

FOREWORD BY ALEJANDRO PORTES

GETTING IMMIGRATION RIGHT



WHAT EVERY AMERICAN
NEEDS TO KNOW

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TEN THINGS YOU NEED TO KNOW ABOUT MEXICAN IMMIGRATION

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Few issues in American society rival the contentious politics that immigration provokes. So contentious are the debates about immigration that when the United States, Mexico, and Canada were ratifying the North American Free Trade Agreement (NAFTA)—an accord designed to regulate cross-border flows in our shared regional economy—the topic of immigration remained squarely off-limits. We continue to see this pattern in domestic politics. Instead of reform based on reasoned and informed discourse, restrictionist policies and proposals rule the day and the airwaves.

Mexican immigration dominates the discussion. And this makes sense, as immigrants from Mexico far outnumber all others, constituting nearly a third of all the foreign-born U.S. residents (the next two largest groups' nationalities each account for less than 5%). Mexicans numerically dominate U.S. immigration—that much is true. Yet the popular discourse about Mexican immigration too often privileges myths over facts, rhetoric over reality. The historical and social realities are complex, and in this essay I attempt to organize a reasoned discussion of Mexican immigration into ten facts.

1. Mexican immigration to the United States is the longest-running labor migration anywhere in the world.

This is well-known among historians and scholars of immigration, but media reports tend to feed historical amnesia, giving the impression that Mexican im-

migration just dropped from the sky. However, as any student of American history knows, Mexican-origin communities in the Southwest predate the arrival of European Americans in the Northeast. The names of the largest cities in California—San Diego, Los Angeles, San Francisco—all reflect Catholic, Mexican, and Spanish-language legacies, as do the names of streets, rivers, and states throughout the Southwest. When the English Only movement's forces mobilized to make English the official language of the United States, little did they realize they would have to rename their cities and states to truly enact their proposed legislation.

As we first saw in chapter 2, prior to 1848 Mexico included what is today the southwestern region of the United States. Mexican immigrants and their descendants, therefore, have found themselves living in areas that used to belong to Mexico. In 1848, on the conclusion of the Mexican-American War and the annexation of Mexican territory, only about 100,000 people lived in this region. Since then, several distinctive periods of Mexican labor migration have occurred. Each of these eras reveals uniquely gendered patterns.

Mexicans began migrating to work in U.S. agricultural, mining, and railroad sectors during the late nineteenth century, when post-American Civil War industrial expansion generated new demands for the Southwest's primary products. U.S. employers actively recruited Mexican men; they were sought out as replacements for Chinese laborers (who were barred from entry by the Chinese Exclusion Act of 1882) and Japanese laborers (who were restricted by the 1907 Gentlemen's Agreement). The extension of the railroads into western Mexico facilitated these recruitments. The consolidation of the hacienda system under Porfirio Díaz's regime (1876–1911) displaced Mexican peasants, transforming them into landless workers, ripe for recruitment as and transformation into migrant workers. This was the era of the *enganchadores*, when U.S. labor recruiters were paid to “hook” Mexican peasants as migrant workers. Those who came to work in the United States at this time were chiefly men, and they came as temporary workers, returning to Mexico when their jobs were done.

When the Mexican Revolution broke out in 1910, the violence and economic disruption prompted entire families to flee to the north. During this period of family migration, Mexican women, men, and children went primarily to Texas, California, and Arizona, although small Mexican communities also emerged in Kansas, Illinois, and Colorado. This was the era when distinctive Mexican urban neighborhoods, called *barrios*, formed in cities such as Los Angeles and San Antonio. The Mexican population in the United States grew, and then almost overnight, as a result of the Great Depression, as many as half a million people were

deported. These included women, men, children, and even U.S.-born U.S. citizens of Mexican origin. The Great Depression, and the blaming of Mexicans for causing unemployment and living off public relief, fueled these deportations.

But World War II and the new job demands created by an expanding wartime economy prompted American employers, especially those in California and Texas agribusiness, to call for Mexican workers again. Through a bilateral agreement between the United States and Mexico, nearly 5 million contracts for temporary workers were issued between 1942 and 1964. Almost all of these contracts went to men, who became the preferred source of agricultural labor throughout the Southwest.¹ This gender-discriminatory policy mandated an elastic supply of labor, one that could be synchronized with the crops. Families, for the most part, remained behind in Mexico, and the male braceros circulated between rural areas of the Southwest and Illinois, returning to their families in Mexico periodically. What the designers of the program had not anticipated was the extent to which the bracero program would stimulate not only more Mexican migration but also the large-scale permanent settlement of Mexican immigrants in the United States.² And no one at that time could predict that it would go from a regional to a national phenomenon.

In the 1960s some major changes in immigration legislation provoked a decisive impact on immigration, allowing former braceros and their family members to become legal permanent residents in the United States. The bracero program formally ended in 1964, and the 1965 Hart-Cellar Immigration Act introduced a preference system in which labor certification and family reunification served as the basis of legal status. It also ended racist national-origin quotas that had excluded Asians. Many Mexican braceros had begun legalizing their status through their employers' labor certification programs before the 1965 amendments went into effect, and the preference system of family reunification allowed many of them to sponsor and bring their close family members.

Yet not everyone could obtain legal status. In the post-1965 period, a growing number of undocumented Mexican immigrants arrived in the United States and moved increasingly out of the fields and into cities and suburbs. During the 1970s the Immigration and Naturalization Service (INS) recorded over 7 million arrests of Mexican undocumented immigrants.³ The number of "illegal" migrants grew in part because social network migration had been activated through the various layers of direct labor recruitment. A U.S. immigration law imposed a new national quota of twenty thousand legal visas a year for Mexico. This was not enough to satisfy the migration that had been stimulated, however, and increasingly migrants

came without documents. Furthermore, employers in sectors such as construction, services, and manufacturing began hiring Mexican workers in greater numbers, diversifying labor demand beyond the agricultural fields. By 1980 Mexicans were the largest immigrant group in the United States.

Anti-immigrant restrictionist sentiment grew in response. Already by the 1970s, discussions inside the Washington beltway focused on fortifying the so-called tortilla curtain: the U.S.-Mexican border. Proposals for building bigger border walls were soon replaced with alternative proposals to curtail illegal migration from Mexico by imposing sanctions on U.S. employers who knowingly hired undocumented immigrant workers. After a long drawn-out political battle in Washington, President Ronald Reagan finally signed the Simpson-Rodino bill into law in November 1986. The bill included provisions to impose employer sanctions, but as a compromise it also contained amnesty-legalization programs for categories of undocumented immigrants who could prove they had been in the country, without interrupted absences, for set periods. As the Immigration Reform and Control Act (IRCA) went into effect, 3.1 million people—over 2 million of them Mexicans and most of them in California—were legalized through the program.

IRCA set in motion two dynamics. First, it flooded labor markets in California with newly legalized workers. Second, it gave these people more freedom of movement. More Mexican immigrants could now seek out different (and perhaps better) jobs, and they were free to travel across state lines in search of work without fear of detection and apprehension. Later, in the 1990s and beyond, we see continued immigration from Mexico and Central America, the emergence of new migrant destinations, and an upsurge in border enforcement militarization.

2. Mexican immigration to the United States is rooted in structural conditions.

Mexico and the United States are separate, sovereign nations that have maintained long, deep, and continuing ties. Therefore, both societies have played a role in constructing international migration between the two nations.⁴ Some observers have referred to this as a process of “system assembly.”⁵ The two nations share not only a two-thousand-mile border but also multiple interdependencies. We can see this mutual dependency through a historical lens, examining the direct recruitment of Mexican workers by American agricultural employers in the nineteenth and twentieth centuries, as well as U.S. investment in Mexico during the Porfiriato. Mexico was also complicit in promoting U.S. absorption of excess

labor to take care of its own unemployment problem, further consolidating linkages and dependency. We can also view mutual dependency through the lens of more contemporary solidifications of ties through NAFTA. As shown in chapter 7, NAFTA solidified economic integration between the United States, Mexico, and Canada by diminishing trade tariffs and establishing closer communication and transportation links. Trade, business, tourism, scientific-technical exchanges, maquiladora assembly plants, and family ties are all elements that bind the two nations together.

3. We are today witnessing new destinations of an old immigration.

In the 1980s and especially the 1990s, Mexican immigrants began arriving rapidly and massively to new locations. Until the 1980s Mexican immigrants had been concentrated largely in the Southwest and in Illinois, as part of the legacy of the labor recruitment programs. But in the late twentieth century Mexicans began going to Iowa, Nebraska, Minnesota, Utah, Arkansas, and New York. They also went to the Southeast, to states such as Georgia, Florida, North Carolina, Kentucky, and Tennessee. By the mid-1990s the Mexicans concentrated in the traditional destination states of California and Texas and in the traditional settlement city of Los Angeles had declined relative to these new areas.⁶

4. New destinations reflect changing economic, political, and social conditions.

What caused these new destinations to emerge? Four economic, social, and political factors largely explain why Mexicans went in significant numbers to these new destination states. First, the militarized enforcement of the U.S.-Mexico border, a project that took shape under former President Bill Clinton and Attorney General Janet Reno in the early 1990s, simply increased the costs and risks of border crossing in San Diego and other popular, traditional crossing points. In response, migrants innovatively created new crossing points and traveled along different routes to new destinations, leading to points east of the Southwest.

Second, as already noted above, the IRCA legalized over 3 million immigrants, most of them Mexicans. Legal permanent resident status gave people more freedom of movement, making it possible for them to venture to other cities and states in search of work. The high cost of rent and real estate and the dangerous barrios in places such as Los Angeles also prompted many Mexican (and Central American) immigrants to seek brighter futures for themselves and their families in other states.

Third, deteriorating job possibilities and saturated job markets in California in the 1990s prompted Mexicans to migrate elsewhere. The number of Mexican immigrants in Los Angeles quadrupled between 1980 and 2000, and as Ivan Light argues, “Around 1980, demand-driven migration spilled over into network-driven migration, that, as it propagated itself, undermined the economic well-being of low-wage Latino immigrants already in the region.”⁷ Consequently, Latino immigrant wages in Los Angeles declined between 1980 and 1990,⁸ and Mexican immigrant wages were found to be lowest in workplaces saturated with coethnics.⁹ Tight labor markets pushed many Mexican immigrants out of Los Angeles and into the national economy.

Finally, the climate of anti-immigrant politics in California became intolerable for many by the 1990s. Some politicians, such as former Senator Pete Wilson (R-California), began talking about revoking the Fourteenth Amendment of the U.S. Constitution so that the children of immigrants would no longer have birthright citizenship. This campaign proved too difficult to mount, so instead Wilson launched a campaign to deny public services to the children of undocumented immigrants.¹⁰ In 1994 California voters voted in favor of Proposition 187, a law that denied public education and health care to the children of undocumented immigrants. The courts eventually ruled that the proposition was unconstitutional, as immigration is a matter of federal regulation, not local regulation, but the voters’ support of 187 sent a chilling message to immigrant communities in California.

5. Social networks are the glue that makes migration possible.

As many sociologists and historians of immigration have pointed out, immigration is network-driven. Webs of social ties and help offered among family and friends are what make immigration possible. Once established, a migrant soon finds that employers may request more workers. Or perhaps that early migrant is just lonely and beckons family and friends to migrate and join him or her. In an alternative scenario, perhaps a wife or adolescent left behind in the country of origin decides that she or he wants to migrate too. Immigrants tell their friends and family back home about job or life opportunities in the new land and extend formal support and information.

This process has been called “chain migration,” “social network migration,” and “cumulative causation,” but the upshot is the same: over time, these webs among migrant friends and family members stimulate more immigration.¹¹ This means that decisions of prior migrants have a long-term effect on the options

available to those who follow them. Migrants tend to go to places where their kin are already established.

6. Mexican immigrants in the United States now number over 10 million.

Mexicans are by far the largest immigrant group in the United States. Estimates vary, but reliable sources agree that foreign-born Mexican immigrants in the United States numbered 11.5 million by 2006 (as was noted in chapter 1), accounting for 30.7% of all U.S. immigrants.¹² While Mexican-born immigrants account for nearly a third of all the foreign-born in the United States, the next largest immigrant groups make up a much smaller percentage of all immigrants. Filipinos are the next largest, accounting for 4.4% of all foreign-born, and Chinese (excluding Taiwanese) and Indians are each 4.1 and 4%, respectively.¹³

During the spring of 2006, as Congress considered the restrictionist Sessenbrenner bill, which promised to criminalize the act of giving any kind of service or assistance to undocumented immigrants, the most regularly cited figure for the number of undocumented immigrants swelled to 12 million. Mexicans do not account for all of the unauthorized immigrants, and although figures cannot be confirmed, demographers concur that Mexicans probably make up about half of all undocumented immigrants in the United States. These are two distinct populations, although there is some overlap. What deserves underscoring is this: the media and popular representations tend to conflate the two groups. And figures that include over 10 million Mexican immigrants and over 10 million undocumented immigrants are big symbolic news.

Elected officials and media reports have tended to take an alarmist view, suggesting as never before that immigrants are overpowering the United States. While there are numerically more foreign-born people—including naturalized citizens, legal permanent residents, those on a variety of temporary legal permits, and undocumented immigrants—in the United States than ever before, it is important to distinguish between the absolute numbers and the relative proportion of the U.S. population that is foreign-born. It is true that in absolute numbers, the United States has never had so many immigrants. As we saw in more detail in chapter 1, there are now about 37 million foreign-born people living in the United States, but as a percentage of the population, immigrants make up only 12.7%.¹⁴ This is a lower percentage than the United States saw in 1910, when the foreign-born made up nearly 15% of the population.¹⁵ Finally, many Americans do not realize that the foreign-born in the United States constitute a smaller percentage of the total population than they do in other nations, such as Australia and Canada.

7. The current legal immigration system no longer fits the contours of today's immigration.

Many observers have pointed out in recent years that our immigration system is broken and that it needs fixing.¹⁶ What do they mean by this, and what caused the break? In this section, these questions are addressed with an eye focused on the challenges of Mexican immigration.

Commentators agree that 1965 was an historic year for immigration reform. Pressure from the civil rights movement led to the signing of the Civil Rights Act of 1964, which outlawed public discrimination on the basis of race. This, combined with the Cold War—with its heightened anxiety about U.S. technological and educational competitiveness and with the discrepancy of U.S. racist legislation and the ideology of equality under scrutiny by the whole world—led to the 1965 Immigration and Nationality Act. The 1965 act ended racist Asian exclusions, introduced family reunification, and strengthened provisions for admitting highly educated and skilled immigrant workers. With the 1965 act, blatant racial discrimination was no longer part of U.S. immigration policy, and the doors were opened wider, allowing for rising numbers of Asian and Middle Eastern immigrants to enter as legal permanent residents. Continuing this trend toward greater openness, President Jimmy Carter signed the Refugee Act in 1980, formally removing American foreign policy as the basis for American refugee policy and admissions.

Since the 1980s, we have witnessed growing public ambivalence and hostility toward new and future immigrants. Globalization, new developments in transportation technologies and communications, the maturation and thickening of immigrant social networks, and the deepening economic dependency on immigrant labor have all led to the dispersion and acceleration of international migration around the globe. We are clearly living in what Mark Miller, in chapter 2 of this volume, labeled a new Age of Migration. The old apparatus of nationally based immigration legislation lags behind these changes and does not address the current challenges. Essentially, we are using an outmoded mid-twentieth century apparatus to rule twenty-first-century immigration.

Nowhere is this more apparent than in the case of Mexican immigration to the United States. Here, demand for legal visas and labor has outstripped the availability of legal immigration possibilities. That is why legal migration decreased and illegal migration from Mexico increased in the 1970s.¹⁷ It was not because Mexicans willfully decided they wanted to be illegal or to flaunt U.S. laws (a perspective that is often put forth on news-talk radio). Rather, more people

migrated illegally because the legal visas available to Mexicans fell from an unlimited number to twenty thousand per year (excluding immediate relatives of U.S. citizens). Meanwhile, steadily increasing job demand for Mexican workers in various sectors of the U.S. economy—some might say a labor addiction among U.S. employers—population growth and economic woes in Mexico, and a migration facilitated by geographical proximity and thick social networks of reciprocity led to pressures for migration. This meant that an increasing proportion of Mexicans had to resort to illegal or unauthorized migration. Some crossed the border surreptitiously, some used false documents, and some came legally and then overstayed temporary tourist visas. Consequently, starting in the late 1970s and continuing through the 1980s, undocumented or illegal migration dominated all discussion of U.S.-bound Mexican migration.

8. Many sectors of the American public are working for comprehensive immigration reform.

The competing legislative efforts and the immigrant rights marches in the streets during 2006 surprised many observers. This movement, however, did not fall from the sky. It had been brewing for many years. People from the religious sector and legal services make up important segments of this mobilization, and their efforts have been complemented and enhanced by those coming out of organized labor and ethnic and community organizations. In 2000 the AFL-CIO, reversing a century-long restrictionist policy, began advocating for immigrants workers' legal and economic rights. They joined other organizations such as the Mexican American Legal Defense and Educational Fund and the National Lawyers Guild. Since the 1980s, immigrant rights coalitions that bring together smaller community-based organizations have become institutionalized in every major immigrant city in the United States.¹⁸ In the 1990s local organizing around immigrant issues intensified in many cities around the country.

Alongside organized labor, ethnic groups, and legal organizations, religious groups are mobilizing in support of immigrant rights.¹⁹ All of the major, mainline religions have issued statements in favor of anti-restrictionist reform. Among the most prominent are the pastoral letters by the U.S. Conference of Catholic Bishops. In 2000 the conference issued a statement declaring, "We advocate for just policies that respect human rights of immigrants," and stated opposition to policies that attempt to stem migration but do not "adequately address its root causes."²⁰ In 2003, together with the Mexican Bishops, the conference issued an historic joint statement, "Strangers No Longer: Together on the Journey

of Hope.” Citing the New and Old Testaments and Catholic social teachings, the statement focused primarily on the world’s largest and longest-running labor migration, U.S.-bound Mexican migration. While recognizing the right of a sovereign state to control its borders, the declaration unabashedly favors migrant rights. If people are unable to find employment in their home societies, the Bishops declared, then “they have a right to find work elsewhere in order to survive. Sovereign nations should provide ways to accommodate this right.”²¹ Building on this earlier momentum, in June 2004 the U.S. Conference of Catholic Bishops launched the Justice for Immigrants campaign. Even conservative Pope Benedict XVI endorsed migrant rights.²² Presbyterians, Jews, and Muslims have joined these Catholics in issuing strong statements in support of immigrant rights.

The Coalition for Comprehensive Immigration Reform (CCIR) emerged in 2004, formed by national and local immigrant rights, labor, and community leaders and policymakers. The Board of Directors included immigrant rights activists from different sectors—labor unions, such as Service Employees International Union (SEIU) and UNITE HERE; immigrant rights coalitions from Los Angeles, New York, and Illinois; and law centers and policy groups such as the Asian American Justice Center and the National Council of La Raza. Based in Washington, D.C., CCIR’s goal is to pass progressive immigration legislation. So far, it has not been successful, but passing immigration legislation takes time.²³

9. This is the age of immigration and globalization.

It should come as no surprise—especially in light of Mark Miller’s argument in chapter 2—that not all immigrants are coming to the United States. Worldwide, there are about 200 million people who live in countries they were not born in. While this figure may appear alarming, it is stunning to realize that most of the world’s 6 billion people are staying put in their nations of origin. Equally striking, and often lost in the discussion of Mexican immigration in the United States, is the realization that not all of the world’s immigrants are coming to the United States. Only 37 million of the world’s 200 million migrants have come to the United States.

10. Fear, distrust, and hostility have greeted the arrival of prior groups, yet immigrants have prevailed.

Many of today’s Mexican immigrants encounter life-threatening border crossings, and once they arrive in the United States, they face job exploitation, occupational risks, dangerous neighborhoods, and racial discrimination. Mexican

immigrants endure these hardships in search of better opportunities for themselves and for their families. On the one hand, their experiences are unique, as they are informed by historical legacies rooted in the conquest of Mexican territory by the United States. On the other hand, their experiences as exploited and unwanted immigrants are not unique. In this respect, they share much with prior waves of immigrants, including Chinese, Japanese, and Filipino labor immigrants, whose entry to the United States was often predicated on labor contract programs with decidedly colonial tones. They also share this with earlier European immigrants, such as the Irish, Italian, and Russian Jews, who were also often greeted with hostility. In spite of hostile receptions, those groups have persevered and flourished in the United States.

Many observers of immigration agree that in this age of globalization viable solutions can no longer be rendered unilaterally. The thinking here is that because international migration necessarily involves at least two nations, we must seek bilateral, trilateral, and regional policies. We can no longer treat immigration as though it were a domestic political issue. By definition it is international and linked to patterns of globalization, trade, and geopolitics. Yet while our economies have globalized, our political systems and sentiments have become more nationalistic, so it may take several decades before the United States treats immigration policy as a multilateral matter.

We need remedies that are grounded in changes in U.S. immigration policy. Douglas Massey, Jorge Durand, and Nolan Malone have jointly proposed some simple changes that would go a long way toward diminishing the number of Mexican undocumented immigrants in the United States. First, they propose that the United States could raise the number of annual legal permanent resident visas for Mexicans. Right now, these are held at a ceiling of twenty thousand per country. As Massey, Durand, and Malone point out, Mexico is a large country with a population of about 100 million people, with a unique history of connection to the United States, and with a system of migration that has been built up over time. Meanwhile, the Dominican Republic has a much smaller population, about 8 million, and yet both nations receive the same number of visas annually. Massey and his colleagues propose raising the quota to sixty thousand a year for Mexico.²⁴

Second, they suggest a new temporary contract program. This involves bringing back something like the *bracero* program, establishing a new temporary contracted worker program. This is based on the reasoning that most new immigrants do not want to settle permanently; most want to work and then return

home. While this is true, there are many problems with these sorts of proposals. First, they can only work if migrant workers are given the option to become legal permanent residents and eventually, to become U.S. citizens. Otherwise, a new two-tier hierarchy among immigrants would be created. Second, temporary labor programs—as we know from both the *bracero* program and Europe's postwar guest-worker programs—are never temporary. They always develop into streams of permanence and settlement. So a new temporary worker program will itself need to be temporary or its permanent consequences will need to be directly addressed through the kind of amnesty program discussed below.

The third proposal offered by Massey and his colleagues involves reducing the Border Patrol and border militarization budget and using some of that money for the regulation of tax, labor, and environmental standards in the country's interior, thereby reducing the incentives for employer exploitation.²⁵

A final popular alternative included in the call for comprehensive immigration reform in 2006 was the introduction of amnesty, or legalization, for undocumented immigrants who have been peaceful, long-term U.S. residents. After all, as researchers have found, many undocumented immigrants already pay taxes, own homes, and have U.S.-born, English-speaking children enrolled in U.S. schools. This option resembles the amnesty that occurred in the United States in 1986 and in Spain in the 1990s. Extending a legalization program to such people would facilitate their integration into society.



Immigration is complex and includes many unanticipated outcomes. But the public and policymakers would do well to confront the irrefutable truths that decades of immigration research have taught us. Additionally, the American public must be engaged in a national teach-in so that immigration and new immigrants are appreciated as a benefit to be integrated rather than as a threat or malevolent force to be expelled. When the powerful dynamics of global economies and social networks are judiciously examined and the cacophony of racialized nativism and restrictionists are replaced with research and reason, the situation looks quite different. Under the latter scenario, rather than despair, we can find a shared future.