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IRREGULAR MIGRATION AT TWO BORDERS: THE TURKISH-EU AND MEXICAN-U.S. CASES

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IMMIGRATION PAPER SERIES

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This paper is a product of the two workshops held in November 2008 and May 2009 at Koç University in Istanbul within the scope of the irregular migration at two borders: the Turkish-EU and Mexican-U.S. In the drafting of this policy paper, the authors have greatly benefitted from the papers and views presented during these workshops and they are deeply thankful to the participants. The paper has generally followed the objectives of the project, including highlighting the phenomena of irregular migration both as an issue of securitization and economization in two different geographical settings, suggesting relevant policy changes and creating an effective forum for discussion on the topic among academics, policymakers, implementers and civil society actors in the countries involved.

1 EXECUTIVE SUMMARY

There are three aims of this brief synopsis. *First*, it demonstrates that the Mexico-U.S. and Turkey-EU borders—the two international borders with substantial flows of irregular migration—can be analyzed and compared via two interrelated aspects of the recent politicization of the international migration systems: *securitization* and *economization*. While both aspects are relevant in both contexts, the weight of their significance differs from one context to the other with securitization dominating the Turkey-EU irregular migration debate and economization dictating the agenda in the Mexico-U.S. context.

Second, it shows that there is a lot of variance in perceptions of irregular migration. The main debate revolves around the security-versus-human-rights tradeoff: while the policy world emphasizes mostly the security aspects of irregular migration, with a focus on border protection, terrorism, and

criminal networks, academia and civil society highlight the fact that there are basic human rights that even the irregular migrants are entitled to. This latter group focuses on the problems faced by migrants, regarding them less as criminals and more as humans with basic survival needs.

Third, it provides an overview of the research problems related to the issue of irregular migration. The difficulty in the Turkey-EU context can be characterized mostly as a problem of data gathering: policymakers and implementers do not often share their data with academics, which creates a dearth of inaccurate research findings on the issue. In the Mexico-U.S. case, however, the problem seems to be the opposite. Numerous and conflicting research findings, especially in economic arenas, make it possible for different groups to select whichever studies suit their own interests.

2 INTRODUCTION

The notion of irregular migration is often debated within this triad of economy, mobility, and “illegality.”

Irregular border crossings are on the rise, causing considerable political concerns related to border control, security, demands for cheap labor in receiving economies, human trafficking, and labor and human rights.¹ In recent years, while nearly all migrant-sending and receiving countries are losing their comfortable certainties concerning desirable border control policies and practices, two particular issues seem to be shaping the contours of this global migration question. These are the *securitization* and *economization* of international migration—problems whose political constructions are not only becoming both more restrictive and selective but also gradually more dynamic.² This means that these policies are often shaped by a complex and at times conflicting mixture of security concerns and economic interests in the major receiving countries. On the one hand, when policies on irregular migration around the world are dominated by security concerns, we observe a process of securitization of the phenomenon. On the other hand, when economic interests dictate the policies on irregular migration, we see the process of economization. Thus, the newly emerging policy issues over irregular migration around the world can be interpreted through these processes of *securitization* and *economization* of international migratory regimes. It is assumed that the security concerns of migrant-receiving countries make their immigration policies and practices more restrictive, while their economic interests make such policies more selective.

¹ Irregular migration is used here to connote the type of international migration that is often labeled as “illegal migration.” What we term irregular migration often takes two different forms: (a) deliberate illegal border-crossings, and (b) overstaying after the expiry of a visa, or entering under a proper visa but violating its terms, usually by working without a permit.

² Ahmet İçduygu and Deniz Yüksek, “Irregular Migration in Turkey: A Survey in the Early 2000s,” paper prepared for IMISCOE Conference on “(Irregular) Transit Migration in the European Space: Theory, Politics, and Research Methodology,” Istanbul, April 18-19, 2008.

The notion of irregular migration is often debated within this triad of economy, mobility, and “illegality.”³ It is argued that irregular migration flows, or irregular migrants, have turned out to be very useful in balancing the labor shortages in economic sectors and countries dependent upon cheap and abundant labor to remain competitive. Migrant-receiving states’ tendency to control migration flows and limit the mobility of labor across borders often results in the emergence of “illegal” migrants.⁴ In reality, however, this assumption is highly questionable. These three dimensions—economy, mobility, and “illegality”—contribute, from different perspectives, to a central question of the dynamic nature of irregular migration in a globalized context.

Within this arena, there seems to be a hegemonic order in which policy issues are defined and formulated first in the migrant-receiving “core countries,” and then inserted into the agendas of the migrant-sending “peripheries.” Thus far, agenda-setting in policy debates on irregular migration have been almost exclusively in the hands of scholars and policymakers in the receiving countries of the “North” and “West.” Although such debates on irregular migration in the sending countries of the “South” and “East” have been characterized by a richness of diverse positions, these viewpoints were not strongly represented in related debates. In other words, there seems to be a hegemonic setting in which policy areas and questions are defined and formulated in the “migrant-receiving core countries,” and then presented and inserted to the agendas of the “migrant-sending peripheries.” Moreover, policy

³ Ahmet İçduygu, “The Politics of Irregular Migratory Flows in the Mediterranean Basin: Economy, Mobility and ‘Illegality,’” *Mediterranean Politics*, Vol. 12, No. 2, pp. 141-61, 2007.

⁴ “Illegality” refers here to an assumption that international migration or employment of migrants is operating in defiance of the regulations of territorial national governments.

concerns of the latter are heard less often or their views are not voiced effectively, while the interests of the former are often high on the international research and policy agenda. This phenomenon is important to consider in future discussions of transnational immigration policy, particularly in light of the increased amount of research and policy developments in sending countries of the South and East focused on irregular migration. Furthermore, there has been a significant dearth of cross-country and comparative migration research, despite the growing global interest in irregular migration issues. Thus, it is important: (a) to analyze, question, and reconsider the reality of irregular migration and related policy in various countries of the North/West and the South/East, (b) to compare and contrast these situations in the selected country cases with those in other parts of the world, (c) to question the hegemonic position the policy agendas of the North and the West maintain over those of the South and the East, (d) to discuss new

policy options for dealing with irregular migration, smuggling, and trafficking, and (e) to open venues for policy cooperation and dialogue to bridge the divisions between sending countries and receiving countries.

With these aims in mind, this paper follows a *North-South/East-West* perspective where two borders with substantial flows of irregular migration—Mexico-U.S. and Turkey-EU—are used as comparative studies. These cases are examined by focusing on two interrelated aspects of the recent politicization of the international migration system in the world, securitization and economization. Both aspects are broadly relevant, and the weight of their significance differs from one context to the other: while securitization seems to dominate the Turkey-EU irregular migration debate, economization similarly dictates the agenda in on the Mexico-U.S. border.

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3 IRREGULAR MIGRATION BETWEEN TURKEY AND THE EU

Turkey is not only a source country of irregular migrants from Turkey to Europe, but the country has also been increasingly confronted with large-scale irregular migration through Turkey toward the countries of the European Union.

The issue of irregular migration first entered the European policy agenda during the 1990s, and Turkey, both as a country of origin and transit, is one of the most visible cases. From a European Union perspective, Turkey is not only a source country of irregular migrants from Turkey to Europe, but the country has also been increasingly confronted with large-scale irregular migration through Turkey toward the countries of the European Union. Both the Turkish-Greek border, which is over 200 kilometers long, and the lengthy Aegean Sea coasts act as a gateway to Europe and attract irregular migrants originally from various parts of Asia, Africa, and the Middle East.

Since the early 1980s, Turkey has become an important route for the so-called transit migration flows in the southeast of Europe. People from different parts of the South and East have begun to use the Turkish peninsula as a bridge toward the West and the North where they hoped to find better living conditions. The numbers of such people are unknown as there are no figures available for irregular “transitory migration” passing through Turkey (which is an expected result of the shaky nature of the phenomenon), but the only existing data place the number of irregular migrants apprehended in Turkey between 1995 and 2009 at around 800,000.⁵ This issue is now receiving increasing attention in Turkey from the media—with a special focus on the misfortunes of irregulars crossing the Aegean between Turkey and Greece—from policymakers and government officials, who are under constant pressure from the European Union to stop the tide of irregular migration, and from nongovernmental and international

organizations concerned about humanitarian aspects of the issue.⁶

Based on Anthony Giddens’ argument that *ontological uncertainty/insecurity* has become an essential constituent of life in the post-Cold War era, one can consider transitory migration issues in Turkey as falling under the domain of security.⁷ The Turkish state tackles the problem by treating migrants as an *a priori* security threat—exactly what Arjun Appadurai warned us against.⁸ This section, therefore, examines Turkey’s “environment of insecurity,” with a focus on policies and actions designed to manage irregular transitory migration and also to discuss the issue within the larger context of EU-Turkish relations.

Turkey has 7 railway, 41 air, 20 land, and 49 sea border gates, adding to a total of 117 gateways into the country. While its sea borders are comprised of 8333 km, the length of the country’s land border is 2949 km. Turkey shares a 269 km border with Bulgaria, 203 km with Greece, 276 km with Georgia, 328 km with Armenia, 18 km with Azerbaijan, 560 km with Iran, 384 km with Iraq, and 911 km with Syria. Turkey’s geographical position as a natural bridge between Europe and Asia can explain why the country is susceptible to irregular transit border crossings while its mountainous eastern borders and the length of its Aegean and Mediterranean coast also serve as an attractive transit route for irregular transitory

⁵ Bureau for Foreigners, Borders, and Asylum, Directorate of General Security of the Ministry of Interior.

⁶ Kemal Kirişçi, “Managing Irregular Migration in Turkey: A Political-Bureaucratic Perspective,” paper prepared for CARIM Analytic and Synthetic Notes—Irregular Migration Series Socio-Political Module, No. 61, 2008.

⁷ Giddens explains ontological uncertainty/insecurity as a propensity for modern individuals to feel fundamental and existential anxieties about their social reality. See Anthony Giddens, *Beyond Left and Right*, (Oxford, U.K.: Polity Press 1996).

⁸ Arjun Appadurai, *Modernity at Large* (Minneapolis, MN: University of Minnesota Press 1996).

migrants. Irregular migrants in Turkey enter the country through many different means: using forged documents; hiding in border-crossing vehicles; passing the land borders on horses, donkeys, or on foot; crossing the sea borders by ferries, fish boats, or small boats; or entering the country legally and overstaying their visas.⁹

The task of acquiring adequate and reliable data on the volume and trends of irregular migration is difficult due to its irregular nature, but there are some rough estimates available. The data compiled by the Bureau for Foreigners, Borders, and Asylum at the Directorate of General Security of the Ministry of Interior on the apprehended cases of irregular migrants in Turkey since the mid 1990s and the rather new data source of information released by the Turkish General Staff on the irregular border-crossings since September 2006 provide figures that implicitly help reveal the nature of transit migration through Turkey.¹⁰ An evaluation of the figures on irregular migrants apprehended by Turkish security authorities shows that this type of migration has considerably increased from the mid-1990s to the early 2000s. While nearly 11,000 and 19,000 irregular migrants were apprehended in 1995 and 1996, respectively, the numbers increased to 47,000 in 1999 and 94,000 by 2000. Since 2001, the number of irregular migrants detained showed a decreasing drift from nearly 83,000 in 2002 to fewer than 50,000 in 2005, with only a slight rise to nearly 52,000 in 2006. The rising trend has continued in recent years—over 64,000 irregular migrants were apprehended in 2007, and nearly 66,000 in 2008 (See Figure 1). It is important to note that these figures stand for only those irregular migrants who are apprehended;

the actual scale of irregular migration through Turkey is inevitably much greater than what the data represents. Taking into consideration the relevant literature on migration, it can be inferred that the actual number of irregular migrants would be at least two or three times higher than the number apprehended.¹¹ Despite its vagueness, the scale of such a figure shows that the amount of irregular migration within Turkey in recent years is analogous to that faced by many other countries known to attract large-scale irregular immigration.

Not all of these migrants apprehended in Turkey are transit migrants. However, estimates of transit migrants are also inferred from the data on the number of migrants apprehended. Taking into consideration the countries of origin of the apprehended, it can be claimed that those entering Turkey from the Eastern and Southern borders generally have intentions to use Turkey as a bridge to their destination countries in the West and North. From 1996 to 2008, almost 800,000 irregular migrants were apprehended in Turkey, and nearly half of them seemed to be transit migrants. Thus, it can be deduced from the above-mentioned data that in the beginning of the 2000s, around 51,000 to 57,000 transit migrants tried to pass through Turkey annually. Currently, this number seems to have fallen to the level of 20,000 to 30,000. Most transit migrants' entries into the country are irregular—organized by human smugglers—and they attempt to leave via similar means. It appears that from 1995-2008, the five most common source countries of irregular migrants—who were typically transitory—were Iraq, Pakistan, Afghanistan, Iran, and Bangladesh.

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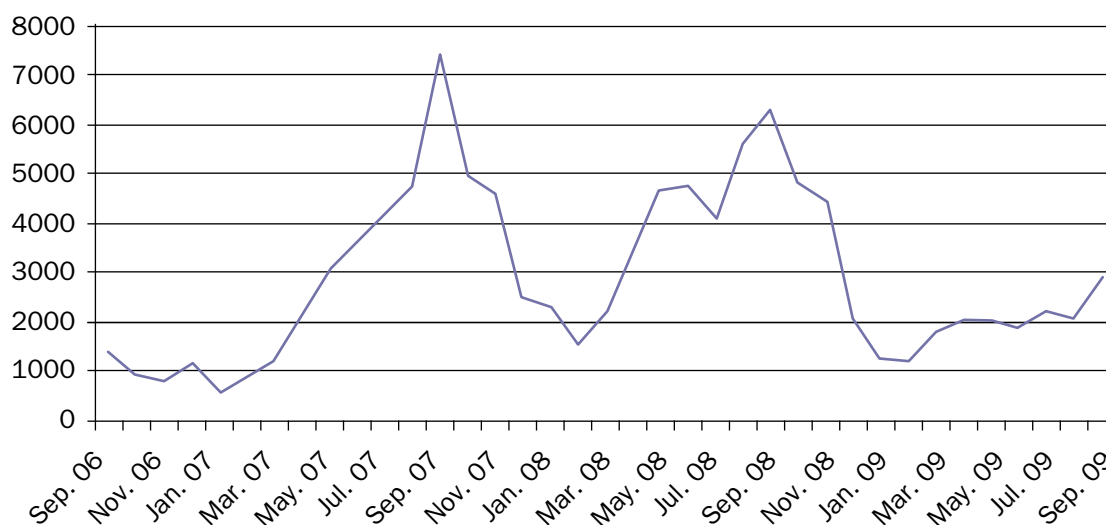
⁹ Ahmet İçduygu and Şule Toktaş, "How do Smuggling and Trafficking Operate via Irregular Border Crossing in the Middle East? Evidence from Fieldwork in Turkey," *International Migration*, Vol. 40, pp. 25-54, 2002.

¹⁰ Turkish General Staff, <http://www.tsk.tr>.

¹¹ Various field studies conducted by İçduygu, mainly at the two borders of Turkey—Iran-Turkey and Greece-Turkey—since the early 1990s indicate that, according to the border security officers, the actual number was at least two or three times higher than the number of migrants apprehended. İçduygu, 2007.

It is within this setting that Turkey, due to its geographical position as a transit country, has attracted considerable policy attention from its European counterparts during the accession negotiations with the EU.

Figure 1. Irregular Border Crossings in Turkey by Months (2006-2009)



Source: Compiled by İçduygu based on the data provided by the Turkish General Staff.

The concept of security has broadened, and risk and threat have been commonly linked to migrants.¹² Policymakers adopted this perspective immediately, and treating immigration as a security threat became a general tendency. The Turkish state apparatus is no exception. Turkish policymakers envision transit migration within an environment of insecurity where two different dynamics function simultaneously. On one hand, border protection is a national security issue by its nature, and illicit border crossings violate the law of the Turkish state. However, the phenomenon of *transit* border-crossers is more complicated: the fact that they intend to move on to third countries also makes the transit country accountable to final destination countries. In the case of Turkey, these migrant-receiving neighbors are members of the EU who increasingly view immigration

as a national security threat and who are becoming more concerned about transit migration in particular.

The issue of transit migration had been on the European agenda since the 1990s, when many irregular immigrants began to appear on the shores of Greece, Italy, and Spain. However, the fact that the terrorists who attacked New York (11 September 2001), Madrid (11 March 2004), and London (7 July 2005) had immigrant backgrounds strengthened popular views of immigration as a source of insecurity and uncertainty. The idea that transit migration leads to a chaotic migratory system is prevalent in the EU discourse on transit migration, partially showing the securitization of migration within policy circles.¹³ It is within this setting that Turkey, due to its geographical position as a transit country, has attracted considerable

¹² Maggie Ibrahim, "The Securitization of Migration: a racial discourse," *International Migration*, Vol. 43, No. 5, pp. 163-187, 2005.

¹³ İçduygu and Yüekser, 2008.

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As the intermediaries of irregular border movements, smugglers and traffickers are an integral part of transit migratory flows and are important constituents of criminal networks. There are diverse attitudes regarding human trafficking and smuggling. Some think that such phenomena are among the unavoidable outcomes of globalization and its effects on human mobility.¹⁴ Others consider such actions as major irregular activities in the hands of organized criminal groups,¹⁵ while others argue that as migrant-receiving countries tighten the means of legal immigration, the only way for many potential migrants to enter these countries is through irregular border crossings where smugglers and traffickers act as intermediaries.¹⁶

Within this environment, where both national security interests and criminal networks are in play, Turkey has pursued international collaborations and taken several legal measures to counter irregular migration. To illustrate: in August 2002, the government instituted new clauses to the Penal

Code that criminalized human smuggling and trafficking while establishing firmer controls at borders and ports. Article 79 of the new Turkish Penal Code Law No: 5237, put into force in 2005, established punishments of three to eight years of imprisonment and 10,000 days judicial fines for migrant smuggling. In cases where human smuggling was linked to organized crime, the penalty was increased by half. Article 79 also provided for coercive measures (confiscation of assets, etc.) against legal entities involved in human smuggling. Similarly, the Road Transportation Law (2003) and the Road Transportation Regulation (2004) provide that, if a person is sentenced for migrant smuggling, his/her transportation permits cannot be renewed for three years and their vehicle will be confiscated by Turkish authorities. Furthermore, another domestic measure in the fight against irregular immigration, the Law on Work Permits for Aliens, which was enacted in 2003, authorized the Ministry of Labor and Social Security to issue all types of work permits for foreigners to ensure the process is better managed to avoid employment of irregular migrants.

On a more international level, the Turkish Grand National Assembly recognized the United Nations Convention against Transnational Organized Crime and its Additional Protocol against the Smuggling of Migrants by Land, Sea and Air in March 2003, and introduced legal actions in accordance with the agreement. Furthermore, Turkey became a full member of the IOM in 2004, where it participates in international efforts to combat human trafficking. Finally, in January 2006, Turkey assumed the presidency of the Budapest Process, which is an unofficial forum for inter-governmental cooperation and dialogue involving 50 governments and 10 international organizations. This forum aims to prevent irregular migration and to establish sustainable models of migration management.

¹⁴ Ahmet İçduygu and Fuat Keyman, "Globalization, security, and migration: the case of Turkey," *Global Governance*, Vol. 6, pp. 383-398, 2000. Ahmet İçduygu and Turgay Ünal, "Tides between Mediterranean shores: undocumented migration in the south of Europe," Ankara, Hacettepe University Institute of Population Studies, Working Paper No. 7, 2002.

¹⁵ For example, International Organization for Migration, *Myths and Realities of Chinese Irregular Migration*, Geneva, 2000; and Swedish Ministry of Foreign Affairs Department, *Trafficking in Women and Children in Asia and Europe: A Background Presentation of the Problems Involved and the Initiatives Taken*, Stockholm, 2001.

¹⁶ Adam Graycar, *Human smuggling*, Canberra, Australian Institute of Criminology, Unpublished Paper, 2000; John Salt, "Trafficking and human smuggling: A European perspective from Asia," *International Migration*, Vol. 38, No. 3, pp. 31-56, 2000; Ahmet İçduygu, "The politics of international migratory regimes: transit migration flows in Turkey," *International Social Science Journal*, Vol. 165; pp. 357-368, 2000; and İçduygu and Toktaş, 2002.

Irregular migration and other issues related to it have become an integral part of Turkey's EU membership debate.

Turkey has taken further international cooperative measures designed to slow down or even end irregular migration. It signed readmission agreements with many of those countries of origin whose citizens are among the large groups of irregular transit migrants. Such agreements have been signed with Syria, Kyrgyzstan, Romania, Ukraine, and Greece, and negotiations with Pakistan are ongoing. In September 2000, the European Commission was also given the mandate to negotiate a readmission agreement with Turkey. European Commission negotiators thought that as a candidate country with a possibility of accession, Turkey had an incentive to negotiate a readmission agreement.¹⁷ However, afraid of becoming a border zone, the Turkish negotiating team argued that such an agreement would come into force automatically on Turkey's entry into the EU and was therefore unnecessary, and the team tied its signature of the readmission agreement to completion of the accession process.

As the discussion above also reveals, irregular migration and other issues related to it have become an integral part of Turkey's EU membership debate. Within this context, an important agenda item in EU-Turkey relations is how Turkey's state institutions and legal frameworks can manage incoming migration and asylum flows. Thus, as detailed elsewhere,¹⁸ the strength and stability of Turkey's integration into the EU is subject to not only the economic, social, and political makeovers in the country, but also to explicit policy matters.

¹⁷ Interview with Paalman in Lynellyn D. Long and Sanja Celebic, Perspectives on the EC/Albanian Readmission Agreement, in *Return and Readmission to Albania: The Experience of Selected EU Member States* (Tirana: International Organization for Migration 2006).

¹⁸ See Ahmet İçduygu, "EU-ization matters: Changes in Immigration and Asylum Practices in Turkey," in Thomas Faist and Andreas Ette, eds., *The Europeanization of National Policies and Politics of Immigration* (London, U.K.: Palgrave Macmillan 2007).

In the EU, this was a result of the political discourse with which transit migration is associated: while some publications presented the phenomenon as yet another threat to Europe,¹⁹ others argued that the concentration and assets dedicated to fight against it already far prevailed over its quantitative significance.²⁰ One such publication characterized transit migration through Turkey as "one of the most common of all recently established mobility flows between Africa and Asia and countries of Europe" where "it has become clear that thousands of migrants from the developing world are using Turkey as a transit area on their way to their preferred destinations."²¹ Within this context, since Turkey's candidature to union membership in 1999, the EU has required Turkey both to securitize migration within its borders and to conform fully to the norms of the international refugee regime, both of which have required Turkey to devote more resources to its efforts to manage migration flows across and within its borders.

On the Turkish side, as implied by the discussion of a possible readmission agreement between the EU and Turkey, there is a feeling that EU policies for managing migration and the range of related restrictive measures shift the burden of controlling migration to countries on the periphery, like Turkey, and turn them into a buffer zone between the immigrant-attracting European core and the emigrant-producing peripheral regions. Because of this, Turkish policymakers often try to promote policies that would lead to burden-sharing.

¹⁹ Franck Düvell, "Crossing the fringes of Europe: Transit migration in the EU's neighbourhood," Oxford Centre on Migration, Policy and Society, Working Paper No. 33, 2006.

²⁰ Michael Collyer, "States of insecurity: Consequences of Saharan transit migration," Oxford Centre on Migration, Policy and Society, Working Paper No. 31, 2006.

²¹ International Organization for Migration, "Transit Migration in Turkey, Budapest," IOM Information Program, 1995. Also cited in Düvell 2006.

Within this context, irregular migration and transit-border crossings in particular are more than just threats to national security or illusion of territory, but also contribute to the international environment of insecurity that is wrapped up in EU-Turkey relations.

The case of the Turkey-EU border is not the only example of irregular border crossings. As will be discussed in the following section, the Mexico-U.S. border provides us with another well-known case of irregular flows. As far as the related international migratory regimes are concerned, Mexico and Turkey present interesting similarities and differences.²² Exploring these similarities

and differences is beyond the scope of this paper. However, referring to these two cases remains very functional to show the comparative nature of irregular migratory flows in recent years. Both Mexico and Turkey have been well-known source countries of emigration for their near geographies for a long time, and they have also become countries of immigration and transit in recent years. Today, irregularity has been a major component of the migratory regimes of these two countries. Irregularity causes considerable social and political concerns as it is increasingly identified with major neighboring destination zones: such as the Turkish case from a European Union perspective, and the Mexican case from a U.S. perspective.

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²² Agustin Escobar, et. al., "Migration and Development: Mexico and Turkey," *IMR*, Vol. 40, No. 3, pp. 707-18, 1996.

4 IRREGULAR MIGRATION BETWEEN MEXICO AND THE UNITED STATES

Irregular migration has been a longstanding issue in North America, where politically charged discussions of “undocumented migration” from Mexico to the United States are common. There is no doubt that the Mexico-U.S. border, which is over 3,100 kilometers long and has the world’s greatest volume of traffic, is the most well-known and recognized crossing for irregular migratory flows. Each year, more than 300 million people, 90 million cars, and 4.3 million buses cross it from Mexico to the United States.²³ Moreover, since the Free Trade Agreement took effect, the amount of commercial vehicles that cross the border to the United States has increased 41 percent and commerce between the two countries has tripled, with daily border commerce estimated at \$650 million.²⁴ It is also one of the international borders most frequently crossed by irregular migrants.

Within this context, comparison of this border’s case with that of the border between Turkey and the EU is both legitimate and worthwhile; moreover, inspired by the study produced by Escobar et. al.,²⁵ the authors are of the belief that Turkey and Mexico share many similarities (as enumerated below), making them even more suitable cases for comparison. First, they are two of the world’s leading labor-sending nations, with about 11 million Mexican-born persons residing in the United States and 3.5 million Turkish-born persons in Germany. Second, while Mexicans are seeking to deepen NAFTA, Turkey is trying to enter the EU. Third, both countries are the third most populous within their geographical spaces—Mexico in the Western Hemisphere (after the United States

and Brazil) and Turkey in Europe (after Russia and Germany). Fourth, both the Mexican and Turkish economies have been transformed from state-centered economies into open markets with increased imports of goods and foreign investment. Fifth, both states have recently experienced political changes, with the dominant political party in Mexico losing the presidency for the first time in 70 years, and leaders previously banned in Turkey beginning to win elections. Sixth, both Mexico and Turkey have relatively poor indigenous groups. Lastly, both are run by secular governments in countries with strong religious traditions. Thus, while there might be significant differences between how migration evolved in Mexico and in Turkey, their similarities seem to be more evident.²⁶

As of January 2007, the United States had an estimated 12 million unauthorized foreign residents who made up four percent of national residents. This includes an approximate eight million unauthorized workers, which comprises five percent of the U.S. workforce.²⁷ The United States admits foreigners via three major doors: a “front door” for legal permanent immigrants; a “side door” for temporary visitors such as tourists, students, and guest workers; and a “back door” for unauthorized, undocumented, or “illegal” migrants, i.e. irregular migrants. On a typical day in 2007, some 2,900 legal immigrants were admitted, 101,000 temporary visitors arrived, and 1,500 unauthorized foreigners settled, including some who entered the United States without authorization and others who entered legally and violated the terms of their admission in some way,

²³ Rodolfo Cruz-Pineiro, Mexican Northern Border Region and Migration, presented at the Irregular Migration at Two Borders: The Turkish-EU and Mexican-USA Cases Workshop, Koç University, Istanbul, Turkey, May 14-15, 2009.

²⁴ Ibid.

²⁵ Agustín Escobar, et. al., 1996.

²⁶ Ibid.

²⁷ Philip Martin and Mark Miller, “Unauthorized Mexico-U.S. Migration and Policy Responses,” presented at the Irregular Migration at Two Borders: The Turkish-EU and Mexican-USA Cases Workshop, Koç University, Istanbul, Turkey, Nov. 28-29, 2008.

such as overstaying.²⁸ Within this setting, almost 60 percent of all 12 million undocumented migrants in the United States are of Mexican origin.²⁹

Immigration and integration are much-debated issues in the region, both in the United States and in Mexico. In the United States, the debate is often framed by those near the extreme “no immigrants” and “no borders” ends of the spectrum. The Federation for American Immigration Reform (FAIR), which charges that large-scale immigration contributes to unsustainable population growth and environmental degradation, displaces low-skilled American workers and depresses their wages, and threatens the cultural bonds that hold Americans together, calls for a sharp reduction in immigration, to perhaps 150,000 new entries a year.³⁰ At the other extreme, editorials in *The Wall Street Journal* have several times advocated a five-word amendment to the U.S. Constitution: “there shall be open borders.”³¹

The editorials’ major reason for urging this policy is economic: more people mean more workers and more consumers and an expanding economy. Meanwhile, others use different arguments to argue for more immigrants. Some say that newcomers add “fresh blood” by injecting new entrepreneurial spirit into the U.S. economy.³² Similarly, some religious organizations believe

national borders artificially divide humanity. To illustrate, Archbishop Roger Mahoney of Los Angeles said, “The right to immigrate is more fundamental than that of nations to control their borders.”³³ Still others, ethnic organizations such as the Organization of Chinese Americans and the Irish Lobby for Immigration Reform, favor more immigration from particular countries or regions.

On the whole, most Americans want fewer legal immigrants admitted and more done to reduce irregular migration. Over the past 50 years, there has been only one year, 1956, the year of Hungarian uprising against communism, in which more than 10 percent of Americans supported increasing legal immigration. A September 2007 ABC News Poll shows typical results³⁴ on irregular migration: 67 percent of respondents agreed that the U.S. government is not doing enough to “keep ‘illegal’ immigrants from coming into this country.” Americans seem to distinguish greatly between legal and irregular migration: 54 percent of respondents agreed that irregular immigrants mostly hurt the United States, while 59 percent agreed that legal immigrants mostly help the United States. In this and other polls, Americans are divided almost 50-50 on whether the United States should enforce laws against irregular migration by trying to encourage them to leave or offer at least some irregular migrants a path to legal status. In the 2009 *Transatlantic Trends: Immigration* poll, while 48 percent of the respondents believed that irregular immigrants should be returned to their home countries, 44 percent thought that they

On the whole, most Americans want fewer legal immigrants admitted and more done to reduce irregular migration.

²⁸ Department of Homeland Security, <http://www.dhs.gov/ximgtn/statistics>.

²⁹ Liliana Meza-Gonzales, “Mexico-U.S. Migration Prospective,” presented at the Irregular Migration at Two Borders: The Turkish-EU and Mexican-USA Cases Workshop, Koç University, Istanbul, Turkey, Nov. 28-29.

³⁰ Martin and Miller, 2008.

³¹ An editorial on July 3, 1986 first made this proposal; it was repeated in an editorial on July 3, 1990. Cited in *Martin and Miller*, 2008.

³² Joel Millman, *The Other Americans: How Immigrants Renew Our Country, Our Economy and Our Values* (New York, NY: Viking Books 1997).

³³ Quoted in Nicholas Capaldi, *Immigration: Debating the Issues* (Amherst, MA: Prometheus Books 1997).

³⁴ Immigration poll results, <http://www.pollingreport.com/immigration.htm>.

The Obama administration favors such a comprehensive approach, with more emphasis on labor law enforcement and fewer guest workers, as well as formulating a new arrangement with the Mexican government.

should be given the opportunity of legalization.³⁵ In polls, higher percentages agree with legalization if the question is phrased to emphasize that foreigners legalizing their status would have to pay fines, learn English, and have no criminal records. Lower percentages support legalization if the question is phrased in terms of allowing foreigners who broke U.S. laws to become citizens.³⁶

This debate over immigration affects research and policy on unauthorized migration. Those who favor more migration generally present unauthorized migration as relatively benign, arguing that many foreigners are unauthorized because of immigration policies that require families to wait to be unified and guest worker programs that have quotas or are too cumbersome for employers and migrants. Furthermore, they cite economic studies that find few negative effects of low-skilled immigrants, legal and unauthorized, on U.S. blue-collar workers. Meanwhile, those who favor less migration cite other studies showing negative effects on wages and employment as well as crime, cultural change and other noneconomic factors they associate with “too many” newcomers.

However, despite the prevalence of political rhetoric on economic outcomes of immigration, it can be argued that actual economic and labor market research has played a relatively small role in the migration policy-reform debate.³⁷ Normally, the presence of eight million unauthorized workers should depress the wages or increase the unemployment rates of U.S. workers in migrant-heavy industries. However, efforts to estimate such adverse effects have found little wage depression and no significant link to unemployment. While immigration does depress wages and increase

profits in the short run, there is no change in the long run, as wages and profits return to pre-migration levels. Thus, within the debates regarding immigration, there is still no agreement on the results of the economic research and only selective citing of studies.

There are two major approaches to migration reform. The first is enforcement and attrition, which involves making it harder for the unauthorized to live and work in the United States, causing many to return voluntarily to their home countries. Many states have enacted laws that aim to implement this strategy. For example, Arizona requires all employers to participate in the E-Verify system and can shut down businesses by taking away their licenses to operate if they are caught employing unauthorized workers on multiple occasions.³⁸ Other states are aggressively prosecuting unauthorized workers who use the IDs of legal workers to evade E-Verify with identity theft, a criminal violation that can result in several years in prison. After irregular entries and the number of unauthorized foreigners are reduced, so-called attritionists would endorse legalizing the smaller number of foreigners who remain.³⁹ The second approach is comprehensive reform, meaning more borders and interior enforcement, a path to legal immigrant status for some of the unauthorized, new guest worker programs, and perhaps a new immigrant selection system. The Obama administration favors such a comprehensive approach, with more emphasis on labor law enforcement and fewer guest workers, as well as formulating a new arrangement with the Mexican government.⁴⁰

³⁵ *Transatlantic Trends: Immigration*, Top Line Data (Washington, DC: The German Marshall Fund of the United States, 2009). http://www.gmfus.org/trends/immigration/doc/TTL_2009_Top.pdf,

³⁶ Martin and Miller, 2008.

³⁷ Ibid.

³⁸ States and Cities, Population, *Migration News*, Vol. 14, No. 3, Jul. 2008., http://migration.ucdavis.edu/mn/more.php?id=3390_0_2_0.

³⁹ Martin and Miller, 2008.

⁴⁰ Blas Nunez-Neto, “Border Security: The U.S.–Mexico Case,” presented at the Irregular Migration at Two Borders: The Turkish-EU and Mexican-USA Cases Workshop, Koç University, Istanbul, Turkey, May 14-15, 2009.

This new arrangement entails Mexico to take additional steps to improve those areas in public policy that are directly related to causes of undocumented migration flows from Mexico.⁴¹ However, policymakers in Mexico underline the difficulties inherent to implementing these measures by referring to the worldwide economic crisis, which is reducing foreign currency flows and jobs in exporting industries. They also emphasize that Mexico not only has not advanced in competitiveness relative to other countries with similar levels of development, it has actually dropped in the ranking of the World Economic Forum Global Competitiveness Report. International investors in Mexico are looking at other countries to increase profits, or returning home; meanwhile, Mexicans are suffering from the decrease in remittances and drop in formal employment rates. All these factors indicate that the public policy priorities for poor people are to avoid an increase in deprivation rates with attention to basic requirements.

Within this austere economic setting, the Mexican government expects: potential migrants to postpone their decision to look for work in the United States and instead to seek employment in Mexico; existing migrants to bring back families to better face debts and bankruptcy in the United States; the new U.S. administration to return recent undocumented migrants; and members of families receiving few remittances to try to enter the labor market.⁴² In the short run, the Mexican government will need to create incentives by providing financial support for businesses directed by potential and returning migrants and/or their families, and create temporary/informal jobs for those in high need.

Overall, unlike the Turkey-EU case, the debate over irregular migration along the Mexico-U.S. border seems to revolve more around economy than

security, with one notable exception: by the early 1990s, policymakers in the United States became concerned that some border communities were being overrun, and funding and manpower for the Border Patrol increased dramatically.⁴³ As part of a comprehensive reform approach, enforcement posture changed from apprehending people within the United States to “Prevention through Deterrence.” These deterrence efforts have also include the construction of a wall over the Mexico-U.S. border. However, U.S. policymakers seem to portray these measures not as a question of security against irregular migration or migrants but rather as steps taken against drug cartels and human smuggling rings in Mexico.

These policies are seen very differently on the other side of the border. Academics and activists in Mexico argue that despite border-control mechanisms and regulations for controlling or even impeding local interactions between the neighboring societies, people find ways to take advantage of their proximity for a variety of purposes, including cross-border shopping for consumer goods; living on one side and working on the other; living on one side and studying on the other; living on one side and using services (public or private) offered on the other; living on one side and socializing on the other, or perhaps in both places; and pursuing an economic activity on one side and acquiring inputs on the other.⁴⁴ Thus, activists argue, restrictive measures such as wall-building or increasing border patrols do not halt either irregular border crossings or cross-border interactions; but there is a need for better management of the movement of people. They instead propose that the two governments focus on promoting circular migration along the border through the use of different mechanisms.

Overall, unlike the Turkey-EU case, the debate over irregular migration along the Mexico-U.S. border seems to revolve more around economy than security.

⁴¹ Meza-Gonzales, 2008.

⁴² Meza-Gonzales, 2008.

⁴³ Nunez-Neto, 2009.

⁴⁴ Cruz-Pineiro, 2009.

5 ISSUES, LESSONS, AND NEXT STEPS

In general, “wall” policies, whether putting up concrete walls as in the Mexico-U.S. context, or creating an imaginary “fortress” as in the EU, ultimately fail to cease or deter irregular migration.

The brief synopsis above shows that the Mexico-U.S. and Turkey-EU borders—the two international borders with the most substantial flows of irregular migration—can be analyzed and compared via two interrelated aspects of the recent politicization of the international migration systems: securitization and economization. While both aspects are relevant in both contexts, the weight of their significance differs from one context to the other, with securitization dominating the Turkey-EU irregular migration debate and economization dictating the agenda in the Mexico-U.S. context.

The synopsis also demonstrates that there is a lot of variance in perceptions of irregular migration. The main debate revolves around the security versus human rights tradeoff: while the policy world emphasizes mostly the security aspects of irregular migration, with a focus on border protection, terrorism, and criminal networks, academia and civil society highlight the fact that there are basic human rights to which even irregular migrants are entitled. This latter group focuses on the problems faced by migrants, regarding them less as criminals and more as humans with basic survival needs.

Moreover, this synopsis also provides an overview of the research problems related to the issue of irregular migration. The difficulty in the Turkey-EU context can be characterized mostly as a problem of data gathering: policymakers and implementers do not often share their data with academics, which creates a dearth of inaccurate research findings on the issue. In the Mexico-U.S. case, however, the problem seems to be the opposite. Numerous and conflicting research findings, especially in economic arenas, make it possible for different groups to select whichever studies suit their own interests.

Overall, this paper proposes the following policy recommendations, which advocate *less securitization and more economization*:

1) More Data, More Research, More Interaction

Practical policy options require good information and transparent data. In the U.S., metric data on unauthorized migrants has been collected to get a concrete idea about the scale of the problem, but in the Turkey-EU context, the data problem is acute, especially in relation to irregular migration: there is a significant lack of information on the breakdown of individuals who overstay their visa and irregular border crossers, and on temporary, circular, and return migrants. However, this is not the only shortcoming: while there is a need to collect statistical data and to conduct in-depth studies, it is also necessary to create an environment of dialogue between researchers and those government agencies that hold the information. In these efforts, transparency and cooperation are as important as information-sharing.

2) No “Walls” Policy

Despite increased control and security enforcement in the last 15 years, there has been a tremendous immigration inflow into the United States. The rationale behind the “wall” policy was to manage irregular flows and smugglers by building walls in urban areas, as it is much harder for people to disappear in the desert. However, there are also other entities that move people over borders and businesses that emerge to supply them. Thus, there can never be absolute enforcement. In general, “wall” policies, whether putting up concrete walls as in the Mexico-U.S. context, or creating an imaginary “fortress” as in the EU, ultimately fail to cease or deter irregular migration.

3) Address the Root Causes

Migration is closely related to development and human rights. In recent years, interregional migration has been increasing, while intraregional migration is decreasing. Thus, new perspectives are necessary to develop new policies in which development is emphasized at both the local and international levels. Migration is not only an issue of enforcement but also of development and human rights of migrants. It is important to rationalize the security-migration link where lots of assumptions, but no clarifications, were made about this connection. It is especially important for countries of origin to understand this link. In order to address the root causes of irregular migration, source countries should emphasize the following: invest in education and entrepreneurship; analyze other labor demands abroad and prepare the new generations to fill the needs of other societies with different demands; create a new infrastructure to attract investment and create more jobs; and sustain efforts toward improving political and economic institutions to make their countries more competitive. On the other side, destination countries should unblock and regulate legal migration channels; create legal opportunities for the irregular migrants; create jobs for skilled workers, and evaluate the labor demand within the entire spectrum of job availabilities to address the root causes of trans-border migration.

4) No Cure of Free Trade

In comparing the North American Free Trade Zone and the EU, it is clear that the United States approaches economic migration and integration from a different perspective than the EU does. The United States has not had border policies similar to those in the EU. For instance, the free trade agreement with Canada and Mexico was signed to export more goods from Mexico. The

logic behind the agreement was the following: the Mexican economy was about the same size of Los Angeles' economy, so the theory was that Mexico, through free trade, would get a lot of investment from the United States and Canada, i.e., more jobs for Mexicans.⁴⁵ However, the flows of people did not stop. There were two extreme views regarding the issue. The first extreme said that trade and aid should go together; the second extreme said that Mexico had a low tax rate, so there had not been enough investment and education, which are the usual fundamental economic sources of formal sector jobs. Thus, free trade alone did not cure migration by itself. In the case of the EU, the failure of the Euro-Mediterranean Partnership in managing economic, political, and social cooperation between the EU core and the EU's Mediterranean peripheries also proves the limitations of pure economic perspectives over the mechanisms and dynamics of irregular migrants.

5) Circular Migration

There has always been circular migration between the United States and Mexico. While many Mexicans want to work in the United States to earn a living, they hope to return to Mexico. However, there is a need to regulate circular migration through labor program policies to compensate the labor market and labor force. Many immigrants are obligated to stay in the United States because they have children in the United States. Thus, there is a need to be more creative in designing migration policies, and circular migration can be the means for such creativity. The historical experiences of guest worker programs in Europe also provide evidence for the alternative immigration policies

The historical experiences of guest worker programs in Europe also provide evidence for the alternative immigration policies and practices that might be centered on the idea of circularity, which consequently might reduce the possibility of irregularity.

⁴⁵ Citing Philip Martin during the Irregular Migration at Two Borders: The Turkish-EU and Mexican-USA Cases Workshop, Koç University, Istanbul, Turkey, May 14-15, 2009.

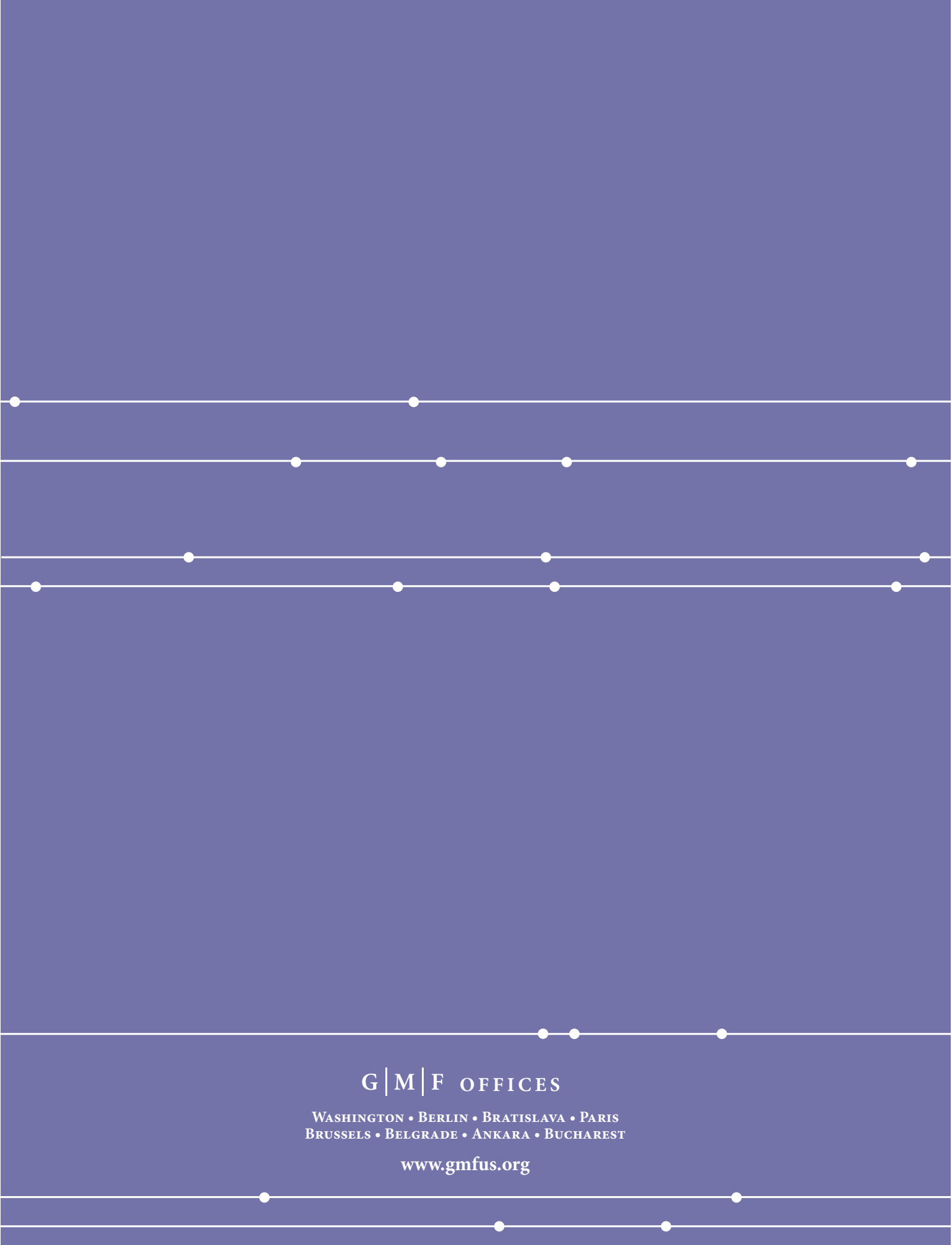
and practices that might be centered on the idea of circularity, which consequently might reduce the possibility of irregularity.

6) No Burden Shifting, but Burden Sharing

The fact that transit countries, such as Mexico and Turkey, began to act as territories that alleviate the burden of destination countries reiterates the necessity to reconsider policies. For example, that the United States has recognized its responsibility for many problems in Mexico surely facilitated the creation of certain policy options, such as assisting Mexico to train its border officers or investing in the security of the southern border of Mexico. Such a realization is also needed in the case of Turkey-EU relations.

7) Need for Diverse, Comprehensive, and Sustainable Migration Policies

Even though an idea of “global freedom of movement” (open borders) is still utopian, there are various formulations of regional freedom of movement that might slow down irregular flows. Furthermore, it looks functional to reduce the stocks of irregular migrants in the receiving countries through regularization programs. It seems that more legal migration channels are helpful to cure the irregularities of migratory flows. Recent debates over immigration both in North America and Europe indicate a need for diverse, comprehensive, and sustainable migration policies that would offer solutions to various aspects of the irregular migrant problem.

The image features a solid purple background with a series of horizontal white lines. Small white dots are placed at various intervals along these lines, creating a rhythmic, minimalist pattern. The lines and dots are distributed across the entire page, with a higher density in the upper half and a more sparse arrangement in the lower half.

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