

DESPERATE REFUGEES OR DESPERATE DEBTORS?

Why the Latest Border Surge Is Bad News for Democrats

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Trump's hyperbole on the border has boomeranged against him, but Democrats should not accept opening the southern border to anyone who asks for asylum. That's not even good for immigrants.

What to make of our latest immigration controversy? Once again, President Trump has been threatening to shut down the Mexican border. Opponents say he has cooked up the crisis to fortify his base for the 2020 election. They also assume that highlighting his Administration's cruelty at the border will make Americans feel bad and backfire against him. They can hardly conceal their glee at the string of humiliations. Last year's family separation plan was a fiasco. Then his government shutdown failed to extract wall funding from Congress. Next his declaration of a national emergency provoked defections from Republican Senators. Now his latest border threats endanger U.S. workers who depend on Mexican supply chains, prompting further opposition from within his ranks.

Whatever Trump does on the southern border, it seems to prove that he is an ineffectual windbag. But border enforcement has polarized Americans for decades. The main response from Democrats thus far—to defend every migrant's right to ask for and receive provisional humanitarian asylum—will alienate the swing voters they need in 2020.

We know that many conservatives fear rising immigration flows, while many liberals still welcome them. What about centrist voters? How do they react to smugglers bussing Guatemalans to the border so that, as many as 300 at a time, they can line up for credible-fear interviews? If asylum applicants can stick to the claim that they fear going home, they win provisional legal status in the United States until their case is heard by the immigration courts. If they have a child with them, according to a court order, the child cannot be legally detained in a border facility for more than 72 hours. Since the system only has residential capacity for 3,326 parents and children, most asylum applicants are soon at liberty on the U.S. side.

This is the humanitarian loophole that, in December, beckoned to a Guatemalan farmer and his daughter. The 7-year-old Jakelin Caal Maquín grew up in a non-gang locality. According to the mayor, 200 families left for the United States in less than two months; Jakelin's father probably borrowed between \$5,000 and \$10,000 to pay smugglers to get him and his daughter to the border. They showed up with 161 other adults and children whose need for food, shelter, and medical help, near Antelope Wells, New Mexico, overwhelmed U.S. border personnel. As the group

was bussed to a holding facility, Jakelin began vomiting; when she went into seizures and her temperature reached 105.7 degrees, she was airlifted to a hospital where she died.

Migrant advocates blamed Jakelin's death on the U.S. government, but it was her smugglers who had carefully chosen a remote location. Under pressure from voters, the U.S. government has been hardening the border for decades. This gives smugglers an incentive to choose higher-risk crossings, in harsher locations, which kill about 400 migrants a year. Who's more to blame—the smugglers or the U.S. government? Should Uncle Sam wave these people through so that, even if they don't meet legal requirements for entering the United States, they won't endanger themselves and their children?

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a local radio station to advertise parent-child packages to the United States for a mere \$3,300. For several years now, I have heard about a special low-price for "delivery to the border"—that is, delivery of you and your child to a uniformed U.S. agent—as opposed to much higher prices for old-fashioned, evade-detection smuggling. To pull together even this sum, migrants must borrow heavily from relatives, moneylenders, or banks and put up their property as collateral. In other words, they are taking out mortgages to deliver themselves to the Department of Homeland Security (DHS).

What smugglers tell migrants is accurate: There is a new *permiso* that enables you and your children to win quick release, join your stateside relatives, and look for a job. Going north with a small child is a tactical improvement on the previous approach: paying smugglers to take work-ready "unaccompanied minors" a bit under the age of 18. The flaw? Especially if they are girls, DHS will release them

Here's my question for migrant advocates: If the only requirements for entering the United States are now a child in tow and a statement that you fear going home, how many more applicants will arrive? A few weeks before Jakelin's death, the Washington Post found a Guatemalan village whose schools were emptying out as children were taken north, with some families even selling their children to other adults for this purpose. Such "adoptions" were being facilitated by the nearest government registry, which was selling fake papers to prove parenthood. "This is a crime," observed a local educator. "This is human trafficking."

In another region of Guatemala, where I have interviewed migrants and their families, smugglers are reportedly using

only to a credible sponsor. Absent a sponsor, they are locked into a shelter where they claw the walls, unable to look for work, unable to pay the interest on their loans, and unable to send remittances to their frustrated and pleading parents.

The places where I have interviewed migrants, and where the *Washington Post* was interviewing, are not ruled by gangs extorting everyone within reach. What about Central Americans who do come from gang territory? Don't they need humanitarian asylum?

Yes, some applicants have strong cases. But surveys by the International Office for Migration (IOM) show that, for Central American migration streams, running away from gangs is not the central motive. According to an [August 2016 survey of returned Guatemalans](#), the three most important reasons they left for the United States were economic (64.1 percent), family reunification (9.1 percent), and violence (3.3 percent). As for those Guatemalans who planned to leave for the United States in the next 12 months, their reasons were economic (55.2 percent), family reunification (18.6 percent), insecurity (3.4 percent), and sexual discrimination (2.4 percent). In [similar IOM surveys of Salvadorans](#), from 2011 to 2017, 73.8 percent said they were going north to find work; only 16.3 percent cited insecurity as their motive.

Yes, many asylum applicants are desperate. But are they desperate because they fled death, or are they desperate because they bet the farm on a U.S. job? Much of the desperation at the border is the result of the gamble to come north. Not only have most Central Americans taken out steep loans; when their smuggler gang runs afoul of another smuggler gang, they are [held for ransom](#) and arrive in far worse shape than when they started.

For the current wave of asylum seekers we can thank the interaction between congressional mandates, administrative directives, and court decisions. According to the [Mayor of El Paso, Texas](#), who has spoken out against Trump's rhetoric and whose city is now swamped with applicants, what's to blame is the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008. Passed by both parties in Congress to protect minors from being exploited by criminal networks, the Act has enabled the same networks to swarm the system with "family units" who cannot lawfully be turned away.

For the first time, real or pretend family units now outnumber single men. Of the 76,103 Southwestern detainees in February 2019—a 30 percent rise from the month before—[40,385 were in family units and 7,249 were unaccompanied minors](#). The numbers for March have [reached 100,000](#), the [highest since 2006](#), with most detainees now knowing what they must tell the Border Patrol to qualify for provisional legal status. In the immigration courts that will decide whether they actually qualify for asylum, the caseload [has doubled since 2016](#) to more than a million. Hearings are being scheduled as far as five years from now.

If one shaky premise is that these are refugees, another is that they will benefit from joining the U.S. job market. The more Central Americans crowd into Central American niches in the United States, the less likely they are to find enough work to repay the loans that got them here, let alone send the remittances demanded by

their relatives. Even if they find a job, it tends to be in the informal sector where they are unprotected by labor laws. If the jobs are in the formal sector, they tend to be far from the low-rent neighborhoods where Central Americans can afford to live, thus requiring long, costly commutes.

Central Americans gambling on migration do not foresee how impoverished they will be. Most are following relatives who went north and who they assume to be far more successful than is actually the case. They have been misled by the buying power of the U.S. dollar in Central America, which vanishes as soon as they cross the border into U.S. prices.

If their debts were simply caused by border enforcement driving up the cost of migration, it might make sense to stop enforcing the border. But the debts have deeper roots, in surplus labor in the Central American and U.S. labor markets. The hegemonic forces pulling migrants north are the risk-transfer mechanisms of the dollar and the U.S. economy. The lure of higher consumption levels, transmitted via the smartphones that so many migrants now carry, traps them into a reserve army of labor that will usually just add to their debts. Worse, migrants drowning in debt become targets for human traffickers operating inside the United States, as illustrated by [the massage parlor chains](#) operating out of Flushing, New York that have indentured thousands of Asian women into prostitution.

This shocking consequence has been [aided and abetted](#) by the careless assumption that anyone who claims to be fleeing a threat deserves the benefit of the doubt, that is, the right to file an asylum claim and obtain provisional liberty in the United States. Unfortunately, debt slavery is not the only perverse outcome. In the case of Central American flows, giving provisional legal status to anyone who asks for it endangers migrants who do need refuge from criminal networks. The more applicants swamp the credible-fear process, the more gang members will slip through. This is not just prejudice or speculation: MS-13 extortion rackets already menace Central Americans in [Langley Park, Maryland](#). If Central Americans are fleeing members of their own society, how can mass migration from these same societies not recreate the threat on U.S. soil?

Genuflecting to any asylum claim has yet another evil consequence, to discredit applicants with much stronger cases. Here I'm thinking of asylum seekers, including Central Americans and especially [Hondurans](#), who can prove that they or close relatives were attacked by corrupt authorities. At the moment, such applicants are being used as poster-children to justify what is mainly labor migration from the same countries. This increases the risk that their applications will be washed away by political reactions.

Those reactions seem inevitable because, under current incentives, the only reasonable expectation is that the number of asylum seekers will soar. Just in Central America, according to the [Gallup World Poll's](#) most recent surveys, 31 percent of Guatemalans, 46 percent of Salvadorans, and 48 percent of Hondurans express the wish to move to another country—mainly but not exclusively the United States. Of all potential transnational migrants around the world, judging from Gallup surveys, 21 percent or 147 million people hope to move permanently

to the United States. True, many will never make the journey, but these projections are from several years ago, which means that they preceded the current open door for almost anyone who asks for asylum.

The unprecedented opening of the southern border carries deep dangers for the Democrats. Earlier migrant surges embarrassed the Obama Administration and contributed to Trump's Electoral College victory in 2016. Ever since, he and the Democrats have been locked in judicial stalemates over border enforcement. Congressional solutions are unlikely until Democrats or Republicans control both houses of Congress, and perhaps not even then. Currently the Democrats are enjoying Trump's border failures, but their 2020 candidates probably will not. They will need to win swing voters, and not just Anglos. Economically, no one is hurt more by mass migration than previous arrivals who must compete with new ones for jobs.

The Democrats will not need to persuade swing voters that Trump is a bad President—a majority already agree. But they will have to show that they are a credible alternative. If Democrats confine themselves to sympathetic mantras about immigrant rights, the Republicans will be able to claim that liberals are to blame for the flood of dubious asylum seekers. Backlash voting, or “plague on both your houses” voting for third-party candidates, or not voting at all, could give Donald Trump just the edge he needs in 2020.

Published on: April 10, 2019

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