

Immigration Politics of US-Mexican Border: Escalation of Crisis

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Abstract

This paper seeks to evaluate contemporary trends of international migration using Mexico-US migration as a case study. It intends to capture the true diversity of migrants from Mexico and their evolving migration patterns over time. After evaluating it conceptually, the paper will analyze whether a country should have more open or more closed borders. Both US and Mexico understand the need for control and so the discussion will be on how much control. It will also focus on why people participated in protests against migration laws and what are the effects of these events. Thus, the empirical study will analyze the emergence and obstacles of social movement in order to better understand the immigrant rights movement highlighting the importance of protest intensity in influencing political attitudes as well as the relationship between protests and public opinion on immigration policy in the current scenario.

Keywords: *Migration, Migration Laws, Immigrant Rights, Immigration Policy, USA, Mexico*

Immigration is being debated in numerous countries. It is argued that immigrants displace citizens of the receiving country, while others claim that their tax contributions stimulate economic growth. Mexico remains at the center of today's immigration debate. The United States-Mexican Border stretches 1951 miles from California to Texas and is the most frequently crossed international border. The border between Mexico and the United

States has witnessed millions of individuals crossing to and from each country. Legal immigrants have been welcomed to the United States for centuries. At the same time a high rate of illegal immigration from Mexico has been tolerated for many years. Measuring migration flows between the two is challenging because there are no official documents of how many Mexican immigrants enter and leave the U.S. each year. Despite the risks, Mexicans continue to come to the U.S. as illegal immigrants in search of an economic opportunity. The United States is by far the top destination for Mexican emigrants. In 2006, an unprecedented wave of protests emerged across the United States in opposition to H. R. 4437 known as the Sensenbrenner Bill. The U.S. President Donald Trump committed to build a wall along the entire U.S.-Mexico border and persuaded Mexico to pay for it.

This paper seeks to evaluate contemporary trends of international migration using Mexico-US migration as a case study. It intends to capture the true diversity of migrants from Mexico and their evolving migration patterns over time. After evaluating it conceptually, the paper will analyze whether a country should have more open or more closed borders. Both U.S. and Mexico understand the need for control and so the discussion will be on how much control. It will also focus on why people participated in protests against migration laws and what are the effects of these events. Thus, the empirical study will analyze the emergence and obstacles of social movement in order to better understand the immigrant rights movement highlighting the importance of protest intensity in influencing political attitudes as well as the relationship between protests and public opinion on immigration policy in the current scenario.

Historical Background

Both geography and history have made the Mexican migration flow to the U.S. the largest in the world. Mexico has three border sharing neighbors: the U.S. to the north, Belize and Guatemala to the south. In order to gain access to America, Mexicans must cross a border which spans four U.S. states and six Mexican states. In America, it starts in California and ends in Texas. After the terrorist attacks of 11 September 2001 however, the number and countries of

origin for illegal immigrants coming to America from Mexico has raised concern for safety and security of citizens. The most debatable topic in Congress is how to gain better control of U.S. borders and stop the flow of illegal immigrants. There are two sides of the debate: A major section of the U.S. population is in favour of physical barrier and better enforcement of immigration laws. They favor closed borders and absolute control of all immigration as the most important issue. The other section favors controlled access, but more open borders to allow foreign workers into the U.S. economy to provide for labor shortage. A major legislative effort on immigration was signed into law, the Immigration and Nationality Act by President Clinton in 1996, targeting the flow of illegal immigrants from Mexico. The Immigration and Naturalization Service estimated there were five million illegal immigrants in 1996 which became 11 million in 2005. These numbers indicate that illegal immigrants in the U.S. more than doubled in just nine years, despite the increased emphasis of law enforcement and border surveillance.

Literature Review

Why do Mexicans migrate to the United States? Using survey data from over 145,000 Mexicans and in-depth interviews with nearly 140 Mexicans, Filiz Garip in his book *On the Move: Changing Mechanisms of Mexico-US Migration* reveals a more accurate picture of Mexico-U.S. migration. In the last fifty years there have been four primary waves: a male-dominated migration from rural areas in the 1960s and 1970s, a second migration of young men from socio-economically more well-off families during the 1980s, a migration of women joining spouses already in the United States in the late 1980s and 1990s, and a generation of more educated, urban migrants in the late 1990s and early 2000s. For each of these four stages, Garip examines the changing variety of reasons for why people migrate and migrants' perceptions of their opportunities in Mexico and the United States. Looking at Mexico-U.S. migration during the last half century, the author uncovers the vast mechanisms underlying the flow of people moving between nations. Using data gathered in 25 Mexican communities, D. Massey & K. Espinosa in the article 'What's Driving Mexico-U.S. Migration? A Theoretical, Empirical, and Policy Analysis' in the *American Journal of Sociology*, link individual acts of

migration to 41 theoretically defined individual, household, community, and macroeconomic-level predictors. The indicators vary through time to yield a discrete-time event-history analysis. Over the past 25 years, probabilities of first, repeat, and return migration have been linked more to the forces identified by social capital theory and the new economics of migration than to the cost-benefit calculations assumed by the neo-classical model. The authors find that Mexico-U.S. migration stems from three mutually reinforcing processes: social capital formation, human capital formation, and market consolidation.

A range of literature seeks to understand who participated in the protests, why they participated, and what were the effects of these events. Beltrán presents a historical overview of Latino social movements over time, through the 2006 events. He emphasizes that even as Latino social movements strive to mobilize around a unified voice or message, significant variation persists within the Latino population. Focusing specifically on the 2006 events, Barreto et al. seeks to understand who participated in the protests, and whether or not the Latino community was unified in their opposition to H. R. 4437. The edited volume by Voss & Bloemraad presents the most comprehensive treatment available of the marches themselves, including extensive background on the events and the wide range of groups that organized them. The coincidence of the 2005–2006 Latino National Survey and the spring 2006 protests has also led to research studying the effects of these events on Latino attitudes and behavior. Because the survey was in the field before, during, and after the protests, some scholars have treated these events as a natural experiment, comparing Latino attitudes before and after these events. Silber Mohamed focuses on the framing of the 2006 protests, reflecting on their implications for Latino political incorporation. She finds that consistent with the “We are America” theme of the protests, individuals interviewed after these events are more likely to feel American than similar respondents interviewed before, but that differences in Latino attitudes about immigration policy persist. Wallace et al. and Branton et al. add geographical complexity to their analyses. Wallace and colleagues highlight the importance of protest intensity and size in influencing political attitudes, while Branton et al. studies the relationship between proximity to protests and Latino public opinion on immigration policy.

Approximately half of the 11.7 million Mexico-born persons in the United States today are estimated to be undocumented (Passel, Cohn, & Gonzalez-Barrera, 2012). This population's dramatic growth and remarkable persistence since the mid-1960s is surprisingly given several changes to U.S. immigration policy that have attempted to stem its flow over the past five decades (Massey et al., 1998).

Reasons for Migration: Push and Pull Factors

There is a noticeable difference in the quality of life between America and Mexico. There are high crime rates in Mexico. Homicide rates come in at around 10-14 per 100,000 people. America is a more stable place to live, with lower crime rates. Poverty is a major issue in Mexico, with 6% of the population lacking access to pure drinking water. With high unemployment and poverty rates in Mexico, people are forced to move to America, where they have better prospects and maintain a reasonable standard of living. The climate and natural hazards in Mexico also force people to move to America. High birth rates and limited economic opportunities have been “push factors” that encouraged emigration from Mexico. Plentiful employment opportunities, connections to family networks, and an aging population have been “pulls factors” within the United States. Existing communities make it easier for people to settle once moved. 86.1% of the Mexican population can read and write in comparison to 99% of the population in America. There are significantly better academic opportunities in America than in Mexico.

Socio-Economic Impact

Assimilation of Mexicans into American communities has been problematic. Many Mexicans can't speak fluent English. This can create tension between migrants and locals which can lead to segregation, crime and violence. It is now common for Spanish to be taught in American schools. There are concerns that immigrants are increasing crime rates in areas that they migrate to as Mexico is a country associated with drug trafficking. The introduction of Mexican cultural traditions to America have helped to improve cultural aspects of those states. The majority of migrants leaving Mexico are males leaving a population with a high number of females. Mexican migrants often take low paying jobs,

which, is still higher than what they are offered in Mexico. As unemployment rises in America, this can lead to increased social tension as Americans believe that their jobs are being taken away. Many companies are now also replacing American labour with cheaper migrant labour. While legal Mexican migrants are working and paying taxes, they often send money what they earn, back to their families in Mexico, rather than spending it in America harming country's economy. Conversely, the increased amount of money being sent back to Mexico is helping its economy. As people move out of Mexico, it does relieve pressure on land, social services and jobs. The problem, however, arises when the young and skilled workforce leave, resulting in a shortage of potential workers to fill these newly freed jobs.

Immigrant Rights Social Movements

Mexico's prominence in the U.S. migration system means that U.S. immigration policy primarily affects Mexico. Recent Mexico-U.S. migration flows and the Mexico-born population in the United States are the product of previous immigration policy decisions, as well as of the long and complex history of the U.S. and Mexican economies, labor markets, and demographics. Migration from Mexico to the US primarily involves the movement of Mexicans from Mexico to the southern states of America. Due to their proximity to the border and the high availability of work in these states, the majority of Mexicans move to California followed by Texas. California currently houses 11,423,000 immigrants with Texas holding 7,951,000 (Jackson, 2015).

The U.S.-Mexican migration system has passed through four main phases since the early 20th century. Migration flows were limited and mainly short-term prior to the 1920s, and Mexicans were exempted from certain immigration restrictions and admitted as the first U.S. guest workers during World War I. In the Immigration Act of 1924, the Border Patrol was established to combat smuggling and illegal immigration. Mexican immigration to America continued to grow until 1929 when the Great Depression reversed the flow of immigration from Mexico. Many Mexicans were deported. World War II (1939-1945) created another labor shortage in the U.S. as many of Americans were drafted into the military. In 1949, the Border Patrol seized nearly 280,000 illegal immigrants. By 1953, the number of illegal Mexican

immigrants seized by the Border Patrol had grown to more than 865,000 which led to implementation of Operation Wetback in 1954. It was a system of cooperation between the U.S. Border Patrol and the Mexican government to control illegal immigration. The bilateral “Bracero” temporary worker program marked a second phase, with 4.6 million temporary visas issued to Mexican workers between 1942 and 1964. The Bracero Program (1943 - 1965) encouraged Mexicans to work in America and Mexican immigration to the United States began to increase again. With the end of the Bracero program and other immigration reforms in 1965, along with social and economic changes in the United States and Mexico. In 1986, the Immigration Reform and Control Act granted Legal Status to qualifying Immigrants who entered the U.S. illegally before January 1, 1982. The Secure Fence Act authorized fencing along the U.S.-Mexican Border. The third stage was marked by growing illegal inflows, eventually leading Congress to pass the Immigration Reform and Control Act of 1986. Finally, despite a series of additional enforcement measures, the Mexican population in the United States doubled during each decade since 1970, with unauthorized migrants accounting for a majority of the growth, followed by legal family-based immigration.

Recognizing Mexico's status within the U.S. migration system focuses attention on how the U.S. immigration debate affects Mexico, and on how Mexico may affect certain migration outcomes. Mexico is referred six times in H.R. 4437 and the fact that the largest proportion of undocumented immigrants are of Mexican origin. The legislation, which was passed by the Republican-controlled House of Representatives in December 2005, contained a range of proposals that immigrants and their allies viewed as highly punitive, including construction of a nearly 700-mile wall along the U.S.-Mexico border, and the classification of undocumented immigrants and anyone helping them to arrive or stay in the United States as felons. In opposition to the bill, an estimated 3.5–5.1 million people, mostly of Latino descent, took to the streets to protest.

In the spring of 2006, an unparalleled demonstration emerged across the United States in opposition to H. R. 4437 that would mean staying in United States without proper documentation a federal crime. The first large protest

took place in Chicago on March 10, 2006. On March 26, 2006, a “national day of action, marches were organized. Demonstrations included widespread student walkouts (Loyd & Burrige, 2007). On May 1, 2006 another series of national protest was organized. Immigrant workers, students and supporters were encouraged to participate in a nationwide boycott in order to demonstrate immigrant contributions to the United States (Pulido, 2007). In Los Angeles, over a million protesters took to the streets between March and May 2006. Tens and hundreds of thousands set records in America's largest cities, including Chicago, Dallas, Houston, Phoenix, Denver, and San Diego (Bernstein, 2006; Korosec & Garza 2006; Prengaman, 2006). Dallas police estimated that between 350,000 and 500,000 people took part in the peaceful demonstration.

About a dozen anti-illegal-immigration protesters gathered and shouted, "Go back to Mexico!" as the marchers carried placards reading "Secure our Borders" (Korosec & Garza, 2006). Dallas police Chief David Kunle said. "This is a family-oriented group that come here to demonstrate. No one, we saw, looked like t planning to cause any problems" (Korosec & Garza, 2006). "This is the largest civil rights march in the history of Dallas," said former Texas Rep. Domingo Garcia, who helped organize the event. "We're making history." Other demonstrations also drew thousands of protesters in New Mexico, Minnesota, Michigan, Alabama, Utah, Oregon and California.

The 2006 movement was based on a single issue i.e., the issue of immigration. Instead of merely demanding the rejection of punitive immigration measures, the protesters sought justice for immigrants and supported legislation allowing undocumented immigrants the opportunity to regularize their immigration status (Johnson & Hing, 2007, p. 100). The two common slogans that emerged in the demonstrations were: "We Are America" and "Today We March, Tomorrow We Vote" indicate multiple constituency support, in particular among eligible or future eligible voters. H.R. 4437 represented a powerful external threat that activated multiple Latino constituencies, including the Latino citizenry and organizational elite, to come together in group solidarity, for immigrant rights. Unlike previous Latino social movements, the immigrant protest marches and subsequent public sentiment

among Latinos are distinct because H.R. 4437 was a strong external impetus for solidarity among the multiple constituencies who would be affected by the bill. However, the Sensenbrenner Bill was not passed by the Senate.

The Congress has debated numerous pieces of immigration reform over the last two decades. Comprehensive immigration reform refers to omnibus legislation that attempts to address the following issues: demand for high-skilled and low-skilled labor, the legal status of the millions of undocumented immigrants living in the country, border security, and interior enforcement. Legislators debated immigration reform in 2013, when the Democrat-led Senate passed a comprehensive reform bill that would have provided a path to citizenship for undocumented immigrants and tough border security provisions. The bill did not receive a vote in the Republican-controlled House of Representatives.

Presidential Actions in Recent Years

Barack Obama - President Obama took several actions to provide temporary legal relief to many undocumented immigrants. In 2012, a program, known as Deferred Action for Childhood Arrivals (DACA), offered renewable, two-year deportation deferrals and work permits to undocumented immigrants who had arrived at the United States as children with no criminal records and characterized the move as a “stopgap measure”. In 2014, Obama attempted to extend similar benefits to as many as five million undocumented parents of U.S. citizens and permanent residents. However, more than two dozen U.S. states sued his administration, alleging that the program, known as Deferred Action for Parents of Americans (DAPA), violated federal immigration law and the U.S. Constitution. A Texas federal judge blocked the program in 2015, and the Supreme Court effectively killed it in 2016.

Donald J. Trump - President Trump has signed several executive orders affecting immigration policy. The first, which focused on border security, instructed federal agencies to construct a physical wall “to obtain complete operational control” of the U.S. border with Mexico. It called for an end to catch and release practices, where certain unauthorized immigrants who were captured at the border to be released into the United States while they await court hearings. It also expanded the application of “expedited removal” to

include any unauthorized immigrant who cannot prove they have been in the United States for two years, allowing them to be removed without a court hearing. The second executive order, which focused on interior enforcement, expanded the categories of unauthorized immigrants prioritized for removal. It also moved to restrict federal funds from sanctuary jurisdictions, which in some cases limit their cooperation with federal immigration officials. The third order, which focused on terrorism prevention, banned nationals from Iran, Iraq, Libya, Somalia, Sudan, and Yemen from entering the United States for at least ninety days; blocked nationals from Syria indefinitely; and suspended the U.S. refugee program for 120 days. These actions, particularly the ban on travelers from seven Muslim-majority countries, drew widespread protests and legal challenges. The travel ban suffered several legal setbacks; the Trump administration revised it twice, and it eventually found its way to the Supreme Court, where justices allowed a third iteration to stand. In 2017, the Trump administration ended temporary protected status for thousands of Haitians and Nicaraguans who were allowed into the United States after environmental disasters in their home countries. Beneficiaries of this scheme are permitted to live and work in the United States for up to eighteen months, a period that can be extended at the president's discretion. In 2018, Trump ended the same relief program. In early 2018, the Trump administration implemented a zero-tolerance policy at the southern border, in which authorities arrested and criminally prosecuted all unauthorized immigrants. As a result, more than two thousand child migrants were detained separately from their parents or guardians. President Trump ended the family separation policy in June following widespread protests.

Role of State

Different states treat unauthorized immigrants differently. For instance, California, allow undocumented immigrants to apply for drivers' licenses, and obtain other benefits. Arizona has passed laws permitting police to question people about their immigration status. The federal government is generally responsible for enforcing immigration laws, but it may delegate some immigration-control duties to state and local law enforcement. President Trump decried sanctuary cities and issued an executive order to block federal

funding to such municipalities and to reinstate a controversial program, known as Secure Communities. State and local police provide fingerprints of suspects to federal immigration authorities and hand over individuals, deemed to be in the country illegally. He also ordered the expansion of enforcement partnerships, in federal, state, and local agencies. Several cities are challenging Trump's order in court. Some state governors have also protested, some said they would refuse to send National Guard troops to the southern border until the president ended family separations.

Role of Media

Press conferences, radio, television, and newspapers spread information about the rallies to mobilize the individuals & their opinions. Organizers and activists have some incentives for localizing their efforts. At the city level, it is easier for activists to move an issue to the top of the agenda (Gamson & Wolfsfeld, 1993). Newspaper articles discuss the local relevance of immigration in the community, the national policy debate, and related policy implications. The urban context also provides an efficient means to mobilize and legitimize a cause. Protest is the least discriminating form of political participation as it requires no citizenship, age, or residency to participate. Over the past ten years, the growth and dispersion of the Latino immigrant population has dramatically altered the demographics and politics in many American cities. It is reasonable that the marches were situated in the communities where large numbers of Latino immigrants reside. The Latino and Asian alliance over this issue is a theoretically expected outcome, both ethnic groups have significant non-citizen populations, many do not have English as first language. Thus, these communities were perceived to be the target of a threatening political environment and were too receptive to mobilization efforts. The church was an important platform used to inform and mobilize large numbers of people from both immigrant and non-immigrant communities to oppose the bill and participate in the demonstrations. The contemporary immigration protest rallies did not rise due to changing power dynamics or elite receptivity. Instead, in California during the mid-1990s, the political opportunity was created but in response to H.R. 4437 as a political threat associated with inaction. Unlike earlier social movements which specifically targeted Mexican origin Latinos,

the contemporary protests incorporated a broad base of national origin and ethnic groups. The Spring 2006 immigration protest rallies yielded both positive and negative consequences. It is again debatable that whether the marches marked the beginning of a new Latino social movement or a short-lived response to a specific policy. Protests were held simultaneously in many American cities, indicating widespread grassroots support for immigrant rights. Millions actively engaged on this policy issue in their home towns.

The immigration policy debate sparked heated exchanges by conservatives and liberals. With private armed militias declaring their right to patrol the border and 5,000 National guard troops deployed to the U.S.-Mexico border, it is reasonable that Latinos in America feel threatened and side with other Latinos on immigrant-rights issues. It is realistic to expect the politics of protest to continue among Latinos into the near future.

Critical Analysis

Two main marches were held in multiple cities, the first on April 10, 2006 and a second on May 1, 2006. The marches drew millions of people waving flags from their home countries. Every section of the society - students, housewives, laborers and union organizers took part in the protests. The protests blended claims for humane treatment of immigrant families, protests against the Sensenbrenner bill, immigration reform, fair immigration policy and claimed that undocumented immigrants were an intrinsic part of the US. However, self-reported participation is the only available data. As a result, participation in the 2006 marches cannot be validated at the individual level.

The study suggests that more Mexican immigrants have returned back to Mexico since the end of the Great Recession. Between 1965 and 2015 more than 16 million Mexican immigrants migrated to the United States – much more compared to any other country (Pew Research Center, 2015). From 2009 to 2014, one million Mexicans including U.S. born children left the U.S. for Mexico as per data from the 2014 Mexican National Survey of Demographic Dynamics. In recent years, immigration is used as a political tool whether there is election or mid-term elections to divert people from other socio-economic and political issues, for example, oil prices, conflict with North Korea, Iran,

Russia, tax deductions, health insurance etc. This in turn impacts sentiments of the locals and consequently sudden rise in hate crime causing substantial damage. The local residents perceive that their problems like competition in jobs, education, rise in traffic on roads are due to migrants. While the reality is that there is no change in jobs availability. Those who can prevail the education system and study hard, get benefits and better job opportunities. It is wrong to say that sudden rise of traffic is due to migrants, which in turn is due to emergence of new ventures like uber and Lyft. On the contrary, there is a sudden rise in the illegal immigrants as the legal migration becomes complicated and slow process. The new restrictions led people to adopt illegal migration which gives benefits to human traffickers as they do exploit sentiments of illegal migrants to meet their ambitions. Consequently, children of illegal migrants suffer due to human traffickers or through well-educated government, their processes and policies as we have seen with recent shift of policies of President Trump which was rejected by Supreme Court. Supreme court can reject and unite the kids with the parents but no government or no Court can help them overcome the trauma which little innocent child faces due to such radical immigration policies. Migrants are moving from their parent country where they have grown up due to their govt inefficiencies to deliver quality life which leads them to move to other countries for better prospects.

Conclusion

Mexico's role in the U.S. immigration system, along with the importance of the bilateral relationship to both countries, creates a number of opportunities and challenges. The Latino population is already the largest ethnic minority in the United States and the fastest growing. Despite increased attention to border security since 2001, immigration from Latin America continues to be a reality of the American economic system. The immigration protest rallies have been viewed by some as an event that transpired spontaneously. There are visible similarities between contemporary and earlier protest marches with respect to endogenous (i.e., influence of Latino demographics for the composition of those who participate in political protests) and exogenous factors (political threat as a mobilizing opportunity). However, there are also fundamental

differences between the modern immigration marches and the previous Latino social movements, their nature and effects of the exogenous political factors. It is not right to come across illegally. The poor people in Mexico have to find a way out. Many people have made the journey for a cause and the cause is justice and the legalization of the great number of Mexicans who are in the United States illegally.

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Immigration Politics of US-Mexican Border: Escalation of Crisis

immigrants-stalls-may-have-reversed/

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