

Open Borders? The European Experience & the North American Context

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Introduction

The conventional wisdom in recent years has been that the phenomenon of globalization, with its growing social, political and economic integration processes, leads to a "borderless world." Ex-President Vicente Fox of Mexico (2000-2006) exemplified this point of view by promoting open borders between Canada, the United States, and Mexico, following the model of the European Union's "Schengen Area," that is, the 25 European Union countries that have agreed to maintain open borders between their respective states.¹ On the other hand, as several scholars and this article propose, based on current migration, financial, trading, security, social and political trends, we would do better to focus on a series of incremental, piecemeal initiatives inspired by the "European Neighborhood Policy" (E.N.P.) in a joint effort towards a regional common good.² This would involve a mixture of investments in infrastructure and development that would especially benefit Mexico, the weakest of all three partners and the main source of regional migration, as well as political harmonization and enhanced cross-border security coordination and collaboration. This could eventually evolve, in the distant future, into a borderless North American Community that seeks and fosters the common good of all regional partners.

The U.S.-Mexico Connection

The relationship with its neighbors is crucial for the United States. Migration plays an important part, especially in U.S.-Mexico relations. Mexico is the United States' second largest trading partner after Canada, and

Mexicans constitute 27% of all foreign-born Americans, by far the largest group.³ Since NAFTA came into force in 1994, trade between the U.S. and Mexico nearly tripled, and in 2001 U.S. companies had direct investments worth 35 billion dollars in Mexico.⁴ NAFTA has a migration dimension, since it facilitates the temporary entry of business visitors, investors, intra-corporate transferees, and professionals.⁵ More important is the intensive political dialogue that has taken place between the U.S. and Mexican leadership on migration.⁶

Although trade between NAFTA partners dropped off significantly during the present financial crisis, as the U.S. stumbled and the repercussions were felt most acutely by its nearest trading partners (Canada and Mexico), the economic, social, and political circumstances of Canada, Mexico, and the United States remain highly intertwined. Thus, despite NAFTA's lessening importance and significance for the region in recent years, it "remains an important contributor to the close ties between [these] three countries" both in the present and the foreseeable future.⁷

The European Experience

This article does not seek to compare and contrast U.S./E.U. migration policies but to look at the E.U.'s E.N.P. as an effective example and guide to strengthen "the prosperity, stability and security of all concerned"⁸ in the North America region through "cooperation on political and security issues, to economic and trade matters, mobility, environment, integration of transport and

energy networks or scientific and cultural collaboration"⁹ as well as a regional development investment - with close monitoring - as part of a comprehensive immigration reform; in other words, as a proven process that aids in the creation of conditions so that beneficiary nations may practice the "right not to migrate" as they strive for national integral development.

The E.N.P. was established by the European Commission with "the objective of avoiding the emergence of new dividing lines between the enlarged E.U. and its neighbors and instead strengthen the prosperity, stability and security of all concerned."¹⁰ The E.N.P. offers Europe's neighbors by land and sea a deeper political relation and economic integration.¹¹ It remains distinct from the process of enlargement although it does not exclude, for its European neighbors, the possibility of joining the Union at some future date.¹²

The central element of the E.N.P. is the so-called bilateral "E.N.P. Action Plans" agreed to by the E.U. and the neighboring country which is jointly promoted and monitored through sub-committees.¹³ These Action Plans, which set out a detailed plan for political and economic reforms with short and medium-priorities, range from "cooperation on political and security issues, to economic and trade matters, mobility, environment, integration of transport and energy networks or scientific and cultural collaboration."¹⁴ The E.U. provides financial and technical assistance to support the implementation of these objectives, in support of the neighboring country's own efforts.¹⁵ In return, E.U. neighbors commit themselves to "democracy and human rights, rule of law, good governance, market economy principles and sustainable development."¹⁶

The general evaluation of the E.N.P. is a positive one despite its complexity and opposing logics (viz., "a policy originally designed for the new bordering states in Eastern Europe after the 2004 enlargement to now

include the states of the Middle East and North Africa that excludes any E.U. membership offer").¹⁷ Nevertheless, insofar as they have negative repercussions on its southern neighbors, there are still two main criticisms regarding the E.U.'s implementation of the E.N.P. action plans. The first one is the "extraterritorializing" of the E.U. border management to southern neighboring countries due to the fact that the E.U.'s internal border management policy has been "difficult to operationalize given the various member states' interests and priorities."¹⁸ This has de facto placed the burden of effective European external border management on the E.U.'s Mediterranean neighbors by pressuring these states, for example, in increasing their patrolling of their own maritime borders and thus prevent illegal immigration into Europe from their countries or face the suspension of financial incentives from the E.U.¹⁹ The second criticism is the implementation of "conditionality-inspired policy instruments," namely, "monitoring and benchmarking of progress, transfer of legal and institutional models to non-member states and inter-governmental negotiations, that contain socialization elements that rely on the [Western European] common values approach."²⁰

The North American Context

European federalism has a long tradition. However, it took two world wars and the tragedy of the Holocaust to finally convince European leaders of the need for regional integration in order to prevent future wars.²¹ Therefore, the European integration project was from the very beginning security-driven and included a common governance project.²² Also, the vision of worker and employee mobility was already part of the creation of the "European Coal and Steel Community," the seed of the modern European Union.²³

NAFTA, on the other hand, only arose in 1988 between Canada, the U.S. and Mexico due to exaggerated fears, in retrospect, over the

trade implications of the "Single European Act."²⁴ It was neither security-driven nor did it involve a federalist project.²⁵ President Carlos Salinas de Gortari proposed NAFTA to President George Bush, Sr., who referred the question to the National Security Council, which supported the proposal "on the grounds that the United States and Mexico had become so interdependent, in large part due to migration, that untoward developments in Mexico would adversely affect the United States."²⁶ This led to the creation of the "Commission for the Study of International Migration and Cooperative Economic Development" (C.S.I.M.C.E.D.) authorized by the "Immigration Reform and Control Act" of 1986.²⁷ However, the C.S.I.M.C.E.D., after many studies on the effect of trade liberalization between the U.S. and Mexico upon the agricultural sector in Mexico and Mexican emigration, "warned that trade liberalization would adversely affect the 'ejido' sector of traditional small-scale farms which employed millions of Mexicans and which sustained one third of the Mexican population."²⁸ This would become one of the causes of the Zapatista revolution in the southern Mexican state of Chiapas in the 1990s.²⁹

NAFTA would deepen socio-economic interdependence between the three partner states but all three partners jealously guarded their sovereign prerogatives. Security concerns figure in the Bush, Sr. administration's embrace of NAFTA but much less centrally than in the European project. However, the issue of migration did figure prominently from the very beginning. Indeed, so sharp were the differences between the U.S. and Mexico over illegal migration that, as Sidney Weintraub observes, "gradual liberalization of U.S.-Mexico trade had reduced many barriers, but immigration remained a 'poison pill' in bilateral relations."³⁰

Paradoxically, only one minor formal clause of the NAFTA treaty pertains to migration issues (Appendix 1603.A.3) while, in

fact, migration control concerns figured prominently in diplomatic discussions.³¹ Indeed, both Presidents Salinas and Clinton would argue in support of signing and ratifying the NAFTA treaty because it would reduce undocumented Mexican migration to the U.S.³² However, after nearly two decades since the signing of NAFTA Mexican immigration to the U.S. continues to surge.³³ Already the 2000 census suggested that the proportion of undocumented Mexicans in the U.S. has increased significantly.³⁴

The Future of Borders within the NAFTA Area

Given the current climate of the North American region, it would be premature, indeed reckless, to try to predict the future of borders within the NAFTA area. Nevertheless, three potential trajectories may be outlined: At one extreme is the continual unilateral fortification of the U.S. border with homeland security dominating the discussion against all other considerations. However, this option is extremely expensive to maintain and runs counter to powerful economic interests within and outside the NAFTA zone. Indeed, after 9-11 the Mexican, American and Canadian business communities did everything possible to prevent this outcome.³⁵

At the other extreme is a multilateral harmonization and pooling of resources and sovereignty to create a North American Union free of internal borders. This could imply the creation of a single currency (the so-called *Amero*), and expanded responsibilities from economic and social policies to include foreign and security policies as well.³⁶ This would involve a "Schengenization" of North American borders and a formal institutionalization and policy harmonization. However, at present, this seems highly unrealistic.³⁷ Only sustained shocks, such as multiple large-scale terrorist attacks, as Peter Andreas theorizes, would perhaps create the necessary will to push in this

direction, although these shocks could simply reinforce current policy.³⁸ However, existing security, financial, and especially migration concerns beckon the countries of the northern Western hemisphere to move beyond the current situation.

The examples of Italy (1960s) and Turkey (present day) in the European integration process seem particularly pertinent to the North American context and offer a third possibility. Instead of focusing on the right of freedom of movement of workers under Article 48 and 49 of the Treaty of Rome, the E.U. invested in the infrastructure and development of central and southern Italy in the late 1950s and early 60s which prevented a mass migration of Italian workers in the middle 1960s to the rest of Western Europe when Articles 48 and 49 were finally implemented. This policy is now being pursued, on and off, with regards to Turkey.³⁹ Instead of haggling over a new *bracero*-like immigration policy,⁴⁰ Mexico and the United States would do well to follow the bilateral E.N.P. Action Plans that would foster Mexico's socio-economic stability and thus stem the current migration crisis.⁴¹

In order to keep Mexican farmers "down on the farm" for as long as possible, U.S. investment should be used to create alternative job opportunities in the region and to increase expenditures on social concerns. This would further decentralize centers of economic opportunity into rural areas, and most importantly, maintain high levels of overall economic growth.⁴² Thus, what is required is a kind of economic growth that is sustainable and reliable. After all most Mexican farmers do not want to leave home but what they do want is some reasonable assurance that they can find good jobs, that their lot in life and that of their children will improve, that next year will be better than last year; in other words, they want the "right not to immigrate." NAFTA, in conjunction with a type of E.N.P. action plan, could substantiate this expectation and it would

have an emigration-detering effect in the long term.

Foreign aid elicits negative feeling in many U.S. citizens, especially during this time of economic crisis; moreover, most Americans have mistaken ideas about how much foreign aid the U.S. actually provides.⁴³ These negative feelings stem from the experience of foreign aid policy in recent years – mostly to Israel.⁴⁴ However, public opinion polls show that most Americans are quite supportive of generous foreign assistance.⁴⁵ President Obama seems to perceive this as the most prudent way to proceed in the Middle-Eastern region for the sake of U.S. security interests although he has no foreseeable policy or action plan.⁴⁶ Regarding the North American region, and specifically the U.S.-Mexican border, Obama recognized that: "To reduce illegal immigration, we also have to help Mexico develop its own economy, so that more Mexicans can live their dreams south of the border."⁴⁷ Mexico has been the main proponent of this policy to North American security and collaboration, with Canada's conservative government of Prime Minister Stephen Harper being the most resistant.⁴⁸

At the present time there is no interest in moving from the trade and investment policy of NAFTA to a North American Community integration project and thus an open border reality similar to that of the European Union, especially during the current crisis of the European Union and the global financial crisis. There is no clear and well articulated plan in North America like the European Expansion Policy in which all three countries would reap significant political, economic and social benefits. Hence, it is premature to expect Canada, the United States and Mexico to work towards a North American Union; although, increasing security, financial and migration concerns do not allow North America to maintain its present status quo. Thus, it seems that the only plausible and wise direction to pursue remains an incremental one that deepens

relations, cooperation, investment and coordination, á la E.N.P., in those areas where there are clear benefits for each individual country. As Stacey Wilson-Forsberg proposes, Canada, the U.S. and Mexico "should focus on developing existing trilateral relationships, and enhancing the effectiveness of trilateral institutions and policy approaches. They should also ensure that the full potential of NAFTA is realized along with its side accords and trilateral institutions."⁴⁹ Peter Andreas also suggests that we should have "enhanced cross-border security coordination and collaboration, partial and uneven policy convergence, and innovative new inspection methods and technologies that increasingly extend beyond the ports of entry ('smart borders')."⁵⁰ Most importantly, however, the United States should take the E.N.P. model and European experience seriously and include investment in Mexico – with close monitoring of that investment— as part of a comprehensive immigration reform through a "North American Regional Development Fund."⁵¹ This of, course, needs to be accompanied by major political reforms within Mexico, e.g., fight against corruption, overgrown bureaucracy, set legal instruments to ensure sustainable planning across presidential terms, end the terror and power of the drug cartels, etc. Reforms that, since the return to power of the PRI this year, have an uncertain future.

Conclusion

When the European Union was experiencing its own growing pains, it faced similar problems to those of present-day North

America. Because membership in the E.U. included the right of freedom of movement of workers (Article 48 and 49 of the Treaty of Rome), wealthier nations worried that a tidal wave of workers from poorer nations would flood into their territories. When Denmark, Ireland and the United Kingdom joined the Union in 1973, Britain insisted on aid to poorer regions.⁵² When Greece (1981), and Portugal and Spain (1986) became members, they all received, together with Ireland again, infusions of money and assistance with institutional planning.⁵³ The policy worked. It transformed Ireland, Portugal and Spain, which were all emigrant-sending nations prior to becoming members of the E.U., into immigrant-receiving nations. Today, only two percent of Union citizens look for work in other E.U. countries despite these nations current economic woes.⁵⁴

In summary, economic investment in Mexico through an E.N.P. like action plan is one of the main things needed to solve the current migration challenge to the U.S. and Canada. Reversing the migration tide is also in Mexico's interest as well. At the moment, this will not be solved by open borders but actually be made worse by them. As this article contends, the prudent direction to pursue remains an incremental one by deepening relations, cooperation, investment, and coordination as the E.N.P. action plan proposes in those areas where there are clear benefits for each individual country. Such a policy seeks both the North American common good while also protecting the right not to immigrate.

NOTES:

¹ See for example Philip Delves Broughton, "Fox models his vision of North America on E.U.," *Telegraph.com.uk*, n.p., 10 august 2001 (October 30, 2009), www.telegraph.co.uk/news/worldnews/

centralamericaandthecaribbean/mexico/1337002/Fox-models-his-vision-of-North-America-on-EU.html. The name "Shengen" derives from the town in Luxemburg where the treaty was signed in 1985. All members of the European Union are required to implement the Schengen Agreement. All have complied with the exception of Bulgaria, Cyprus and Romania. Iceland, Norway and Switzerland, although not members of the E.U., are part of the Schengen Area. The Schengen Area includes within its borders 400 million people and

encompasses an area of 4,312,099 square kilometers (approx. 1, 664,911 sq. mi.).

² My specific contribution to the scholarly and political discussion is to give an already implemented and tried integration policy (viz., E.N.P.) to the North American Community proposal. See Mark Miller and Boyka Stefanova, "N.A.F.T.A. and the European Referent: Labor Mobility in European and North American Regional Integration," *Jean Monnet/Robert Schuman Paper Series 3* (June 2003): 1; Robert A. Pastor, *Toward a North American Community: Lessons from the Old World for the New* (Salem, Mass.: Peterson Institute, 2001); John P. Manley, Pedro Aspe, William F. Weld, *Building a North American Community* (New York, N.Y.: Council on Foreign Relations, 2007); Peter Hakim and Robert E. Litan, eds., *The Future of North American Integration: Beyond Nafta* (Washington, D.C.: Brookings Institution Press, 2002); Peter Andreas, "A Tale of Two Borders: The U.S.-Mexico and U.S.-Canada Lines After 9-11," (paper presented at The Center for Comparative Immigration Studies, San Diego, Calif., May 2003), (October 25, 2009), sandiegohealth.org/border/wrkg77.pdf.

³ Jan Niessen and Yongmi Schibel, *EU and US Approaches to the Management of Immigration: Comparative Perspectives* (Brussels, Belgium: Migration Policy Group, 2003), 12.

⁴ U.S. Chamber of Commerce, *Statement on Strengthening U.S.-Mexico Relations: The Unfinished Agenda*, April 16, 2002.

⁵ Idem.

⁶ Idem.

⁷ Idem..

⁸ "2008 Report of the E.S.F.R.I. Regional Issues Working Group," working paper, European Strategy Forum on Research Infrastructures, 2008 (November 4, 2009), www.eu-openscreen.de/fileadmin/user_upload/ESFRI_documents/_ESFRI_Regional_Issues_WG_2008.pdf.

⁹ Ibid., n. 3, pp. 4-10. The E.N.P. Action Plans with each country maybe found in (October 25, 2009), ec.europa.eu/world/enp/documents_en.htm#2.

¹⁰ "2008 Report of the E.S.F.R.I. Regional Issues Working Group," working paper, European Strategy Forum on Research Infrastructures, 2008 (November 4, 2009), www.eu-openscreen.de/fileadmin/user_upload/ESFRI_documents/_ESFRI_Regional_Issues_WG_2008.pdf.

¹¹ That is, Algeria, Armenia, Azerbaijan, Belarus., Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Occupied Palestinian Territory, Syria, Tunisia and Ukraine. Russia, although a neighbor, is dealt with a specific policy. See (October 25, 2009), ec.europa.eu/external_relations/russia/docs/2007-2013_en.pdf

and

ec.europa.eu/external_relations/russia/common_spaces/index_en.htm.

¹² *European Neighborhood Policy*, n.1, p. 1, (October 25, 2009), ec.europa.eu/world/enp/pdf/com07_774_en.pdf. See the following regarding the exclusion of non-European countries from possible integration: Raffaella A. Del Sarto, "Rationality Meets Ambition: The Paradox of the European Union's Neighborhood Policy toward the Middle East and North Africa," (paper presented at the OCHJS / Middle East Centre, Oxford, U.K.: May 2009), 34ff. (October 31, 2009), www.unc.edu/euce/eusa2009/papers/del_sarto_02B.pdf.

¹³ See *E.N.P.*, n. 3, pp. 4-10.

¹⁴ Ibid., n. 3, pp. 4-10. The E.N.P. Action Plans with each country maybe found in (October 25, 2009), ec.europa.eu/world/enp/documents_en.htm#2.

¹⁵ Ibid., n. 3.6, p. 10.

¹⁶ *Treaty of European Union*, Art. 49, p. 34, (October 25, 2009), eur-lex.europa.eu/LexUriServ/site/en/oj/2006/ce321/ce32120061229en00010331.pdf.

¹⁷ Del Sarto, "Rationality Meets Ambition," p. 2.

¹⁸ Sara Wolff, "Border Management in the Mediterranean: Internal, External and Ethical Challenges" in *Cambridge Review of International Affairs* 21:2 (June 2008): 266.

¹⁹ Ibid., 261.

²⁰ Brackets are mine. Nichole Wichmann, "The Intersection between Justice and Home Affairs and the European Neighborhood Policy: Taking Stock of the Logic, Objectives and Practices," working paper, Center for European Policy Studies, Brussels, Belgium, 2007, p. 19 (October 26, 2009), aei.pitt.edu/7576/01/Wd275.pdf.

²¹ See Anand Menon & Martin A. Schain, eds., *Comparative Federalism: The European Union and the United States in Comparative Perspective*, (New York, N.Y.: Oxford University Press, 2006); Michael Burgess, *Comparative Federalism* (Oxfordshire OX: Taylor & Francis, 2007); Sergio Fabbrini, *Democracy and Federalism in the European Union and the United States* (Oxfordshire OX: Taylor & Francis, 2007).

²² John McBrewster, Frederic P. Miller, and Agnes F. Vandome, eds., *History of the European Communities (1945-1957): European Coal and Steel Community, Monnet Plan, Industrial plans for Germany, Treaties of Rome, European Movement, Jean Monnet, Schuman Declaration* (Beau Bassin, Mauritius: Alphascript Publishing, 2009).

²³ Andrew Geddes, *Immigration and European Integration: Towards Fortress Europe?* (Manchester and NY: Manchester University Press, 2000), p. 45.

²⁴ Mario Telo, *European Union and New Regionalism* (Burlington, Vt.: Ashgate, 2007), p. 206.

²⁵ N.A.F.T.A. is nearly the polar opposite of many of the founding pillars of the E.U. as Anderson and Pérez-Rocha point out in their article "Three Amigos Summit":

1. The E.U. includes political institutions, including the European Parliament, which represents all the member countries' citizens. S.P.P. negotiators are only interested in hearing the perspectives of big business.

2. The E.U. has tackled inequalities directly by transferring massive funds from richer countries to poorer countries and regions. As a result, once-poor countries like Ireland, Spain, and Portugal have become strong trading partners for the rest of the Union. By contrast, S.P.P. negotiators are perpetuating the false assumption behind N.A.F.T.A. that free markets alone will lift all boats. The aid being offered is to boost Mexico's military power, not to reduce inequalities.

3. The E.U. enforces strong social and environmental standards that help ensure economic benefits are broadly shared and support sustainable development. The S.P.P. negotiators are doing nothing to fix the extremely weak N.A.F.T.A. side agreements on labor and the environment that have allowed corporations to continue to abuse workers and communities, particularly in Mexico, with impunity.

4. Thanks to their efforts to narrow economic gaps, the E.U. has been able to have an internal "open borders" strategy without destabilizing population movements. Contrary to the anti-immigrant paranoia, the S.P.P. negotiators are not contemplating any loosening of borders, even as a long-term goal. Instead, they aim to facilitate transit only of so-called "legitimate people", while expanding border surveillance infrastructure to keep out other migrants. While the fall of the Berlin Wall symbolized the coming together of the East and the West, the increasingly fortified wall between the United States and Mexico is a harsh sign of the deep divisions between the North and the South. See Sarah Anderson and Manuel Pérez-Rocha, "Three Amigos Summit," *Foreign Policy in Focus* (April 15, 2008), FPIF Commentary (October 26, 2009), www.fpif.org/fpif/5152

²⁶ Joseph M. McKinney, *Created from N.A.F.T.A.: Function, and Significance of the Treaty's Related Institutions* (Armonk, N.Y.: M.E. Sharpe, 2000), 7.

²⁷ Commission for the Study of International Migration and Cooperative Economic Development, *Unauthorized Migration: An Economic Development Response* (Washington, D.C.: U.S. Government Printing Office, 1990), 106ff.

²⁸ Philip L. Martin, *Trade and Migration: N.A.F.T.A. and Agriculture* (Washington, DC: Institute for International Economics, 1993), p. 34.

²⁹ Laura Castellanos, *México armado: 1943-1981* (Mexico: Ediciones ERA, 2007), p. 378.

³⁰ Sidney Weintraub, Alan M. Rugman, Gavin Boyd, eds., *Free Trade in the Americas: Economic and Political Issues for Governments and Firms* (London, U.K. Edward Elgar Publishing, 2004), p. 115.

³¹ See *North American Free Trade Agreement*, January 1, 1994 (October 25, 2009), www.nafta-sec-alena.org/en/view.aspx?x=343&mtpiID=ALL. Also see Mark Miller, "Remembering the U.S.-Mexico Migration Policy Honeymoon of 2001," *PATimes* 30:1, January 2008, Special Edition p. 3 (October 25, 2009), www.voiceswithoutborders.org/pdfs/PATimes%202008-01.pdf.

³² Robert Manning, "Five Years After NAFTA Rhetoric and Reality of Mexican Immigration in the 21st Century," working paper, Center for Immigration Studies, Washington, D.C., March 2000), p. 3 (October 26, 2009), www.cis.org/articles/2000/naftareport.pdf

³³ Sidney Weintraub, *Nafta's Impact On North America: The First Decade* (Washington, D.C. Center for Strategic & International Studies, 2004), p. 57.

³⁴ See www.censU.S.gov/main/www/cen2000.html

³⁵ See for example Jeffrey M. Berry and Clyde Wilcox, *The Interest Group Society* (5 edition; London, U.K.: Longman; 2008).

³⁶ See Robert A. Pastor's, "A Blueprint for a North American Community," working paper, Institute for International Economics, Washington, D.C., August 2001 (October 31, 2009), www.iiie.com/publications/newsreleases/newsrelease.cfm?id=68; "A North American Community. A Modest Proposal To the Trilateral Commission," working paper, Trilateral Commission, Toronto, Canada, November 2002, (October 31, 2009), www1.american.edu/ia//cnas/PastorTrilateral.pdf; "North America: Three Nations, a Partnership, or a Community?" working paper, European Union Commission, Brussels, Belgium, 2005 (October 31, 2009), www6.miami.edu/eucenter/pastorfinal.pdf.

³⁷ See Jerome R. Corsi's *The Late Great U.S.A.: The Coming Merger With Mexico and Canada* (Los Angeles, CA: World Ahead Media, 2007), and *The Late Great USA: NAFTA, the North American Union, and the Threat of a Coming Merger with Mexico and Canada* (New York, N.Y.: Thresholds Editions, 2009). However, see Manley, Aspe, Weld, *Building a North American Community*, 30-32 of how the cost of regional integration might be alleviated and how the benefits of integration might be more equally distributed.

³⁸ Peter Andreas, "A Tale of Two Borders," p. 13.

³⁹ See Sergio Fabbrini, *Italy in the European Union: Redefining National Interest in a Compound Polity* (Lanham MD.: Rowman & Littlefield Publishers, Inc., 2007).

⁴⁰ The Bracero Program (named for the Spanish term bracero, "strong-arm") was a series of laws and diplomatic agreements, initiated by an August 1942 exchange of diplomatic notes between the United States and Mexico, for the importation of temporary contract laborers from Mexico to the United States. American

president Franklin D. Roosevelt met with Mexican president Manuel Ávila Camacho in Monterrey, Mexico to discuss Mexico as part of the Allies in World War II and the Bracero Program. After the expiration of the initial agreement in 1947, the program was continued in agriculture under a variety of laws and administrative agreements until its formal end in 1964.

⁴¹ See Stephen Zamora, "Build Mexico instead of putting up a wall," *Houston Chronicle*, April 12, 2008 (October 29, 2009), www.globalexchange.org/countries/americas/mexico/5603.html.

⁴² See for example John Burstein, "U.S.-Mexico Agricultural Trade and Rural Poverty in Mexico" (Report from a Task Force Convened by the Woodrow Wilson Center's Mexico Institute and Fundación IDEA, Washington, D.C., April 13, 2007 (November 14, 2009), http://www.wilsoncenter.org/topics/pubs/Mexico_Agriculture_rpt_English1.pdf.

⁴³ See John Wilhelm and Gerry Feinstein *U.S. Foreign Assistance: Investment or Folly?* (New York, N.Y.: Praeger Publishers, 1984).

⁴⁴ Especially see Janice Terry, *U.S. Foreign Policy in the Middle East: The Role of Lobbies and Special Interest Groups* (London, U.K.: Pluto Press, 2005); William B. Quandt, *The United States and Egypt: An Essay on Policy for the 1990's* (Washington, D.C.: Brookings Institution Press, 1990).

⁴⁵ Benjamin I. Page and Marshall M. Bouton, *The Foreign Policy Disconnect: What Americans Want from Our Leaders but Don't Get* (Chicago, Ill.: University Of Chicago Press, 2006).

⁴⁶ Satbir Singh Bedi, "Obama & the Muslim World," *Merinews*, January 22, 2009 (October 29, 2009), www.merineews.com/article/obama-and-the-muslim-world/15709197.shtml.

⁴⁷ "Barack Obama: I will repair our relationship with Mexico," *Opinion op-ed*, February 20, 2008 (October 28, 2009), www.dallasnews.com/sharedcontent/dws/dn/opinion/vie/wpoints/stories/DN-obama_20edi.ART.State.Edition1.464da8e.html.

⁴⁸ "Ottawa, under Prime Minister Stephen Harper, has recently made a decision to impose visas on all Mexican nationals entering Canada, in response to dramatically escalating refugee claims from Mexico: Canadians have built a strong grassroots movement to protect natural resources from predatory N.A.F.T.A. clauses. Broad-based citizen groups like the Council of Canadians oppose N.A.F.T.A. because of the energy proportionality clauses that requires Canada to export oil to the United States even in times of scarcity, the investor-state clauses that give investors the right to sue governments contained in Chapter 11, and the clauses that permits bulk-water exports. Polls in the general population show that 61% favor renegotiation." Laura Carlsen, "Obama and

NAFTA," *Foreign Policy In Focus*, January 9, 2009, Column (October 31, 2009), www.fpif.org/fpiftxt/5778

⁴⁹ Stacey Wilson-Forsberg, "North American Integration: Back to the Basic," working paper, FOCAL, Ottawa, Canada, 2002, p. 11.

⁵⁰ Andreas, "A Tale of Two Borders," p. 13. While many of the "smart border" initiatives predate 9-11, these have been accelerated and gained greater political support in the new security context. Also see Fernando Romero, *Hyperborder: The Contemporary U.S.? Mexico Border and It's Future* (New York, N.Y.: Princeton Architectural Press, 2007).

⁵¹ See Steven Zamora, "A Proposed North American Regional Development Fund: The Next Phase of North American Integration under NAFTA," 40 *Loyola University, Chicago, Ill.* L.J. 93 (2008).

Many of the instruments and methods used in the E.N.P. that should be followed in the U.S.-Mexico partnership are similar to those used to support transition processes elsewhere e.g.:

a) At the outset of the process, the Commission prepared "Country Reports" assessing the political and economic situation as well as institutional and sectoral aspects, to assess when and how it is possible to deepen relations with that country. Country Reports were published in May 2004 on the first seven of the E.N.P. countries to have Agreements in force with the E.U. A further five Country Reports were published in March 2005 on the next countries to be included in the policy (Southern Caucasus) or whose Agreements had come into force (Egypt and Lebanon). Country Reports are submitted to the Council which decides whether to proceed to the next stage of relations.

b) That next stage was the development of E.N.P. Action Plans with each country. These documents are negotiated with and tailor-made for each country, based on the country's needs and capacities, as well as their and the E.U.'s interests. They jointly define an agenda of political and economic reforms by means of short and medium-term (3-5 years) priorities. They cover political dialogue and reform, economic and social cooperation and development, trade-related issues and market and regulatory reform, cooperation in justice and home affairs, sectors (such as transport, energy, information society, environment, research and development) and a human dimension (people-to-people contacts, civil society, education, public health, immigration). The incentives on offer, in return for progress on relevant reforms, are greater integration into European programs and networks, increased assistance and enhanced market access. 12 such E.N.P. Action Plans are being implemented —with Israel, Jordan, Moldova, Morocco, Occupied Palestinian Territories, Tunisia and Ukraine since 2005 and with Armenia, Azerbaijan, Georgia, Lebanon and Egypt since the end of 2006 and the beginning of 2007.

c) The implementation of the mutual commitments and objectives contained in the Action Plans is regularly monitored through sub-committees with each country, dealing with those sectors or issues. On December 4, 2006, the Commission issued its first periodic report on progress and on areas requiring further progress. A second set of progress reports on implementation of the E.N.P. in 2007, a communication drawing conclusions from the reports and a sectoral progress report were adopted on April 3, 2008. The last set of progress reports on the implementation of E.N.P. in 2008 was adopted on April 23, 2009.

d) Implementation of the reforms is supported through various forms of E.C.-funded financial and technical assistance, including instruments which have proven successful in supporting reforms in Central, Eastern Europe and South-Eastern Europe but also new instruments, such as the "Neighborhood Investment Facility" and "Governance Facility".

⁵² Jim Hourihane, *Ireland and the European Union: The First Thirty Years, 1973-2002* (Dublin, Ireland: Lilliput Pres, 2003), p. 6.

⁵³ Brigid Laffan and Jane O'Mahony *Ireland and the European Union* (New York, N.Y.: Palgrave Macmillan, 2008), p. 218.

⁵⁴ Idem.