



Disposable Workers:

Immigration after NAFTA and the
Nation's Addiction to Cheap Labor

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The Labor Council for Latin American Advancement (LCLAA) is a national Latino advocacy organization. LCLAA's 39 year history as a Latino labor organization has sought to protect and empower the Latino workforce by educating workers about their rights and building support for labor unions in our communities. Our 50 chapters in 22 states bring together Latino trade unionists in the United States and the Commonwealth of Puerto Rico to strengthen the labor movement and promote the social, economic and political progress of Latino working families. LCLAA's policy platform and educational programs are based on a commitment to high standards in both the quality of the research that forms the foundation of our advocacy work and the anticipated impact that changes in government policy will have on the welfare of the Latino community. LCLAA's work is based on a three-tiered approach promoting integration through bilingual community outreach, leadership development, political empowerment and civic participation.

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Abstract

This paper analyzes the issue of migration from a different perspective by focusing on the root causes of migration. First, I examine the consequences that the North American Free Trade Agreement (NAFTA) had on the Mexican economy and how it drastically displaced people. I link economic indicators such as a decline in working wages and opportunities in Mexico to an increase of north-bound migration, all of which coincided directly with the ratification of NAFTA. On the flip side, the United States experienced an economic expansion, creating a demand for workers, in particular cheap, exploitable workers, which also contributed to a huge migration in the last two decades. Unfortunately, as anti-immigrant rhetoric increases and anti-immigrant legislation grows nation-wide, these vulnerable workers are forced deeper into the shadows, compounding the unhealthy, co-dependent relationship of Mexican workers and U.S. corporations. The paper concludes by suggesting several changes that should be enacted simultaneously—revise NAFTA, assist Mexico to stabilize its economy, and adopt comprehensive immigration reform—and suggests unions as a structure that could serve as a source of labor protection for undocumented workers.

Introduction

Immigration has become a toxic issue in the United States. The most serious economic crisis since the Great Depression has increased the stress of families across the nation. In this context, immigration has been wrongly targeted and drastically affected the way the immigration debate is taking place. Immigrants have been dehumanized and the issue has been analyzed in a reactionary way. The scapegoating of undocumented workers has caused many hardships for this community: racial attacks against immigrants and Latinos have reached historical highs, families are being separated, and both Latinos and undocumented workers suffer the most wage theft and death and injuries at work.

Immigration reform is a priority and must happen soon but, so far, only short-term solutions have been proposed. For immigration reform to really work, all the factors influencing migration must be addressed simultaneously. There is little point in changing the immigration procedure without also changing the economic forces behind that migration.

There is a strong relationship between free trade policies with Mexico, as well as the serious reliance of cheap labor in various economic sectors in the United States, and the drastic increase of undocumented migration to the United States in the last two decades.

The first section of this paper will discuss the North American Free Trade Agreement (NAFTA). One of the reasons touted to support NAFTA in the early 1990s was that it would ease migration to the United States by strengthening the Mexican economy. The reality has been quite different. NAFTA ultimately destroyed local businesses. It specially had a negative effect on Mexican agriculture, and therefore it denigrated the overall economic stability of that nation. Since the passage of NAFTA in 1994 the numbers of Mexicans migrating each year to the United States has more than doubled.

The second part of the paper will focus on the U. S. addiction to cheap labor and how powerful businesses have established a deregulated system that is voracious in its demand for cheap, exploitable labor, and the impact that such a system has had on immigration. In this context, the anti-immigrant movement and enforcement-only policies have made undocumented workers more vulnerable and exploitable. Political discussion in the near future should be focused on revising labor, trade, and immigration policies that address the root causes of economic insecurity and growing migration. Throughout this paper, the root causes of immigration will be flushed out with a focus on failed economic regional policies, mainly NAFTA, and the U.S. addiction to cheap labor. Lastly, after dissecting the factors that lead to poverty, migration, and the conditions of undocumented workers in the United States, some solutions are discussed.

The North American Free Trade Agreement (NAFTA): A Wise Policy?

A key component missing in the immigration debate is the connection between immigration and trade policies. Migration and international trade are erroneously seen as mutually exclusive issues, but they must be analyzed together because, actually, their relationship is intimately associated. The best example of this argument is NAFTA, which requires unique analysis because 59 percent of all undocumented immigrants in the nation come from Mexico (Pew Hispanic Center 2009) and, in particular, because the flow of undocumented immigrants from Mexico to the United States increased significantly after NAFTA.

When NAFTA was being negotiated it was presented on both sides as the magic solution to solve the regional economic problems. Presidents, politicians from both the Republican and Democratic parties, think tanks, and international organizations all strongly supported NAFTA and the miraculous changes it would represent for the region. At the time, it was argued that not approving NAFTA would be a terrible mistake for the region and North America was not going to be ready for global competition in the future. There was no other option but NAFTA. Some even said that this treaty was the key for Mexico to be part of a select group of developed nations in only ten years. It was often mentioned that migration from Mexico to the United States was going to be reduced because Mexicans would have no reason to migrate. These issues gained more credibility when not only Republicans but also Democratic presidents made this case.

In his push for NAFTA, President Bill Clinton argued that there was going to be “less illegal immigration because more Mexicans will be able to support their children by staying home.” President Gerald Ford said that “if you defeat NAFTA, you have to share the responsibility for increased immigration into the United States, where they want jobs presently being held by Americans.” President Jimmy Carter also contributed to the arguments saying that without NAFTA “illegal immigration will increase. American jobs will be lost” (The White House 1993). Unfortunately, the progressive voices of the time that warned about this kind of policy could not compete with the marketing and money that was spent lobbying for NAFTA.

NAFTA = More Migration

Today, after sixteen years of experience with NAFTA, we have enough data and research to show that NAFTA was a failure for working people on both sides of the border. Overall it drove wages down in Mexico and the United States, it created a huge gap between rich and poor, and produced a high concentration of wealth. Most importantly, however, today we can see the strong association between NAFTA and migration: it displaced Mexican farmers off of their land and into the already overcrowded cities in Mexico, or on a path to migration to the United States.

There has been a historical tradition of migration to the United States from Mexico. But there were serious increases early in the 1980s, once the free-market reforms started taking place and it reached historically high numbers after NAFTA. In NAFTA's first decade, the annual number of immigrants arriving to the United States from Mexico more than doubled and more than 80 percent of post-NAFTA Mexican immigrants were unauthorized. Jeff Faux, founder of the Economic Policy Institute, puts it this way: “instead of alleviating the conditions that were causing out-migration to the United States, NAFTA made them worse ... In effect, NAFTA turned a modest and manageable fate of out-migration from Mexico to the United States into a political crisis on both sides of the border” (Faux 2008, 10).

To quantify, in the years preceding NAFTA (1985 to 1989), approximately 80,000 undocumented immigrants entered the United States from Mexico annually. From 1990 to 1994 immigration increased to 260,000 annually. From 1995 to 1999, the number jumped to 400,000 annually. Between 2000 and 2004, immigrants were crossing the border at a rate of 485,000 a year (Passel 2005, 16).

In 2008, almost thirteen million Mexican immigrants lived in the United States, a seventeen-fold increase since 1970. Fifty-five percent of these immigrants are undocumented. Almost six out of every ten undocumented workers in the nation are Mexicans. Today, eleven-percent of everyone born in Mexico is living in the United States, in comparison with 1.4 percent in 1970. In 1960 Mexico ranked seventh as a source of immigrants. Now, Mexico has the largest number of undocumented immigrants in the United States (seven million, or 59 percent) and it also has the largest number of legal immigrants (5.7 million, or 21 percent) (Pew Hispanic Center 2009).

The impact that these free trade policies have had in Mexico has been so drastic that recently the World Bank considered Mexico the nation that exports the largest number of migrants in the world—more than China and India, countries that have at least ten times more people than Mexico¹.

NAFTA's Impact on Mexican Agriculture

One of the main reasons for the increase in migration was the effect that NAFTA had on Mexican agriculture. Asymmetric nations (in this case, the United States and Mexico) need treaties that make up for the drastic economic differences in order to promote real regional development, and NAFTA did not provide for that. A careful approach was needed particularly in the sensitive sector of agriculture. For example, in Mexico, about 25 percent of the labor force was employed in agriculture pre-NAFTA, the largest single sector of employment in Mexico at the time (Cornelius and Myhre 1998), while it was only a maximum of 2 to 3 percent in the United States.

Also due to NAFTA, Mexico cut tariffs dramatically on both agricultural and livestock products and on almost all manufactured goods from the United States. Under NAFTA, the amount of subsidized corn that was exported from the United States to Mexico more than quadrupled in the first ten years. In the United States, US\$20 billion is invested each year to subsidize agriculture in comparison with US\$3.5 billion in Mexico. The sad reality is that this corn was sold at prices which were 30 percent below the cost of production in Mexico (Cornelius and Myhre 1998, 5).

This obviously has a serious effect on Mexican farmers. For Mexican farmers it was now cheaper to buy the corporate-grown corn and beans than grow their own. Between 1995 and 1999, real prices for wheat and corn in Mexico declined by 45 percent and between 1990 and 1999, the price of beans fell by 40 percent (Zermeño 2008). A combination of all these factors increased poverty and these farmers were pushed to the cities in search of the opportunities that were supposed to come with NAFTA. But those jobs never materialized and for many the only option was to cross the border. Some estimates indicate that 4.3 million people migrated due in large part to that influx of cheap grains from the United States “resulting in the decimation of at least two million farming jobs and eight million small farmers” (Witness for Peace 2009, 1).

This combination of factors actually made life for many Mexicans nearly impossible. The invasion of cheap U.S. grain did not really make the prices fall; the final result was the opposite. The best example is the case of tortilla prices. For example, within the first six years after NAFTA, the price for corn tortillas nearly tripled, rising 571 percent. By January 2007, tortilla prices had tripled again (Witness for Peace 2009, 8). This has a direct impact in the poorest people in the country, particularly if we consider that tortillas are the most important food in the daily diet of Mexican people. Tortillas represent 75 percent of the caloric intake for Mexico's fifty million poor (Zermeño 2008).

This happened for a number of reasons. Under NAFTA, Mexico became an importer of, and dependent on, basic grains, which means that the country's food security is in the hands of the multinational corporations that control

1. Roberto González Amador and David Brooks, “México, el mayor expulsor de migrantes del planeta, dice el BM,” *La Jornada*, 16 April 2007. Online at <http://www.jornada.unam.mx/2007/04/16/index.php?section=politica&article=003n1pol>, accessed 28 April 2011.

the market. Secondly, subsidies for the production of tortilla, which made them affordable to millions of people, were removed. The National Popular Staples Company CONASUPO (Compañía Nacional de Subsistencias Populares) was abolished instead of being reformed to better serve the Mexican poor. Under this system the government used to buy corn at subsidized prices and produced tortillas that they sold in state stores at low, subsidized prices. Wal-Mart became the largest retailer in Mexico and Grupo Maseca obtained the monopoly of tortilla production. Once corporations are in charge they have control over these products and their main goal is to maximize profits. For example, Cargill's net income increased 660 percent from 1998 to 2007 (Olson 2008), while at least two million Mexican farmers lost their jobs (Spieldoch and Liliston 2007).

Free trade has always been more beneficial to the more advanced or more industrial nations. The concept of “comparative advantages” in the context of free trade does not apply to a great majority of Mexican farmers who do not produce for the market. Corn and beans in Mexico have a historical tradition in these farming communities. Common sense dictates that if we are concerned about the livelihoods of these farmers and their jobs, then they should have been excluded from NAFTA. A General Accounting Office (GAO) study of the impact that NAFTA had in Mexico concluded that there was an urgent need for rural compensation funds. Unfortunately, there was no action; this recommendation was totally ignored. It is in the U.S. interest to reverse course. Support for local community development in Mexico can provide opportunities for small farmers, their families, and their communities to stay at home rather than join the displaced millions pushed north by this failing economic model.

Inequality and Dependency after NAFTA

The purchasing power of minimum-wage workers also was seriously affected with this kind of policy. Trade liberalization has reduced living standards for the Mexican poor since the 1980s. The minimum wage has not kept up with inflation and now it can buy just sixteen percent of what it could buy two decades ago (Muñoz Ríos 2006). In NAFTA's first decade alone the minimum wage dropped 23 percent (Wise 2003). This problem is affecting the cost of the basic food basket which, in Mexico, rose 60 percent in 2008 alone. It is estimated that because of such a drastic shift in food prices, thirty million Mexicans could be hit with hunger (Olivares Alonso 2009). Additionally, during most of the 1990s the informal sector grew importantly, to the point that in 1995 and 1996 employment in informal jobs approached 50 percent of all employment in Mexico (Polaski 2004).

Income inequality has been another serious issue. In comparison with the period before NAFTA, the top 10 percent of households have increased their share of national income, while the other 90 percent have lost income share or seen no change (Polaski 2004). These policies created drastic concentration of wealth in a few hands. Today, Mexico has the richest person in the world, Carlos Slim, while on the other hand it has 50 percent of its population living in poverty. Carlos Slim's net worth is equivalent to about 7 percent of Mexico's GDP.²

Also, NAFTA made Mexico much more dependent on migration and remittances as a source of income for the country. Today, remittances are the second highest official source of income for Mexico, just after petroleum. Remittances increased from approximately US\$3 billion in 1993 to over US\$20 billion for the last four years. This means that today in Mexico, one-third of families depend on them (Goodman 2007).

Even maquiladora (sweatshop) employment, where wages are almost 40 percent lower than those paid in heavy non-maquila manufacturing, is on the decline. Since 2000, hundreds of factories and hundreds of thousands of jobs in this sector have been displaced as China joined the WTO and Chinese sweatshop exports gained global market share (Salas 2006).

² “7 Things to Know about Carlos Slim Helú,” *The Week*, 16 March 2010. Online at http://theweek.com/article/index/200797/7_things_to_know_about_Carlos_Slim_Helu, accessed 6 April 2011.

The root cause of accelerating immigration from Mexico is the stunning opportunity and wage gap. Jobs are scarce in Mexico, but even a fully employed worker will earn only about a tenth of what a comparable worker earns in the United States. NAFTA has brutally squeezed Mexico's poorest workers and pushed millions onto the migrant trail. To be exact, when Mexican wages drop 10 percent relative to U.S. wages, attempts to cross the border illegally increase by 6 percent (Thornburgh 2007). The inverse of that relationship is also true.

The Recent Economic Crisis

The fact that Mexico has become increasingly dependent on the United States after NAFTA also makes the country much more vulnerable to changes in the U.S. economy. Currently, thanks to NAFTA, 85 percent of Mexico's exports go to the United States. This kind of high dependency is very dangerous, particularly when the United States is facing the biggest economic crisis since the Great Depression. The Mexican economy already showed the negative impact of such dependency: it is estimated that 541,400 jobs were lost in Mexico's formal sector between November 2008 and January 2009³. The Mexican economy contracted 8.2 percent in the first quarter of 2009, which resulted in the loss of US\$55 billion, which represents the worst economic contraction for the nation in a century. There was also a decline in remittances; from January to May 2009 remittances slid 11.2 percent in comparison with the same period in 2008 (Witness for Peace 2009).

As the economic crisis deepened and unemployment kept rising in the United States, immigrants found high levels of exclusion. Growth among the U.S. foreign-born population has slowed since the beginning of the recession in 2007 and there has been no significant increase in the undocumented population since 2006. Return migration in the last two years increased (Papademetriou and Terrazas 2009). The number of undocumented immigrants in the nation declined by nearly 1 million. The number dropped to 10.8 million in 2009 from 11.6 million in 2008, marking the second consecutive year of decline and the sharpest decrease in at least three decades, according to a report by the U.S. Department of Homeland Security (Watanabe 2010). A number of factors contributed to the slow down and reduction in immigration: the growing anti-immigrant hysteria and the increase in enforcement policies and border enforcement. The central reason has been the economic crisis and high unemployment. But as soon as the U.S. economy recovers and the free trade economic policies in Mexico continue, we can expect an increase in immigration again. The sectors that strongly depend on undocumented workers are going to increase their demand of these workers, unless better and fairer regional economic policies are put in place.

Free Trade Favors Corporations, not Workers

NAFTA and other free trade agreements are actually corporate rights agreements. They exempt businesses from many local laws including regulations on health, safety, wages, hours, pollution, and other critical business practices. Should a dispute arise, they also allow court systems, which lack transparency and an appeal process and in which corporations hand pick the judges who, naturally, can decide in favor of the corporations.

It is time to recognize that, at least when it comes to creating the jobs that would help close the widening gap in relative wages between trading partners and make migration unnecessary, NAFTA was, and continues to be, an abject failure. Truly comprehensive immigration reforms should be attuned to the interests of the majority of workers and citizens in both Mexico and the United States. Such reforms are the only way to slow migration. Unfortunately there are major sectors that are benefitting from this system and they would oppose any change. Free trade policies

keep pushing for the exploitation of workers, it is a race to the bottom instead of a race to increase the middle class, the main characteristic of a developed nation. Thus, there is ample reason to revisit and revise NAFTA, to bring

³ "Perdidos, 541 mil empleos en tres meses," El Financiero, 9 February 2009.

stability on both sides of the border.

U.S. Addiction to Cheap Labor: Corporations vs Vulnerable Workers

Another issue that is ignored in the immigration debate in the United States is the systemic demand for cheap, exploitable and disposable illegal labor. The fierce competition of globalization requires corporate management to secure the cheapest possible products, which often comes at the expense of undocumented workers.

Most undocumented migrants who come to the United States are already poor and vulnerable. But the system here keeps most workers poor and even more vulnerable. Most undocumented immigrants are concentrated in the kind of low-skilled professions where working conditions are extremely difficult. They have the lowest wages and the highest levels of deaths and injuries at work. If we combine this environment with the constant fear of undocumented workers—the possibility of being deported—then we have the perfect formula for a large pool of people, afraid of raising their voice and unable to defend their human and labor rights. In turn, labor costs stay low and these workers are more profitable for their employers. However, jettisoning the values of basic human and labor rights to satisfy corporate interests will only push this nation into a deeper crisis.

Immigrant Workers and Low-skilled Jobs

The United States has a labor force of approximately 154 million people, and it is estimated that 8.3 million are undocumented immigrants. This means that 5.4 percent of the labor force is made of undocumented workers (Passel and Cohn 2009, iii). Some sectors of the economy have higher ratios and depend heavily on the labor of undocumented workers. For example, the following occupations have high shares of undocumented workers (Passel and Cohn 2009, 15):

- farming: 25 percent;
- construction: 21 percent;
- building grounds keeping and maintenance: 19 percent;
- food preparation and serving: 12 percent;
- production: 10 percent; and
- transportation and material moving: 7 percent

In some of these sectors the proportion of unauthorized immigrants is higher than the proportion of U.S.-born workers. Additionally, within occupations, undocumented workers tend to be overrepresented in the lowest-skilled jobs. For example, undocumented workers are 40 percent of brickmasons, 37 percent of drywall installers, 31 percent of roofers, 28 percent of helpers in construction trades, 28 percent of dishwashers, 27 percent of construction laborers, 27 percent of maids and housekeepers, 23 percent of butchers and other meat processing workers, and 21 percent of parking lot attendants (Passel and Cohn 2009, 14, 15, 31).

A System that Keeps Them Poor

For all these reasons, poverty rates among undocumented immigrants are much higher than among the U.S.-born. And the system keeps them poor. For example, among undocumented immigrant adults, 21 percent are poor in comparison with 10 percent of U.S.-born adults. Of children of undocumented immigrants, one in three is poor.

Undocumented immigrants are overrepresented in extreme poverty in the nation. Undocumented immigrants and their U.S.-born children represent 11 percent of all people with incomes below the poverty level. This means that it is twice their representation, since they are 5.5 percent of the total population (Passel and Cohn 2009, 17).

As if poverty and working conditions were not bad enough, undocumented immigrants also have limited access to health insurance. Almost 60 percent of undocumented immigrants have no access to health insurance, in comparison with 14 percent of the U.S.-born. Also, 45 percent of immigrant children with undocumented parents have no access to health care in comparison with 8 percent of children with U.S.-born parents. All this means that undocumented immigrants account for one in six persons in the country with no health insurance (17 percent), which is more than three times their representation in the population (Passel and Cohn 2009, 18-19).

Wage Theft

Basic labor rights call for workers to be paid at least minimum wages, get paid overtime, access to compensation when workers suffer injuries, the right to take a break for meals, and the right to fight for better working conditions. But these rights are all but nonexistent for most undocumented migrants. A comprehensive study, “Broken Laws, Unprotected Workers,” surveyed workers in New York, Los Angeles, and Chicago, cities with high density of undocumented immigrants, to look at wage-law violations. The report’s findings highlight that Latino and, particularly, immigrant workers have, by far, the highest rates of minimum and overtime wage-law violations of any racial or ethnic group. Of the 4,387 workers surveyed, those in low-wage industries experienced a fifteen-percent weekly loss in pay. Immigrant Latino workers faced the highest minimum wage violation rates at 35.1 percent in comparison to 10.1 percent of their white counterparts. Also, 40 percent of Latina workers were victims of minimum wage violations. The highest incidence of these violations occurred among undocumented workers (37.6 percent) (Bernhardt et al. 2009).

Death and Injuries at Work

The number of injuries among immigrant workers and the high number of deaths highlights the cruel reality to which these workers are subjected: daily exploitation, hazardous and substandard working conditions in some of the most dangerous occupations, along with inadequate protections or none at all. The AFL-CIO report, “Death on the Job: The Toll of Neglect: National and State-by-State Profile of Worker Safety and Health in the United States,” illustrates, among many things, a breakdown by race of the total number of workplace fatalities. From 1992 to 2007, the number of fatalities among Latino workers has increased by 76 percent. The total number of fatal injuries Latino workers have suffered on the job (937 deaths) places the Latino death rate on the job at 21 percentage points above the national average—higher than any other population group. Of the 937 lives lost, 634 were immigrants, reinforcing the vulnerable status of our immigrant workforce (AFL-CIO 2010).

The numbers presented by the AFL-CIO report paint a clear but grim picture of worker safety in the United States. Specifically, the construction sector—a segment of the economy that is largely represented by undocumented workers—had the largest number of fatal work injuries (1,204 deaths), a segment of the economy that is largely represented by undocumented workers. The report also highlights that the top three states in fatalities of Latino workers were Texas (211), California (179), and Florida (111), states also that have some of the largest concentrations of undocumented workers (AFL-CIO 2010).

Anti-Immigrant Hysteria Increases the Vulnerability of Undocumented Workers

Dark-skinned, undocumented immigrants have always had a difficult time being welcomed in various sectors of the United States, but this is probably one of the highest points of anti-immigrant fervor in the history of the nation. This has dire consequences for migrants: hundreds are dying in attempts to cross the border, families are regularly separated due to enhanced deportation policies, racial attacks against immigrants and Latinos have reached historical highs, anti-immigrant myths are becoming commonplace in U.S. society, and anti-immigrant hate groups in the nation have grown like never before.

Right Wing Media Influence

The attacks against undocumented immigrants have been reflected in a number of ways: through political rallies, legislation, the media, anti-immigrant movements, anti-immigrant think tanks, and more. One particular group—mainly the extremist right—decided to focus their anger against Latino immigrants.

Some members of the media have played a central role in promoting this message. Lou Dobbs was one who consistently reported erroneous information and disseminated racist myths. For years, his show on CNN served as a regular platform for anti-immigrant organizations such as the Federation for American Immigration Reform (FAIR), which has been listed as a hate group by the Southern Law Poverty Center (SPLC). His show was cancelled, but others remain, such as FOX's Glen Beck and Bill O'Reilly, who have rallied the Tea Party into believing that Latino immigrants are "treading upon us" and taking freedom from U.S. citizens. They fail to acknowledge that the immigrants "give" more than they "take."

Anti-Immigrant Laws Proposed and Passed

The anti-immigrant chatter has garnered support to the point that prejudice has been stamped into law by some politicians. As a result, discrimination isn't only practiced behind closed curtains— it's protected by the law. The policies range from prohibiting rental housing to undocumented immigrants to the legalization of racial profiling, as we've just witnessed in Arizona.

Arizona State Bill 1070 is the toughest immigration law in the country in generations. A Federal District Judge overturned the strictest aspects of the law and that legal battle continues, but in many ways, the damage has been done. Many families picked up and moved on to "friendlier" neighborhoods and copy-cat legislation is being discussed in dozens of states around the country.

Another example of anti-immigrant legislation last year was proposed by Senator David Vitter, who pushed to amend the 2010 Census. This amendment sought to intimidate and prevent individuals from participating in the 2010 Census by asking their immigration status. It would have resulted in an inaccurate Census count and would have severely impaired the Congressional reapportionment and redistricting of congressional and state legislative districts.

While the Vitter Amendment didn't succeed, some of the worst state and local anti-immigrant measures have passed recently. Whether it is criminal penalties for illegally holding a job (Mississippi), denial of services to undocumented migrants (Prince William, VA), discriminatory housing laws (Hazleton, PA, and Farmers Branch, TX), or local police (Maricopa County, AZ, and Irving, TX) who track immigrants and find pretexts to arrest and then

deport them, the message of rejection is clear.

The situation isn't much better at the Federal level, either. The events in Postville, Iowa, well-documented by Professor Erick Camayd-Freixas, show how authorities are systematically criminalizing migrants. Of the almost 400 undocumented migrants detained at that meatpacking plant, 260 were charged as serious criminals and sent to prison for five months with the inflated charge of "aggravated identity theft" and "Social Security fraud." In this process workers were "tried" en-masse and coerced into pleading guilty, a clear violation of their constitutional rights (Preston 2008).

It was just one example of Federal roundups of undocumented workers in the United States. The separation of families and deportations has reached new levels. Between September 2009 and September 2010, the United States deported a record number of undocumented immigrants. According to the Washington Post, 392,000 were returned to their country of origin⁴.

Hate Crimes Against Latinos: the Violence Increases

The official sanctioning of prejudice is being echoed in what the Federal Bureau of Investigation (FBI) reports is a spike of hate crimes against Latinos. A 2008 FBI report illustrated a 40 percent increase in attacks against Latinos between 2003 and in 2007. They represented 62 percent of all victims of crimes motivated by the victims' ethnicity or national origin. For Latinos overall, but particularly for undocumented immigrants, public safety is in jeopardy.

The criminalization of migrant workers, even simply referring to them as "illegal aliens," has severe social, human and psychological implications for the Latino and migrant community. However, the research and the numbers are very clear: migrants are actually less likely to commit crimes than the native-born. For example, the incarceration rate of native-born men, ages 18 to 39, is actually five times higher than that of foreign-born men. Also among the U.S.-born, 9.8-percent of all male high-school dropouts were in jail or prison in 2000. Only 1.3 percent of immigrant men who were high-school dropouts were incarcerated⁵.

Solutions:

Immigration Reform, Revision of NAFTA and Protection for Undocumented Workers

The anti-immigrant backlash in the United States is causing unforeseen levels of exploitation of immigrant workers. Most of the European workers who migrated to the United States at least had the possibility to be integrated into the mainstream by receiving citizenship. For most of this country's lifespan, there were no immigration quotas. For today's immigrants, the reasons for moving are similar to those in the past, but they face more serious challenges. The problem is two-fold. Too many powerful people are benefitting from the kind of system in which millions of workers are in a continued state of exploitation. Plus, they're easily disposable when they are no longer needed. Second, there is a contingent in this country that does not welcome what appears different; some just don't want the country's aesthetic to change. This could explain why there has not been a fair and humane immigration reform in a long time.

4 Vedantam Shankar, "US Deportations Reach Record High," Washington Post, 6 October 2010. Online at <http://www.washingtonpost.com/wp-dyn/content/article/2010/10/06/AR2010100607232.html>, accessed 10 October 2010.

5 "Immigrants and Crime: Are they Connected? A Century of Research Finds that Crime Rates for Immigrants are Lower than for the Native-Born," Immigration Policy Center, 25 October 2008. Online at <http://www.immigrationpolicy.org/just-facts/immigrants-and-crime-are-they-connected-century-research-finds-crime-rates-immigrants-are>, accessed 30 October 2008.

Immigration reform makes sense politically, economically and socially for all. Some presume that immigration reform can't happen during this economic climate, but that's exactly erroneous. Evidence shows that normalizing the status of undocumented migrants is good for economic recovery because it would create income gains for workers and households. Reform would allow immigrants to have higher productivity and create more openings for legal residents in higher-skilled occupations. It would increase wages and spending, all of which generates more tax

revenue. It is estimated that immigration reform could add from US\$1.5 trillion to US\$1.8 trillion to the U.S. GDP over the next ten years (Hinojosa Ojeda 2010). On the other hand, a deportation-only policy would result in a loss of US\$2.3 trillion in GDP over ten years (Dixon and Rimmer 2009).

It Is Urgent to Renegotiate NAFTA

The current political leadership could take the lead on revising NAFTA, but it seems President Barack Obama has shifted his stance on free trade since his campaign. As Senator Obama, he stated that “the current NAFTA regime lacks the worker and environmental protections that are necessary for the long-term prosperity of both America and its trading partners. I would, therefore, favor, at minimum, a significant renegotiation of NAFTA and the terms of the President’s fast track authority.” As presidential candidate he reiterated his opposition to this kind of policies during a debate moderated by NBC’s Tim Russert⁶.

Now more than ever the President needs to make the connection between free trade policies and the impact they have on immigration. The Obama Administration seems to have good intentions on immigration, but they have not delivered. Unfortunately it also seems that the administration has failed to address the root causes of the problem. On a number of occasions, when raising this issue with top advisors to the President, officials responded to me that they focus on immigration reform, not free trade agreements. That response illustrates that the mentality of the debate on immigration is a short term fix of what to do with undocumented workers now, but there is no effort to look at this issue in the long term. Furthermore, President Obama just re-emphasized his commitment to work on the expansion of free trade agreements, this time with Colombia, Panama, and South Korea.

At a time of economic crisis like the one we are facing, the president should be bold enough to push for NAFTA renegotiations. At the same time he should help Mexico to invest major public resources in productive projects aimed at stabilizing and even repopulating economically broken communities. Rather than raiding U.S. businesses in search of unauthorized workers or wasting money building walls, federal resources should be used to help re-train U.S. workers displaced by the same forces of globalization that have made Mexico’s communities come unglued.

While These Changes Take Place Unions Can Be a Source of Protection for Undocumented Workers

As the anti-immigrant movement keeps getting stronger, and the vulnerability of undocumented workers increases, the labor movement could be one important source of protection for undocumented workers.

The labor movement played a central historical role in establishing the middle class in the United States. Organized workers fought for the standard forty-hour work week, safer working conditions, living wages, collective bargaining, health protection, pensions and retirement, better and more training for workers, and overall, a better environment for workers to speak up for themselves and their families. The expansion of the middle class is one of the main characteristics of a developed nation.

⁶ Transcript, “The Democratic Debate in Cleveland,” The New York Times, 26 February 2008.

Looking at this historical evolution of social conditions and labor rights for workers, there is a serious contradiction today where millions of workers in the nation still lack access to any of the benefits that this movement brought. This is especially true for undocumented immigrants who, in an effort to organize, must consider the possibility of getting fired or being reported, jailed, and deported. It's a unique challenge for workers, but not an insurmountable one.

A recent report by the Center for Economic and Policy Research (CEPR) documents a large wage and benefit advantage for immigrant workers in unions relative to their non-union counterparts. The report found that unionized immigrant workers earned, on average, 17 percent more than their non-union peers. The report also found that unionization raises the pay of immigrant workers about US\$2.00 per hour. According to the report, immigrant workers in unions were also 50 percent more likely to have employer-provided health insurance and almost twice as likely to have an employer-provided pension plan than immigrant workers who were not in unions. Not surprisingly, the study also shows that unionization strongly benefited immigrant workers in otherwise low-wage occupations. Among immigrant workers in the 15 lowest-paying occupations, union members earned almost 20 percent more per hour than those workers who were not in unions. In the same low-wage occupations, unionized immigrants were more than twice as likely to have employer-provided health insurance and almost three times as likely to have a pension plan than their non-union counterparts (Schmitt 2010).

Wage theft and other workplace violations will increase throughout the nation if workers continue to lack protection. The organized labor movement has the structure that can oppose abusive, global corporate forces that have pushed capitalism to extreme levels. Additionally, solidarity among workers has to be across borders. Otherwise, the expanding informal economies of the world will continue to grow and this will have an impact on the conditions for all workers. That would result in a race to the bottom for all in the working class.

Union representation can change this by establishing fairness in the workplace. The union movement should welcome and protect undocumented workers in a more proactive way. Furthermore, undocumented immigrants should look at the labor movement as a tool for social protection and economic advancement.

Conclusion

Some people argue that half a million immigrants a year is too many. But is anyone stopping to ask what is it for Mexico to lose half million people a year? Further, U.S. economic policy is one of the main motors that push people out of Mexico. It is a priority to go to the root causes of immigration to find a solution.

The issue of immigration has been high-jacked and misconstrued by a subset in the United States to the point of hysteria, while the causes and solutions are actually easily traceable and quantifiable. Reasoned analysis shows a strong relationship between NAFTA and the economic peril of Mexico, which in turn created migration to the United States. Therefore, NAFTA should be reevaluated and likewise, an interim solution must be enacted to integrate unauthorized workers in the United States. This will re-establish the opportunity equilibrium that can both keep Mexicans home and give others a reason to return home, while making the economies of the entire region stronger. Again, the way to rebalance the economies of North America is three-fold: each country needs to critically reevaluate the free trade agreements; the United States needs to rehabilitate its dependence on cheap, disposable labor; and comprehensive immigration reform must be passed to bring the undocumented out of the shadows. There is little point of changing the immigration procedure without also changing the economic forces behind that migration.

As long as people south of the border have no way to feed their kids at home and the United States continues having a strong addiction to cheap labor and promoting free trade policies that displace people, no wall will be high enough. The hungry will always find a way to get to where the jobs are.

International organizations, like the United Nations and in particular the World Food Programme, should have a more active role in the conditions of undocumented immigrants in the United States. The international crisis involved Mexico's poor and U.S. wealth, but currently is being handled as a domestic issue only in the United States. The United Nations could help recalibrate that critical problem.

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