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This article presents reflections about the multiple cross-border political consequences of U.S. immigration policies in the Western hemisphere. Questions about the immediate "effectiveness" of these policies in excluding immigrants have monopolized the arena of public debate in the U.S. about immigration, while the longer-range regional political effects have been virtually ignored; the latter will be my focus here. These reflections are based on the particular case of U.S. policies toward Salvadoran and Guatemalan immigrants and refugees of the 1980s and 1990s (estimated respectively at 1.2-1.5 million and 0.8-1 million). I shall examine the effects of U.S. immigration policies and foreign policies affecting immigration not only for the migrants themselves, but also for their home countries as well as their "host" and "intermediate" countries (the U.S. and Mexico). Despite its particularities and complexities (e.g., involving various combinations of refugees and labor migrants), the case of these Central Americans suggests some general trends and broader concepts of relevance to hemispheric relations in the 1990s.

From this perspective, I shall offer a critique of existing policies and a vision of an alternative, based on the following arguments: Current U.S. policies deal with Latin American immigrants as if they constituted a major threat to U.S. "national security." This strictly (and narrowly) "U.S. interest"-driven approach retains some aspects of Cold War thinking even in this post-Cold War era, and has multiple negative (anti-democratic and destabilizing) repercussions throughout the region, as well as for the immigrants themselves. An alternative policy framework, based on very different conceptions of citizenship and democracy, incorporating social considerations, would seek to enhance integral development throughout the region and to build upon the transnational practices and networks among these immigrants "from the bottom up." In addition to being more humane, such a policy would also be much
wiser for the U.S. over the medium and long range, and much more appropriate for this era of hemispheric integration. After characterizing these two approaches, I shall suggest their differential consequences in the case of Central Americans in a trinational region.

These observations grow out of in-progress research focusing on the great wave of Salvadoran and Guatemalan immigrants and refugees who have come to the U.S. (over half to California), most of them via Mexico, during the 1980s and 1990s. This article will discuss the conditions affecting them in all of the various sites of their migration circuits (home country, Mexico, U.S.) – and the less visible but equally important long-range political effects of U.S. policies for their home countries. Although my focus is on U.S. immigration and foreign policy, I will secondarily touch upon Mexican policy, because the endlessly complex and contradictory "Mexico factor" appears as an intervening element in many aspects of this situation. Mexico is the intermediate space through which most Salvadoran and Guatemalan immigrants and refugees have passed to the U.S. (hence the relevance of changing Mexican policies toward them); at the same time, the Mexican government has also been a key player in the diplomacy of war and peace, and now in the economic development, of the Central American region.

The Need For a Regional Perspective

Underlying these observations is a broadly structural view, as developed in more detail elsewhere (Jonas 1996), that the trinational region consisting of the U.S., Mexico, and Central America is becoming increasingly integrated. This process of integration is driven largely by cross-border flows of capital and goods that are being promoted by state policies and inter-state agreements (e.g. NAFTA and its projected extension to Central America). Coming on the heels of the devastating economic crises of the 1980s in Central America and Mexico, the economic integration of the 1990s has stimulated new cross-border flows of people—both because
integration on a neoliberal basis leaves many families and communities without adequate economic prospects in their home countries, and more importantly, because even at a time of economic recession and restructuring, the demand for low-waged immigrant labor in the U.S. remains high. As Portes (1996) describes these dynamics, immigration is "not an optional process but one driven by the structural requirements of advanced capitalist accumulation."

In this particular case, the linkages are also political: both the U.S. and Mexico have a particular history with El Salvador and Guatemala, growing out of their respective (quite different) roles in the 1980s civil wars in those countries which generated thousands of refugees. The active involvement of the U.S. government in support of the counterinsurgency armies in those wars was a significant (if inadvertent) factor contributing to the exodus from those countries— as has been the case with other U.S. Cold War involvements in the Third World. Mexico, meanwhile, became a mediating player, both diplomatically (in regard to ending the wars) and in receiving Central Americans fleeing war and economic crisis. Finally, as will be seen, the bilateral (and in some cases trilateral) social, economic and cultural networks between these immigrants in the U.S. and Mexico and their home communities or countries constitute another dimension of integration in the region.

To address these realities, this chapter is based on an interdisciplinary conceptual framework that is regional in scope, and political as well as structural in emphasis. As a consequence of growing integration at various levels, events in one country have ever-greater repercussions in other parts of the region. A regional or cross-border perspective on immigration policies, I suggest, will prove much more useful than strictly national perspectives for understanding why U.S. (and Mexican) immigration policies have major effects not only for the Central American immigrants in those countries, but also on the prospects for democracy and for stable, viable development in Central America—and less directly, in Mexico and even in the U.S. itself. This kind of perspective can also illuminate why many of the policies which are expediently presented as "rational" in the immigration debate within the U.S. can be seen as
seriously problematic and unwise if we take into account their long-range consequences throughout the region.

To elaborate on what constitutes a regional approach in this particular case: the prolonged civil wars in El Salvador and Guatemala combined with and intensified the 1980s economic crises to generate a sizeable wave of immigrants/refugees to Mexico and the U.S. Today the end (or, in the Guatemalan case, the winding down) of those wars, and the progress (or deterioration) of the peace processes in the home countries is one important factor, among others, affecting the decisions of Salvadorans and Guatemalans in the U.S. to remain or return home.\(^1\) To put it another way, the issue of war and stable peace in the home countries continues to appear as a factor shaping decisions about cross-border migrations and movements in both directions. At the same time, I suggest, the policies adopted toward those refugees and immigrants already in the U.S. and Mexico will have significant effects upon the prospects for peace and stable development in the home countries. In this sense, our research, like their migrations, reaches across the borders between Central America, Mexico and the U.S., and aims to reflect the interactive realities throughout the region.

A regional perspective, then, includes a close linkage between U.S. immigration policy and U.S. foreign policy.\(^2\) However, there are radically different kinds of regional perspectives. I shall distinguish between perspectives that take U.S. "national security" as their starting-point and alternative policies that could be based on a very different conception of citizenship and democracy, and informed by a concern for integral socio-economic development in the region.

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\(^1\) This is the starting-point for one of the research projects on which this chapter draws: a collaborative study and survey of Salvadoran and Guatemalan communities in Los Angeles and San Francisco; a second phase will focus on binational families in the home countries as well as in California. My other project also includes the experiences of Guatemalan transmigrants through Mexico, building on empirical studies especially by Manuel Angel Castillo and Rodolfo Casillas (see References).

\(^2\) For an excellent discussion of the theoretical, methodological and substantive implications of the interplay between immigration policy and foreign policy affecting immigration, see Mitchell (1989).
After broadly characterizing these two alternative approaches, I shall suggest what the consequences are of each for the Central American case.

U.S. "National Security" As a Basis For Immigration Policy

At the broadest level, national security-based policies start from a strictly interest-driven conception of "policy." Hence, they define immigration policies only in relation to the various domestic and foreign policy interests of the U.S. and treat immigration as a function of U.S. "national security," however it is being defined at the moment. Since the end of World War II, such policies have been rooted in the entire complex of foreign and domestic policies adopted by bipartisan policy-makers to fight the Cold War; as will be seen, elements of this approach have persisted in the post-Cold War era, although with new content. Weiner (1995:131 ff.) characterizes a "security/stability" approach as revolving around "governments" concerns to protect their territory and population against threats to the stability of the regime, to social well-being, or to the important societal values of the country. This kind of approach gives significant emphasis to state decision-making; in practice, as Bach (1992:268) points out, it is characterized by an "overall strategic use of migration policies," i.e. their subordination to geopolitical or domestic concerns of the receiving country.

Throughout the Cold War era, U.S. immigration policies were subordinated in large measure to geopolitical (anti-Communist) foreign policy priorities—although also influenced by independent domestic concerns.3 In the Western hemisphere, during the Alliance for Progress years following the Cuban Revolution, migration was used "as an essential tool in the defense of the inter-American system" as defined by the U.S. (Bach 1992:267). The most obvious example

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3 The "revolving door" syndrome with regard to Mexicans in particular has always had its own specific dynamic, more responsive to domestic-based economic cycles.
of "national security" as the basis for immigration policy has been the foreign policy-based refugee policy as opposed to equal application of human rights standards (cf. Zolberg et al. 1989, Zolberg 1995)—hence the enticement of Cuban exiles as contrasted with the exclusion of Haitians and others. Increasingly after the mid-late 1970s, Latin American immigration itself came to be more explicitly defined as a "national security problem"—as geopolitics coincided with economic crises and restructuring in Latin America—the latter stimulating new waves of labor migration during the 1980s and 1990s.

Central Americans became the focus of attention with a particularly geopolitical twist during the "New Cold War" of the 1980s (i.e., the Reagan administration’s response to the Sandinista victory in Nicaragua and the eruption of the civil wars in El Salvador and Guatemala). Ironically, U.S. involvement, through support for counterinsurgent armies, governments in El Salvador and Guatemala, contributed indirectly to the massive exodus of refugees from those countries. Yet that same policy led to systematic denial of asylum petitions for Salvadoran and Guatemalan refugees on the grounds that they were anti-government "subversives" (in the clinical language, "opponents of friendly regimes")—in stark contrast to a more mixed reception for refugees from the "Communist" regime of Sandinista Nicaragua. The subordination of refugee policy to U.S. foreign policy—in open violation of both international law (the U.N. Refugee Convention) and the U.S. 1980 Refugee Act accepting international standards—was so systematic that it was eventually found to be illegal: the 1990 settlement of the ABC class action lawsuit (American Baptist Church v. Thornburgh) forced the INS to re-hear.

4 As early as 1977, CIA Director William Colby stated that the flow of migrants across the U.S./Mexico border constituted a greater security threat to the U.S. than the Soviet Union.

5 During the late 1980s, Nicaraguan asylum seekers enjoyed a 26% approval rate, as compared with 2.6% of Salvadorans and 1.8% of Guatemalans. The Reagan State Department openly stated (Bulletin, 1983) that it was only the "expansion of communism to El Salvador and Guatemala" that would generate bona-fide refugees, and Reagan himself evoked the spectre of a "tidal wave...of feet people" from the region. Reagan adviser and U.N. ambassador Jeane Kirkpatrick maintained that the Central American refugee problem would be resolved simply by overthrowing the Sandinistas and defeating the insurgents in El Salvador and Guatemala.
the cases of several hundred thousand Guatemalans and Salvadorans who had suffered "wrongful discrimination."

The current version of the national security approach since the late 1980s has re-shuffled the equation somewhat (in response to both the winding down of the Cold War and the persistence of economic crises in the hemisphere), but maintains the essential link of treating Latin American immigrants and refugees as if they constituted a threat. The redefinition of U.S. national security doctrine, as laid out in various 1994-95 documents (see also Teitelbaum & Weiner 1995), actually includes the flow of immigrants/refugees as a top priority concern, along with drug trafficking and terrorism. According to one highly informed observer, the current approach to immigration closely parallels the "drug wars" and "anti-terrorist" wars of the late 1980s and early 1990s: as in the earlier cases, anti-immigrant policy begins as discourse or rhetoric (catering to domestic political constituencies), but subsequently is written into policy legislation. Meanwhile, the militarization of immigration policy moves from metaphor to "self-fulfilling mandate." 6

In fact, the 1990s redefinition of "national security" is even more exclusionary toward migrants, as it incorporates domestic political concerns and perceived threats—in Keely’s (1995:223) terms, "soft security issues," which also include "culture, social stability, environmental degradation, and population growth." In the conception of another analyst (Zimmerman 1995:90-1), security means freedom not only from danger but also "from fear or

6 Aside from Pentagon involvement in implementing anti-immigration policy—current proposals vary from direct to "supporting" involvement (NYT 9/10/95 and 1/13/96)—the State Department has set up an Office of Drugs, Terrorism and Immigration. In a press conference of April 13, 1995, Deputy Attorney General Jamie Gorelick referred to INS "contingency planning" for example, a "mass immigration emergency plan" was used during the summer 1994 Haitian and Cuban crises and is now being "updated" to include land-based immigration from Mexico and Central America.

Even more moderate policymakers and advisers are shifting toward restrictionist policies. The 1994 American Assembly report, for example, argued that, in view of public perceptions of a immigration as a "threat to domestic well-being," "it is in the domestic and foreign policy interest of the U.S. to demonstrate tangible evidence of a reduction in current and prospective illegal immigration;" meanwhile, legal immigration and temporary (refugee) admissions should be viewed primarily in the context of U.S. economic competitiveness. On this last point, it should be noted that during the 1993 debate over NAFTA, both sides resorted to immigration-baiting arguments.
anxiety" (on the part of U.S. citizens), and hence is threatened by perceived "economic and/or cultural damage." This much broader definition of security expands the reasons to exclude immigrants and refugees.

All of this, of course, corresponds to real economic changes affecting the U.S.: in an era of economic recession and restructuring, many in the U.S. have valid concerns about job loss, declining wages and service cutbacks. These changes are aggravated by economic integration in the neoliberal NAFTA mode, which exports many jobs to take advantage of cheap labor in Mexico. Additionally, there has been a real increase in Latin American immigration to the U.S. It is indeed a contradictory panorama. However, in the public debate, facts about the root causes of the problems facing U.S. workers, most of which are independent of immigration, have been obscured or overshadowed by xenophobic fears, particularly toward Mexican migrants. These fears have given rise to a widespread notion that undocumented immigrants are "illegal" by definition and therefore have no rights—even when they have been actively recruited by employers in the U.S.—hence the contradictory situation that immigrant-bashing coincides with proposals for a new Bracero Program. Going far beyond the issue of undocumented immigrants, current Congressional bills propose drastic reductions in legal migration, while denying public services to all immigrants (legal as well as undocumented).

Meanwhile, refugee/asylum legislation, which affects Central Americans among others, faces massive restrictive "reforms" in Congress (narrowing the definition of "persecution," expediting exclusion, etc.).

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7 To cite two examples of restrictive applications of asylum law: First, the distinction between economic and political immigrants is being construed rigidly; hence, for example, it excludes as "economic immigrants" refugees from a factory that shut down in the home country in response to union organizing efforts by workers—clearly a mixed situation. Second, as Tom Farer (1995:266-7) points out, under narrowing interpretations of refugee legislation, persecution must be proven on an individual basis, hence excluding members of groups suffering systematic persecution: "Any Jew from Nazi Germany might have qualified as a refugee, but not any Mayan peasant in Guatemala today, even though violations of Mayan human rights are grave, persistent and pervasive. Still, it has been the view of the U.S... that in cases like Guatemala, only certain activists may develop a well-founded fear of persecution. Construing the definition to embrace primarily those who, by their acts or associations, stand out from the general population and even from some minority regarded with suspicion or revulsion by the authorities implies a highly individualized assessment of asylum claims..."
The other component of current U.S. immigration policy that directly affects Central Americans has been growing pressure on Mexico since the late 1980s to collaborate in keeping Central Americans out of the U.S. Specifically, the INS has been working with Mexican migration agents (particularly on Mexico's southern border) to turn back Central Americans before they can ever come through Mexico to cross into the U.S., where some of them could exercise the right to seek asylum.\(^8\) The Mexican government denies this collaboration, but it is documented in the U.S., with Congress openly allocating funds to reimburse Mexico for the expenses of interdiction and deportation (see Frelick 1991, more recent U.S. Congressional documents). In any case, Mexican deportations, mainly of Central Americans, have increased one hundredfold, from 1,308 in 1987 to 120-130,000 a year since 1990 (Casillas 1995). A recent study (Gzech 1995) concludes that Mexico cannot currently be considered a "safe third country" as a basis for denying asylum to Central Americans in the U.S. This is not to suggest that Mexico's role can be reduced to a simple extension of U.S. policy; in fact, it is highly complex and contradictory (see below and, for more detail, Jonas 1996).

An Alternative: "Citizenship" Redefined And Regional Welfare

The alternative regional approach that I shall propose here also looks at events affecting immigrants in all the different sites of the trinational region, and also makes the connection between U.S. foreign policies and immigration policies. However, it lays the basis for for a very different set of policies than those stemming from the national security approach; it is based on radically different conceptual/epistemological foundations and principles in regard to state and society, as well as practical policy priorities. As will be developed below, it differs from

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\(^8\) This is the functional equivalent of turning back Haitians on the high seas, but more difficult to criticize because it does not explicitly violate international law.
state-defined national security doctrines by incorporating the notion of people's rights; theoretically, it involves a reconceptualization of democracy to address new transnational realities and accountability of states to civil society, both within and across borders.

On the dimension of immigration-related foreign policy (which is intertwined with but distinct from immigration policy), this approach includes considerations of social welfare—meaning that social equity should be considered as part of any equation for integral socio-economic development. More generally, this approach is founded on a comprehensive notion of "policy," which goes beyond state-defined "interests" to include taking responsibility for the effects on individuals and communities impacted by those state policies. To put it another way, a social policy approach includes effects for the quality of people's lives—a concept more generally accepted in Europe than in the U.S. Beyond that, "regional welfare" implies policies that maximize well-being or the "common good" across borders; in an age of hemispheric integration, this is especially relevant to a discussion of immigration policies.

Before proceeding, I should explain why I have chosen to lay out an alternative that differs so radically from existing policies, rather than only proposing more incremental reforms (which are equally necessary). To begin with, the actual situation within the hemisphere (economic crisis, restructuring and integration on a neoliberal basis) is radically transforming the prospects for millions of workers in the U.S.; new initiatives by capital require a rethinking of old categories and premises. To put it another way, the real ability of the state to control cross-border movements of people has already been relativized by the lifting off of restrictions on cross-border capital flows. Secondly, the debate has already been radicalized by restrictionist "immigration reform" advocates, as demonstrated by current proposals within the U.S. Congress. Under these conditions, more immediate pro-immigrant struggles (e.g., naturalization campaigns, defense of legal immigrants' rights) remain essential but insufficient. It also makes sense to address the issues facing undocumented immigrants as well as permanent legal residents (hence the discussion of "citizenship") because, in the current political
climate, attacks on the former are having a "spill-over" effect on the latter including Chicano and Latino citizens.

To elaborate more specifically, I suggest the following concepts as the basis for alternative immigration and immigration-related foreign policies:

a) At the most basic level, the alternative starting-point presented here is a conception of citizenship that is not strictly defined or limited by the legal status assigned by nation-states. ("Citizenship" is the point of reference because we are dealing with people who live in more than one nation and, for the purposes of our discussion of U.S. policy, because so many of those affected are legally non-citizens or undocumented.) Rather than granting the absolute rights of states in determining and delimiting citizenship, it starts from a concept of citizenship that also includes the rights and entitlements that accrue to all human beings (Dagnino 1993). As laid out by Richard Falk (1993:39), a pioneer in writing about the emergence of global civil society:

"Citizenship in general expresses membership and the quality of participation in a political community. Its conditions can be specified by law, but its reality is a matter of politics and the rigors of experience. Thus, citizenship can be understood both formally as a status and, more adequately, existentially as a shifting set of attitudes, relationships, and expectations with no necessary territorial delimitation."

From this perspective, undocumented immigrants are not simply non-citizens, with no rights, but socially, de facto citizens of more than one state. Definition of immigrant and refugee rights has only begun to be addressed in some U.N. documents (e.g., the Universal Declaration of Human Rights and the Refugee Convention and Protocol) and at the regional level in the 1984 Declaration of Cartagena; but many of these foundations are vague, non-
binding, and/or unrealized in practice—i.e., without even the expectation of enforcement beyond what sovereign states are willing to concede. As of 1996, moreover, existing refugee protections are actually being weakened rather than strengthened around the world. Beyond refugees, there are entire areas of legal protection for immigrants that have not yet been formally defined internationally—precisely at the time when international and regional protective agreements would be increasingly important, given the great upsurge in immigration around the world and within the Americas.

Beyond international law, actual experience suggests the increasing centrality of immigrants in the Americas (see Massey 1995). In a sense immigrants stand to become the universal transnational citizens of the 21st century—not only because of their growing numbers and their necessary labor, but also because their lives have already been transnationalized and they are already acting simultaneously in more than one site of the region. As Basch et.al. (1994:15) put it, "by living their lives straddling several nation-states, they are affected by, pose special challenges to, and contribute to hegemonic processes in several separate states." Bonilla (1994:6) makes a similar point:

"The increasing need for millions around the globe to anchor their existence in more than one social formation for generations at a time is transforming the very idea of citizenship, human rights, and the role of cultural expressions and identities in sustaining sociability... What we are now stretching for, more urgently than ever, are new standards of international responsibility and solidarity."

Moreover, from a political stance, precisely because the present world order makes migrants the most vulnerable to human rights and civil rights violations, provisions for their rights and protection are central to struggles for full democratization. The "democratic promise"
that has inspired revolutions since the 18th century cannot be fully realized unless it is inclusionary in the broadest sense—in stark contrast with the exclusionary politics that prevail today. The struggles of immigrants and refugees will have to be at the heart of civil rights and other progressive movements within the core countries, as those movements demand "universal fulfilment of the old liberal [democratic] ideology," as Wallerstein (1992) put it.9

b) A principle following from the above is to challenge the absolute primacy of nation-states vis-à-vis immigrants, by suggesting the accountability of states across borders—not simply, as is currently the case, in relation to transnational capital (markets), but also in relation to civil societies, including transnational citizens who move across borders. In practice, states have already conceded that their sovereignty has been considerably relativized in regard to capital and commodity flows, but they have resisted acknowledging new realities in regard to cross-border movements of people. Accountability across borders and at borders will require further elaboration in international law—e.g., to include human rights standards for the treatment of immigrants at those borders and within transit countries (in our case, Mexico). In short, to the extent that states will always insist on their right to regulate entry at their borders, they should also be held accountable to regulations about their treatment of people crossing those borders.

But in order to push for these legal codifications, we must begin to incorporate cross-border accountability into our discussions of democracy itself. More broadly, at the theoretical level, this suggests the need for a 21st century cross-border reconceptualization of democracy,

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9In Wallerstein's (1992) eloquent formulation, a "multi-front strategy" of anti-systemic movements "will have one tactical weapon at its disposal which may be overwhelming for the defenders of the status quo. It is the weapon of taking the old liberal ideology literally and demanding its universal fulfilment. For example, is not the appropriate tactic faced with the situation of mass unauthorised migration from South to North to demand the principle of the unlimited free market—open frontiers for all who wish to come? Faced with such a demand, liberal ideologues can only shed their cant about human rights and acknowledge that they do not mean freedom of emigration since they do not mean freedom of immigration. Similarly, one can push on every front for the increased democratisation of decision-making .... What I am talking about here is the tactic of overloading the system by taking its pretensions and its claims more seriously than the dominant forces wish them to be taken."
which includes but also goes far beyond the nation-bound, strictly electoral/institutional conceptions of "formal democracy"; indeed, by themselves, the latter today, in practice, often become justifications for exclusionary politics. (Is it not the ultimate irony, for example, that the electoral system is being used/manipulated in the U.S. to propose revoking 14th Amendment guarantees for the U.S.-born children of undocumented immigrants, hitherto legal citizens?) In addition to cross-border accountability, a 21st century reformulation would include the participatory dimension of democracy, opening up space for autonomous cross-border transnational activism at the grassroots level, as well as direct participation by immigrant and refugee communities in discussions of immigration policy.

c) Immigration policies of nation-states can and should build upon the transnational practices already being developed by networks between immigrants and their home communities or countries "from the ground up." As will be illustrated below in the Central American case, such linkages have stabilizing effects, and recognizing their positive contribution would be more practical as well as more humane than restrictionist anti-immigrant policies.

d) With regard to foreign (economic) policy, regional as well as international agreements concerning free trade, must deal with the issue of labor mobility (free movement of people as well as capital) and more specifically, the rights of workers who move across borders. Carlos Fuentes (1993) has suggested the need for an international Charter or Bill of Rights, even an Ombudsman, for workers who move across borders. Even from a strictly practical longer-range perspective, given that we are dealing with a region currently plagued by multiple social crises, state policies should recognize and reflect the fact that migration frequently serves as a safety valve or stabilizing factor in addressing those crises. Certainly, that approach is more realistic than policies which attempt (with only relative success) to restrict immigration, and which meanwhile penalize individual migrants for crossing borders.
e) International and regional free trade agreements should also be designed to maximize social well-being throughout the region. Current neoliberal policies (as expressed in NAFTA and in U.S. relations with Latin America generally) proclaim that the internationalization of capital will automatically "democratize" these regions. On the contrary, free trade agreements can only be compatible with a more integral notion of democracy (including its social dimension) if they set limits on the degree of exploitation of Latin American and other Third World workers within the U.S as well as in their home countries. Hence, in contrast with neoliberal approaches (such as that enshrined in NAFTA) or those that are "developmentalist" in the 1960s, Alliance for Progress sense, a hemispheric social policy would adopt an explicitly progressive orientation, i.e. upward harmonization of wage, environmental, and political standards, rather than downward harmonization. It would also include human rights standards, as reflected in the American Convention on Human Rights (which the U.S., unlike most governments in the hemisphere, has not signed).

A further element of a coherent regional policy would be to prioritize the resolution of social problems at their roots in the home countries, (e.g., maximizing job creation). Very immediately, this means a policy that takes responsibility for the conditions in which and to which some immigrants return to their home country—e.g., assistance specifically directed toward reincorporation and employment for those who do return. In the medium or long run, I shall argue, a comprehensive regional social policy is more likely than existing policies to rationalize immigrant flows.

The above principles are visionary but they also represent practical adaptations to a changing world. In addition to being grounded in a more objective understanding of current social crises within the U.S. (i.e., immigrants as victims more than cause of those crises), I suggest, they will go much farther than current U.S. policies toward addressing hemispheric realities for the 21st century.
The Central American Case: Anti-Democratic And Destabilizing Effects of National Security-Based Immigration Policies

Returning now to our case study: As seen above, the trinational region of the U.S./Mexico/Central America is in the process of being increasingly integrated, but what kind of region will it be politically? I suggest that, to the extent that immigration policies of the United States and Mexico are directed against Central Americans (i.e., increased deportations, drastic "reforms" (tightening) of refugee laws, and "keeping out" new migrants at the U.S.-Mexico and the Mexico-Guatemala borders—or, more realistically, forcing them to enter under conditions of increasing vulnerability and with virtually no rights), they are likely to have very negative consequences. Beyond the dehumanizing effects for the individual migrants\textsuperscript{10}, treating them as if they constituted a "national security threat" for the U.S., and pressuring Mexico to adopt similar policies and perspectives, promotes exclusionary politics in various forms throughout the region. Furthermore, anti-immigrant policies are likely to have destabilizing consequences, counterproductive to lasting peace and development in the home countries, which is a stated U.S. goal—if for no other reason, at least to prevent future mass migrations from those countries. (Independently of U.S. policies, migrant flows can be expected to continue at more modest levels in any case -- see note 11).

In El Salvador, the U.S. invested $6 billion over 12 years to defeat the FMLN insurgency. During the course of 1990 and 1991, Washington was finally forced to support a genuine peace process, which in fact constituted the best hope for El Salvador's future. Today, however, there

\textsuperscript{10} A dramatic (but not atypical) example was reported in the Guatemalan newspapers in a July 14, 1995 story (Agence France Press) about the interception, in Chihuahua, Mexico, near the U.S. border, of two U.S.-bound container trucks, hermetically sealed, transporting 353 undocumented Central Americans. The victims (including 38 children and 94 women) were found heaped on top of each other, suffering from diarrhea, dehydration, and not having eaten in two days. The trucks had been stopped only by chance, because they were speeding and lacked license plates.
are disturbing signs that some of the new policies toward Salvadorans living in the U.S. could undermine what was finally achieved and sow the seeds of new problems in El Salvador. A visible example is deportation from Los Angeles and other U.S. cities of Salvadoran gang members ("Los Salvatruchos") who ended up in jail: this has contributed to an extremely dangerous situation in post-war El Salvador—not only because of the re-formation of the gangs there and the spread of common crime, but also because it has become an excuse for the re-formation of countervailing armed vigilante groups such as the "Sombra Negra" (reborn death squads). The number of deportees in this case is not large, but under these conditions, even a small number has had a very destabilizing effect, creating new foci of conflict in a situation already plagued by other forms of social discontent. Of course, U.S. immigration policies are only one element in that situation (others are non-fulfillment or even sabotage of the Peace Accords, neoliberal economic policies discontent and declining resources for social programs, and so on.) In short, El Salvador, which seemed to have real prospects as a success story in peacemaking and reconciliation, today has degenerated into a very volatile and uncertain peace, and U.S. immigration policies are increasing that uncertainty.

Another element in the Salvadoran situation stems from the legal limbo in which hundreds of thousands of Salvadoran asylum seekers of the 1980s now find themselves in the U.S. It seems unlikely that they will be massively deported, given the huge backlog of Salvadorans who were granted Temporary Protected Status (TPS) in the early 1990s or who are awaiting a re-hearing of their case because of the ABC lawsuit. However, to the extent that the U.S. attempts to send back as many Salvadorans as possible, with the end of TPS in 1995, and to the extent that asylum laws will deny protection to new applicants, the result will be very negative for El Salvador and counterproductive to long-range U.S. goals of "stabilizing" the situation there.

For one thing, even a steady stream of returnees (which is more likely than a massive deluge) would create difficulties for an already overburdened labor market. At a more macro-
economic level, remittances from Salvadorans working in the U.S. have become the pillar of the Salvadoran economy (at least $1 billion a year, far higher than export earnings); at both the community and national levels, these remittances are a safety valve for the economy. Reducing or cutting off these remittances by targeting Salvadoran immigrants in the U.S. is likely to have devastating effects; certainly it will not contribute to the consolidation of conditions for people to realize their raised expectations in El Salvador, rationalize the flow of new migrants, or permit Salvadorans in the U.S. to return voluntarily, with the expectation of decent work opportunities and stability at home.\(^{11}\)

In contrast to El Salvador, Guatemala is still struggling toward a Peace Accord to end its 35-year civil war—the longest and bloodiest in Latin America. Yet in 1994, U.S. Attorney General Reno denied the petition to grant TPS status to Guatemalan refugees on the grounds that "conditions do not warrant" granting such status. One must question whether such a judgment was politically motivated (in part by a desire to defend the image of the current Guatemalan government—as in the 1980s); meanwhile, "on the ground," Guatemala's low-intensity civil war is not over, its army is far more brutal, powerful and entrenched than virtually any other in Latin America, human rights violations continue to increase significantly, and the battle to end repression will continue well into the post-war era. Hence, it is not surprising that the stream of Guatemalan refugees continues: from 1992 to 1994, the number of Guatemalan asylum applications has been by far the highest for any country in the world (now 23% of the total, 42% in 1992).\(^{12}\) In this case, the most rational approach for U.S. policy would be temporary protection for political refugees (post-1990 arrivals have no ABC protection), combined with

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\(^{11}\) Doubtless, as Mahler (1995) and others suggest, the culture of migration built up over recent years is an independent factor which will contribute to continuing migration, regardless of U.S. immigration policies.

\(^{12}\) In 1992, when 44,000 applications were received, only 63 were granted. As of 9/30/94, Guatemalans constituted 30% of all asylum cases pending. Looking at it from a different viewpoint, Deputy Attorney General Jamie Gorelick stated in an April 13, 1995 press conference that in 1994 "the largest land-based mass immigration that we experienced was from Guatemala," not Mexico.
support for a peace accord that genuinely and fully demilitarizes the country, rather than a national security approach that punishes the victims of continuing militarization.

Beyond Central America, U.S. (and Mexican) state policies, directed against Salvadoran and Guatemalan immigrants and refugees, have broader negative effects in this trinational region, affecting the quality of political life in Mexico and the U.S. themselves, each in different ways. In regard to Mexico, the negative impact of exclusionary U.S. policies toward Mexican immigrant labor is clear. Beyond subjecting Mexican migrants to virulent xenophobic attacks, there are practical effects: to cite only the most obvious example, the attempt to cut off Mexican immigration in the midst of the most serious socio-economic crisis in Mexican history, closing off one of the few safety valves for the economy, could have disastrous consequences.

But in addition—a point which is far less obvious—U.S. pressures on Mexico to prevent Central Americans from reaching the U.S., and exclusionary Mexican policies or practices toward Central Americans (e.g., depriving them of rights in Mexico, militarization of the southern border, vastly increased deportations) have negative repercussions for Mexico. Some by-products of restrictionist policies are directly visible, such as the proliferation of "coyotes" and "immigration mafias" operating illegally in Mexico. But more broadly, as Mexican analysts (e.g., Casillas 1995) have argued, to the extent that the Mexican government adopts the U.S. national security perspective toward Central American immigrants, Mexico loses degrees of relative autonomy (vis-a-vis the U.S.). At a time of growing crises at home, in Chiapas and nationally, Mexico could be undermining some of its own political/diplomatic and economic goals in future relations with Central America. In addition, especially coming from a country that has historically provided refuge to persecuted Latin Americans, Mexico loses moral authority in its battles with the U.S. over treatment of undocumented Mexicans, which is a legitimate issue of "national security" for Mexico (i.e., security of Mexican citizens).13

13 The complexities of Mexico's role stem not only from having a different conception of "national security" than the U.S., but also from Mexico's historic role as a mediator between the U.S. and Central America and as a host to Central American refugees. Mexico today is caught in a dilemma between its
And in the U.S. itself, I suggest, anti-immigrant policies will have indirect negative effects for American society. Militarization of the border with Mexico and restrictive changes in refugee laws—which are in themselves harmful to the U.S.’ historical self-conception as an "open society"—are rapidly being overtaken by extremist proposals to eliminate the basic guarantees in the 14th Amendment of the Constitution, so as to deny citizenship to U.S.-born children born of undocumented parents. Furthermore, we are witnessing the creation of a two-tiered system of citizens/non-citizens and voters/non-voters—a kind of "electoral apartheid" which denies Latino immigrants any form of political participation.\(^{14}\) Finally, we are seeing a "spread effect," from policies designed to exclude undocumented immigrants to campaigns denying services to and targeting legalized Latino immigrants as well; if unchecked, this dynamic could end up affecting Latino citizens (as during the mass deportations of Mexican-American citizens during the 1930s). In the interim, it seems very likely to roll back anti-discrimination and other protective legislation. Anti-Latino hate crimes are on the rise. The result of immigration policies and practices which treat a significant sector of the population as having no rights—as was actually stated by the authors of Proposition 187 in California, and is quickly being applied in practice even to permanent legal residents—could be a "de-democratizing" trend within the U.S. itself, to borrow a phrase from Castañeda (1993).

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\(^{14}\) In the November 1994 election, according to the Field Institute analysis of January 1995, although Latinos were 24% of the adult population in California, they constituted 15% of citizen-eligible voters and a bare 9% of actual voters. Latinos were the only ethnic group to vote against the anti-immigrant initiative, Proposition 187 (overwhelmingly so—73% against.) Obviously, the gap would be greatly lessened if all those eligible to vote did so, and if all those eligible to become naturalized did so—as will increasingly be the case in the future. (See note 16)
Toward A Rational Regional Policy: The Central American Case

In contrast to the above, let us now try to visualize what could be the positive consequences of an alternative policy, rooted in the principles suggested above and building on transnational practices of the immigrants themselves in the particular trinational region that has been the focus of this paper. Beyond being more humane, I suggest, they are also more appropriate to 21st century hemispheric realities.\textsuperscript{15} In the face of the attack on immigrants from their countries, Latin American governments have begun to recognize the anachronistic and counterproductive character of U.S. immigration policies (even as they enthusiastically embrace neoliberal, socially regressive policies at home). Prompted in large measure by Proposition 187 and other attacks on Latino immigrants, various proposals are currently emerging from Mexico and El Salvador (and more recently, Guatemala) regarding dual nationality and/or dual citizenship.\textsuperscript{16}

But aside from their home governments, Central Americans immigrants themselves, even those who are legally disenfranchised, are in some respects far ahead of U.S. immigration policies in addressing the transnational realities of this region. The large wave of immigrants

\textsuperscript{15} As Bonilla (1995:6-7) has put it in a recent paper, "Changing the Americas from the U.S.," "The present mobility of capital both requires and promotes an equivalent infrastructure for others in the social order.... Over the last several decades, Latinos in the U.S. have emerged as strategic actors in major processes of social transformation ....The perception that Latinos are now positioned to share in bringing about change in the Americas from within the U.S. has increasingly taken hold and has sparked renewed interest and specific initiatives by hemispheric governments to cultivate new forms of relationships with emigrant communities."

\textsuperscript{16} One proposal for dual nationality under consideration by the Mexican government would permit Mexicans permanently residing in the U.S. (several million, over half in California) to naturalize themselves as U.S. citizens while retaining some of their rights as Mexican nationals. More radical proposals for dual citizenship, from the opposition PRD, would also permit them to vote in Mexico. Any of these would encourage Mexican legal residents in the U.S. to become voting U.S. citizens. El Salvador has already moved to permit double citizenship, and discussions of dual nationality are beginning in Guatemala.
and refugees from El Salvador and Guatemala during the 1980s and 1990s has created new collective social actors in the region, consisting of binational (or in some cases, even trinational) family/household and community networks. At the practical level, they are taking initiatives which (through remittances) contribute significantly toward economic survival and reconstruction "back home," at the household, community, and national levels. A more constructive U.S. immigration policy would recognize and build on the contribution of Salvadoran and Guatemalan families and communities in the U.S. to stabilization in the home countries, and would actively encourage bi-national development strategies.\(^{17}\) Such a stance toward those immigrants who are already here could rationalize the immigrant flows of the future, and at least avoid massive outflows resulting from further deterioration of conditions in the home countries.

On another dimension, despite the ambiguous or undocumented legal status of a sizeable proportion of Salvadorans and Guatemalans living in the U.S. and Mexico, these immigrants/refugees are becoming actors in struggles for democratization in various ways throughout the region and are engaging in "transnational grassroots political practices," as some have called them (Smith 1994). To give a few incipient examples: During the 1994 Salvadoran election campaign, progressive candidate Ruben Zamora came to California to establish ties with the large Salvadoran community here (like Cárdenas from the Mexican PRD); and in both cases, the issue of their voting rights "back home," and dual citizenship more broadly, is on the agenda (see note 16). Meanwhile, a group of Guatemalan "Displaced Persons living in the U.S." gained representation in the multi-sectoral Assembly of Civil Sectors in Guatemala, which is

\(^{17}\) Many grassroots community organizations and non-governmental organizations (e.g., Central American Resource Center (CARECEN), El Rescate) are developing binational strategies and projects along these lines. Additionally, their work is being studied within the framework of "hometown associations" and transnational community-building—as is reflected in the work of Nestor Rodriguez and Jacqueline Hagan in Texas, Carol Zabin, Kay Eekhoff, David Lopez, Eric Popkin, Lilian Autier, James Loucky, and numerous others in California.

Beyond Central America, Guarnizo (1993) concludes his study of Dominican return migration with an argument that the Dominican "ethnic economy" in the U.S. and migrant remittances have important stabilizing effects for the economy of the Dominican Republic. A similar point is also a major thrust of Alejandro Portes' (1996) argument.
cases, the issue of their voting rights "back home," and dual citizenship more broadly, is on the agenda (see note 16). Meanwhile, a group of Guatemalan "Displaced Persons living in the U.S." gained representation in the multi-sectoral Assembly of Civil Sectors in Guatemala, which is deeply involved in the peace process and the struggle to democratize Guatemala; in the U.S., the same group has been part of the coalition fighting to gain TPS status for Guatemalan refugees.

Having begun as targets of exclusionary politics in their countries of origin, some of these Salvadorans and Guatemalans are carriers of resistance strategies, and are learning to use these against exclusionary politics in the U.S. For example, they are working in coalitions for immigrant and refugee rights and in cross-border coalitions on issues of labor rights and labor standards. In the future, they could seek direct participation in bilateral or regional commissions negotiating migration-related agreements, just as Guatemalan refugees in Mexico have been directly negotiating with the Guatemalan government over their collective return to Guatemala.

But, they will need solid support from progressive movements in the U.S. and Mexico. In the U.S., this suggests the need to build a new civil rights movement with an internationalist orientation and a regional Americas-wide political consciousness to combat rapidly rising xenophobia. To be truly effective, such a movement must go beyond defensive focuses (e.g., against restrictive legislation), to initiate campaigns for the rights of Latino and other third world immigrants here (including their rights as workers, as part of the U.S. organized labor movement), and to build cross-border coalitions and alliances.

To return to the question of what kind of region the Americas will be in the 21st century: Building upon these initiatives and adopting a regional social (vs. "national security") approach as the basis for alternative U.S. foreign and immigration policies would enhance the now-uncertain prospects for stable peace and development in Central America over the long run. As seen above, current U.S. immigration policies which start from a national security perspective
are contributing to that uncertainty; and this, in turn impacts the decisions of Guatemalans and Salvadorans about leaving, remaining in the US, or returning home. The underlying question is whether the conditions of war and economic crisis that generated the great wave of Salvadoran and Guatemalan migration to the U.S. during the 1980s and early 1990s have changed enough to alter their decisions. The negotiation of comprehensive peace accords in El Salvador and (for the future) in Guatemala—accords that truly democratize, demilitarize and open up the possibility for integral socio-economic development—could be the beginning of an historic change. But these accords will have to be fully implemented and, additionally, combined with comprehensive regional policies by outside players, especially the U.S. and Mexico. Herein lies the best hope for reducing the likelihood of further massive migrations of the type that occurred from Central America in the 1980s, while dealing in a rational and humane way with the continuing, indeed by now permanent, flow of migrants across borders in both directions.
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