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## **Transnational Migration: New Challenges for Nation States and New Opportunities for Regional and Global Development**

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## **Transnational Migration: New Challenges for Nation States and New Opportunities for Regional and Global Development**

### **1. The New Importance of Transnational Migration**

Migration movements are not like one-way streets. They do originate from insecure and lead to (slightly) securer regions and from areas lacking employment and living opportunities to areas which are hoped to offer better economic, political, cultural and/or social prospects. However, even after the wave of emigration by Europeans due to industrialisation and urbanisation in the 19<sup>th</sup> and at the beginning of the 20<sup>th</sup> century, estimates suggest that about a third or half of all emigrants returned to their regions of origin. Apart from the ideal types of emigrants and 'returned emigrants' or return-migrants, history shows that there have always been people for whom migration and the change of places is not a nonrecurring and unusual undertaking, but actually a way of living.

If, for example, one looks at the development of *homo sapiens* over the past 150.000 years, then a nomadic way of life makes up more than nine tenths of our history. Living in the same place for many generations is a relatively new 'invention' by human evolution and probably only practiced by a minority of all people. Natural disasters, epidemics and military confrontations have periodically forced groups and even entire ethnic people to 'clear places' in the double sense of preparing places (from wood, undergrowth etc.) for living and of leaving and abandon places in order to live in another place. However, departing without being forced to do so has also always been like a magnet, causing people to leave their homes (their 'usual environment') either in search of *utopia* as the 'place where no man has been' or as the gold-digger's dream of material fortune. This combination of pressure and suction, of economically poor groups being forced or the voluntary departure in search of fortune by others can be observed in many examples: the crusades which began about nine centuries ago (and between 1096 and 1097 alone mobilized approximately one hundred thousand people to make the trip to the 'promised land'), the mass migration of people in Europe between the second and sixth century, the history of the 'discovery' and conquest of America half a millennium ago or the mass emigration of millions of Europeans at the turn of the 19<sup>th</sup> century.

The specific quality of migration dynamics in the 21<sup>st</sup> century stems from the improvement in quality and availability to a broader spectrum of people of communication and transport possibilities. This makes migration processes more complex and less concentrated in the classical types of emigration/immigration or return-migration. The renewed increase in global

migration streams which can be observed since the 1980s is not simply a transitional phenomenon. It is much more likely that the naturally or religiously justified expectation of a way of life bound to a place over many generations was merely a phenomenon of the 'simple modern age' and the belief in the nation building project as the most important way of grouping people. The assumption of an increase in international migration movements and their impact on society is sustained by a combination of various factors. Violently carried out ethnical conflicts and ecological factors such as soil erosion and water shortage intensify the continual migration from rural to urban areas. The progressing disintegration of traditional rural social milieus, the globally omnipresent projections and visions of living conditions and lifestyles in the pockets of affluence due to mass communication media and, finally, the extension and price-reduction of continually improving mass transport and communication technologies reduce the threshold to migrate and at the same time cumulatively contribute to further migration. In the light of these social driving forces, all government efforts to regulate migration streams at will are only of limited effect.

Next to the forms of international emigration/immigration (in the sense of a unidirectional and nonrecurring change of residence) that have been dominant up until now, a form of *transnational migration* can be increasingly observed whereby the (1) way of life, (2) symbol systems and (3) artefacts of these *transmigrants* as their social spaces between residences or geographic spaces are stretched over various countries. In this way, the boundaries of social spaces are redefined and are no longer consistent with territorial or geographic spaces. An example for the relevance of *artefacts* for transnational social spaces can be seen in technical communications media such as the telephone, fax, internet cafés or local radio stations. The fact that private households have modern and expensive fax machines or that well equipped and frequented internet cafés can be found in seemingly extremely poor areas in developing countries cannot be reduced to the isolated local lifestyles of people living there. Instead, the decisive factor is that the social everyday practices of these people includes daily (or at least very regular) communication with family or household members who live thousands of kilometres away as work migrants.

Transnational migration also brings forth novel forms of *symbol systems*, such as Turkish-German literature as published by Feridun Zaimoglu, transnational migrant music as brought forth by Manu Chao or British-Indian fashion. These symbol systems can only be understood by considering the pluri-local and multi-cultural lifestyles of transmigrants. Their self-acknowledgement and social positioning are multiple insofar as they are not based upon one contiguous coherent reference system (of the particular sending- or receiving society, or of a Diaspora community). Rather, elements of the sending and receiving areas are combined and transformed into something new and transnational. Holidays and celebrations are also often redefined in the context of transnational social spaces. The traditional religious local

village festival which used to be arranged by the congregations' minister by mobilising small harvest donations by congregation members in honour of the village saint may change into a colourful secular regional event. This event could then be sponsored by migrants' foreign earnings and represent less of a display of faith by the congregation than offer a platform for migrant families to show off their economic ascent achieved by work migration.

The *social practice* of these transnational social spaces includes the development of transnational survival strategies and household economics. Transnational households are characterised by the (dynamic and changing during the lifecourse) distribution over different spaces, persons and generations of the roles and functions of the acquisition of money, cultivation of land, domestic work, sustaining contacts and child education. Transnational household economies are significantly more complex when compared to the traditional allocation of functions, for example with a male head of family who leaves his family of two or three generations for a limited period of time as a guest- or seasonal worker and regularly remits money to those who have 'remained at home'. Households of transnational migrants are not merely characterised by a traditional core family comprising two or three generations, as some research about work migration between Mexico and the USA show. These households almost always include relatives of further degrees (siblings, uncles, aunts, etc.) and other groups of persons (such as godchildren or friends).

The allocation of roles can vary greatly in the course of time: The father who had initially migrated from Mexico returns to work on the extension of the house building and to take care of farming; the mother of already slightly older children subsequently leaves the household in the Mexican village to do domestic work for a middle-class family in the USA; perhaps both parents might migrate and delegate the responsibility of child rearing and household management in Mexico to the (grand)parents; later, maybe even the oldest child will migrate and finance the bulk of household economics for the family members remaining in Mexico. Those child may also return to Mexico for studies or to acquire money and their grandfather could work as a gardener in the USA. While in the case of traditional emigrants remittances decrease over time and eventually – usually after deciding to remain permanently in the receiving country - cease altogether, in the case of transnational migration they do not stop to play a consistent and important role.

## **2. New forms of transnational economics**

Generally speaking, a sharp increase in remittances from migration can be observed since the 1970s. According to data by the World Bank, the yearly volume of remittances to developing countries alone from work migration during the thirty years up until 2002 had grown by a factor of ten to about 80 billion US-Dollars. On the other hand, estimates by the

United Nations and the World Bank show that the number of migrants worldwide has only slightly more than doubled to about 175 million in 2000. This data is to be interpreted cautiously, however. For example, only rough estimates of the amount of undocumented migration can be made. Even countries which are able to control their borders relatively effectively (such as Germany or the USA) cannot avoid that for every ten registered migrants, one migrant is not registered. Despite the data problems: an increase in remittances of the factor ten as compared to an increase in international migration volume by the factor two seems to be at least an invitation to reflect more carefully about the quality of international migration and their shifting patterns.

Notwithstanding these problems in the exact collection of data (or precisely because of these), the significance of remittances from work migration which has grown over the past two to three decades can hardly be overestimated. Of all transfer flows to the developing countries over the past decade, only migrant remittances showed a positive growth tendency, while flows into capital markets, foreign direct investment and public (development) aid tend to have receded. In absolute terms, India leads the list of remittance receiving countries with about 21.7 billion US-Dollars in 2004, followed by China and Mexico (21.3 and 18.1 billion US-Dollars respectively). Remittances make up more than a tenth of the entire gross national product in countries such as Lesotho, Jordan, Bosnia-Herzegovina, Albania, Nicaragua, Yemen, The Republic of Moldova, El Salvador and Jamaica (World Bank 2005). For a great deal of these countries, transfers from work migrants range among the three most important sources of foreign currency income. Foreign currency income from remittances can be greater than income from tourism, even in a large country such as Mexico with a population of over 100 million and a highly developed tourism sector. Compared to the net flow of development aid, remittances from work migration are at least twice and up to ten times greater in large developing and threshold countries such as Albania, Bangladesh, Brazil, Colombia, Croatia, Dominican Republic, India, Mexico or Morocco. Aside from the purely quantitative importance of remittances, the manner in which they are transferred is of great importance. On the one hand, small to middle-sized international banks reap profits from business related to these money transfers. This is true of the American Western Union bank which has been able to make considerable profits in this line of business by charging high fees and commissions. If one looks at the yellow pages in Latin-American countries and checks the entries for example beneath 'remesas familiares', the dynamics of this form of money transfer, even in the smallest provincial town, become very clear.

Beside the official and registered transfer channels via banks and supermarket chains, informal transfer channels are also very significant. Among these is the *Hawala* system practiced primarily in Pakistan and India. In this case, agreements based solely on trust and

personal acquaintance to deposit a certain sum of money in a certain currency in any place in the world are much more timely than official bank transfers which lead to the out payment in another (or the same) currency in any other place on earth and incur comparatively low costs. Similarly, informal transport networks of money and goods are organised, for example, as in the Chinese (parental networks) concept of *Guanxi* or the Latin-American *compadrazgo* (godfather) system.

These transport mechanisms for goods, capital and services form a grey area between legal formality, legitimate informality and clandestine illegality which may undermine official controls and therefore also state sovereignty – a practice more or less also adhered to by international enterprises. Many different and highly differentiated forms of transnational economic transaction structures have been established. These include relations based on family or kinship as in the case of work migrants, or structures based on authority and external control as in the case of organised crime and international terrorism. These structures evade traditional national and international public regulation on the one hand, but on the other, they interact with governments and international business enterprises via complex structures.

Examples such as the Western Union Bank or many regional bus- and airlines demonstrate how formal international business organisations benefit from undocumented or illegal migration and are possibly even reliant on these for stability. Traditional and informal family or kinship network structures such as the Chinese *Guanxi* can become essential for the viability of by all means significant formal transnational business organisations and value chains. Conversely, international enterprises may deliberately exploit transnational structures of organised crime, for example to distribute (untaxed) cigarettes or to obtain or dispose of environmentally harmful or other dangerous substances and materials, just as they may be extorted and thus themselves become victims of such transnational criminal organisations. Finally, governments, political parties or local governments may try to exploit the capital- and human resources of transnational migration, for example by campaigning for the Senegalese election in the migrant suburbs of Paris (Salzbrunn 2001), by carrying through a publicity tour for Mexican regional irrigation projects aimed at work migrants in New York (Smith 1995), or by trying to integrate highly qualified Indian IT work emigrants to the USA to join national development schemes in the Indian software industry (Athreye 2005).

Transnational family and household strategies in the context of work migration rely on already existing transnational organisations, communication possibilities, established channels for money, goods and passenger traffic as well as existing traditional social institutions. All of these required factors will, on the other hand, be developed further and stabilised due to the migrants' behaviour. The lack of communication and transport

possibilities would entail significantly less transnational migration. However, without transnational migration, the critical mass stabilizing global communication and transport possibilities would be substantially smaller.

Because increasing economic transactions due to work migration often take place beyond governmentally controlled dealings and beneath the level of formalised business organisations, they often do not receive as much attention within the current discourse on globalisation. The latter usually bemoans the inability of governmental politics to regulate globalised capital flows and corporate strategies. Focusing on this alone, there is indeed little hope of impacting upon internationalisation processes in general and upon international migration in especial. But – as will be argued in the next section – besides new challenges, the transnational type of migration also offers some new opportunities.

### **3. Challenges and opportunities of transnational migration**

If transnational migration actually is of growing importance, its economic, social, legal and political implications have to be considered carefully. In general, the transnational type of international migration processes is not 'good' or 'bad' but the challenges and opportunities have to be discussed for different actor groups, conditions and dimensions of the migration processes. At least five important aspects could be identified.

#### **The limited impact of governments' and State control**

The traditional understanding of international migration in the forms of immigration, return-migration or Diaspora-migration includes the notion of State control over the migration flows. Countries like Canada or Australia define clear policies and politics of *immigration*, e.g. invite people with higher education degrees, without criminal background and with a minimum of investment capital to live in their country. In the same way and according to this idea, the European Union defines criteria for refugees and asylum seekers as well as for labour migrants and aims at controlling the external Schengen borders according to these outlines.

The USA developed programs for seasonal labour migrants (e.g. for the fruit and vegetable harvest in California) or other time limited labour migrants (e.g. the Bracero-program from 1942-1964) who in general are considered as *return-migrants* going definitely back to their countries of origin after a specific period defined by the 'inviting' State. In the same way, the German 'guestworker'-programs were developed for labour migrants and signed by Germany and all the sending countries' States (like Italy, Spain, Greece or Turkey) based on the idea of two to four years stays of migrant workers who afterwards – in order not to develop roots in Germany – were going to be interchanged by other migrant workers.

In the same way, the sovereign nation states follow the international rules for diplomatic corps and the corresponding treatment of diplomatic migrants, they define the legal and tax conditions for residing of expatriates of foreign companies and of members of political, scientific and religious foundations or other types of corporations. All these types of migrants could be coined *Diaspora-migrants* because their ongoing and continuous framework of reference is the 'promised land', the State or company they got their mission from. Whether they return or stay or go to another country does not depend on individual or household decisions but on pronouncements of their organisation or State they feel their main loyalty and destination with.

In all these cases of the three ideal types of immigrants, return-migrants and Diaspora-migrants there does definitely exist a certain amount of undocumented or illegal migrants. For instance, temporal (return or Diaspora-) migrants who overstay their limited legal permission period and then try to become a legalized immigrant based on state regulations like in Spain or on legalisation campaigns like in France 1998 or in the USA with the IRCA 1986. But in general, in migration theory and politics one important assumption is that States are able to control their borders and to supervise the boarder crossing migration flows. This picture becomes more complex if *transnational migration* is considered. To some extent it is legal and documented migration. But the majority of transnational migrants in many cases are undocumented; or they enter legally a country and become undocumented labour migrants (by overstaying the legal visa period or by working with an exclusive permission for tourism or education). About ninety percent of nearly 700 surveyed Mexican labour migrants to the USA informed to work or to have worked as undocumented migrants (Pries 2004b).

If international migration would take place only in the ideal typical way of immigration, return-migration and Diaspora-migration, the challenge of effective State control over borders would not be as dramatic: immigration would lead to settled people, return-migration would result in long term accommodation in the country of origin, and the vast majority of Diaspora-migration would happen in the legal framework of the receiving State. But if there is a constant coming and going, if transnational migrants are not following a long term integration strategy in one place but planning their lives in medium term steps and sequentially, if their identities and loyalties are spanned between different countries, then the State control of complex, network based and bi-directional migration dynamics could become quite difficult and a challenge for the nation states. Empirical studies suggest that it is mainly this type of transnational migration that complicates the legal control of migration flows.

In the case of Mexican-USA-migration all state attempts to restrict and control the migration flows, e.g. in the Tijuana/San Diego region, re-routed the main streams of undocumented boarder crossing and raised up the prices for migrant trafficking (Bustamante/Martínez

1979). In the case of Germany, the 'guestworker' programs signed with a lot of countries since the 1950s led to more or less formalised and controlled labour migration of the return-migrants' type and later of the immigrants' type. But once a certain level of personal social networking established the flows of migration become more complex and transnational flows and social spaces emerge. The number of undocumented migrants at the beginning of the 21<sup>st</sup> century in Germany is estimated at about 1.5 Mio.; many of them could be considered as transmigrants (Alt 2003; Cyrus 2001). Household work and personal services from geriatric nurse up to prostitution from Central and Eastern Europe to Germany are often organised as undocumented labour migration and in transnational migration networks (Lutz 2002). Illegal trafficking of cigarettes, drugs, weapons and women is another and almost different issue that often exploits the social networking of transnational migration.

Summarising, even the strongest State will not be able to control and manage directly all migration flows. Social networks once established at a minimum level follow quite different logics of action than those established in legal prescriptions of nation states. The latter could manage the flows of immigration and settlement, they often initiate programs for return-migrants, they have an established infrastructure for Diaspora-migrants, but they are quite helpless how to direct and administer transnational migration. This is also due to other factors.

### **Double identities – double loyalties**

Transnational migrants were defined by an ambiguous mixture of identity references to the region of origin and the region of origin. Whereas for classic immigrants such an ambiguity could be observed mainly for the second generation of migrants (Thomas/Znaniiecki 1958), in the era of globalisation the case of the transnational migrants becomes more complex. Even in the third or fourth generation there is a – though minoritarian – share of migrants who do not integrate and 'smelt' completely in the region and society of arrival but maintain strong relations of cultural, social, economic and/or political interchange with the region of origin of their ancestors (Portes 1996; Faist 2000). These ongoing nexus to the country of origin almost always existed, but gradually died out – the region where the forefathers came from remained as an historical reminiscence and abstract category of identification. But due to modern communication and transport technologies in nowadays it is quite easy to maintain direct and quasi face-to-face contacts to people in different locales far away from the place of physical residence. Thereby, the 'social residence' of a transmigrant could span over different physical places (Pries 2001).

Different aspects of these double or transnational identities are quite well documented by empirical studies. For the USA-Dominican Republic and the USA-Hawai relations see the

studies of Grasmuck/Pessar (1991) and Basch et al. (1994). Luin Goldring (2001) analysed the changing gender roles and social orders in Mexico-USA-migration due to the emergence of transnational women organisations. Martínez (1998) developed an interesting typology of people living in the border between Mexico and the USA taking into account their patterns of physical movements, their value systems, consumption patterns and the 'borderlands milieu'; he identified a total of two types of national borderlanders and seven types of transnational borderlanders, where the 'Mexican American Binationalists' are characterised by quite stable patterns of double identity and double loyalty (op.cit., 91ff). Palenga-Möllenbeck (2005) documented long term and second to third generation transnational identities and social practices for the case of Silesian people living between Germany and Poland (see also Morawska 1998; for Russian Jews see e.g. Kalačeva/Karpenko 1997).

Transnational or double identities also are in play in recent conflicts like the riots in autumn 2005 in Paris and other French cities when second or third generation Maghrebian migrants protested against economic marginalisation despite their being formally French citizens. In a similar way, in Germany many young people with Turkish migrants as parents or grandfathers do neither feel German nor Turkish, but 'in between'. The difference to the traditional immigration situation is that these people even in the third generation still or increasingly are living in a migratory social field and do not follow the traditional assimilation or integration patterns widely described by the Chicago school of migration research (Goebel/Pries 2003; Pries 2004a and 2004b). Transnational migrants often feel sympathy, attachment and loyalty with different aspects of different national societies and cultures and with different nation states. For the latter, this is a complex challenge due to the constitutive element of each nation state: its capability to defend the monopoly of physical violence in and the integrity of the state territory and the chance to maintain a minimum of exclusive loyalty of all its citizens.

In this sense, double identities and double loyalties of transnational migrants challenge the traditional nation states' role and understanding. Regarding their sovereignty and the people's loyalty, the nation states are becoming more and more 'punctured' due to economic, political, cultural and social globalisation and transnationalisation (Pries 2005). But independently of how one should and would judge these developments, they have to be taken as 'social facts' in the sense of Emile Durkheim, and all empirical findings indicate that there will be no return to the *ex ante* situation of the more or less ingenuous project of sovereign nation states fighting for or even being able to control effectively their external boundaries and flows of migrants.

This 'collateral damage' of the internationalisation dynamics and especially of the transnationalisation process to the nation state and national society project so dominant

during the last two centuries should not be taken exclusively as a threat. Double identities or even more: complex multidimensional and multi-level identities, fluid in time and trajectory are emerging anyway as part of the social spaces people are creating by their social practice, systems of symbols and artefacts in the 21<sup>st</sup> century. Dual identities and loyalties are developed by quite all human beings towards their parents – and (quite) nobody forces us to decide between father and mother. Therefore, dual identities towards nation states and national societies of the transnational migrants could be a challenge and threat, e.g. in the case of criminal and terrorist groups taking full advantage of transnational movements and dual citizenship. But they also could be and – in the vast majority of the cases of transnational migrants – they definitely are the actually way people construct their lives and span new transnational social spaces. By this way, transnational identities and dual loyalties could be considered not as the ‘cement of society’ (Elster 1989), but as the *cement between societies*. This leads directly to another ‘cement between societies’: migrant workers’ remittances.

### **Remittances as long term socio-economic and political factor**

As mentioned in the second section, during the last two decades or so for many countries remittances became a very important economic and political issue. It was argued that the increasing weight of these remittances could not be explained sufficiently by the increasing number of international migrants in general because their growth rate was significantly less than that of remittances’ amount. Even taking into account such factors like shifting of remittances flows from informal and undocumented channels (like sending money with friends or the Hawala system) to formalised and registered channels (like bank services) and like the changing definition of remittances by international bodies like the World Bank (World Bank 2005) and the exchange rate of the US Dollar, there remains some evidence that new figures and patterns of international migration, especially transnational migration, is in play as well. Meanwhile traditional emigration/immigration and traditional return-migration lead to decreasing amounts and flows of remittances, the transnational migration pattern leads to predict ongoing or even increasing high levels of remittances.

Taking the most recent Annual Report of the World Bank (2005) it is by no means surprising that it deals mainly with remittances. Whereas between 1995 and 2004 the total amounts of foreign direct investments increased from 107 to 166 billion US Dollar, the official development assistance grew from 59 to 79 billion US Dollar and the private debt and portfolio equity even decreased from 170 to 136 billion US Dollar, the international flows of workers’ remittances almost tripled from 58 to 160 billion US Dollars (op.cit.:88). Comparing not only the growth dynamics of these different kinds of foreign currency incomes in the

world economy, but also considering the total amount of remittances it is foreseeable that the latter could outstrip the total of foreign direct investments in the near future: the strongest 'foreign investment' worldwide would then be the migrant workers! Besides capital markets also some segments of labour markets are becoming global.

This leads to some severe questions and challenges. The good news is that international labour migration in general helps poorer countries to reduce the total volume of workers searching for labour in the country of origin itself. Like the massive emigration from European countries in the context of industrialisation during the 19<sup>th</sup> and beginning 20<sup>th</sup> century, the modern transnational migration of the 21<sup>st</sup> century works as a 'pressure-relief valve' in the context of the mobilisation effects of economic industrialisation and cultural modernization. Remittances deriving from this international migration dynamics play a crucial role for life strategies of individuals and households, but also for development policies and foreign currency balances of nation states.

Transnational migration networks and remittances flows once established normally reach such a level of stability and durability that not only families but even governments could rely on them. They get a long-term economic and political character. Some examples could reveal these far reaching effects. In 1997, the then Mexican President Ernesto Zedillo declared in a public event in Chicago: "I have proudly affirmed that the Mexican nation extends beyond the territory enclosed by its borders." Against the spirit of the US naturalisation policy he announced a Mexican constitutional amendment allowing Mexicans a double citizenship, especially to retain their Mexican nationality even though they become U.S. citizens. In the same line the new Mexican President Vicente Fox declared in 2001 that "the Mexican nation extends beyond the territory enclosed by its borders". Hereby he referred to the almost 18 million Mexicans living abroad, mainly in the USA. The Mexican government developed cultural programs like the 'Guadalupana communities' program to strengthen the *mexicanidad* (the Mexican feelings and loyalties) mainly in the group of Mexican migrants in the USA. It also defined development programs inviting migrants to invest a part of their remittances in productive projects like land irrigation or installing drinking water tubes in small villages.

For other countries the working migrants also function as 'bridgeheads' of exportation and commerce of goods and services. In the case of India, a part of the IT specialists that worked in the USA and in Europe went back to their country of origin or organised IT service networks from their countries of arrival strengthening the diversification strategies of governmental development programs. For poorer countries like Haiti, Ecuador or Nicaragua the transnational flows of migrants and their remittances meanwhile are simply an important part of the countries economic survival. The millions of Asians working as migrants in the Near

East and mainly in the rich petroleum exporting countries like Saudi Arabia simply shifted substantially the way the sending countries' governments look at the oil price: These countries experienced that a strongly falling oil price reduces migrants' workplaces and remittances from these oil exporting countries. Some of the latter aspects lead directly to the question of brain drain and brain gain.

### **Brain drain or brain gain**

The complex and not one-time-one-direction patterned transnational migration flows make it difficult to estimate the overall net earning of migration in terms of education and cultural capital. For a long time the 'brain drain' hypothesis was strong stating that normally not the poorest and less educated people migrate but well prepared middle class persons that feel a structural lag between their capabilities and their opportunities at home. Therefore, according to this argument, migration leads in sum to a brain drain from the developing to the developed countries. Although a lot of empirical data support this reasoning for the emigration type, return-migration and transnational migration complicate this picture.

Even differentiating for ethnic groups, regions of origin and regions of arrival, all over the world there are significant proportions of return-migrants and of transnational migrants enriching the educational and cultural landscape in their countries and regions of origin. Returning migrant workers come back with new knowledge, new attitudes and values and with new contacts and social capital. They often engage as entrepreneurs opening a shop or workshop; they also work as nodes for transnational commercial networks distributing new goods and services (e.g. everything related with IT or Internet) in their regions of origin or collecting traditional raw material or products (e.g. traditional art crafts or food) to be sold in the regions of arrival.

In the case of the traditional Chinese Huanxi based economic networking the transnational migrants represent the social texture within which the flows of goods, services and money are organised between different countries (e.g. electronic components from Malaysia to China, textiles from China to Canada, software from the USA to China, toys, candles and fireworks from China to the USA; see Ong/Nonini 1997). Another example is labour migration between Germany and Poland. One important field of activities for Polish women working in Germany was and still is household work, healthcare and geriatric nursing. At the mid of the first decade of the new century there emerge strategies to develop the geriatric nursing sector in Poland itself aiming at the relatively wealthy German clients. In this case, Polish migrants' knowledge and experience gained in Germany could return as 'brain gain' to strengthen this healthcare service sector oriented development strategy.

An outstanding example is the Indian IT industry. During the 1980s and 1990s Indian IT specialists emigrated to the USA and e.g. to Germany in order to work as program developers and programmers at a medium level of qualification. Some of these IT migrants were successful in ascending the qualification and positional ladder in the receiving countries, some of them went back to their countries of origin working there as high experienced specialists, and some of them engaged in transnational enterprises offering mainly software services to the off shoring big international hardware and software companies (Athreye 2005). By this way, Indian IT-immigrants in the USA, Indian return-IT-migrants from the USA and Europe, and Indian transnational IT-migrants interacted in developing the Indian IT-sector from a small range of It-services offering industry towards a more vertically integrated complex sector. All in all, the balance of brain drain and brain gain of labour migration is difficult to summarize in a very general term. It depends on the migrants', governments' and companies' strategies, the trajectory and time curve when entering into a special field of activities and the general context of the countries involved.

### **The challenge of transnational criminal and terrorist networks**

Whereas the challenges and opportunities of migrants and states could be quite equilibrated in the aforementioned cases, transnational migration represents important opportunities for criminal and terrorist networks and definitely strong challenges for states, organisations and most of the migrants themselves. One crucial problem is to distinguish harmless from harmful norm violation. There is no objective shared view of what is criminal and harmful and what is undocumented or illegal but harmless – it is a continuum where different individuals, social groups and countries mark the difference between legitimate, illegal and criminal in different ways. This continuum begins by overstaying a tourist visa or by working with a tourist visa, it goes on by crossing illegally borders oneself or helping others to do so without receiving any money, it goes on with offering services of illegal border crossing for relatives and community members receiving some money or other equivalent, it goes on with smuggling people and goods according to established remunerations, it goes on with trafficking special groups of migrants like photo models and sex workers, it goes on with promising women to work as photo model or free sex worker and then actually subordinating, forcing and locking them up as slaves, it goes on with smuggling cigarettes and other goods without paying the corresponding taxes, it goes on with trafficking hard drugs and weapons with innocent migrants, it goes on with maintaining active and strong transnational criminal networks based on transnational migration of some of the criminal persons and it ends with transnational terrorist networks that take advantage of all the aforementioned forms of transnational ties.

Whereas a border patrol officer at the Mexican-USA-boarder will mark the undocumented boarder crossing of a small group of poor peasants as illegal and worth to persecute, the peasant migrants themselves and their 'pollero' (migrants smuggler) will not feel any guilt or bad conscience. Whereas the financial offices and customs of a country will understand the selling and buying of an entire shipload of cigarettes for the exclusive purpose of smuggling them into countries where the taxes on cigarettes are higher, the selling company will interpret this selling as a normal business, and the smugglers will think of it as a smart taking advantage of the different tax regulations. Even the instructors in a terrorist training camp will not feel as terrorists but as teachers giving volunteers the opportunity to learn something for their 'justified fight against the Godless'.

In sum, the making of distinctions, the differentiating tolerable from non-tolerable ways of migration and transnational boarder activities in a formal-legal and State perspective is quite easy and without problems, but in the real social life, it is a matter of interpretation and of interests. From a sociological and social science standpoint, governmental policies and politics of controlling migration flows will failure if the social, cultural, political and economic embeddedness of international migration is not taken into account. An older lady in Germany that was looking for geriatric nursery for a while without finding any person prepared and willing will not ask in a very detailed manner when a Polish or Philippine nurse will offer her service. Those migrant workers could have entered legally the country but then overstay their visa or doing other things than they were allowed for. They even could ask for the services of providers of visa or other documents that operate more in the black and illegal economy. From here up to the 'hard core' criminal and terrorist networks there is a broad and differentiated continuum.

Taking into account that the so called black economy represents a share of about a fourth to half (or even more) of the gross domestic product of quite all countries of the world it is difficult or even impossible to separate in a simple manner formal-legal from undocumented from completely illegal migration. This is exactly what makes governmental strategies so difficult and often so little successful. Acknowledging these entanglements of the very different forms of migration is by no means accepting and tolerating them in total. But it is definitely the only promising starting point for defining realistic strategies and policies of controlling migration flows. These migration flows could never be checked and directed completely by the nation states. Therefore the latter have to define where to concentrate on and how to integrate a police strategy with other means.

#### **4. Alternatives to police and military control of migration flows**

All experiences of police and military control strategies of international migration flows demonstrate the limits of an isolated control paradigm. At the Mexican-USA-boarder the up and down of formal control strategies influenced the concrete flows of illegal and undocumented boarder crossing and the amount of the transfer the migrant has to pay to the 'pollero'. Strong police control of undocumented migration normally extends the periods the migrants stay in the country of arrival due to the higher risks of being caught up. This type of strategy could also – if not combined with other, 'weak' elements of boarder control – push 'passively' undocumented migrants and family or community oriented 'passive' migrant smugglers into more active and more illegal or criminal contexts. When risks and danger of being grabbed raise and consequently the amount of money for certain migrants' transfer services elevate, these illegal services become more attractive for certain groups of dealers and smugglers. Because of the very limits of an exclusive police strategy of migration control, other means should be thought about and developed. They should be at the core of an integrated strategy of sending and receiving countries.

#### **Regional development in migrants' sending regions**

First of all the reasons for international migration flows should be analysed carefully and for each case or 'migration system' (Fawcett/Arnold 1987; Hillmann 2000) separately. Taking into account the demographic dynamics of the old European countries and comparing this with the population growth rates e.g. of the Mediterranean countries reveals one strong and decisive 'push-factor' of international migration: Whereas from 1850 up to 1950 the population of Germany, France, Belgium, the Netherlands, Italy and Spain grew at an overall average of 72%, in the same period the population of Morocco, Algeria, Libya, Turkey, Egypt and Tunisia grew at the pace of 181% (Brauch 1997). The overall population growth rates for the period from 1950 to 2050 are forecasted as 11% for the old European countries and as 457% for the Eastern-South-Mediterranean countries. If the late industrialising countries can not offer sufficient work and income for this extremely rapidly growing population, an increasing share of them will look for work and income in the more developed regions.

Development and foreign policies of governments should take into account this 'iron law' of international migration. In this context, the foreign aid as a share of the gross domestic product of the highly industrialised countries did not grow according to their self declared goals and neither to the needs of a balanced development of the world regions. As demonstrated above, incomes from remittances overtook the currency incomes by foreign aid at a world scale. Therefore governments in highly industrialised countries should reconsider their foreign aid programs that – under the perspective of strong migration

pressures – are definitely not only foreign aid, but also self aid programs. At the same time the migrants sending and receiving countries should think of smart policies and programs to direct a part of the migrants' remittances into productive regional development projects in the sending countries. Transnational migrants are the most indicated partners for such programs.

### **Legalisation of undocumented migrants**

Countries like the USA, Spain, France and even Switzerland experienced different ways of legalisation campaigns for undocumented migrants (Bean et al. 1990; Wihtol de Wenden 1997; Laubenthal 2006). In some cases (as Switzerland) legalisation was an outcome of social movements and public political pressure, in some cases (like France) it was mainly a result of the historical burden of colonial relationship, and in other cases (as the USA-IRCA legislation in 1986) it resulted predominantly from a rational government initiative to put order to an increasingly confusing situation. There are some studies about the impacts of legalising undocumented migration (op.cit.), and definitely this strategy will not end up with the problem of undocumented and illegal migration, as all the cited cases, especially the USA, Spain and France reveal.

In general, legalised, formerly undocumented migration will induce further migration, mainly reunite divided families. But this was the case also in other contexts where governments like the German or the US-American had to accept the failure of their 'guestworker' or 'Bracero-return-migrant'-programs. In the German case, 'guest-workers' initially were thought to be changed every two to three years in order not to take root in Germany. When this strategy definitely failed (due to migrants' and employers' protests) and 'guestworkers' were able to stay for longer periods, reunification of divided families was a socially and politically unavoidable consequence. Therefore, legalising undocumented migrants will lead to more migration and will lead to a higher degree of immigration, mainly of direct family members. Similar to other contexts, this facilitates social accountability and stability for both, the migrants themselves and the receiving societies.

At the same time, one part of the legalised migrants could turn into transnational migrants because switching between countries now is easier. Many regional airlines all over the world and even many flight lines of big international airlines (like the Lufthansa flights from Düsseldorf to Kiev) are possible due to legalisation of at least a part of the border crossing migration streams. In general, legalisation of undocumented migration allows countries to better know and understand the migration dynamics and to better manage it. Taking advantage of transnational migrants for international trade and transnational business is

much easier counting with legal migrants than with undocumented ones. Legalisation could reduce the 'ports of entry' for criminal and terrorist transnational activities.

### **Committing transnational migrant organisations**

Another alternative or complementary strategy to a police centred perspective on undocumented migration problems is compromising the organisations of transnational migrants. As Eva Østergaard-Nielsen (2001) analysed taking the example of Turkish migrants' organisations in the Netherlands and in Germany, there could be distinguished different types of international migrant organisations. One part of these organisations is mainly concerned with representing the interests of the country of origin in the country of arrival (fighting for being able to receive social security benefits of the country of arrival also in the country of origin, defending the culture and identity of 'their' country and even justifying the policy and politics of its governments etc.). These typical Diaspora-organisations are attractive for return-migrants, that is, for those who plan to go back to their countries of origin with which they identify quite completely.

Another part of migrants' organisations focuses mainly on the problems and interests in the region of arrival (fighting for additional integration programs for migrants' children in the education system like additional language courses, demanding Muslim cemeteries in the community they are living in the country of arrival, fighting for equal job opportunities for ethnic minorities and migrants etc.). This type of migrants' organisations obviously reflects mainly the interests of immigrants, of those who plan to stay and incorporate in the country and society of arrival. These organisations could even be quite critical towards the governments of their countries of origin and develop strong ties to political organisations and parties in the countries of arrival.

A third type of migrants' organisations could be of a transnational character and express the situation and interests of transnational migrants (promoting the mutual understanding and interchange between the countries they feel adherent to in some way, fighting for bilateral programs of economic cooperation, developing common cultural programs, fighting against narrow national views in both sides etc.). It is just this third type of transnational migrant organisations that emerges with the new type of transnational migrants itself and that could figure as an important instrument to reduce the threats and to strengthen the opportunities of transnational migration. Transnational migrants and their organisations feel loyalty with both, the country of origin and the country of arrival. They often know better how to effectively control the negative effects of transnational interactions. By this way, the same forces that challenge national and international migration policies and politics could be useful for exploiting new opportunities.

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