IMMIGRATION: A GLOBAL CHALLENGE WITH A GLOBAL SOLUTION

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by
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"We didn’t raise the Statue of Liberty with her back to the world, we did it with her light shining as a beacon to the world. And whether we were Irish or Italians or Germans crossing the Atlantic, or Japanese or Chinese crossing the Pacific; whether we crossed the Rio Grande or flew here from all over the world — generations of immigrants have made this country into what it is. It’s what makes us special."

- Barak Obama, President of the United States of America, November 21, 2014
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INTRODUCTION

“Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!” It was with these words that Emma Lazarus would change the political landscape of immigration forever in the United States. Just four lines of prose created one of the biggest challenges and debates that the United States of America would ever face. However, with this global challenge, would come a global solution. The immigration debate is one that has been going on in this country for almost as long as the United States has been a country. It is also a debate that personally affects all Americans. Whether they know it or not, almost every American has immigrant roots. Additionally, beyond a shared past all Americans interact with new immigrants both legal and illegal on almost a daily basis. That is why it is essential for the US to tackle the many challenges that it has with immigration. To take on these challenges I believe the US needs to look to the rest of the world for some answers. Around the world many countries are tackling similar problems with differing approaches. This honors thesis examines five countries to see what challenges the country faces and what the US can learn from their solutions.

Methodology

This study uses the comparative immigration policy analysis. Comparison and comparative analysis, as defined by Almond et al. represents “the methodological core of the scientific study of politics,” and, as such, helps us develop explanations and test
theories in regards to changes in political processes, in both directions; when comparing a particular country’s own past and present experiences, just as much when comparing one nation’s experiences with that of other nations.\(^1\) More specifically, this thesis uses comparative policy analysis, which began to emerge during the 1960s. As Cyr and deLeon write, “the opportunities [this approach] provides are roughly related to the qualities that make it difficult”. As comparative policy analysis requires that the researcher works with a rather complex informational setting, “it may [also] lead to more stimulating and incisive conclusions on both the specific and general policy levels.”\(^2\) As described by Jeanette Money\(^3\), comparative immigration not only addresses what causes similarities or differences among various political systems, but it does so in in a systematic context. It is also defined as combining not only immigration control but immigration integration. This thesis uses the comparative immigration method to compare and contrast US immigration policies to similar policies of five select countries: the United Arab Emirates, Finland, South Africa, Spain, and the United Kingdom.

*Case selection*

This study can also be described as a comparative case study. Yin (2003) suggests that the case study should be defined as a research strategy; an empirical inquiry that investigates a phenomenon within its real-life context. Immigration policy and its reform

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in the US is an increasingly significant policy problem, which is also at the center of heated debates between Republicans and Democrats that could also contribute to the further polarization of the parties and their constituents. This study investigates a diverse set of other countries’ immigration policies in hopes that policymakers can learn from the strengths as well as the weaknesses of these select countries’ policies. The reason for selecting these countries was based on the similarities of certain aspects of the opportunities and threats these countries and the US has faced.

The United Arab Emirates was chosen because of its large number of foreign workers who enter the country every year under work visas. The UAE also shares a problem with the United States in regards to having a high number of illegal immigration to the country. The way they choose to combat this problem is to work on bilateral agreements with sending countries to ensure that illegal middlemen are not working to undermine the country’s legal immigration system. This type of agreement could help the United States end the current system of illegal immigration by creating agreements for working and living in the country and placing limitations on legally binding agreements between the sending and receiving country. Finland was chosen because of its integration policies for immigrants that have proven to help those immigrants settle in the country and their communities quicker. This same policy of local and state level integration should be adopted by the United States. With the combination of language and vocational training, immigrants could find it much easier to assimilate to American culture. South Africa was chosen because the many pathways the country has for citizenship. A major problem that the United States has with illegal immigration is that the pathways to
citizenship and legal migration to the country are rather constrictive. Spain is being used for its revolutionary amnesty program used for its massive illegal immigrant population. Lastly, the United Kingdom was chosen for its point-based system that has defined their immigration policy.

The purpose of this undergraduate study is to examine U.S. immigration policy and explore how the integration of successful pieces of immigration-related legislation from select countries could help immigration reform here in the United States. The study will compare and contrast current U.S. immigration policy with policy pieces from Finland, the United Kingdom, South Africa, Spain, and the United Arab Emirates. This thesis will also assess briefly the history of US immigration policy as well as the prevailing stances on immigration policy from the Republican and Democratic parties.
HISTORY OF IMMIGRATION IN THE UNITED STATES

The United States of America is a nation of immigrants. The French turned American writer J. Hector St. John de Crevecoeur once said “…He is an America, who, leaving behind him all his ancient prejudices and manner, receives new ones from the new mode of life he has embraced, the new government he obeys, and the new rank he holds…Here individuals of all nations are melted into a new race of men.”4 This nationalistic pride for a shared heritage of immigration to this brave new world has long been a staple of American politics. However, the history of immigration to the US has not always been one of open arms. For many immigrants getting to the US would be only part of the battle; they would have to be accepted into this new world.

From even before the creation of the United States and separation from its colonial overlord, Great Britain; the United States was a nation of people looking for a new home to settle. The United States was not only home to Native Americans, but British colonizers, French traders and merchants, and Spanish colonizers also inhabited parts of the United States. All three groups would ultimately play a large role in the types of immigrants that would eventually come flooding into the nation. As the American

Revolution began this new nation of people fought for their right to be independent. The oppression the people felt and their new ideology on governing would lead the charge for the removal of the British monarchy and influence over the fledging nation.

British immigration began to slow and this opened the door for new immigrant groups to come into the nation. Bill Hing in his book *Defining America Through Immigration Policy*, says, “…colonies – particularly Pennsylvania and North Carolina – began to promote the immigration of certain other nationalities and ethnic groups while attempting to exclude undesirables. This produced an influx of French Huguenots, Irish Quakers, and German Pietists. Newcomers from Scotland, Portugal, Spain, Switzerland, the Netherlands, and the Rhineland followed. About 450,000 immigrants, representing a dozen nationalities, arrived during the eighteenth century.”  

The new open door policy began to become the norm and also set the precedent for state by state control over immigration policy. Carl Bankston in his article entitled “History of immigration from 1783 to 1891” says, “Until the first quarter of the nineteenth century, the new federal government was content to leave control over immigration policy to the individual states.”

State control over immigration was responsible for many aspects not just from courting immigrants to come, but also keeping certain groups out. Many states excluded immigrants on the bases of religion, economic status, or criminal record. By 1789 states like South Carolina, Pennsylvania, and Massachusetts passed laws banning the

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immigration or forced importation of criminals from other countries.\textsuperscript{7} Most of the colonies enacted similar laws only a few years later. Religion and economic status also became major issues for colonies when individual states such as Virginia banned the immigration of both Catholics and Quakers in their state charter.

This state by state handling of immigration policies came to pass in the late 18\textsuperscript{th} century. The first national law on immigration was the Alien and Sedition Act of 1789. This act was passed by the Federalist controlled Congress of the time, was signed into law by John Adams, and included four different laws that aimed at controlling immigration.\textsuperscript{8} The four laws were: Naturalization Act, Alien Friends Act, Alien Enemies Act, and the Sedition Act. These four laws put strict restrictions on immigration and naturalization. This was an attempt to keep voters from the Democrat-Republican Party, who utilized immigrant voters.\textsuperscript{9} However, this did not work as the Democrat-Republican Party won the election in 1800 and repealed the laws in 1802. There were no substantial national immigration laws until later in the 19\textsuperscript{th} century.

It was not until after the Civil War that the federal government would start dealing with specific aspects of immigration and not just naturalization. The first law, according to Carl Bankston, was “…the Steerage Act of 1819. This statute gave the federal government information on immigration by requiring that all vessels reaching American shores deliver passenger lists to customs officials, who were required to send copies to

the U.S. State Department, which, in turn, submitted the lists to Congress. The Steerage Act also limited the numbers of passengers on arriving and departing ships.” 10 These laws then began to be enacted on the bases of individual immigrant groups. Americans began to distrust immigrant groups as a whole and wanted America to be run by “Americans.” Bill Hing says, “The American Party Platform included the following planks: III. Americans must rule America; and to this end, native-born citizens should be selected for all state, federal, or municipal offices of government employment, in preference to naturalized citizens…” 11 However, even with these sentiments much of the policies during this time were still geared toward an open door policy for immigrants. This allowed for more immigrant groups to move into the country, especially the Irish and the Italian. The late 1800’s also brought about an influx of Asian immigrants arriving at the Pacific coast of the US. Initially, many Chinese workers were brought in to work on the ever expanding railroad lines that were being built in the region. Many people began to distrust the Chinese; this reached a tantamount state when certain acts were passed targeting the Chinese workers. According to the U.S. Citizenship and Immigration Services, “The Chinese Exclusion Act of 1882 and Alien Contract Labor laws of 1885 and 1887 prohibited certain laborers from immigrating to the United States. The general Immigration Act of 1882 levied a head tax of fifty cents on each immigrant and blocked (or excluded) the entry of idiots, lunatics, convicts, and persons likely to become a public

Laws like the two previously mention continued to carve out and define the exact type of immigrant the US wanted to let through its doors.

The Immigration Act of 1917 proved to become one a major test for immigrants attempting to enter the country. The act required “... the literacy test imposed on immigrants entering the country. Those who were over the age of 16 and could read some language must read 30 to 40 words to show they are capable of reading. Those who were entering the US to avoid religious persecution from their country of origin did not have to pass this test.”

Another aspect of the law would be the Asiatic Barred Zone Act, which stipulated:

“unless otherwise provided for by existing treaties, persons who are natives of islands not possessed by the United States adjacent to the continent of Asia, situate south of the twentieth parallel latitude north, west of the one hundred and sixty-sixth meridian of longitude east from Greenwich, and north of the tenth parallel of latitude south, or who are natives of any country, province, or dependency situate on the continent of Asia west of the one hundred and tenth meridian of longitude east from Greenwich and east of the fiftieth meridian of longitude east from Greenwich and south of the fiftieth parallel of latitude north, except that portion of said territory situate between the fiftieth and the sixty-fourth meridians of longitude east from Greenwich and the twenty-fourth and thirty-eighth parallels of latitude north, and no alien now in any way excluded from, or prevented from entering, the United States shall be admitted to the United States.”

This law was ultimately followed by another similar law, once again, limiting the type of migrant that could come into the country. These types of sentiments would be


exclusionary to Asians, Catholics, criminals, among other groups that attempted to immigrate to the US.

The Immigration Act of 1924 was the next piece of legislation that put in place and the first quota system used by the US. By placing quotas on how many people from a certain country could or could not come in, the policy split apart many families and forced people into immigration limbo. As an example, when my great-grandmother’s family tried to immigrate to the US from Scotland, her family was told at Ellis Island that they had already met their quota for Scots. The official at Ellis Island said that my great-grandmother and her sister could come into the country, but her father and brother would not be permitted. Not wanting to have any part of their family separated they asked what their options were. They were told that their only options were to find steerage back to Scotland or they could try and immigrate to Canada. My family decided that staying in North America was the right move and immigrated to Canada. They were forced to live in Canada for three years until there was enough room in the quota for the whole family to come into the country. They never lost sight of their goal of trying to immigrate to the US and ultimately had to immigrate three years later as Canadians, not Scots. Almost every person in the US has a similar story of heartbreak and triumph when it comes to immigrating to the country. The quota system became one of the most controversial aspects of the US immigration law for many decades. Bill Hing says, “The formula resulted in a sharp curtailment of immigrants from southern and eastern Europe, and struck most deeply at Jews, Italians, Slavs, and Greeks, who had immigrated in great numbers after, and who were most disfavored by such quota system. Quota immigrants
were limited to approximately 165,000 per year, with the proportion and number even smaller for southern and eastern Europeans than before.”\textsuperscript{15} Quotas changed the landscape of immigration in the US, allowing for certain ethnic groups to continue to flourish in the US, while others were not permitted to grow. The 1917 and 1924 Immigration Laws became the two staples of defining immigration policy for many years. Parts of both policies still stand as pillars of current US immigration policy.

The 1952 Immigration Act (McCarren-Walter Act) upheld the same quota system from the 1920’s that became so controversial.

“It also ended Asian exclusion from immigrating to the United States and introduced a system of preferences based on skill sets and family reunification. Situated in the early years of the Cold War, the debate over the revision of U.S. immigration law demonstrated a division between those interested in the relationship between immigration and foreign policy, and those linking immigration to concerns over national security.”\textsuperscript{16}

This law dawned a new era for the US, as the Cold War began and dramatically changed the political landscape surrounding immigration. Immigrants in the 1950’s became a group that could no longer be trusted. With the threat of communism perceived to be around every corner any newcomer to the US was seen as a potential spy and was treated accordingly. Communism (or the threat of) became one of the biggest scares in the US. The infamous Joseph McCarthy and his trials instilled fear and hatred for Communism into the minds of Americans. Anyone could be accused of being a Communist or a spy; while American citizens could be tried the 1957 law gave the US the right to deport or


ban anyone from being in the US if they had “subversive” behavior. This subversive behavior normally was communist or socialist political sidings, but also included such things as homosexuality or where the immigrant was coming from. The law hoped to contain Communism by limiting the places immigrants could come from; according to the State Department, “the United States could face communist infiltration through immigration and that unassimilated aliens could threaten the foundations of American life. To these individuals, limited and selective immigration was the best way to ensure the preservation of national security and national interests.”

According to the US Department of State, some of the statues developed in the 1952 law were used throughout the years and were built into our current legal system. “There were other positive changes to the implementation of immigration policy in the 1952 Act. One was the creation of a system of preferences which served to help American consuls abroad prioritize visa applicants in countries with heavily oversubscribed quotas. Under the preference system, individuals with special skills or families already resident in the United States received precedence, a policy still in use today. Moreover, the Act gave non-quota status to alien husbands of American citizens (wives had been entering outside of the quota system for several years by 1952) and created a labor certification system, designed to prevent new immigrants from becoming 17

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unwanted competition for American laborers.” 18 The preference system is one that is still important to the US today. Another benefit from the 1952 law was the inclusion of families and spouses gaining citizenship. Previously, only certain people were allowed to bring wives and husbands US beyond the quota system. With this law, now all citizens could bring their spouse to the US. This allowed the spouses to immigrate outside of the quota system. It is important to note that while many people in the US were for the quota system (it had the backing of Congress), President Truman avidly was against the quota policy. Bill Hing says,

“In spite of his sensitivity to being called ‘soft on communism,’ President Truman opposed the enactment of the 1952 act. His veto, which was easily overridden by Congress, was not based on opposition to the subversion and anticommunism provisions nor the new entry or deportation sections. …The act continues the national origins quota selection system of the 1920, perpetuating the policy that defined immigrants from one part of the world as better than others. This continuation of the racialized quota system triggered Truman’s adamant opposition to the legislation.”19

Opposition to the quota system started to gain momentum and by the 1960s a new change to the policy opened the door for immigrants from many different countries.

The 1960s marked a changing tide in American politics. The election of John F. Kennedy heralded in a foreign policy that included new updates to better help immigrants. “Entering office in January of 1961, President Kennedy submitted a comprehensive program that reflected his long-standing interest in immigration reform and provided the impetus for ultimate reform. Kennedy called for the repeal of the

discriminatory national origins quota system and the racial exclusion from the Asia-Pacific Triangle, while assailing the nativism that led to the infamous Chinese exclusion laws.”

In 1965, President Kennedy’s hopes were realized when an amendment to the immigration law abolished the quota system. These laws changed so that countries were not specific targets for quotas but, rather, quotas are assigned via region. This was not the most amazing change to the law because the problem became that countries were given the same number of visas no matter their size. This means that a country like China would have the same number of visas as a country like Morocco, even though their populations are significantly different.

The Immigration Act of 1990 introduced new immigration policies. According to Warren Leiden (a top immigration lawyer) and David Neal (an official at the US Department of Justice),

“The Act introduces for the first time an overall cap on worldwide immigration that includes the immediate relatives (spouses, minor children, and parents) of U.S. citizens. The Act provides 700,000 visas annually in fiscal years 1992 through 1994 and 675,000 annually thereafter, a considerably higher number than the 530,000 immigrant admissions under current law. The division of immigrant visas into three areas: family-based, employment-based, and diversity-reflects the different interests behind U.S. immigration policy.”

This changed the layout of immigration because visas were no longer reliant on the immigrants’ country or region, but rather maxed at the total number the US was willing to accept. The new division of the visas also started to play a big role in how the visa system works today. In the current immigration system the divisions defined by this

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reform are still used. Another big component of the 1990 Immigration Act was the inclusion of the H1-B visa. According to the U.S. Citizen and Immigration Services division of the Department of Homeland Security, an H1-B visa is a “... visa program to employ foreign workers in specialty occupations that require the theoretical or practical application of a body of highly specialized knowledge, including but not limited to: scientists, engineers, or computer programmers.”\(^22\) This new program, which is still used today, opened the door for many immigrants to come to this country. It also explained a new side to US immigration that aimed at the recruitment of higher skill level immigrants. The US was now entering an age in which immigrants in specialized skills were needed to make-up for the lack of those skills from the native population.

The current Immigration and Naturalization Act is essentially a duplicate of the 1990 reforms. The same system of family-based, employment-based, and diversity-based visas is still in use. Additionally, the preference allocation for family members of immigrants is still an active policy. The current US system also includes 70,000 allocations for refugees and asylum seekers that are granted based on need in a specific region. Also included were programs that help immigrants that are labeled under “humanitarian assistance.” “Temporary Protected Status (TPS) is granted to people who are in the United States but cannot return to their home country because of ‘natural disaster,’ ‘extraordinary temporary conditions,’ or ‘ongoing armed conflict.’ TPS is granted to a country for six, 12, or 18 months and can be extended beyond that if unsafe

conditions in the country persist. Deferred Enforced Departure (DED) provides protection from deportation for individuals whose home countries are unstable, therefore making return dangerous. Unlike TPS, which is authorized by statute, DED is at the discretion of the executive branch.” These aspects help the US neighbors and the world around them to find a safe haven to turn to.

Immigration in the US has had a long and winding road that has seen the inclusion and exclusion of people from all around the world. At each stage one can see the changes made not only to immigration policy, but to the mindset of the American people and government. At each stage in the country’s history there have been high points and low points for immigrants and it is reflected in the laws. The sections that follow will discuss relevant immigration policy aspects of the aforementioned five countries.

FINLAND

Finland is not typically a country that many people would think about when the word “immigration” is brought up. However, as one can see from Figure 1, immigration to Finland has increased significantly over the past 20 years and looks as if it will continue this growth trend. Finland is leading the way in addressing this growth in a very interesting aspect of immigration that is important in the development of a new immigration policy for the United States: integration into society. According to the Migration Policy Institute, “Successful integration builds communities that are stronger economically and more inclusive socially and culturally.” Culturally and socially, Finland and most of Scandinavia are hard for immigrants to assimilate in. The differences in language and culture are hard to adapt to. However, many immigrants coming to Finland have found integration to be easier than expected because of programs run by the state and local governments. Although the US and Finland arguably are

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24 Population Information System 2010
different culturally, the aspect of integration is one that could be important for US development.

When discussing immigration the concept of integration or assimilation will most likely come up. For a country like the US integration is a hard topic to fathom. With no federal official language (languages can become official on a state by state basis, but there is no national official language) and pride in the “melting pot” style of culture it is hard to determine just what an immigrant is integrating into. Finland has a specific culture and language and can make large strides with new immigrants through government run programs that help secure job training, language training, and community involvement. An integration program is one that could help ease social tensions between immigrants and naturalized citizens. Additionally, giving immigrants vocational and language skills will help them find employment more quickly, reducing their need to depend on the government.

The Finnish government continues to work extensively with their programs to focus on language skills. By providing immigrant communities with job training skills as well as the ability to participate in municipal (local) elections, these programs give immigrants a much better ability to feel like they are a part of their communities.26 It would be crucial to the United States to enable immigrants to gain the skills they need to establish themselves.

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The Finnish government is currently working to secure integration into Finnish society on the national, municipal, and also at the individual level. With programs that allow for a contract between the state and the individual to provide language and vocational training, many immigrants find it easier to adapt to their new society. Additionally, the integration into their community give them the ability to vote in local elections after 2 years of uninterrupted living in the country.

In order to assimilate the immigrant groups, the Government of Finland gave authority to integrate immigrants into six programs that function on both the national and the local level. The ALPO project was set up in order to develop guidance for and counsel immigrants when they first enter the country. Participative Integration in Finland is a project that was started to develop integration training, employment, and social competencies of immigrants. The AFRO project was designed to encourage employment of immigrants into public sector jobs. It was also designed to help stop the discrimination of immigrants and to support immigrant groups. The MATTO project creates a system of guidance for foreign workers and employers recruiting people from abroad. The HAAPA project was designed to create the quota system for refugees in the different municipalities throughout Finland. Lastly, the VIPRO project was put into place to expedite the placement of refugees into the municipalities and speed up the integration process.  

The US has an outsourcing policy when it comes to integration. According to a report by the US Government Accountability Office, “At the federal level, a wide array of federal programs provide assistance to immigrants and support various aspects of immigrant integration, but those programs are not specifically categorized as directly supporting integration.” This shows how, unlike Finland, the US does not have a national program that works to integrate immigrants. The US government outsources this to various non-governmental and governmental organizations that use the grant money to perform integration services. According to the same report, “No single federal agency has been tasked with coordinating immigrant integration efforts, but actions are under way to provide a strategy and guidelines.” This is problematic and something that I hope will be solved with creating a federal level integration program.

This level of integration should be a key element to consider when legislators will be planning the reform of US immigration policy. Giving immigrants who come to the US legally the right to vocational and language training would be beneficial to both parties. These various programs can and should be adopted into a US based program because of the two major problems the US has with immigration. First is the issue of having a large immigrant community that does not have the proper services to help them get accustomed to being in the United States. According to the Center for Immigration Studies, the total population of immigrants living in poverty is 23% which is much higher when compared to the 13.5% for native-born citizens. With more immigrants gaining

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29 “Immigrants in the United States: A Profile of America's Foreign Born Population,” Center for
the necessary language and vocational skills needed to be employed, poverty rates among immigrants would go down. Additionally, policy makers could see immigrants being incorporated into different types of jobs. Having the necessary skills would allow immigrants to not be stuck in the same low paying jobs, because they would receive training. These services would only be available to immigrants who enter legally, so the incentive to receive job training and language training would make the process of legal immigration much more appealing.

The Finnish integration program is the type of program that would be beneficial for the United States to replicate. By offering services to immigrants to allow them more inclusion into the country the United States could see more positive trends in legal immigration and immigrants would not being stuck in the cycle of poverty, either. Lastly, this type of program could help the United States see a positive change in the type of work immigrants are doing. With advanced vocational training it is possible that immigrants could move away from being employed mostly in the agricultural sector towards being employed in a wide variety of sectors.

UNITED ARAB EMIRATES

The United Arab Emirates (UAE) is one of the foremost locations in the world for guest labor. High guest-worker statistics are also combined with alarming human rights abuses resulting from the Kafala System that is used in the UAE.

“The so-called kafala system…requires foreigners to have local citizen sponsors known as kafeel. A kafeel grants permission for foreigners to enter the country, monitors their stay and approves their exit. Since the kafeel is responsible for all aspects of the foreigner’s stay, if the kafeel withdraws sponsorship, the foreigner has no legal right to stay in the country. Disputes over wages, accommodations, working conditions or other work-related issues can prompt the sponsor to withdraw sponsorship.”

While these facts might make the UAE a controversial case to analyze, the country has some stark similarities to the United States, but also a pragmatic feature that may be beneficial in addressing the illegal immigrant situation in the United States.

The UAE depends on many foreign workers to enter the country and work in the ever-growing construction and service industry, which has become the main industry in the country. Immigration is heavily based on this style of guest worker program; for example “In 2013, the UAE had the fifth-largest international migrant stock in the world with 7.8 million migrants (out of a total population of 9.2 million), according to United Nations estimates.”

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Countries can be seen in Table 1 below.\textsuperscript{32} The statistics of guest workers in the construction and domestic fields are strikingly similar to that of the United States. According to the Bureau of Labor Statistics (BLS), foreign born workers made up 16.3% of the civilian workforce. Similarly, the BLS says that foreign-born workers are nearly twice as likely to work in the service industry. The BLS says,

\begin{quote}
“Within service occupations, about one-third of the foreign born were employed in building and grounds cleaning and maintenance occupations, about twice the proportion for the native born. Foreign-born workers also were more likely than native-born workers to be employed in production, transportation, and material moving occupations (15.4 percent versus 11.1 percent) and in natural resources, construction, and maintenance occupations (12.9 percent versus 8.3 percent).”\textsuperscript{33}
\end{quote}

With similar number of immigrants working the same types of industry it is clear that the UAE and the U.S. would have a similar challenge when it comes to immigration. Both countries need a large amount of immigrant labor in order to keep up with market demands. At the same time, both encourage immigration and try and quell the ever increasing illegal immigration situation.

Table 1: Number and Share of Native-Born and Foreign-Born Populations in GCC Countries, 1975-2010

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|}
\hline
\textbf{Year} & \textbf{Native-Born} & \textbf{Foreign-Born} \\
\hline
1975 & 30\% & 70\% \\
2010 & 25\% & 75\% \\
\hline
\end{tabular}
\caption{Number and Share of Native-Born and Foreign-Born Populations in GCC Countries, 1975-2010}
\end{table}


<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Share</th>
<th>Annual Growth Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Native Born</td>
<td>Foreign Born</td>
</tr>
<tr>
<td>1975</td>
<td>9,731,259</td>
<td>8,790,223</td>
<td>941,036</td>
</tr>
<tr>
<td>1990</td>
<td>22,522,620</td>
<td>14,201,239</td>
<td>8,241,381</td>
</tr>
<tr>
<td>2010</td>
<td>41,093,624</td>
<td>23,536,409</td>
<td>17,557,409</td>
</tr>
</tbody>
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UAE immigration ultimately comes with some issues. The main one is that this large number of foreign workers comes with serious human rights issues, especially under the Kafala system that is/was used throughout the Gulf countries (UAE, Qatar, Bahrain, and Saudi Arabia). The government in power uses this Kafala System in order to get the guest workers into the country, and it claims to give certain protections for the workers. Such measures include: making it illegal for sponsors to confiscate passports of workers, allowing workers to transfer employee sponsorship to a new sponsor, and wage protection. According to some migration organizations and human rights activists, even with the Kafala Systems protections, many employers are still practicing these abusive measures toward their employees. There are many domestic problems posed toward the current system, many of which relate to the amount of money that each foreign born worker costs the government.
“According to researchers Nasra Shah and Philippe Fargues, these migrants [migrant workers in the UAE] comprised more than 43 percent of the region's [UAE] total population in 2010, and their share is expected to continue to grow over the next decade.”34 This type of research shows how substantial this type of immigration is in the region. “The vast majority of foreign-born working men are employed in low-skilled service sectors, while women are most often employed in domestic services and retail jobs. The region also attracts large numbers of high-skilled migrants from countries of the Organization for Economic Cooperation and Development (OECD), particularly in the oil and gas, education, finance, and investment sectors.”35 This is where one can see the biggest parallel between the two countries; in the types of services the immigrants are providing.

The UAE is working hard to stop the “middleman” recruiters in foreign countries that use illegal tactics to get potential immigrants to pay extremely high visa fees to travel to the UAE for work. They have signed bilateral agreements in Bangladesh, China, India, and Pakistan aimed at eliminating the “middlemen.” Additionally, the UAE government has been making a big push in recent years to quell the criticism of the global community on their immigration policies. For example,

“… the Wage Protection System (WPS), introduced in 2009 … aims to crack down on nonpayment of salaries in the private sector (mainly construction, retail, and small businesses). Since its launch, approximately 2.9 million workers and


The government of the UAE has been working hard to stop the influx of illegal immigrants. Such measures include putting caps and bans on immigration. The country has also invested a large amount of money into new technology that they hope would curb the amount of illegal immigration. This technology is very similar to the type that the US is currently using in many of its border states. One of the newest features in an attempt to curb illegal immigration is its use of an amnesty program. “In December 2012, the government announced a two-month amnesty program allowing unauthorized migrant workers to regularize their situations or leave the country without punishment.”\footnote{Malit, Froilan T., Jr, and Ali Al Youha. "Labor Migration in the United Arab Emirates: Challenges and Responses." Migration Policy Institute. Accessed April 7, 2015. http://www.migrationpolicy.org/article.labor-migration-united-arab-emirates-challenges-and-responses.}

According to the source almost 20,400 migrants applied for the amnesty by January of 2013. Some of the measures have received criticism from the international community about the legality and morality of the measures.

One of the biggest steps the UAE has taken is an attempt to stop the people who facilitate illegal immigration. In the United States these middlemen helping people enter from Latin America are often times called “coyotes.” This is not a universal term but the concept very much is. In many places of the world people are working to get immigrants illegally across borders, often for extremely high prices and under dangerous conditions. This is a big deal in the UAE because the Kafala System requires any laborer to have an
employer ready before entering the country. If no employer is found then it forces immigrants to make a dangerous and illegal journey using a middleman, just to find employment in the country. Illegal status allows an employer to take advantage of an immigrants status and force him into deplorable, slave-like working conditions with no hope of legal actions taken against them. The UAE government is working hard with the “sending nations” to try and stop this. One of the reforms passed was to deny new licenses for foreign labor brokers and recruiters who do not comply with UAE laws. Another new reform is to create bilateral agreements with the countries sending immigrants. These agreements are the key to making sure that legal immigration takes place and helps to create trust among the two nations, that the UAE will treat the immigrants correctly, and that the sending countries will not allow for illegal middlemen to operate in their country.38

These measures made by the UAE may not be effective for them because of the current regime, but they could work in a different model that could help the United States present temporary work permits to stop illegal immigration and still provide business with the same level of help that they currently need. By creating a bilateral agreement with those countries that send the majority of immigrants the United State could ensure two things. One of these would be the fact that there is an agreement between the two countries that establishes a quota on immigrants with temporary work permits. As an

example the UAE has such an agreement with Nepal. First and foremost it is a legal agreement between the two countries to honor the fact that the workers are coming to the UAE and can change employers with proper notification from the employee. They are free to send all wages back to the host country and they are free from maltreatment. A bilateral agreement could be the key for a country like Mexico and the US to finally come to an agreement on immigration. By setting the parameters first it will help to alleviate some illegal immigration problems. The second benefit would come from cracking down on the illegal middlemen who are in the business of helping people cross borders, by including in the agreement that both countries will actively try to seek these people and employers who would take advantage of the system to hire illegal immigrants at a lower rate. By making these agreements with the partner countries the US could solidify the partnership with these countries and give immigrants more of an option to try and come into the country legally.

SOUTH AFRICA

South Africa is one of the most diverse countries in the entire continent of Africa and has a rich history of migration into the country. Following the fall of the apartheid regime, South Africa became one of the most stable countries in the region and, as a result, has become an economic and political powerhouse. There are different types of immigration in South Africa and the process of applying for and getting citizenship is long and complicated, not unlike in the United States. South Africa is currently seeing an exodus of skilled labor. According to Dr. F Rasool and Professor CJ Botha at North-West University in South Africa, “South Africa is also a victim of skills emigration. Common South African destinations for the flight of skilled labour include the United Kingdom, United States, Canada, Australia, New Zealand and the United Arab Emirates. This ‘brain drain’ is proving to be a major impediment to economic growth, social stability and job creation.”

This means that South Africa is having to open its doors and allow for more immigration.

South Africa has historically been placed in the middle of many different conflicts that have plagued the region including civil wars in Angola, Zimbabwe, and Mozambique. Immigration has become an especially important part of the new South African economy. The state of South Africa retains control over immigration via the Department of Home Affairs. This department is directly responsible for issuing visas for temporary and permanent residents. To establish permanent residence one has to establish

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one of these various requirements: foreigner with five years of successive work permit status, spouse of a South African citizen for an uninterrupted period of five years, a child of a South African citizen, a person possessing extra-ordinary skills or qualifications, person who establishes or invests in an existing business, a refugee as referred to by the Refugee Act, a retired person, a financially independent person, or a relative of a South African.

Expanding the types of entry visas into the country is interesting to look at when formulating a new immigration proposal for the United States. Having this many mediums of inclusion could alleviate some of the pressure for people in the United States to attempt to come into this country illegally. Giving immigrants the ability to have different points of entry that are not always linked to immediate family could be a way to counteract illegal immigration. The ability to enter South Africa based on economic reasons could be a valuable asset for the United States. This prospect not only ensures that the best foreign workers are coming into the country, but also ensures steady economic stability by the inclusion of businesses that wish to relocate into the country. For a country like South Africa this aspect is very important because it helps to bring jobs and business into the fledging post-apartheid economy.

Another interesting aspect about South Africa is their concept of refugee protection. Given the political instability in the area, South Africa plays a pivotal role in the development of refugee protection. The South Africa Refugees Act of 1998 defines a refugee as
“owing to a well-founded fear of being persecuted by reason of his or her race, tribe, religion, nationality, political opinion or membership of a particular social group, is outside the country of his or her nationality and is unable or unwilling to avail himself or herself of the protection of that country, or, not having a nationality and being outside the country of his or her former habitual residence is unable or, owing to such fear, unwilling to return to it; or (b) owing to external aggression, occupation, foreign domination or events seriously disturbing or disrupting public order in either a part or the whole of his or her country of origin or nationality, is compelled to leave his or her place of habitual residence in order to seek refuge elsewhere; or (c) is a dependent of a person contemplated in paragraph (a) or (b).”

This type of allowance is similar to the United States, except for section B, which allows for refugee status based on the fact of political turmoil in a country. The United States only allows for humanitarian concerns that are “special humanitarian concern to the United States.”42 The difference in the two approaches is that South Africa gives more leeway to allow refugees in based upon a wider range of humanitarian issues. This makes much more sense based upon the geographic and political landscape of the area.

However, this could be a very interesting aspect that could be adopted into a new immigration policy in the United States. Recently, there has been much more immigration into the US because of humanitarian issues in Latin America. The summer of 2014 was a good example, with a massive influx of children coming across the border into the United States illegally and without any supervision. With increased humanitarian refugee accessibility the children might have had an easier time applying for refugee status and would circumvent some issues. Some of those issues would be the holding period for the illegal minors, which would also expedite the process of placing the

children into new homes. This seemed to be a huge concern for communities on the border between the US and Mexico who felt that the influx of children was not being handled correctly or expeditiously.

A very interesting aspect of South African immigration law is the banning of Xenophobia in South Africa. Xenophobia is defined as the “fear or hatred of strangers or foreigners.”\textsuperscript{43} This policy prohibits maltreatment of immigrants is a strong policy that could help police some violence against immigrants in our own country. In South Africa combating xenophobia is a very strong principle because of a shared past of South Africans being accepted into other countries under the apartheid system. Former president of South Africa Thabo Mbeki said, “We must continue to be vigilant against any evidence of xenophobia against African immigrants. It is fundamentally wrong and unacceptable that we should treat people who come to us as friends as though they are our enemies. We should also never forget that the same people welcomed us to their own countries when many of our citizens had to go into exile as a result of the brutality of the apartheid system.”\textsuperscript{44} South Africa did face some problems with getting their country to accept a hard stance against xenophobia. It was not until 2001 that the country finally passed into their immigration law statutes that made xenophobia illegal. Carol Adjai and Gabriella Lazaridis said,

\begin{quote}

“Firstly, to ensure that immigration legislation was formulated in accordance with principles of human rights and secondly, that its provisions tackled the issues of xenophobia within state bodies and the country at large. In this respect, legislation has done very well in acknowledging the existence of xenophobia,
\end{quote}

\textsuperscript{43} "Xenophobia." In Merriam-Webster.

\textsuperscript{44} Mbeki, T. Letter from the President, Our commitment to Africa. ANC Today, 1(18), 25–31.
furthermore it has had the added effect of holding South Africa accountable regarding its treatment of immigrants."\textsuperscript{45}

The importance of acknowledging xenophobia in a country and passing laws to stop it are key steps to any new immigration policy for the US. The need to make sure that immigrants are not targeted is an important part of the policy.

According to the Leadership Council (a coalition for human rights) there were numerous attacks reported against Latinos in the United States, as shown in Figure 2.\textsuperscript{46} This trend of hate crimes toward Latinos is growing significantly every year, and this data only shows incidents that are reported to authorities. Countless other minority groups, both legal and illegal, are not reported in these statistics because they are either not Hispanic or they did not report the crime. By putting an anti-xenophobic clause into law it might help more immigrants come forward to report the crime and help to stop the crimes all together.


According to the South African Immigration, (a law firm based in South Africa specializing in immigration law), immigration can have a positive impact on the economy. “The entry of exceptionally skilled or qualified people is enabled. Skilled human resources are increased. Academic exchange within the Southern African Development Community is facilitated and tourism.”

This type of immigration is one that could be rather useful for the United States because it can help the economy. The Department of Home Affairs of South Africa gives the option for businesses to come into the country and for people to receive citizenship if their business meets certain requirements. The two main requirements are: first, the need for capital or cash valuing at least 5 million South African Rand (ZAR) and second, the need for at least 60% of the workforce should be South African citizens or permanent residency holders. These two components combined with some other aspects make this policy one that would be very good for the United States.

This option would be an excellent addition to the United States policy, because it would increase foreign direct investment and, therefore, provide jobs for American citizens. This not only allows for increasing employment for American citizens, but also would boost the US economy. This is also helpful for the person who brings the business because they receive American citizenship.

The United Kingdom has a rich history of immigration that has been directly connected to their history of overseas colonization. The United Kingdom has become one of the most diverse countries in the world with large populations of Indians, Polish, and Pakistanis. Additionally, according to The Migration Observatory at the University of Oxford, between 1993 and 2013 the foreign born population in the UK has doubled from 3.8 million to 7.8 million, making up almost 12.5% of the total UK population. This massive boom of immigration caused the UK to revise their immigration policy to meet the demands and needs of the country from the foreign born population. The government of the UK decided upon using a tier or point based system for immigration. The system breaks immigrants into different values based upon what kind of skills the immigrant would bring to the country. The tier system in the UK goes hand-in-hand with their point-based system. In order to be eligible for certain tiers you must have a certain amount of points.

Each tier has different point values that correlate to what type of immigrant is coming in. For example, for a Tier 4 student the number of points needed to enter the country is 30. Ten points are contributed to having the financial stability to be able to support oneself in the country. The other 20 points come from confirming that there is a sponsoring university to receive the student. The points are needed in order to make

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50 The Home Office Government of the United Kingdom. *Immigration Rules part 6A*. 

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sure that certain requirements are met by the immigrants. This helps the immigrants because it lays out a clear cut path to immigration.

The tier system in the UK is broken up into four different sections. The first tier is to encourage “exceptionally talented individuals in the particular fields, who wish to work in the UK.” The US has a similar program with the H-1B visa, which encourages college graduates in a specific field to apply for this three year visa, with the possibility of an extension. This Tier 1 section has some certain requirements which are: the applicant must gain a minimum of 75 points, the applicant cannot apply for any other visa under a different tier.\(^5\)

The second tier is an employment based tier that encourages immigration on the basis of economic contribution. The second tier can be applied for only if an individual has been offered a skilled job in the United Kingdom and the individual is living outside of the European Economic Area (EEA) or Switzerland.\(^6\) This tier allows skilled workers to hold up to two jobs and live in the country for a maximum of five years.

The third tier is not a tier that was ever operational, but is one that is important for the basis of this study. The third tier was intended to be the tier that was reserved for unskilled laborers and provide for short term or seasonal work permits that would continuously be replaced each year. This would ensure that the need for labor in particular sectors especially in the agricultural sector, was met. It was however, thrown

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\(^5\) The Home Office Government of the United Kingdom. *Immigration Rules part 6A.*

out of the five tier system that was adopted in 2008. This is because the parliament felt that there was already enough steady workflow coming in from the European Economic Area and that including more visas to residents outside of that would be detrimental. This is a part of the tier program that would be useful for the US and should be adopted into a point based system.

The fourth tier is a general student visa. According to the Home Office (State Department equivalent in the UK) the requirements to get this visa are “have been offered a place on a course, can speak, read, write and understand English, have enough money to support yourself and pay for your course - this will vary depending on your circumstances, are from a country that’s not in the European Economic Area (EEA) or Switzerland, meet the other eligibility requirements”53 Student visas are important for countries as they allow for the exchange of knowledge and ideas to flow from other countries into the learning centers of a country.

The fifth and last tier is the tier designated for temporary work permits. The requirements for this type of visa are “want to come to the UK for a short time for work experience or to do training, an Overseas Government Language Programme, research or a fellowship through an approved government authorised exchange scheme, have a sponsor, are from outside the European Economic Area (EEA) and Switzerland, meet the other eligibility requirements.”54 These visas allow for temporary work to be done in the

country. This type of visa will be important in the point system that could be adopted into the US model. It would also be able to run together with agreements made with other countries to promote legal work visas for temporary workers.

The model of having a tier system is one that should be adopted by the United States for a few reasons. First, it lays out a clear path to citizenship and accurately explains what an immigrant will need in order to apply to their particular tier. Additionally, having a point based system accurately describes the type of immigrant the country wants. By placing some points higher than others, countries will be able to accurately inform the world what direction the country is heading towards by reflecting the type of immigrant it is taking in.

The complaint about tier and point systems is that they are discriminatory towards lower skilled workers. The UK model, for example leaves out points for low skilled workers and does not allocate many points for seasonal and temporary workers. This exclusion works for the UK because of their involvement in the European Economic Area. This allows for the free movement of people throughout Europe to work in the member countries. Since the US does not have this benefit, the inclusion of a tier that includes an opportunity for lower skilled workers to get more visas could be advantageous. I believe that the US point system should include four tiers. The first tier would be like the UK tier one; the tier would give points to talented individuals who possess exceptional skills in fields that need people with specific skill sets. This would give points to individuals who have advanced degrees or people with relevant work experience. This first tier would give the most amount of points to people who have this
skill set. The second tier would allocate visas to people in lower skill level work experience; it would also be responsible for issuing visas for temporary and seasonal workers. This tier would be used to promote the inclusion of workers in labor sects that include agriculture and construction. These sectors rely on lower skill level immigrants; by allowing more visas and allocating more points for these immigrants the US could show the world that they are finally adopting a mature status on handling immigration. Showing a willingness to work with immigrants that provide the US with essential jobs will be critical in establishing an immigration policy that helps both the US government and immigrants. The third tier would allocate visas on an employment based reasoning. This would require the person attempting to get the visa to have a sponsor in the country. Lastly, the fourth tier would be used for student visas. The tier system would not account for visas based on family members coming into the country and immigrating on the basis of humanitarian reasons.

The tier system in the US will help create some sort of order in an increasingly complicated US immigration system. It would help to highlight the wants and needs of the country based on who gets the most points. Having the tier system will make the process easier for immigrants to understand. Making the process easier will hopefully curb some of the illegal immigration problems. If the path to a visa is easy and laid out in a manner everyone can understand, then it will make applying and going through the proper channels more appealing.
Spain has had a long history of immigration. With a history much like that of the United Kingdom, Spain spent much of its early history establishing overseas colonies throughout the Caribbean, Latin, South, and North America. Spain also has experienced heavy immigration from inside of Europe as well as nearby African countries. This amount of immigration ultimately led to an extremely large illegal immigration problem. Immigrants coming from the Middle East and North Africa have been attempting to get to Spanish soil by any means necessary. These border crossings have proved more and more dangerous with hoards of people risking everything just to get to Spain, as there has been quite a lot of economic growth with labor shortages. That, paired with Spain’s inclusion into the EU during the 1980s, caused Spain to become a country with a large immigrant population.

Spain’s illegal immigration problem is also related to their proximity to the African coast line as well as their geographic location in the Mediterranean, which has put Spain in the same situation as countries like Italy, France, and Greece. Additionally, Spain’s former colonization has brought in a large number of Latin American
immigrants. The Hamburg World Economy Institute (Hamburgisches Welt Wirtschaft Institut) puts African immigrants at 12.3% of the foreign population, with 71.8% of that population being from Morocco. Additionally, 32.8% of the foreign population comes from Latin America. As Figure 3 indicates the percentages of Moroccans and the combined totals of Latin and South American countries is very high compared to immigrants from other countries. Spain has a large number of African immigrants who are going through great lengths to get to Spain. Many use a sea route from Morocco to get into the country and the EU. This is an extremely dangerous journey due to weather patterns and the lack of skill needed to navigate the waters. Additionally, the immigrants are coming in on less than optimal forms of transportation. For example, the Telegraph reported in August of 2014 that some 700 illegal migrants from Africa were saved in the Mediterranean Sea. They had been travelling on 70 inflatable rafts from the Moroccan coast. When immigrants do make it into the EU they are either

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55 Kreienbank, Alex. "Focus-Migration: Spain." Hamburgisches Weltwirtschafts Institut
56 Kreienbank, Alex. "Focus-Migration: Spain." Hamburgisches Weltwirtschafts Institut
transferred among member states, kept in the country, or forced back to the country they came from. For many illegal immigrants who do not get caught the jobs they take are typically in the agricultural or service industry.

The United States can relate very much to the problem of illegal immigration. With many passages to get into the country from the Caribbean and Latin/South America, the US has seen large groups of illegal immigrants flood into the country. The most notable population has been Mexicans coming across the border, however large groups of Cubans, Haitians, and migrants from Asian countries have all settled in the country illegally. According to the Pew Research Center, “There were 11.2 million unauthorized immigrants in the U.S. in 2012, a total unchanged from 2009, and currently making up 3.5% of the nation’s population. (Preliminary estimates show the population was 11.3 million in 2013.)”

Also found in the same Pew Center report, Figure 4 shows the upward trend from 1990 of mass migration from Mexico. Much like Spain, the immigrants that have come into the country have become essential to the workforce and help in many industries, agriculture being the biggest. The United States has handled their illegal immigration problem on a state-by-state basis. States, including Alabama and Arizona proceeded to pass substantial immigration reform that was extremely strict on illegal immigrants causing many of them to leave the states. In Alabama’s case this had

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an adverse effect on the state because with fewer immigrants there were less crops planted. Kenneth Jost of CQ Press says,

“The law is having a palpable effect on the state’s economy as well, according to agricultural and business groups. With fewer migrant workers, “some farmers have planted not as much or not plated at all,” says Jeff Helms, spokesman for the Alabama Farmers Federation. Jay Reed, resident of the Associated Builders and Contractors of Alabama, says it has been harder to find construction workers as well.”

This is a common trend through multiple states and though ultimately many of the states either revoked the laws or the Supreme Court ruled them unconstitutional, the effect was clear that these immigrants were essential to the wellbeing of the union. In the same CQ Press report Jost goes on to show how valuable the immigrants are to the state of Alabama; he says “after assuming 40,000 to 80,000 workers leave the state, Addy calculated that the law could reduce the state’s gross domestic product by $2.3 billion to $10.8 billion. State income and sales taxes could take a $56.7 million to $265.4 million hit, Addy projected, while local sales tax revenue could decline by $20.0 million to $93.1 million.” This severe economic impact could have been disastrous for the state of Alabama. However, thankfully the law was not enforced as vigorously as law makers had promised and nation-wide backlash against the law quelled the massive economic hit the state could have taken.

Spain seemed to recognize this problem back in 2007 and took a much different route with their large illegal population. In 2007, Spain bucked against the opinions of many other EU member states and granted amnesty for some 700,000 immigrants living

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illegally in their country. This was in an attempt to grant more rights to the workers who had long been taken advantage of by employers who would force the migrants to work for much less under harsher conditions. With the migrants now having full rights they could “come out of the shadows” and demand their equal working rights. Labour Minister Jesus Caldera also noted that “…the amnesty would lead to an increase in social security contributions of about €1.5 bn (£1bn) a year.” Getting the jobs into the proper tax brackets was beneficial for the country and allowed illegal immigrants to get their rights and helped the country gain the necessary income from taxes that it needed.

If this were to be adopted into a US model there would be some limitations. The process of amnesty would only be allowed when an immigrant proves that he has no criminal record, admits to coming to the country illegally, and shows that he has a job and contributes to society. From this they would start to pay the appropriate taxes. Additionally, companies that have previously hired illegally immigrant could turn themselves in during the amnesty period and receive no fine. Following the three months amnesty period, there must be a strict crack down on illegal immigration. Companies that are found hiring illegal immigrants still, without reporting, would receive a heavy fine. Immigrants found here illegally would have to be deported. Lastly, border security would have to be increased but the funds raised by the increased tax revenue could help support these efforts. There must be an amnesty program in place to help millions of hard working immigrants come out of the shadows and work and live freely in the United

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States. However, the United States must appear to be strong against illegal immigration and work hard to encourage immigration through legal means.
REPUBLICANS

As this honors thesis also argues, polarized Republican and Democrat stances on US immigration policy are important pieces of the future of immigration policy reform, the next sections will compare and contrast these diverse viewpoints of the two parties as it tries to integrate the policy lessons learned from the five countries this thesis investigates.

The Republican Party in the United States has long held a consistent party line in regards to immigration to the United States. This is the party of conservatism in the United States and has typically held an anti-immigration policy stance. Recently, however, Republicans in the United States Congress have had to back track and try to find new approaches to immigration due to the overwhelmingly large Latino population that has since joined the Republican Party. The one policy they cannot agree on, however, is what to do about immigration. As many Latino communities either came as refugees (the case of the Cuban population) or simply as immigrants, it has created a large rift and departure of Latinos from the Republican Party. According to Washington Post writer and Georgetown Professor Dan Hopkins, “There is circumstantial evidence backing that view. According to exit polls, the share of Latino voters supporting the GOP candidate dropped from approximately 40 percent in 2004 to 27 percent in 2012. An election eve phone survey by Latino Decisions in 2012 put Mitt Romney’s share even lower, at 23 percent.”

63 Hopkins, Dan. "Is it really the GOP’s anti-immigration stances that turn off Latinos?" Washington Post.
immigration problems. With very strict anti-immigration and pro “self-deportation” stance by such states as Arizona and South Carolina, and leaders like Mitt Romney and Ted Cruz; the feeling that Latinos should stay with the GOP has begun to fade.

It is important to remember that while this study discusses the GOP, it discusses only the official party line and not that of either more moderate or more conservative individuals in the party no matter how influential. The GOP came out in January of 2014 with its list of “talking points” on the matter of immigration and how the leadership wanted to approach the issue. The research I present is based solely on the opinions of the leadership of the party. That being said, the party wanted to move forward and create a policy based on five key points of immigration. The first of these is to increase border security and interior enforcement. This point has particularly been important to the GOP for many years, but took a very prominent stage when large waves of children came pouring into the US from Latin America. Since then the GOP has fortified its opinion that there needs to be a clear and comprehensive border security and interior enforcement must be key. Second, the GOP wants to ensure that Employee Verification becomes a cornerstone of any US immigration policy. This policy would move the verification system from a paper system into a digital one. For example, Republican leaders said in a released “talking-points” memo that “In the 21st century it is unacceptable that the majority of employees have their work eligibility verified through a paper based system.
wrought with fraud. It is past time for this country to fully implement a workable electronic employment verification system.”

The third policy would be a clear “Entry and Exit” visa program. The aim here would be to ensure that there would be a biometric scan that would track the entry and exit of people coming to and leaving the country. The fourth point of the GOP immigration policy plan is the need for changes to the immigration legal system. This is one of the few points that both the GOP and Democrats seem to agree on. The basis is that there needs to be a greater understanding of the type of workers that the market needs, and a way to keep highly skilled immigrants who studied in the US stay in the US. Despite this, there recently has been much more debate on the H-1B visa, which is the one that allows highly skilled workers enter the country and obtain visas and citizenship. The fourth aspect is one that seems to be a big contradiction for the GOP between what they say they want and what actually was voted on. In their talking points the GOP says, “It is time to provide an opportunity for legal residence and citizenship for those who were brought to this country as children through no fault of their own, those who know no other place as home. For those who meet certain eligibility standards, and serve honorably in our military or attain a college degree, we will do just that.” This sounds very nice on paper but it was not how many Republicans voted when a bill called the DREAM Act came to the Senate floor as a part of a larger bill that was introduced on the floor of the House of Representatives. According to the Senate voting records, only three


Republicans backed the bill while 36 denied the bill.\textsuperscript{66} This action would appear that although Republicans may want to help youth who were brought involuntarily to the country, many Republicans still do not have a clear cut plan on how to do that. The last aspect is the zero amnesty clause toward people who are here illegally. The belief in small government and the want for people to not be reliant on the government is a core principle of the Republican Party. Many Republicans feel that illegal immigrants leach off the government system and put a heavy burden on the tax payer. By giving an illegal immigrant amnesty, many Republicans feel that the government would be validating the immigrant’s decision to come into the country illegally. The memo does say that an immigrant could receive some sort of amnesty “but only if they were willing to admit their culpability, pass rigorous background checks, pay significant fines and back taxes, develop proficiency in English and American civics, and be able to support themselves and their families (without access to public benefits).”\textsuperscript{67}

Republicans in the United States seem to be asking a lot, but one must consider the facts. According to the US Census in 2013 13.9\% of native born citizens were living below the poverty line. The US Department of Health and Human Services defines the poverty threshold for a single person at $11,770 per year; for a family of four it is $24,250.\textsuperscript{68} This is compared to the 18\% of foreign born citizens who live under the poverty rate. Additionally, non-citizen immigrants have a 22.8\% poverty line, where

naturalized citizens have a 12.7% poverty line.\textsuperscript{69} This shows that immigrants, as a group, are living below the poverty line at a higher rate than native citizens. The real worry here is the burden that undocumented immigrants will place on the country and the individual states and the social services they provide.

When creating a new immigration policy for the United States, it is important to compromise with both sides. Adding new immigration policy pieces will make it impossible for Republicans or Democrats to be able to say they got everything they wanted, but they will be able to say that certain aspects that are important to them will be established. For the Republicans, this new policy of pulling aspects from other countries will allow the Republicans to see such changes as an actual integration program that combines not only English language skills (working off of the \textit{de facto} language of the United States) and community integration, but also legal job market integration.

Republicans will also likely to accept the new bilateral agreements with countries that high concentrations of illegally immigrants come from. These agreements will work to stop middlemen in those countries. Middlemen, or as they are popularly referred to as “coyotes,” facilitate the process by bringing immigrants into the country illegally, but also by demanding high prices to do so with no promise of success or that the journey itself won’t kill the immigrant along the way.\textsuperscript{70} By being able to counteract these


programs, Republicans can still show that they are tough on illegal immigration, but do not attack innocent immigrants who have been taken advantage of by the system.

Republicans should like policies from the UK, which will put in place a point system that will give immigrants with higher skills more of an incentive and priority when trying to immigrate to the United States. Another program from South Africa, allowing for immigration on the basis of starting a business will be appealing to Republicans. With Republicans pushing for more business, they will be hard pressed not to jump on the opportunity to expand naturalization to those people who bring companies to the United States to help the job industry. Adding new elements to an already existing immigration policy could be some of the keys to getting Republicans and Democrats to agree on said policy.

It is to be expected, however, that Republicans will not want to support some of the other aspects of the program that would also be advantageous if implemented. Programs like an amnesty period and programs that would encourage and protect refugee movement into the United States. Overall, Republicans will have a lot to work with that would not only make their base happy, but would attract their Hispanic base back into the GOP. Working with the Democrats the GOP can hope to finally solidify their role in the immigration debate. For too long the conversation has been a one sided one with the GOP pulling the same party line. However, with some minor adjustments, Republicans can garner a lot of support for their aspects of the immigration policy.
DEMOCRATS

The Democratic Party in the United States is the liberal branch of American politics that have long been a friend of immigration. The party’s commitment to combating social issues have situated them nicely in the middle of the immigration challenge in the United States. Democrats on the one hand must show their compassion and empathy for immigrants, especially with illegal ones. This is necessary to support their base, which is adamant about protecting the rights of immigrants. The Democrats also need to appeal to more moderate voters who would like more control of the border, and a crackdown on illegal immigrants who become a burden to the system. This middle ground dilemma has often left Democrats conflicted on how to proceed with updating an immigration policy. With many Republicans taking a more conservative stance on immigration, the Democratic Party has seen an upswing in immigrant voters, particularly Latinos. Democrats have dominated the Hispanic voting population, but their inaction in the debate has also left many Hispanic voters disenfranchised from the party. The Democrats did make big strides when President Obama put into effect his executive order on immigration. In the fall of 2014, President Obama put into effect broad action on immigration.\(^7\)

This executive order will accomplish three things: stronger border security, deportation of criminals, and increased criminal background checks and tax checks. The first of these orders is intending to combat illegal immigration by putting a stronger

emphasis on border security. By continuing the “surge of resources”\textsuperscript{72} that reduce the amount of illegal immigration, the President hopes to not have another situation of the mass amounts of undocumented children crossing the border, as was the case in the summer of 2014. This shift would include funds as well as 3,000 additional border security agents shifted to the southwest border. The President is focusing much more on deportation of criminals and as the White House says, “He has directed immigration enforcement to place anyone suspected of terrorism, violent criminals, gang members, and recent border crossers at the top of the deportation priority list.”\textsuperscript{73} This shift made by the administration and Democratic leadership shows the varying differences between Democrats and Republicans on this issue. For Republicans there should be no distinction between the two types of immigrants; those who are criminals and illegal and those who are only law abiding citizens, but still entered the country illegally. The last aspect of the executive order is accountability. President Obama has set up a temporary amnesty program that would allow for non-criminal illegal immigrants to gain a three year deportation amnesty by passing background checks and fairly paying into the tax system.

This executive order went into effect in November of 2014, however the Democratic leadership as well as the President are hoping to pass some sort of substantial legislation so that their progress cannot be reversed by a future president in 2016 who has differing positions. According to the Democrats they would like to see immigration reform founded on three principles. The first of these is continuing the President’s


approach to securing the borders. The second point would be to hold businesses accountable for the hiring and mistreatment of illegal immigrants who come into the country. Lastly, they agree with the President that “undocumented workers who are in good standing” and admit that they broke the law and start to pay taxes, admit their wrong doing, begin to learn English, and pay a penalty before they can begin the process of attempting to gain legal citizenship.\(^7\) This concept is being touted as “Earned Citizenship,” that illegal immigrants who learn English, integrate into society, and begin to “play by the same rules” can gain their citizenship.\(^7\)

Based upon their own doctrine, the Democrats have a lot to gain from accepting policies from other countries. They will also agree with Republicans on some new issues, while still having to accept some factors of these new policies that they may not find appealing. Although the Democrats have already taken the first step in this direction with the President’s executive action on immigration; the Democratic leadership and the President will like the streamlined illegal immigrant amnesty program from Spain. Those immigrants who start to immerse themselves into the US and begin to pay the correct amount of taxes can receive amnesty under this new program. The amnesty program would have a limit on applying and receiving the benefits. If the person passes the background check and also can prove that they are a fully functioning member of society (has a job, starting to pay into taxes, no criminal record, and English language classes if


necessary) the application for citizenship would be streamlined. The next aspect that would be appealing for the democrats would be the increased protections for refugees as well as putting into law that xenophobia (still needs to be defined) would be a punishable offense. Democrats would also like the increased stance on bilateral agreements with countries that send immigrants to the United States to shut down middlemen who bring people into the country illegally.

Typically, a points-based system for immigration would not bode well for Democrats. Point-based systems usually only benefit highly skilled workers, although the concept of a point system would be based on the British design there would be one very major change to it that would not only benefit highly skilled workers, but also the large amount of lesser skilled workers. Workers who are essential to making sure certain industries keep working to their full potential, would also get a point increase if they were to apply for citizenship. This point based system that gives more credit to those workers would also hopefully quell some of the illegal immigration by giving immigrants more of an incentive to apply legally with the new point system.

Democrats do not find themselves losing a large number of immigrant votes (particularly Hispanic), but they also are not winning them either. Democrats have long been too back and forth about immigration with no clear goal. The Obama Administration has done a good job in setting some goals toward the future, but without any tangible piece of legislation being passed in the foreseeable future the success of the executive action that he took could be wiped away. The immigration issue is causing many immigrants feel disenfranchised from both parties. The goal for adding these
policies into an already existing system of immigration is that they can start to bridge the difference in both parties by giving them each a little bit of what the other wants.

President John F. Kennedy once said “Let us not seek a Republican answer or the Democrat answer, but the right answer. Let us not seek to fix the blame for the past. Let us accept our own responsibility for the future.” Compromise must be the prevailing thought process for both parties when discussing the immigration question. As stated previously, without an actual piece of legislation passed through Congress, immigrants (especially illegal immigrants) will continue to live in a political quagmire with no hope of escaping it. Executive Actions and Orders are a great start to the debate about immigration, but they can be overturned with the next president. Implementing policies from other countries can help bridge the gap of compromise and begin to establish some sort of precedent for bipartisanship that has been in serious lack in American politics. Giving new insights into how to handle our problems with the use of policies from around the world will give creative solutions for complicated problems.
CONCLUSION

Immigration is a complicated and messy affair in the US currently. From the beginning of the process to the end it can be extremely difficult to get visas and legally immigrate. The over-complication of the process makes the concept of illegal immigration seems like the only option for some people. The point of this thesis is to try to suggest new policies that will help alleviate some of that complication. By examining policies from around the world, it is the hope that the US can learn new ways to get over some of its challenges. To this affect, the countries of Finland, the United Arab Emirates, South Africa, the United Kingdom, and Spain all have answers for some of the challenges on US immigration.

From Finland the US can learn the importance of a national integration program. Integration for immigrants is an excellent way for the immigrants to get accustomed to the country. Integration for the US needs to be nationalized so that immigrants have a chance to be able to learn key things like language skills and vocational skills. Finland does an excellent job at making sure immigrants feel welcome by giving them Finnish language skills, job skills so that they can be independent, and after a period a time even giving them local level voting rights. The US needs to adopt a broad integration policy that would mirror Finland’s. The UAE teaches the US the need for bilateral agreements with other countries. The UAE has such a large population of foreign workers, they felt the need to create agreements with other countries because of this fact. By working with other countries from which a large amount of immigrants travel (especially for employment reasons) the US can make agreements with countries to ensure that the right
amount of immigrants come in for the amount of work that is needed. These agreements would also begin to curb illegal immigration. By having countries work together on recruiting immigrants both countries benefit. The added revenue that will be brought in by workers and the money that will be brought back to the sending country is important for both countries. With both countries benefiting from the agreements, both countries will work to stop illegal immigrants. The UAE does this with many countries to make sure illegal middlemen do not try and bring people into the country illegally.

South Africa offers a couple insights that the US needs to adjust in a new immigration policy. The first of which is opening up a broader amount of pathways for citizenship into the country that do not include naturalization, being born in a country, or marrying a person from that country. Opening up opportunities for people to be able to gain citizenship through other, more economic means would benefit the US by bringing in more money and high level immigrants. Second, the US needs to take a broader stance on allowing more refugees and asylum seekers. Third, the US needs to create broader national laws banning xenophobia. Immigrants have been the target of many hate crimes in the US and having federal punishable laws will help immigrants feel included into the country.

The UK uses a tiered point system which creates a comprehensive, clear, and understandable pathway for immigration. The point system for the US however, needs to include a portion that gives more points and credibility to low-skill workers. In that way the point based tier system will work to be more open and inclusionary and not just benefiting those immigrants who are educated and wealthier. Lastly, Spain shows the US
the need for an amnesty program. For many an amnesty program for the 11 million immigrants currently in the US seems like a disaster. However, as Spain has shown there is a need to alleviate the burden of having that amount of undocumented immigrants in a country. An amnesty program will create a pathway to citizenship for millions of undocumented immigrants who work hard for the country. It is essential to allow those immigrants who help keep the country going. It is important to include that after the amnesty period has expired, it is essential to make sure that border security is heightened to make sure that immigrants are utilizing the new pathways to immigration available to them.

It was also important to not only examine the global solutions but also examine the US history with immigration and the two leading political thoughts behind the US immigration policy. The report also took a look at the history of immigration and immigration policies in the US. Looking at how much immigration and policies have changed over time is important to learning how to fix the new problems that have appeared. The US has a long road to becoming a nation that will have a policy that both Republicans and Democrats can accept. However, both Republicans and Democrats can both be happy with the new policies.

The purpose of this undergraduate study was to examine U.S. immigration policy and explore how the integration of successful pieces of immigration-related legislation from select countries could help immigration reform here in the United States. The study compared and contrasted current U.S. immigration policy with policy pieces from Finland, the United Kingdom, South Africa, Spain, and the United Arab
Emirates. This thesis also assessed briefly the history of US immigration policy as well as the prevailing stances on immigration policy from the Republicans and Democrats.
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