel documents, which makes immigrants vulnerable to exploitation and contributes to their separation and lack of integration into their country of destination. Whether their "stay" is temporary or longer term, and whether their status is legally sanctioned or irregular (undocumented), the concern for the adaptation and integration of these persons must be a crucial element in any discussion of contemporary immigration.

Migration connects migrants with their country of origin, as well as their country of destination. The concept of transnationalism focuses upon the nature and extent of interactions that occur across national boundaries. I noted some of these interactions above (e.g., hometown associations, remittances, return visits, family ties), but continued political ties also occur. Some of these ties are facilitated by state policies allowing dual citizenship. In this way, property rights, formal electoral and other political involvements, governmental subsidies for public and private works-related projects, and even standing for formal representation in the country of origin's legislative body have been codified. At the same time, immigrants establish new communal ties and civic activities in their countries of destination. For example, during the spring of 2006, many U.S. cities saw massive public protests against the direction and contents of the immigration proposals in the U.S. Congress. One way of understanding this is that citizenship, as denoted by a person's involvement in civic life, can and does occur in multiple political jurisdictions. Electronic access and increased ease of communication have made citizenship much less bounded by singular political jurisdictions. Several European nations, for example, permit limited enfranchisement for immigrants such that they can participate electorally at the local level. Such forms of limited citizenship recognize both the equity and the residency of migrants as legitimate participants in the affairs of governments that affect their daily lives.

Consider the creation of a portable pension system through bi- or multilateral agreements that make it possible to deposit pensions abroad. Twelve Asian nations have signed such an agreement, which I would place within the larger rubric of human or migrant rights. Spain, the Philippines, and Sweden are coparticipants in the International System of Migrant Rights in Social Security. Thus the discussion of basic human rights for migrants needs to extend beyond their protection against exploitation and abuse to a broader domain of integration, including access to all benefits accorded to citizens of the country of both destination and origin.

GENDER AND MIGRATION

In the above discussion of patterns and composition of international migrants, I noted that women—whether as individuals or as part of a family unit—are a large part of that migration flow. As a result, it is pertinent to note some of the effects that gender has on migration. Within the family unit, it is not uncommon for countries of destination to restrict the labor participation of spouses. Independent legal status may not be granted to a woman, particularly, if her status is tied to a family unit. This constraint thwarts the personal development of women. When women migrants are dependents, they have less access to labor markets, and even those who do have access often experience a greater degree of occupational segregation than do their male counterparts.

Another relevant factor regarding gender and migration is the presence of human trafficking. This practice affects women more than men, especially in the prostitute

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and concubine trade. Women may encounter abuses, exploitation, and enslavement, and they may face great difficulty in attempting to escape these conditions. In addition, the risks that women encounter *en route* to the country of destination are among the perils of international migration. The inclusion of the gendered dimension of migration underscores the need to ensure adherence to basic human rights and protections of labor rights, but it also helps to combat the behavioral consequences of sexism in other political domains.

HUMAN-CAPITAL INVESTMENT AND MIGRATION

Further relevant factors to consider in this discussion of the complex interrelationships involved in international migration include human-capital investments, returns, and equity. The primary motivation for migrating is the desire to seek better economic opportunities and utilize human-capital skills; thus economics lie at the core of migration dynamics. More-developed or net receiving countries experience proportionally more labor force depletion. There is a need for a younger, active work force that is thus not being replenished by natural population growth. In more-developed nations, such as in Western Europe, there is a need for 142 workers of from twenty to twenty-four years of age for every 100 retirees. This replacement ratio reflects both the entry of new workers into the economy and the wages derived from younger workers needed to contribute to social security funds. For many developed countries, the age structure of the native work force in ten years will be 87 new entrants per 100 retirees. In short, the aging population of more-developed countries, conjoined with low birthrates, generates a need for new labor market participants from outside the country.

In recent years, these labor force demands have assumed a number of specific forms and patterns. The number of foreign students studying outside their country of origin has been increasing dramatically over the course of the past decade. Many foreign students are remaining to work in the countries from which they receive their advanced education. The often stated concern of "brain drain" is especially notable in the Philippines, India, China, and elsewhere. Thus, the policy focus of countries of origin deals with incentives and emphasizes areas of economic development that will attract and retain more highly trained expatriates.

At the same time, lower-skilled immigrant workers fill economic niches and labor market needs as well. While these migrants may have less human capital (e.g., less investment in education), their industriousness and risk-taking decisions to migrate differentiates them from their counterparts who remain back home. In addition, once engaged in the country of destination's labor markets, lower-skilled workers have and take the opportunity to expand their human-capital skills, as well as the open opportunities for their family members. Their emigration also results in an upsurge of wages for those who remain behind in the sending countries. For example, studies in the Philippines and Pakistan have demonstrated a relationship between the emigration of lower-skilled workers and increased wages in construction and agriculture for those who remain behind in the sending country's labor markets.

For receiving countries, the human-capital returns from international migrants are also reflected in the realm of entrepreneurship. The entrepreneurship of immigrants is quite evident, as they can broaden the range of goods and services available in the countries of destination. The commitment to put in long hours in these endeavors, and access to family members and other immigrant labor pools, reduces production and transaction-related costs. The use of social capital and networks

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(such as rotating credit associations) also moderates the entrepreneurs' expenses and access to capital formation. They demonstrate flexibility to consumer tastes and help to maintain viable social networks in the migrant community. In the United States, this entrepreneurial activity has been most evident in the receiving central cities in the Northeast and Midwest—which have been experiencing depopulation and economic decline—and the influx of immigrants is fueling urban renewal. Heightened economic activities, increased home ownership, and the stabilization of neighborhoods have had the positive effects of increased property values and tax revenues. Thus, discussion of immigration and human-capital development should not end with individuals' efforts to utilize and expand their human-capital skills, but should also consider how societies structure policies and institutions to facilitate that development and generate mutual benefits.

THE COMPLEXITIES OF INTERNATIONAL MIGRATION AND POLICY REFORMS AND FRAMING

This volume of the *Du Bois Review* focuses upon the policy and socioeconomic phenomenon of immigration. Much research has been directed toward the effects of the influx of undocumented immigrants to more developed nations. The extent of this migration and its economic, sociocultural, and legal aspects continue to command most of the discourse. I have approached this topic from a broader context, in the hopes of adding breadth and complexity to the discussion by looking at a set of interrelated factors and elements from a broader perspective in order to explore possible policy responses.

The arena of U.S. politics has been charged with polarizing perspectives regarding the negative effects of immigration on many facets of American life and institutions. Resultant policy initiatives or "trial" balloons have emphasized greater restrictions upon immigration, especially on the irregular or undocumented segments. This almost singular focus has resulted in more aggressive and effective enforcement (and monitoring, to a lesser degree) of our southern border. "Enforcement first" has been the mantra of restrictionists; consideration of other policies associated with immigration and migrants is postponed until our borders are said to be under control.

My discussion of international migration and pertinent dimensions emphasizes that this issue is not unique to the United States; other countries have attempted to address some of these important dimensions as well. By extending the discussion to include the global phenomenon of international migration, the underlying basis for migratory patterns and their "multilateral" consequences for countries of both origin and destination emerges. Among important systemic policy goals are adaptation, integration, human rights, economic and human resource development, and stability. The dimensions that I have tried to highlight—impact and interrelationships between countries of origin and destination, human rights and global citizenship, "genderization" of migration, and human-capital investment—point to the need to accent the larger context of public policy approaches, and related initiatives. While policymaking in this area often involves the particularized policies of sovereign nations, the global nature of migration suggests the need for bi- and multilateral agreements and cooperation to deal with the multifaceted dimensions of the phenomenon.

For migrants—both regular and irregular—and their sending and receiving countries, the extent of adaptation is *more* dependent on the actions of the migrants themselves, largely in response to institutional practices and regulations. Public policies that facilitate adaptation and integration establish a more symbiotic or

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mutually beneficial relationship between societal needs and the migrant goals of betterment and familial responsibilities. At the core of this relationship lies a basic, common ground of respect, equity, rights, and obligations.

One of the results of the United States' experience with the numerous protest marches in 2006 was to put real faces and lives before the larger U.S. public, media, and government officials. Rather than immigrants being objectified as an "unwanted horde," these events projected voices that suddenly became public and expressive, affording opportunities for concerned, sympathetic, and supportive residents to join forces and interact.

Immigration, immigrants, and their effects on society are centrally situated in our public policy arenas, but they also intersect with our daily lives in the workplace, and in our neighborhoods, schools, churches, and other daily circumstances. Policy debates and proposals navigate through ideological disputes, partisan positioning, and emotive perspectives about the makeup and basis of this polity. But the scope of any policy reform cannot be singularly focused, for example, upon enforcement. Such limited public policy resolutions will neither prove to be effective in achieving their purported objectives, nor will they significantly alter the patterns of migration (though they will affect the conditions of such migration). An appreciation of the interrelatedness of complex and critical factors, while not easy to achieve and integrate, is necessary, given the international dimension and global character of migration. The inclusion of a broader range of participants and polities can positively affect the results of policy initiatives during the deliberation and formulation process in the United States, such that mutually beneficial effects may emerge.

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NOTE

1. A "net sender country" is one where more persons leave than enter the country. Similarly, "net receiver countries" take in more persons than the number who leave.

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