
Human rights have no boundaries

(which is why George Bush's approach won't work)

By Jackie Smith

Debates about immigration in the United States neglect a vital question: Do we as a society really believe in universal human rights, or do we reserve those rights for those born within particular geographic boundaries? American citizens—many inspired by the leadership of first lady Eleanor Roosevelt—were at the forefront of efforts to promote a Universal Declaration of Human Rights following World War II. Borderless human rights were seen as essential to any effort to “end the scourge of war” and to prevent the rise of abusive governments such as Adolf Hitler’s. States that respect the rights of their own citizens are less likely to engage in acts of international aggression, and international human rights laws ensure that those fleeing inhumane conditions in their home countries are not subjected to abuses elsewhere.

Most experts agree that global economic forces are the leading cause of people’s decisions to leave their home countries. And if the causes of migration are global, the responses must also be global. Efforts to enhance border controls without changing the policies that fuel migration are doomed. More importantly, such policies will only guarantee that more people suffer death and other rights violations at the hands of the U.S. government.

We know this from experience. Since the mid-1990s, the United States has tripled the number of officers at the U.S.-Mexico border, and it has spent tens of billions of dollars on border security. During that time, the number of deaths of those attempting to cross the border has increased to nearly 500 annually (counting only bodies that were found). Despite these efforts, we’ve seen no decline in the number of people crossing the border. This is largely because people lack economic opportunities in Mexico. Since the North American Free Trade Agreement went into force, 1.3 million agricultural jobs in Mexico disappeared due to competition from U.S. imports. Other sectors of the economy haven’t replaced those lost jobs. Average wages in Mexico have declined substantially during this period, with manufacturing sector losses at 60 percent. The border policy President Bush is proposing is not fundamentally different from what has been done for more than a decade. Like previous policies, it will fail.

A better approach to the immigration debate would confront the causes of migration while ensuring universal respect for human rights. Proponents of immigrant rights should press the U.S. government to sign and ratify the International Convention on the Rights of Migrant Workers and Their Families. This treaty came into force in 2003 to help guarantee that the rights outlined in the UDHR would be extended to those forced to migrate in search of economic opportunity. The treaty so far has 34 signatory countries, mostly from the poorer regions of the world. Rich governments are unlikely to adopt this treaty without pressure from their citizens. Rights advocates can benefit from the fact that the United States prides itself as an international champion of human rights. Since

the treaty protects human rights from the new challenges of economic globalization, the United States must join this convention if it wishes to be a leader for global human rights. There are other reasons for pursuing this strategy on immigrant rights. Anti-immigrant forces have argued that their cause is justified as a “rule of law” issue, thus referring to international human rights law would shift the moral high ground in favor of immigrant rights proponents. Shouldn’t we hold our own government accountable to the same laws it has used to judge Saddam Hussein and other adversaries? Also, the Convention on Migrants Rights would help workers in this country by raising wages and advancing the rights of all workers to organize.

Immigrant rights groups and others seeking to reduce the negative effects of economic globalization should unite, calling on the United States and other governments to sign and ratify the Convention on the Rights of Migrant Workers and their Families. By doing so, they would help strengthen international human rights law while also raising the costs to those governments whose leaders refuse to address the underlying causes of migration. When governments are forced to respect migrants’ rights, they will also be forced to look seriously at how their own economic policies contribute to economic hardships in migrants’ countries of origin. Expanding public discussion about human rights will also lead to more enlightened political discourse in this country, so it could even help strengthen democracy at home.

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