

Immigration and Transnationalism: Rethinking the Role of the State in Latin America

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ABSTRACT

As more Latin American migrants make their way to the United States, the issue of transnationalism has received increased scholarly attention. Transnationalism refers to the delinking of the individual from his or her government and an increase in international ties as a result of the economic globalization that promotes the movement of people, goods, money, and ideas. Prevailing consensus is that the state, particularly in Latin America, is weakened by transnationalism because individuals are freer than ever from state control. This article argues that examining Latin American emigrant policies yields a different conclusion, namely that the state's response to transnational pressures has made governments more active and relevant in certain ways than in the past. Studies of transnationalism must therefore incorporate state strategies for a better understanding of its impact on Latin American governments.

INTRODUCTION

As more Latin American migrants make their way to the United States, the issue of transnationalism has received increased scholarly attention. Transnationalism refers to the delinking of the individual from his or her government and an increase in international ties as a result of economic globalization. Migrants no longer pick up their stakes in the "old" country and plant them in the "new" one. They are now much more likely to live jointly (at least figuratively) in both places. Thus, "heightened social, economic, and political interconnectedness across national borders and cultures enables individuals to sustain multiple identities and loyalties" (Levitt and Waters, 2006, 6). Individuals forge economic and social connections that transcend traditional national borders, and this affects the state.

As this article will demonstrate, the prevailing consensus is that the state, particularly in Latin America, is consequently weakened because individuals are freer than ever from state control. It is easier to move from place to place or to transfer money or goods. In addition, Latin American states feel compelled to court emigrants both for political and economic reasons, which gives the emigrants leverage they did not enjoy in the past. There is also the implicit notion that transnationalism poses a challenge to state sovereignty. Indeed, the Mexican government has traditionally viewed migration as a potential political threat because emigration was a stark example of the failures of the Mexican revolution to generate prosperity.

We argue that examining Latin American emigrant policies yields a different conclusion, namely that the state's response to transnational pressures has made it more active and relevant in certain ways than in the past. Our argument has two main components. First, the responses of

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Latin American governments to emigration demonstrate a renewed state presence in some policy areas. The evolution of the state-emigrant relationship has entailed – albeit slowly – greater cooperation and communication. Second, governments in the region have intensified their focus on United States policy to a greater degree than ever. This has occurred in a political context in which US immigration policy has become more enforcement-oriented and therefore more difficult for migrants to navigate. Our objective, then, is to show how and why transnationalism cannot be properly understood without an explicit analysis of the role of governments in sending countries.

TRANSNATIONALISM AND THE STATE

Following the Weberian tradition, the state can be defined as “a set of institutions that claims control over territories and people based on monopoly of organized force and that performs administrative, legal, coercive, and extractive functions” (Huber, 1995, 165). Ideally, the state erects structures that at a minimum promote political stability and economic development. In many parts of Latin America, for a variety of reasons, many of those government functions have been sporadic or missing completely. One important question is thus whether transnationalism weakens an already weak state even further.

In the context of Latin American migration, there are two critical phenomena related to transnationalism. First is the reality of mass movement. Legal or not, more and more people have made their way abroad, a situation that states cannot afford to ignore. Most visible is migration to the United States, but sizeable numbers move to neighbouring countries or even to Europe (examples include Colombians in Ecuador, Bolivians in Argentina, Peruvians in Chile, or Ecuadorians in Spain) seeking employment and/or a less violent environment. Second is the linked phenomenon of dual citizenship, which embodies the essence of transnationalism, namely that individuals are increasingly linked formally to more than one country. This entails recognition that citizenship ties bestow mutual benefit to both government and migrant.

Citizenship

Definitions of “citizenship” run along two main lines: rights versus membership, and high versus low intensity (Fox 2006). States grant individuals membership, and those individuals are consequently granted certain rights that non-citizens do not necessarily enjoy. Transnational citizenship simply means stretching the concept to include more than one nation-state. Meanwhile, intensity refers to how active a given individual chooses to be with regard to community organizations, political participation, and the like. With transnational citizenship, states must emphasize “membership” and offer incentives to maintain high intensity. This dynamic gives migrants leverage they did not enjoy before. However, we argue that this can also have a positive effect on the state as it interacts with migrants who otherwise might feel estranged from their home country, paradoxically promoting a closeness that was once assumed to be impossible.

Dual citizenship is literally the condition of being a citizen of two countries simultaneously. The vast majority of Latin American countries grant this right to their citizens. Four countries (El Salvador, Panama, Peru and Uruguay) allowed dual citizenship before the passage of the Immigration Reform and Control Act (IRCA) in 1986, while eight more (Brazil, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Mexico, and Venezuela) passed new laws in the 1990s (Jones-Correa, 2001; Embassy and Consulate Web sites).¹ Honduras (2003), Bolivia (2004) and Chile (2004) followed suit in the wake of the more restrictive immigration environment in the United States following the attacks of September 11, 2001 (Escobar 2007). This is by no means a strictly

Latin American phenomenon. By 2008, approximately three billion people lived in countries with some sort of dual nationality allowance (Sejerson 2008).

United States law, including the foundational Immigration and Nationality Acts of 1952 and 1965, does not mention dual nationality. Officially, through Supreme Court decisions, the US government recognizes that dual nationality exists, but does not encourage it. The State Department notes the ambiguity of the US government's position:

The US Government recognizes that dual nationality exists but does not encourage it as a matter of policy because of the problems it may cause. Claims of other countries on dual national US citizens may conflict with US law, and dual nationality may limit US Government efforts to assist citizens abroad. The country where a dual national is located generally has a stronger claim to that person's allegiance.²

Congress has the authority to legislate immigration, including dual citizenship, but for the reasons noted above has not elected to do so. The government has not even opted to determine how many citizens of the United States are eligible for dual citizenship, or how many obtain it.

In most countries, demand for dual citizenship after 1986 originated with migrant communities that faced new restrictions and argued that citizenship in their current country of residence (the United States) was the most direct means of allowing greater freedom of movement (Jones-Correa, 2001). In this "bottom-up" framework, migrants to the US recognized that they would be better off if they became US citizens, but they were at the same time reluctant to throw off their native citizenship. Latin American governments recognized that, paradoxical though it might seem, permitting or even encouraging dual citizenship would also generate a positive relationship with the emigrant community. This even led to "top-down" responses, whereby governments enacted dual citizenship before there was large scale demand for them. The "bottom-up" and "top-down" means of achieving dual nationality are merging and happening simultaneously, as both migrants and policy-makers consider the inherent benefits.

Current analytical emphasis is on "transnational" or even "postnational" citizenship, which entails a decrease of attachment to any country. The latter is examined primarily in the European context, given the unique freedom of movement within the European Union. Do they constitute a "challenge to the nation-state" by virtue of changing conceptions of citizenship and national territory (Bloemraad, Korteweg and Yurdakul, 2008)? Note that current research is centred largely on the migrant, rather than on the state (e.g. see Levitt and Jaworsky, 2007). Transnationalism would obviously not be an issue if no one migrated, but the state's role in the process cannot be discounted.

Studies of globalization have long argued that it is another force that reduces the power of the state. Global forces, such as markets, multinational corporations, non-governmental organizations and, of course, people, move across borders with enormous ease. States therefore have difficulty controlling such forces. There has been some cession of authority to supranational organizations and widespread privatization of many functions previously undertaken by governments (Sassen, 1999). For example, international human rights represent norms that have become codified in national law, while free trade agreements allow corporations and other actors wide latitude to determine the scope and scale of international trade and capital flows.

According to this argument, the state has been a central actor in reducing its own authority as it inserts itself into the global economy. Market forces may "disarticulate" citizenship, where a person's citizenship is heavily influenced, if not directed, by market forces (Ong, 2006). Transnational migrants can also "deterritorialize" nation-states, blurring boundaries, which ultimately undermines their authority (Basch, Schiller, and Blanc, 1994). This is partly because transnational migrants tend to be elites, who have more "social power" than the average person in either sending or receiving societies (Castles and Miller, 2009).

Alternatively, the formation of transnational linkages by disadvantaged groups weakens state claims on individuals because such groups have new avenues of association (Spoonley, Bedford, and Macpherson, 2003). Others argue that transnationalism weakens shared political culture to such a degree that traditional notions of citizenship, which require normative connections, are no longer relevant (Tambini, 2001).

Sending governments, in particular, have discovered over time that they have much to gain from dual citizenship, especially in economic terms, through the infusion of remittances into the economy. It is in their interest, therefore, to entice migrants to remain connected. One way to do this is by allowing them the right to vote in their country of origin. This may, in turn, increase the leverage that migrants have with their home country (Barry, 2006). The definition of “domestic” politics is stretched to include many people outside the country’s borders. Migrant participation in transnational organizations, such as human rights groups, may also challenge the authority of the state (Smith, 1994). Overall, the state’s role is reduced to channelling remittances, and these efforts may entail state competition with non-governmental organizations such as hometown associations (Vertovec, 2004; Fox and Bada, 2008).

At the same time, there are studies suggesting that transnational citizenship helps to build nation-states. For example, it may reinforce national identity, particularly one that is multicultural (Bloemraad, 2004). Policy shifts to allow dual citizenship, for example, often came from emigrants who did not want to lose the legal connection to their country of origin (Jones-Correa, 1998; Faist, 2000). Migrants may also retain strong political, religious, and civic ties in two countries, both formally and informally (Levitt, 2001). Yet the literature has tended to focus on the emigrants rather than on the states from which they came, leaving the implicit suggestion that benefits accrued to the individual come at the expense of the sending state. Furthermore, among studies that have looked at states, the vast majority have examined *receiving* countries, most often the United States, to determine the effects of migration. By contrast, David Fitzgerald argues that the Mexican government was never as passive as generally assumed about its emigrants, but still notes that migrants now enjoy “citizenship a la carte” that allows them to pick and choose the elements of citizenship that benefit them the most (Fitzgerald, 2009). If certain obligations become too onerous – conscription, for example – then citizens can respond with their feet.

The question, then, is whether transnational citizenship necessarily has a net negative impact on sending states. Part of the answer lies in shifting the focus away from “control.” Sending states in Latin America lack effective control over borders, exert little control over the movement of capital, and do not have much capacity to control for the effects of immigration policies made in the United States, which of course is the most popular migrant destination. However, these examples of lack of control are not new. These types of controls have been problematic throughout Latin American history, dating back to independence itself. Lack of control therefore represents a constant rather than a variable that has changed as a result of global forces in the past several decades.

The above comments lead us to two important elements of this article’s argument. First, in recent years transnational citizenship has increased state connections to emigrants, which previously had been almost entirely absent. The key point is that the state can make itself relevant to its own citizens. It does so in a collaborative way that marks a substantive change from the past. Second, transnationalism has sparked an unprecedented rise of state activism to influence US policy. This includes direct lobbying of the United States government, but also the dissemination of information to the emigrant community. As this article will argue, these efforts often fall short of expectations, but they create links between the state and its citizens that previously were missing. Latin American policy makers consciously and publicly frame their actions in terms of protecting their expatriates.

LATIN AMERICAN GOVERNMENTS AND MIGRATION

By the 1990s Latin American leaders recognized that their labour markets could not absorb their large young populations, while the US economy was creating lower-skilled jobs at a fast rate without the capacity to fill them. This occurred in the context of slow recovery from a disastrous economic decline in the 1980s (known as the “lost decade” in many Latin American countries because of the economic depression that followed debt default). The result was large scale emigration to the United States.

Furthermore, technology was making it easier and cheaper to send remittances back to family members in the sending country. A broad range of services emerged to capture the market, which reduced the price and expanded the coverage. The number of governments interested in their migrants specifically and immigration more generally also expanded, and many governments that historically had not engaged the United States in immigration issues have begun to do so. The stakes are high for much of Latin America. The US has served as a demographic and economic safety valve for many Latin American countries, even if the US has in turn contributed to their political problems at times.

The particular effects of the US Immigration Reform and Control Act, passed in 1986, and successive amendments to US immigration laws, have centred on enforcement and have thus contributed to convincing Latin American policy-makers that reaching out to their citizens abroad was more necessary than ever. These laws in the US created a strong disincentive for return trips among undocumented migrants, since border security made the trip more dangerous (as migrants used more remote desert crossings) and more expensive than in the past (since success in crossing the border increases with the use of people-smugglers, or *coyotes*). It was therefore more necessary than ever to maintain strong contacts with people who might otherwise lose touch with their home country, which might mean losing touch with their money.

Local economic development

Although Latin American economic and demographic realities have encouraged Latin American governments to seek connections with their citizens abroad, a variant to this strategy has gradually emerged that differentiates between types of economically active migrants. Highly skilled and wealthier migrants are now being courted, not simply to send money home, but perhaps also to come home, thus reversing the “brain drain.” The brain drain refers to the flow of educated migrants who take their skills to other countries – especially, but not exclusively, the United States – thereby denying the sending country the fruits of those same skills, and thus presumably dampening economic growth at home.

Migration tends to be concentrated at the higher and lower ends of the educational spectrum, and this is often thought to be institutionalized by a dual labour market in richer countries like the United States. The primary sector employs well educated people, pays them well, and offers them security and benefits, whereas the secondary labour market is characterized by low wages, unstable working conditions, and a lack of reasonable prospects for advancement. Perhaps not surprisingly, the countries of origin are especially interested in luring back home those émigrés who are part of the primary labour market. According to data from the US Census Bureau, 18 per cent of all migrants from Latin America have a college degree (Özden, 2005: 6). Although it is not possible to tell from the data whether they went to college in the United States or their home country, the fact remains that these are the elites that the countries of origin would like to have back home. Further, between 1970 and 1990, the number of professionals and technicians from Latin America living in the United States quadrupled (Pellegrino, 2001: 116).

Concern about the best and the brightest leaving the country is also, of course, not new. The inter-governmental International Organization for Migration, for example, traces its history back to the 1950s, when Europe faced the massive displacement created by World War II. For years, it has run programmes like the “Return and Reintegration of Qualified Nationals”. The programme targets specific countries, which have included El Salvador (hometown association development), the Dominican Republic (increasing the development impact of remittances), Guatemala (return of highly vulnerable migrants), Mexico (assisting voluntary return), and Uruguay (various projects to link with the diaspora).³ Until recently, however, Latin American governments did not launch large scale projects on their own.

Scholars now also analyse “network diasporas”, or linkages between the country of origin and its skilled workers abroad, which lead to more synergistic relationships (e.g. Kuznetsov, 2006). These include professional associations, hometown organizations, training programmes, and also types of collaborative initiatives. The ultimate goal is to promote not “brain gain” but “brain circulation,” whereby skilled workers may work abroad for periods, but also contribute to economic development in their country of origin.

Of course, a serious problem associated with the brain drain is linked closely to the loss of revenue from the enterprises and investments of these skilled workers. If their expertise and entrepreneurial skills are benefiting another country, they represent lost economic development. Therefore, governments are working independently to develop projects intended to harness the talents of skilled and educated workers abroad.

Brazil and Ecuador in particular have developed targeted programmes either to bring the affluent and well-educated back home, or to encourage them not to leave in the first place. Although many of these projects are nascent, they provide models for what is likely to continue spreading across the rest of the region. They represent a new form of state-citizen cooperation intended to benefit both.

The Brazilian government has worked actively to increase higher education opportunities and research capacity as a way to keep highly skilled Brazilians in the country, with an explicitly demographic rationale. As the President of Brazil’s National Commission for Population and Development noted, brain drain would likely become a “hot issue” given the correlation between high levels of education and low fertility (Rios-Neto, 2005, 14). Keeping the best minds also means slowing down population growth.

The central strategy of the Brazilian government has been to invest in higher education, thereby greatly reducing the need for Brazilian students to travel (and then possibly reside long-term) in countries like the United States with a broad range of doctoral programmes. In 1985, more than 40 per cent of Brazilians with doctorates received them in foreign universities, but by 2004 that had dropped to less than 10 per cent (Saravia and Miranda, 2004). One of the unintended consequences of this has been an increase in doctoral students from other Latin American countries, thereby encouraging a brain drain to Brazil, rather than from it.

Much of the Ecuadorian government’s active engagement consisted of “Plan Retorno” (“Return Plan”) which then became known as “Bienvenido a Casa” (“Welcome Home”) which seeks to entice middle and upper class citizens to bring their expertise, money, and goods back into the country. The government estimated that between 2003 and 2007, 403,000 Ecuadoreans left the country and did not return, and President Rafael Correa has labelled mass emigration as a “national tragedy” (*El Comercio*, 2007).

Started in 2008, the programme raises or eliminates ceilings and tariffs on capital and goods (such as cars) coming back to Ecuador and assists with loans to start new businesses (Mindlin, 2007). The government’s position was to encourage the return of both people and money, and to reintegrate Ecuadorians abroad into their country, which needed their expertise and capital. The plan’s stated three-pronged approach was to be voluntary, dignified, and sustainable. Ecuadorian

consulates will play a central role, since they maintain contact with migrants. The programme focuses especially on the United States (particularly New York City), Spain, and Italy.⁴

The government emphasizes that “return” is not limited to the physical, though returning to Ecuador is indeed facilitated by the elimination of duties on cars, furniture, and equipment related to work. Instead, it means the recuperation of the “political, cultural, professional, and economic” capacity of the millions of Ecuadorians living abroad. The economic component is clearly the most critical. To encourage investment, the government is working to provide financial incentives and elimination of bureaucratic red tape. The goal is to stimulate productive investment in Ecuador rather than simply spurring on consumption from remittances. Note that remittances are clearly preferable to foreign direct investment, especially from the government’s perspective, since they are in the hands of Ecuadorans, not outsiders.

Phase One, which entailed creating the web site, identifying Ecuadorians abroad, and reforming laws, began in January 2008. Phase Two, which started in July 2008, sought to strengthen existing institutions by obtaining the opinions of Ecuadorian migrants, creation of a Migrant Bank and implementation of other financial incentives. Once the programme was in place, the government created the “Cucayo Fund,” which provides up to \$50,000 for creating new businesses in Ecuador and funds a number of different business-related services.

The essential problem, however, is that the demographic and economic pressures that prompted emigration have not disappeared. The Ecuadorian economy has simply been unable to provide the employment opportunities necessary to encourage repatriation. Whether the Ecuadorian plan gains enough adherents to make an economic dent remains to be seen. The existence of a programme that makes the process easier and reduces its cost will quite possibly make the decision easier.

In both cases, the government is not focused on traditional citizenship. Instead, the government is interested above all in remaining connected to migrants and encouraging their continued participation in the national economy. Both countries allow for dual citizenship, but seek to provide incentives for people to invest more in their country of origin even if they may choose not to live there permanently. The essential elements of transnationalism therefore generate positive outcomes for the state.

Active Engagement

Another way of engaging with immigrants involves representatives of Latin American governments going to migrant communities in the United States to offer services and advice, and/or to encourage them to stay connected to their homeland. It is a proactive strategy intended to determine which types of services are desired and, from a symbolic standpoint, to demonstrate the sending country’s commitment to migrant issues. The most prominent means of doing so is to open consulates and expand their services.

This type of strategy has become common enough that countries are coming together to better utilize their resources. For example, in 2008 consulates in New York City from Mexico, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Peru, the Dominican Republic and Uruguay came together to create the “Coalition of Latin American Consulates in New York.” As the Consul General from Ecuador noted, “We are no longer just here to sign visas, but to help our communities integrate here while continuing their important role in the development of our countries” (Henry, 2008).

In 2002, Salvadoran President Francisco Flores stood next to President Bush, who said, “There’s no question there’s a lot of hardworking Salvadorans in the United States. And the first thing I want to assure the people of this good country is that we want to make sure they’re treated with respect. We want them to be – we recognize – I recognize that family values, something we talk a lot about in America, don’t stop at the Rio Bravo” (*Weekly Compilation*, 2002). During the 2004 Salvadoran presidential campaign, conservative candidate (and eventual president) Antonio Saca

and his opponents campaigned personally among the Salvadoran neighbourhoods around Washington, DC. Ideology does not matter: the party of leftist candidate (and also eventual winner) Mauricio Funes also maintained a strong presence amongst Salvadoran communities in the United States for the 2009 election.

The Mexican government went beyond political campaigning, announcing it would print maps so that would-be border crossers would know where to find water and help in the desert on the US side of the border (*The Los Angeles Times*, 2006). From a humanitarian perspective, it was intended to reduce the number of deaths in the desert, which had increased in the 1990s. This sparked an outcry in the United States, where it was widely viewed as official encouragement of illegal crossing. It was followed by threats that the maps would be used by mercenaries to track down immigrants, and so the Mexican government shelved the plan to print maps, although it has printed more general guides for Mexican migrants who attempt to cross the border. The government has reiterated that it remains “committed to ensuring that migration into the United States is legal, safe, orderly and respectful of human rights” (quoted in Storrs, 2006, 10). In many ways this effort was a logical extension of the “Grupo Beta” programme that the Mexican government has funded through its immigration agency since 1990, a programme whose job it is to protect northbound migrants at the US–Mexico border from being preyed upon by criminals on the Mexican side of the border.

Efforts to protect migrants in this manner should be viewed in the context of increased state acknowledgment of human smuggling. The growth of this illegal activity is another threat to state sovereignty. Ironically, however, in some cases the profitability (and thereby the popularity) of the endeavour is enhanced when the state makes a greater effort to crack down on smugglers (Kyle and Dale, 2001). Nonetheless, in recent years states across Latin America have focused more attention on combating smuggling and its associated violence.

The Mexican government also implemented the “Three for One” programme in 2002, based on a successful model in the state of Zacatecas. It generates matching funds for migrant remittances to be spent on social development projects. Overall investment has been relatively limited (less than \$20 million) so it remains primarily at the micro level (Fox, 2007, 327–328). At the same time, it is increasing the state’s presence and encouraging greater government–citizen interaction, since the projects must be approved and coordinated jointly. Similar programmes were launched in El Salvador, such as “Unity for Solidarity” in 1999 (which matches funds from Hometown Associations) and “United Hands for El Salvador” in 2003, in which the Salvadoran Banco de Agrícola matches remittances sent through the bank one for one (Orozco and Rouse, 2007).

Dominican Republic President Leonel Fernández (1996–present) grew up in New York City and maintains strong ties there. The Dominican presence in New York City has a long history, with a rapid increase in migration since the 1960s, a time when the long-ruling dictator Rafael Trujillo was assassinated (1961) and the United States invaded in the wake of the resulting political conflict (1965). Once dual citizenship became legal in 1996, Dominican politicians began routinely to travel to New York to pursue votes. Major political parties also have fund raisers, rallies, and public forums to advance their political messages. The Dominican Revolutionary Party (PRD) has gone so far as to build community-level committees, whose task is to coordinate the party’s outreach in the eastern United States (Levitt, 2007, 407). The party relies financially on contributions from Dominicans in the United States, and the government refers to them not as “migrants” but as “Dominicans living abroad,” similar to the way the United States describes its citizens who reside elsewhere.

Hometown associations (HTAs) also represent an important, though relatively understudied, link. They are organizations dedicated to the diaspora, linking migrants to their communities of origin. Estimates of active Mexican HTAs in the United States range from 600 to 3,000, and there are an estimated 268 from El Salvador (Somerville, Durana, and Terrazas, 2008, 2). They have grown exponentially since the passage of the Immigration Reform and Control Act and the resulting vvpolicy emphasis on enforcement and deportation. The Mexican government, through its Ministry of Social Development, provides matching funds for any donations (by way of remittances) made

to small or medium-sized development projects in the community of origin (Durana and Terrazas, 2008, 5). The Mexican case also highlights the importance of sub-national governments in perpetuating links with migrants. Mexican states have played a central role in implementing programmes for matching funds, and rely on transmigrant organizations to carry them out (Goldring, 2002).

From the perspective of migrants, HTAs constitute a source of social networking and advice about employment, immigrant rights, and other pressing issues. The mayor of Valparaíso, Mexico, once drove 26 hours to California so he could meet with Valparaíso's emigrants (Thompson, 2005). He brought with him a list of public work projects he hoped to initiate, asking immigrants to contribute. He then travelled to Illinois, where another group of former Valparaíso residents lived. The governor of Zacatecas did the same, saying "I consider Zacatecas as a binational state" (Thompson, 2005). Indeed, there may be more people from Zacatecas living in Los Angeles than there are people in the city of Zacatecas, the capital of the state. He began a programme whereby the city would match remittances sent home. In 2008 a group of Salvadoran mayors, city councillors, and town administrators arrived in Massachusetts (with side trips into New York and New Jersey), imploring emigrants to invest their money back in El Salvador (Sacchetti, 2008). This type of lobbying is very personal and face-to-face, with elected officials talking in person to their former constituents.

INFLUENCING UNITED STATES POLICY

As well as forging contacts with emigrants, Latin American political leaders are making their concerns more clear to the United States government. For decades, Latin American political leaders were largely passive, and did not articulate any coherent alternative to US immigration policies. Moreover, there was no coordination among and between Latin American countries despite the fact that many of them faced very similar circumstances.

Lobbying for migrant rights

Latin American presidents and diplomats have, however, held multiple discussions with their counterparts in the United States since the 1990s. In 1996 representatives from eleven countries (Belize, Canada, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama and the United States) came together for the first Regional Conference on Migration (RCM, also known as the Puebla Process, named for the Mexican city where the first meeting took place) to focus on critical issues and discuss possible solutions.

The RCM's stated goals are: "The protection and respect for the human rights of migrants, irrespective of their migration status; the promotion of orderly and secure migration; and the dialogue and cooperation among countries, with the active participation of civil society."⁵ Thus far, the organization's main accomplishment has been to establish some coordination between national agencies dedicated to immigration policy in each country, and to facilitate the sharing of information on the topic. It holds an annual meeting, and most recently it has focused on issues such as refugees and human trafficking.

These types of efforts have clearly intensified in the post 9/11 era. The wide range of security measures put in place in the wake of the September 11, 2001 attacks reverberated throughout Latin America. In the case of Mexico, for example, the two countries had organized cabinet-level working groups early in 2001 and President Bush visited Mexico in February of that year. President Fox then visited Washington, DC, and the two governments issued a joint statement on September 6, 2001. However, after 9/11 those talks stalled and the Bush administration did not announce any policy reform until three years later. Mexican Foreign Minister Jorge Castañeda resigned his post in 2003 in part because of his inability to convince the Bush administration to push for immigration reform (Storrs, 2006, 5).

The RCM has been accompanied by other strategies on the part of governments in the hemisphere to forge agreements on immigration. In 2006, diplomats from eleven Latin American countries came together to lobby against restrictionist immigration plans being debated that year in the US Congress (De Leon 2006). This group included a representative from Mexico, which sends more migrants to the US than any other country, and Colombia, which sends more migrants to the US than any other South American country.

Not surprisingly, the Mexican government has been most adamant about US restrictionist policies, especially with regard to the construction of a border wall. President Vicente Fox (2000–2006) was the first to make the issue a lobbying priority (Amaz, 2007). The victory of Fox's National Action Party (PAN) over the long-standing Institutional Revolutionary Party (the PRI, which held tight control from 1929 to 2000) marked the beginning of the heightened valuation of the Mexican migrant community, which in the past had been the object of criticism or had simply been ignored. By virtue of its national dominance, the PRI had no political incentive to engage immigrants or to press the United States very hard for reform. That was combined with the long-held view that emigrants' actions ran counter to the ideals of the Mexican revolution. By contrast, while running for president, Fox (whose grandfather had been in the United States) sent hundreds of thousands of dollars' worth of calling cards to Mexicans in the United States, encouraging them to call friends and relatives to convince them to vote for him (Smith, 2003, 330).

Fox turned the former Mexican policy on its head and, in fact, openly called US plans to build a border wall "stupid," "discriminatory" and "shameful" (Harman, 2006). Fox's successor, Felipe Calderón (also from the PAN, elected in 2006), has followed the same strategy of engagement with migrants and criticisms of the US policies toward them. Similar sentiments have come from other countries. In 2006, Guatemalan Vice President Eduardo Stein lamented that the US wanted trade but "treats our people as if they were a plague" (Tobar, 2006).

Direct lobbying

The highest profile and most direct manner of political activism is for Latin American presidents and foreign ministers to lobby US government officials in person. However, Latin American governments (indeed, like all governments) also hire high profile lobbying firms in Washington, DC. So, as Latin American and US presidents and cabinet members meet, professional lobbyists also ply their trade with members of the United States Congress, hoping to influence votes. Already by the early 1990s, Mexico had one of the most visible lobbyist presences in Washington, DC, with 71 registered with the Department of Justice by late 1991 (Dresser, 1993). Even Mexican states are involved. In 2007, for example, the government in the northern Mexican state of Sonora hired the Houston lobbying firm J&D International Consulting Services to contact US government officials with regard to border security (United States Department of Justice, 2007).

Given the current failure of the US Congress to implement immigration reform proposals, Latin American lobbying does not necessarily translate into policy success. Nonetheless, it sends a signal to expatriates that their home governments are at the very least taking steps on their behalf, which did not occur in the past. Nascent signs of regional (or at least sub-regional) coordination may also increase the chance that lobbying will become more effective.

CONCLUSION

There is no doubt that transnationalism is affecting the role of the state in Latin America. States have never been omnipotent, but in recent decades they have been subject to a host of pressures centring on the free movement of people, goods, and capital. However, contrary to most scholarly accounts, the changes taking place are not automatically always making the state weaker. Instead, states are working

to make transnationalism and transnational citizenship mutually beneficial to migrants and the state. States have lost control over some issues, most notably the movement of people and capital, but they are actively seeking to gain politically and economically by making more connections with emigrants.

State strategies employed in recent years facilitate the funnelling of capital back into the sending country, and in some cases also encourages the return (either permanently or in a circulatory manner) of skilled migrants. Further, the development of lobbying practices sends positive signals to migrants, and perhaps also points to greater policy success in future years – domestically as well as internationally.

Moreover, in policy terms, the expanded role of the Latin American state means that immigration policy in the United States – already fraught with political conflict – is unlikely to succeed unless Latin American policies are taken into consideration. Latin American governments are already communicating with their emigrant communities to a significant degree and thereby affecting their migration decisions. Failure to take those decision-making influences into consideration will almost certainly ensure the failure of future attempts at immigration reform.

NOTES

1. The main purpose of IRCA was to allow undocumented immigrants to achieve legal status and eventually become citizens, while increasing enforcement to block future immigrants from entering the United States illegally.
2. United States Department of State Web site, http://travel.state.gov/travel/cis_pa_tw/cis/cis_1753.html
3. See the “Americas” section of the IOM web site: <http://www.iom.int/jahia/Jahia/pid/250>
4. See also the Ecuadorian government’s migration Web site: <http://migranteecuadoriano.gov.ec>
5. See the RCM Web site, <http://www.rcmvs.org>

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