

Conclusion

Migration has increasingly grown together with globalisation. In a more interconnected world the exchange of capital flows, goods and services each time tends to follow the market liberalization. This has been facilitated by technological advances in communication and transportation and by a growing number of transnational institutions, which organize production, co-operation, and exchange across countries.¹ Those factors also encourage people to migrate. In that context, the problem that this study has faced is to prove the existence of two paradoxes: *why* the restriction of migration goes in opposition to the liberal economic model, and *why* the rights based in liberal precepts finds a contradiction to the market.

All through this thesis we have found that the restriction of migration contradicts liberal principles and that in the end migration has been a main factor in the expansion of capitalism and it will continue to do so in the future. Moreover, the negation of this necessity of foreign labour generates the contradiction between the market and the rights based in liberal precepts. To find hard arguments that supports this hypothesis the thesis has made a revision, in a deductive way, to analyse all the possible variables involving the question.

The thesis analysed that concepts such as ethnicity are related to immigration in a way that works as element of cohesion to identify both the distinction “we/they” and that presents immigration as a threat. Those factors, in the face of restrictive measures can generate dangerous reactions founded in ethnicity. We can connect those factors to the amounting of right wings parties in Europe, like the National Front in France, the Republic Party in Germany or the National Alliance in Italy.

Many scholars have investigated the origins and causes of immigration. Through the review of the different authors views, we can conclude that in modern societies what drives people to move are essentially economic factors. The disparities in wages in the different zones, within global division of labour, are replicated within economic sectors and throughout labour markets. That means a market segmentation that provokes a population transfer from the zones under higher population pressure and lower wage towards one with

¹ Mary Kritz and Lin Lean. *International Migration Systems*. (Oxford: Clarendon Press, 1992), 1-2.

lower demographic pressure and higher wage. This lower demographic pressure, in expanding economies, means shortages in labour which creates higher labour demand. In this way, migration works to equalise the income disparities. That supports our hypothesis, because when economic reasons are what push-pull immigrants to move the restrictive measures come in contradiction with the liberal model and with the demands of the market.

Moreover, today's migration phenomena has acquired a new characteristic in immigration networks or the defined "transmigrants"; qualities developed due to the correlation between migration and globalisation. Those new features make immigration each time more difficult to stop and pose more challenges to the assimilation policies. This comes into a conflict when assimilation policies by which the state wants a homogenisation of their population, involves identity. According to liberal principles the assimilation processes must respect individual culture and ethnicity.

Migration typology lets us see that the only political migration type is the refugee and asylum seeker; the other ones are purely economical. Between the economic migrants the difference that differ each one from the other one are the features that the demand of the labour impose, which means the requirements that the market obliges to have. For instance, the contract labour that the market obliges to be temporary, we find that the transient professional is highly-skilled and that the illegal immigrant is cheaper, under the local wage level and vulnerable to the violation of their rights. Under the analysis of illegal immigration is mainly where the first and the second paradoxes proposed by the hypothesis emerge. The existence of the paradoxes lies in the hypocritical governmental negation of the necessity of more labour force and the benefits that they can produce, which drives them to impose more restrictive measures than ones implemented which encourage illegal immigration and human trafficking because the demand of labour remains as an strong factor to draw immigrants.

The hypothesis of this study has found support in the migration theories such as the *development in dual economy theory*, formulated by Lewis, who says that the labour immigration is an indispensable factor in the expansion of the economies.² The *neo-classical theory*, postulated by Fei and Todaro says that "at macroscopic level, migration results from the uneven geographical distribution of labour and capital [...and at] The

² IOM, *World Migration 2003* (Switzerland: IOM, International Organization for Migration, 2003), 12.

microscopic[...] from an individual decision.”³ This sustains our hypothesis because if the causes of migration are not resolved, no matter how restrictive the policies are, the immigration will remain. Of course, migration can also be seen as a factor of equalisation. The *dual labour market theory* elaborated by Piore and others, also support our first paradox, because they said that immigration resolves the needs of modern industrial economies, in doing so, they place migration motives in the host countries. We can place this theory in the European case where the decline of birth rates has reduced the rate of employment in the second sector, which means they need immigration to continue the production where labour intensive jobs are indispensable and the national workers reject the secondary sector jobs due to their low wages.

Furthermore this thesis has found support in the different perspectives of international theories, because they show that the paradoxes only remain under the liberal theory. For instance, the Marxist Theory suggests that the expansion of capitalism and its market will always be unequal, thus the bourgeoisie class exploits the proletariat through the immigration with the approval of the capitalist state. From this theory there are new ones as the dependency theory or the periphery theory but in essence follow the same logic. The Realist theory gives to the state the absolute power to regulate migration to protect national interest. Both theories recognise the utilitarian value of migration and if they desire to close their frontiers they do not endure any paradox with their fundamental beliefs.

Liberal principles based in human freedoms and equal opportunities face a contradiction when they try to set up restrictive measures. Over these principles the states establish the citizenship; the relationship between the individual and the state defined in terms of social justice and human rights, rather than in a contractarian, which donate a more ample sphere of action to immigrants. Accordingly to the extended review that this study has made, under the liberal model there is no coherent justification to restrictive measures founded with their principles. As Flathman points out:

Among the complaints commonly brought against liberalism, one of the most familiar is that it accords unjustifiable importance to individual freedom. In ideological terms, socialists object that liberalism subordinates equality to freedom, conservatives that it promotes license in the name of freedom, communitarians that it destroys communal ties and engenders unresolvable conflict.⁴

³ Ibid, 12-13.

⁴ Richard E. Flathman, *Toward a Liberalism*, (London: Cornell University Press, 1989), 109.

From the perspective of economic liberalism, discriminatory government interventions or regulations affect the economic efficiency because they reduce overall productivity and the equalizing effects that migration can generate.⁵ Also as Sita Bali points out “[r]estriction on migration, make immigration the only exception to liberal notions of free movement for all factors of production.”⁶ To show the positive effects of immigration the Lewis-Kindleberger model points to the unlimited supplies of labour as the main factor in economic growth, as in the European post-war recovery case.⁷ In this way, the study has find that the paradoxes are well based within the liberal and the liberal economic model.

The thesis has compared the relative flow of liberalisation of goods, capitals, and services with the restrained movement of labour in the context of growing interdependency among nations, which stands in opposition to the requirements of the market, to geographical and functional expansion and to the equal treatment of the factors of production, as well as for the continuity of capitalism, as a complement, together with other treatable flow exchanges, will serve to the equalization of the economic disparities in the long run. This equalization can arrive through remittances and labour return as we showed. All those are reasons to pronounce that the restrictive measures are not longer sustainable under the liberal model.

The approach that the study has made to the paradoxes has proposed a solution that can help to resolve the first paradox in a way where the relation between trade and migration need to be seen as a *complement*, rather than a *substitute*, which was demonstrated through different economic models. Concerning the second paradox, the contradiction emerges when the market demands more immigrants and is set up that “political liberalism as the ongoing extension of civil, political, and social rights to every member of the society.”⁸ As we can confirm in what John Dewey points out:

Loke’s version of liberalism are that governments are instituted to protect the rights that belong to individuals prior to political organization of social relations. [...]the rights of life, liberty, and the pursuit of happiness.⁹

⁵ Aristide Zolberg R, “Labour Migration and International Economic Regimes: Bretton Woods and After” in Mary Kritz and Lin Lean *International Migration Systems*. (Oxford: Clarendon Press, 1992), 327-8.

⁶ Sita Bali, “Migration and Refugees” in Brian White, *Issues in World Politics*, (New York: St. Martin’s Press, 1997), 210.

⁷ F. James Hollifield, *Immigrants, Markets, and States*. (USA: Harvard University Press, 1992), 104.

⁸ *Ibid*, 6.

⁹ John Dewey, *Liberalism & Social Action*, (New York: Capricorn Books, 1963), 4.

But, these liberal states deny to foreign those rights. The contradiction will be resolved when they become aware of the real value of immigrants and see them as humans rather than mere commodities, vulnerable to exploitation by the market forces, specially the illegal immigrants. When this happens an expansion of rights for foreigners will occur in western liberal democracies. Of course, there are political and economic interests of some sectors but in the end, the society that will benefit economically and politically by living in a real liberal society coherent with their principles. This will take place when migration is not perceived as a threat; a hypocritical justification that supports the abuse of aliens. The “migration should be conceived as co-operation between partners rather than as an exchange between unequal parties.”¹⁰

Migration will continue from under-developed countries to developed ones as long as the poverty gap remains or worsens, in spite of any border restrictions between the countries. That is the reason that this thesis has shown a review of the immigration policies of the last 150 years divided into four periods, according to diverse academics. The important thing that this review has shown is that in each period where immigration was broadly accepted there was clear economic growth due to the low wage and the great profit that the immigration generates; such as in the periods of the unregulated migration and migrant recruitment. Under the unregulated period is especially clear that immigration contributed to the maturation and expansion of capitalism, and in the migrant recruitment we can see that trade and migration can work as complements with good results. In contrast, when migration was restrained, as in the curtain period and the short-term migration and human rights period, the tightening measures were founded in racist, religious, and economical reasons that classified the foreigners as a threat when in reality bad national economic policies rather than immigrants were the culpable.

Through a comparison of the government perspectives on immigration, each time more restrictive than the one before, with the fact that immigration has continually increased, we can conclude that the restrictive measures do not work. Governments denying that the labour market demand creates each time more pull factors for immigrants only support the proposed paradoxes. The first, because they impose the restrictions against their own liberal model, and the second, because it obliges immigrants to seek illegal means to

¹⁰ OECD, *The Migration Chain*. (Paris: OECD, 1978), 5.

enter and to stay without rights. Although developed nations have accepted their necessity of high skilled labour, this is a selective migration policy that does not recognise the demand that also exists for low skilled labour, a fact that encourages clandestine migration and supports the paradoxes.

International organisations such as the WB, the UN and others have made interesting suggestions that this study has pointed out that can help in order to resolve the paradoxes. These suggestions are founded in shifts toward politics oriented over “human security”, democratic principles of inclusion, participation and tolerance and coherence with ratification of international treaties as the Universal Declaration of Human Rights or the Charter of the UN. Moreover, there is an international framework of how migration needs to be managed, such as the International Migration Policy Programme, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the norms established by the ILO. However, this study has shown that multilateral agreements are far away from a real co-operation in modern economic and politic system and that bilateral or regional agreements are a more possible route. Bilateral or regional agreements benefit both sending and receiving countries and also help to resolve the paradoxes.

In this way the European case represents a good example. During the 1950’s and the 1960’s many European countries made bilateral agreements to supply their labour demand, after the 1970’s restrictive, but unsuccessful, measures toward immigrants were applied. After the 1990’s the immigration policies were less restrictive. This restrictive vision of the states has changed due the demographic projections for the next decades in Europe, a drop in their fertility rates, a large ageing population and a decline in their population, which means a shortage in labour force and drops in production. However, the perception of the general public differs broadly, a reason by which the right wing parties have acquired a great voice.

The thesis has made a review of the EU migration policies from the Treaty of Paris to the summit of Tempere, which gradually shift their attitude toward immigrants to one both less restrictive and discriminatory, which is more coherent with their commitment to freedom, security and justice where the free flow of capital, persons, goods and services is ensured. The Charter of Fundamental Rights, as well as different directives enacted by the

European Commission, prohibit discrimination (based on racial and ethnic grounds) and promote equality of treatment of long-term TCNs in the socio-economic sphere. This has created an approach to immigration can help resolve some of the problems of the paradoxes. The acceptance of the necessity of immigrants has allowed for a more open immigration policy, resolving, in part, the first paradox. The extension of rights to the TCNs is also an improvement to the solution of the second paradox.

Through the integration of new member nations, the EU has faced the challenge of changing the perception of their senior population toward immigrants, to continue to be congruous in their own democratic and liberal principles, to fill the labour shortage, and to maintain their production and their welfare state. Reflecting this awareness they have created the European Human Rights Monitoring Agency and the Monitoring Centre on Racism and Xenophobia. The European Commission also points out the policies for admission of economic migrants must permit a them to quickly and efficiently respond to the labour market requirements.¹¹

In the nineties the EU has moved towards a less restrictive immigration policy. The regional measures have been bilateral agreements such as the Lomé Convention and the Barcelona Conference, and at the national level the eased entry requirements, the implementing of green cards and bilateral agreements. The study has show statistics that reflect a large augmentation of immigrants that satisfy the demographic and the economic demands of the labour market. This study can arrive at a similar conclusion as the one put forth by Niessen

The economic and demographic situation in the European Union favours the adoption of common immigration policies, together with a rigorous policy to promote internal mobility and free movement. Recognising that most, if not all, Member States are immigration countries implies the recognition of immigrants as economic actors and potential citizens. In this way economic interests and human rights concerns coincide.¹²

The EU has become the most dynamic regional agreement that has not completely resolved the paradoxes, however, they are the most closely to do it. The contradiction between the liberal economic model and restrictive immigration measures has been

¹¹ Commission of the European Communities, "Communication From the Commission to the Council and the European Parliament on a Community Immigration Policy", (Brussels, 22.11.2000), 15.

¹² Jan Niessen, "International Migration on the EU Foreign Policy Agenda", *European Journal of Migration & Law*, Vol. 1 Issue 4(Jul1999) 485.

resolved by recognising the real value of immigrants and in so doing, giving to the market the right to organise immigration in the most efficient way. In this manner, the recognition of the migrants inherent economic and demographic value, the extension of rights for TCNs, and the possibility of citizenship makes the contradiction between the market and the rights based in liberal principles begin to be resolved. In general we can say that the European states have moved from being state-centred, founding their policy in sovereignty and their citizenship in 'contractarian' way, to one more liberal. The EU is shifting to give increasing influence to the market, which is more coherent with their liberal principles due to their economic and demographic requirements.

In conclusion, the thesis has shown that the paradoxes exist in many western democracies even though they are no longer sustainable. This will force western liberal societies to change their restrictive measures and extend the protection of rights to foreigners. Moreover a main reason for this change is that "[l]abour migration has always been a major factor in the construction of a capitalist world market."¹³ Finally, we can take liberalism as a theory that dictates and modulates the conduct of the states or

[i]f we embrace general scepticism we will thereby have answered a main question concerning theory and practice. We will either (1) have to deny that theory can or should play any affirmative role in practice or (2) we will have to say that theory can and should guide practice despite the fact that theories cannot be true (dogmatic scepticism) or that thus far no theories are known to be true (undogmatic scepticism).¹⁴

¹³ Stephen Castles and Mark J. Miller, *The Age of Migration. International Population Movements in the Modern World*, (Great Britain: Palgrave Macmillan, 2003), 66.

¹⁴ Richard E. Flathman, *Toward a Liberalism*, (London: Cornell University Press, 1989), 15-16.