



The Center for Migration Studies (CMS)
in cooperation with
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**CONFERENCE ON U.S. IMMIGRATION REFORM,
WITH SPECIAL REFERENCE TO NEW YORK CITY**

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**Thoughts on US Immigration Reform,
With Special Reference to New York City**

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CENTER FOR MIGRATION STUDIES
"US IMMIGRATION REFORM, WITH SPECIAL REFERENCE TO NEW YORK CITY"
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For the last 40 years, I have been involved in the issue of migration in the New York metropolitan area and beyond. During these years, I have learned much about the impact of immigration on the New York metropolitan area. Perhaps I have forgotten some things also over these years.

Today as we come together as those interested in New York City, we recognize the impact that immigration has had and does have on this world metropolis. As we approach the issue of immigration reform, we recognize that if immigration is to continue to make a contribution in the life of our city our immigration system must be reformed.

I would like to briefly outline what I believe are the issues that reform must address. First is the regularization or legalization of the undocumented immigrant population in our midst. Clearly, in a reform agenda we must secure our labor market and bring security to our society. New York City is a model of an open society, not a society without borders or laws, but rather a society that is welcoming. It is my belief that we must be open in New York City to migration because without it we would no longer be New York City, nor will we achieve the economic, social and moral progress available to us. Second would be addressing the labor market and the social services impact of these immigrants. Third would be to reform the family immigration system, since this also is a factor in supplying stable immigrants for our area and it would deter the undocumented migration of many. Fourth, we need an immigrant system that does address the labor market needs of our country. And finally, we need a reform that addresses the rights of workers that includes equality of treatment, the termination of applicable legislation, the maintenance of acquired rights and the maintenance of their rights in the course of acquisition of payments of benefits abroad.

This is a broad outline of what migration reform might look like. But it is truly important that a comprehensive program be addressed. Unfortunately, a piecemeal approach might work politically; however, as far as addressing the complex social problem that migration is in the City of New York, it would do us little good.

I began my formal study of migration here in New York City at the Fordham University Graduate School of Social Service. After completing my Masters Degree, I went onto Rutgers University in New Brunswick, New Jersey and in 1985 completed my Doctoral Dissertation entitled, "Profiling Undocumented Aliens in the New York Metropolitan Area: Social Welfare and Labor Market Implications." In 1986, I co-published with Dr. Demetrios Papademetriou a book with a similar title, "Undocumented Aliens in the New York Metropolitan Area: An Exploration into their Social and Labor Market Incorporation." This research, although dated, is in some ways still valid. In preparation for this discussion today, I re-read much of the dissertation and realized that the principles announced are still very valid.

What was not obvious in the 1980's was the process of globalization wherein economic and labor markets were becoming truly globalized, making change a necessity in the thinking of migration itself; as goods and services move, so will people. In my dissertation I tried to find a theoretical basis

on which migration, especially undocumented migration, could be described. It is a very complex task, as truly in a globalized world it has become clear that globalization is a term that describes a very complex reality. Allow me to quote the thinking of Pope John Paul II, soon to be Beatified by the Catholic Church, whose sanctity was not a qualification for his announcement on globalization, however, I do think it was truly wise. In a message to the participants of an international conference entitled “Confronting Globalization: Global Governance and the Politics of Development,” John Paul II had this to say about globalization and solidarity with particular emphasis on migration. The following is my translation of his original statement presented in Italian. “You can justly ask, therefore, how globalization and solidarity can be reciprocally integrated into the world dynamics which bring about a growing economic harmony and at the same time an equal development. The challenge always falls on giving life to a globalized solidarity naming the causes of the economic and social dis-equilibrium and seeking opportunities and ways to insure that all have a future which integrates solidarity and hope.” As a religious leader, I too must bring to the discussion the moral imperatives that surround this social problem.

In another context, the same John Paul II, speaking to the Pontifical Academy of Social Sciences in 2001, said, “Globalization, a priori, is neither good or bad. It will be that which persons make of it.” How important that we as observers and participants in a globalized city, a microcosm of the world, recognize that what we make of the situation is our responsibility. We have responsibilities to uphold the dignity of workers, as well as a responsibility for advancing the economy of our city which gives our culture its vitality.

As I searched for a theoretical model that describes migration today, I discovered early in my research that international migration, which normally is governed by the laws of nation states, is not the appropriate model with which we can describe what has happened today in a globalized world. It is almost as if internal migration, not driven by the laws of nation states, has taken over. Borders obviously have become porous to facilitate the movement of goods and services which has a direct effect on the movement of labor. For example, the NAFTA Treaty between Mexico, Canada and the United States, while facilitating trade, has done very little to facilitate the labor migration that has followed as a consequence. In fact, this is the crux of our problem. Our laws do not meet the current situation.

In the early 1980’s when I did my research, it was almost impossible to find a significant number of Mexicans in the New York Metropolitan area. There were very few Mexicans in the field research. Today, that number is much higher, which I can certainly testify to in Brooklyn and Queens. As our globalized world and economy has grown, so too has the number of immigrants from the areas with which we have commerce.

As I analyzed our situation, there are some issues that need to be recognized. First, a labor market impact of immigration in our city; second, the social and moral impact; and third, the presence of large numbers of immigrants many of whom are undocumented. In addressing the labor market situation, we must recognize that the New York metropolitan area has a segmented labor market. In the segmented labor market, the best jobs have seen an economic down-turn and some displacement, but hardly one that approximates the situation in the rest of the country. The secondary labor market can be characterized by disposable and non-permanent jobs. In this secondary labor market, citizens, permanent residents and undocumented aliens share the same work situation. In New York City, the service jobs, constructions jobs and light industry jobs are supported by immigrant labor. I will leave these details to Mr. Joseph Salvo to present. Clearly, the segmentation issue must be part of our

thinking. The upper tier of a dual labor market is comprised of firms which have the ability to work easily in the marketplace. However, in the lower tier these economic operators face uncertain environments in the only local markets. They represent labor intense productions and production processes. This is where our city is particularly dependent on this immigrant labor. Many of these are in non-union areas and some even are unionized.

The overworked statement that undocumented immigrants take jobs that Americans do not want is certainly true, however, it is not merely a matter of choice. It is not a function of a segmented labor market that excludes some Americans for social reasons from taking jobs where the pay is not favorable to U.S. citizens and permanent residents. I am sure that Mr. Salvo will give us some of the statistics showing how integrated the immigrant and undocumented population is in our labor market. This is exactly what I found in the early 1980's in individual interviews with almost 400 undocumented persons. They are practically inextricable from the population of other permanent residents and naturalized citizens. They are well integrated into the labor market. There are very few instances where they live in "so called" undocumented industries. This is also true of their social participation. They pay Social Security taxes, income taxes and also have very little dependency on social transfers, even at a time when the restriction of these benefits was not in place. I believe in New York City we are clearly dealing with a labor market issue when we speak of immigration.

As I previously stated, we are also dealing with a social and moral issue that must be addressed. As a religious leader, I believe that we must deal with this problem, not just on a political level, but also on one that has moral imperatives. What is at stake is the dignity of the workers in our midst. Again, I wish to borrow from Pope John Paul II in his Encyclical, "Laborem Exercens" or "On Human Work." In that Encyclical, he makes a clear statement joining work and the immigration question. "Man has the right to leave his native land for various motives - and also the right to return - in order to seek better conditions of life in another country." This right to migrate, which is incumbent on both countries of origin and countries of destination, supports the basic human freedom and the dignity of the person. The entire Encyclical enunciates the "gospel of work" which asserts the priority of labor over capital, the primacy of man over things. Again, we see the basic theme, the subject of work is man and work has man as its subject. Work can be misconstrued as an object, something which is produced by man which can degenerate into the view that human beings are tools of production. This can happen in both the capitalistic and the former Marxist system of labor. John Paul II concludes the section on work and emigration by saying that "capital should be at the service of labor and not labor at the service of capital." It is certainly clear that the sound anthropology in John Paul II's teaching gives a foundation from which to judge the question of immigration as it relates to "man the worker."

The famous statement regarding the guest workers of Post WWII Europe, that we asked for workers and they sent us men, is clearly the situation we find today in our New York economy. We have men and women migrants who have chosen to come to our great city, many with legal documents and some without, who have become part and parcel of the fabric of our society. To forget their dignity and the work and the rights that they deserve would be a moral tragedy for a city which has been built on migration, even amid all of its difficulties. I believe that we can make a sound sociological and moral argument that reform is necessary, and that in reform New York City should take a lead.

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