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The Transit State: A Comparative Analysis of Mexican and Moroccan Immigration Policies

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Chapter 1

Moving Through the Transit State

Though the majority of migration occurs within the global South,[1] the literature about 'global' migration is overwhelmingly concerned with migration issues of the first world. My research aims to broaden the range of migration studies to include migration flows and state responses within the global South. I am concerned with transit migration to the United States and the European Union; a process of migration that includes not only source and destination countries, but also one or morue transit countries.[2] Transit migration is a lengthy process that can range from days to decades as migrants journey through multiple countries and face restrictive immigration policies before they ever reach the borders of the U.S. or the EU. There is a limited body of research dedicated to transit migration, and even less written about the recent trends toward anti-transit migration policies and projects. In order to analyze such policies, I introduce a new concept: the transit state. In its most simple definition, transit states reside at the crossroads of the first and third worlds, receiving thousands of migrants every year in transit to neighboring first world countries. The absence of academic study and literature dedicated to transit migration underscores my choice to comparatively analyze transit states in the Americas and North Africa. This

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[1] I use the term 'global south' to broadly denote the developing world and to highlight both the south-south and south-north migration patterns that are the focus of this study.

[2] To clarify terminology, throughout the study I use the term 'emigration' to denote migration *from* a source country, 'immigration' to denote migration *to* a destination country, and 'transit migration' to refer to journeys that encompass more than the source and destination country. I use 'migration' as a general term to include all forms.

study is dedicated to exploring the transit state through a comparative analysis of Mexico and Morocco.

Mexico and Morocco are exciting portraits of the transit state because they stand precisely at the geographic crossroads of the first and third worlds. They reside at what Roland Freudenstein (2000) calls the 'frontier of poverty,' that is, the line that dramatically delineates the global rich from the global poor. The U.S./Mexico border and the Strait of Gibralter have accrued numerous comparisons, and as Jan Mansvelt Beck and Paolo de Mas' (2001, 118) argue, both borders "symbolize the alarming nearness of the Third World, with its enormous potential of poor masses pressuring to cross these barriers." The similarities between these two borders and Spain's nascent status as a country of immigration has led to recent academic scholarship comparing a multitude of migration issues in Spain and the U.S. My work can be seen as an extension of this comparative effort, investigating not just the commonalities between the U.S. and the Spain, but also their southern neighbors. Mexico and Morocco rank among the highest emigration, and remittance receiving, countries in the world (Fitzgerald 2005, de Haas 2005b). Similarities in their development and migration status has been noted in the literature; both countries have been identified as 'labor frontier countries,' countries that are considered upper-lower and lower-middle income countries that exhibit mass emigration (Skeldon 1997).[3] Mexico and Morocco are both experiencing falling birth rates yet continue to witness an expansion of the

[3] Labor frontier countries include Morocco, Egypt, Turkey, Mexico, Philippenes, and until recently, Spain and Portugal (de Haas, 2005b).

working age population, moderate economic growth, continued urbanization and a deeply embedded tradition of emigration (de Haas 2005b, Alba 2002).

Most importantly for this study, both countries have experienced a dramatic increase in transit migration over the past decade. The transit migration flows traversing their territories are decidedly South-North, with individuals undertaking dramatic journeys to travel north through the Americas and Africa, in order to reach Mexico and Morocco, and ultimately, the U.S. and the EU. A striking development of these two transit states is the sudden concern over transit migration, leading to government-led activities that aim at halting the northbound flow of migrants. Mexican and Moroccan officials are increasingly regulating transit migration, initiating restrictive immigration policies and sending thousands of transit migrants back to their countries of origin, or as often the case, simply back in the direction they came from.

This study asks several primary questions. Why are the Mexican and Moroccan governments exhibiting newfound concern over transit migration, and why have they enacted restrictive immigration policies? How much of recent Mexican and Moroccan restrictive immigration policies can be attributed to the externalization of U.S. and EU immigration policies? Because this study presents an entirely new concept, the transit state, I also widely explore what happens within these countries and the new role these states are adopting. Importantly, how does the transit state role effect our understanding of contemporary immigration policies and borders? In order to answer these questions, I conducted fieldwork in Mexico and extensive literature reviews of both the Mexican and Moroccan cases. The findings from my fieldwork

are presented at length in Chapter Two, the data collected through existing literature concerning Morocco is presented in Chapter Three, and the final chapter offers a side by side comparison of state responses and the independent variables considered to analyze why transit states are opting to restrict transit migration.

This chapter serves as an introduction to the transit state and sets the stage for the Mexican and Moroccan case studies that follow in Chapters Two and Three. I open the discussion outlining the debate surrounding the murky understanding of transit migration in an effort to update our understanding of the contemporary migration experience. I then offer a typology of the transit state as a framework to understand and analyze the state response to transit migration flows. As I will argue throughout this study, the state responses by Mexico and Morocco are not unique, that is, transit states exhibit strong similarities in behavior and actions toward contemporary transit migration flows. Before discussing recent immigration policies and anti-transit immigration projects in transit states, I first place such policies within the context of borders and contemporary immigration policies for the U.S. and the EU. Here, I highlight how borders and border control have become the focal point of the U.S. and the EU to combat unwanted immigration. Such policies may be unsuccessful in actually deterring clandestine migration, but they strongly shape the strategies that migrants employ and the experiences they have (Cornelius & Salehyan 2007). Implicit in my discussion of U.S. and EU immigration policy is the ongoing challenge migration presents to sovereignty and the ever-increasing tendency towards the externalization of immigration controls.

In the following section, I describe immigration controls that have been recently implemented in a wide range of transit states. I base my discussion in the newly emerging literature on transit migration and immigration policies in transit countries.[4] Not only is the body of literature slim, it is almost entirely dedicated to the EU and its neighbors.[5] Only a small number of articles are dedicated to the U.S., and as such my discussion in Chapter One is disproportionately representative of transit states in central Europe and North Africa. Finally, at the end of the chapter, I delve into the debate among migration scholars concerning why countries opt to restrict immigration. Again, this literature is almost wholly dedicated to first world countries, and I argue that transit states pose significant challenges to immigration policy theory. As has been argued by Eytan Meyers (2000), there is not one theory that can explain the enactment of immigration policies in all countries of immigration. Rather than endorse a specific theory, as they are all flawed to some extent, this section serves to introduce the theoretical lenses typically used to study immigration policies in countries of immigration. I highlight the theories that could be useful in studying the transit state, and select elements of these theories to utilize in my own analysis of Mexican and Moroccan immigration policies in Chapters Two and Three. It is

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[4] Transit migration literature includes Aksu (2004), Boubakri (2004), Castillo (2003,) Charef (2004), Coutin (2005), de Haas(2005b & 2006), deTapia (2004), Duvell (2006), Hall (2004), Ivakhuniouk (2004), Iwisnki (2004), Kirisci (2004), Nazario (2002), Perouse (2004), Pickard (2005), Ruiz (2003), Terizioglu (2004).

[5] Evidence of externalization is probably due to the nature of the EU itself. As a conglomeration of multiple countries, it must create commissions and committees and hold extensive public discussions before policies can be made. The U.S., on the other hand, can act unilaterally, and does not have to publicly express its concerns or desires in relation to Mexico's immigration policies. The pressure is more likely to be informal, though that does not mean it is any less significant. Another obvious difference is that the EU is surrounded by a multitude of transit states, most of which are actively seeking EU membership. The U.S., on the other hand, has only two neighbors, and there is no equivalent EU membership to covet in the Americas.

important to underscore that these theories do not successfully explain why these two transit states are opting to restrict transit migration. Instead I create my own hybrid explanation based on my findings during my fieldwork.

Utilizing the theoretical lenses offered by various theories of immigration control, I argue that although domestic issues are present, including mounting xenophobia, potential job competition within the informal labor market, and a common perception that foreigners tap the state's scarce public resources, as of yet there does not appear to be a public demand for the state to implement immigration controls. The top-down initiatives in both Mexico and Morocco suggest that, at this point in time, the impetus for restrictive policies comes from geopolitical considerations. With the U.S. and the EU heavily pressuring their southern neighbors to combat transit migration, a clear pattern emerges: transit states engage in transit migration control as a strategic method of negotiation toward greater regional integration with northern neighbors. The U.S. and the EU may exert significant pressure for transit states to restrict transit migration, but by no means are these countries mere puppets to first world interests in this regard. Instead, Mexico embraces the transit migration police role in the hopes of achieving the free movement of labor within North America, while Morocco uses transit migration control to lobby the EU for a free trade agreement and other economic aid.

1.1 Transit Migration: Historical and Contemporary Movements

Transit migration is understood as the migration process that includes, in addition to the source and the destination, one or more transit countries. That is to say, a migrant may travel through many countries before arriving to her or his final

destination. Many migrants wish to move directly to their desired destination, but do not have the financial, social, or human capital to do so. Instead they engage in a type of step migration, moving consistently closer to the destination goal and simultaneously gathering information, creating networks, and building capital to continue the journey (Duvell 2006). There is a noted class element at play in transit migration, as poor migrants must engage in elaborate journeys that often span multiple countries, while others "can pay $4,000 [to] purchase a 'luxury' package that includes airfare (to Paris even), a passport with a valid visa, and bribes for officials at the airport" (Kosloski 2000, 212). Because finances often determine where and how an individual will migrate, policies that target transit migrants invariably affect the most disadvantaged. Those that are able to purchase the 'luxury' package escape the control policies that are exercised on those who "have to organize their journeys along traditional routes and by traditional means, including walking, traveling in the back of lorries, or bus or by train" (Duvell 2006, 23). This does not mean that money can circumvent all immigration policies, only that it can affect the nature of the journey and the types of controls the migrant might encounter.

Because there is no formal category or definition within international policy or international law for 'transit migration' (Duvell 2006), this leads to a great degree of speculation and debate surrounding the precise definition and nature of contemporary transit migration. For example, it is typically considered 'temporary' and of 'short-duration,' though such an understanding "is seriously corroded by the evidence from countries of transit in the last decades" (Ivakhuniouk 2004, 22). While theoretically transit migrants want to spend as little time as possible in the transit country,

immigration controls in the destination country make completing the journey extremely difficult. Regulations, visa restrictions, and financial constraints all have the ability of lengthening the amount of time spent in the transit country. Control policies of both destination and transit countries determine "paths, points of departure and arrival; frequently, transit migrants seem to be blown off course, respond to new opportunities or quickly respond to new or increasing control policies" (Duvell 2006, 11). Often the final destination is not pre-determined, or it changes en-route, as migrants respond to the options that become available to them. It is not uncommon for a final destination to be decided by virtue of available finances, or by the smuggler or route the migrant can afford (Duvell 2006). For these reasons, many transit migrants are not 'short-term' visitors to the transit country, as they must grapple with illegality, capital building, migration, and survival strategies. A common strategy noted in the literature is a long-term stay in the transit country, which adds complexity, if not confusion, to the definition of 'transit ' migration (Ivakhuniouk 2004).

At first glance, the literature concerning transit migration appears to be at odds with the widely accepted social network theory.[6] This is, however, not necessarily the case. During my fieldwork conducted in Mexico, many of the Central American migrants I spoke with had received information from friends and family that influenced their decision to migrate. However, many of the migrants did appear to be conducting that *portion* of the journey largely without a personal network; most informed me they would call their contact to ask for financial assistance only once

[6] For more information concerning social network theory, see Massey (1998).

they had reached the U.S./Mexico border. Until that point, migrants appeared to exchange information and ideas primarily with fellow migrants met during the journey. As circumstance changed, the transit migrants I spoke with faced new decisions and deliberated the options available to them. Because my research and fieldwork is focused on immigration policies and the state response to transit migration, investigating the merits of social network theory (or other theories of international migration) among these migrants is clearly outside the scope of this study. I do want to emphasize, however, that the process of transit migration and the journey itself is an understudied phenomenon that requires further research.

An example of the transit migration journey is the case of Mateo, a young Colombian man I met during my fieldwork in southern Mexico. He told me he fled Colombia because paramilitaries had threatened his life. His journey began with an attempt to sneak aboard a cargo ship bound for Miami, though he was caught before embarkation. His next attempt was successful, riding in small motorboats between the Colombian Island San Andrés to the Nicaraguan Corn Islands. His journey was dangerous: "My heart was beating so fast," he recalled. "The waves were huge, the weather was bad. Our motor died, they had to use the GPS to find out where to go. I thought I was going to die." Once he reached the Nicaragua mainland, Mateo was apprehended for his undocumented entry and spent two nights in jail in the Caribbean town of Ramas. "It was horrible. There was no bathroom, no food. We had to pay the police to turn us over to immigration." Once in the hands of immigration officials, he was imprisoned in Managua, the capital city of Nicaragua. He spent two months there, and declined to state how he escaped. The rest of his journey led him

northward, through Honduras, Guatemala and Mexico. At the time we met, he was applying for refugee status in Mexico, although Mexico was by no means his expected destination and most likely will not be his final stop. Mateo, like many transit migrants, left Colombia without a specific destination in mind, only acting on the impulse to leave. Sojourning in Mexico is an intermediary strategy, and ultimately he hopes to gain entrance to any first world country. "Maybe I'll go to Houston, or maybe Canada… or who knows, maybe Europe," he speculated.

Mateo's story is but one example of 'migration' from a wide spectrum of experiences. His dangerous journey, fluxuating plans and vulnerable situation are standard fare for the transit migrant, whether one is considered a 'voluntary' economic migrant, or a 'forced' refugee or asylum-seeker. In this study I use the term 'immigrant' or 'migrant' without specification of forced or voluntary status, because in practice it is extremely difficult to differentiate between the two. Both refugees and economic migrants share networks, smugglers, information, and strategies (Cornelius & Rosenblum 2004), creating "a considerable overlap, if not confusion of transit migration with asylum migration and with refugee resettlement, and with irregular migration and trafficking" (Duvell 2006, 17). Much like the difficulty in distinguishing between voluntary and forced migrants, in practice it can be difficult to differentiate between transit migrants and emigrants. Jean-Francois Perouse (2004, 77-78) discusses this in the example of transit migration through Istanbul, writing:

> In truth no distinction can be made between foreigners in transit through Turkey and Turkish citizens who, driven by various kinds of necessity, are also trying to reach the European promised land. Both use the same networks, as demonstrated by the nationality of the

> occupants of the boats heading to Europe from Turkey… In this instance, internal and international movements overlap completely.

It has been noted that many of the transit migration routes that have been identified today appear to follow traditional migratory and trading paths in Africa, Central Asia and Europe. Maps that document the paths used by contemporary transit migrants "look like exact copies of thousand-year-old cross Saharan trading links, whilst other routes seem to duplicate the Eurasian Silk Road" (Duvell 2006, 16). In fact, contemporary transit migration has revitalized ancient trade routes and towns in Mali, Niger, Chad, Libya, Algeria and Mauritania (de Haas 2006). Transit migration is certainly not a new phenomenon. Besides century old trading and migration patterns, more contemporary methods of step-migration have long been noted in migration literature. However, it is crucial to note that contemporary transit migration flows are greatly affected, and even defined, by restrictive immigration policies of the destination country and the various countries these migrants attempt to cross. While it is clear that people have migrated across countries and regions throughout history, the current revival of older migration patterns must now confront the modern constraints of nation states, borders, and border control.

1.2 The Transit State: A Typology

In this section I offer a preliminary typology for the transit state, based on my own findings in Mexico and the body of literature dedicated to transit migration and immigration policies in transit states. Transit states are not merely countries that migrants travel through. In my conceptualization, they must exhibit a specific set of characteristics, as seen in Table 1 below.

Table 1: Elements of the Transit State

Factor	Specifics
Geography	Must border a fully developed country.
Migration Flow	Must exhibit high emigration, low immigration and transit migration
Function	Must serve as a primary staging ground for migrants to plan clandestine entrance to heavily guarded destination countries.
State Response	Must implement restrictive immigration policies and activities.

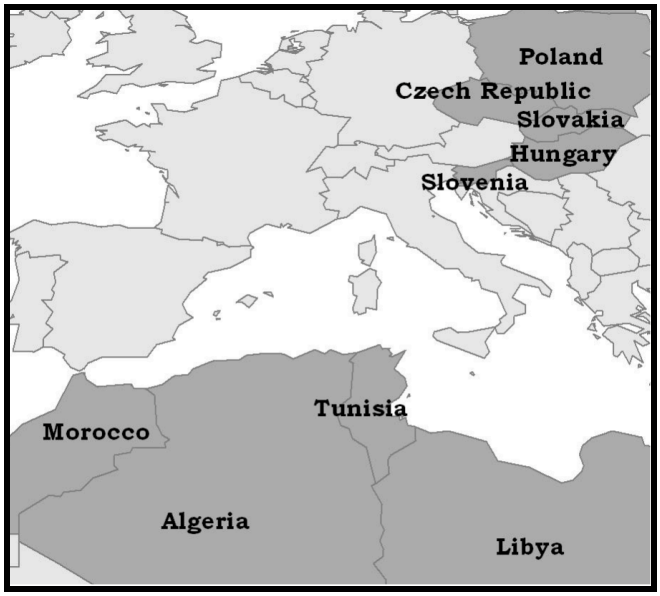

Figure 1: North African and Eastern European Transit States. Transit states are shaded in dark grey.

Countries that can be considered transit states are Russia, Czech Republic, Hungary, Poland, Slovakia, Slovenia, Turkey, Libya, Tunis, Algeria, Morocco and Mexico.[7]

Figure 1, above, illustrates the transit states surrounding the EU. It is important to

[7] This characterization is based on information gathered from Aksu (2004), Boubakri (2004), Castillo (2003), Charef (2004), de Haas (2005b), deTapia (2004), Duvell (2006), Hall (2004), Ivakhuniouk (2004), Iwisnki (2004), Kirisci (2004), Perouse (2004), Pickard (2005), Ruiz (2003), Terizioglu (2004).

note that this is not a static position; as can be seen in the example of Spain, countries that once fit the transit state typology can become countries of immigration (Duvell 2006).

Transit states border the first world. Though transit migration has existed for hundreds of years, it is only since the 1990s that it has come to be "regarded as a separate – and often disturbing – issue in the international migration discourse" (Ivakhuniouk 2004, 20). Not surprisingly, this time period coincides with a global trend of increasingly restrictionist immigration policies in receiving countries. Simply stated, as it has become much more difficult to enter the U.S. and the EU, migrants are being forced to choose more and more roundabout routes in order to gain entry to popular migrant destinations (Cornelius 2007, Boubakri 2004). Such tightening of controls has created the contemporary transit state, transforming countries that border the North into literal 'gateways' and 'bridges' between the first and third worlds.

Transit states exhibit high emigration, low immigration and increasing transit migration. In some cases transit states have transformed into immigrant destinations, as some transit states have become economically hospitable enough to retain, if not attract, migrants (Duvell 2006). In some cases, as in the example of Spain, the transformation from sending country (and transit state) to receiving country can be attributed to robust economic growth (Ortega Perez 2003). In other cases, a country can simultaneously exhibit all three types of migration: emigration, transit and immigration. In the case of Mexico, a segmented labor market has become pronounced, as Mexicans in some areas have begun to view lower-tier jobs, such as

agriculture, construction, and even some service sector jobs, as immigrant jobs.[8] For many transit states, however, it is not so much an immigrant niche that attracts individuals to the country, rather, many transit migrants often cannot continue their journey, becoming de-facto immigrants that leave transit states grappling with entirely new immigration issues.[9]

Transit states have become the primary staging grounds for migrants to plan clandestine entrance to heavily guarded destination countries. Transit migration has "redefined the territories through which migrants pass" (Coutin 2005, 196). Cities have become meeting points, poles of attraction, even funnels, absorbing a wide flow of immigrants from many different countries all hoping to cross the final bridge leading to the first world.[10] In Turkey, for example, Istanbul has been described as "an antechamber, a stopover and a switching point where migrants can accumulate capital – primarily financial capital, but also social, cultural (language) and professional capital – in order to prepare themselves to move on" (Perouse 2004, 73). Often, large numbers of transit migrants accumulate in cities at the apex of the global South, waiting the moment to continue the journey north. Abandoned buildings have become squatting grounds for transit migrants, cheap hotels fill with young men with European ambitions, and entire neighborhoods have become dominated by transit migrants.

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[8] See section 2.6.
[9] See section 3.4.
[10] Major North African cities that host migrant communities include Nouakchot, Rabat, Tangier, Oran, Algiers, Tunis, Tripoli, Benghazi, and Cairo (de Haas 2006).

Transit states increasingly act as 'gatekeepers' to the first world nations they border. These countries receive significant pressure from their northern neighbors to combat transit migration, and their policies increasingly seek to restrict transit migration (Baldwin-Edwards 2004, Boubakri 2004, Charef 2004, de Haas 2005b, deTapia 2004, Flynn 2002, Iglicka 2001, Lutterbeck 2006, Ruiz 2005). In some cases transit states merely begin to enforce existing immigration policies, though it is more common for the state to draft entirely new policies and initiate projects to crack down on clandestine border entry and implement systems of internal controls. In addition, these control efforts are initiated from top governmental officials. Leaders, such as the King of Morocco and the President of Mexico, tend to denounce transit migration as a criminal activity and publicly announce cooperation with northern neighbors to combat transit migration.

Transit states commit major human rights violations. Susan Coutin (2005, 196) argues that the "term transit denotes the time and space when migrants are most bereft of state protection, and, therefore, most vulnerable to crime, exploitation, injury, and death." The media has captured dramatic images of Mediterranean shores awash with dead bodies, and NGOs repeatedly denounce gross mistreatment of migrants not only at the hands of gangs, but also authorities. Human Rights Watch contends that migrants are often 'stuck' in transit states because they lack the resources to continue their journey yet cannot return home. "Without status," Julia Hall (2004, 192) writes, "they remain on the margins of society and are thus vulnerable to a variety of rights abuses." The newly emerging transit state finds itself in a complex scenario. As

inexperienced hosts, transit states are under resourced and ill prepared to manage migration flows.

1.3 Contemporary Borders: Protection Against Immigrants

Today we understand borders as necessary, inevitable, even natural and eternal characteristics of nation-states. The practice of state control over borders and the regulation of who may or may not enter are, today, considered a fundamental element of sovereignty (Torpey 2000a). Nevertheless, this was not always the case, and if borders are viewed within a historical context it is apparent that they are political creations rather than natural elements of the modern nation state (Walters 2002). As Malcolm Anderson (2000, 18) explains, "Clearly demarcated and militarized frontiers have been known since antiquity. But what happened in the nineteenth century was new, although it was the almost inevitable outcome of the Westphalian state."[11] Autonomy and territoriality have become hallmarks of the modern nation state, specifically granting the political authority to control one's borders (Krasner 2000).

The acceptance of this type of sovereignty "implied a particular kind of frontier and border control… It became taken for grated that states had not only the right but the legitimate authority to control all activities on their territory and to do this they needed, in principal, absolute control of passage across their borders" (Anderson 2000,18). John Torpey (2000a) calls this particular evolution of territorial control a "monopolization of the legitimate means of movement" by the state. States have consistently garnered more control over who is allowed to enter their territory through

[11] The Peace of Westphalia, a 1648 peace accord that ended the Thirty Years' War, is widely recognized as the beginning of the modern nation state system. The Westphalian model is composed of sovereign states, each wielding exclusive authority within its own territory (Krasner 2000).

the establishment of policies, laws, and a global beaucracy that is able to establish identity for every individual. While states today undoubtedly have more resources to control their borders, they are not necessarily any more successful in gaining control over entries. The gaps between stated policy objectives and actual outcomes are often great (Cornelius & Tusda 2004), though such failure does not necessarily indicate a loss of power or weakness of a state (Snyder 2000). Torpey (2000a) argues that within the realm of border control, states are exhibiting more strength and determination than ever before to stop unwanted immigration.

Geopolitical borders are crucial elements of the modern nation-state. They are often referred to as 'membranes' or as an 'epidermis.' Friedrich Razel, a German political geographer, wrote in 1897 that borders were "the skin of the living state" and "provided defense and allowed exchange to occur" (c.f. Albahari 2006, 6). These political membranes filter trade and people, and as the skin of the human body, borders are understood to be the first and most important protective instrument of the state. In 1908, Britain's Lord Curzon wrote "Frontiers are indeed the razor's edge on which hang suspended the modern issues of war and peace, of life or death of nations… Just as the protection of the home is the most vital care of the private citizen, so the integrity of her borders is the condition of existence of the state" (c.f. Walters 2002, 563). Rhetoric of war and conflict resound within the border literature, though borders function as much more than just a military defense against hostile nations.

Today, most first world countries no longer fear a military invasion or wars to be fought at their borders. Nonetheless, borders remain important, integral parts of

nation-states. As Hastings Donnan and Thomas Wilson (1999, 1) contend, physical barriers, guard towers, and barbed wire are extreme manifestations of the nation but they are "neither uncommon nor in danger of disappearing from the world scene." Borders, the hallmark of sovereignty, are no longer necessarily about keeping the peace or militarily protecting the state. Instead, as Peter Andreas (2000, 1) argues, borders have shifted from acting as protective membranes against potential wars or invasions to protect against unwanted migration. The most visible manifestation of such protection against 'undesirables' is at "the geographic fault lines dividing rich and poor regions: most notably the southern border of the United States and the eastern and southern borders of the European Union."

Saskia Sassen (1996) argues that economic globalization has restructured the interstate system and undermined sovereignty in such a way that has essentially erased borders. Sassen's analysis is useful for specific cases, such as internal trade and the free movement of people within the EU. Debordering is, however, a selective process, and it is often parralled by a rebordering, or border creation at new locations to guard against 'undesirable' elements. The recent literature on borders, immigration and security has highlighted this dual movement; while on the one hand the liberalization of trade has erased economic borders, it has been "accompanied by a new set of political anxieties about borders, crime, illegal migration, and terrorism, along with political demands and initiatives to reassert the power of the border" (Walters 2002, 561). A prime example of this was the passage of the North American Free Trade Agreement (NAFTA) in 1994. The agreement radically liberalized trade between Canada, the U.S. and Mexico, yet at the same time the U.S. initiated a militarization

plan for the U.S./Mexico border (Nevins 2000).[12] U.S. border control aptly portrays the modern territorial state; rather than a disappearing border in a globalized setting, we see a more pronounced, policed border that allows trade to freely flow and simultaneously mounts considerable resources to keep unwanted migrants out.

The U.S.-Mexico border has often been heralded as a model of border control for other countries struggling with their own immigration dilemmas. The EU has joined the U.S. in implementing a militarized border. The Schengen accord, initiated in 1985, abolished internal controls by creating one external border, and transferred the responsibility for immigration control to the external border (Walters 2002). Schengen states[13] had to undergo a process of harmonization of border controls, visa requirements, and asylum standards, and in general they have been found to be more restrictive than most of the national policies they replaced (Vachudova 2000). In order for applicant countries to join Schengen they first had to show evidence of restrictive border controls and the ability to implement them. Spain is an excellent example of a state that made such changes in order to join the European Community (EC). By the mid-1990s, under pressure from the EU, Spain implemented border controls very similar to those at the U.S./Mexico border. The Spanish enclaves of

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[12] Building on the 1986 Immigration Reform and Control Act's border controls and popular fears of a migrant "invasion," the Clinton administration introduced "prevention through deterrence" in the 1990s (Massey et al 2002 89). This concentrated border enforcement strategy began in 1993 and led to operations 'Hold the Line' in Texas in 1993, 'Operation Gatekeeper' in San Diego in 1994, 'Safeguard Arizona' in 1995 and 'Rio Grande' in Texas in 1997. Border fortifications include a primary 10-foot-high steel fence, closely spaced concrete poles, high-intensity lighting, video surveillance, unmanned aerial vehicles, increased border patrol agents, and the IDENT identification system. The fortifications were introduced under the premise that apprehension would become so probable that it would discourage people from migrating (Cornelius 2005).

[13] Germany, Belgium, France, Luxembourg, and the Netherlands signed the original Schengen agreement. Since 1985, Spain, Italy, Portugal, Greece, Austria, Denmark, Finland, Norway, Iceland, Norway, Switzerland, Ireland, the UK, Cyprus, Czech Republic, Estonia, Latvia, Hungary, Lithuania, Malta, Poland, Slovakia, Slovenia, Bulgaria and Romania have become member states.

Ceuta and Melilla have been fortified with multiple razor-wire fences and technological gadgetry, including video cameras, motion detectors, and watch towers (Cornelius 2004). Like Spain, any country that hopes for EU membership must first make visible efforts to reinforce their borders, adopt EU immigration policies, and demonstrate that they can control the EU's frontier (Walters 2002, Vachudova 2000).

It was precisely the disappearance of internal borders within the EU that led to the rebordering of a heavily fortified and militarized external EU border (Snyder 2000). This is particularly evident in the Mediterranean, where many states have begun to employ their military, or police forces with military status, to undertake the job of policing the border. Southern European countries frequently use warships and military hardware to stop immigrants from penetrating maritime borders.[14] The utilization of militaries has been highly criticized mainly because the use of large warships to patrol migration routes has led to the swamping of a number of small Zodiacs used to carry undocumented migrants (Lutterbeck 2006). Didier Bigo (2001, 139) highlights the remarkable growth in high-tech gadgetry for immigration controls, arguing "A market for the internal security industry is developing in the shadow of huge military trade shows… Defense satellites from the Star Wars period are still being built, but now also in the name of the prevention of drug trafficking and border surveillance."

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[14] In 1991 Italy, for example, announced one of the navy's core functions would be immigration control. Beginning in 2002, the French Navy began Operation Amarante, patrolling the channel of Sicily to prevent undocumented migration and human smuggling. In 2003, the French, British, Spanish, Portuguese and Italian navies banded together to launch Operation Ulysses, with the same objective as Operation Amarante, only now patrolling the Straits of Gibraltar and the maritime area between the west Sahara and the Canary Islands (Lutterbeck 2006).

Borders, rather than disappearing, are being recreated and reasserted by states' aggressive efforts to control immigration (Andreas 2000). Military and economic functions may have decreased, but the police role of the border to protect against clandestine immigrants has risen to the fore (Snyder 2000). Maurizio Albahari contends that far from vanishing, borders, in their capacity to combat unwanted immigrants, are "substantial icons of surveillance, sovereignty, control low-intensity conflict, even warfare" (Albahari 2006, 6). Albahari highlights a controversial, but very important element: borders are not only areas of surveillance and control but also violence. The primary function of first world borders today is to protect against the perceived 'invasion' of people from the third world. This fear is so large that governments are willing to perpetuate death, as migrants risk their lives, and often lose them, in their attempts to penetrate the first world. This was made extremely clear in the fall of 2005, when Spanish and Moroccan authorities opened fire on sub-Saharan Africans attempting to storm the Ceuta and Melilla borders. Fourteen migrants were killed, and many others were wounded (Mead 2005).

Beyond the popular process of border enforcement and militarization seen at the U.S./Mexico border and the exterior borders of the EU, there is another rebordering process underway. As the U.S. and the EU successfully entice neighboring countries to engage in migration control, the shift in police role can also be viewed as a southward (or simply outward) shift of borders. Beck and de Mas (2001, 133) note that Spanish integration into the EC in 1986 "shifted the European border to the Strait, and to the two enclaves of Ceuta and Melilla." They assert "In the near future, the US Rio Grande will possibly shift to the borders between Mexico and

its neighboring states of Guatemala and Belize." In some cases the border shift is clear: when Poland joined the EU, for example, the external EU border legally shifted to the external Polish border. In other cases – such as Mexico and Morocco – the U.S. and the EU strive to entice them to enforce their southern border without membership privileges. Such enticement falls under the rubric of policy 'externalization'.

1.4 Contemporary Immigration Controls: The Trend Toward Externalization

Within the U.S. and the EU, borders have become the primary component in the battle against unwanted immigrants. Christian Joppke (1998) explains this reliance on external controls[15] as a product of 'self-limited sovereignty.' He argues that internal controls[16] are often too sensitive and difficult to implement in liberal democratic states because of constitutional restraints and domestic liberal ideals. The most externalized controls, particularly those beyond the margins of the state, such as preventative information campaigns, developmental aid, and visa restrictions, have been labeled 'externalization,' 'internationalization,' or 'remote control' immigration policy (Zolberg 1999, Lahav & Guiraudon 2000, Duvell, 2006). Virginie Guiraudon and Christian Joppke (2001, 14) argue that external controls have become so important because once inside the borders "migrants would have full access to legal protection and the asylum process in a liberal state. The crucial point of remote control is to circumvent the domestic and international legal norms that stand in the way of effectively restricting migration flows." External controls have become the norm,

[15] External controls are the mechanisms used by governments to control entry "before departure or arrival." Examples include visa restrictions, border control, legislation against clandestine immigration, information campaigns in sending countries, bilateral agreements, and aid (Brochman 1999).

[16] Internal controls are the mechanisms used by governments to control immigrants anytime after entry. Examples include work and residence permits, ID cards, employer sanctions, work site inspection and social service inspections such as at schools, hospitals, language classes, etc. (Brochman 1999).

evidenced in the magnitude of border control on the U.S. and EU immigration agenda. 'Migration prevention' has also become fashionable policy; this is seen in EU rhetoric directed at development projects with sending countries and U.S. anti-migration information campaigns currently underway in Mexico. Externalized controls can extend beyond border controls to even further externalized bilateral labor and migration accords (Brochman 1999). The U.S. is recognized as the pioneer of this strategy, which had by the 1920s shifted the bureaucratic process of reviewing immigration and tourist visas to consulates (Guiraudon & Joppke 2001).

Countries of immigration have implemented a new strategy to stop unwanted migration: pressure transit countries to stop migrants from entering and crossing their territories. Active delegation of immigration control to states on the other side of the 'frontier of poverty' is "a consistently emerging trend among developed liberal countries in Europe and North America" (Lahav & Guiraudon 2000, 63). Such remote control immigration policy has become a trend in the 21st century, with the widespread establishment of 'buffer zones' to protect receiving nations (Lahav & Guiraudon 2000, Andreas 2000). The U.S. and the EU work to ensure that transit states establish an effective system of immigration controls and accept the repatriation of non-nationals (Guiraudon & Joppke 2001). A radical attempt at externalization has been the recent proposals to create off-shore refugee processing centers. In 2003, the UK proposed the creation of Regional Protection Zones (RPZ) and Transit Processing Centers (TPC) that would manage asylum claims and refugee status determination. According to the proposal, RPZs would be located in refugee-fleeing regions, and TPCs would be located in transit states (Schuster, 2005). Though this idea was rejected by the

European Parliament, another proposal surfaced in 2004 by Italy and Germany that lobbied for the creation of 'transit camps' (Schuster 2005, Baldwin-Edwards 2006). As can be seen in Table 2 below, in the past six years there has been a multitude of proposals, agreements and efforts to externalize the process of determining refugee and asylum status.

Table 2: Externalization related EU proposals or agreements

Year	**Proposal/agreement**	**Purpose**
2001	Morocco-Spain migration partnership	Surveillance, border control and interception
2002	Seville European Council	Discussion of transit migration control as a condition for development aid
2003	UK 'New Vision' proposal	Development of TPCs and RPZs
2004	Italy-Libya Bilateral Agreement	Proposal for transit processing centers in Libya
2005	European Commission's Regional Protection Programme (RPP)	Initiative for a pilot refugee protection program in Tanzania

Source: (Betts & Milner 2006)

Thus far, the explicit efforts to create off-shore processing centers or 'camps' have not made it out of the planning stages. Nonetheless, the U.S. and particularly the EU have made significant progress in convincing transit states to regulate transit migration.

In the case of the U.S., policy makers have expressed concern over transit migration through Mexico for years, lobbying for border controls and the interdiction of immigrants en route to the U.S. The U.S. pursues multiple strategies premised on deterring migrants before they ever reach the U.S. doorstep. Recent U.S. government media campaigns of placing flashy advertisements in Mexican electronic media

warning of the possibility of death at the U.S. border are part of this 'migration prevention' effort. Further externalization of U.S. immigration policies came in the form of the 'Global Reach' program. In 1997 the U.S. Immigration and Naturalization Services (INS) initiated this program, which aimed at cracking down on human-smuggling and immigration flows by policing at the 'source' and in transit countries. An in-depth analysis of the Global Reach program and other externalized U.S. immigration policies is discussed in Chapter Two, the Mexican case study. The U.S. also employs 'hard diplomacy' to pressure Mexico to combat transit migration (Guiraudon & Joppke 2001).

Turning to Europe, Franck Duvell (2006, 19) specifies that between 1993 and 1995, transit migration was introduced to the international migration policy-making agenda. In the EU, it was at this time a "new key word, a war cry, was born alarming public and policy justifying yet another round of measures to combat unwanted migration." Simply examining the many different EU policy arenas for transit migration illustrates the current fervor concerning transit migration.[17] As already mentioned, the EU accession process mandates that candidate countries must gain control of transit migration, and bilateral readmission agreements between destination,

[17] These include the European Neighbourhood Policy (ENP), Euro-Mediterranean Partnership (EMP), the Barcelona Process, the Transit and Irregular Migration Management in Libya (TRIM) project, the Mediterranean 5+5 Dialogue, the inter-governmental Dialogue on Transit Migration (Duvell 2006). There are NGOs dedicated to the issue as well, such as the International Centre for Migration Policy Development (ICMPD). The organization has worked to establish a 'Mediterranean Transit Migration Dialogue' between interested European countries and 'Arab Partner States' that included Algeria, Egypt, Lebanon, Libya, Morocco, Syria and Tunisia. Dialogue is focused on sub-Saharan transit migration, and working groups are concerned with "enhancing operation cooperation to combat illegal operation," and "combating of root causes of irregular flows by linking migration and development" (ICMPD 2005).

sending and transit countries have proliferated in recent years (Duvell 2006). In addition, transit migration has become a popular discussion topic at many EU council meetings.[18]

In 2005, the European Commission declared that the EU and 'key third countries' needed to work together to "manage migration more effectively along key migration routes" (Brussels 2005). The Commission went on urge EU members to "intensify their efforts" in working with neighboring countries to improve migration management. Specifically, the Commission states:

> The EU will work with North African countries to assist them in their efforts to better manage migratory and refugee movements, trafficking in human beings, as well as promoting legal channels for migration. The EU will support these countries by making available technical experts, increasing the use of twinning programmes, providing training, providing equipment where necessary and providing financial support to initiatives by EU Mediterranean partners.

Key to the European Commissions plans to combat transit migration is strategically working with neighboring countries, and enticing these neighbors to stop transit migration through financial incentives. The EU's Neighborhood Policy also includes proposals for collaboration in irregular migration, organized crime, human trafficking, drug trafficking, money laundering and terrorism with several southern Mediterranean countries. Countries that have historical migration connections, such as Italy and Albania, Spain and Morocco, and Italy and Libya, have worked particularly closely to implement immigration control programs (Lutterbeck 2006, 71).

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[18] These include Tampere in 1999, Laeken in 2001, Seville in 2002, and Thessaloniki in 2003 (Lutterbeck 2006).

A prime example of a EU candidate country pressured to take responsibility for transit migration is Poland. Poland, in 1993, signed a bilateral agreement with Germany to reaccept all undocumented migrants caught at the Polish-German border, including those that were not Polish. Many scholars consider that Germany used 'undue pressure' in getting Poland to accept these terms.[19] Germany also provided financial assistance to the tune of eighty million dollars to help Poland enforce its border, buildup its police forces, and improve its infrastructure for refugees and asylum seekers. In a lightening-quick shift of responsibilities, within three months of signing the agreement with Germany, Poland negotiated readmission agreements with Bulgaria, Slovakia, Romania, and the Czech Republic (Freudenstein 2000), so that non-Polish migrants could be shipped out of Polish territory, though not necessarily repatriated to their actual country of origin. States appear to be engaged in a pass-the-buck strategy, continually pushing the migration police role onto neighbors.

Another example of a transit state struggling to demonstrate migration control for potential EU membership is Turkey. In 2002, during the Seville European Council, EU government leaders called for sanctions against countries that did not co-operate in the battle against clandestine migration. Specifically, Turkey was threatened with sanctions for not adequately working to stop transit migration. At this particularly vulnerable moment for Turkey, the European Council authorized negotiations concerning readmission agreements (Kirisci 2004). In the words of the Turkish Ministry of Internal Affairs, Head of Asylum and Border Issues Department, Mehmen

[19] See Roland Freudenstein's (2000) chapter in *The Wall Around the West*, entitled "Rio Odra, Rio Buh: Poland, Germany, and the Borders of Twenty-First-Century Europe."

Terizioglu (2004, 6 & 160), Turkey is now "aware of the international mission assigned to it" and border security is "one of the main responsibilities of Turkey."

The most dramatic example of the EU's desire to stop transit migrants before they reach European borders is the case of Libya. Since 1986, Libya has been under an arms embargo for its terrorist activities. Nevertheless, Italy convinced the EU to drop the embargo so that it could provide Libya with military and surveillance equipment it needed to help combat illegal immigration. Italy argued that Libya needed radars and night vision devices in order to strengthen border surveillance (Albahari, 2006). In 2004, the two countries signed a co-operation agreement, with Libya officially agreeing to deport sub-Saharan migrants and enforce its southern borders (de Haas 2006, Boubakri 2004).[20] This 'outlaw' state is now considered a primary ally in the battle against unwanted immigration. Italy and Germany even proposed the construction of 'transit camps' in Libya to extra-territorially process would-be asylum seekers there. The European Parliament rejected this proposal because of Libya's poor human rights record (Lutterbeck 2006). Not surprisingly, this cozy relationship between Libya and Italy has been heavily criticized.

Much of the pressure exerted on transit states by destination states is presented in very friendly language. It is often called 'co-operation' or 'burden sharing' and the EU especially enjoys using the term 'co-development' to discuss finances or resources given to transit states to upgrade their immigration tools.[21] The European Commission,

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[20] The Italian government reportedly finances Libya's repatriation flights to return migrants to Bangladesh, Egypt, Eritria, Ghana, Mali, Nigeria, Pakistan, Sudan and Syria (de Haas 2006).

[21] Maud de Boer-Buquicchio (2004, 4), the Deputy Secretary General of the Council of Europe, refers to 'partnerships' between the EU and countries of origin and transit that are meant to produce "the

in describing immigration controls encouraged in transit states, calls this a 'partnership approach', and claims that it is undertaking an "ambitious development policy to tackle the root causes of migration: poverty, poor employment prospects, and lack of respect for human rights" (Brussels 2005). What this *development* policy is, exactly, is rather nebulous. It is apparent that the EU is funding projects in transit states to crack down on transit migration, improve police forces, and buy technological gadgetry. How this is addressing "poverty, poor employment prospects, and lack of respect for human rights" is unclear. It seems more accurate to say that the European Commission is initiating an ambitious *migration* policy.

1.5 Transit State Immigration Policies: The Beginning of Restriction

Transit migration policies have been created to intercept and return migrants en route to their northbound destination. Such policies prevent migrants from continuing northward, toward the U.S. or Western Europe, by returning them to their country of origin, sending them back in the direction they came from, or even just by letting migrants remain in the transit state (Duvell 2006). In Mexico, a number of restrictive controls and anti-transit migration projects are underway. Since the mid-1990s, the Mexico/Guatemala border became the site of a plan of targeted control to document regional transmigration, and arrest transit migrants, drug traffickers, and human smugglers. The Instituto Nacional de Inmigracion (INM) boasts an ambitious *Integral Migratory Policy Proposal for the Mexican Southern Border*, written in 2005, that calls for increased border authorities at the border, a technological revolution for

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orderly management of migration desired by the European Ministers" while reflecting "the interests of all relevant actors, including the human rights of migrants." All this would be achieved through 'co-development' projects.

border control mechanisms, a guest worker program for regional labor migrants, and strict enforcement of entry to visa holders. The introduction calls attention to transit migration, citing an increased flow over the last fifteen years (though never specifying specific numbers), and lumping transit migrants together with drug traffickers and human smugglers as an issue of "national security" and "public safety." As is discussed in Chapter Two, Mexican officials are implementing a dual system of internal and external controls.

While the government is attempting to enforce segments of the southern border, the emphasis has been placed on checkpoints along interior roads of the country. Official tactics include the placement of military troops, police, and migration authorities at strategic points of the border (Pickard 2005) and interior roads. The state's and general public's tolerance of widespread corruption and human rights abuses migrants suffer at the hands of authorities and criminals is an unofficial element of Mexico's immigration controls. The spate of recent anti-immigration policies and proposals has resulted in accusations that the Mexican government is bowing to U.S. pressure, and many critics assert that Mexico has become a "vertical border" for U.S. border control (Ruiz 2005). The variety and intensity of Mexico's anti-transit migration policies and projects are discussed in detail in Chapter Two.

Similarly, in the case of Maghreb region of North Africa, extensive pressure has been placed on governments to police transit migration at their maritime borders. In 2004 Tunisia introduced several new laws, one of which called for closer surveillance of the sea in order to identify boats carrying migrants, another law introduced the requirement for foreigners to provide passports and travel documents,

and yet another implemented tougher penalties for people smuggling. Because of these laws, for the past two years "the Tunisian police have been carrying out night raids in search of bogus tourists or migrants posing as students or sports players" (Boubakri 2004, 106). In addition, there have been reports of "reception" centers, which in reality are *detention* centers -- built in Tunisia in order to accommodate transit migrants, both those apprehended in Tunisia and those deported to Tunisia from other countries (Boubakri 2004).

In 1994, Algeria and France signed a bilateral agreement stipulating that Algeria would accept returned Algerian immigrants, even if they had destroyed their papers upon apprehension (Lahav & Guiraudon 2000). Libya has enacted particularly restrictive measures, with "more restrictive immigration regulation, lengthy and arbitrary detention of immigrants in poor conditions in prisons and camps, physical abuse, and the forced repatriation of tens of thousands of immigrants" (de Haas 2006, 3). Algeria has also accepted ten million Euros from the EU for a police reform project that sought to improve the ability and capacity of the Algerian police to manage undocumented transit migration. Morocco has instituted a system of internal and external controls, and passed an entirely new immigration law criminalizing undocumented entry into Moroccan territory (Sadiqi 2004). An in-depth discussion of Morocco's newly enacted controls is provided in Chapter Three.

Transit states face a unique challenge in that transit migrants do not want to remain in the transit country, yet in order to keep good relations (or in some cases establish good relations) with their powerful neighbors transit states must prevent migrants from reaching the border with the first world (Vachudova 2000). For transit

states that have signed readmission agreements to accept third country nationals, it is very likely that returning all migrants to countries of origin is impossible, leaving a large floating population in the transit state. As in the case of Turkey, officials expressed concern when attempts to sign repatriation agreements with source countries were unsuccessful (Kirisci 2004).

An important development in transit states has been the almost universal equation of transit migration with illegality. Transit migration has "become a code word for 'illegal immigration' and for unwanted refugees, and as such has acquired a criminological profile (Duvell 2006, 25). In the presence of Turkish officials, the Vice-President of the EU Parliamentary Assembly, Taduesz Iwinski (2004, 10) argued "There is an undeniable link between transit migration and illegal activities in the broad sense." He insisted that the most "prominent and obvious characteristic" of transit migration "is its unlawful character." What this "undeniable link" is, precisely, he never specifies. The trend is toward the criminalization of *immigration*, though certainly not *emigration*. The case of Turkey aptly portrays the creation of new laws that criminalize transit migration. The Minister of Interior of the Republic of Turkey, Abdulkadir Aksu (2004, 6-7), in a speech aimed at proving its determination to stop transit migration said:

> [Turkey] has made the necessary changes to national legislation and has speedily implemented them, thereby showing once again the importance it attaches to combating illegal migration and people trafficking. In 2002, for example, Turkey added the definitions of migrant smuggling and people trafficking to the Criminal Code in 2002, providing for criminal penalties of two to twenty years for these offences… As a result of such efforts and initiatives on our part, the international illegal migration route began to shift towards other

> countries in 2002 and 2003, and the illegal migration flow through Turkey substantially decreased.

This is just one example of new anti-immigration laws that are being passed in transit states.

Research shows that border fortifications have not been successful strategies to stop migrants from clandestine entry or from deterring migration (Cornelius and Salehyan 2007). Countries that border the EU and the U.S. know this first-hand, as it is primarily their citizens that have continually found their way around the border obstacles that have been placed in their path. Recent U.S. proposals for an extension of the U.S./Mexico border wall, for example, have led one Mexican politician to boast: "the more walls they build, the more walls we will jump" (NY Times 2006). Even with common knowledge holding that border controls do not deter undocumented entries, however, the authorities in transit states are implementing border enforcement, internal controls, and criminalization as the primary solutions. As has been noted in the case of the EU, transit states are awarded financial assistance precisely with the goal of implementing the first world's deterrence strategy: enforce borders, criminalize undocumented migration, and limit legal channels.

1.6 Theories of Immigration Control and the Transit State

The transit state provides a complex scenario for the study of immigration policy because of the number of states involved and the very nature of transit migration. Yet immigration policy theory is almost entirely dedicated to explaining government actions by countries of immigration, that is, the first world countries that receive large numbers of 'unwanted' immigrants who plan on working and living in

the host country. Immigration scholars have debated the utility of national identity, domestic politics, state institutions, Marxism and neo-Marxism, and globalization theory to understand why countries of immigration enact restrictive immigration policies. This final section is dedicated to analyzing these theories within the context of the transit state. None of the following approaches adequately explains the enactment of immigration controls in Mexico or Morocco. However, they do provide an important theoretical toolkit for exploring why these two countries are currently opting to restrict transit migration.

According to the national identity approach, national identity debates and social conflicts are primary in shaping immigration policy (Zolberg 1981, Meissner 1992). A historical approach, evoking a national narrative built on historical events, is often used to explain why countries are friendly or unfriendly to immigration. Using this lens, heterogeneous settler societies[22] (typified by *jus soli* citizenship principals) are willing to accept large-scale immigration, while homogenous ethnic states[23] (typified by *jus sanguinis* citizenship principals[24]) reject immigration (Kritz 1987). The transit state does not easily fit into the rubric this approach presents; neither Mexico or Morocco, for example, can be defined as 'heterogenous settler societies' or 'homogenous ethnic states.' David Fitzgerald (2005, 182) notes that claims of common descent or homogeneity have little traction in countries that house both indigenous populations and colonizers. In the case of Mexico, with *mestizaje* as the

[22] Typically cited countries are U.S., Canada, and Australia.
[23] Typically cited countries are Germany and Japan.
[24] *Jus soli* (latin "right of soil") is a right that grants citizenship individual born in the territory of the related state. *Jus sanguinis* (latin "right of blood") is a right that grants citizenship to any individual born to a parent who is a citizen of that state. In practice many states apply a hybrid of both principles to define citizenship.

foundation of national identity, using common descent claims for immigration restriction "simply would not make sense within an overarching nationalistic frame that defines Mexico's relatively recent construction from heterogeneous elements." A critically updated version of the national identity approach would analyze how a self-image as a country of emigration effects immigration policy. As I discuss in Chapter Two, for example, this self-identification with emigration results in the Mexican public essentially turning a blind-eye to transit migration and the serious mistreatment of transit migrants at the hands of the Mexican state.

The national identity approach is not the only theory that uses public concerns to explain immigration policies. The domestic politics approach, while using the same unit of analysis as the national identity approach, primarily focuses on the interplay between state and society. Scholars of this approach often focus on the curious relationship between a negative public opinion of immigration and expansive immigration policies as often seen in countries of immigration (Simon & Lynch 1999). This relationship is attributed to policymaking that is analogous to a delicate balancing act between various interest groups and partisan politics (Cornelius 2004). Interest groups are typically exemplified as employer and ethnic groups, who favor expansionist policies, and unions and nationalist groups, who favor restrictionist policies (Joppke 1998).[25] This approach has been used effectively to capture the influence electoral politics can have in shaping the immigration agenda, and the power

[25] An example is Joppke's (1998) analysis of the U.S. Immigration Reform and Control Act passed in 1986. While the act was originally proposed to restrict and control immigration, client politics ultimately created an expansive policy that granted amnesty to over three million undocumented immigrants.

of interest groups in the democratic system (Meyers 2000). Like the national identity approach, the domestic politics approach does not, at this point, accurately fit the transit state scenario. The public is neither asking the government to stop immigration nor are immigration policies expansive. Instead, in both the Mexican and Moroccan cases, restrictive policies were initiated in a top-down process. As of yet, there has been no real societal demand for the State to intervene in the realm of migration. However, if transit migrants become *de facto* residents, their stay can become problematic (de Haas 2005). The possibility of spending scare resources on non-citizens and job competition could create a xenophobic backlash.

Immigration scholars also attempt to explain state responses by switching the unit of analysis from the society to the state. One such approach is the institutional approach, which depicts an autonomous state relatively unaffected by society (Fitzgerald 1996). This approach argues that the interests of the state, in certain circumstances, can remain unaffected by electoral politics or interest groups. The literature differentiates between 'strong' states (states unaffected by societal pressures) and 'weak' states (states where societal pressures have affected policy) (Freeman 1995 Skocpol 1985).[26] A tempered application of the institutional approach is Joppke's (1998) examination of the granting of significant rights to immigrants by U.S. and German court systems, both insulated from society and founded on liberal principals of individual rights. The institutional approach could be useful to analyze the inner workings of the State, but because this approach ignores both domestic issues and the

[26] Theda Skocpol (1985) lends the examples of strong and weak states as Chile under Agustin Pinochet and the U.S., respectively.

international context, it cannot provide a deep understanding of why countries restrict immigration.

Scholars have also turned to Marxism and neo-Marxism to explain immigration policies within countries of immigration. Marxism contends that immigration is a structural component of uneven capitalist development and the international division of labor (Gorz 1970, Piore 1979). Capitalists, in an effort to increase profits, import foreign workers in order to drive wages downward, divide the working class, and maintain the hegemonic class structure (Gorz 1970). In this analysis, employers from developed countries actively recruit cheap labor from undeveloped regions to work in the secondary sector of the labor market (Piore 1979). Neo-Marxists see international migration as a product of the structure of the world market and strategic, uneven development between countries (Morowska 1990, Petras 1981). However successful these approaches may be at explaining dynamics within countries of immigration, they are largely unable to explain immigration policies in developing countries, particularly transit states.

The transit state simply does not fit well into the Marxist model because transit states do not yet have a structural need for immigrant labor. As is discussed in Chapter Two, Mexico does exhibit some immigration driven by economic considerations, but this historic rural to rural flow is often attributed to continued ethnic and community ties after the political settlement of the Mexico/Guatemala border (Castillo 1989, Buchenau 1996). It has been noted in the literature that a segmented labor market is beginning to surface in certain areas of Mexico (Castillo 2001), and a similar process may be underway in Morocco. De Haas (2006, 9)

contends, "Even in poorer Maghreb countries, a growing number of unemployed highly educated shun unskilled or semi-skilled jobs and instead prefer to migrate themselves." However, in the vast majority of cases, people do not migrate *to* transit states; they migrate *through*, and remain in the country only by default. While Marxism, and particularly neo-Marxism, could offer explanations of why transit states receive immigrants, it cannot adequately explain why transit states have enacted immigration control policies at this time.

Yet another theory utilized to explain the creation of immigration policies is globalization theory. This theory argues that free trade and economic globalization is undermining the modern state (Schmidt 1995). Human rights regimes, circulation of capital, ethnic lobbies, EC/EU institutions and liberal trade have all contributed to the transformation of sovereignty (Schmidt 1995, Timmer & Williamson 1998). Hirst and Thompson (1995) argue "The state may have lost control over ideas, but it remains a controller of its border and the movement of people across them… in this respect despite the rhetoric of globalization, the bulk of the world's population live in closed worlds, trapped by the lottery of their birth" (c.f. Guiraudon & Joppke 2001, 15). Sovereignty may have been lost in a number of areas, but controlling (or attempting to control) who enters one's territory is still squarely within the jurisdiction of the nation state.

Scholars have also used realism theory to explain restrictive policies in countries of immigration. Realism assumes that the state is a rational, unitary actor most concerned with security issues (Walt 1991, Weiner 1993, Koehane 1986, Mitchel

1989). It is based on a pessimistic view of human progress and possibilities; it claims that the world is primarily hostile, conflictual, and humans (therefore states) are primarily concerned with power and domination (Gilpin 1986). Realism is most applicable in international situations of conflict and war, and therefore, Realist explanations of immigration policy have mainly been limited to explaining refugee flows and policies (Titelbaum 1984). While realism was largely on the wane immediately following the end of the Cold War, there has been a general renaissance in security studies after the terrorist attacks of September 11, 2001. Realism is useful in that it emphasizes global power relations, but it has been widely criticized for assuming the state is a unitary actor and ignoring the domestic sphere. Fitzgerald (2006, 261) notes that defining national interest "is itself an ongoing domestic political struggle."

Rather than focusing on only one element, such as the state, or the interaction between state and society, I argue that immigration policies within transit states are best explained by incorporating multiple dimensions. A comprehensive analysis includes the international context, state leadership, society, and the interactions between all three realms. In this approach, as realism brings to the fore, geopolitics are a key factor, particularly the desires and efforts of transit states to pursue greater regional integration for economic reasons. It is important to note that transit states are being courted, financially enticed, and diplomatically pressured to control their borders and detain transit migrants. I argue that by continuing to strengthen their relationships with either the U.S. or the EU, transit states strategically align

themselves with the developed North and distance themselves from the undeveloped South. In my analysis, immigration control policies are part of the larger nation building process, with regional integration, foreign direct investment, remittances, development (or other) aid and economic trade all playing an important role in the development of transit states. However, I also argue that domestic factors cannot be ignored, especially with the passage of time. The longer the transit state receives transit migration flows, and especially if these migrants become *defacto* immigrants, the more the public is likely to have a xenophobic and adverse reaction. As the domestic politics approach reminds us, public demand for immigration control can lead to restrictive policies.

1.7 Conclusion

This chapter is intended to set forth the concept of the transit state and its response to transit migration flows. I began by discussing the nascent literature dedicated to transit migration and offered a typology for the transit state. As has been demonstrated throughout the chapter, there is a clear trend underway of transit states opting to restrict transit migration. Newly enacted immigration controls target transit migrants and are in the form of both internal and external controls. In order to understand why transit migration has elicited this particular form of state response, it was first necessary to explain the current U.S. and EU trend of immigration policy externalization. Such externalization practices are creating heavy pressure and significant opportunities for transit states. The Mexican and Moroccan case studies presented in Chapter Two and Three provide evidence for my argument that transit states take advantage of U.S. and EU fears of transit migration flows and engage in

strategic negotiations. The Mexican and Moroccan governments are adopting the migration police role in order in order to make gains in the areas of trade, greater regional integration, and to secure legal migration pathways and greater rights for their own emigrants. Domestic issues, such as xenophobia, job competition within the informal labor market, and fears that migrants will use scarce state resources, only serve to encourage regulation.

This study contributes to the greater migration literature by furthering our understanding of contemporary migration flows, underscoring how migration continues to challenge state sovereignty, and offers a new theoretical framework to analyze the policy response of transit states. Though the principal goal is to explain immigration policies, the human consequences of these policies should not be ignored. Transit states may benefit from their geopolitical role by achieving regional integration, coveted trade agreements, or rights awarded to emigrants abroad, but transit migrants stand only to suffer from the immigration controls being implemented in Mexico and Morocco.

Chapter 2

The Mexican Case: Visions of a Shared Security Perimeter

With a two thousand mile land border between it and the United States, Mexico stands at the geographic crossroads between the first and third worlds. It is a natural bridge, connecting, or perhaps distancing, a wealthy U.S. from an impoverished Latin America. At the start of the twenty-first century, Mexico holds the title as the country that registers the world's largest emigration flow: in 2000, an impressive eleven million people of Mexican birth were living in the U.S. (Ruiz 2005, Hispanic Pew Center 2007). Both public and academic attention has tended to focus on the phenomenon of Mexican emigration and the experiences of Mexicans abroad. Meanwhile, a new story is developing that has received little attention. Migrants from around the world, the vast majority whom are Central American, are attempting to reach the United States over land by traversing Mexico. Though these transit migrants[27] are merely moving through Mexican territory, the Mexican government has taken a stringent gatekeeper stance against these immigrants. Over the past decade the Mexican government has increasingly voiced concern about transit migration and acted to reduce the flow of migrants heading north.

This chapter will examine the phenomenon of transit migration in Mexico and the policies adopted by the Mexican government to combat this flow. The Mexican case study exemplifies the domestic issues that transit states face by receiving transit

[27] Throughout this chapter I define 'transit migrants' as migrants who enter Mexico with the explicit goal of reaching the U.S. Even if migrants engage in temporary work or extended stays, if their ultimate goal is to cross the Mexico/U.S. border, I consider them to be transit migrants. This clarification is crucial because Mexico also receives immigrants, that is, individuals who consider Mexico as their destination.

migration flows and the geopolitical politics that surround asymmetrical power relationships. My analysis seeks to answer the following questions: why has Mexico opted to restrict transit migration? What kinds of immigration controls are currently underway, and how much can they be attributed to the externalization of U.S. immigration policies?

In the past decade, the Mexican government has enacted a system of internal controls and anti-transit migration projects. Instituto Nacional de Migración (INM) officials I interviewed claim that they have learned from the U.S./Mexico border experience; they emphatically insist they will not build a wall or try to stop inter-regional migration. While the body of literature dedicated to this topic reports that Mexico is enacting border controls and militarization (Barry 2005, Flynn 2002, Pickard 2005, Ruiz 2005), I discovered that INM has focused recent efforts on implementing a strict system of internal checkpoints throughout the country. Immigration officers are posted at all major highways heading north, making it extremely difficult for immigrants to travel undetected. In response, migrants now shun roads, buses and cars in favor of freight trains running from southern Mexico to the U.S./Mexico border.

The INM has a limited number of checkpoints on railways, but this does not mean that transit migrants escape controls. Legally, the only government agents authorized to apprehend undocumented migrants are INM and the Policía Federal Preventativa (PFP) agents, yet private police forces are employed by the rail companies, and the local and state police along with the military – essentially anyone in uniform – participate in the detection and apprehension of undocumented migrants

(Sin Fronteras 2005). Corruption and extortion are rampant. This occurs alongside the brutal violence doled out by street gangs, such as the Mara Salvatrucha, that dominate the freight trains (Ruiz 2005). Even though such human rights abuses are frequently denounced and commonly known,[28] the Mexican government tends to look the other way. This form of benign neglect can be considered another form of immigration control. Danger and expense are often (and erroneously) considered to have a deterrent affect on potential migrants (Cornelius & Salehyan 2007).

I argue that Mexico has opted to restrict transit migration for geopolitical reasons. Because the Mexican public is unconcerned about the plight of Central American migrants in Mexican territory, the Mexican government has been able to engage in restrictive, even draconian, immigration controls in relative freedom from public concern. Despite claims that Mexico has become a mere puppet to U.S. immigration interests (Ruiz 2005), INM officials I interviewed explained that Mexico is opting to combat transit migration in the pursuit of deeper regional integration with the U.S. In a post 9-11 world, this takes form in the vision of a 'shared security perimeter.' I argue that immigration restrictions have become a chip in the bargaining game; by working to restrict transit migration, the Mexican government shows that it is an ally in the 'war against terror,' that it is cooperative, and most importantly, that Mexico is *North American*. By aligning itself with the developed north, Mexico is strategically distancing itself from the underdeveloped south.

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[28] For more information concerning human rights abuses see "México y su frontera sur," a 2005 Sin Fronteras publication. The compelling book, *Enrique's Journey*, written by Sonia Nazario about a Honduran boy's migration to the United States is an excellent documentation of common abuses suffered by transit migrants.

I begin this chapter by introducing my fieldwork and research methods, and then discuss Mexico's '*frontera olvidada'*, the forgotten border, which lies between Mexico and Guatemala. As the focus of much political dialogue concerning transit migration, my discussion of the southern border exemplifies the complexities of both Mexico's immigration flows and controls. The following sections set the scene for discussing contemporary transit migration. I highlight the historical identification of Mexico as a country of emigration, its tradition of selective immigration policies, and Mexico's unfamiliarity with the new found task of receiving and regulating immigration. Diverging from the past, inter-regional labor migration to southern Mexico has recently increased and flows have diversified, suggesting that areas of Mexico demonstrate a need for cheap foreign labor, because certain sectors of the labor market have become associated with migrant labor (Castillo 2001). These traditional flows of Guatemalan laborers to southern Mexico were complicated by the 1980s refugee crisis in Central America. The crisis, an important component in Mexican history, helps explain both the beginning of entrance restrictions for Central Americans and the process by which transit migration routes and networks developed. Finally, I delve into contemporary immigration policies and the Mexican government's explicit focus on combating transit migration, and then finish the chapter with an analysis of the domestic and geopolitical factors that shape these policies.

2.1 Methods

I traveled to Mexico City in June 2006 to begin field research for the Mexican case study. My fieldwork was three weeks in length and focused on interviews with

Instituto Nacional de Migración (INM) officials, representatives of national and international level non governmental organizations (NGOs), and direct service workers who have immediate contact with transit migrants. I established contact with most of my subjects via electronic correspondence, and then proceeded with a snowball approach.[29] In other cases I simply met subjects in the field. My interviews, though open ended, followed a series of questions that aimed at eliciting views on Mexican immigration controls, the treatment of transit migration, and why Mexico might be pursuing a restrictive agenda. Interviews ranged from forty-five minutes to two hours, with an average time of about one hour. Subjects were informed that their names would not be published in order to encourage the full expression of ideas and opinions.

INM is the government agency charged with handling migration affairs, including all issues relating to immigration control. Among other responsibilities, INM grants visas, organizes regularization programs, maintains detention centers, and apprehends and deports migrants.[30] In the capital I interviewed three high ranking INM officials: the directors of the Migration Research Institute, Verification and Control, and Migration Issues. In Mexico City I also interviewed a program director for the NGO Sin Fronteras. Sin Fronteras is dedicated to defending the human rights of migrants through legal representation, social assistance, outreach and advocacy concerning migration legislation and policies. Sin Fronteras is considered one of the most influential Mexican NGOs for affecting public opinion and politicians.

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[29] For more information on this approach see Cornelius 1982.
[30] For more information see the INM website www.inami.gob.mx

From Mexico City I traveled south to the state of Chiapas to achieve a more region-specific perspective on transit migration. I interviewed the INM regional director for Chiapas in San Cristobal de las Casas before moving on to base myself in Tapachula for two weeks. I choose Tapachula not only for its proximity to the border (see Figure 2), but also because the area surrounding Tapachula and nearby Ciudad Hidalgo was considered the most trafficked part of the border (Castillo 2006). In Tapachula I stayed at a well-known migrant safe house, the *Casa del Migrante*, which is part of a larger network of migrant safe houses directed by San Carlos Scalabrinian Missionaries.[31] These safe houses can be found throughout Guatemala and Mexico. They offer room and board to migrants for three days, and asylum seekers can remain at the safe house until their status has been determined by the Mexican government.

Figure 2: Map indicating location of Tapachula, Mexico.

[31] The San Carlos Scalabrinian Missionaries are affiliated with the Catholic Church and are dedicated to migration issues. For more information, see their website www.migrante.com.mx/index.php

I choose this location in order to immerse myself in the world of transit migration, albeit a certain snapshot of the process. I engaged with transit migrants resting during a three-day respite from the beginning of their journey in Mexico. I did not formally interview migrants, but through sharing meals and chores many people shared their stories with me. I spoke with more than twenty migrants about their lives and migration goals, engaged in deeper conversations with six transit migrants, and established friendships with four individuals seeking asylum in Mexico. Because those seeking asylum are allowed to stay at the safe house until their asylum status is determined, it gave me more time to establish relationships with these individuals.

In addition to the participant observation I conducted while at the *Casa del Migrante*, Grupo Beta[32] gave me a guided tour of the southern border zone that they patrol. We visited train lines, the Suchiate River which divides Mexico and Guatemala, and the surrounding area. During my time in Tapachula, also I interviewed the regional director of Grupo Beta, two Grupo Beta officers, a representative of the Comisión Mexicana de Ayuda a Refugiados (COMAR), a representative of International Organization for Migration (IOM), three Central American Embassy Counselors/Vice-Counselors, and the director of the *Casa del Migrante*. All told, I conducted fourteen interviews with officials and NGO directors.

Through reading academic literature and journalistic reports, I had ascertained that this was the most trafficked area along the Mexico/Guatemala border (Castillo

[32] Grupo Beta, a program of INM, is dedicated to "the protection and defense of the human rights of migrants… independent of one's nationality or condition of documented or undocumented status" (INM 2007, translation mine). For more information about Grupo Beta, see the INM website.

2006, Ruiz 2005, Flynn 2002, Nazario 2002, NY Times 2006), however, when I arrived in Tapachula I discovered that the migration flows had shifted due to the passage of Hurricane Stan the previous fall. Yet to be demonstrated in the academic literature, the passage of Hurricane Stan through this area the previous October had changed migration routes. In addition to destroying roads, it had completely wiped out railway bridges, downing the entire railway system in Tapachula. When I arrived, trains had not been traveling through that area for eight months, nor were there plans to repair the bridges. Because freight trains are the standard mode of transportation for transit migrants, migration routes had shifted drastically. While I was intending to visit the hub of transit migration, I discovered a quiet scene, one described to me as a virtual ghost town in comparison with its pre-hurricane atmosphere. On my Grupo Beta-led tour of the southern border, an officer described the change brought on by Hurricane Stan:

> It was a great corridor of migration. We would attend to three hundred to four hundred migrants a day. The water and crackers and tuna we had to pass out did not last… Every one hundred meters or so you would find groups of twenty or thirty or forty, all waiting for the train. Because of [Hurricane Stan], the economy of Ciudad Hidalgo has dropped greatly, because they lived on the migrant. Now many of the businesses in Ciudad Hidalgo have closed, because now there are no migrants.

A woman who owned a shop directly across from the railroad tracks said business had dropped greatly. "You should have seen it before, it was pure carnival. Now there is no one." As can be seen in Figure 3 below, freight trains now lay abandoned, covered with vegetation in a quiet scene.

Figure 3: Abandoned freight train in Tapachula, Mexico.
Source: Author fieldwork, 2006

Migrants continued to travel through the area, but at drastically reduced levels. While I was staying at the *Casa del Migrante*, an average of twenty-five migrants were there each night, and I was told that this was a much lower number than in previous times, when the safe house would regularly fill its forty-five beds. INM officials informed me that apprehension rates in the Tapachula area began to drop dramatically in March 2006, about five months after the passage of Hurricane Stan. INM officials hypothesized that it had taken roughly five months for the information to travel south through the migrant network to inform potential migrants that there were no longer any trains leaving from Tapachula. Others maintained that it was the combination of a downed train line and the rampant practice of corruption on the part of Mexican military and police agents in the Tapachula area that caused the downturn in migrant traffic in the area.

There was also much discussion and speculation among both INM officials and local NGO workers about where the migrant route had shifted. One Grupo Beta officer informed me, "They used to wait for the train here, but now they are just purely passing through… there are still migrants, just not in the quantity as before in this zone. They are looking for a new zone. They say that there are a lot of people in Villa Hermosa now." At the time of my fieldwork, officials had essentially lost track of the flow. They knew migrants were still entering clandestinely at some point at the southern border, but where exactly remained a mystery.

2.2 Mexico's Southern Border: Colonial Legacies

"[Local residents] can recognize who is Chiapanecan and who is Guatemalan, but they do not seem any different to me. I think they are the same." ~ INM official

Many of Latin America's borders were determined during the nineteenth century wars of independence and cut across communities with shared identities (Pellegrino, 2005). Andrés Fábregas Puig (1997, 349) notes, "In the precolonial world there were no borders. Colonialism interrupted this world," and Manuel Ángel Castillo (2003, 4) argues that the boundaries of the territories "reflected the administrative needs of the conquerors." Since its inception in 1842, the Mexico/Guatemala border was a disputed boundary drawn between culturally and ethnically similar peoples (Buchenau, 1996). Chiapas was part of Guatemala until the Mexican military forcefully imposed Mexican territoriality on the area. Jurgen Buchenau (2001, 27) writes "For decades thereafter, thousands of Chiapanecos still thought of themselves as Guatemalans and remained a dissatisfied element on

Mexico's southeastern border." A treaty was finally signed in 1882 that formally settled the political issue, although the question of identity is still alive today.

While a political border was imposed on the area, it did not delineate separate ethnic or cultural groups. María García (2006, 51) contends that the Maya who live on both sides of the political border often do "not even identify themselves as members of a nation-state." This border crosses indigenous territories, such that the Mayan groups of *choles*, *mam* and *chuj* of the region are "as much from this side as the other." In the dense forest of the region it has never been clear where the border is, nor are there immigration checkpoints or border agents to inform residents when they have crossed from one side to the other (Nolasco 1983 c.f. Cordova 1985, 30). The southern border was completely unmarked until 1917, when the first border post was established (Nararro 2001).

It was not until very recently the southern border was even considered a border at all. "Generally," writes Juan Pohelenz Cordova (1985, 26), "the 'border' in Mexico was identified with its existence in the north, with the United States; in the south, one lives without the preoccupation of being situated in a border zone." For at least a century, the Mexican/Guatemala border was not much of a reality. Travel was not impeded, regional trade was strong, and relationships developed and were maintained despite boundaries or nationalities. The southern border is often referred to as the 'forgotten border' for this reason; it was simply not conceptualized in the same manner as the controversial northern border, nor was it the center for governmental policies or public attention (Castillo 2001). It was not until the 1980s, with the influx

of Guatemalan refugees, that the southern border sprang into the public consciousness and into the political conversations of the Mexican government (Pohlenz, 1985).[33]

With the wave of Guatemalan refugees, the southern border region was militarized. Though the Mexican government could not establish complete control over clandestine entry, its attempt to control entrance marked the beginning of a rigid delineation between this historically and culturally united region. It was also the beginning of chaos: multitudes of Guatemalan peasants, Guatemalan military agents pursing 'insurgents' on Mexican territory, Mexican military and police agents attempting to corral and control refugees, the establishment of international and domestic NGOs, and the nascent presence of *polleros*, human smugglers, offering their services to help refugees travel to the United States were all present and active on the border. Today refugees are no longer streaming into Mexico's southern borders, but it is perhaps just as chaotic as ever. Central American refugees have been largely replaced with economic migrants hoping to cross Mexico in order to reach the famous 'promised land' of the United States.[34]

[33] Discussed in more detail in section 2.4
[34] Discussed in more detail in section 2.5

Figure 4: Migrants crossing the Mexico/Guatemala border on the Rio Suchiate
Source: Author fieldwork, 2006

As can be seen in Figure 4 above, upon reaching the Mexico/Guatemala border, migrants can pay ten *centavos* to a raft operator and be ferried across the Suchiate River on a pallet astride two inflated tubes. This mode of crossing the border is common and generally operates undisturbed by authorities. The migrants I spoke with generally did not experience many problems crossing the Mexico/Guatemala border. The Regional Director for Grupo Beta explained, "With the southern border open the migrant simply arrives at the Rio Suchiate… and the migrant crosses without any problem, there is no one watching." Goods are also ferried across in the same manner, though the movement of goods is in both directions. "On the river," a Grupo Beta officer told me, "everything crosses. Not just the migrants, but the goods as well. More [goods] from Mexico to [Guatemala]." This vibrant cross border trade is important to the local economies on both sides of the border, with Guatemalan agricultural products complimenting Mexican manufactures (Castillo 2003). All of

these border-crossing activities occur within clear view of the official customs office (see Figure 5 below). Because of the importance of cross border trade and the historical tradition of inter-regional migration of Guatemalan laborers,[35] and lack of resources, the Mexican government has, so far, decided not to enforce the physical border with barriers or large numbers of immigration authorities (Castillo 2006).

Figure 5: Mexican goods wait to cross the Rio Suchiate with the official border checkpoint in plain site (the bridge in background)
Source: Author fieldwork, 2006

Though the physical border itself is not heavily enforced, immigration authorities and PFP agents are posted along the border at certain sections and even more are at the highways. Even though they are the only officials with the legal jurisdiction to apprehend undocumented migrants, military and other police agents reportedly engage in migration detention and extortion is common practice (Sin Fronteras 2005). Adding to the mix in the southern border region is the infamous

[35] Discussed in more detail in section 2.6

Mara Salvatrucha.[36] With so many obstacles and dangers, the number of *polleros* had increased, along with their prices.[37] In addition to all of these elements, there is the welcome presence of NGOs, migrant safe house, government homes for migrant youth, Grupo Beta officers, and many others dedicated to protecting the human rights of migrants. Lastly, though certainly important, are the local residents.

The region is simultaneously one of surveillance, corruption, violence and, due to the work of local service providers and NGOs, some places of safety. All forms of migration have increased in recent years, including daily commuters and transborder crossers, regional laborers and transit migrants (INM 2005). Though the Mexican government is emphatically stated that it is not going to build a wall, it has nonetheless pursued a strategy of restriction and control. Such policies have transformed the southern border into a "concrete reference point for the increasing discontinuities and asymmetries between both countries and more broadly, with the neighboring region" (Castillo 2003, 7). The Mexico/Guatemala border has become the sight of a larger political battle, with Mexican leadership using immigration control to deepen its ties with the United States.

2.3 Historical Immigration: A Selective Embrace

"One has to remember the history of Mexico as well. Mexico is not a country of immigration. It has been a country that expels its population, but does not receive it."
~ INM official

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[36] For more information concerning the Mara Salvatrucha, U.S. deportations of gange members, and the subsequent creation of a transnational gang network, see Arana (2005).

[37] Migrants at the *Casa del Migrante* informed me that purchasing the services for a *pollero* was beyond their financial resources. I was told it cost an average of $6,000 to travel with a *pollero* from Honduras to the United States, a Grupo Beta officer told me it costs $8,000 from Tapachula to the U.S., and James Smith cites a range of $5,000 to $10,000 just to cross Mexico, and another $1,500 to cross the U.S./Mexico border (2006).

While other countries in the Americas were receiving large flows of transatlantic European migration in the late 1800's, Mexico never became a popular destination. Of all European migrants destined for the Americas, a mere 0.6 percent settled in Mexico. The small numbers of Europeans that choose Mexico were what Jurgen Buchenau (2001, 27) labels 'trade conquistadores'; migrants from the middle and upper classes of Spain, Great Britain, France and Germany who came "armed with investment capital [and] they soon dominated mining, money lending, and wholesale trading." Unlike Canada, the U.S., Brazil and Argentina, Mexico was never considered to be a 'promised land' for the lower classes. The administration of President Porfirio Diaz (1876-1911) specifically sought European immigrants to settle in Mexico in order to modernize and bring 'progress' to the country (Ramirez 1996). The Porfirians assumed that European immigrants would bring "the infusion of European money, education and customs into a countryside populated by supposedly indolent and ignorant indigenous people" (Buchenau 2000, 31).

Though the government offered generous subsidies and tax breaks, Mexico never could offer the advantages of other American destinations, such as farmable land or a booming industrial sector, and therefore the Porfirian 'whitening' project failed to attract large numbers of well-heeled Europeans. In addition to the small number of influential and well-connected European immigrants, Mexico was host to a number of groups that it did not invite. Italian and Chinese 'coolies', for example, traveled south from the United States to build the railroad for British and United States companies. When the U.S. began restricting immigration, a portion of the flow was

diverted to Mexico. Asians became the fastest growing immigrant group in Mexico, and for the first time Mexico began to receive immigrants from Eastern Europe, the Middle East, and India (Buchenau 2001).

A recession in 1907 brought about some of the first anti-immigrant sentiments, with particularly xenophobic campaigns focused on Asian communities. The Chinese were racialized and targeted; they were lynched, robbed, and harassed by the general populace (Buchenau 2001). The anti-Chinese campaigns were the most intense during the 1920s and early 1930s. According to Humberto Monteón Gonzalez and José Trueba Lara (1988, 15), the anti-Chinese activities are a nearly forgotten page in Mexican history, one that included "the creation of ghettos, the closing of commercial establishments, the prohibition of marriage between Orientals, massacres and the illegal expulsion of Chinese from our country." The Mexican government drafted a new immigration law in 1926, and following the U.S. example, the legislation aimed at restricting the entrance of foreigners without economic resources and migrants who might be considered a threat to public health (Mora 2005).

Quite unlike the forgotten page of Chinese xenophobia, Mexico's reputation as a safe haven for refugees and exiles is a source of national pride. Over the twentieth century the Spanish Civil War Republicans, Irish, Argentines, Brazilians, Dominicans, Uruguayans, Turkish Jews, Eastern Europeans, Lebanese and the Cubans all sought refuge in Mexico (García 2006). The Mexican government was so friendly toward political exiles, for example, that in 1939 the administration of Lázaro Cárdenas created a law specifically for the purpose of accepting Spanish exiles. Between 15,000 and 22,000 Spanish intellectuals, artists, jurists and politicians came to Mexico

at that time. Similarly, Mexico offered itself as a safe have for Cubans fleeing the regime of Fulgencio Batista; in fact Fidel Castro spent time in Mexico preparing for the revolution that would eventually topple the Batista regime. Later, Mexico welcomed those in opposition to Castro (Friedland & Rodgríguez 1987).

The numbers of political exiles were never considered massive or destabilizing. It was common for asylum status to be granted on an individual basis, such as with Leo Trotsky before World War II (Friedland & Rodríguez 1987). The small incoming flows were relatively easy to manage, and perhaps most importantly, Mexico was happy to receive political figures, intellectuals, and well-educated and often well-financed individuals. Small numbers of political exiles were not a threat to the labor market either. Yet by the middle of the twentieth century it had become clear that Mexico was a net exporter of migrants rather than an importer. The Mexican populace pressured their government to provide resources for the native born, rather than foreigners, which led to the dismantling of the Porfirian 'whitening ideology.' The 1947 General Population Law "stipulated public health and literacy programs designed to reduce the steep mortality rates of Mexican children, and it made immigration a second hand priority" (Buchenau 2001, 4). Mónica Palma Mora (2005, 37) argues that by 1960's, the fundamental criteria for regulating migration was the protection of the labor market for the domestic work force. Mora contends that immigrants were only granted entrance if "the Mexican labor market would permit it and needed it; they would be welcome to contribute to the modernization of the country" (translation mine).

However, Mexico continued to uphold its welcoming reputation by granting asylum to South American political exiles when the Southern Cone erupted in political violence and repression.[38] Rodolfo Casillas Ramírez et al (1996) note that Mexico's era of open arms coincides with the economic 'Mexican miracle'. By the early 1980's, with onset of Mexico's debt crisis, this economic prosperity came to an end. The tradition of welcoming refugees was put to the test in the 1980s, when large numbers of Central Americans fled brutal political violence in their home countries.

2.4 The 1980s Refugee Crisis: A Challenge for Mexico

"It needs to be remembered that migration in the southern border does not have its origin in economic problems. It originates with the war." ~ INM official

Beginning in the 1970s, Mexico's southern neighbors became mired in civil war, violence, and political and economic instability. In Central America, from 1974-1996, over a quarter of a million people died from the region-wide violence, and over one million people were internally displaced. The first Central Americans to arrive in Mexico were the Nicaraguans, who headed north in the 1970s in order to escape the Somoza dictatorship and the Sandinista War (Garcia 2006). The Nicaraguans were mainly in transit to the United States, and were relatively small in number. The true refugee crisis for Mexico began in 1981 when large numbers of Guatemalan peasants crossed the border to escape state-led massacres in northern Guatemala (Hartigan 1992).[39] A COMAR representative spoke of the first waves of refugees:

> People arrived in long lines, tired, sweaty, pale and sick, seeking [shelter and food]. Some stayed in stables, others at the foot of the

[38] For more about South American exiles living in Mexico, see Yankelevich (1998).
[39] For a detailed description of Guatemalan refugees in southern Mexico, see Hernández Castillo, et al (1993). For information about refugees in Mexico City in the 1980s, see O'Dogherty (1989).

> mountains with makeshift tents against the rain: a multicolored array of plastic sheeting was to be seen everywhere; bins containing corn and rice were quickly emptied; there was no longer anything to eat and everywhere there were hungry, underfed people, with malaria, tuberculosis and gastrointestinal disorders. They started to die. (c.f. García 2006, 44)

This inundation was a shock to the local populace. García (2006, 28) writes that during the early 1980s, "Mexican *campesinos* in Chiapas reported that the rivers flowing from Guatemala were filled with so many corpses – many exhibiting the visible signs of torture – that it became impossible to bury them all. The smell of burning and rotting corpses became an everyday fact of life along the Guatemala-Mexico border." The sudden presence of thousands of Guatemalan refugees[40] in the state of Chiapas was not just a shock for local residents; the Mexican government had never hosted such a population before.

Though Mexico exhibits a proud tradition of providing asylum to many Latin American and European intellectuals, this was the first time the country had ever received large numbers of impoverished, mostly indigenous peoples from Central America (Hartigan 1992). Unlike the well-educated, middle class political exiles of the past, the majority of Central Americans arrived with no financial resources to speak of and limited education. Among the Guatemalan refugees, illiteracy was common and many spoke Spanish as a second language, if at all (Friedland & Rodíguez 1987). This was the first time in Mexican history that the country was

[40] These migrants were commonly referred to as 'refugees' because they were fleeing political violence, but their legal status varied in each country. At that time Mexico was not even a signatory to the 1951 UN Convention or the 1967 Protocol Relating to the Status of Refugees, making their status was unclear. For a detailed explanation of the creation of refugee policies in Mexico see Friedland and Rodríguez (1987). Within the United States, refugee status was highly political and entrenched in Cold War politics; see García (2006).

faced with the role of country of first asylum for thousands of people fleeing repressive governments (García 2006).

One of the greatest concerns exhibited by the Mexican government was that violence would spill over the border into Mexico and inflame an indigenous uprising in Chiapas. Refugee camps were often accused of being guerilla bases, and "the Guatemalan army regularly crossed the border in pursuit of fleeing guerrillas and civilians, to gather intelligence, monitor and intimidate the refugee camps, and to abduct and kill" (Doyle 2003, 4). The Mexican government responded in contradictory fashion: it simultaneously filed official diplomatic complaints while Mexican forces helped the Guatemalan army search for subversives and thousands of refugees were deported against their will (García 2006). The Mexican government found that "despite the best draconian efforts of their security forces," deportations could not keep ahead of the amazing pace of refugee arrivals. Mexico "complained of having 'lost control' of [its] borders," and it was unable to deter or even monitor the number of foreigners on Mexican territory (Hartigan 1992, 718). Not only were the numbers perceived to be "out of control"; refugees were seen as potentially destabilizing and radicalizing agents in the state of Chiapas (García 2006). Chiapas, often described as "the state that the Mexican Revolution never touched," was home to latent conflicts between the landless indigenous population and the small group of elite landowners (Hartigan 1992). When the Zapatista uprising began in Chiapas on

January 1, 1994,[41] local officials quickly blamed the influence of the Central American refugees who entered in the 1980s (García 2006).

With these concerns, the Mexican government sought to contain the refugees to designated refugee camps, with the clear goal of one day repatriating the population to Guatemala. The United Nations High Commissioner for Refugees (UNHCR) played an important role in the formation of refugee policies and levering both international pressure and resources to encourage Mexico to provide a safe haven for the Central Americans, even if only temporarily.[42] By 1983 Mexico had stiffened its tourist visa applications in an effort to stop Central Americans from simply flying to Mexico and then overstaying their visa. While the refugee population was, for the most part, accepted by the government, they could not count on legal status or support. It took nine years for a migration category for this population to be incorporated into the judicial system, and two more years for it to pass into law. "Even today," Castillo (1997, 208) claims, "one cannot speak of an effective application of this legal resource" (translation mine).

Over the course of Guatemala's 36-year civil war, which officially ended in 1996, thousands of refugees fled north, seeking safe haven in Mexico, the United States and Canada (Smith 2006). Many of the indigenous Guatemalans choose southern Mexico because of the historic ties and cultural similarities. Many other refugees, however, did not remain in Chiapas and instead continued to travel north in search of opportunity in the United States. The Nicaraguans and Guatemalans were

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[41] For more information concerning the Zapatista uprising and Chiapas land conflicts, see Collier and Quaratiello (2005).
[42] See Hartigan (1992).

joined by El Salvadorans, creating an outpouring of Central Americans heading north. Sarah Mahler and Susan Ugrina note "Warfare not only killed thousands and displaced millions, it also institutionalized a migration pattern that heretofore had been very minor: emigration to *El Norte*" (2006, 1). Indeed, it was precisely the flow of Central American refugees fleeing violence that established the routes and networks that have enabled today's movement of transit migrants.

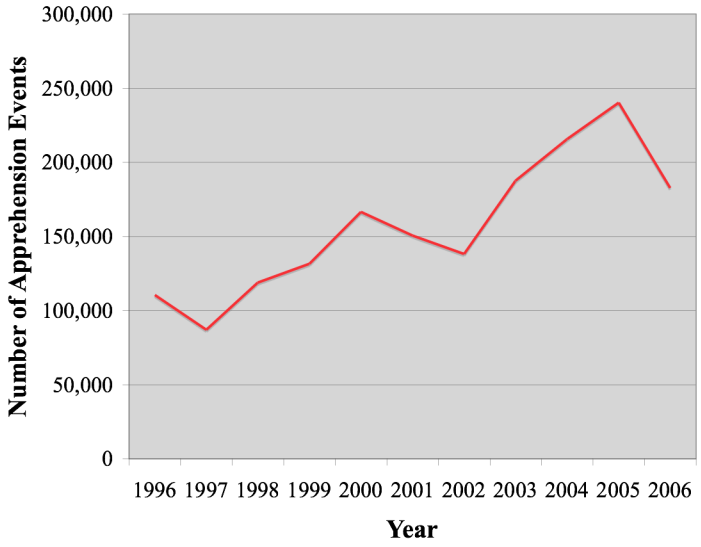
2.5 Transit Migration: A Dangerous Journey

"It is the easiest border to cross. You can go, everyone crosses it, completely visible. The point is not to cross the border, the point is to cross Mexico. Crossing the border is no problem, the problem is when you try to cross Mexico. You have to advance up the highways, which is extremely difficult because after the first twenty kilometers there are checkpoints on the highways and the trains… to cross Mexico is more difficult to cross in the United States" ~ INM Official

After the signing of the peace accords, Central America found itself worse off economically than before the civil wars had ever began (Smith 2006, García 2006). Indeed, focusing on Nicaragua, "many of the social problems that produced war – intense poverty, unemployment, and illiteracy – have continued to plague Nicaragua into the next century" (García 2006, 42). Not only are Central Americans suffering from dire economic situations, the peace accords that ended the armed conflict have not produced an end to violence (Robinson 2003). In response to both economic necessity and continued violence, many Central Americans continue to utilize the networks and routes that the 1980s refugees established in their migration to the United States. Throughout the 1990s the flow of Central Americans has both diversified and showed remarkable growth (Castillo 2003).

As can be seen in Graph 1 below, apprehensions have doubled over the past ten years. The significant drop in apprehensions in 2006 may be due to the shifting of migration routes after the passage of Hurricane Stan and INM's inability to track the new routes. Of course, given nature of clandestine migration, these statistics are not complete. They simply represent the number of apprehensions made by authorities, which is skewed both because migrants can be caught more than once, and other migrants are never caught. The true number of transit migrants is, therefore, unknown.

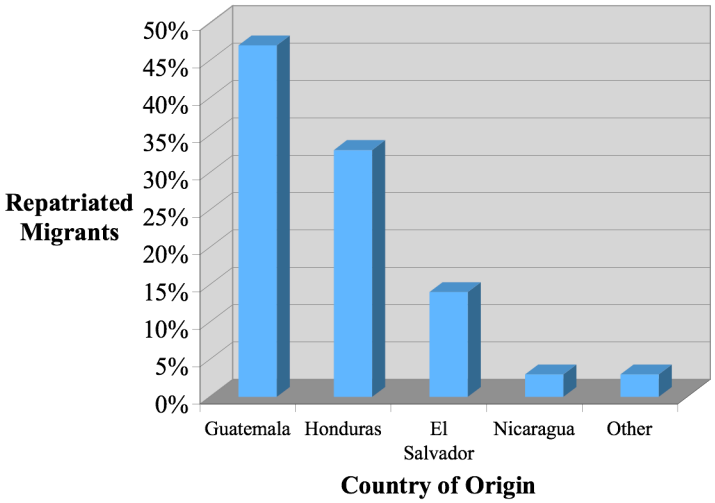
Graph 1: Immigrant Apprehension Rates



Source: (INM 2007)

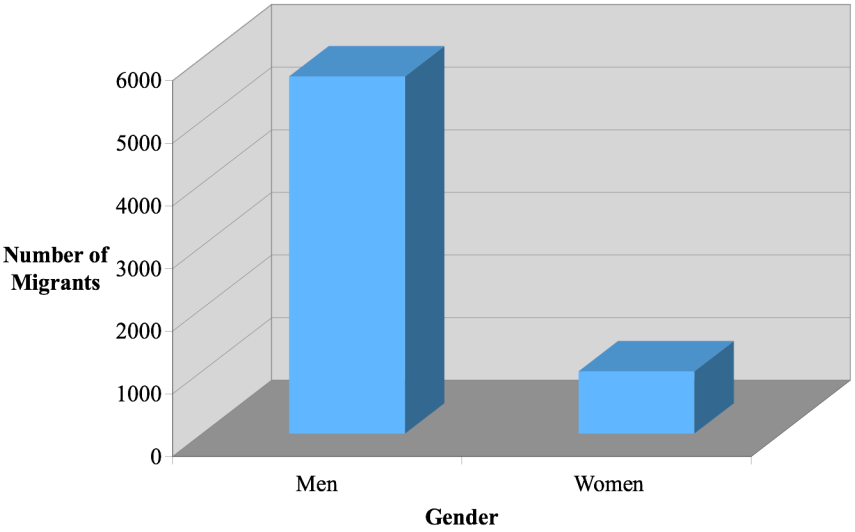
As can be seen in Tables 3 and 4 below, according to INM data, ninety-seven percent of apprehended migrants are Central American, and according to the *Casa del Migrante* 2005 data, the vast majority migrants are men.

Graph 2: Repatriated Migrants by Country of Origin, 2007



Source: (INM 2007)

Graph 3: Gender of Transit Migrants at the *Casa del Migrante*



Source: *Casa del Migrante* 2005 database, N=6,766

Figure 6 below traces the migrant routes through Guatemala, illustrating both the popular crossing points at Mexico's southern borders and how Guatemala has transformed into a transit state as well.

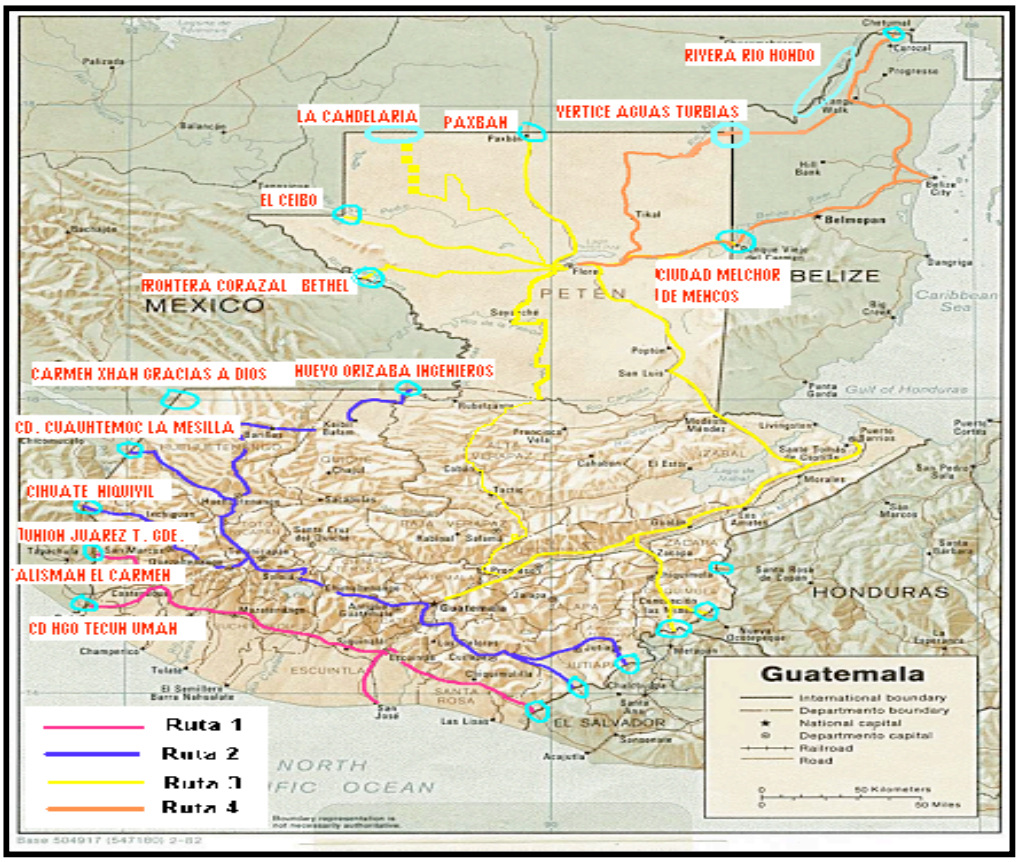


Figure 6: Map of four most popular routes used by transit migrants to reach the Mexico/Guatemala border. Source: (INM 2007)

Once at the border, migrants face their first obstacle: clandestine entry into Mexican territory. Migrants frequently spoke to me about the practice of *mordidas*, literally "little bites," which are bribes one must pay to corrupt officers in order to continue their journey. An INM official explained the practice of *mordidas*:

> What happens is that the migrant is a business for Mexican criminals. Arrive here, for example, and there are certain police… for example, traffic police, that put up some cones and then stop buses and give

> migratory searches. This is illegal, they don't have the jurisdiction to do this. But people do it. The army does it, the marines.

Many of the migrants whom I interviewed with had paid a bribe to reach Tapachula, and some had already spent all of their money simply to arrive to the southernmost region of Mexico. A few had been robbed and others had simply been tricked out of their money. Two nineteen year old women from Honduras, for example, had given all their money to a man they met in Tapachula who was to purchase false Mexican documents. They never saw him again. It was at this junction, just after successfully crossing the border, that I met and interviewed transit migrants.

While the border zone is relatively free of controls, leaving the border area is extremely difficult. As discussed in the following section, the Mexican government is currently pursuing a strategy of internal controls, through the placement of migration checkpoints along all major roads leading north. Because the chance of detection is so high it is nearly impossible for migrants to use standard modes of transportation, such as buses or cars. To avoid apprehension, migrants opt to ride freight trains, popularly called the 'steal beast,' through Mexican territory. While there are some INM checkpoints on the railways, there are much less in comparison to highways. Riding the trains is an extremely dangerous undertaking. Migrants must jump aboard while the trains are in motion; an inherently difficult task that has led to the loss of many limbs and lives (Ruiz 2003). In addition, the railroads are divided between five different companies, Ferromex, TFM, Ferrovalle, Ferrosur, Chiapas-Mayab, each of which employs their own private police force. There have been numerous claims of

private police forces committing extortion and violence against migrants (deNadie 2005, Sin Fronteras interview).

Migrants not only strive to avoid state, local, and private police, but the Mara Salvatrucha as well. The Maras reportedly arrived to Tapachula in the middle of the 1990s and have since become a steady force in the area (Sin Fronteras 2005). An employee of Transportación Ferroviana Mexicana explained "The Mara Salvatrucha are a network of criminals, they're into everything that's illegitimate. They get on the trains and take control over them. They're the ones who decide who can get on the train and how much they have to pay to get on. When someone doesn't want to pay the amount they demand, they throw them off the train" (c.f. DeNadia 2005).

Both the physical dangers of riding freight trains and the criminal element aboard make this mode of transportation particularly dangerous for women. The Regional Director of Grupo Beta explained

> The trains are where the majority of attacks and rapes occur… that is where we put a lot of emphasis, when they board the train we give recommendations, like they should hold on tight at high speeds, that they could loose a member of their body. There are many people who fall asleep on the train and fall off. So we give recommendations and then we ask 'after hearing all of this is there any one of you that would like to return to your country voluntarily?' There are some people who say 'yes, I want to go back, I cannot take it anymore.'

The few female migrants I met at the safe house were deeply afraid of riding the freight trains.

Their fears are well grounded. According Sin Fronteras (2005), the number of homicides committed against women migrants on the Mexico/Guatemala border is higher than the official count in Ciudad Juárez and Tijuana. In the period between

January to May 2004 alone, 154 homicides were reported. The director of the *Casa del Migrante* reported that it is common for migrant women to be raped as a form of bribery for a larger group to pass. I met one such woman at the safe house, Rosa, an eighteen-year old Honduran who was four months pregnant at the time of my fieldwork. She left with plans to migrate to the US, but "Things happen… I was raped… I thought I might die along the way." In addition to rape, female migrants can fall prey to sexual exploitation. Gabriela Rodriguez, the UN Human Rights Commissioner's special rapporteur on migrants' rights said, "Mexico is one of the countries were illegal immigrants are highly vulnerable to human rights violations and become victims of degrading sexual exploitation and slavery-like practices, and are denied access to education and healthcare" (c.f. Grayson 2005, 2). Sin Fronteras (2005) asserts that when women fail in their attempt to reach the United States, it is not uncommon to turn to prostitution as a survival technique.[43]

Not only were the migrants I interviewed unsure of how to cross Mexico without being apprehended, the majority professed they did not know how they would cross the U.S./Mexico border. Because there was so much territory to cross and so many obstacles to overcome before reaching the northern border, border-crossing strategies did not appear to be foremost on their minds. However, lack of money or social network contacts did not appear to hamper them. For Roberto, a thirty-two year old migrant from Honduras, this was his second migration to the United States. The first time he spent about a year traveling through Mexico, steadily moving north and

[43] Sin Fronteras (2005) reports that there are three to five thousand Central American women engaged in prostitution in the southern border region.

working along the way, usually in construction. The first time he crossed the US/Mexico border, he did so with a group of drug traffickers. He explained that he was in Nogales, sitting in a plaza and unsure of how to proceed. When a drug tracker offered him passage if he carried a backpack of drugs, he declined. But when the trafficker suggested that he carry two backpacks, one full of food and another of water, Roberto accepted. This is how he crossed over the U.S./Mexico border, he claims, carrying food and water for the group. He says they walked for three days, and he eventually arrived in Tucson, Arizona. When I asked him if he was planning on using the same technique this time, he simply shrugged.

With all of the risks that transit migrants face during their journey, it is of no surprise that the director of the *Casa del Migrante* calls Mexico "a cemetery for Central Americans." Many transit migrants are lost within Mexican territory, and it is not uncommon for relatives never to hear from migrants again. As one relative explained, my "daughter left for the United States a year ago, but she didn't arrive in that country, but neither did she return. So I don't know what happened to her. The last time she called me, she was in Tapachula. From there I had no more contact with her'" (c.f. Coutin 2005, 197). Another migrant poignantly explained, "Most of us don't make it this far. Not all of us have the same luck. We're just passing through here, on our way to work and earn dollars. But sometimes on our way to earn dollars, we earn our death" (c.f. DeNadie 2005).

2.6 Labor Migration: An Increasing Movement

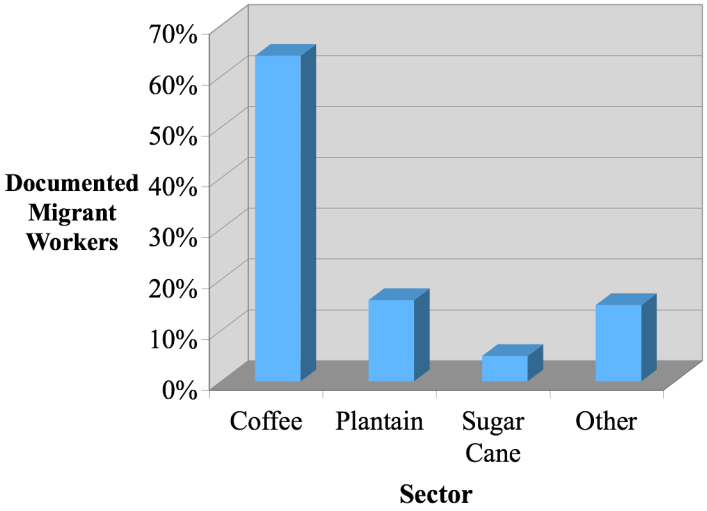
"Mexico has to accept now the idea that at the maximum, in ten years, Mexico is a country of immigration. Here in the south you already see it, you cannot find plumbers or electricians, laborers, everyone leaves. The fields are empty. You talk to

the owners, now they have to go two hundred to three hundred kilometers inside of Guatemala in order to find workers. They had to raise the salaries... so that they would accept and come to Mexico to work" ~ Director of the *Casa del Migrante*

Regional transmigration has been a historical norm in the area, with individuals living on one side of the border and working or holding social ties on the other. The Chiapas coffee industry in particular has long relied on Guatemalan trans-migrant labor. Indeed, before 1970, regional migration within Central America was common, and people routinely migrated across borders for temporary work in agricultural, construction and domestic services (Garcia 2006). Though regional transborder migration has a long history, the migration of Guatemalan workers to southern Mexico grew significantly in the second half of the twentieth century (Castillo 2003). Although transit migration flows have increased in the past fifteen years, the bulk of border traffic are regional crossings, with daily commuters, temporary workers and personal visits constituting eighty five percent of all documented and undocumented crossings (INM 2005).

Today the plantation workforce producing coffee, papaya, plantains, bananas, sugarcane and mango consists almost entirely of Guatemalan workers (Castillo 2003, Smith 2006). As can be seen in Table 5 below, coffee remains the dominant sector for foreign labor.

Graph 4: Sectors of Employment for Immigrant Workers in Mexico



Source: (INM 2007)

Castillo (2001, 3) notes that Guatemalan workers in southern Mexico are not considered foreigners, but rather that "they are recognized as regional workers, whose opportune presence and labor contribution is valued as essential to the production and general economic necessities of the state of Chiapas and more specifically, the Soconusco region" (translation mine). Until recently, this undocumented regional migration was not only tolerated, but encouraged in order to supply southern Mexico with an abundant supply of low-wage labor (García 2006). Though this regional labor flow is a historic tradition and undocumented entrance and exit was the norm, the Mexican government first expressed concern about this flow in the 1930's.

After an economic crisis in Guatemala pushed unprecedented numbers to the coffee producing region of southern Mexico in the 1930s, the Mexican government responded by requiring workers to obtain visas that were only available for individuals

demonstrating personal wealth of 10,000 pesos. Local authorities began patrolling the border and implemented a system of work site inspection for the first time (Martínez Velasco 1994). Though such measures demonstrate the Mexican government's willingness to protect the national labor market, they were not uniformly enforced, and undocumented labor migration continued.[44]

By the mid 1990s, authorities once again began expressing concern about this 'illegal' flow. The state of Chiapas signed a bilateral agreement with the Guatemalan government to create a system of identity cards for migrant workers, with the idea that such a system would encourage migration through official channels (Smith 2006). In 1997 Mexico created a visa category for Guatemalan workers within the agricultural sector, and in 2001, the Fox administration enacted a regularization program for agricultural workers who could demonstrate their ongoing employment. Only 6,500 applied, demonstrating both the lack of information provided to potential applicants, and the general disinterest in the program. What is most interesting about these regularization programs is that the Mexican government is now forcibly trying to differentiate between 'legal' immigrants from 'illegal' immigrants.

Labor migration to Mexico has diversified in recent years. An INM official explained, "Within the construction industry, we are beginning to see the employment of undocumented Guatemalan immigrants, and not only in Chiapas… We have seen the Guatemalan, especially the Guatemalan women, in the central part of Mexico." As mentioned earlier, many of the migrants in Tapachula were engaged in some sort of

[44] For a detailed account of Mexican plantations and Guatemalan workers, see *Plantaciones, trabajo guatemalteco y política migratoria en la Frontera Sur de México*, by Germán Martínez Velasco (1994).

temporary work, mostly in construction. Everyday a pickup truck would stop outside the *Casa del Migrante* at 6:30 a.m., and the migrants waiting there would pile into the back of the truck. A group of Tibetan refugees told me they were employed temporarily in road construction, repairing a bridge that had been damaged by Hurricane Stan the previous fall. Others, of various Central American origins told me that they were employed in construction and were building apartments. All of them said they worked a minimum of ten hours, with a thirty minute breakfast break and another thirty minute lunch break, and they all told me that it was extremely difficult work. They came home exhausted everyday, some more than others. A Honduran man, who said he was a schoolteacher in his home country, was ill by the end of his first workday from heat and exhaustion. These men were paid one hundred pesos (ten dollars) for their work, and it was common knowledge that documented immigrants and Mexican natives receive one hundred and fifty pesos (fifteen dollars) for the same work.

A Grupo Beta officer made the argument that labor migration has increased and diversified in recent years due to Mexican emigration. He said:

> The same thing is happening [in Mexico] that is happening in the United States… a Mexican goes to a farm or a coffee plantation, and they will pay him well, sixty, seventy, [or] eighty pesos a day, or sometimes up to one hundred and twenty pesos. The Guatemalan worker comes and they pay him twenty-five [or] thirty pesos, and for them this is good. I do not want to say or insinuate that they are taking work away from Mexicans, no, no, no. Because here the worker has become very cheap, so what Mexicans do, or Chiapanecos, is migrate to the United States.

An INM official echoed this sentiment, explaining that the labor migration of Guatemalans to Mexico is "is necessary for employers, because for Mexicans, this

work is no longer attractive. Because the locals went to the center or the north of the country to look for work, there are no longer any Mexicans here who will work on the farms."

What is important about this flow, in terms of this study, is that labor migration flows are increasing and occurring alongside transit migration. The Mexican government is attempting to regularize the flow of workers, presumably because Mexico is exhibiting a need for cheap foreign labor in certain sectors. While it is opening limited legal channels for labor migrants, it is not doing so for transit migrants. This is an important distinction: the Mexican government is pursing a selective strategy of allowing certain flows yet cracking down on others.

2.7 State Response: Internal Controls and Unofficial Policies

"Mexico's problem is not that of Germany or Spain or the United States. The great problem is not the Guatemalan who is going to work in Mexico, the great problem is transit." ~INM Official

The Mexican government's efforts to control immigration are not new. As discussed above, Mexico practiced a selective process of choosing 'quality' immigrants with the assumption that they would contribute to the modernization of the country, 'whiten' the population, bring capital, and contribute to the intellectual and cultural richness of the country (Buchenau 2001). The government exhibits a long tradition of crafting immigration policies that suited the domestic needs of the nation. Welcoming policies for some were coupled with restrictions for others; anti-Chinese legislation at the turn of the century, a crack down on undocumented Guatemalan coffee workers in the 1930s, and deportations of Guatemalan refugees in the 1980s are

just a few examples (Monteón Gonzalez & Trueba Lara 1988, Martínez Velasco 1994, García 2006). Much of the government's flexibility may be due to the nature of the legislation itself.

While conducting my fieldwork, numerous people told me that "an immigration law in Mexico does not exist," or that "Mexico has a policy of *no* policy." Immigration legislation is nestled inside the General Population Law, which was last revised in 1976. The law is dedicated to regulating population matters, that is, anything that might affect the Mexican population in terms of size, structure, growth or distribution. The guiding ideology of the law is that it must protect the Mexican population and assure "equitable participation in the benefits of economic and social development" (Friedland & Rodíguez 1987, 10). Immigration is but one issue among many within the broad and far reaching law.

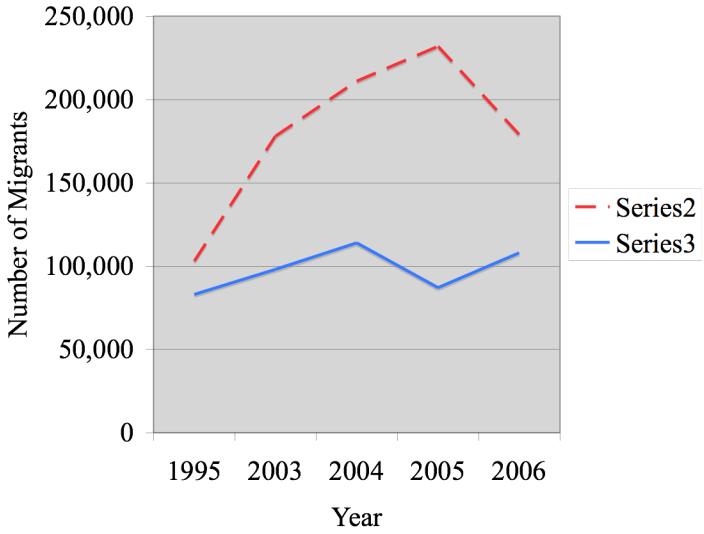
As discussed above, during the Nineteenth Century Mexico's General Population Law was written to entice middle and upper class Europeans to settle in Mexico, but over the course of the twentieth century, it was rewritten multiple times to end Mexico's earlier policy of open borders. By the 1970s, immigrants could only apply for temporary visas, "and obtaining permanent work authorization in Mexico became more difficult than receiving a 'green card' for the United States" (Buchenau 2001, 43). Indeed, at that time the only immigrants that were welcomed by the Mexican government were political exiles, the majority of which were fleeing repressive South American military regimes. Not coincidentally, at the same time Mexico was beginning to suffer from an acute economic crisis and widespread unemployment (Buchenau 2001).

Obtaining a visa to work, live, or even visit Mexico has become increasingly difficult. Ramirez et al (1996, 21) contend that Mexico's visa process is "restrictive and very selective, synchronized with US [immigration policy]." Castillo (2000, 143) similarly argues that Mexico's visa authorization process "increasingly approximates the admission requirements adopted by the U.S. government" (translation mine). Indeed, when I visited the INM office of Control and Verification, the department charged with reviewing visa applications, I witnessed direct cooperation with the United States.[45]

In the past fifteen years, the Mexican government has dramatically stepped up its immigration control efforts. As shown in Graph 2, apprehension rates doubled from 1995 to 2005. The 2006 drop in apprehension rated might be attributed to the passage of Hurricane Stan and INM's inability to track the new migration routes. Notably, during the 1995-2005 period when apprehension rates doubled, visas granted to allow for legal transit passage through Mexico remained essentially the same. As can be seen in this data, legal channels for transit migration have not increased while enforcement activities have doubled apprehension rates.

[45] See section 2.9 for my analysis of why this level of cooperation may be occurring.

Graph 5: Repatriation of Undocumented Migrants Compared to Visas Granted for Transit Migration



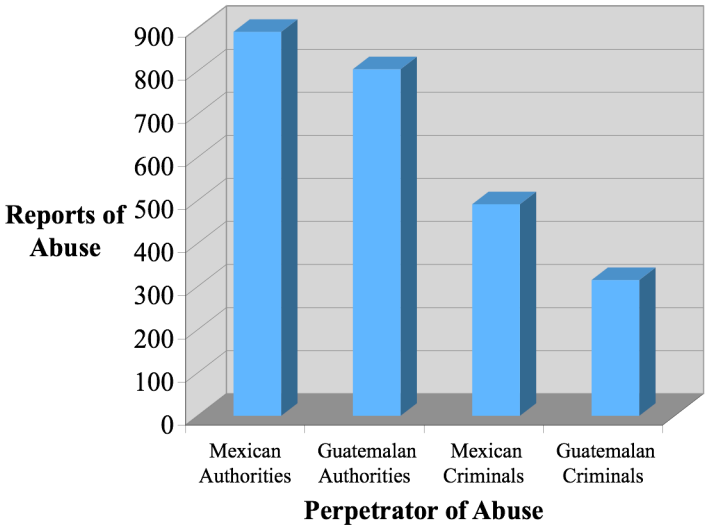
Source: (INM 2007)

The 1976 General Population Law stipulates that the only recognized border crossing is the one that occurs at authorized ports of entry (undocumented entry is a crime); the detection of undocumented migrants lies specifically within the jurisdiction of INM authorities and the PFP; and individuals may apply for transit visas that permit thirty days to transit the country (Romellon 2004). The legal framework has been criticized as "frankly obsolete," and being "so far removed from the current reality, particularly regarding the movement of migrants, that it not only is inapplicable but it makes room for oversights and a framework advantageous to abusing and even perpetrating extortion on the migrants" (Romellon 2004, 144). INM officials I spoke with considered the legislation to be out of date by officials as well, and they explained that in most cases the law is simply not followed. For example, the law stipulates that undocumented migrants should receive immigration hearings before

deportation, which can be lengthy and costly. Instead of revising the law to facilitate the process, bilateral agreements have been signed that simply repatriate Central American migrants back across the Guatemalan border.

Though the General Population Law explicitly states that the detection, apprehension and deportation of undocumented migrants are within the jurisdiction of the INM an the PFP, a wide range of military and police agents engage in the daily practice of policing undocumented migrants. Migrant interceptions made by police agents other than the PFP or the INM are in direct violation of the law, but military and police agencies defend their activities by claiming they are performing routine drug smuggling searches and criminal checks as a way to control criminal activity (Castillo 2003). Castillo (1997, 209) argues that the contentious though popular practice of associating migration with illicit activities "has justified abusive and violent practices on the part of the anti-drug agencies" (translation mine). The most common and widely tolerated practice is to stop individuals, ask for their documentation and threaten deportation if the migrant cannot produce a bribe. Gabriela Rodríguez, UN Special Rapporteur for Migrant Human Rights asserts "Central American migrants suffer the greatest abuse at the hands of Mexican authorities," and in general, she argues, Mexico hosts a "climate of harassment" toward immigrants (c.f. Pickard 2005, 4). As can be seen in Table 6 below, migrants at the *Casa del Migrante* frequently reported abuse at the hands of authorities.

Graph 6: Migrant Abuse



Source: *Casa del Migrante* 2005 database, N=6,766. Migrants could report more than one perpetrator of abuse.

Twenty five percent of migrants who stayed at the *Casa del Migrante* in 2005 reported that they had suffered abuse from Mexican and Guatemalan authorities, and twelve percent reported abuse from criminals. What is particularly interesting about these data is that migrants suffer more at the hands of authorities than of criminals, including the notorious Mara Salvatrucha. While media reports focus on the danger gangs present to transit migrants, Mexican (and Guatemalan) authorities significantly contribute to the environment of harassment and violence.

Despite the prevalence of such activities, INM relies heavily on human rights rhetoric to describe their immigration policies. The INM's 2005 policy proposal, entitled "Integral Migratory Policy Proposal for the Mexican Southern Border," documents the future vision of immigration controls for the southern border. While proposing major immigration restrictions and increased controls both at the southern

border and internally, such statements are always softened by human rights language. Each control, ranging from work site raids to improving methods of detecting false documents, is followed by the clause "in strict observance of their rights" (INM 2005, 23), though the policy proposal never specifies how exactly this might be achieved.

Grupo Beta, the agency truly dedicated to protecting the human rights of migrants, does not interfere with police or military officials, although they do inform migrants of their rights by passing out pamphlets, bring migrants in need to social services, and hand out food and water. Migrants, unfortunately, do not always trust Grupo Beta officers. A director of Sin Fronteras explained that "there is a great level of distrust of Grupo Beta. 'If you are going to give me food, water, help, great. But I do not want to tell you too much, because you might take me to the migration station.'" An INM official noted that if an immigrant makes a denouncement against an official, they must commit to wait throughout the process -- obviously contrary to the goals of the migrant, who is seeking to continue her or his journey north.

In reality, because corruption is rampant, paying lip service to combating corruption does not have much of an effect on the ground. In fact, there has been no widespread, sustained effort by the part of the government to crack down on these activities. In actuality this is not surprising. If the government were to crack down on corruption and insisted that the different police agencies and the military follow the law, there would be a tremendous drop in the number of authorities working (albeit illegally) to detect undocumented migrants. In August of 2005, there was a daily average of only thirty-two INM agents to patrol the entire southern border, plus another two hundred and twenty-six INM agents posted at interior roads in the

southern states (INM 2005). If immigration issues were left squarely within the jurisdiction of the INM and the PFP, as the law states, clearly the number of apprehensions would drop. Simply stated, the government turns a blind eye to the activities of these various police and military agencies because they are helping combat the flow of transit migration.

In addition to maintaining a larger immigration control force, the widespread participation of police and military agencies keeps the risks and the costs of migration high. As has been erroneously assumed in many countries of immigration, policymakers often believe that high risks and costs will discourage potential migrants from future immigration (Cornelius & Salehyan 2007). The extortion and abuse doled out by the various police and military agents, therefore, can be understood as a form of 'unofficial' immigration policy. By maintaining the status quo, illegal activities performed by government agents are helping combat clandestine immigration.

There is a widespread agreement both among academics as well as the people whom I interviewed that Mexico's contemporary immigration policies are directed not at Guatemalan workers destined for the Mexican labor market, but at transit migration. Castillo (2003, 13) contends that transit migration "represents the migratory flow that generates the greatest concern, both internally and internationally." An IOM representative echoed this statement, arguing that the Mexican government has implemented immigration restrictions because "they are trying to control the flow of Central Americans. That is, to put a primary filter in the southern border in order to lower the percentage of people who reach the northern border." The 2005 INM policy proposal makes the argument for increased immigration restrictions precisely to

control the flow of transit migrants. The opening sentence of the document states, "in the [last] fifteen years illegal migration flows from Guatemala, Honduras and El Salvador, passing through the Mexico-Guatemala border and seeking to cross the national territory to reach the USA, have become more and more important" (INM 2005, 1). The document goes on to argue that "the illegal migratory growth going to the U.S. from the southern border" is an issue of national and public security. "Public safety," INM (2005, 2) argues, "is affected simultaneously by human traffic and trade criminal organizations, migrant extortion and burglary gangs as Mara Salvatrucha 13 Barrio and 18, linked to the extension of transnational illegal networks present in national territory with foreigners involved in the rise of violence and the increase of drug and weapon traffic."

The importance of the flow of transit migrants to INM is evidenced by the fact that the document is almost entirely dedicated to proposing the creation of massive infrastructure and new immigration controls. These include increasing the "actions to diminish undocumented flows entering [the] Mexican southern border" (INM 2005, 23); the creation of new INM offices in the southern border area, the installment of technology to help detected undocumented migrants, and overall modernization of "documentation, registration and control of migratory flows entering through the Mexican southern border" (INM 2005, 30-31). These proposals are couched in vague language, however, and exactly how INM plans on diminishing the undocumented flows is not specifically explained.

Nonetheless, we can look at a previous INM crackdown on the southern border to see what might be in store. In 2001 INM enacted a massive interdiction effort along

the southern border. *Plan Sur* ('Southern Plan') dispatched hundreds of new immigration agents, formally engaged the military in detection of undocumented migrants and smugglers (even though this was clearly against the General Population Law), and established dozens of new roadside checkpoints. *Plan Sur* sought to gain control of the transit migration flow and drug trafficking at Mexico's narrowest point, the Ishtmus of Tehuantepec, by militarizing the region. The INM Commissioner at the time, Felipe Preciado said that *Plan Sur* consisted of "having our best operators, our best forces there. This is a strategy involving great coordination among the members of the different forces working in the south, taking advantage mainly of the Isthmus' geographic situation – a pretty controllable stretch of land that we can take care of very well" (c.f. Pickard 2005, 4).

Plan Sur was dismantled a few years later, as it not only failed to stop transit migration or drug trafficking, but Mexico was heavily criticized for emulating U.S. policy by militarizing the area. An INM official explained

> The fundamental problem with *Plan Sur*, [was] that it focused on controlling these flows with security belts at the border, trying to stop people from passing. But this brought another quantity of problems. It was not well calibrated. Ok, if you are going to stop this flow you are going to have another quantity of needs. If you detain fifteen thousand, where are you going to put them? Where are the detention centers? Do you have the resources to feed them? Do you have buses to transport them? To return them? Do you have a repatriation agreement with Guatemala?

With precisely these questions in mind, INM returned to the drawing board. "Let us say," an INM official recalled, "*Plan Sur* was a type of early fractured step to what we are trying to do now, more complete, more integrated, including the experience that we now have with *Plan Sur*, all that it was missing, all the problems that it generated."

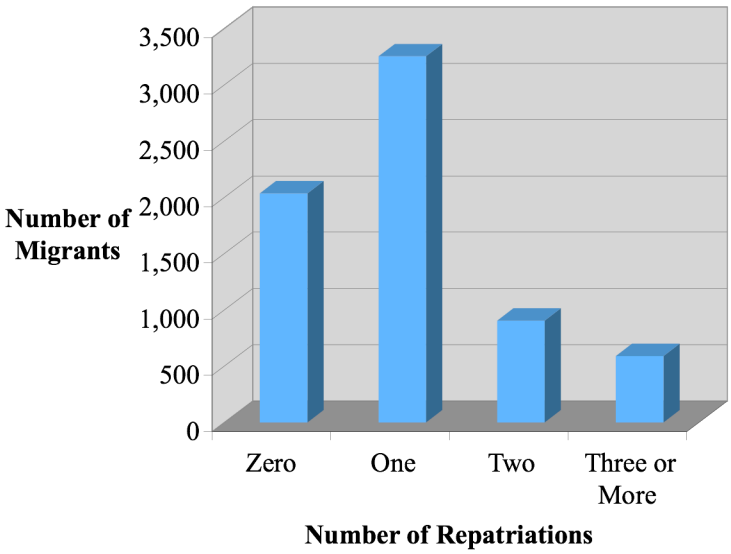
After the difficulties of *Plan Sur*, INM constructed Mexico's largest detention center, located in Tapachula. The Mexican government signed repatriation agreements with Central American countries and switched enforcement tactics. Perhaps because of the criticism the government earned by engaging in immigration controls that resembled U.S. policy, placing military and police agents at the border, the government withdrew from this strategy and opted for a new tactic: internal controls.

Mexico has not erected physical barriers, nor has it continually pursued a strategy of controlling the geographic line of the southern border. But by implementing control mechanisms along highways and transportation routes, Mexico "has reaffirmed its interest in stopping unauthorized migrations from reaching its northern border" (Castillo 2006, 2). An IOM representative said, "Mexico has increased their immigration controls. If you go, for example, from the border of Talisman to Arriesgada, you will encounter eight or ten checkpoints. In a journey that does not exceed three hundred and fifty kilometers! Eight checkpoints in three hundred and fifty kilometers of highway, to me is a super-control that they want to maintain." All told, Mexico has one hundred and seventy-two official interdiction points and fifty-two INM migration stations (Sin Fronteras 2005).

An INM official argued, "People try to cross [the U.S./Mexico border], they are caught and returned to Mexico. They try again, they learn. They will always make it across. The same will happen here. Borders are always porous." Just as research has shown that migrants crossing the U.S./Mexico border can be apprehended multiple times before eventually achieving a successful entry, Mexican authorities are apprehending migrants multiple times. Due to Mexico's system of internal controls,

migrants are intercepted throughout Mexico and repatriated, though this does not stop migrants from reattempting the journey. Table 7 below reports repatriation data from the *Casa del Migrante* 2005 database. According to the data, thirty percent of migrants who stayed at the *Casa del Migrante* in 2005 had not been apprehended, forty eight percent were apprehended once, thirteen percent were apprehended twice, and less than one percent were apprehended three or more times.

Graph 7: Migrant Repatriations



Source: *Case del Migrante* 2005 database, N=6,766

As at the U.S./Mexico border, migrants avoid apprehension by shifting routes, which has had the unintended consequences of pushing migrants into dangerous areas (Cornelius 2001). By avoiding highways and roads, transit migrants are forced into more desolate areas, away from the safety of towns and populated areas. As discussed earlier in the section concerning transit migration, migrants have increasing turned to

using the freight trains. Though these trains are relatively unmonitored they are extremely dangerous. An INM official spoke to this, saying, "they start to go for the forest, further out, and it is more dangerous there. There are gangs of attackers. They know the migrants carry money and so they prey on them." Another INM official explained,

> Look, when you travel on the highway there are controls. All of the highways have immigration checkpoints … What we cannot control are the hidden routes, where the migrants walk. This is the most vulnerable migrant, because he does not have the money to pay a *pollero*, neither can he take a bus, because they are detected [on the bus] by the migration authorities. So they go with the destination of the United States using these other routes that are more risky, more dangerous… they are attacked, they are raped, even the men.

Like the unintended consequences of U.S. border controls at the US/Mexico border (Cornelius 2001), the journey through Mexico has become increasingly dangerous and as a consequence the price of contracting human smugglers has increased. A Grupo Beta officer described this situation, explaining "So now the unintended consequences are there are more assaults, the *polleros* are charging them much more, from Tapachula to the United States they charge $6,000, but now it is costing a minimum of $8,000. Because now there is more risk to cross the migrants."

It is also important to note the anti-Mara operations underway in the southern region. Anti-Mara operations placed over one thousand men, six hundred vehicles and three helicopters (across multiple police agencies) to detect and arrest members of the Mara. The Mara have reportedly become involved with the lucrative business of drug trafficking. The financial gains and the protection earned for the transportation of drugs have become a very important economic resource for the Mara Salvatrucha (Sin

Fronteras 2005) An INM official explained that "the Mexican government has an anti-mara program… the authorities are constantly reviewing the migrants to encounter a tattooed [person]… because tattoos signify the Mara. … So the crime has dropped a little [because of this program]." While such operations may increase the safety of transit migrations, anti-Mara efforts are also worrisome.

A Sin Fronteras program director whom I interviewed was deeply concerned with an anti-Mara initiative in Tapachula called *Plan Zero*, which arrests (and deports if possible) any presumed gang member. The main identifying components for arrests are tattoos and Central American nationality. An IOM representative expressed similar concerns, arguing that the majority of gang members in southern Mexico are actually Mexican youth. "But the public does not want to accept that this is a Mexican problem [due to] lack of family or opportunities [or] the exclusion of youth from labor or educational opportunities," he explained. "The easiest explanation that people encounter is to blame Central American youth." The INM officials I spoke with utilized a vague definition for the Mara: essentially any young Central American man with a tattoo could be identified as a member of the notorious Mara Salvatrucha. There is also no reason to believe that anti-Mara agents are any less corrupt than other officials, and the vague Mara definition – a tattooed Central American – could easily allow for the harassment and criminalization of Central American transit migrants.

2.8 Explaining Immigration Policies in the Transit State: A Domestic Perspective

"Mexico has not yet come to the understanding that it is a country of origin, transit and destination. That is the problem." ~Sin Fronteras Program Director

In order to understand why the Mexican government has opted to restrict transit migration, a host of factors must be examined. According to the existing immigration policy literature a multitude of domestic and international factors may be at play in influencing the creation and implementation of immigration policy.[46] To begin, this section analyzes the domestic factors that may affect Mexican immigration policymaking. In the following section I explore the international and geopolitical context for Mexico's newfound interest in restricting transit migration. I argue that, while there are some domestic factors that influence the policymaking process, overall the Mexican government's recent interest in transit migration can be attributed to the Mexican leadership's ongoing desire to pursue an agenda of regional integration with the United States.

Historically Mexico never became a country of immigration like its northern neighbor or various other Latin American countries.[47] Instead, by the middle of the twentieth century, Mexico assumed the role of a migrant sending country, with vast numbers of Mexicans emigrating to the U.S. every year. As such, much of Mexico's national identity has become connected to issues of emigration. Exemplifying such an emigration identity, one INM official remarked, "One has to remember the history of Mexico as well. Mexico is not a country of immigration. It has been a country that expels its population, but does not receive it." Though there were moments in Mexican

[46] See section 1.6
[47] See section 2.3

history that suggest extreme anti-immigrant sentiments, such as the anti-Chinese events in the 1930s (Gonzalez & Lara 1988), I argue that today it is not so much that Mexican society rejects immigration, it is more that Mexicans do not realize that they even receive immigrants or immigration flows. Olivia Ruiz (2005, 3) argues that Mexicans suffer from a "single-minded view of Mexico [that] has focused attention on the northern border, excluding the nation's southern boundary with Central America, and the rest of Latin America, from the purview of ongoing debates about migration." My interviews reflected this focus on emigration; although all of my questions were about immigration, transit migration and the southern border, my subjects often veered to the topic of Mexican emigration, the northern border and U.S. immigration policies. My subjects almost always explained Mexico's southern border in relation to the northern border, and they were quick to point out that Mexico is not building any walls or replicating U.S. militarization tactics at the border.

During my fieldwork I discovered a general lack of knowledge about public opinion concerning transit migration or immigration in general. An INM official said that the public is "focused on the north. In terms of numbers, Mexican emigration to the United States is a far greater phenomenon than the number of people immigrating to Mexico." Another INM official explained, "There is no great preoccupation with immigration. Maybe in certain regions, like Chiapas, more than anything the area of Tapachula, or certain other border areas where the local papers talk about it more." This is obviously in great contrast with countries of immigration, where the public is often fearful of large numbers of immigrants and the cultural and economic changes they are perceived to bring with them. While the public does not focus much attention

on the southern border or the thousands of Central American immigrants that are crossing through Mexican territory, human rights organizations have been the primary agents working to expose the transit migration experience, the widespread corruption of police agents, and human rights abuses suffered at the hands of gangs and Mexican officials.

Many officials expressed concern over the domestic strains that transit migration could cause and the lack of resources to provide services to vulnerable migrants.

> Imagine, when one of these groups of migrants is assaulted by the Mara Salvatrucha… they rape a woman, kill the husband, or they cut him. They have to go the hospital. And who is going to attend to them? Who is going to pay? And where are they going to stay? All a grand logistic that has to be resolved, because this will not automatically disappear.

The director from Sin Fronteras echoed this statement by asking "How do we give migrants access to all these [resources] when we cannot even do it for our own citizens?" The regional director of Grupo Beta explained that migrants who are in need of medical care often do not have the resources to pay for such care, nor do their families. In Tapachula, where many such cases arise, the government and humanitarian organizations work together to try and provide the resources for migrants in need. At this point, it appears that the Mexican government is ill equipped to deal with large numbers of migrants in need of public services.

Even though the Mexicans I interviewed made a point to inform me that no U.S. policy, even walls, could stop people from clandestinely entering the U.S., there was a common concern that Central American migrants would not be able to

successfully cross the U.S./Mexico border. "What would happen if the United States more effectively controlled their border?" This official went on to ask,

> What happens when a population of ten thousand inhabitants has another ten thousand floaters? It generates a service problem that these people do not have a place to live, a place to sleep. Prostitution rises, drug [trafficking] rises, because people need money in order to cross the border and pay the *polleros*. So the people begin engaging in illicit activities, because they need the money.

This 'floating population' again highlights the issue of the lack of resources and services to deal with non-Mexican citizens, and the financial burden that Mexico must face while playing the unwelcoming host to transit migrants. An INM official summed up the conundrum by asking,

> What should we do? We do not stop them, we let them enter… What do I do when I have a quarter of a million people on the northern border? And they cannot enter [the U.S.] easily? And the quantity of problems that they generate for this area? It is a problem for the United States, but it is also a problem for Mexico. For better or for worse, it is resolving a problem for the United States, but it is also resolving a domestic problem for Mexico.

Lack of resources was a common refrain among the subjects I interviewed. As a developing country that arguably does not have the resources to provide for its own citizens, hosting transit migrants would seem to be a heavy burden to shoulder. However, there is no evidence to support the claim that crossing the U.S./Mexico border is anymore difficult for Central Americans than for Mexicans. Moreover, the U.S. has struggled for decades to effectively enforce their southern border to no avail (Massey 2002). During many of my interviews, the participants scoffed at the recent U.S. proposal to build a wall and emphatically argued that U.S. border controls will

never effectively stop Mexicans from entering the U.S. Such claims do not explain how a 'floating population' of transit migrants would grow at the U.S./Mexico border.

Though the 'floating population' study and the concern for scarce resources was a popular concern for the officials I interviewed, an OIM representative presented the transit state experience in a different light.

> It is a constant flow of people that use economic resources. Because contrary to what many people think, the Central American immigrant does not come without one cent, the idea that local criminality is due to immigrants, this is simply not true. The undocumented Central Americans have sold their properties or the little they could, they have money in the pocket which eventually remains where? In Mexican territory. That is, after food, taxis, buses, and all of this type of commerce, and with corruption on the part of the police, or extortion by civilians… So who is earning [money]? Everyone is.

This was a common refrain among the migrants themselves. In our conversations during shared meals and time spent at the *Casa del Migrante*, Central Americans often argued that their travels and temporary stays in Mexico were an economic aid to the country. An excellent example of the benefit transit migration can bring to the Mexican economy is the case of Ciudad Hidalgo before Hurricane Stan. As I discussed in the opening section, the shop owner directly across from the train tracks described the area as a "carnival" before the passage of the hurricane. When I met her nine months later, there were no customers in sight.

It is important to note that even though the Mexican public has applauded Mexican emigrants and transformed migrants into national heroes (Fitzgerald 2004), this does not appear to apply to Central Americans. NGOs such as Sin Fronteras and many others have successfully brought human rights violations to light, and newspapers frequently report dramatic transit migration tales, particularly if they

involve the Mara Salvatrucha. Yet there has been no public outcry to pressure the Mexican government to change their practices or protect the (non-Mexican) migrant.

Perhaps there has been no real public concern for the rights of transit migrants because there is a latent racism and anti-foreigner sentiment rarely acknowledged in Mexico. In 2004 the Associated Press/IPSOS conducted a survey in the U.S., Canada, Mexico, Japan, France, Germany, Italy, Spain and the U.K. concerning public perceptions of immigrants. Surprisingly, out of these nine countries, Mexicans responded with some of the most extreme anti-immigrant views (see Table 8 below). Fifty three percent of respondents thought immigrants have a bad influence on the country, thirty nine percent believe that immigrants take jobs away from Mexican citizens, and a whopping seventy one percent of respondents agreed with the statement: "It is better for a country if almost everyone shares the same customs and traditions."

Table 3: Public Perceptions of Immigrants

Question: "Overall, would you say immigrants are having a good or bad influence on the way things are going in [your country]?"

	U.S.	Canada	**Mexico**	Japan	France	Germany	Italy	Spain	U.K
Good influence	42%	73%	**36%**	44%	39%	39%	38%	36%	32%
Bad influence	46%	21%	**53%**	44%	53%	57%	50%	47%	60%
Don't know	11%	7%	**11%**	12%	8%	5%	12%	17%	8%

(Table 3: Cont.)

Question: "Do you think the immigrants coming to this country today mostly take jobs away from [your country's] citizens, or do they mostly take jobs [your country's] citizens don't want?"

	U.S.	Canada	**Mexico**	Japan	France	Germany	Italy	Spain	U.K
Take jobs away	27%	18%	**39%**	10%	11%	23%	20%	14%	23%
Take jobs citizens don't want	66%	66%	**49%**	74%	75%	70%	74%	77%	66%
Don't know	7%	16%	**12%**	16%	14%	7%	6%	9%	11%

Question: "Please tell me if you strongly agree or disagree with the following statement: 'It is better for a country if almost everyone shares the same customs and traditions.'"

	U.S.	Canada	**Mexico**	Japan	France	Germany	Italy	Spain	U.K
Agree	27%	40%	**71%**	37%	52%	48%	45%	53%	46%
Disagree	71%	58%	**27%**	56%	46%	48%	52%	41%	49%

Source: (Associated Press/IPSOS 2004)

In addition to xenophobic undercurrents, a widespread fear of the Mara Salvatrucha has developed. The Mara Salvatrucha and Barrio 18 were discussed in every interview I conducted, even though I never asked any direct questions about gangs, Central American or otherwise. An INM official told me that while the Mexican public has not yet shown interest in immigration or transit migration, "There was a certain attention [given] to the Mara, a sort of maraphobia in Mexico. People thought there was an invasion of the Mara." While interviewing the regional director for Grupo Beta in Tapachula, he showed me a taped newscast that depicted a southern border region overrun by Mara gang members. The young men on this news footage

were menacing, with tattoo-covered faces and violent personalities. With footage such as this, it is unsurprising that Mexicans are experiencing a 'maraphobia.' The protection official for COMAR in Tapachula said "the newspaper does not let one day pass without an article [about the Mara Salvatrucha]." He went on to explain that the local population has begun to confuse immigrants with gang members, or more generally, blame local problems on immigrants.

Latent xenophobia and Maraphobia suggest that, just as the Mexican government is guilty of benign neglect, so too is the Mexican public. By not acknowledging the fact that Mexico is now a country of not only emigration, but also immigration and transit, the public avoids coming to terms with the contradictory practice of protecting migrants abroad and simultaneously restricting immigration through draconian policies. If Mexico continues to host rising numbers of both immigrants and transit migrants, this form of benign neglect could transform into outright anti-immigrant sentiment, which in turn, could encourage the Mexican government to further crackdown on immigration flows. In addition to domestic factors, a geopolitical perspective helps further explain why the Mexican government is opting to restrict transit migration.

2.9 Explaining Immigration Policies in the Transit State: A Geopolitical Perspective

"Mexico has the advantage and the disadvantage at the same time to have three thousand kilometers of border with the United States… There are many countries in the world that would like to have three thousand kilometers of border with the United States. It is a special position, and it puts us in the middle… When we talk about immigration policies, we have to take this into account. It is a reality that we are not going to hide. We reside alongside the most powerful country in the world." ~ INM Official

Instead of treating immigration as an economic or a human right, as might be expected by a country of emigration that routinely fights for the rights of migrants abroad, Mexican political rhetoric has increasingly focused on immigration as an issue of national security, crime, and migrant usage of scarce public resources. Juan Manuel Sandoval (1997) argues that this change in treatment is a direct product of political elite collaboration between the U.S. and Mexico, and such collaboration has extended U.S. anti-immigration tactics to the Mexico-Guatemala border. Although the hardening of Mexican immigration policies can be dated to the Salinista administration, the changes within the last decade have been the most pronounced and criticized. President Fox's initiatives to crack down on transit migration have gained attention even within the United States media, with the New York Times reporting in 2006 on Fox's unprecedented *Plan Sur*, and the U.S. offer of "$2 million a year to help Mexico deport illegal Central American immigrants." (NY Times 2006) The director of the *Casa del Migrante* argued that "there is a very clear policy by the United States to move their border south, and they did it. With Fox they did it. The border between the United States and Central America is Tapachula." This section of my study will evaluate these claims by examining the relationship between Mexico and the United States, their areas of cooperation, and how their relationship may influence Mexican immigration policies.

I argue that transit states particularly stand apart from countries of immigration when examining geopolitical relationships and the international context relevant to domestic policy making. Simply stated, transit states are by definition not regionally nor economically powerful and tend to have asymmetrical power relationships with

northern neighbors. The Mexican crackdown on transit migration can be linked to U.S. interests, both in working to lessen the flow of potential immigrants and to protect national security concerns of the United States. But Mexico is not a mere puppet to U.S. interests; it is a sovereign nation pursuing immigration policies that are consistent with international norms, particularly within the first world. Moreover, Mexico appears to be pursuing regional integration with the United States and Canada, strategically aligning themselves with the developed North and distancing themselves from the under-developed South. Controlling transit migration is just one of many projects which indicates that Mexico is working toward this goal.

Mexico and the United States have a long, complex relationship; they share one of the longest land boundaries in the world that exhibits one of the most pronounced divisions between the first and the third world. Today the U.S. is Mexico's principal economic partner, and the two countries are known for having a solid working relationship. This was not always the case. In fact it has only been within the past two decades that relations between the two countries have warmed. In the nineteenth century there was perhaps no other country that suffered more than Mexico in the face of American expansionism. For most of the twentieth century, Mexican policy makers and politicians lamented the difficulties of neighboring a superpower, while on the other side U.S. politicians regularly ignored their southern neighbor (Dominguez & Fernandez de Castro 2001). This relationship was radically altered after Mexico's 1982 debt crisis, and during the past twenty-five years there has been a remarkable level of cooperation and regional integration.

The debt crisis brought the country's period of economic independence to a close, leaving the country increasingly dependent on the United States. President Carlos Salinas embraced this new dependence in the late 1980s; he actively developed a close relationship with U.S. President George Bush and began to talk about a free trade agreement between the U.S., Canada and Mexico (Eisenstadt 1997). Political elites in the 1980s held a firm belief that Mexico needed to open itself to international trade in order for economic growth to occur (Castillo 2003). The NAFTA negotiation heralded a new era of cooperation between the two nations. As Dominguez and Fernandez de Castro (2001, 14) write, "NAFTA broke with Mexico's continued struggle to escape the overwhelming presence of its northern neighbor. For the first time in the history of bilateral affairs, the Mexican government sought to foster economic integration with the United States instead of resisting it." It is important to note that NAFTA provisions are restricted to the economic sphere; it made no stipulations about immigration policies for any of the three countries involved.

Castillo (2003, 8) notes that many supporters of NAFTA suggested that as early as 1994 regional economic integration would realign geopolitical boundaries:

> the boundaries of 'the First World' would shift to the southern end of the new economic bloc… This position was fed by the view that Mexico's participation in trade liberalization and economic exchange would certainly improve its economy, and therefore, to the well-being of its population, despite structural and long-time inequalities and contrasts with regard to the United States and Canada. It was argued that the gap separating Mexico from its trade partners would shrink in the medium term whereas Mexico would distance itself from its southern neighbors, especially the nearby, but weak, Central American economies.

While the economic gap between Mexico and its northern neighbors has not diminished enough to reduce emigration flows, Mexico appears to be striving to realign the borders of 'the First World' anyway. NAFTA alone has not shifted this border south, but the Mexican government has spent recent years distancing itself for the economically weak Central America and aligning itself with the economically strong North America.

Shortly after his inauguration, Fox told the Mexican public of his intentions to move Mexico and the U.S. toward a common market with free labor market flows. Artside Zolberg (2006) argues that Fox began to promote regional integration early in his presidential term, calling for the free movement of people across the border in one of his first public statements. As a step in that direction, Fox urged the U.S. government to institute a guest worker program "in exchange for which he would strengthen policies to discourage illegal immigration and tighten Mexico's own southern border against Central Americans." Fox and U.S. President George Bush met in early September of 2001 to begin negotiations for an immigration agreement that would increase regional mobility, but the September 11th terror attacks stopped the process before it even began (Rosenblum 2004). Many of the officials I interviewed suggested that the U.S. and Mexico should be working toward greater regional integration and ideally, moving toward a European Union model of the free movement of goods and people. An INM official said, "I believe we want to be united [with the U.S.] in many ways. From the economic standpoint, [we should] integrate money. At some point the Peso and the Dollar should be united into one currency, like the Euro." Another INM official explained that before September 11th,

> The tendency in migration themes was more in the direction of facilitation of mobility for business people, tourists, a tendency of globalization, of commercial opening that all countries were experiencing. In some way we were moving toward… a certain level of the disappearance of borders. Like what happened, for example, with the European Union. I think that specifically the zone that is known as NAFTA was probably moving in that direction. But after September 11th that changed.

While prior to September 11th regional integration was focused on increased economic openness, the post-9/11 agenda has shifted to issues of national and regional security. The resurgence of national security and hyper-focus on terrorism by the United States has reformatted immigration to be a matter of national security, even south of the U.S./Mexico border.

Indeed, during my fieldwork I found issues of national security and cooperation between the U.S. and Mexico to be among the foremost cited reasons by INM officials for Mexico's current restrictive campaign to stop transit migrants from crossing Mexican territory. Though Mexican cooperation in U.S. security projects did not begin with September 11th, it has certainly increased. Sandoval (1997, 155) argues that there is a range of common interests and preoccupations that unite Mexico and the United States in questions of interdependence and shared security, such that one can say both nations form a 'security community.' The idea of a 'North American security perimeter', an idea first introduced by Fox early in his administration, was very popular among INM officials. After 9/11, Fox assured the public, "We consider the struggle against terrorism to be part of the commitment of Mexico with Canada and the United States to build within the framework of the North American Free Trade

Agreement a shared space of development, well-being and integral security" (c.f. Paterson 2001, 1).

In my fieldwork I found direct evidence that INM officials work closely with their U.S. counterparts on issues of national security. While interviewing the INM Coordinator of Migration Control and Verification, one of his employees interrupted our interview to bring him an advisory from the United States government. This notice was issued to inform his office that a potential visa applicant was believed to be a terrorist. The notice expressed concern that if this man were granted a visa to enter Mexico, he would then travel to the United States. The INM coordinator showed me the letter, which essentially stated that Mexico should deny this man a visa, and without any debate, his office complied, simply by virtue of receiving such a letter. This INM official was very candid about U.S. pressure and Mexico's concessions. He used the case of Brazilian migration to Mexico to illustrate such pressure and capitulation, saying:

> We have an agreement with Brazil that we do not require visas for Brazilians. But they are not allowing many Brazilians to enter the United States. So here, because they can enter legally, they walk to the border and enter the United States. So the United States starts to yell about that, 'you are letting in too many!' and then what? They start saying that the problem is that there might be 'terrorists.' So we enacted visa restrictions[48].

He also outlined the case of Mexico's treatment of Cubans, arguing that a recent change in treatment is entirely due to U.S. pressure to comply with U.S. politics. "The case of Cuba is very interesting. It makes everything fall apart." He explained, "We

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[48] Under intense pressure from the U.S., Mexico imposed a visa requirement on Brazilian nationals in 2006.

have a repatriation agreement with Cuba. All Cubans can stay here, but no one else can. We keep our door closed to everyone else, but open it to the Cubans. This is strange, is it not? What is so special about Cuba? This is the migratory policy of the United States." He went on to say "We are in the middle. Everything is done for the United States. We are their border."

It is nearly within the same breath that INM officials argue transit migration is an issue of national issue and then admit that the two are not really linked. One official bluntly stated "terrorists are not going to enter through our southern border, just not like they are not going to enter through the southern border of the United States." Another said "there is a great myth right now, a ghost, and that is terrorism." Castillo (2003, 14) notes that immigration is commonly connected to criminal activities, such as the trafficking of drugs, arms, minors, and women, when in reality such "connections have no clear foundation in reality but rather a by product of a vague ideology of 'national security.'"

Post 9-11 concerns and 'the war on terror' are not the first examples of Mexican collaboration with U.S. national security projects. Police and military cooperation can actually be traced to Ronald Reagan's 'war on drugs.' Beginning in the 1980s, the U.S. began pressuring Mexico to work together to combat drug trafficking and Mexico complied by increasing the participation of the Mexican military in the battle against drug trafficking, formally granting permission to police agents to gather intelligence in Mexico, and accepting pilot training, helicopters, specialized aircraft and other U.S. technical assistance. This kind of cooperation and joint activities were unprecedented and "forever changed aspects of [Mexico's]

relations with the United States" (Dominguez & Fernandez de Castro 2001, 42). This was virtually the first time in history that these two nations engaged in military-to-military relations.

The signing of NAFTA in 1994 encouraged further multilateral cooperation, and the U.S. continued to pressure Mexico to help combat narco-trafficking and collaborate with U.S. agencies in cross-border interdiction efforts. Peter Andreas (2000, 1) contends "As part of the effort to secure the smooth passage of [NAFTA], U.S. and Mexican officials collaborated in a law enforcement build-up across the border that signaled a shared commitment to drug control and an enhanced image of drug control progress." In 1998 the Mexican government announced that new resources and technologies would be used to combat drug trafficking at the southern border (Andreas 2000). Pleasing U.S. interests was an obvious goal of such operations. President Carlos Salinas de Gortori actually went as far as to launch a "much-publicized campaign against narcotics trafficking, which features, among other things, full-page ads in major American newspapers, telling the American public how Mexico was saying 'No!' to drugs" (Frelick 1991, 1).

Notably, the U.S. began pressuring Mexico to control transit migration during the same period. The Reagan and Bush administrations recognized that Central American refugees were traveling through Mexico in order to reach the U.S./Mexico border. U.S. officials pressured the Mexican government to crack down on this flow and "as early as 1982 the Secretaría de Gobernación reportedly sent out a circular forbidding the passage of Central Americas with tourist visas to the United States-

Mexico border, and suspicion that they intended to cross into the United States was sufficient ground for detention (García 2006, 196).

The cooperation between the U.S. and Mexico on issues of drug trafficking offers an interesting comparison to current issues of immigration control. By the mid 1990s, with the U.S. tackling public demands for greater immigration control, U.S. officials decided that U.S. immigration control policies lacked the international scope of drug-trafficking control efforts. "Immigration control policy lacked source-country and interdiction strategies and needed to more closely follow the model of the overseas 'war on drugs' launched by President Ronald Reagan" (Barry 2005, 1). With this in mind, in 1997 the INS launched a new international initiative, called 'Global Reach,' which aimed at cracking down on human-smuggling and immigration flows by policing at the "source" and in transit countries.[49] The goal of Global Reach was to stop migration at the source, before migrants had the chance to reach U.S. borders, and it was the first time the U.S. government "established a permanent presence of criminal investigators and intelligence analysts overseas to work on deterring migrant trafficking in source and transit countries" (Barry 2005, 2).

Mexico was an important participant in the Global Reach program, and in the late 1990s, the INS opened offices in Mexico, Central America, the Caribbean, Peru and Ecuador (Barry 2005). Multilateral DHS-led activities within the Western Hemisphere are part of "Operation Disrupt," a series of operations that use both DHS officials and local authorities to visit restaurants, hotels, border crossings, checkpoints

[49] The Global Reach program, and more generally all INS activities, were transferred to the Department of Homeland Security (DHS) in 2003.

and airports to identify "suspicious" travelers (Flynn 2002) and intercept migrants perceived to be en route to the U.S. (Barry 2005). Between 1997 and 2001, INS/DHS officials provided training to 45,000 people to detect fraudulent documentation, and more than 74,000 people were intercepted during the same time period, most of which were migrants en route to the U.S. Importantly, the Global Reach Initiative has been successful in persuading transit countries to consider transit migration without proper visas a criminal offense (Barry 2005).

It is perhaps the activities of the Global Reach Initiative that spread the rumors that the U.S. is paying Mexico to deport Central Americans. One transit migrant told me that the U.S. pays Mexico one thousand dollars for each migrant that is deported. An IOM representative was deeply suspicious of U.S. funding as well. "I know INM denies that the U.S. pays. On the other hand, if so much money exists to control a migration flow… why aren't there resources to pay for the social development of Chiapas? Does that not seem contradictory?" Susanne Jonas (1999, 180) notes that while the Mexican government denies accepting U.S. funds to pay for the deportation of transit migrants or the construction of detention centers, "it is documented in the United States, with Congress openly allocating funds to reimburse Mexico for the expenses of interdiction and deportation."

I found a similar discomfort among INM officials about admitting to U.S. financial support of Mexico's immigration control activities. In all cases officials whom I interviewed told me that Mexico did not receive any U.S. compensation for immigration controls, though when pressed they often conceded and said that Mexico used to receive funding. "Before September 11th, 2001, the United States gave money

in order for foreigners on the Mexico/Guatemala border to be returned to the other side. At that time, the United States paid for the trip… but we pay all of our operations now" an INM official reluctantly conceded. Though no one would admit to current U.S. aid for immigration control efforts, it was acknowledged that the U.S. provides training workshops. The regional director of Grupo Beta related that Grupo Beta officers receive training by U.S. Border Patrol Officers. "There are courses that the United States provides to train Grupo Beta, we have gone to some workshops, aquatics, repelling, rescue in the mountains, physical training, this sort of thing." Indeed, I interviewed one such Grupo Beta officer, who was very pleased with the training he received from the U.S. Border Patrol. He proudly showed me the U.S. Border Patrol button that he kept pinned to his hat.

2.10 Conclusion

This chapter has demonstrated the complexity of migration flows characteristic of a transit state. Not only must Mexico address emigration, it has found itself the unwilling host to an ever-increasing tide of transit migrants. To complicate the picture, Mexico is receiving increasing numbers of Central American laborers destined for the domestic labor market, inhabiting the sectors of the labor market that are increasingly deemed unattractive for the local populace. Immigration policies are just as complex, with a distinct treatment for each migration flow. Currently, the Mexican government encourages emigration, creates legal channels for regional laborers, and restricts transit migration. The Mexican government enlists a number of strategies to combat transit migration, chief among them are internal checkpoints and an unofficial policy of benign neglect that allows police and military agents to act outside their

jurisdiction to apprehend (and harass) migrants. The Mexican public also demonstrates the behavior of benign neglect, ignoring dramatic human rights abuses committed in Mexican territory while simultaneously deploring the abuse of Mexican migrants abroad. By refusing to defend Central American migrants the Mexican public essentially allows its elected officials to continue such activities. Most striking is that Mexican immigration policy appears to be part of a larger strategy, one that goes hand in hand with NAFTA and Mexico's goal of deepening regional integration.

There is clearly a great deal of cooperation occurring between Mexico and the U.S., both in terms of trade and combating drug trafficking and transit migration. In great contrast to the cozy relationship between Mexico and the United States is the receding relationship between Mexico and its southern neighbors. While historically Mexico chose the role of 'middle power' to counterbalance U.S. interests in the region (Buchenau 1996), Mexico appears to have forsaken this role. In the past Mexico played "big Latin American brother" to Central America, engaging in international diplomacy that the U.S. frowned upon, such as galvanizing the Contadora peace process or preaching anti-interventionism. But economic liberalization "ushered in a new phase in Mexico's status in Central America. By both necessity and choice, Mexico has cast its lot with North America to a greater extent than ever before" (Buchenau 2001, 206). The Mexican government's move to lead the country away from Central America and embrace an ever-closer relationship with the United States is clearly reflected in its responses to transit migration.

Chapter 3

The Moroccan Case: Economic Gains and Western Aspirations

At the apex of Africa and a stone's throw from Europe, Moroccan territory serves as a gateway between two worlds. A mere fourteen kilometers wide, the Strait of Gibraltar not only divides Europe from Africa, it represents "possibly the largest inequality of wealth and opportunity on the planet" (APDHA 2007). When Spain joined the European Economic Community in 1986, the Strait became "*the* spatial, political and cultural boundary between Europe and the 'Third World,' much like the 'Border Area' between the US and Mexico" (Driessen 1998, 100). As is Mexico, Morocco is one of the leading emigration, and remittance receiving, countries in the world (de Haas 2005a). Like Mexico, this traditional migrant sending country has been transformed in recent years into a recipient of migrants in transit to northern destinations. The bulk of these transit migrants are sub-Saharan Africans, who have increasingly entered Morocco with the sole purpose of reaching Spanish, and therefore EU, territory. Transit migration has increased to such a degree that by 2004, sub-Saharans replaced Moroccans as the most apprehended migrant in the waters patrolled by Spanish authorities (Baldwin-Edwards 2006, de Haas 2006). The maritime crossing between Morocco and Spain is extremely dangerous; migrants are overloaded into *pateras*, or small motorized rafts, and attempt to cross a treacherous unpredictable body of water. While these dangerous and dramatic events have captured the public attention in Europe and the U.S., the journey undertaken by sub-Saharans to reach Europe receives little media or academic attention.

Particularly lacking in the literature is an analysis of the immigration policies these migrants must face before they ever reach the European border. Similar to Mexico, Morocco has in recent years enacted anti-transit migration projects. King Mohammed VI pledged Moroccan cooperation with Spanish forces to combat clandestine migration and enacted a restrictive immigration agenda, establishing both external and internal immigration controls. Why has Morocco pursued restrictive immigration policies at this time, and to what degree can these policies be understood as the externalization of EU immigration policies?

This chapter explores Morocco as a transit state and analyzes both the domestic and geopolitical factors that influenced the creation of Morocco's restrictive immigration policies. I argue that, while some classic domestic factors, such as xenophobia and concerns about migrant use of scarce public resources are present, geopolitical factors are the driving force behind Morocco's anti-transit migration activities. These activities include Spanish and EU pressure, and the Moroccan King's desire to become more integrated with the EU through signing a free trade agreement, increased development aid and fostering the continual flow of migrant remittances.

I begin begin with a summary of Morocco's historical migration patterns, followed by a description of the contemporary transit migration process of sub-Saharan Africans through Morocco. In the following section I discuss recent immigration policies, such as the 2003 immigration law, external and internal controls, and unofficial practices such as detaining migrants and delivering them to the desert near the Algerian border. With this as background, I explore the domestic and geopolitical factors that may have prompted the Moroccan government to pursue this

new restrictive stance. Throughout the chapter I will draw parallels with the Mexican case, though an in depth comparison will follow in Chapter Four.

The Moroccan case study is based on the small body of existing academic literature and some journalistic reports. Due to the limited source material, many of the elements discussed in the Mexican case study will not be covered in this chapter. However, by utilizing the lens of the transit state and bringing together distinct accounts – such as Fatima Sadiqi's (2004 and 2005) analysis of immigration Law 2003, Michael Collyer (2006) and Channe Lindstrom's (2002) fieldwork interviewing migrants in Morocco, a clear pattern emerges. Not only are Spain and the EU pressuring Morocco to crack down on transit migration, Morocco is a willing participant. The implementation of restrictive immigration policies quells nascent domestic anti-immigration issues, but perhaps most importantly, benefits Morocco through development aid, trade agreements and other favors promised by the EU and Spain to the transit state.

3.1 Migration History: High Levels of Mobility

From a historical standpoint, Morocco has always hosted temporary populations; nomadic and semi-nomadic groups traveled throughout the region irrespective of official borders for hundreds of years. In addition to nomadic groups, trans-Saharan trade created vast migratory networks. Both the establishment of imperial cities in the north, such as Rabat, Marrakech, Fes, and Meknes, and the trans-Saharan trade of gold, salt, copper, brass and slaves attracted merchants and migrants to Morocco. The slave trade existed as a form of forced migration to and through Morocco well into the twentieth century (de Haas 2005b). Hein de Haas (2005b and

2006) characterizes the Sahara as "a huge transition zone" with oases that once acted as "commercial and migratory junctions" that testify to the trans-Saharan tradition of population mobility. Mohammed Charef (2004, 47) notes that although caravan routes "were used for centuries by nomads, traders and pilgrims" they were gradually "erased from maps and memory alike." Nonetheless, these routes are testimony to Morocco's deep connections to the Sahel and West Africa, and the country's prominent historical position in the world of trade and migration.

Colonialism introduced the notion of borders and modern nation states to Africa, and these imposed borders led to a significant reduction of trans-Saharan trade and population mobility (de Haas 2006). Hania Zlotnik (2004) notes that Africa's history of colonization has greatly affected the continent's migration patterns, with the imposition of arbitrary borders irrespective of tribal groups or trade patterns. During the colonial era (1912-1956), Morocco began exporting migrants to Europe. Colonial ties linked migration flows to France, though not Spain, as Spain itself functioned as a country of emigration and transit well into the 1980s. However, with EC membership obtained in 1986 and the subsequent economic boom, Spain became the primary immigrant destination within the EU (Carling 2007b).[50] With Spain's shift from transit country (high emigration, low immigration and significant transit migration) to receiving country, the transit state role shifted south, to Morocco. By the early 1990s Morocco found itself in the position of receiving sub-Saharan migrants en route to Spain.

[50] In 2003 Spain hosted over one third of the total number of immigrants in the EU (Carling 2007b).

Throughout the 1970s and the 1980s, environmental, political and economic crisis in the Sahel region produced new forms of trans-Saharan migration. Unable to continue the nomadic lifestyle, many nomads migrated to Algeria and Libya to work in oil fields and at construction sites. Warfare in the Sahel region brought thousands of refugees to Libya, Algeria, Mauritania and Egypt (de Haas 2006). By the 1990s, civil wars and recurrent violence in Sierra Leon, Liberia, Cote d'Ivoire, the Democratic Republic of Congo, Nigeria, Sudan and the Horn of Africa[51] forced people to abandon their homes. Migration is so common in the region that John Akokpari (1998, 212) characterizes the very "history of sub-Sahara Africa [as] one of refugees and migration." Initially the transit migration flow of sub-Saharans leaving their home countries was understood as a response to civil war and violence in these countries. Yet economic issues, such as structural adjustment programs that compounded poverty, accelerated the rate of emigration. Population growth, unemployment and environmental degradation have also been important push factors (Adepoju 2004). For example, if desertification continues at the current rate, it is estimated that an additional 65 million sub-Saharan Africans will attempt migration to overcome environmental difficulties (Charef 2004).[52]

With the revival and continuation of civil wars and economic decline in the region, trans-Saharan migration continued to increase throughout the 1990s. These

[51] The Horn of Africa is a peninsula in north-east Africa that includes the countries of Somalia, Ethiopia, Eritria, and Dijbouti.
[52] For more information concerning emigration factors in sub-Saharan Africa, see Adepoju (1995).

migrants[53] have increasingly sought European entry via Morocco, transforming Morocco from a country of emigration to a reluctant country of immigration. Not only have the numbers of sub-Saharan migrants increased in recent years, the flow has also diversified to include many more African countries and even Asian countries such as India, Pakistan and Bangladesh (de Haas 2005b).[54]

It is important to note that, although these countries vary greatly in terms of political stability, violence, democracy and other factors, poverty is arguably the greatest commonality (Carling 2007b). Oftentimes push factors include both civil war or violence and economic difficulties. Collyer (2006, 16) provides a telling example of the intertwined nature of violence and economic push factors:

> A man from Cote d'Ivoire described how he had a good job in a French company in Abidjan but when the French, and other foreign nationals, left the country the company collapsed and he was unable to find any kind of employment elsewhere. He used the savings he had put aside while he was employed to finance his trip to Morocco. While this man was not directly threatened by the war, he says he left because of the war. Conflict was the most common destabilizing factor in these situations and others felt that conflict, rather than economic issues were the central factor in provoking their migration.

There has been a diversification of not only sending countries, but also destinations. Migrants increasingly do no rely on traditional geographic patterns, and instead are beginning to explore an ever-wider set of options, methods and destinations (Apedoju 2004). Between 65,000 and 120,000 sub-Saharan migrants enter the Maghreb each

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[53] It is important to reiterate here that I use the term "migrant" to refer to all types of migrants, including refugees, asylum seekers and economic migrants. See my discussion in Chapter One.

[54] Asian transit migrants often fly to the Persian Gulf and then fly to capital cities in West Africa, such as Accra or Bamako, and from West Africa begin the common Saharan routes through Niger to Algeria or Morocco and finally, Europe (De Haas 2006).

year (de Haas 2006). See Figure 7 below for a map of sub-Saharan and Maghreb countries.

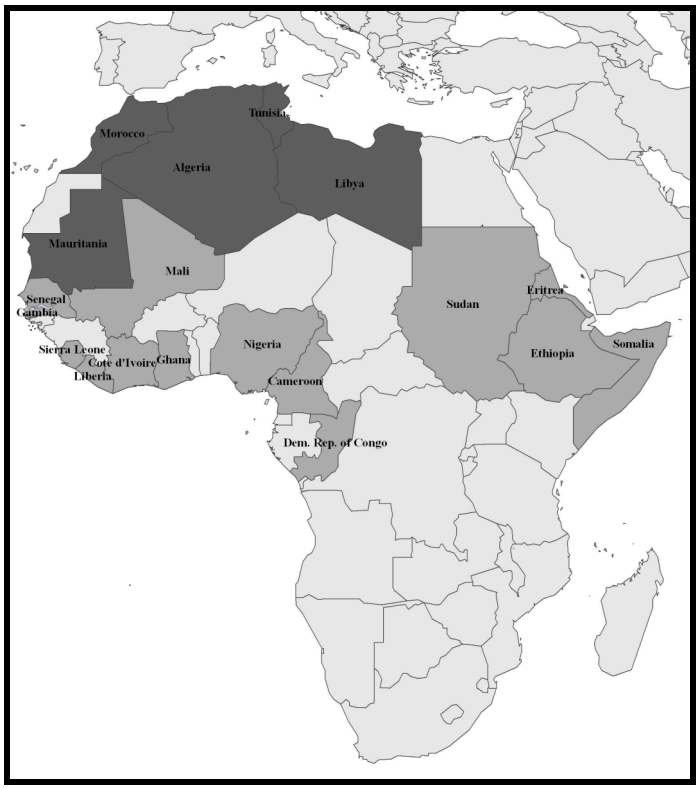

Figure 7: Migrants come from the sub-Saharan countries of Senegal, the Gambia, Sierra Leon, Liberia, Mali, Cote d'Ivoire, Ghana, Nigeria, Democratic Republic of Congo, Cameroon, Sudan, Somalia, Ethiopia, Eritrea and travel to the Maghreb countries of Morocco, Tunisia, Algeria, Libya and Mauritania. Sub-Saharan source countries are shaded grey and Maghreb transit countries are dark grey.

3.2 Contemporary Transit Migration: Ever Farther Away From the Village

The journey undertaken by transit migrants is of remarkable length and difficulty. The routes vary, but many lead to the Nigerian town of Agadez, a historical crossroad of trade routes that stretch into West and Central Africa. Leaving Agadez, transit migrants either head toward the Sebha oasis in Libya or to Tamanrasset in Southern Algeria. Following the Algerian route, migrants travel to northern Algeria

and then cross into Morocco through the border near Oujda. Yet another route is through Mauritania, where migrants gather in the Mauritanian desert near the Western Saharan desert. At this point, smugglers transport migrants in jeeps through the desert or migrants must attempt crossing on their own (Carling, 2007b).[55]

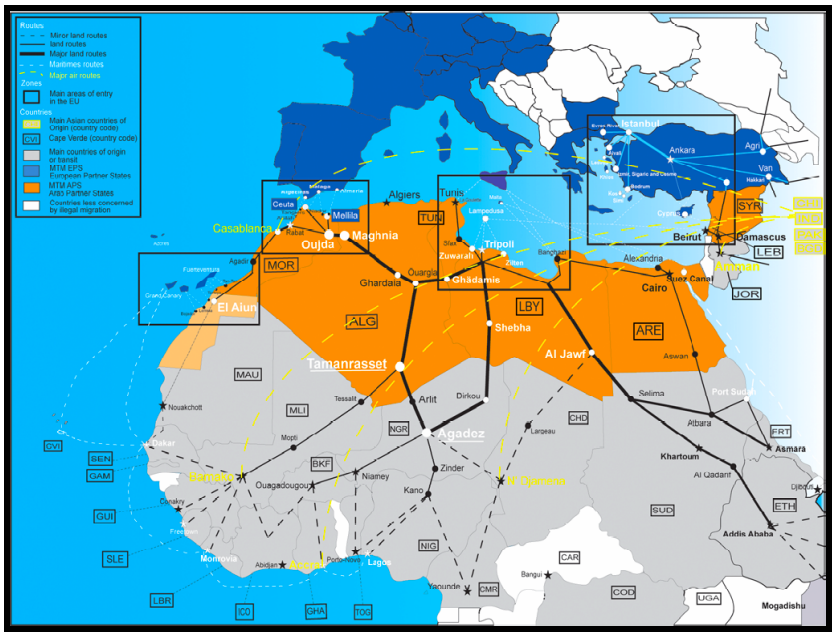

Figure 8: Map of African transit migration routes. Source: (ICMPD 2004)

Contemporary transit migrants have retraced the traditional trans-Saharan caravan routes to the north (Charef 2004). Once they reach the 'sea of sand,' the Sahara desert, migrants must trek across the desert, outwit the natural dangers the environment provides and avoid immigration controls. This is both the most difficult leg of the journey and the most under-researched. In his study, Collyer (2006, 14) discovered that many of the migrants he interviewed did not want to talk about their experiences in the desert.

[55] For a detailed description of the geography of unauthorized migration from Africa to Spain see Carling Jorgen's "Unauthorized migration from Africa to Spain" (2007b).

> Migrants' accounts were often confused and many were uncertain about the exact length of the crossing but experiences varied from a relatively swift five days to an agonizing 29 days during which a number of other migrants died. A number of migrants reported coming across groups of dead bodies in the desert yet there is no notion of the total human cost of this migration.

Though little has been written or documented about this migration route, it is clearly a high-risk venture.

Transit migrants often spend time in multiple countries. Collyer (2006) notes that some of the migrants he interviewed had spent as long as ten years outside of their country before ever entering Morocco. As discussed in Chapter One, transit migrants often do not have a pre-determined destination or precise migration plan; instead they act as opportunities become available. This is illustrated by the case of one transit migrant who began his journey in the direction of South Africa, but after encountering serious difficulties at the Zambia border, decided to head north to Morocco instead. This migrant eventually reached Morocco three years after his initial departure from home (Collyer 2006). A Somalian man reported that he walked the entire journey, from Somalia through Ethiopia, Sudan, Egypt, Libya, Algeria, and finally Morocco (Driessen 1998).

As discussed in Chapter One, transit migration routes are greatly affected by immigration policies, such that migrants often change course mid-journey in response to new restrictions or information. Collyer (2006, 5) contends that "The lives of these migrants is so structured by mechanisms of migration control that migration policy has become the dominant factor in understanding the options open to them." For example, the increase of maritime patrols in the Strait of Gibraltar caused a shift in the

migration flow to the Canary Islands. Because of this, entering Morocco at Oujda (the Moroccan/Algerian border) declined somewhat in popularity, with migrants opting to travel to the Western Sahara in order to travel by boat to the Canary Islands (de Haas 2006). When the Moroccan government began patrolling its coasts, the route shifted further south to Mauritania, which then entailed a 600-mile journey to the Spanish islands. Under Spanish pressure,[56] the Mauritanian government in turn cracked down on this transit migration flow directed towards European territory, and the route shifted once again, even further south to Senegal, an amazing 900-mile, eight to ten day voyage to the Canary Islands (Cornelius 2006). At each southward shift, the transit migration routes shifted in response; a number of transit migrants who perhaps departed their home with the idea of departing Africa from northern Morocco have instead traveled to Western Sahara, Mauritania or even Senegal to attempt an increasingly dangerous maritime journey to Europe.

Not only is the journey dangerous, it is expensive. Transit migrants reported that they spent anywhere from several months to several years salary on the journey to reach Morocco (Collyer 2006, 15). Transit migrants typically pay for individual segments of journey, when they need help crossing a particular border or advancing through geographically difficult areas. It is also reported that throughout the trans-Saharan journey, smugglers are usually fellow migrants who have already gained experience traveling through a specific area, or are former nomads and therefore familiar with migrant routes and have small networks (de Haas 2006). If a migrant

[56] Spain reactivated a readmission agreement signed with Mauritania in 2003 that allowed for migrants arriving to the Canary Islands to be returned to Mauritania. Spain also trained Mauritanian border forces and provided them with equipment (Amnesty International 2006).

has been deported, for example, he or she might offer to guide other migrants back through the area as a method to earn money to continue the journey. For example, one deported transit migrant "had been able to get back to Morocco from Mali at almost no cost, simply by showing others the route and using the profits to fund his own migration" (Collyer 2006, 18).

The vast majority of sub-Saharans are in transit to Europe, yet large numbers of transit migrants fail to enter Europe and become *de facto* immigrants in North Africa, living in very poor conditions at the doorstop of Europe (Baldwin-Edwards, 2006). Tangier in particular holds a special role in the clandestine migration movement. Charef (2004, 43) describes the city as "a magnet, a staging post, a place of retreat, concentration and negotiation." Though there are many transit migrants living for protracted lengths of time in Morocco, it is unusual to find a sub-Saharan holding a job in the formal labor market. Migrants with family in Europe can usually depend on some sort of financial help received via Western Union offices, and those without must attempt enter the informal labor market (Collyer 2006). While many migrants spend years in Morocco, subsisting there is no easy task. It is common for migrants to live in shantytowns at the outskirts of town, or in dilapidated neighborhoods within the city. They must avoid apprehension by the Moroccan police, keep alert to the possibilities of raids, and deal with an increasingly xenophobic reaction by the Moroccan public (de Haas 2006). Undocumented immigrants do not have access to public resources, such as health care, nor are their children granted access to public education (Lindstrom 2002). Overall, transit migrants must keep a clandestine existence during their Moroccan tenure.

Though crossing the Saharan desert is the most dangerous leg of the journey, paying for passage to Spain is the most difficult. Entering Spain via *patera* reportedly cost $200 for minors, $500-$800 for Moroccans, and $800-$1,200 for Francophone and Anglophone sub-Saharan Africans (De Haas 2006).[57] Smugglers charge $1,600 (need to convert this to keep it all the same) for entrance into the North African Spanish enclaves of Ceuta and Melilla (Collyer 2006).[58] Entering Ceuta or Melilla are much more attractive options, not having to face the sea and possibility of drowning. For many sub-Saharan Africans, the goal is simply to touch Spanish soil; by Spanish law migrants cannot be returned unless there is a repatriation agreement with their country. Migrants are held in detention centers for forty days, and if nationality cannot be determined, or there is no repatriation agreement with the home country, migrants are released into Spanish territory with the directive that they must voluntarily leave the country. In December 2006, for example, Spanish authorities released at least 1,500 migrants (Rennie, 2006).

Entrance to the Spanish enclaves is not necessarily any easier than reaching the Canary Islands via *patera*. The 9-18 foot double razor wire fences that surround Ceuta and Mellilla are under constant surveillance by the Spanish Civil Guard, who employ such gadgetry as watchtowers, closed-circuit video cameras, infrared rays and fiber-optic thermal sensors (Amnesty International 2006). The Spanish enclaves vaulted into the international media in the fall of 2005 when hundreds of sub-Saharans

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[57] Data from 2003.
[58] Data from 2006, 1,200 Euros converted to 1,600 Dollars at May 2007 conversion rate.

stormed the fences over a period of weeks. Spanish Civil Guards and Moroccan police responded by firing into the masses; over fourteen migrants were killed either by the gunfire or the razor wire fences, and many more were injured (Mead 2005, Amnesty International 2006). The migrants who remain in Morocco tend to be the most under-resourced, simply because they cannot afford the final leg of the journey. This is exemplified in an interview conducted by Collyer (2006, 22); "One man from Cameroon who had been attempting to reach Europe for seven years, and had broken both arms and a leg during the source of successive attempts to enter Ceuta and Melilla, commented 'If you give me 1,200 [euro], we can arrange to meet in Ceuta next week, and I'll be there.'" The extreme response by both Spanish and Moroccan authorities to the fall 2005 migrant attempt to storm the Moroccan/Spanish border attests to the levels that both governments are willing to go to in order to enforce the Ceuta and Melilla territorial borders.[59]

3.3 State response: Border Controls and Internal Raids

Since the 1960s, the Moroccan government has encouraged emigration (de Haas 2005), and until 2003, clandestine entry to the country was not a criminal offense.[60] As early as 1992, however, former King Hassan II publicly declared Morocco's support to Spain to help combat illegal migration, corruption, and drugs. With that declaration, the Moroccan king appointed a new police chief in Tangier.

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[59] The Moroccan government defended its actions on October 6, 2005 when six migrants were killed, by releasing a press report. The report called migrant attempts to climb over the border violent "attacks," and stated that the migrants "were armed with machetes, clubs or knives" (c.f. Amnesty International 2006, 9).

[60] Article 12 of the Ordinance relating to Immigration of 15 November 1934 specified that anyone who entered Morocco by "illicit means" would be expelled, but the law did not define such entry as a crime (Lindstrom 2002).

Subsequently, "thousands of soldiers were mobilized to guard the beaches, and black Africans disappeared from the streets" (Driessen 1998, 103). Current King Mohammed VI passed a new immigration law in 2003 to define Morocco's current stance on immigration. This law has been characterized as a 'new approach' to immigration. In a top-down manner, the King gave explicit orders that Morocco would tighten the control of its borders, combat transit migration and treat migration as a security issue (Sadiqi 2004). This highly restrictive law has proven to be controversial, though it was passed without any debate either by civil society or the parliament (Charef 2004). The law grants the right of Moroccan authorities to "refuse, withdraw, or dismiss a foreigner from Morocco if the latter is not found to satisfy the legal conditions of residence" (Sadiqi 2004, 10). The law also determined the rules for documented entrance; all non-citizens had to provide evidence for "means of survival, the reasons for visiting Morocco, and the guarantees for the return" (Sadiqi 2004, 12). Perhaps most importantly, Law 2003 defined transit migration as a criminal activity for the first time.

One of the explicit objectives of Law 2003 was to enact a restrictive immigration policy that recast undocumented entrance as a criminal offence and assigned severe punishments to both migrants and smugglers alike. Undocumented entry to Morocco can result in a fine of three hundred and sixty Euros[61] and imprisonment for six months, and the punishment can be hardened for repeat

[61] Converted from 6,000 Dirhams, May 2007

offenders. Foreigners[62] who are discovered living in Morocco in undocumented status, including visa overstay, can be punished by imprisonment, fines, and deportation. In addition to criminalizing clandestine entry, it prescribes "severe punishment" from ten years to life imprisonment for the "organizers of illegal migration" (Sadiqi 2004, 10). What constitutes an "organizer of illegal migration" is unspecified. Law 2003 explicitly states that minors, parents of children residing in Morocco, pregnant women and legal Moroccan citizens are exempt from expulsion (Sadiqi 2004). In practice however, pregnant women and children have been expelled, and in some cases even abandoned in the desert near the Algerian border (Amnesty International 2006).

The Moroccan government has placed a new emphasis on border control and internal enforcement not only through the passage of Law 2003, but also with the creation of regional delegations "to apply the national strategies for combating illegal migration at the regional level." In addition to regional delegations are local commissions that are dedicated to gathering "information relating to migration" and passing on such information to the central administration (Sadiqi 2004, 10). Such sub-national delegations effectively transfer the role of immigration control implementation into the realm of local governments and politics.

The Moroccan King has explicitly stated that migration is strictly a security issue. This is apparent in Law 2003, as it also established "the Moroccan administration's right to refuse entrance to any foreigners if the latter constitutes a danger for the internal or external security of the country, especially in matters relating

[62] Law 2003 defines foreigners as "individuals who do not have Moroccan citizenship, or who do not have a recognized citizenship, or who cannot define their citizenship." (Sadiqi 2004, 11)

to terrorism" (Sadiqi 2004, 10). Sadiqi explains that Moroccan immigration policy "is mainly a security policy and is implemented by the Ministry of the Interior… Ministry officials are aware that illegal migration is orchestrated by well-organized trans-border and international criminal networks" (Sadiqi 2005, 227). As in the Mexican case, there is evidence that an important component to creating restrictive immigration policies is recasting immigration into a criminal role. This must be done delicately of course, because the transit state must simultaneously promote its right of emigration while denouncing immigration as potentially criminal in nature.

In addition to the passage of Law 2003, the Moroccan government began patrolling its borders in 2005 to prevent the entrance of transit migrants. Border control falls under the jurisdiction of the Department of Migration and Borders Control, what Sadiqi (2005, 228) calls "an ad hoc structure." This department directs surveillance operations and units and works to "control infiltration points used by illegal migrants along the borders." Moroccan security forces have instituted a 'zone rouge' around northern border areas and deployed army regiments to the Western Sahara (Collyer 2006). At a cost of one hundred million euros a year, eleven thousand security officers have been deployed to the Moroccan coasts (The Adnkronos International 2007). Collyer (2006, 23) argues that this constitutes a "nationwide pattern of controls" dedicated to fighting the clandestine immigration. Crossing the official border between Mauritania and Morocco is reportedly an easy task, but just in the interior there is a military obstacle course constructed in the late 1980s to guard

against Polisario guerrillas.[63] The physical barriers, bunkers, fences and landmines and three military control posts are difficult to cross, although smugglers reportedly have circumvented these controls by bribing the soldiers on guard (Carling, 2007b).

It is important to note that Law 2003 does not discern between economic migrants and refugees or asylum seekers. Historically, Morocco was politically welcoming to asylum seekers. Morocco's asylum policy was originally based on the Islamic law of asylum and followed the African tradition of receiving foreigners. Refugees were considered 'favored foreigners,' and this treatment was codified into law in 1913. After independence, the Moroccan government ratified all major international agreements concerning refugees and human rights, such as the Refugee Convention and its 1967 protocol. With this background, it is therefore surprising that Morocco has never developed refugee legislation or procedures for the treatment of asylum-seekers or refugees (Lindstrom 2002, Amnesty International 2006).

The United Nations High Commissioner of Refugees (UNHCR) established an "honorary representation" of the organization in Casablanca in 1963. Though its presence began in 1963, it was not actually involved with the refugee population until 2002. UNHCR's role in Morocco is rather nebulous, as there is no formal agreement between the Moroccan government and the organization (Amnesty International, 2006). Refugee status is officially determined by the Bureau of Refugee and Stateless Persons (BRA), but it is unknown how this status is determined (Lindstrom 2002). If a migrant does solicit the Moroccan government for official asylum status, he or she is

[63] After Spain relinquished control of the Western Sahara in 1976, a territorial conflict erupted between Morocco and the independence seeking group Frente Polisario. A cease fire agreement was signed in 1991, but territorial issues persist (Carling 2007b).

given a receipt of asylum request, though this receipt offers no protection against apprehension or removal (Collyer 2006). If an individual is recognized as a refugee by UNHCR, the Moroccan government agrees that "he or she is authorized by the Moroccan authorities to stay in the country until the UNHCR has found a 'durable solution', i.e. resettlement for the aforesaid refugee." In practice however, UNHCR recognition does not provide the refugee with any protection, nor does the Moroccan police recognize the documentation provided by UNHCR (Lindstrom 2002). One migrant related the Moroccan police "deported me to the border with Algeria after having torn my [UNHCR] attestation apart. I had no money to bribe them" (c.f. Lindstrom 2002, 21). Very few of the individuals recognized by UNHCR as refugees have successfully achieved recognition by the Moroccan government. Lindstrom discovered that some asylum-seekers (even those with UNHCR recognition) had been deported more than twenty times. One migrant told her "Unless you can bribe your way out, they just leave you in the desert to die." All of the individuals she interviewed had successfully returned to Morocco after deportation (c.f. Lindstrom 2002, 23).

While Law 2003 specifies official Moroccan immigration policy, what happens on the ground is quite different. Law 2003 guarantees migrants the right to an appeal, a translator, access to a lawyer and contact with one's consulate (Amnesty International 2006), yet the more common state response is to imprison migrants or unofficially deport them to the desert of Algeria (Baldwin-Edwards 2006). Indeed, upon apprehension in Morocco it is normal practice for the migrant to be returned to the Algerian border. In Collyer's (2006) study, migrants were returned to the border

an average of 1.73 times, ranging from 0-7 returns. Morocco does not yet have formal detention centers or camps for detaining migrants, though there are a number of 'informal' camps at key locations at Moroccan borders. These informal detention areas are located at the Moroccan/Algerian border near Oujda, at the maritime border near Laayoune, and at the Moroccan/Spanish border near Ceuta and Melilla (Schuster 2005). Migrants are sometimes detained at military bases in the north east, in Nador, or in the southwest, in Guelmin (Amnesty International 2006).

In addition to border controls, the Moroccan government has also implemented a system of internal controls. In January of 2005 the Moroccan police raided and cleared a well known migrant shantytown at the outskirts of Tangier called Mount Gourougou. This shantytown was well established; it included a chapel and mosque (Smith 2005). The flimsy shelters were destroyed and apprehended migrants were returned to Algeria. A similar operation was carried out a month later, when police forces raided the forest of Belyounech, another well known migrant area, where one thousand people were living (Schuster 2005).

Use of violence by Moroccan authorities against migrants has been well documented (Baldwin-Edwards 2006), and migrants frequently complain of being beaten by Moroccan police forces (Smith 2005).[64] Corruption is rampant; Briscoe (2004) attests that Moroccan police officers are often bribed to avoid deportation and Amnesty International (2006) reports that it is common practice for the police to confiscate money and cell phones from apprehended migrants. Law 2003 offers

[64] Doctors without Borders reported that in a two year period (2003-2005), twenty three percent of the assistance they provided in Tangier, Nador and Oujda was for violence induced injuries, and a full sixty percent of these cases were reportedly committed by Spanish or Moroccan authorities (Collyer 2006).

protection against human rights abuses, but migrant attest that Moroccan authorities ignore any reports of human rights violations (Collyer 2006). Much like the Mexican case study, human rights rhetoric abounds, but in practice migrants' rights are frequently violated.

A serious and highly publicized human rights violation occurred in the fall of 2005, when Doctors Without Borders blew the whistle on Moroccan authorities who brought hundreds of migrants to the Sahara desert close to the Algerian desert and then abandoned them there (Mead 2005, New York Times 2005). Children and pregnant women were discovered among the abandoned group (New York Times, 2005), a clear violation of Law 2003 and the numerous human rights conventions that Morocco has signed. The mass evictions to the desert appear to be the Moroccan government's response to the earlier attempts of transit migrants to storm the Ceuta and Melilla border. Hundreds of undocumented immigrants were apprehended in raids in the interior of the country, and then they were dropped off at various locations near the Algerian border. Amnesty International reported that "Rather than being expelled along the main road crossing at the border with Algeria, where the frontier is officially closed, deportees are left in uninhabited sand-covered areas several kilometers away, where the border is not marked, and told to head towards Algeria." Some individuals began walking toward Algeria but were "stopped by Algerian military personnel, who told them to return to Morocco" (Amnesty International 2006, 26). These actions demonstrate Morocco's serious lack of immigration infrastructure and its inability, or unwillingness, to honor the rights afforded to migrants in Law 2003.

Yet another arm of Moroccan immigration policy is explicit cooperation with Spain and the EU to combat undocumented migration. In 2004 Morocco and Spain engaged in joint sea and air patrols. Sadiqi (2005, 230) asserts "International cooperation is becoming one of the pillars in the fight against clandestine immigration," yet at the same time the Moroccan government states that "Emigration is favored whilst illegal immigration is limited." Clearly Moroccan cooperation with Spain and the EU is limited to combating transit migration, not Moroccan emigration.

3.4 Immigration Policies in the Transit State: A Domestic Perspective

As explained in the previous section, many transit migrants are unable to afford the final leg of the journey and therefore become *de facto* immigrants. De Haas (2005b) contends there are tens of thousands of transit migrants have turned into immigrants and settled in large cities such as Tangiers, Casablanca and Rabat. However, these cities have extremely limited opportunities for immigrant workers. The official unemployment rate is eighteen percent, but the unofficial estimate is above thirty percent. Like many developing countries, Morocco's informal sector is a fundamental pillar of the economy, and the majority of both migrants and Moroccans work in the informal economy. As of yet, Morocco does not appear to have a segmented labor market as commonly seen in traditional receiving countries. Nor is there evidence that Moroccans have begun shunning sectors of local employment, as the Mexican case demonstrates. Instead, immigrants are essentially competing for the same jobs Moroccans depend on, such as informal street vending and construction jobs (Lindstrom 2002). There is no reason to think that Moroccans would not respond

negatively to such competition, particularly as the cost of smuggling rises and the numbers of sub-Saharans residing in Morocco increases.

Indeed, sub-Saharans are facing a xenophobic backlash in Morocco, with newspaper articles comparing "sub-Saharan African migrants to 'black locusts' invading northern Morocco" (de Haas 2005). Migrants assert that Moroccans treat foreigners with racism and cultural intolerance, reporting "that their children have been subject to racism in Moroccan schools by both teachers and other students alike, because of the color of their skin and the lack of fluency in French and Arabic" (Lindstrom 2002, 21). Migrants report that they were harassed on the street by police and civilians, and there are reports of migrant beatings in the streets. One migrant explained, "The Moroccans see no difference between a refugee and an illegal immigrant. All Black African are perceived as taking their jobs, cars, women, what have you. They spit at you on the street, and they provoke you into a fight" (c.f. Lindstrom 2002, 21)

Another disturbing factor in the Moroccan case is that there appears to be few organizations dedicated to responding to the needs of migrants or defending migrant rights. Charef (2004) asserts that the few charitable organizations that do provide services to migrants are greatly under resourced. There is also a widespread belief that there are no refugees in Morocco, instead all migrants are considered economic (and therefore voluntary) migrants. This was a common perception even among human rights associations. Surprisingly, UNHCR employees were of the opinion that the majority of asylum-seekers in Morocco were actually economic migrants seeking eventual entry to Europe (Lindstrom 2002). Another NGO, Caritas, complained that

Moroccan society and aid organizations are not "interested in helping the sub-Saharan population in Morocco, only in getting rid of it" (c.f. Lindstrom 2002, 18). Lack of recognition by organizations of the potential for transit migrants to be valid refugees or asylum seekers suggests an overall unwillingness to grant sub-Saharans protection or rights. This is significantly different from the Mexican case, where NGOs publicly criticize the Mexican government's immigration policies and the treatment transit migrants receive. In the Moroccan case, the lack of a pro-immigrant domestic lobby does not bode well for the future of immigrants in Morocco.

There are several more key differences between Mexican and Moroccan domestic scenarios. It is important to note that while there are a substantial number of transit migrants residing in Morocco for an undetermined amount of time, this is not the case in Mexico. Central Americans have proven to be adept at crossing the US/Mexico border. Perhaps this is because Central Americans have a more established network of friends and family within the U.S. to call upon at the time to hire a coyote. Whatever the reason, this has serious ramifications for the public response to transit migration. If migrants are indeed simply passing through there is presumably less concern by residents, but if they are living within communities, standard issues of integration begin to arise. De Haas argues that these immigrants confront "Moroccan society with an entirely new set of social and legal issues typical of immigration countries, issues that do not yet resonate with Morocco's self-image as an emigration country" (de Haas 2005b, 2).

Assessing the domestic issues present or the degree of public backlash is difficult because at this time very little academic literature is dedicated to the topic.

There is a clear need for fieldwork and research to investigate the public response to transit migration, not only in terms of racial discrimination, but also the public perception of migrant use of public resources, criminality and other commonly studied factors examined in countries of immigration. It is certainly possibly that xenophobia and a public fear of migrants using scarce resources could have influenced the creation of Law 2003 and King Mohammed IV's commitment to combat clandestine migration. There is, however, not enough evidence to support the argument that domestic factors are the only cause for the recent anti-transit migration projects.

3.5 Immigration Policies in the Transit State: A Geopolitical Perspective.

In recent years Moroccan leaders have repeatedly defined migration to be a political priority for the country (Sadiqi 2004). To begin exploring how geopolitics might affect Moroccan immigration policy, we must delve into both the Morocco/Spain and Morocco/EU relationships. Beginning with the Moorish occupation of Spain and their subsequent expulsion in 1492, the relationship between Morocco and Spain has always been "extremely complicated" (Gillespie 2000, 42). In the twentieth century this role was reversed, with a Spanish protectorate established in the northern area of Morocco from1912-1956. Gillespie (2000, 42) writes, "Spaniards and Moroccans still harbor deep suspicions about one another, and … there is at least as much friction as there is harmony between them." By the end of the 20th century, Moroccan leadership was openly developing a pro-Western stance, courting European trade agreements and working on domestic reforms (Gillespie 2000). While

contemporary relations are much more cordial, there continues to be tense moments.[65] Fishing, farm trade and the Western Sahara all continue to be issues between Spain and Morocco (Gillespie 2000, Briscoe 2004, Carling 2007b).[66] Despite tense relations, the Morocco/Spain relationship is intensely cultivated by both governments; Morocco is the first foreign destination for all new Spanish prime ministers (Briscoe 2004).

The EU is Morocco's most important trading partner, and the main destination of Moroccan emigrants. Because of this, the Moroccan government is intent on developing solid relations with the EU, and as Sadiqi (2004, 2) contends, "co-operating with Europe in the regulation and control of migration has become part and parcel of the relations." Morocco signed the European Mediterranean Association Agreement (EMAA) with the EU in 1996, and is actively pursuing its extension to a free trade agreement. If all goes well, this should be signed in 2010 (de Haas 2005b). This is another area of significant difference with Mexico. Because Mexico signed NAFTA in 1994, a free trade agreement cannot be used as a bargaining chip in bilateral relations. Morocco, therefore, can be described as having potentially more to gain as a transit state by cooperating with northern neighbors.

Physical infrastructure is also increasing the links between Morocco and Spain, with the connection of Moroccan and Spanish power grids via cable in 1996, plans for

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[65] The events at the Island of Leyla in 2002 is a prime example of such tension. The Moroccan military entered the island, and Spanish Prime Minister Jose Maria Aznar quickly ordered the Spanish army to invade the island and evict the Moroccans. U.S. secretary of State, Collin Powell, intervined, stopping the issue from developing into a serious military crisis (Sadiqi 2005).

[66] For more information concerning Spain/Morocco relations concerning fishing rights and territorial issues concerning the Western Sahara, Ceuta and Melilla, see the chapter "Spain and Morocco" in Gillespie (2000).

a second trans-Mediterranean gas pipeline, and the construction of a tunnel across the Strait of Gibraltar "for which Moroccan enthusiasm was visibly greater than Spain's" (Gillespie 2000, 64). According to the tunnel plan, by 2025 passengers could travel seventeen miles underwater from Tarifa, Spain to Tangier, Morocco (Govan 2007). The tunnel is estimated to cost between 6.5 – 13 billion euros, and at this point, remains to be more of a Moroccan dream than a Spanish reality.

As discussed in Chapter One, the EU is greatly concerned with combating clandestine immigration and controlling its exterior borders. At the first 5+5 Dialogue Summit in Tunis in December 2003, focused on clandestine migration and security, the EU explicitly pressured Morocco to implement migration controls. Charef (2004, 49) asserts "The essential legal and police resources have gradually been strengthened because the European community is increasingly forcing the Maghreb countries, despite themselves, to act as a screen and to be stricter about border security controls and turning people back at the frontiers." Various EU committees have explicitly stated that Morocco must implement immigration controls, including the European Justice and Home Affairs (JHA) council.

Spain has sought out more bilateral agreements with other transit countries[67] providing material, economic and human support for these countries to prevent departures from their coastlines and to accept irregular migrants. There has also been an increase in aid in the form of microcredits, development aid, etc, with the condition of completing the objectives of fighting illegal migration (APDHA 2007). Spain has specifically pressured Moroccan authorities to control their borders, introduce strict

[67] These transit countries include Senegal, Gambia, Cabo Verde, Mauritania, Mali.

visa requirements for sub-Saharan Africans, and to crack down on smugglers (Carling 2007b). It is particularly revealing that immigration crackdowns by Moroccan authorities can be timed to the official visits by Spain. Collyer (2006, 9) contends "The broader policy environment affecting migrants in Morocco has been shown to result from political debates within Europe at least as much as discussions in Morocco."

The European Commission has expressed a great deal of concern about transit migration as well. In a 2005 report, the commission repeatedly wrote that the need to control sub-Saharan migration is "urgent," and the report recommended that the EU increase immigration control activities and provide yet more assistance to Spain and Morocco to this end. The mass attempts of transit migrants to enter Ceuta and Melilla in the fall of 2005 served to galvanize the opinion of the commission that African transit migration is an urgent matter, and that the EU should develop "a comprehensive migration policy for the main countries of origin and transit" (Brussels 2000, 2). The EU has explicitly stated that it wants to create migration policy in other countries. Such clearly states goals of implementing immigration controls in transit states is a major development in the externalization of Europe's immigration policies.

Some European academics have also played a part in drumming up paranoia concerning massive waves of African migrants overwhelming the EU. Richard Sandell (2005, 1), for example, argues that the mass attempts to enter Ceuta and Melilla "are just the tip of an iceberg… Sub-Saharan Africa has the highest potential for immigration to Europe." He goes on to contend that the sub-Saharan flow could become the "largest in history," and warns of the oncoming "mass exodus." Yet today,

sub-Saharan immigrants represent a small fraction of the overall immigration flow entering the EU (Collyer 2006). Whether Sandell's warnings are realistic or not, the EU is clearly acting on such concerns. The EU has spent significant sums of money not only on reinforcing its own border controls, but enticing transit states to do the same. The EU has granted significant aid to Morocco for the explicit purpose of controlling immigration. In 2000, the EU granted Morocco 40 million euros in order to gain control of clandestine migration (Charef 2004). In 2004, the Moroccan government was awarded $390 million in aid in exchange for its agreement to cooperate with Spanish maritime patrols and combat clandestine migration (de Haas 2005, Briscoe 2004). In 2005, the European Commission recommended providing yet another 40 million Euros to finance reinforce border controls at the eastern and southern borders (Brussels 2005).

Morocco has also agreed to directly participate with Spanish immigration controls, with joint naval and air patrols between the two countries beginning in 2003 (de Haas, 2006). Moroccan border agents are being trained by Frontex (Brussels 2005).[68] Morocco singed a re-admission agreement with Spain to allow the return of non-nationals (Baldwin-Edwards 2006). It is very important for Spain that Morocco accept non-nationals, because it does not have repatriation agreements with many sub-Saharan African countries. In June 2006, The Washington Times reported that Senegal suspended repatriation flights from the Canary Islands, arguing that Senegalese migrants had been mistreated by Spanish authorities.

[68] Frontex is the EU agency that helps EU member states manage the external EU borders (Amnesty International 2006).

Similar to the Mexican experience, The Moroccan government increasingly values emigration and the immense economic aid that remittances bring to the struggling economy. Remittances are a driving force in the Moroccan economy, and the government has begun projects to encourage emigrants to invest in Morocco. The Moroccan government is actively seeking to frame emigrants as national heroes, and has set a National Day for the Emigrant (Sadiqi 2004). This recognition of the importance of emigration underscores the Moroccan government's desire to pursue good relations with the EU, where the vast majority of Moroccan emigrants reside. The government is making a concerted effort to lobby for the rights of citizens abroad, and convince host countries to increase avenues for Moroccan migration. The Moroccan government's overt support for emigration is a source of tension between Spain and Morocco, and the Spanish government has criticized Morocco for not doing more to stopping emigration flows (Arango & Martin 2005). In order to appease Spanish (and EU) desires, the Moroccan government can choose to "combat illegal migration" by cracking down on transit migration and leaving emigration flows undisturbed. Getting tough on transit migration is a convenient method to prove Moroccan cooperation efforts, while simultaneously allowing the economically vital flow of emigration to continue. Morocco's desire to combat transit migration can be seen not only as a method to satisfy Europe's needs, but also to protect the European labor market for Moroccans. In Spain, Black Africans are preferred by employers over Moroccans (Cornelius 2004). With this in mind, it is possible that the Moroccan government is working to restrict transit migration in order to protect Moroccans from further job competition in the Spanish labor market.

In another interesting parallel with the Mexican case, immigration is viewed within the security context, and Law 2003 has been labeled a security policy (de Haas 2005b; Baldwin-Edwards 2006). Sadiqi (2004) argues that the close Morocco/EU relationship is increasingly important with the spread of terrorism and the regional needs to ensure security. While King Muhammed VI explicitly stated that Law 2003 is a security law, it is not clear how this immigration policy functions to enhance security or protect Morocco from terrorism. More likely, the King is utilizing security rhetoric to assure Europe that Morocco is a partner in the global 'war against terror.' After the 2004 M-11 attacks on the Madrid metro, Spain, and Europe in general, have become more concerned with terrorism and security. After the March attacks, border controls at Ceuta and Melilla increased considerably (Briscoe 2004). The Moroccan King is working to demonstrate that Morocco can be not only an economic and security partner to the EU, but also a willing partner in the battle against transit migration.

The Moroccan government's embrace of European concerns for transit migration is not a simple question of Morocco bowing to European pressure. Instead, King Mohammed VI is working strategically to align Morocco with the EU in order to win economic gain. There is much to potentially gain by cooperating with Spain and the EU to combat transit migration: a free trade agreement, more development aid, and rights for Moroccans living in Europe. At the local level there is significant economic gain as well. Collyer (2006) notes that it is standard practice for Moroccans to charge double or triple the price of rent to a sub-Saharan migrant. It is important to note that

although the transit state must shoulder a new migration flow, it stands to economically benefit from its geopolitical position.

3.6 Conclusion

Much like Mexico, Morocco is adopting a restrictive stance toward transit migration to appease northern neighbors. This re-alignment of immigration policies is a strategic move on the part of the transit state; by cracking down on transit migration Morocco is hoping to win the favor of the EU. Spain and the EU make their immigration goals quite clear. Not only does the EU publicly state that transit countries should combat transit migration, there is significant funding to help the EU achieve its goals.

Although the transit state has much to gain from aligning itself with their powerful neighbor, there is much at stake. Over the long term, it is likely to prove difficult to simultaneously maintain a pro-emigration and anti-immigration stance. Charef (2004, 50) asks poses a difficult question to the Moroccan government: "How can one assert the interests of one's own citizens and insist on their protection in countries in which they are immigrants while at the same time inflicting on Sub-Saharan Africans the very injuries one is at pains to condemn in the case of one's expatriates?" In addition to overt hypocrisy, there is perhaps a greater concern. If Morocco is truly successful at helping Spain improve the security of its sea borders, the numbers of transit migrants that become *de facto* immigrants may increase. An increase in the number of sub-Saharan immigrants would certainly raise many domestic immigration issues with which the government and public have virtually no experience.

Chapter 4

Conclusion: Comparing Mexico and Morocco as Transit States

Residing at the 'frontier of poverty' (Freudenstein 2000), Mexico and Morocco serve as exciting comparative portraits of the transit state. These 'labor frontier countries' (Skeldon 1997) rank among the highest emigration, and remittance receiving, countries in the world (Fitzgerald 2005, de Haas 2005). Because both countries exhibit a deeply embedded tradition of emigration (de Haas 2005b, Alba 2002), academic research has predominately focused on issues pertaining to emigration. This study greatly widens the scope of contemporary migration studies by reframing Mexico and Morocco not simply as countries of emigration, but as transit states. Because transit states exhibit all forms of international migration (emigration, immigration and transit migration), they must grapple with issues traditionally considered specific to countries of immigration. In the past decade, the Mexican and Moroccan governments have responded to transit migration flows by enacting restrictive immigration policies that specifically target undocumented transit migrants.

As I have documented throughout the study, the similarities between state response to transit migration of Mexico and Morocco are remarkable. I began this study with several primary questions: Why are the Mexican and Moroccan governments exhibiting newfound concern over transit migration, and why have they enacted restrictive immigration policies? How much of recent Mexican and Moroccan restrictive immigration policies can be attributed to the externalization of U.S. and EU immigration policies? Because this study presented an entirely new concept, the transit

state, I also widely explored what happens within these countries and the new role these states are adopting. Specifically, how does the transit state role affect our understanding of contemporary immigration policy and borders? This final chapter reviews the answers to these questions and compares the Mexican and Moroccan case studies side by side. I then propose areas for future research and finish with a final work on the importance of this research.

I argued throughout the study that the state responses by Mexico and Morocco are not unique; that is, transit states exhibit strong similarities in behavior and actions toward contemporary transit migration flows. Table 9 below lists the factors I considered in analyzing these transit states. Basic similarities are listed, such as migration flows and the presence of a 'floating population' of defacto immigrants. Perhaps most interesting is the range of state response that both countries demonstrate. For example, both Mexico and Morocco have enhanced their border controls in the past ten years (though selectively in the case of Mexico), both have implemented a system of internal controls (interior checkpoints for Mexico and large scale raids for Morocco), and in both cases state authorities exhibit widespread corruption, with frequent reports of extortion and human rights violations. As can be seen in Table 4, there are also some key differences, for example Morocco passed new immigration legislation in 2003, while Mexico has not updated its immigration legislation since 1976. While Mexico has not codified its actions into law, INM has enacted major anti-transit migration state activities, such as *Plan Sur*, internal checkpoints, and submitted an ambitious policy proposal to further enhance immigration controls. Another significant difference is that Morocco agreed to accept non-nationals

repatriated from Spain, while Mexico has not signed any such agreement with the U.S. In both cases, transit migration has elicited a draconian response by the state, enacting immigration controls that would not be widely tolerated within Joppke's (1998) characterization of the 'liberal state.'

Table 4: Mexican and Moroccan Migration Flows and State Responses

Factor	**Mexico**	**Morocco**
Strong tradition of emigration	Yes	Yes
Increased transit migration flows in the last ten years	Yes	Yes
Labor migration evident	Yes	No
Significant 'floating population' evident	No	Yes
Border controls enhanced within the last ten years	Yes	Yes
System of internal controls enacted within the last ten years	Yes	Yes
Immigration legislation passed within the last ten years	No	Yes
Repatriation agreements signed with source countries within the last ten years	Yes	No
Repatriation agreements signed with destination countries to accept non-nationals within the last ten years	No	Yes
Corruption, extortion, and/or human rights abuse by police/state authorities evident	Yes	Yes

I turned to migration policy theory to answer my first question and help explain why Mexico and Morocco might be opting to restrict transit migration. These theories were written within the context of the first world, and although they have been used successfully to explain countries of immigration such as Canada, Australia, France, and Japan, among others, migration policy theories are unable to adequately explain why Mexico and Morocco have opted for a restrictive stance. Transit states pose significant challenges to migration policy theory simply because they do not fit nicely into the framework of 'countries of immigration.' This does not mean, however, that the baby should be thrown out with the bathwater. Instead, migration policy

theory offers several useful theoretical lenses to analyze the transit state. Table 5, below, illustrates the independent variables I considered in the state response analysis. For some variables, especially in the Moroccan case study, information was simply not available to assess its significance. In these cases, I marked "Not Documented" (ND) to signify the absence of data and to underscore the need for future research.

Table 5: Independent Domestic Variables for Explaining State Response

Factor	**Mexico**	**Morocco**
Government fear of transit migrants utilizing public resources	Yes	ND
Public fear of transit migrants utilizing public resources	ND	ND
Public fear of job competition with immigrants	No	Yes
Evidence of public fear/xenophobia toward foreigners	Yes	Yes
Evidence of associating migrants with criminal activities	Yes	Yes
Evidence of the public pressuring the government to control transit migration	No	ND
Evidence of national identity influencing immigration controls	No	ND

As can be seen in Table 5, domestic issues are present in both Mexico and Morocco. It is important to note that my fieldwork did not test the public's reaction to immigration, and as such my data is based on officials' perception of public opinion and some poll data. In the case of Morocco, very little has been written about the public reaction to *defacto* sub-Saharan immigrants. Nonetheless, my research uncovered the Mexican government's fear that transit migrants will use scarce public resources and a clear connection by government officials linking transit migration with criminal activities. However, in both cases it is unclear whether the public is concerned with migrant use of public resources. While the Moroccan literature did

not cite official concerns of migrants utilizing public resources, there has been an active re-framing of transit migration as a criminal activity through the 2003 immigration legislation (Sadiqi 2004). In both countries the public demonstrates some public fear of foreigners, with the Moroccan public appearing particularly xenophobic toward Black Africans (de Haas 2005b).

In the Moroccan case, the literature cited potential job competition between Moroccans and *defacto* immigrants (Lindstrom 2002), while in Mexico there appears to be an immigrant labor sector growing in certain areas of the country (Castillo 2001). The subjects of my fieldwork viewed immigration to be an entirely different flow from transit migration, and immigrants were seen as helpful contributors to specific sectors of the Mexican labor market that had become unattractive due to either historical labor patterns or more contemporary out-migration. It is indeed fascinating that in some areas of Mexico people now shun low paying agricultural or construction jobs, opting instead to work in the same sectors in the U.S. for more money.

Neither in Mexico nor in Morocco did I find evidence of a national identity narrative prompting the creation of anti-immigration policies. What I did discover in the field and in the literature is that strong historical traditions of emigration and a national identity focused on emigration issues essentially blinds the public to immigration issues. As I argued in both cases studies, the public appears to be guilty of a form benign neglect, essentially looking the other way as government officials commit gross human rights violations. This is a particularly hypocrital stance, as citizens denounce poor treatment of emigrants abroad yet dismiss dismal treatment of immigrants on their own soil. Adding to the benign neglect hypostudy, there is no

evidence that the Mexican or Moroccan publics are pressuring their governments to implement immigration controls. At this point, there does not appear to be a public demand for the state to protect immigrant rights nor to implement immigration controls.

Though public demand for immigration control is not evident at this time, that does not mean that a backlash in not in the making. I have warned throughout the study that transit states currently reside in a fragile stage. The Mexican and Moroccan public appears to demonstrate a form of benign neglect, though an increase of migrants or a state-led campaign to criminalize transit migrants could easily tip the scales toward xenophobia. Domestic issues on their own cannot fully explain the recent anti-transit migration state projects. Rather, the top-down initiatives in both Mexico and Morocco suggest that the impetus for restrictive policies has come from geopolitical considerations that form part of the larger nation-building process.

As can be seen in Table 6, I used several geopolitical variables to analyze state response. Again, I marked ND to signify the absence of data and to specify the gaps in academic literature.

Table 6: Independent Geopolitical Variables for Explaining State Response

Factor	**Mexico**	**Morocco**
Publicly stated transit migration control agenda by northern neighbor(s)	Yes	Yes
Belief that cooperation with northern neighbor could lead to free trade agreement	N/A	Yes
Belief that cooperation with northern neighbor could lead to more development aid	ND	Yes
Belief that cooperation with northern neighbor could lead to improved rights for emigrants abroad	Yes	ND

Belief that cooperation with northern neighbor could lead to greater regional integration	Yes	ND
Security language utilized	Yes	Yes

Both Mexican and Moroccan leaders exhibit belief that cooperation in the arena of immigration control will lead to improved internationals relations. Moroccan King Mohammed VI is clearly vying for a free trade agreement and increased development aid (Sadiqi 2004). While Mexico has already signed a free trade agreement, President Fox publicly announced that he will crack down on transit migration flows in exchange for increased legal channels for Mexicans to live and work in the U.S. (Zolberg, 2006). Both Mexico and Morocco employ security language when speaking about immigration controls. Rather than reflect true national security concerns for these transit states, such security language is more likely to be Mexico and Morocco's attempt to demonstrate cooperation with the West's post 9-11 fixation on security issues. The Mexican government appears particularly adept at playing on U.S. terrorism fears, lobbying for the creation of a 'shared security perimeter' that would protect against terrorists and non-Mexican immigrants. Underlying the security perimeter proposal is the premise of the free-movement of people within Canada, the U.S. and Mexico. While this proposal may seem far-fetched in the U.S., the officials I interviewed believed this was a genuine possibility and combating transit migration was a definite strategy toward achieving this goal.

Clearly, geopolitical considerations have been critical in influencing the Mexican and Moroccan government leaders' decisions to combat transit migration. With a clear trend underway in the U.S. and the EU to externalize immigration

policies, northern pressure on southern neighbors has allowed for transit states to use immigration policies as a strategic method of negotiation toward greater regional integration with their wealthy and powerful northern neighbors. Though the U.S. and the EU may exert significant pressure for transit states to restrict transit migration, I provided evidence in the case studies that transit states do more than simply comply with northern desires. Instead, transit states embrace the transit migration police role in order to make significant economic and regional integration gains.

With Mexico and Morocco choosing to combat transit migration for greater nation-building goals, these transit states are participating in a greater rebordering process. As the U.S. and the EU successfully entice neighboring countries to engage in migration control, the shift in police role can also be viewed as a southward (or simply outward) shift of borders. Mexico and Morocco's attempt to restrict immigration, and in particular, border enforcement activities redefine state boundaries. Instead of historically porous boundaries and relative ease of migration in the region, there the rebordering process redefines these borders as road-blocks to the first world. As discussed in Chapter One, policing (and militarizing) borders to specifically guard against immigrant is a fairly recent phenomenon (cite). As the external boundaries of the U.S. and the EU have become highly policed areas of death and violence (Albahari 2006), so too are the Mexican and Moroccan borders.

Extending this concept, one could argue that the entire territory of Mexico and Morocco have become vertical borders for their northern neighbors, as the site of police activities and violence against immigrants is committed internally as well. In fact, one INM official I spoke with declared "We separate the U.S. from Central

America by thousands of kilometers... Mexico is the border to the U.S." This is, indeed, a significant event in the world of immigration policy and migration studies.

Working to control transit migration might suit the interests of the first world and transit states, but such efforts clearly target extremely disadvantaged individuals. Martin Baldwin-Edwards (2006, 312) argues that within transit states "the treatment of illegal migrants, returned migrants, asylum-seekers, refugees and guest workers have been shown by all independent sources to be at best inadequate, at worst profoundly inhumane." Many transit states have dismal human rights records and no functioning asylum systems in place (Lutterbeck 2006), placing extremely vulnerable transit migrants in positions susceptible to many kinds of abuse. In Mexico, human rights abuse committed against transit migrants is notoriously widespread, including robbery, assault and rape, both by local gangs and Mexican authorities (Nazario 2002, Sin Fronteras 2005, Ruiz 2003). In Morocco, dramatic reports of Moroccan authorities transporting and abandoning several hundred sub-Saharan migrants in remote desert locations near Algeria attest to growing human rights violations (Amnesty International 2006).

In both the Mexican and Moroccan cases, it seems likely that these countries will continue to exhibit all three forms of migration and maintain the role of the transit state for quite some time. Looking into the future, emigration is not likely to diminish. It is only until wage disparities drop to about a 4:1 ratio that emigration can be expected to diminish (Stalker 2000), while lack of opportunities in both Mexico and Morocco will continue to push people to migrate (de Haas, 2006b). Indeed, instead of overcoming a 'migration hump,' as Martin and Taylor warn (1996), sustained out-

migration may extend the migration hump into a 'migration-plateau.' With this in mind, investigating transit migration and state response within the global south becomes even more imperative.

Because the literature concerning migration issues in the global south is so slim, there are many areas to suggest for future research. First, the process of transit migration itself requires investigation. There is little known about the basic geography of migration routes, what happens en route, and the decision-making process that occurs during the journey. In addition, the study of migration would greatly benefit from a scholarly investigation of *defacto* immigrants in countries of transit. How are these migrants treated? What is the public reaction to such migrants employed in the workforce, and are they perceived differently than migrants simply moving through the country?

Another line of research could focus on the national identity of a country of emigration. How does this self-identity affect the treatment of newly arriving immigrants, and does it differ from traditional receiving countries? It would be particularly interesting to compare a transit state's public reception of immigrants with a the U.S. or European reception. In addition to analyzing transit states, Mediterranean countries, such as Spain, Portugal or Italy, could serve as examples of countries that have transitioned from countries of emigration (and transit) to countries of immigration. More comparative work on transit states around the globe would help demonstrate the externalization of U.S. and EU policies, the shifting of police roles, and the rebordering process, more fieldwork must be conducted in transit states.

Lastly, I would like to reiterate the theoretical importance of such work. Research on migration issues in the global South challenges migration theories. Such challenges force scholars to reassess, update, and refine their conceptual approaches. Research concerning transit migration and the transit state deepens our understanding not only of the process of migration and state responses, but also the larger issues of sovereignty and the contemporary role of borders.

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