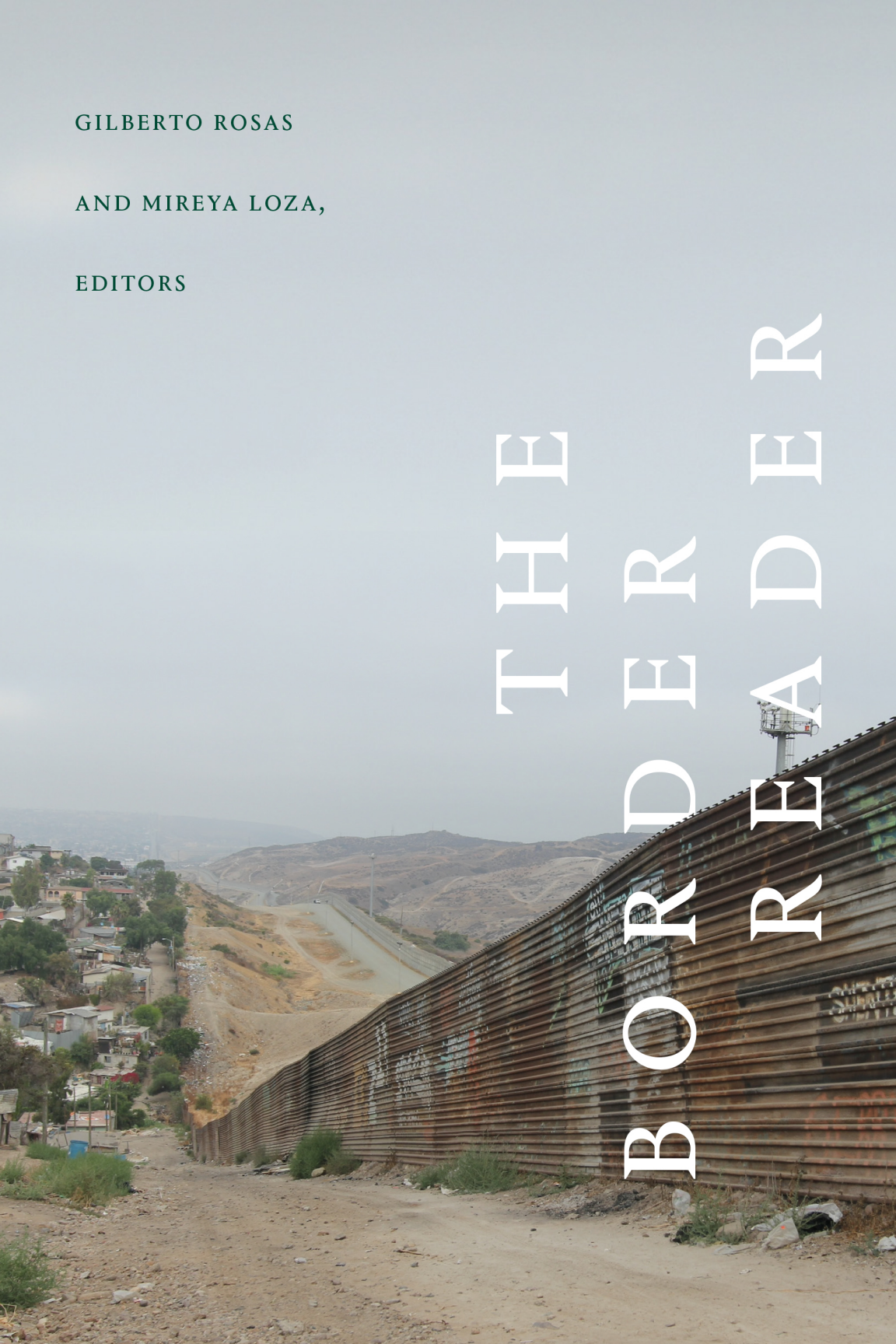


GILBERTO ROSAS

AND MIREYA LOZA,

EDITORS

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GILBERTO ROSAS

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AND MIREYA LOZA, EDITORS

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Bringing *The Border Reader* to fruition has been a herculean task. It's been difficult to grapple with selecting these pieces as so much scholarship is worthy of being reproduced in this reader. And new scholarship is transforming this area every day.

The project has taken years and years, and years. And while such a project demands multiple volumes, our goal was to provide a preliminary cross-section of key works. Limitations in terms of space and breadth made this process much more challenging, as well as navigating the world of copyright and reproduction. While we would have liked to cover all the currents in Border Studies, the scope and scale of this project limited those possibilities.

The generous support of what was then called the Illinois Program in Research in the Humanities (now The Humanities Research Institute), under the robust guidance of Antoinette Burton, funded "Borders and Migrations in the Americas" (2015–2016) reading group, enabling conversations among the editors as well as a cohort of graduate students including Verónica Méndez, Brenda García, Alana Ackermann, Raquel Escobar, and Carolina Ortega. The reading group culminated with a final talk given by our colleague, friend, and immigration attorney Virginia Raymond, JD, PhD, on immigrant detention. Soon thereafter, the University of Illinois Campus Research Board, specifically its Funding Initiative for a Multiracial Democracy, under the stewardship of our respected colleague Cynthia Oliver in the Office of Vice Chancellor for Research, generously awarded resources for the subventions of the selected works as well as support of Research Assistants in the production of this volume.

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Introduction:

On Theories from the Ends

GILBERTO ROSAS AND MIREYA LOZA

As Mercedes, BMWs, and other luxury vehicles zoom over the Rio Grande through special lanes, Pintos, Chevys, and pick-ups sit on the bridge. They wait their turn to cross, spewing brown toxins into the air. Dogs press their snouts into wheel wells, onto tires, into trunks. They seek people, drugs, or other contraband. Helicopters buzz the desert landscape from above. Infrared sensors document defiant life below.¹ Border guards move on foot, bikes, horses, and all-terrain vehicles; and the walls, fences, and infrared sensors testify to the effectiveness of crossings of all sorts. Be they from Mexico, Central America, Haiti, Cuba, China, or elsewhere across the globe, would-be border crossers abandon their ways of life and confront border guards, police, the National Guard, and their complex mirroring in vigilantes, *polleros* or human smugglers.² The border increasingly has become a site of militarized surveillance and border enforcement with deadly repercussions, as policy makers turned their attention toward racialized anxieties about irregular border crossers.³ Now the border stages the latest wave of migrants: Central Americans, Africans, and Middle Easterners, sometimes with their families, and their efforts to be heard. They seek asylum.

Anti-border or post-citizenship formations animate the US-Mexico border region. They inspire alternative representations in art and popular music. They infuse alternative kin relations, geographies, desires, and economies. These dynamics render the US-Mexico border as material and imaginary. It is both utopic and dystopic. It is militarized and peaceful; organized and chaotic; masculine and feminine; it is straightening and queering; it is sometimes white, sometimes brown, and always Other; it is where untold wealth and regimes of impoverishment brutally collide. As with all borders, the international boundary between the United States and Mexico troubles distinctions between strangers and enemies, between the criminal and the law-abiding, between immigrant and citizen.

The US-Mexico border specifically, and borders generally, have grown in importance as border controls and undocumented border crossings have intensified across the globe. Be it the boundaries between the United States and Mexico, Israel and Palestine, or Guatemala and Mexico; the channels between Europe and Africa; or the genocidal partitioning of India, territorial divisions incite regimes of differentiation, typically as racialization. Such divisions also incite dreams of post- or non-bordered worlds. Indigenous communities whose sovereign assertions point to a different order, the alien-nated and their trans-border kin networks, and other critical communities in border regions bear memories of different borders, moments when the boundaries between countries were largely immaterial or experienced on radically different terms.

The Border Reader curates some of the foundational scholarship on the region, its daily life, and its tensions. From linguistic studies of the criminal argot of smugglers, to insistences on the region's normalcy, to smugg confirmations of US superiority, to romanticized folklores of resistance in *corridos* and related forms, to studies on health and immigration policy, questions about who, what, and which language—English, Spanish, Yoeme, or even Q'anjob'al—represent the border remain pertinent. Perhaps, what has sparked the most scholarship is the foundational intervention of Chicana scribe Gloria Anzaldúa's 1987 text *Borderlands: La New Mestiza* and its literary interpretation of the border as a larger metaphor. As Anzaldúa's conception of the border gained popularity, the North American Free Trade Agreement and the growing militarization of the border acted as catalysts for material interpretations and stringent debates.⁴ The 1990s also gave rise to a contemporary generation of families caught in a moment of securitized borders and migrations, with fewer options toward documentation or related kinds of legal footing in the United States.

The empirical bent of earlier border studies should be contrasted with the theoretical interventions of those who take the border as a site of epistemic rupture, interventions, and departures.⁵ Scholars like María Josefina Saldaña-Portillo,

Sonia Saldivar-Hull, Emma Perez, Patricia Zavella, and Alicia Schmidt Camacho show how feminist, queer, and critical race scholars, including Chicano and Latino scholars, indigenous scholars, and scholars of indigeneity, as well as those vested in questions of decoloniality have mobilized the border to press against dominant theories of societies, cultures, the state, and related questions.

The Border Reader offers a vibrant alternative canon for scholars and students in a range of fields including Anthropology, History, English, Spanish, Post-colonial, and Ethnic Studies. Although some consider the US-Mexico border a spectacle,⁶ this international boundary instigates a range of new questions about empire, subjectivity, and violence, as well as a return to older questions. It draws attention to the places where these quandaries play out and to its complex legacies, reverberations, and attenuations. The border, then, is not only an enforced division that transverses particular terrains but an imagined site that moves through the nation. The barbed wire cuts well after its crossing.

The Border Reader places selected works in conversation to highlight the *longue durée* of intellectual production and critical reverberations instigated by the US-Mexico divide. It is for this reason that *The Border Reader* moves thematically, rather than chronologically, placing certain interventions at the forefront. Clearly, there are significant omissions. The literature on this region is rich, deserving, and underappreciated. We didn't include literature on populations of the region, for example, worthy of a reader of their own.

The first section, "Locating the Border," suggests that the US-Mexico border region can serve as a fertile site for understanding borders, migrations, and other movements across the globe. In the border region, people and nation-states negotiate power, citizenship, cultural citizenship, and related processes as well as questions of empire. In this respect, "American empire," as Gilbert González and Raúl Fernández argue, fueled twentieth-century Mexican immigration to the United States. Moving toward understanding how immigration and criminal law constitute legal violence, Cecilia Menjívar and Leisy J. Abrego show how Central Americans experience border crossing and life thereafter. Gilberto Rosas captures the lessons from the border as a space of death, life, and subjection, as they relate to asylum and related legal proceedings. Alejandro Lugo provides a critical exemplification of locating the border as a site of theory-making. Transfeminist Sayak Valencia Triana insists on the geopolitical coordinates of the other side of the border, Tijuana, Baja California, in this case, to underline the "spectacular violence" of criminal syndicates in Mexico and their complexity with dominant regimes of masculinity, globalization, and the Mexican government. In sum, these contributions underline how imperial projects rework relationships of power in the US-Mexico border region for some, and erode the hegemonies of the US and Mexico evident the region for others.

The following section of *The Border Reader*, “Documenting Identities,” takes stock of the undocumented identities in the actual border region and the borderlands of academic discourses. The selections speak to some of the shifting analytical paradigms that have reframed our understanding of the US-Mexico border by underscoring the complexity, dynamisms, and diversity of peoples inhabiting and moving through this contested space. In a look at quotidian expression, Américo Paredes provides a study of Mexican machismo and challenges the extent to which machismo is unique to Mexico and Mexican culture. Drawing on notions of racialization, as well as government documents and policies, Martha Menchaca’s contribution underscores the often-repressed and overlooked racial histories of contemporary Mexican Americans in the Southwest. Offering a critical understanding of the intersectionality of race and sexuality for Mexican migrants, Lionel Cantú reconfigures understandings of queer communities across borders. Patricia Zavella’s chapter “Migrations,” excerpted from her influential *I’m Neither Here nor There*, documents how gender inflects the undocumented migrant self, mobilizing a concept that she refers to as “peripheral vision” that is inspired by Gloria Anzaldúa.

Although themes of gender and sexuality infuse this reader, “En/Gendering Borders” elaborates on the gendered contours of life at the border and in border thinking. Renato Rosaldo’s pioneering “Changing Chicano Narratives” underlines a shift to Chicana foundational figures in border thinking. Sonia Saldivar-Hull’s “Feminism on the Border” conjures an expansive vision of feminism that renders visible the intersections of gender, class, and race that shape the lived experiences of women of color. Martha Balaguera draws on border theory, participant observation and interviews conducted with *chicas trans* at migrant shelters in Mexico, this study sheds light on how gender and geographical transitions shape each other, blurring distinctions of shelter and homelessness, motion and boundedness, and freedom and unfreedom. José Limón contrasts a Chicano carnivalesque barbeque scene with certain dominant Mexican discourses about masculinity and in spite of its deep gendered contradictions.

The following section, “Othering Spaces, Othering Bodies,” engages with scholarship on the body and space at the intersection of race, immigration, and deviance. The selected readings explore the multiple ways through which the US-Mexico border has become imagined as a site of “illegality,” how immigrant bodies themselves become racialized and excluded from the body politic, and how dead immigrant bodies serve as sites for Mexican and US governments to assert authority. The physical border is reinforced not only through militarization but through cultural imaginings and the desire for an orderly social world juxtaposed by disorder, chaos, and feelings of lawlessness projected onto sister cities such as El Paso and Juárez or Tijuana and San Diego. The fantasy

and the reality transform the people, products, and wildlife that pass through these spaces. White middle-class Americans in San Diego, as Ramón Gutiérrez shows, demarcate the dividing line that spatially separates an orderly and pure America from a deviant Tijuana. Bodies are categorized, examined, and placed within or outside discourses of belonging. Advancing a historical analysis of race, immigration, and disability, Natalia Molina offers an examination of how public health and immigration discourses defined Mexican immigrants as culturally or physically unfit for citizenship. Eithne Luibhéid's "Looking Like a Lesbian" exemplifies how the policing of identities at the US-Mexico ports of entry consolidate heteronormative identities. Alicia Schmidt Camacho calls on us to consider migrant melancholia as a framework to understand not only the material consequences of immigration but also its psychological toll, as expressed through narratives that constitute a political act against the substantive erosion of citizenship.

The works in "Border Crossings" render these experiences visible and chart the material consequences of migration. Roberto Gonzales and Leo Chavez capture the nightmares of illegality, how certain youth are situated in regimes of despair, marginality, and hopelessness. Carlos Vélez-Ibáñez's "Regions of Refuge in the United States" which crosses the border in its own right and draws on the work of Gonzalo Aguirre Beltrán (1979), maps the lived contours of Mexican immigrant and Mexican American communities who make up impoverished and socially stratified urban and rural ecologies of the United States, and how people both thrive and suffer in these restrictive/spaces. Recasting the debates on undocumented migration, Néstor Rodríguez asserts that undocumented crossings by laborers should be considered a political act in defiance of state regulation. In an effort to reveal the relational racial construction of indigeneity across borders, Mireya Loza places indigenous Mexican communities at the center and recasts the history of the Bracero Program.

Emergent border, post-border, and anti-border panoramas are explored in the final section, "New Cultural Imaginaries." Néstor García Canclini explains hybridity as he sees it developing in Tijuana in a conversation with Fiamma Montezemolo. In unpacking border epistemes, scholars have highlighted new narratives about experiences along the borderlands. Rosa-Linda Fregoso delves into border femicides, in an essay charting the politics of witnessing. In an effort to contextualize the relationship between mass incarceration and immigration, Kelly Lytle Hernández calls for a reexamination of the origins of immigration control. As both a personal exploration, an archaeological rumination of border history, and a piece of border poetics, Gloria Anzaldúa vindicates the in-betweenness of Chicana/o identities that stems from their positionality in the geographical and metaphysical space of the borderlands. The power of a

hybrid language and fluid identities are inherently subversive to the very systems of oppression that produced them. Closing this reader, María Josephina Saldaña Portillo, in “Wavering on the Horizon of Social Being,” underlines the racial governmentalities unleashed by the Treaty of Guadalupe Hidalgo and its insistence on stripping away Mexican character and holding in abeyance savage Indianness in order to receive the benefits of United States citizenship.

The Border Reader demands an examination of border subjectivities as produced by and in between multiple nations and uneven relationships of power and privilege. Historically and culturally, communities grapple with the meaning and the consequences of this relationship as it is experienced politically, spatially, and corporeally in their daily lives, their complex relations, their feelings, and their rich and creative cultural expressions.⁷

NOTES

- 1 See Gilberto Rosas, *Barrio Libre: Criminalizing States and Delinquent Refusals of the New Frontier* (Durham: Duke University Press, 2012).
- 2 Some of the earliest vigilantes of the border, the Texas Rangers, worked to bring about a new racial order on the state level, while later groups were organized on the federal level to enforce laws that restricted entry. By 1904 men hired to patrol the border by the US Immigration Service assigned a keen group of officers to enforce the Chinese Exclusion Act. They also looked to exclude immigrants infected with contagious diseases, illiterates, and those too poor to pay the head tax. Later, these men would turn their eye toward what they deemed were dangerous rabble-rousers of the Mexican Revolution. For more on the Texas Rangers and Texas border violence see Monica Muñoz Martinez, *The Injustice Never Leaves You: Anti-Mexican Violence in Texas* (Cambridge, MA: Harvard University Press, 2018); Elliot Young, *Catarino Garza's Revolution on the Texas-Mexico Border* (Durham: Duke University Press, 2004). For more on the history of the Border Patrol see Kelly Lytle Hernández, *Migra!: A History of the US Border Patrol* (Berkeley: University of California Press, 2010).
- 3 For some of the expansive literature on the militarization of the border, border securitization, and related frameworks see Miguel Antonio Levorio, *Militarizing the Border: When Mexicans Became the Enemy* (College Station: Texas A&M Press, 2012). Also see Rosas, *Barrio Libre*. It draws on Timothy J. Dunn, *The Militarization of the U.S.-Mexico Border, 1978-1992: Low-Intensity Conflict Doctrine Comes Home* (Austin: Center for Mexican American Studies, 1996); Jonathan Xavier Inda, *Targeting Immigrants: Government, Technology, Ethics* (Malden, MA: Blackwell Publishing, 2006); Joseph Nevins, *Operation Gatekeeper: The Rise of the “Illegal Alien” and the Making of the U.S.-Mexico Boundary* (New York: Routledge, 2002); and Miguel Diaz-Barriga and Margaret E. Dorsey, *Fencing In Democracy: Borders Walls, Necrocitizenship, and the Security State* (Durham: Duke University Press, 2020).
- 4 See, for example, Josiah Heyman, “The Mexico-United States Border in Anthropology: A Critique and Reformulation,” *Journal of Political Ecology* 1, no. 1 (1994): 43–66.

- 5 See Robert R. Alvarez, "The Mexican-US Border: The Making of an Anthropology of Borderlands," *Annual Review of Anthropology* 24 (1995): 447–70.
- 6 On the border as spectacle, see Nicholas P. De Genova, "Migrant 'Illegality' and Deportability in Everyday Life," *Annual Review of Anthropology* 31, no. 1 (October 1, 2002): 419–47.
- 7 See Alex E. Chavez, *Sounds of Crossing: Music, Migration, and the Aural Poetics of Huapango Arribeño* (Durham: Duke University Press, 2017) for some of the latest literature on transborder expressive culture and politics.

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PART I

LOCATING

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BORDER

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Empire and the Origins of Twentieth-Century Migration from Mexico to the United States

GILBERT G. GONZÁLEZ AND RAÚL FERNÁNDEZ

The [migrant] is forced to seek better conditions north of the border by the slow but relentless pressure of United States' agricultural, financial, and oil corporate interests on the entire economic and social evolution of the Mexican nation.

—ERNESTO GALARZA, 1949

Preamble

In this essay we show how the twentieth-century appearance of a Chicano minority population in the United States originated from the subordination of the nation of Mexico to U.S. economic and political interests.¹ We argue that, far from being marginal to the course of modern U.S. history, the Chicano minority, an immigrant people, stands at the center both of that history and of a process of imperial expansionism that originated in the last three decades of the nineteenth century and that continues today.

Several challenges to conventional interpretations of Mexican migration and the Chicano experience derive from this approach. This century-long exodus of Mexicans to the United States has often been perceived as an “American”

problem, affecting welfare, education, culture, crime, drug abuse, and public budgets, to be solved by get-tough measures, such as California's Proposition 187, and softer policies, such as those of immigrant rights agencies. In contrast, we take the position that migration signifies a Mexican national crisis, reflecting Mexico's economic subordination to the United States and the limitations placed upon its national sovereignty by that domination. A century of mass border crossings displays the breaking apart of the social fabric of the Mexican nation and its resettlement in enclaves across the United States as a national minority.

The social and political repercussions of this subordination have been enormous. More than a century of domination by the United States increasingly undermined the social and political cohesion of Mexico, causing dislocation to its domestic agriculture and industry as well as migration to the United States–Mexico border and into the United States itself. In his 1911 classic exposé, *Barbarous Mexico*, John Kenneth Turner addressed the dismantling of the Mexican nation. “The partnership of Díaz and American capital,” he argued, “has wrecked Mexico as a national entity. The United States government, as long as it represents American capital . . . will have a deciding voice in Mexican affairs.”² Washington preferred economic domination by U.S. corporations to the direct annexation of Mexico. As John Mason Hart has persuasively demonstrated, U.S. capital realized that policy objective and established its supremacy in Mexico by the late nineteenth century.³ Mexico became the first foreign country to fall under the imperial umbrella of the United States.

The practice of territorial conquest and expansion in pursuit of, or as a consequence of, commercial developments is very old; from the Romans to the Aztecs to nineteenth-century Great Britain, this characteristic has been shared by most imperial powers. Over the last century, however, the United States, along with other global powers, developed an empire of a new type, a transnational mode of economic domination similar to but in important respects different from previous imperial regimes.

While the United States throughout its history has engaged in numerous acts of territorial aggression and conquest—like other historical centers of power—its particular mode of empire building and maintenance emerged when the growth of large corporations and financial institutions became directly involved in alliance with local elites, in the formally independent economies and politics of other countries. Simultaneously, these large conglomerates of finance and production came to dominate the government of United States, using the power of the state to jockey for position with other world powers. This practice of empire construction and management was aptly captured by U.S. Secretary of State John Foster Dulles in the 1950s: “[T]here [are] two ways of dominating a foreign nation,” he remarked, “invading it militarily

or controlling it financially.”⁴ In the case of Mexico, U.S. policy preferred financial over military control.

Mexico and the U.S. Model of Empire Building

A transnational mode of imperial hegemony has defined U.S. relations with the rest of the world throughout the twentieth century. Mexico provided the first testing ground. The United States initiated new mechanisms of empire in the late 1870s when it became the senior partner in an alliance with the local Mexican elite personified in the figure of dictator Porfirio Díaz. Using threats of military intervention, U.S. capital interests invested heavily in the construction of railroads in Mexico. These initial intrusions were quickly followed by massive investments in mining, cattle farming, and cotton production. After Mexico, the United States moved swiftly to establish economic control and political influence southward. The United States launched the War of 1898 for a variety of motives: to insure that no sovereign and independent nation appeared in Cuba upon the defeat of the Spanish empire; to establish a military presence guaranteeing the security of its investments; and to establish strategic outposts to secure and control commerce and investments in the Caribbean and East Asia. U.S. political leaders defended the war with rhetoric of supporting the underdog, a rationale to allay public unease over war and manipulate public opinion. The War of 1898 was followed quickly by the U.S.-supported secession of the province of Panama from Colombia, ensuring U.S. control of interoceanic trade. At the same time, large U.S. investments in Mexico and Cuba took place via the company town model in agriculture, railroad construction, and mining.⁵

Beginning at the turn of the century, investment by U.S.-based corporations in Latin America, in cooperation with archaic land-based elites and bolstered by the U.S. military and the threat of annexation, transformed the hemisphere into a series of neocolonial republics. Mexico became something of a laboratory for the imperial experiments; few events of significance in the history of twentieth-century Mexico were not decisively influenced by the power of U.S. economic, political, and, as a last recourse, military power.⁶ A few examples will suffice: The United States played a determining role in the outcome of the 1910 Mexican Revolution; after World War II the United States provided the money, propaganda, and logistics to control the labor and social movements in which the ideas of socialism were taking root, not only in Mexico but throughout Latin America;⁷ in the 1990s the United States established NAFTA to secure further its investments in Mexico and to restrict access for investment there by competitors. The freedom and security of U.S. capital thus remained a constant in U.S. policy toward Mexico in the twentieth century.

This establishment of U.S. imperial hegemony over Mexico and other Latin America nations has long been acknowledged in Latin America as central to local histories and identity. From the 1880s to the 1930s, major Mexican and Latin American thinkers, including Jose Vasconcelos, Jose Martí, Jose Enrique Rodó, and Eugenio María de Hostos, placed U.S. presence in Latin America as central to their essays on Latin America's future. The profound awareness of the United States that pervades the lives, history, politics, and economics of Latin American countries is not matched by a parallel knowledge in the United States of its southern neighbors. In the academy, official U.S. historiography dates national emergence onto the global scene to World War I, privileging U.S. activity in Europe over decades of investment, interference, and invasions into Mexico and other southern neighbors. As a subset of official U.S. history, the study of the Chicano national minority has largely been constructed in an atmosphere in which "race matters," and culture, too, but empire does not. Insofar as the U.S. transnational mode of hegemony is acknowledged, it is not seen as essential or even related to understanding the origins and development of the Chicano national minority.⁸

The Push-Pull Thesis: The "Official" Line on Mexican Migration

Since the first decade of the twentieth century, academic studies of Mexican migration to the United States established one basic theoretical construct—the push-pull thesis, modeled upon conventional supply and demand economics. The thesis reduces the causes of migration to sets of conditions within the sending country and the host country, conditions that *function independently* of each other. In one country, a push (supply), usually attributed to poverty, unemployment, or political unrest, motivates people to consider a significant move; in the other country, a pull (demand), usually a shortage of labor, operates to attract the disaffected. In tandem, they synergistically lead to transnational migration.

Following the political militancy and cultural nationalism of the late 1960s, numerous studies focused on the origins of the Mexican population in the United States. These stemmed from the interest not only of Chicano activists but also of academics attracted to the issues raised by the regional political rebellion. As the Chicano Studies research agenda matured, immigration, particularly in the 1900–1930 period, gained a central place in many studies. The original push-pull thesis, as enunciated by the U.S. Industrial Commission on Immigration in 1901 and repeated by Victor S. Clark in 1908 and by Manuel Gamio and Paul S. Taylor in the early 1930s, became an article of faith among a new generation of academics destined to dominate the field to the end of the century.⁹

Many academics simply made the 1910 Revolution the principal push factor operating in the 1900–1930 era.¹⁰ Consequently, when the UCLA Mexican American Study Project turned its attention to immigration in the late 1960s, the theoretical scenario had been set: “The Mexican revolutionary period beginning in 1909–1910 spurred the first substantial and permanent migration to the United States,” the report’s authors wrote. “By liberating masses of people from social as well as geographic immobility, [the Revolution] served to activate a latent migration potential of vast dimensions.”¹¹

To be sure, different research projects often emphasized particular conditions that modified the form in which push-pull ostensibly manifested. There *were* variations on the theme. A number of authors viewed the policies of Díaz as similar to European elites’ expropriation of peasants’ lands and the simultaneous de-peasanting of the countryside. Some saw the extension of railroads throughout Mexico as the key element that made migration possible. For others, the devastation of the Mexican Revolution and its aftermath precipitated the early twentieth-century migrations. A survey of the more significant studies of the last twenty years reveals a collage of factors that propel migration; seldom is the “push” viewed as the result of one factor alone. Currently, most students of Mexican migration and border studies agree that a complex of “push” factors, such as low wages, unemployment, poverty, and political oppression have operated at various times to create the conditions leading to Mexican migration over the course of the twentieth century.¹² The “pull” factors—high wages and labor demand in the United States—are taken as a given.

Around 1970 the push-pull thesis came under critical scrutiny, resulting in refinement but not substantial overhaul. Condemned as a neoclassical artifact, the thesis was ostensibly supplanted by a set of theoretical approaches to explain Mexican migration. The new paradigms—social capital theory, segmented market theory, new economics theory, and world systems theory—challenged push-pull. The first three of these contended that the old economic categories—wages, poverty, surplus population, and unemployment—inadequately explain the “push” of Mexican migration, particularly the long-term trends appearing since roughly 1970. World systems theory, on the other hand, contended that global capitalism reaching into the remotest corners of Mexico uprooted peasants from the land and caused unemployment; both conditions drive migration. In spite of the claim that these approaches go beyond the limitations of the push-pull paradigm, we shall argue below that the basic premises of push-pull have not been completely uprooted by these modifications.

Most analysts of migration seem to view the “push” factors, such as Porfirian policies, the 1910 revolution, low wages, and surplus population, as operating independently of the economic power of the United States. Implicit in

the argument is the contention that an autonomous modernization process, not unlike what occurred in Europe, led to Mexican migration to the United States. In short, older versions and modern variations of push-pull inherently assume that Mexican migration—from 1900 to the present—followed from independently stimulated economic progress in Mexico. Largely absent in discussions of migration are two questions: Is it appropriate to conflate all migrations into a single “one size fits all” paradigm? And, if the forces of supply and demand work to eliminate economic *disequilibria*, why has there been an apparent permanent *disequilibrium* that no amount of migration from Mexico (or modernization therein) has been able to root out and that remains in effect more than a century after it began?¹³

Recent “Refinements” to Push-Pull

Recent research by sociologists has pointed out that migration continued unabated since the 1960s when economic conditions in Mexico were relatively good. Studies analyzed noneconomic factors and questioned whether these factors affected the decision to migrate. Framed in such a perspective, emphasis swung to the role of “agency,” or the independent decision making of the migrants as they “negotiated” their migratory treks. Social capital theory configured transnational migrant networks linking communities divided by national borders. Migrants summoned motivations, constructed pathways, and provided the resources that propelled migrations over the long term. Theoretically, a culture of migration establishes a social network across borders that feeds migrations. Migration, in other words, exists autonomously above the economic and political life of Mexico. As migrants cross the border, they allegedly define the border on their own terms, reconfiguring sociopolitical spaces. Ultimately, recent sociological models have celebrated migration as “transnational resistance” to internationalized economic and political imperatives.¹⁴

According to this perspective, migration evolved into an institutionalized “self-feeding process” with a life of its own. Tautological in essence, migration is explained by migration; migrants migrate because, as “historical actors,” they have voluntarily chosen to create a culture of migration. Nevertheless, the question of origins, of the factors that send the first migration and lead to subsequent migrations, is left, by default, to push-pull. The original sin, push-pull, prompts the first migrations, but, once the sin is committed, the migration assumes a *self-generating* state. The only true national and/or transnational factor of significance in this theory is the migration itself. Rational choices made by migrants, to acquire commodities or reestablish community, cultural lifestyle, and family ties, motivate migrations. Such analyses relegate international economic rela-

tions to the margins and ignore the economic domination that we address here; instead, they home in on the “independent” decision making of migrants.¹⁵

A second theoretical design arising from the critique of push-pull, the segmented labor market model, emphasizes an economic aspect of the receiving country, precisely the structured dependence of modernized, “post-industrial” forms of production upon the continued flow of cheap immigrant labor. An insatiable thirst for cheap labor drives migration. Adherents to this position contend that the old push conditions—wage differentials, surplus population, and so forth—are secondary if not irrelevant. However, while the push side of the equation evaporates, the pull side—that is, the demand for labor in the receiving country—functions as before. Note that both the social capital theory and the segmented labor market theory view the two economically interconnected countries as *economically independent of each other* and ignore transnational financial *domination* with respect to the process of migration. Like the original push-pull theory, these revisions separate the process of migration into two interacting but independent operations.¹⁶

A third model, new economics theory, contends that migration is explained “by measures of risk and the need for access to capital” rather than by the workings of the labor market.¹⁷ According to Douglas Massey, “Considerable work suggests that the acquisition of housing, the purchase of land, and the establishment of small businesses constitute the primary motivations for international labor migration.”¹⁸ Here the push argument seems to have been supplanted by factors other than wages; however, this theoretical model, like social capital theory, stands well within the old model. New economics theorists argue that the sending country fails to supply needed capital, land, and business opportunities. These contentions fit into the push-pull model as it was first articulated nearly a century ago: The host country has something that the sending country lacks; hence, people migrate to satisfy a felt need, and a neoclassical equilibrium is established (or should be established).

In these critiques of push-pull theory, basic assumptions replicate the old model. For one, migrants have a felt need that Mexico cannot meet—thus, a push. Secondly, the United States has the conditions and wherewithal to satisfy migrants’ yearnings—therefore, a pull. Lastly, the national economies of Mexico and the United States are interactive (often described as “interdependent”) but without domination exerted by either party.¹⁹

Finally, the world systems model causally links global capitalism with migrations. In this view, direct foreign investments generate economic development in sending countries, which removes natives from farming lands or causes unemployment in traditional occupations, creating a body of migrants within the country. Saskia Sassen, perhaps the best-known world systems theoretician

of migration, rightly points out how foreign investment in export agriculture modernizes production, which simultaneously upsets traditional farming practices, removes small farmers from the Mexican countryside, and resettles them in cities. Some migrate to the northern states where foreign-owned assembly plants advertise employment. Ultimately, that same surplus labor migrates to the United States where immigrant labor is in constant demand.²⁰

While a thorough discussion of world systems theory is beyond the purview of this essay, our basic differences with world systems theory as applied to Mexican migration to the United States stem from 1) the emphasis on direct investments, 2) the implicit argument that modernization via foreign financing equals the development experienced by Europe in the nineteenth century, and 3) the exclusive attention to the post-1960 period. First, direct investments are only one type of foreign capital that has affected the national economy of Mexico. Other types of capital have had serious consequences for the economy and society as well. For example, U.S. government lending programs, private philanthropic organizations like the Rockefeller Foundation and others, as well as economic development programs (loans) run by the International Monetary Fund (IMF), the World Bank, and the trade policies of the World Trade Organization, have had a decided impact on the economy and society of Mexico. Second, world systems theory implicitly parallels notions of the great nineteenth-century European migrations, which occurred via an indigenous capitalist modernization and consequent de-peasanting of the land. In the case of Mexico, we contend that foreign economic incursions led to a colonial status, resulting in neither indigenous, capitalist-driven modernization nor dependent modernization, but rather one under foreign control that removes peasants from the land to other parts of Mexico and to the United States. Third, regarding the proposition that the post-1960s migrations are distinct from those of earlier decades, we argue that U.S. economic domination over Mexico has remained more or less constant over the course of the twentieth century. While world systems theory does point to the significance of foreign investments in the removal of people from the countryside and their migration to cities and northern assembly plants, the model holds that the roots of migration derive from global capital, or direct foreign investment, which “modernizes” the Mexican economy. Accordingly, Mexico and the United States are sovereign nations as in the first versions of the push-pull thesis, each in its own way subject to the nuances of global capital and interdependent in the process. The theory ignores government-to-government lending programs, bank capital, massive foreign debt, and empire; the “world system” is all one massive capitalist system covering the entire globe, in which issues of inequality and domination become obscured.

In social capital theory, the segmented labor model, new economic theory, and world systems theory, the core premise of push-pull—the imbalance of independent conditions in sending and host countries—still obtains in spite of critiques. A real alternative requires a reconceptualization of migration within the context of empire.

Economic Conquest: Porfirian Mexico, 1876–1910

A critical examination of the push side of the thesis requires that we analyze the economic policies carried out by the Mexican government in the 1880–1910 period and their social consequences. It is necessary to take another look at four processes: first, the building of Mexico's railroads by U.S. companies; second, the investment of U.S. capital in mining and smelting; third, the effects of the above modernization projects on Mexico's agriculture; and fourth, the displacement of large segments of Mexico's peasant population as a consequence of the foreign-induced modernization.

We will show that foreign monopolistic economic interests—not the much vaunted *científicos*—were the principal architects of the policies implemented by the Porfirio Díaz administrations and that these policies resulted in the subjection of Mexico to domination of a new type: a transnational mode of economic colonialism. While Porfirian policies forcibly removed peasants from ancestral village lands, it is wrong to assume that these were policies wholly designed in Mexico City. Like the construction of railroads, oil exploration and exploitation, mining, and agricultural investments by foreign capital, the removal of peasants from village lands emanated from the integration and exploitation of Mexican natural resources into foreign, primarily U.S., industrial production.

Not only Mexico but all of Latin America fell under the gaze of U.S. foreign policy at the end of the nineteenth century. The United States saw Mexico as the doorway to Latin America's riches, but only if it remained under U.S. economic tutelage. U.S. policy essentially followed the dictum of no less a patron of imperialism than Cecil Rhodes, who envisioned Mexico as the material fountain of empire. "Mexico," he once observed, "is the treasure house from which will come the gold, silver, copper, and precious stones that will build the empires of tomorrow, and will make the future cities of the world veritable Jerusalems."²¹ The United States changed the plural "empires" to the singular "empire."

The 1865 victory of the Northern armies in the U.S. Civil War failed to deter the cry for "all of Mexico" that lingered in the minds of adventurous entrepreneurs and their supporters in the United States. In 1868 a spate of articles in the *New York Herald* and other metropolitan newspapers called upon the United States to establish "a protectorate over Mexico." Voices of opposition to such

a policy were heard; not all were enthralled by the easy victories of 1848 and the imagined expansion to the isthmus. Anti-annexationists responded with an economic alternative free of any humanitarian impulses. William S. Rosecrans, speculator and promoter of Mexican railroads, while serving as minister to Mexico, anticipated future U.S. policy toward Mexico in his response to the newspaper articles. Rosecrans urged that Americans abandon the notion of “all of Mexico.” “Pushing American enterprise up to, and within Mexico wherever it can profitably go,” he claimed, “will give us advantages which force and money alone would hardly procure. It would give us a peaceful conquest of the country.”²²

A number of Rosecrans’s contemporaries engaged the discussion as to whether U.S. economic interests required annexation. One prominent American investor, Edward Lee Plumb, wrote, “If we have their trade and development meanwhile we need not hasten the greater event [annexation].” Former President U. S. Grant, himself an investor in Mexico’s railroads, leaned toward the Rosecrans position. According to David M. Pletcher, “Grant’s fragmentary writings about Mexico . . . suggest that in the last years of his life he developed toward that country an ideology of economic imperialism closely similar to that of other promoters.”²³ Former U.S. commercial attaché Chester Lloyd Jones reiterated this approach decades later in *Mexico and Its Reconstruction* (1921):

The economic advantage that would result to the United States from annexation as contrasted to that which may follow independence and friendship is doubtful. Mexican trade, both import and export, is already almost inevitably American and investments will be increasingly so. . . . A friendly, strong, and independent Mexico will bring greater economic advantages than annexation that certain classes of Mexicans fear and some citizens of the United States desire.²⁴

However, when Jones set down his policy recommendations, Mexico was well on the way to being “an economic satellite of the United States.”²⁵

U.S. capital first conquered the Mexican railroad system (which, for all practical purposes, was an extension of the American system), then the mining and petroleum industries, and, concurrently, trade between the two countries. The social consequences reverberated throughout Mexico in the form of mass removal of people from village lands, the ruin of artisans and craftsmen, the creation of a modern working-class subject to the business cycle, and the appearance of a migratory surplus population. That migratory population first appeared within Mexico in both a rural-to-urban movement and a south-to-north movement; as the tide of U.S. investments grew, the migratory distances increased and crossed over to the United States.

Mexico began to build its railroads during the administration of Benito Juárez (1867–1872), who granted a concession to a British company to build between Mexico City and Veracruz. His successor, Sebastián Lerdo de Tejada, continued the Juárez policies but refused to allow railroad lines to be built toward the north for fear that they might become a military advantage to the United States. Following a period of political instability, military strongman Porfirio Díaz took over Mexico's government in 1876. Díaz inaugurated the period of economic liberalism—forerunner of the current NAFTA-style neoliberalism—by selling railroad concessions to large U.S. railroad companies in the northern states. Within three years, concessions and \$32 million in subsidies to U.S. corporations provided for the construction of five railroads in Mexico. Extending 2,500 miles from south to north, these lines provided a route to the interior of Mexico from which mineral ores and agricultural products were transported to the United States.²⁶

These developments occurred simultaneously with the development of railroads in the southwestern United States by the same corporate interests. By 1902 U.S. investments in Mexican railroads amounted to \$281 million with the northern states of Sonora, Coahuila, and Chihuahua the main recipients. Fully 80 percent of all investments in railroads in Mexico emanated from the United States.²⁷ By 1910 U.S. corporate capital had largely financed the building of 15,000 miles of track, providing a basic infrastructure that would insure the transport of raw materials northward and technology south.

By the dawn of the twentieth century the United States controlled the Mexican economy. According to U.S. Consul-General Andrew D. Barlow, 1,117 U.S.-based companies and individuals had invested \$500 million in Mexico. Railroads were the cornerstone of the modernization process, initiated, designed, and constructed by foreign capital. Railroads enabled myriad economic activities, principally those under foreign control, including mining, export of agricultural products, and oil production. In 1902 Walter E. Weyl observed that railroads “permitted the opening up of mines” and stimulated “agriculture, and manufacturing by establishing foreign markets.”²⁸ While foreign investments entered Mexico “at an astonishing rate,” Mexican national markets for raw materials like copper were practically nonexistent or, in the case of coffee, sugar, and henequen, severely limited. Consequently, both U.S. enterprises and those owned by Mexicans marketed their commodities primarily in foreign outlets. Railroads were indispensable for the increased export of raw materials and agricultural products and the import of tools, machinery, and other products supporting the modernized sectors of the economy.

Before 1880, for example, copper was processed through the centuries-old patio method for deriving precious metals from ore. “Railroads,” commented

Marvin Bernstein, “aided mining from their very inception.”²⁹ This aid, however, worked to the detriment of established miners using archaic techniques. According to mining engineer H. A. C. Jenison, writing in the *Engineering and Mining Journal-Press* in 1921, railroads “made the more remote regions accessible, made the transportation of heavy machinery possible, and the shipment of low-grade ores to smelters profitable.” Consequently, about one-sixth of rail mileage was “mineral railroad,” but conversely “most railroads counted upon mineral shipments.”³⁰

Under the stimulus of terms largely favorable to corporate investors rather than smaller individual stakeholders, U.S. capital thus assumed nearly complete control of railroads, oil, agriculture, and mining, as well as substantial control of Mexico’s finances, communication (telegraphs, telephones), and urban transport. Mexico had passed into the hands of foreign economic interests. As historian Robert G. Cleland wrote in 1927:

large numbers of foreign companies, most of them which were American, entered Mexico. As the foreigner became interested in the industry, the Mexican gradually withdrew; little by little the important properties passed out of his control, until by 1912, of a total investment in the mining business estimated at \$323,600,000, he could lay claim to less than \$15,000,000.³¹

American investors held \$223 million, and of the total invested in Mexico, nearly 68 percent originated from foreign sources. Foreign capital’s power multiplied through its control of key areas of the economy. Every review of the evidence came to the same general conclusion: “Foreign investment [almost entirely of U.S. origin] was on the order of two-thirds of the total for the decade of 1900–1910; foreign ownership by 1910 has been estimated at half the national wealth.”³² For all practical purposes, the regional elites—the *comprador caciques*—and their representatives serving as the Mexican government provided the midlevel managing agency for foreign capital.

Internal Migration: The First Step toward Emigration

Even as the railroads made the export of agricultural products to the United States and Europe a lucrative possibility, Mexican wealth remained concentrated in the semi-feudal hacienda. Enrichment without social change encouraged *hacendados* to transfer production from subsistence to cash crops for export. Coffee, fruits, henequen, hides, cattle, sugar, cotton, and other goods entered the international marketplace. For good measure, the large exporters received favorable transit rates that discriminated against domestic traders

and forced the latter to produce for local consumption or not at all.³³ Hacienda export production, developed by and dependent upon railroads, was equally significant for the effects upon the peasantry. The economic spur of the railroad promoted land expropriation laws, under the aegis of liberal land reform, and effected the legalized transfer of free peasant village holdings to nearby haciendas. Based on the locations of recorded violent peasant rebellions contesting land seizures between 1880 to 1910, the majority of land expropriations during the Díaz era occurred along or near planned or operating railway routes. These activities, however, were entirely dependent upon the effects of rail transport and production geared to foreign markets. Evidence points to similar patterns in other parts of Mexico. For example, in the northern state of Sonora, sales of empty public land to speculators “faithfully mirror the history of the Sonora railroad.”³⁴

Interestingly, the railroads, which had little effect upon industrial development, strengthened the precapitalist economic form, the hacienda. However, the hacienda, originally organized for self-sufficiency, engaged in cash crop production on an extended scale to the detriment of staple crops, causing shortages of basic foodstuffs. Corn production fell by 50 percent between 1877 and 1910, and bean production declined by 75 percent, forcing the nation to rely on costly imported staples. At the same time, exports of raw materials, like henequen, coffee, sugar, hides, oil, and ores, grew at an annual rate of 6.5 percent.³⁵ In 1910 Mexico was exporting a quarter of a million pounds of henequen a year, supplying Midwestern farmers with twine for binding hay. While Mexico’s foreign trade grew “tenfold between the mid-1870s and 1910,” the average Mexican’s diet fell below the levels of the pre-Díaz period as prices for staples rose much faster than wages.³⁶ The state-sponsored expropriations—the mass removal of hundreds of thousands of peasants from former village subsistence holdings—was the first phase toward the transnational migration that would occur a few years later.

The first victims of Mexico’s modernization—that is, economic conquest—were the peasants. By 1910, 90 percent of the central plateau’s villages owned no communal land; meanwhile, the haciendas “owned over half of the nation’s territory.”³⁷ The army of dispossessed moved from village to town and city and, as the northern mining districts opened up, from south to north. No wonder that over the course of the Porfiriato the village-to-city migration would lead to a dramatic population growth in the provincial capitals, 89 percent, which outstripped the national increase of 61 percent.³⁸ The most dramatic increase occurred in the nation’s capital, where migrating peasants began to settle in substantial numbers. According to Michael Johns, “Railroads and expanding haciendas threw so many off their lands in the 1880s and 1890s that nearly half of the city’s five hundred thousand residents . . . were peasants.”³⁹ Daily,

the new arrivals searched for quarters as best they could, cramming into overcrowded lodgings. An estimated 25,000 homeless moved into *mesones*, a form of nightly shelter for transients. Men, women, and children could be found sleeping on mats in single rooms, huddled against the cold. Others lived in more permanent quarters, tenements or *vecindades*, which, while not as inhospitable as the *mesones*, were nonetheless overflowing. John Kenneth Turner estimated that at least 100,000 “residents” were without stable shelter.⁴⁰

From this pool, the city’s aristocracy and foreign (mainly American) businesspeople selected their domestic servants: drivers, cooks, babysitters, housecleaners, and laundresses. Some 65,000 in 1910 accounted for 30 percent of the capital’s workforce.⁴¹ This growing labor pool eventually supplied other regions as well. Labor recruiters working for textile manufacturers, henequen plantations, railroads, mines, and oil operations also targeted displaced peasants. Many ended up in Yucatan henequen estates as virtual slaves, working alongside thousands of Yaqui Indians forcibly removed from their Sonoran homelands to make room for land speculators and railroad builders.⁴² As railroads expanded their radius of operations and as ownership of mines shifted from small prospectors to Americans, the search for labor became a key element in the modernization process. The northern trade routes from the central region, which normally occupied 60,000 pack mules, underwent a profound change with the advent of railroads. Early Latin Americanists noted this change. Frank Tannenbaum wrote that in the past the “surplus crop was . . . loaded upon the backs of pack mules or in some instances on the backs of men and carried to the nearest trading center, often days of travel away. More recently it has been delivered to the nearest railroad station.”⁴³ Walter E. Weyl confirmed the gradual displacement in his study:

the muleteer is now relegated to a lesser sphere of activity and a lower position in the national economy. The driver of the mule car is slowly giving way to the trained motorman, and before long the vast army of *cargadores*, or porters, will go the way which in other cities has been trod by the *lenadores* and *aguadores*—“the hewers of wood and drawers of water.”⁴⁴

Others besides mule packers were cast aside as wagon drivers, weavers, shoemakers, tanners, soapmakers, and others found that they could not compete against the new enterprises and imported goods; they too joined the army of dispossessed and unemployed, the burgeoning migrant labor pool.⁴⁵

In a 1908 study for the U.S. Bureau of Labor, Victor Clark noted that underemployment and unemployment interacted with the internal demand for labor to cause a northward migration from the central plateau of Mexico along the railroad routes:

The railroads that enter Mexico from the United States run for several hundred miles from the border through a desert and very sparsely settled country, but all of them ultimately tap more populous and fertile regions. Along the northern portion of their routes resident labor is so scarce that workers are brought from the south as section hands and for new construction. This has carried the central Mexican villager a thousand miles from his home and to within a few miles of the border, and American employers, with a gold wage, have had little difficulty in attracting him across that not very formidable dividing line.

Clark later noted that, "Like the railways, the mines have had to import labor from the south; and they have steadily lost labor to the United States." Clark interviewed one mining operator who in one year brought 8,000 miners from the south to work in Chihuahua. On the whole, continued Clark, "there is a constant movement of labor northward inside of Mexico itself to supply the growing demands of the less developed states, and this supply is ultimately absorbed by the still more exigent demand . . . of the border States and Territories of the United States."⁴⁶

In his review of the Porfiriato, Mexican historian Moisés González Navarro wrote that this "human displacement from the countryside" was a "phenomenon seen for the first time."⁴⁷ Approximately 300,000 persons left the south to settle in the north primarily during the last decade of the Porfiriato, a massive and permanent shift in the nation's population generated by foreign-controlled modernization.⁴⁸ One mining engineer lamented that "The call for labor is greater than can be supplied by the native population."⁴⁹ Another remarked that "The increase in number of mining operations in recent years has been so great as to make the securing of an adequate supply of labor a difficult problem."⁵⁰ At mid-century, scattered mines operated by small contingents of laborers had toiled intermittently, often in a "hand to mouth affair," but by the century's end some 140,000 worked the mines and smelters, and most of these were internal migrants.⁵¹ Another 30,000 to 40,000 were employed annually on the railroads in the 1880s and 1890s. It is no wonder the population growth in the north surpassed that of any other area of Mexico.⁵²

Along the rail routes, cities like Torreón and Gomez Palacio expanded enormously, as did ports like Guaymas and Tampico, due to the transport of people and/or export of goods. In 1883 Torreón was classified as a *rancheria*, a collection of ranches. By 1910 it had earned the title "city" with a population of over 43,000. Nuevo Laredo grew from 1,283 in 1877 to 9,000 in 1910; Nogales, which could not claim anything more than desert and some tents, blossomed into a thriving border port of 4,000 within two years after the train passed through.

Ciudad Lerdo offers a reverse example of the power of the railroads to determine population placement. In 1900 the city had contained 24,000 inhabitants, but, when the railroad bypassed it, the population declined to fewer than 12,000.⁵³

The growth of the city was the other side of the demographic shift from the central plateau to the north. In the case of the north, population growth was most pronounced in the mining areas. Company towns like Cananea, El Boleo, Nacozari, Navojua, Copola, Concordia, Santa Eulalia, Santa Rosalia, Batopilas, and Esperanzas sprang from virtual wilderness into thriving mining camps within a few years. American employers believed that company housing—albeit segregated, with Americans living apart from the Mexican labor force—was necessary to attract and control labor.⁵⁴ Cananea offers a representative example of localized change. A mining engineer reviewing the Greene Consolidated mining operations in 1906 wrote, “La Cananea presents a wonderful contrast to its earlier appearance. . . . [W]here eight years ago there were no persons other than a few warring prospectors . . . is now a camp of 25,000 persons with all the necessities and most of the comforts of civilization.”⁵⁵ The Cananea operations required the labor of 5,500 regular men, with 8,000 to 9,000 listed as employees.

The Esperanza mining region in Coahuila experienced a similar profound change. In five years the area had grown from several villages to a population of 10,000, the mines employing 2,000. Batopilas, in Chihuahua, grew from 300 to 4,000, employing 900 miners. Mulegé, a port near the copper boomtown of El Boleo in Baja California, demonstrates the secondary effects that mining had on the region. The small port grew from 1,500 in 1880 to 14,000 in 1910. Similarly, Nogales, Hermosillo, El Paso, and other cities that depended on mine-driven commerce paralleled the growth in the mining enterprises themselves.

The reconfiguration of the centuries-old demographic pattern in Mexico comprised the first step in migrations to the United States. Crucially, the economic forces that propelled the population shifts were not indigenous to Mexico. Rather, they emanated from large-scale foreign corporate enterprises operating under the protection of the U.S. government’s foreign policy.

Migration and Emigration

“In the southern section of the Western division, immigration from Mexico has become an important factor,” stated the 1911 *Report* of the U.S. Immigration Commission. Indeed, even before the launching of the full-scale battles of the 1910 revolution (which were not to occur until 1913 to 1915), emigration had become a part of Mexican life. According to available statistics, Mexican labor

began to enter the United States in sizable numbers after 1905, partly as a result of the south-to-north internal migrations in Mexico. Later migrations occurred in response to the economic depression in the United States that caused a slowdown of mining, motivating a northward migration. Data on Mexican migration shows that the numbers declined between 1905 and 1907 from 2,600 to 1,400. However, the numbers rose steeply in 1908 to 10,638, reaching 16,251 in 1909 and 18,691 in 1910. But these figures tell only part of the story. In 1911 the Immigration Bureau noted that at least 50,000 Mexicans without documentation crossed the border annually. The cyclic pattern of migration of superfluous labor from Mexico had begun to take root.

The argument made for the push of the Mexican Revolution does not answer why the migrations, documented and undocumented, appeared before the onset of the revolution or why the migrations slowed during the revolution but increased in the 1920s, well after the fighting had terminated.⁵⁶ It is entirely probable, even without the 1910 civil war, that emigration would have moved in the same upward direction. This is precisely what happened from the 1940s forward without the violence of war. The war probably exacerbated a preexisting condition rather than created it.

Moreover, the argument that the railroads as a transportation system inspired migration cannot withstand scrutiny. If railroads *per se* fostered the mass movement, then why did the migrations begin a quarter of a century *after* trains began running from Mexico City to the U.S. border? Furthermore, if wages were the stimulant, then emigration should have occurred earlier rather than in the middle of the first decade of the twentieth century, since wages were always lower in Mexico than in the United States. (This was particularly true during the depression of the 1930s.)

Abundant evidence suggests that the hacendado class provided a major impetus to emigrate since the hacendados perceived the dispossessed peasants as a potential political hazard and therefore financed migration journeys. In El Paso, Victor Clark interviewed several young migrants and was surprised to find evidence of lending by “patrons” in support of emigration, “sometimes a political officer—in one case a judge—and sometimes a merchant, possibly also a landowner.”⁵⁷ Years later, Paul S. Taylor also found evidence of lending to the unemployed. In Jalisco, Taylor noted, “Anyone with money engaged in the business of assisting persons to migrate,” and “hacendados prefer to let the workers get away so they won’t congregate in pueblos and ask for land.”⁵⁸ Clearly, there are serious problems with the conventional mode of analysis. The usual push arguments and the recent modifications simply cannot hold up to the evidence.

The Ebb and Flow of Migration, 1950–1970

Data on migration indicate that the flows are cyclical as well as long-term in nature. The original push-pull thesis and its newer versions cannot explain what accounts for this pattern. A constant (i.e., a steady disparity in the level of income and wages, or migrant networks, or the like) cannot logically account for variations in the pace of migration. Rather, one must turn again to concrete historical developments to explain those changes.

Despite the upheaval of the 1910 revolution, U.S. investment in the 1920s either retained its position garnered during the Díaz years or increased in significance.⁵⁹ With the coming of the global depression that began in the early 1930s, economic activity by U.S. companies at home and abroad diminished. The evidence shows that migration from Mexico declined after 1930 following the 1910–1930 upward trend. The slowdown in migration lasted until the early 1950s when it picked up again. Seeking the causes of this rebound, we once again turn to the pattern of U.S. economic activity in Mexico.

Beginning in the early 1940s, U.S. investments in Mexico began to rise once again in new forms. In Mexico, the depression of the 1930s brought to power what would become the future Partido Revolucionario Institucional (PRI) under its paternalistic leading figure, Lázaro Cárdenas. Like Franklin D. Roosevelt's New Deal, the Cárdenas government used the economic power of the state as never before in Mexico to maintain and protect the free market/private property social contract.

Under the Partido Revolucionario Mexicano (forerunner of the PRI), foreign investment flowed once again: It tripled from 1940 to 1950, and doubled again by 1958.⁶⁰ But the profile of the investment was different. Guided by the governing party, the national government instituted in 1934 a major public finance and development institution, the Nacional Financiera, which became the pillar of the economy. Nacional Financiera invested heavily in works of irrigation, highways, and electric power. Of the decades from 1940 to 1970, a period of rapid economic growth in Mexico, it has been said that “[n]o financial institution in Mexico has contributed more to the economic growth of that country than Nacional Financiera.”⁶¹

Beginning in the early 1940s, U.S.-based banks and financial institutions began to invest in Mexico through loans to the Nacional Financiera. Some of the lending institutions included the U.S. Export-Import Bank, the Bank of America, the Chase Manhattan Bank, and eventually the International Bank for Reconstruction and Development (World Bank). Between 1942 and 1959 more than \$900 million (mostly of U.S. origin) had been invested in major works of infrastructure in Mexico by way of the Nacional Financiera.⁶² By 1953 for-

eign loans accounted for the single largest—about one-third—source of equity funds available to the institution.⁶³ This allowed U.S. capital to maximize its leverage over decision making while minimizing risks: U.S. financial institutions were in the driver's seat of the economic policies of the *Nacional Financiera*.

The investments financed by the *Nacional Financiera* had a tremendous impact both on Mexico's economy and on migration to the United States. A significant proportion of the investment went into major irrigation projects, the most important of which were located in the northern border states. The irrigation projects began in the early 1940s and included the Falcón Dam on the Rio Grande and the Rio Fuerte Irrigation Project in the state of Sonora. A tremendous increase in agricultural production followed. For example, cotton production in areas like the Mexicali Valley made Mexico the largest cotton exporter in the world.⁶⁴ Cotton production itself developed under the close control, through credit and marketing channels, of a U.S. agribusiness giant, Anderson Clayton (AC).

Mexican growers did not sell their product in the international market but through Anderson Clayton (and other U.S. companies), which monopolized the harvest and provided credit, seed, and fertilizers to the producers (much as AC had done in California's San Joaquin Valley in the 1930s). This company also managed cotton production in the countries with which Mexico competed in the world market: Brazil and the United States. In the late 1960s such control enabled AC to engage in cotton "dumping," reminding the Mexican government who was boss.⁶⁵ The opening up of irrigated lands in Sinaloa and Sonora allowed also for the production of "winter vegetables" beginning in the late 1940s, creating additional pockets of U.S. agribusiness control. The Pan-American Highway—another *Nacional Financiera* project—facilitated the marketing of Mexican vegetables in the United States. Thus, the export of tomatoes from Mexico's northeast increased from less than a million pounds in 1942 to 14 million in 1944.⁶⁶ The denationalized character of this production was evident as other U.S. corporations joined AC in effectively taking over Mexico's agribusiness, from production and the sale of machinery and fertilizers to the processing and merchandising of agricultural goods. The method of political control that John Foster Dulles described was complete: Mexico was borrowing money from U.S. banks to develop irrigation projects and transportation, thereby making possible the growth of U.S.-controlled agriculture in the northern tier of Mexican states.

With the growth of agriculture came population shifts, continuing the pattern begun in the late nineteenth century. Outside of the tourist-driven economies of Acapulco and Quintana Roo, only three Mexican states, all border states, showed an astonishing rate of growth of 45 percent or above in the

1950–1960 period (Baja California 232 percent, Tamaulipas 61 percent, and Sonora 45 percent).⁶⁷ Between 1950 and 1960 the total population of the eight major *municipios* of the Mexican border (Tijuana, Mexicali, Nogales, Ciudad Juárez, Piedras Negras, Nuevo Laredo, Reynosa, and Matamoros) increased by 83 percent, from less than 900,000 to 1.5 million. By 1970 the population had reached a total of 2.3 million. Between 1960 and 1969 the population rose by 45 percent in the northern border states (Baja California, Sonora, Chihuahua, Coahuila, Nuevo León, and Tamaulipas) in contrast with a figure of 31 percent for the nation as a whole. In 1970 fully 29 percent of the border population came from other parts of the country.⁶⁸

Between 1950 and 1970 further ties developed across the Mexico–United States border. Subordination to U.S. corporations and the U.S. government provided the opportunity to construct a giant agribusiness economy on both sides of the border that relied on the ready supply of cheap labor from the interior of Mexico. An evident consequence of this relationship was one of the most spectacular mass movements of people in the history of humanity. The northward migration of people from all corners of Mexico to its north and, for many, eventually to the United States was motivated by the same general force, *the economic dislocation caused by U.S. capital—not an amorphous “global” capital—in Mexico*, the pace of the movement modulated in a cyclical manner by the relative intensity of U.S. economic intrusion. This movement turned the border area into a highly urbanized region. Simultaneously, migration constantly propelled the growth of the Chicano minority in the United States in a variety of forms: regulated and unregulated, legal and illegal, cyclical and long-term.

The Current Cycle, 1970–2000

As in the post–World War II period, U.S. investments in Mexico between 1970 and 2000 shifted away from mining and railroads toward industrial manufacturing. U.S. corporations made their way through direct purchase into the most dynamic sectors of local industry, especially in the 1960s. This trend occurred most notably in consumer durables, chemicals, electronics, department stores, hotels and restaurants, and the food industry, whereby United Fruit (later known as Dole), Heinz, Del Monte, and General Foods became very visible; 225 subsidiaries of U.S.-based corporations operated in the manufacturing sector.⁶⁹ U.S. investment in manufacturing concentrated around Mexico City, which accounted for 50 percent of the total manufacturing production of the country in 1975. Although this geographical concentration shifted, in the meantime Mexico's dependence on foreign loans increased. Between 1950 and 1972 the foreign debt grew at an average annual rate of 23 percent, reaching \$11 billion by the latter year.

A chronic balance-of-payments problem, resulting from Mexico's reliance on the export of primary commodities and on foreign loans, made the situation worse. Beginning in the late 1960s, Mexico's hardly independent government had no choice but to accept lenders' terms. At the behest of international creditors, economic policies once again resulted in massive economic and demographic dislocation, contributing to a further increase of migration into Mexico's northern region, which became not only highly urbanized but acquired a new role as a major staging area for further migration to the United States.

In 1967 Mexico took a giant step in the complete abdication of its economic sovereignty when it established the Border Industrial Program along its northern border, beginning the transformation of the entire area into a gigantic assembly operation. The sad story of the *maquiladora* program in all its sordid details has been told elsewhere.⁷⁰ Suffice it to say that the *maquilas*, like a narcotic drug, made Mexico even more dependent while failing to solve its unemployment problems or help the country to become self-sufficient, developed, and modern.

For the purposes of our argument, the *maquiladora* program made the border states of Mexico, and specifically its border cities, into magnets for poverty-stricken, unemployed masses seeking work in the growing assembly plant industry. The *maquiladoras* have turned Mexico's northern border into an enclave with few links to the rest of the economy. Into the border area flowed duty-free manufacturing inputs to be assembled into final products for entry into the United States or export to other countries. The northern tier of Mexico has become a direct appendage of U.S. manufacturing, replicating the examples of railroads and mining in the Mexican economy during the early 1900s.

Simultaneous with the development of the *maquiladora* program, other significant changes affected Mexican agriculture. Between 1940 and the late 1960s, Mexico's countryside provided the basic food staples to its growing urban population. However, pressure from international lenders and agribusiness multinationals caused Mexico's central government to eliminate subsidies to small agricultural producers, who then began to abandon their farm plots to join the migration streams. Into the breach moved the United States, which turned the same agricultural lands into mechanized farms, producing commodities for export to the United States. In the 1970s the rate of growth of basic staples like corn, beans, and wheat began to fall behind population growth. To cover the precipitous decline in staple food production, a problem not seen since the Porfiriato, the country was forced to import basic food supplies.⁷¹ However, imports have not fed Mexico's people satisfactorily. Infectious diseases and other illnesses linked to malnutrition and economic underdevelopment became rampant by the late 1980s.⁷²

The 1990s witnessed the signing of the North American Free Trade Agreement (NAFTA), the most recent and devastating example of how U.S. domination over Mexico continues to misdevelop and tear apart the socioeconomic integrity of that society. The U.S. government and major corporate interests promoted NAFTA as a weapon in their trade competition with Europe and Japan. Under the “free trade” slogan, the proposed treaty would ostensibly serve two purposes. First, it would enable U.S. enterprises willing and able to invest in Mexico to take advantage of that country’s cheaper wages. Mexico was to become a platform for the export of manufactured commodities to the United States and world markets. Major U.S. corporations, in particular automobile manufacturers, stood to benefit greatly from this scheme. Second, the treaty would, in effect, simultaneously deny to other economic powers the advantage of operating in and exporting from Mexico. Briefly put, the United States sought to create with Mexico (and Canada) an economic bloc to compete against Europe and Japan.

In its quest, the United States could count upon the leadership of Mexico’s governing party, the PRI, and President Carlos Salinas. Under his leadership, Mexico undertook a set of wide-ranging measures to make NAFTA a reality. First, to demonstrate resolute support for market-oriented policies and attract foreign capital, the Mexican government broke up numerous government enterprises and laid off thousands of employees. Hundreds of state companies and institutions were sold or “privatized.” The government enacted laws to “flexibilize” the labor market, restricting wage increases, curtailing vacation and sick-leave time, extending the work-week, and increasing management powers over the firing and hiring of temporary workers (known in the United States as downsizing). The elimination of trade protection meant that by 1993 nearly 50 percent of Mexico’s textile firms and 30 percent of leather manufacturing firms had gone bankrupt. By the time of the signing of the treaty, Mexico’s population had become severely polarized in terms of wealth and income.⁷³

The actual signing of NAFTA revealed that Mexico was only as strong a bargainer as the weakest of the 535 U.S. parliamentarians. U.S. President Bill Clinton succeeded in obtaining a majority vote in Congress only by guaranteeing a multitude of senators and representatives protection for their districts against any competition that might result from NAFTA. For example, a Texas congressman agreed to vote in favor of NAFTA only after Clinton promised that the Pentagon would add two more cargo planes to a production order previously awarded to his district. A Florida representative voted for the treaty only after the State Department agreed to seek the extradition of an individual residing in Mexico who was accused of a crime in the United States. A lawmaker from Georgia opted for the treaty in exchange for promises by the Agriculture

Department that limits would be imposed upon increasing imports of peanut butter from Canada. Even small U.S. producers of brooms were protected from Mexican competition. Throughout the entire humiliating process, not a peep was heard from the Salinas government. In the end, “free trade” meant that Mexico would be completely open to U.S. goods, but U.S. producers were safely guarded against Mexico’s products.

Rather than a free trade agreement, NAFTA could be better described as a “free investment” agreement. During the 1980s, tariffs levied by Mexico against the United States had steadily declined. NAFTA codified these changes, and, more importantly, it opened up investment opportunities in Mexico, protected against nationalizations, and eliminated all restrictions against U.S. ventures in Mexico. Of course, the “free investment” part would be limited under a section of the treaty entitled “rules of origin.” These rules defined as domestic any inputs originating in Canada, the United States, and Mexico. Other inputs (for example, those from Japan) were classified as “foreign,” and any products assembled with them became liable to export limits. In other words, after NAFTA it became more difficult for Japanese or European investors to ship products into Mexico for assembly and export to the United States.

NAFTA was never envisioned as a development policy for Mexico. All announced plans, forecasts, and decisions by U.S. multinationals relied on the low wages prevalent in Mexico as the key variable involved. Further displacement of peasants, massive migration, and the destruction of what remains of domestic Mexican agriculture will follow on the heels of NAFTA’s complete opening to competition with the large U.S. agribusiness consortiums. Under NAFTA, Mexico has agreed to subject all land to privatization—that is, sale and speculation. For example, it returned Indian lands to the same juridical status that gave rise to Mexico’s famed agrarian revolt over ninety years ago.⁷⁴

Almost to the day of the first anniversary of the signing of NAFTA, the newly installed administration of Ernesto Zedillo faced a catastrophic devaluation of the national currency. Mexico’s image changed from an investor’s paradise to a disheveled financial hulk, a virtual economic protectorate of the United States. The United States set up conditions for a bailout that were, according to newspaper reports, too sensitive even to be published in Mexico. Eventually it became known that the U.S. plan required Mexico to hand over all revenues from its oil sales and gave to U.S. banks the right to supervise and enforce further privatizations and measures of austerity. Everything was now up for sale: bridges, airports, toll roads, ports, telephones, and so on. In the meantime, thousands of farmers, business people, and consumers went broke because they could not pay bills, meet debts, or finance mortgages. Contemporary estimates indicate that in the first two months of 1995 nearly 600,000 jobs were lost. A

whopping 30 percent of Mexico's labor force, 11 million people, were reported unemployed in mid-1995.⁷⁵

The U.S. embassy in Mexico, demonstrating U.S. resolve to remain committed to its plans for Mexico, referred positively to rising unemployment and bankruptcies as the "Darwinian effects" of NAFTA. Embassy officials praised its "stabilizing" effects upon the economy and called it the "bright spot" in the Mexican catastrophe. Taking advantage of the plummeting wage levels in Mexico relative to the dollar, the United States benefited enormously as 250 companies set up shop in the border area in the first three months of 1995. Apparently, Mexico should have been grateful that, in exchange for millions of unemployed and thousands ruined, a handful of Mexicans—a new generation of migrants—obtained jobs toiling in border cities for a miserable wage assembling products for reshipment to the United States. In the long run, the devastating effects of NAFTA upon Mexico's remaining agricultural production and urban manufacturing will throw onto the migration highways an even larger number of people desperately looking to make a living, thereby enlarging at a faster pace the mass of Mexican migrants in the United States. NAFTA is a particularly telling example of the unity of push and pull, as well as the role of U.S. domination in dismembering Mexico and creating a Chicano national minority in the United States.

Conclusion: A Network of Domination

Under NAFTA, steadily dropping manufacturing employment (outside of the maquila sector) points to the deindustrialization of Mexico. While manufacturing employment stood at 2,557,000 in 1981, it fell to 2,325,000 in 1993 and to 2,208,750 by 1997, a 13 percent drop from 1981. This brought with it lower living standards, as many workers moved from permanent to lower wage contingency work that lacked benefits and union protection. The destruction of Mexico's industrial base is particularly pronounced in the area of capital goods. Between 1995 and 1997 alone, following the peso debacle, 36 percent of the nation's 1,100 capital goods plants closed down. In all, 17,000 enterprises of all kinds went bankrupt shortly after the crisis exploded. Meanwhile, employment opportunities in the lowest-paying categories ballooned by 60 percent, dragging 5 million people to the official category of "extreme poverty." Manufacturing production has been reduced to the maquiladora sector, situated largely in the northern confines of the country, and to an increasingly concentrated manufacturing system dominated by a few U.S. industrial giants involved in production for export.⁷⁶

The debacle in national industry has also materialized in agriculture with catastrophic consequences. According to a Mexican analyst, the opening of

agricultural markets by the NAFTA treaty has led to the rapid ruin of what remained of Mexico's production of basic staples and to the dumping of cheap U.S. corn, wheat, and beans into Mexico. One hundred years of U.S. empire building has produced what 300 years of Spanish rule could not accomplish: the complete inability of the Mexican nation to produce enough to feed its own people. The migratory consequences are staggering: Millions will be forced to leave Mexico's countryside in the next decade.⁷⁷

The demographic impact of this transformation of Mexico's economy has already caused a dramatic shift in the nation's population distribution. Since the 1960s the northern *municipios* feature one of the fastest-growing populations in the world. There appears no end in sight. The population there, which topped 4 million in 1995, is expected to double by 2010 and more than triple by 2020. Ciudad Juárez, for example, has grown fivefold since 1970, reaching one million. According to the Associated Press, each day "an estimated 600 new people arrive from Mexico's poor provinces hoping for work" in Ciudad Juárez—or nearly 220,000 new arrivals a year. Internal migrants in desperate straits will later surface as international migrants confronting the dangers of the militarized border.⁷⁸

Today, this process intensifies the Mexicanization in the many barrios across the United States, forging a distinct demographic form in which immigrants either outnumber the second generation or reach a level of parity not seen since the 1930s. Migrants are the fastest-growing sector of the Chicano population; approximately 40 percent were born in Mexico, up from 17 percent four decades ago.⁷⁹ Had it not been for the Great Depression and World War II, the migratory movement of the 1900 to 1930 period would have proceeded without respite. That interruption made possible a distinctive Mexican American generation and later the Chicano generation. However, once migration resumed its previous pace, a cultural pattern that first surfaced in the 1920s reappeared in the 1960s. We foresee this Mexicanization overwhelming the older enclaves, remaking older barrios into immigrant centers, and thus reshaping the Chicano version of ethnic politics forged in the 1960s.

If there were any doubts about the false dichotomy between push and pull factors in the case of Mexico, the maquila program, NAFTA, and the agricultural collapse have erased them. For the most part, historians and social scientists have chosen not to scrutinize push-pull in this manner. Rather, social science perspectives have, in head-in-sand fashion, chosen to focus away from these "macro" factors toward the agency of migrants who, having constructed networks of migration, are regarded as the self-generators of migration. To be sure, Mexican immigrants have taken active roles and made significant choices in the construction of their lives, families, and communities. But it defies the

evidence to insist that the explanation for Mexican migration to the United States lies within the immigrants' subjectivity. A simpler and more powerful explanation for Mexican migration northward to the United States, and the consequent development of the Chicano national minority, focuses on the 100 years of economic domination by centers of transnational economic power in the United States. Bit by bit, this tighter and tighter network of domination has succeeded in disarticulating the Mexican economy, destroying its domestic industry and local agricultural production, creating demographic dislocation, and, in the process, turning an increasing portion of its population into a nomadic mass of migrant workers who eventually emerge as the Chicano national minority. The rise of the Chicano national minority is not an event marginal to U.S. history. Quite the opposite, it has been central to the construction of the U.S. neocolonial empire.

Epilogue

In an earlier essay we challenged the widespread view that contemporary Chicano history originated in the aftermath of the 1848 conquest.⁸⁰ By focusing on economic transformations, we questioned the conventional periodization of Chicano history and argued that the nineteenth- and twentieth-century Spanish-speaking populations of the southwestern United States were largely two different populations. A focus on the War of 1848—the presumed starting point of Chicano history—obscures the relationship between the establishment of U.S. hegemony over Mexico, which came decades later, and the development of the Chicano national minority in the United States in the twentieth century.

We must distinguish the annexation of 1848 and the ensuing institutional integration of Mexican territory into the United States from the economic conquest of the late nineteenth and early twentieth centuries. Rather than the commonly held belief that the Mexican-American War of 1848 led to the construction of the Chicano minority, this study proposes that the origins of the Chicano population evolved from the economic empire established by corporate capitalist interests with the backing of the U.S. State Department. The political and economic repercussions of 1848 had virtually ended by the last decade of the nineteenth century. Furthermore, at no time did the 1848 annexation cause continuous internal migration, the mass population concentration along the border, the *bracero* program, low-wage *maquila* plants, Mexico's agricultural crisis, and, more importantly, a century of migrations to the United States. Those historical chapters, derived from the economic subordination of Mexico, forged the modern Chicano national minority.

NOTES

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- 1 Chapter epigraph taken from Ernesto Galarza, “Program for Action,” *Common Ground*, 10 (1949).
- 2 John Kenneth Turner, *Barbarous Mexico* (Chicago, 1911), 256–257.
- 3 John Mason Hart, *Revolutionary Mexico: The Coming Process of the Mexican Revolution* (Berkeley, 1997), chapters 5–7.
- 4 As quoted in the *Ottawa (Canada) Monitor*, Sept. 1995.
- 5 See, for example, Jonathan C. Brown, *Oil and Revolution in Mexico* (Berkeley, 1993); William E. French, *A Peaceful and Working People: Manners, Morals, and Class Formation in Northern Mexico* (Albuquerque, 1996); G. M. Joseph, *Revolution from Without: Yucatan, Mexico, and the United States, 1880–1924* (Durham, N.C., 1988); Ramon Eduardo Ruiz, *The People of Sonora and Yankee Capitalists* (Tucson, 1988); Mark Wasserman, *Capitalists, Caciques, and Revolution: The Native Elite and Foreign Enterprise in Chihuahua, Mexico, 1854–1911* (Chapel Hill, N.C., 1984).
- 6 There are a number of studies that look at the characteristics of the cooperation between Mexico’s elites and powerful U.S. monopolies that descended upon Mexico at the end of the nineteenth century. In addition to those listed in note 5, see Robert Freeman Smith, *The United States and Revolutionary Nationalism in Mexico, 1916–1922* (Chicago, 1972), and Hart, *Revolutionary Mexico*, chapters 5 and 6.
- 7 See, for example, Clarence Clendenen, *The United States and Pancho Villa: A Study in Unconventional Diplomacy* (Ithaca, N.Y., 1961); Friedrich Katz, *The Secret War in Mexico: Europe, the United States and the Mexican Revolution* (Chicago, 1981); Gregg Andrews, *Shoulder to Shoulder? The American Federation of Labor, the United States, and the Mexican Revolution* (Berkeley, 1991); and Hart, *Revolutionary Mexico*.
- 8 Gilbert G. González, *Mexican Consulates and Labor Organizing: Imperial Politics in the American Southwest* (Austin, Tex., 1999).
- 9 See Mario Barrera, *Race and Class in the American Southwest: A Theory of Racial Inequality* (Notre Dame, Ind., 1979), 68–69; U.S. Industrial Commission, *Reports of the Industrial Commission on Immigration*, 15 (Washington, D.C., 1901), lxxxix. The report’s conclusions about the cause of migration were based on the testimony of a former commissioner of immigration of the port of New York. As a witness before the U.S. Industrial Commission, he stated that “Those people who come for settlement in this country have a desire and feel the ability in themselves to expand, to look out for larger and better fields for their activity than they can find at home.” *Reports of the Industrial Commission on Immigration*, 15, 183. See also Victor S. Clark, *Mexican Labor in the United States*, Department of Commerce and Labor, Bureau of Labor Bulletin No. 78 (Washington, D. C., 1908), 505; Manuel Gamio, *Migration and Immigration to the United States: A Study of Adjustment* (Chicago, 1930), 171; and Paul S. Taylor, *A Spanish-Mexican Peasant Community, Arandas in Jalisco, Mexico* (Berkeley, 1933), 40.
- 10 For a summary of sociological critiques of push-pull theories, see Alejandro Portes and Robert L. Bach, *Latin Journey: Cuban and Mexican Immigrants in the United States* (Berkeley, 1985); Stephen Castles and Mark J. Miller, *The Age of Migration: International Population Movements in the Modern World* (New York, 1993); Ewa Morawska,

- "The Sociology and Historiography of Immigration," in Virginia Yans-McLaughlin, ed., *Immigration Reconsidered: History, Sociology, and Politics* (New York, 1990), 192.
- 11 Leo Grebler, Joan W. Moore, Ralph C. Guzman, and Jeffrey Lionel Berlant, *The Mexican American People: The Nation's Second Largest Minority* (New York, 1970), 63.
 - 12 The examples of push-pull are many; the following are but a few: Leo R. Chavez, "Defining and Demographically Characterizing the Southern Border of the U.S.," in John R. Weeks and Roberto Ham-Chande, eds., *Demographic Dynamics of the U.S.-Mexico Border* (El Paso, Tex., 1992); Douglas S. Massey, Rafael Alarcón, Jorge Durand, and Humberto González, *Return to Aztlan: The Social Process of International Migrations From Western Mexico* (Berkeley, 1987), 108; Mark Reisler, *By the Sweat of Their Brows: Mexican Immigrant Labor in the United States, 1900-1940* (Westport, Conn., 1976), 14; Arthur F. Corwin and Lawrence A. Cardoso, "Vamos al Norte: Causes of Mass Migration to the United States," in Arthur F. Corwin, ed., *Immigrants and Immigrants: Perspectives on Mexican Labor Migration to the United States* (Westport, Conn., 1978), 39; David Maciel and Maria Herrera Sobek, "Introduction," in David Maciel and Maria Herrera Sobek, eds., *Culture Across Borders: Mexican Immigration and Popular Culture* (Tucson, 1998), 4; Camille Guerin-Gonzales, *Mexican Workers and the American Dreams: Immigration, Repatriation, and California Farm Labor, 1900-1939* (New Brunswick, NJ, 1994), 27-30; George J. Sánchez, *Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles, 1900-1945* (New York, 1993), 20, 39; Richard Griswold del Castillo and Arnolfo de León, *North to Aztlan: A History of Mexican Americans in the United States* (New York, 1996), 60-61; Antonio Rios-Bustamante, ed., *Mexican Immigrant Workers in the United States* (Los Angeles, 1981); Frank D. Bean, Rodolfo de la Garza, Bryan Roberts, and Sidney Weintraub, eds., *At the Crossroads: Mexico and U.S. Immigration Policy* (New York, 1997).
 - 13 There are a few exceptions. Barrera's *Race and Class in the Southwest* briefly pointed out that the push-pull notions were difficult to separate. Alejandro Portes also points to weaknesses in "From South of the Border: Hispanic Minorities in the United States," in Yans-McLaughlin, ed., *Immigration Reconsidered*. Portes generally identifies the role of U.S. expansion and intervention in Mexico, which he lumps with "postcolonial" societies. Upon closer examination, he appears to be referring to the territorial acquisition following the Mexican-American War of 1846. He specifically places the origin of the northward migration on the activities of labor recruiters, not on the social dislocations caused by U.S. investments. Interestingly, Saskia Sassen also emphasizes the "emergence of a multinational labor market" consequent to the "internationalization of capital." She writes that investments by U.S. railroad and agricultural corporations and the Border Industrial Program "are all processes which created a labor market." The U.S.-Mexican border artificially divides this "labor market"; hence, migration responds to the international labor marketplace. Saskia Sassen, "U.S. Immigration Policy Toward Mexico in a Global Economy," in David Gutiérrez, *Between Two Worlds: Mexican Immigrants in the United States* (Wilmington, Del., 1996).
 - 14 See the special issue of the *Journal of American History* 86 (1999), edited by David Thelen, titled "Rethinking History and the Nation-State," 427-697.
 - 15 See, for example, Nestor Rodriguez, "The Battle for the Border: Notes on Autonomous Migration, Transnational Communities, and the State" in Susanne Jonas and

- Suzie Dod Thomas, eds., *Immigration: A Civil Rights Issue for the Americas* (Wilmington, Del., 1999); for a variation on this theme, see David M. Reimers, *Still the Golden Door: The Third World Comes to America* (New York, 1985), 128–29; Vicki Ruiz, *From Out of the Shadows: Mexican Women in Twentieth-Century America* (New York, 1998), 163; Pierrette Hondagneu-Sotelo, *Gendered Transitions: Mexican Experiences of Migration* (Berkeley, 1994); Douglas Massey, “The Social Organization of Mexican Migration to the United States,” in David Jacobson, ed., *The Immigration Reader: American in Multidisciplinary Perspective* (New York, 1998), 213–14; and David Jacobson, “Introduction” in *The Immigration Reader*, II. Jacobson writes that “Mexican migration reflects the earlier development of social networks that sustain it.”
- 16 See, for example, Wayne Cornelius, “The Structural Embeddedness of Demand for Mexican Immigrant Labor: New Evidence from California,” in Marcelo M. Suarez-Orozco, ed., *Crossings: Mexican Immigration in Interdisciplinary Perspective* (Cambridge, Mass., 1998), 141–42, and Robert Smith, “Commentary,” in Orozco, *Crossings*.
 - 17 Douglas S. Massey and Kristin E. Espinosa, “What’s Driving Mexico-U.S. Migration? A Theoretical, Empirical, and Policy Analysis,” *American Journal of Sociology* 102 (1997), 953.
 - 18 Massey and Espinosa, “What’s Driving Mexico-U.S. Migration?,” 954.
 - 19 See Reimers, *Still the Golden Door*; Frank D. Bean, W. Parker Frisbie, Edward Telles, and B. Lindsay Lowell, “The Economic Impact of Undocumented Workers in the Southwest of the United States,” in Weeks and Ham-Chande, eds., *Demographic Dynamics*.
 - 20 Saskia Sassen, “Foreign Investment: A Neglected Variable,” in Jacobsen, ed., *The Immigration Reader*; Saskia Sassen, *Globalization and Its Discontents: Essays on the New Mobility of People and Money* (New York, 1998), chapter 6.
 - 21 Quoted in P. Harvey Middleton, *Industrial Mexico: Facts and Figures* (New York, 1919), frontispiece; for a slightly different version, see Alfred Tischendorf, *Great Britain in Mexico in the Era of Porfirio Díaz* (Durham, N.C., 1961), 75.
 - 22 David M. Pletcher, *Rails, Mines, and Progress: Seven American Promoters in Mexico, 1867–1911* (Ithaca, N.Y., 1958), 38.
 - 23 Pletcher, *Rails, Mines, and Progress*, 38, 79–80.
 - 24 Chester Lloyd Jones, *Mexico and Its Reconstruction* (New York, 1921), 299, 310. Mexican elites anticipated the policy design. Onetime Mexican representative in Washington, Matias Romero, proposed an economic conquest in an 1864 speech before a gathering of New York City’s prominent citizens. Guests included the largest capitalists; names like Aspinwall, Astor, Fish, and Clews filled the list. Romero advised: “The United States are the best situated to avail themselves of the immense wealth of Mexico. . . . We are willing to grant to the United States every commercial facility. . . . This will give to the United States all possible advantages that could be derived from annexation, without any of its inconveniences.” Matias Romero, *Mexico and the United States* (New York, 1898), 385.
 - 25 Pletcher, *Rails, Mines, and Progress*, 3.
 - 26 Ruiz, *The People of Sonora*, 14–15; Wasserman, *Capitalists, Caciques, and Revolution*, 108–9.
 - 27 In his authoritative 1921 review of Mexican railroads, Fred Wilbur Powell stated that “Mexican railroad development was the result of foreign capital and enterprise,

- attracted by national franchises or ‘concessions’ and encouraged by subsidies” (emphasis added). Fred Wilbur Powell, *The Railroads of Mexico* (Boston, 1921), 1.
- 28 Walter E. Weyl, *Labor Conditions in Mexico*, Bulletin of the U.S. Department of Labor, No. 38 (Jan. 1902), 52.
- 29 Marvin D. Bernstein, *The Mining Industry in Mexico, 1890–1950* (New York, 1964), 35.
- 30 Bernstein, *The Mining Industry in Mexico, 1890–1950*, 33. Booster advertising that offered sure bets on Mexican investments cajoled American investors. Railroads, it was said, guaranteed lucrative profits and vast wealth; they awaited only the enlightened administration of the American investor. David M. Pletcher, “The Development of the Railroads in Sonora,” *Inter-American Economic Affairs* 1 (1948), 1–2. One pamphlet published by the U.S. government announced that “the opening up of new mining districts is largely due to Americans, both through the improved mining methods and through the development of railroads built by our capital.” International Bureau of the American Republics, *Mexico: Geographical Sketch, Natural Resources, Laws, Economic Conditions, Actual Development, Prospects of Future Growth* (Washington, DC, 1904), 233.
- 31 Robert G. Cleland, “The Mining Industry of Mexico: A Historical Sketch,” *Mining and Scientific Press* (July 2, Nov. 5, 1921), [part 1] 13; Wasserman, *Capitalists, Caciques, and Revolution*, 76.
- 32 John Sheahan, *Patterns of Development in Latin America* (Princeton, N.J., 1987), 297; Joseph, *Revolution from Without*, 30, 51, 62; Wasserman, *Capitalists, Caciques, and Revolution*, 46.
- 33 John Coatsworth, *Growth Against Development: The Economic Impact of Railroads in Porfirian Mexico* (DeKalb, Ill., 1981), 123–124.
- 34 Coatsworth, *Growth Against Development*, 158, 170. John Mason Hart makes this same point: “In the midst of land seizures associated with the planning of the new railroad system, peasant uprisings ranged from Chihuahua in the north to Oaxaca in the south.” Hart, *Revolutionary Mexico*, 41, 170. See also French, *A Peaceful and Working People*, 37–47; Ruiz, *The People of Sonora*, 16–17; Wasserman, *Capitalists, Caciques, and Revolution*, 109.
- 35 Coatsworth, *Growth Against Development*, 145.
- 36 Michael Johns, *The City of Mexico in the Age of Díaz* (Austin, Tex., 1997), 14.
- 37 Roger D. Hansen, *The Politics of Mexican Development* (Baltimore, 1971), 27; Nathan L. Whetten, *Rural Mexico* (Chicago, 1948), 89.
- 38 Moisés González Navarro, *El Porfiriato: La Vida Social* (Mexico City, 1957), 20.
- 39 Johns, *The City of Mexico*, 64.
- 40 Turner, *Barbarous Mexico*, 116.
- 41 Johns, *The City of Mexico*, 30.
- 42 Evelyn Hu-Dehart, “Pacification of the Yaquis in the Late Porfiriato: Development and Implications,” *Hispanic American Historical Review* 54 (1974), 77.
- 43 Frank Tannenbaum, *The Mexican Agrarian Revolution* (Washington, DC, 1929), 126.
- 44 Weyl, *Labor Conditions in Mexico*, 91.
- 45 See Rodney D. Anderson, *Outcasts in Their Own Land: Mexican Industrial Workers, 1906–1911* (De Kalb, Ill., 1976), 48–50. Anderson writes that “the artisans added to the growing numbers of rural people forced off their lands by enclosure.”

- 46 Clark, *Mexican Labor in the United States*, 470–71. See also French, *A Peaceful and Working People*, 42–43.
- 47 González Navarro, *El Porfiriato*, xvii, 25.
- 48 Friedrich Katz, “The Liberal Republic and the Porfiriato, 1867–1910,” in Leslie Bethell, ed., *Mexico Since Independence* (New York, 1991), 89.
- 49 E. A. H. Tays, “Present Labor Conditions in Mexico,” *Engineering and Mining Journal* 84 (1907), 622.
- 50 Allen H. Rogers, “Character and Habits of Mexican Miners,” *Engineering and Mining Journal* 85 (1908), 700.
- 51 See Cleland, “The Mining Industry of Mexico,” [part 2] 640.
- 52 J. Fred Rippy, *Latin America and the Industrial Age* (New York, 1947). Jonathan Brown, “Foreign and Native-Born Workers in Porfirian Mexico,” *American Historical Review* 98 (1993), 798.
- 53 González Navarro, *El Porfiriato*, 23.
- 54 Rogers, “Character and Habits of Mexican Miners,” 701. See also Brown, *Oil and Revolution in Mexico*, 80–81. Brown writes that the Veracruz state population increased by 280,000 between 1890 and 1910, the oil boom years cited by personages like Edward Doheny, who developed the Veracruz area oil explorations.
- 55 Dwight E. Woodbridge, “La Cananea Mining Camp,” *Engineering and Mining Journal* 82 (1906), 623. This citation also applies to the following paragraph.
- 56 See French, *A Peaceful and Working People*; Brown, *Oil and Revolution in Mexico*; Wasserman, *Capitalists, Caciques, and Revolution*; Ruiz, *The People of Sonora*; Smith, *The United States and Revolutionary Nationalism in Mexico*.
- 57 Clark, *Mexican Labor in the United States*, 472.
- 58 Taylor, *A Spanish-Mexican Peasant Community*, 44.
- 59 Smith, *The United States and Revolutionary Nationalism*, 34.
- 60 Howard F. Cline, *Mexico: Revolution to Evolution, 1940–1960* (New York, 1963), 244.
- 61 Benjamin Higgins, *Economic Development: Problems, Principles, and Policies* (New York, 1968), 643.
- 62 Cline, *Mexico*, 245.
- 63 Higgins, *Economic Development*, 645.
- 64 W. Whitney Hicks, “Agricultural Development in Northern Mexico, 1940–1960,” *Land Economics* 53 (Nov. 1967), 396.
- 65 Raúl A. Fernandez, *The United States-Mexico Border: A Politico-Economic Profile* (Notre Dame, Ind., 1977), 108.
- 66 Fernandez, *The United States-Mexico Border*, 123.
- 67 Raúl A. Fernandez, *The Mexican American Border Region: Issues and Trends* (Notre Dame, Ind., 1989), 61. It is interesting to note that during the cotton boom years (1940–1960), the border *municipios* where cotton was the main agricultural product (Mexicali, Juárez, Reynosa, and Matamoros) registered the highest rates of population growth. On the other hand, during the years of the cotton crisis (1960–1970), the same municipalities suffered a sharp drop in their populations.
- 68 Fernandez, *The Mexican American Border Region*, 108.
- 69 See Fernandez, *The Mexican American Border Region*; Fernandez, *The United States-Mexico Border*.
- 70 Fernandez, *The United States-Mexico Border*.

- 71 David Barkin and Blanca Suarez, *El Fin de la Autosuficiencia Alimentaria* (Mexico City, 1982); Ruth Rama, "Some Effects of the Internationalization of Agriculture on the Mexican Agricultural Crisis," in Steven E. Sanderson, *The Americas in the New International Division of Labor* (New York, 1985).
- 72 Hart writes: "Mexico in 1987 constitutes an economic and social disaster . . . 70 percent of the children suffer from malnutrition. . . . The World Health Organization estimates that 107,000 Mexican children died in 1983 from three diseases for which immunization is available." Hart, *Revolutionary Mexico*, 378.
- 73 Carlos Heredia and Mary E. Purcell, "The Polarization of Mexican Society," paper prepared for the NGO Working Group on the World Bank, Development Group for the Alternative Policies, Dec. 1994.
- 74 González, *Mexican Consuls and Labor Organizing*, 12, 14–15; James D. Cockcroft, *Mexico: Class Formation, Capital Accumulation, and the State* (New York, 1983), 91.
- 75 González, *Mexican Consuls and Labor Organizing*, chapter 6.
- 76 *International Report* 12 (March–June 1994); 13, (Feb.–July 1995). Raúl Fernández, "Perspectivas del Tratado de Libre Comercio de Norteamérica," *Deslinde* [Bogotá, Colombia], 13 (March–April 1993). James M. Cypher, "Developing Disarticulation within the Mexican Economy," *Latin American Perspectives* 28, no. 3 (2001): 11–37.
- 77 Victor S. Quintana, "La Catastrofe Maicera," *La Opinion*, April 17, 1999; Chris Kraul, "Growing Troubles in Mexico," *Los Angeles Times*, Jan. 17, 2000. Kraul writes that, due to corn imports from the United States, "one fifth of the 250,000 families who were working the land in Guanajuato in 1990 have since left their farms . . . a population shift that has been repeated across Mexico." The Free Trade Agreement "mandated the end of the costly subsidy program"; John Coatsworth, "Commentary" in Suarez-Orozco, ed., *Crossings*, 75–78; Philip Martin, "Do Mexican Agricultural Policies Stimulate Emigration?" in Bean, de la Garza, Roberts, and Weintraub, eds., *At the Crossroads*.
- 78 "A Call to Action is Needed at U.S. Border," *Los Angeles Times*, May 9, 1999; Mark Stevenson, "Border Factories Target of Fury over Mass Killings of Women," *Orange County (Calif.) Register*, April 4, 1999; Ham-Chande and Weeks, "A Demographic Perspective of the U.S.-Mexico Border," in Weeks and Ham-Chande, eds., *Demographic Dynamics*.
- 79 Frank D. Bean and Marta Tienda, *The Hispanic Population in the United States* (New York, 1987), 110; Marcelo M. Suarez-Orozco, "Introduction: Crossings: Mexican Immigration in Interdisciplinary Perspectives," in Suarez-Orozco, ed., *Crossings*, 7; Gilda Laura Ochoa, "Mexican Americans' Attitudes and Interactions Towards Mexican Immigrants: A Qualitative Analysis of Conflict and Cooperation," *Social Science Quarterly* 81 (March 2000), 84–105.
- 80 Gilbert G. González and Raúl Fernández, "Chicano History: Transcending Cultural Models," *Pacific Historical Review* 63 (1994), 469.

Legal Violence: Immigration Law and the Lives of Central American Immigrants

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Concha is in Honduras, the native country of one of the fastest-growing immigrant populations in the United States.¹ The country's stagnant economy resulting from the Central American Free Trade Agreement with the United States and the devastation of Hurricane Mitch in 1998, along with recent political turbulence in the country, have led to massive outmigration in the past decade and a half. Comparing the migration of two family members at different points in time, Concha describes the effects of U.S. immigration and border policy changes on peoples' perceptions of a successful migration:

When my brother went [to the United States, 15 years ago] the idea was to send money. One considered that a successful migration, when people who went sent money here. Now, no. Now it's another thing with all the dangers on the way there, the crossing of the border. Now it's successful if they make it there alive. One is left here with so much anguish. It's just so worrisome to see a loved one go [to the United States].

As Concha relates, the definition of a successful migration today, compared to 15 years ago, has been reduced to simply surviving the trip. Having accepted

the dangerous terms of migration, immigrants and their families understand them as a “new normal,” perhaps even expected, aspect of migration and settlement. In this essay, we analyze how Central American immigrants in tenuous legal statuses experience current immigration laws in qualitatively different and more negative ways than in the recent past.² We argue that this change is rooted in the effects of an increasingly fragmented and arbitrary field of immigration law gradually intertwined with criminal law, and we label the current practices *legal violence*.

The Central American case provides a fruitful starting point to analyze how the legal context of reception produces vulnerabilities among contemporary immigrants. Guatemalan, Honduran, and Salvadoran immigrants have multiple legal statuses resulting from an array of U.S. foreign and immigration policy decisions, bringing into sharp relief the consequences of specific laws on groups and individuals (see Menjívar, n.d.). Grounding our analysis on immigrants’ experiences, we use a theoretical lens that makes visible different forms of violence inherent in the implementation of the law, particularly when these become normalized and accepted (Menjívar 2011, n.d.). Like Central Americans, many immigrants in the United States and in other major receiving countries around the world are facing similar predicaments. Thus, our objective is two-fold: (1) to inspire comparative work by offering an analytical lens that can capture the experiences of other immigrants in unresolved legal statuses today and (2) to theorize about the place of the law in shaping everyday life more generally.

The legal violence lens is particularly useful in the study of immigrants and immigration as it grasps the complex and often overlooked effects of the law on immigrants’ paths of incorporation and assimilation. A central theme in sociological studies of immigration, past and present, has been the incorporation or assimilation of immigrants into the receiving society. This question preoccupied the early scholars whose work set the foundations of American sociology (e.g., Park 1950; Thomas and Znaniecki 1996), and it has sustained considerable attention. Over the decades, debates have revolved around whether immigrants follow a purported straight-line path, as in Milton Gordon’s (1964) classic conceptualization in which, over time, they become similar to the majority group in terms of norms, values, and behaviors, or perhaps a “bumpy line,” as in Herbert J. Gans’s (1992) view. Contemporary debates have centered on whether the paths of incorporation of contemporary immigrants differ from those of immigrants from the turn of the past century (Waldinger and Perlmann 1998; Portes and Rumbaut 2001; Rumbaut and Portes 2001; Kasinitz et al. 2008). Scholars have identified various factors, including immigrant groups’ human capital levels and the occupational opportunities that receive them, as catalysts for successful incorporation. New formulations, building on

earlier foundational questions and focusing on the second generation, have refined the theoretical tools for the understanding of immigrant incorporation. For instance, in what has been called the “new assimilation theory,” Alba and Nee (2003) highlight the crucial role of civil society organizations, past and present, in facilitating assimilation. And exponents of the segmented assimilation framework propose variegated paths of incorporation in which structural factors in the context of reception can lead to stagnant or downward mobility, straight-line assimilation, or an alternative path in which immigrants become successful by staying close to their ethnic group (Portes and Zhou 1993).

The segmented assimilation framework has been especially useful in identifying structural forces that block or facilitate mobility: poor urban schools, inequalities in job market opportunities, racialization (Portes and Zhou 1993; Portes, Fernández-Kelly, and Haller 2005), and immigration laws, for example, shape immigrant “modes of incorporation” (Portes and Böröcz 1989, 620). Along with economic, social, and human capital factors, and the contexts of exit and reception, the segmented assimilation model incorporates immigration laws of the receiving country as a key analytical feature to understand the various paths of immigrant incorporation. Theoretically, we build on this tradition to further examine the potential effects of immigration laws on immigrants’ incorporation, and, in doing so, we focus on the law’s underside—the sometimes hidden and violent effects. This is particularly relevant today, as many immigrants are spending longer periods of time as undocumented or in uncertain legal statuses with significant long-term consequences (Menjívar 2006a, 2006b). And although we do not directly examine the long-term effects of current laws, in highlighting this aspect of the context of reception, we contribute to broader discussions of the place of immigration law (not of legal status *per se*) on immigrant incorporation.

Much of the current discourse implicitly assumes that legal status is intrinsic to individuals; however, migrant illegality (and legality) is legally constructed (De Genova 2005; Ngai 2007; Donato and Armenta 2011). Immigration laws restrict the movement of some individuals but allow the admission of others (Hao 2007), thereby making and unmaking documented, undocumented (Calavita 1998; Ngai 2004), and quasi-documented immigrants. These practices establish a social hierarchy anchored in legality as a social position (Menjívar 2006b), as legal categories grant immigrants access to goods, benefits, and rights in society (Massey and Bartley 2005). As such, immigration laws today create a new axis of stratification that, like other forms of stratification, significantly shapes life chances and future prospects (Menjívar 2006a, 2006b).

To bring to the fore the complex manner in which the law exerts its influence and control, we examine the harmful effects of the law that can potentially

obstruct and derail immigrants' paths of incorporation. We use the term *legal violence* to refer to these effects, as they are often manifested in harmful ways for the livelihood of immigrants. Importantly, although we note cases of interpersonal aggression, or physical violence, we concentrate on those instances that are not directly physically harmful and that are not usually counted and tabulated; indeed, our analysis draws attention to the accumulation of those damaging instances that are immediately painful but also potentially harmful for the long-term prospects of immigrants in U.S. society. We trace immigrants' experiences to the laws, their implementation, and the discourses and practices the law makes possible.

Forms of Violence: Structural, Symbolic, and Legal

According to sociologist Mary Jackman (2002), two dominant assumptions have guided most examinations of violence: (1) that violence is motivated by the willful intent to cause harm presumably resulting from hostility and (2) that violence is socially or morally "deviant" from mainstream human activity. Thus, "when violence is motivated by positive intentions, or is the incidental by-product of other goals, or is socially accepted or lauded, it escapes our attention" (Jackman 2002, 388). This approach, therefore, leaves out sources of material injuries, "such as loss of earnings, destruction, and confiscation; the psychological outcomes of fear, shame, anxiety, or diminished self-esteem; and the social consequences of public humiliation, stigmatization, exclusion, banishment, and imprisonment, all of which can have deeply devastating consequences for human beings" (393). Ignoring these less dramatic, often less visible, forms of causing injuries results in a "patchy, ad hoc conception of violence" (395). Through our analysis of immigrants' experiences with immigration law, we heed Jackman's call to open up the sociological optic to the examination of violence and focus on those instances that might, otherwise, elude attention.

To theorize about legal violence, we link specific laws and their implementation to particular outcomes in three central facets of study participants' lives: family, work, and school. These are vital spheres of life through which immigrants come into contact with institutions in the wider society and thus are key areas to examine when assessing long-term incorporation and paths of assimilation. As such, they also represent the most salient spheres of life through which immigrants experience the effects of the law.

Drawing from the scholarship on structural and symbolic violence, we utilize a lens that identifies harmful outcomes of the law in the lives of individuals (see Menjívar 2011, n.d.).³ The concept of legal violence incorporates the various, mutually reinforcing forms of violence that the law makes possible and

amplifies. This lens allows us to capture the aggravation of otherwise “normal” or “regular” effects of the law, such as the immigrants’ predicament that results from indefinite family separations due to increased deportations; the intensification in the exploitation of immigrant workers and new violations of their rights; and the exclusion and further barring of immigrants from education and other forms of socioeconomic resources necessary for mobility and incorporation. All of these instances constitute forms of structural and symbolic violence that are codified in the law and produce immediate *social suffering* but also potentially long-term harm with direct repercussions for key aspects of immigrant incorporation.⁴

Moreover, the legal violence lens exposes the contradictions on which the formulation and implementation of immigration law rests: the various laws at federal, state, and local levels today seek to punish the behaviors of undocumented immigrants but at the same time push them to spaces outside the law. This dual contradictory goal makes immigrants simultaneously accountable to the law but also excludes them from legal protections or rights, or in Chavez’s (2008) conceptualization, it forces them to live in the nation but not be perceived as part of the nation. Finally, the concept of legal violence also allows us to bring into focus the far-reaching consequences of laws enacted in a regional center of power as these have a spillover effect that engulfs as well the lives of the nonmigrant relatives and communities in countries from which immigrants originate (see also Coleman 2007; Massey 2007).

The different forms of violence we examine are linked and mutually constitutive. At the macro level, patterned forms of structural violence are “rooted in the uncertainty of everyday life caused by the insecurity of wages or income, a chronic deficit in food, dress, housing, and health care, and uncertainty about the future which is translated into hunger” (Torres-Rivas 1998, 49). This type of violence is considered structural because it is borne through and concealed in exploitative labor markets and discriminatory educational systems that impose inequality on society (49). As the anthropologist Paul Farmer (2003) observes, suffering that results from structural violence is “‘structured’ by historically given (and often economically driven) processes and forces that conspire . . . to constrain agency” (Farmer 2003, 40). Structural violence is particularly evident in the living conditions and limitations of the poor. For example, although malnutrition and lack of access to goods and services do not result in immediate killings, over many years, for the most vulnerable members of society, they do effectuate a slow death (Galtung 1990). In Galtung’s (1990) classic conceptualization, exploitation (in its various forms) lies at the core of the archetypal violent structure. Thus, attention to forms of inequality and abuses of immigrants’ labor that are made possible by specific laws under the

current immigration regime highlights not only immediate social suffering but also how the law can block access to society's goods and services that promote integration and success. These violations of rights are, in turn, linked to and mutually constitutive of symbolic violence.

An important aspect of the violence we address is its normalization, for which we turn to the work of Pierre Bourdieu. Following Bourdieu (1998), symbolic violence refers to a range of actions that have injurious consequences, to the internalization of social asymmetries, and to the legitimation of inequality and hierarchy, ranging from racism and sexism to expressions of class power. It is about the imposition of categories of thought on dominated social groups who then accept these categories and evaluate their conditions through these frames and think of their predicament as normal, thus perpetuating unequal social structures.⁵ In this conceptualization, "The dominated apply categories constructed from the point of view of the dominant to the relations of domination, thus making them appear as natural. This can lead to a systematic self-depreciation, even self-denigration" (Bourdieu 1998, 35). Since the lens through which social actors see the social world is derived from the same social world, they (mis)recognize the social order, including, for instance, the power of the law in their everyday lives, as natural. In this way, inequalities and rights violations in the social order can go unquestioned because "it is the law." Individuals who endure these power inequalities, however, are fully aware of the effects, but the conditions are so overwhelming and structures so omnipotent that there is little room for questioning this natural order of things (Kleinman 2000).⁶ Symbolic violence, moreover, "is exercised upon a social agent with his or her complicity" (Bourdieu and Wacquant 2004, 273) and manifested through individuals' feelings of inadequacy, mutual recrimination, and exploitation of fellow victims. These processes, in turn, divert attention away from the forces that created the conditions of violence in the first place (Bourgois 2004a, 2004b). Thus, individuals come to understand their marginalized positions as natural and can then become contributors to their own plight but also actors in trying to change those conditions.⁷

Drawing on these conceptualizations of structural and symbolic violence (see Menjívar 2011, n.d.), we argue that legal violence best explains the living conditions and experiences of contemporary immigrants in tenuous legal statuses in the United States as well as in other major immigrant-receiving countries.⁸ Legal violence captures the suffering that results from and is made possible through the implementation of the body of laws that delimit and shape individuals' lives on a routine basis. Under certain circumstances, policy makers and political leaders enact laws that are violent in their effects and broader consequences. Although their effect may be considered a form of both structural and symbolic violence, we refer to it as legal violence because it is embedded in legal practices,

sanctioned, actively implemented through formal procedures, and legitimated—and consequently seen as “normal” and natural because it “is the law.”⁹

Legal violence, in the interpretation that we advance here, is embedded in the body of law that, while it purports to have the positive objective of protecting rights or controlling behavior for the general good, simultaneously gives rise to practices that harm a particular social group. In these cases, the law enables various forms of violence against the targeted group. For contemporary immigrants, legal violence is rooted in the multipronged system of laws at the federal, state, and local levels that promotes a climate of insecurity and suffering among individual immigrants and their families. To be sure, legal violence against immigrants is not a new phenomenon (see, e.g., Takaki 1989; Espiritu 1997; De Genova 2004). The lens we employ based on today’s practices, therefore, may shed new light on the violent effects of immigration law in the past, such as the Chinese Exclusion Act of 1882 and Operation Wetback in the 1950s. However, in today’s regime, which increasingly links civil immigration with criminal laws (Miller 2005; Inda 2006), the threat of deportation has been used with unprecedented vigor to make even permanent legal residents vulnerable to deportation (Kanstroom 2007).¹⁰ A key point is that beginning in the early 1990s and progressively after the attacks of September 11, 2001 (Donato and Armenta 2011), lawmakers have converged civil immigration law with criminal law, relying on a vast state technology that enables the merging of the two for border but also interior social control (Kanstroom 2007). Indeed, the reorganization of the Immigration and Naturalization Service (INS) under the Department of Homeland Security (DHS) created in the aftermath of 9/11 to safeguard the country against terrorism (Borja 2008) has increasingly linked immigrants with terrorists and criminals, helping to move immigration matters from the civil to the realm of criminal law. This process has fashioned a violent context for immigrants already in the country, where social suffering becomes commonplace, normalized, and familiar. This new approach to immigration, undocumented and documented alike (Kanstroom 2007; Donato and Armenta 2011), has created a new context that requires a fresh lens to unearth its violent effects.¹¹

Unlike most punitive laws that target the behavior of individuals, current immigration laws and their implementation target an entire class of people mostly with noncriminal social characteristics, such as language spoken or physical appearance, that associate them with a particular immigration status. Although the focus of these laws is immigrants in uncertain legal statuses they also target their U.S.-born family members as well as documented immigrants (and other noncitizens). And importantly, whereas immigration law has moved toward a convergence with criminal law, there are now fewer (and more restrictive) avenues for immigrant legalization. These parallel tracks have created a

population caught in uncertain legal statuses with very limited legal options but living with the omnipresent threat of deportation. We bring together a variety of situations that when taken individually may be interpreted (or perhaps dismissed) as aberrations or exceptions but when examined collectively across different contexts reveal group vulnerabilities specifically linked to the law and its administration. Moreover, each of the situations we analyze relates to areas long examined in assessments of immigrant assimilation. In this way we link the immediacy of the violent effects of the law with cumulative, long-term consequences for immigrants' futures.

Immigration Law as Legal Violence

Immigrants receive a combination of rewards and penalties depending on whether they are naturalized U.S. citizens, legal permanent residents, temporarily protected, or undocumented (Massey and Bartley 2005). Immigrants with a greater degree of legal protections are much more likely than those in tenuous statuses to fare better; in general, documented immigrants earn more, work in safer jobs, and can apply for and obtain various forms of educational and housing aid. Legal status determines access to health care (Menjívar 2002; Holmes 2007), housing (Painter, Gabriel, and Myers 2001; McConnell and Marcelli 2007), higher education (Abrego 2006, 2008b), and employment (Simon and DeLey 1984; Uriarte et al. 2003; Walter et al. 2004; Gonzalez 2005; Fortuny, Capps, and Passel 2007; Takei, Saenz, and Li 2009). Legal status also has been found to affect immigrants' health risks (Guttmacher 1984), vulnerability in the streets (Hirsch 2003), domestic violence (Salcido and Adelman 2004), wages in the labor market (Massey, Durand, and Malone 2002), and family dynamics (Rodriguez and Hagan 2004; Menjívar 2006a; Menjívar and Abrego 2009). In every case, immigrants who are undocumented or in tenuous statuses are more vulnerable, and many of them incorrectly believe they have no legal protections; thus, to evade detention and deportation, they avoid denouncing physical abuse and crime (Menjívar and Bejarano 2004) and refrain from seeking formal health care (Okie 2007). Today's immigration regime exacerbates these situations and creates a wider gap between immigrants and various social institutions (see Capps et al. 2007).

Immigrants in tenuous legal statuses, however, are not the only class of immigrants harmed by the current immigration regime. Despite the very real differences between the paths of documented and undocumented immigrants in various spheres of life, documented immigrants (e.g., legal permanent residents) also have been progressively losing rights as they are also targets of new laws and increasingly at risk of deportation (Kanstroom 2007). This is a new development resulting from today's immigration regime.

Legal categories are also tied to negative perceptions of undocumented immigrants, which are produced and maintained through their representations in mass media (Chavez 2008). For example, immigration raids are often covered in the media in a manner that associates immigrant workers with criminality—even when these are still matters of civil law.¹² These practices solidify perceptions of immigrants in tenuous legal statuses as criminals and portray them as less than human in the minds of viewers and listeners, contributing to normalizing and then justifying maltreatment against immigrants who are perceived as lawbreakers. In effect, sociologist Douglas Massey, relying on work on cognitive science from social psychology, notes that in the minds of U.S. citizens, undocumented immigrants (alongside sex offenders, drug dealers, and those perceived to be lazy welfare recipients) are considered “despised, out-group members” (Massey 2007, 14). Massey warns that this is dangerous terrain: undocumented immigrants “are not perceived as fully human at the most fundamental neural level of cognition, thus opening the door to the harshest, most exploitative, and cruelest treatment that human beings are capable of inflicting on one another” (150). This is how symbolic violence permeates perceptions, interactions, and ultimately shapes the treatment accorded to immigrants, with short- and long-term consequences for their lives.

The growing nexus between immigration and criminal law is evident in the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) and its implementation. This act makes even documented immigrants deportable and includes language that criminalizes a wide range of behaviors. For example, immigrant workers in tenuous legal statuses are being charged with aggravated felony for using borrowed Social Security numbers in order to work. Indeed, the term *aggravated felony* has been expanded to include a broadening array of what were previously considered to be relatively minor crimes (even misdemeanors). In Phoenix, Arizona, for instance, the Maricopa County Sheriff’s Office (MCSO) refers to the crime suppression sweeps conducted in predominantly Latino neighborhoods as efforts to combat identity theft (Creno 2009).¹³ This is how the language of the media mingled with public officials’ narratives contributes to normalize images of immigrants as criminals, setting conditions for mistreatment.

The legal context also includes federal programs run by Immigration and Customs Enforcement (ICE) that are meant to round up criminals and terrorists, further fusing images of immigrants with criminals and terrorists. The National Fugitive Operations Program, an ICE program that seeks to integrate immigration and border control, is meant to focus resources on immigrants with criminal records, but it also includes “fugitives without criminal conviction.” Thus, in practice, these enforcement tactics—broadcast in the media

and garnering public attention—persuade the public that federal and state governments are moving to solve the immigration problem, even when government statistics show that the arrests capture mostly immigrant workers without criminal records.¹⁴ Importantly, broadcasting reports of these raids, which have become a common strategy to detain and deport immigrants in recent years, sustains immigrants' fear of deportability (De Genova 2002). As De Genova observes, the mere threat of deportation, even when not coupled with the practice of deportation, is key to the power of the law and what makes undocumented immigrants potential targets of abuse. And although there is insufficient funding and inadequate means to actually deport all undocumented immigrants, the perennial threat of deportation is encoded in the law.

Immigration categories into which contemporary immigrants are classified have created the possibility for the dramatic expansion of the “illegality” we see today (De Genova 2002, 2004; Massey et al. 2002), categories that determine immigrants' rights, their position in society, and also their treatment. Moreover, targeted by (mis)representations, immigrants often internalize their status, accept these conditions as normal, and may even feel deserving of mistreatment (Abrego 2011). Our argument, then, is not simply that immigrants are an especially vulnerable group or that current laws disenfranchise contemporary immigrants. This point has already been examined and effectively argued before (Piore 1979; Hagan 1994; Cornelius 2001). Instead, we argue that immigrants in tenuous legal statuses today experience the multipronged system of immigration laws and their implementation, aided by a vast technological infrastructure and state bureaucracy, as a form of violence due to the blurring of immigration and criminal law that leads to a progressive exclusion of immigrants from “normal” spaces and societal institutions. This transformation has immediate and long-term consequences that, cumulatively, can contribute to thwarting their incorporation into the host society.

Legal Context

Structural and political violence have shaped in interrelated ways Central American immigrants' lives in their countries of origin as well as in the United States.¹⁵ The political conflicts that lasted approximately three decades in Guatemala and 12 years in El Salvador, along with related political and economic dislocations in Honduras, have shaped U.S.-bound migration flows from those countries, as well as U.S. immigration policies toward these immigrants. On the receiving end, the U.S. government has responded with legal actions in a span of more than two decades that have failed to recognize Central Americans as refugees of geopolitics in their homelands; thus, many Guatemalans,

Hondurans, and Salvadorans have entered, and many remain in the United States, as undocumented immigrants or only temporarily protected.

In the United States, the legal status of the majority of Central American immigrants has been marked by prolonged uncertainty embedded in laws with few avenues for legalization (Menjívar 2006b). From the initial years of Salvadorans' and Guatemalans' massive migration to the United States in the early 1980s, they have been granted temporary permits, a barrage of applications, reapplications, long processing periods for their applications, and the threat of imminent deportation, while remaining ineligible for important forms of legal protection or social services. Although Hondurans are increasingly leaving contexts of heightened political violence, they, too, have been received in the United States with the same temporary treatment and legal uncertainty that characterizes the reception of Guatemalans and Salvadorans.

Despite commonalities with other national-origin groups that have been granted refugee status, throughout the 1980s fewer than 3% of Salvadoran and Guatemalan applicants were given political asylum. Immigrants' rights groups lobbied on their behalf, and eventually in 1991 Congress granted temporary protected status (TPS) from deportation to Salvadorans, which allowed them to live and work in the United States for a period of 18 months; it was extended multiple times and ended in September 1995. In 1990, as a result of the settlement of a class-action suit (*American Baptist Churches v. Thornburgh* [ABC] legislation) against the INS, Salvadorans and Guatemalans were allowed to resubmit asylum applications, thereby improving the success rate of these applications. Another pathway to legal status—legalization under the Immigration Reform and Control Act (IRCA) of 1986—was available to a relatively small percentage of Central Americans who arrived in the United States prior to the January 1, 1982, deadline. The thousands who arrived during and after the height of the political conflicts in their countries were ineligible for IRCA provisions. To add complexity to the Central Americans' legal story, benefits of the 1997 Nicaraguan Adjustment and Central American Relief Act (NACARA) were extended only to some Guatemalans and Salvadorans (and not to any Hondurans).

Although elite and middle-class Hondurans have been migrating in small numbers to the United States since the late 1800s, large-scale Honduran migration started in the 1980s. Recently, the working poor have fled en masse from the economic destabilization, growing instability, and the natural and economic devastation resulting from Hurricane Mitch in 1998 (Portillo 2008). They are joined by Guatemalans and Salvadorans who continue to migrate despite the official end of civil conflicts in those countries in 1997 and 1992, respectively. The structures of inequality at the root of the civil conflicts—and of emigration—are still in place and are now exacerbated by high rates of unemployment

and underemployment and high levels of violence associated with “common crime” in the three Central American countries.¹⁶ And the social channels for Central American migration have expanded as more individuals have relatives and friends in the United States (PNUD 2005; Menjívar 2006a).

El Salvador suffered two earthquakes in early 2001 that worsened the social, political, and economic problems left by years of civil war. Salvadorans who arrived after the earthquakes were granted TPS for a period of nine months, a dispensation that has already been extended several times and at the time of this writing will expire on March 9, 2012. Similarly, Hondurans arriving after Hurricane Mitch in 1998 were granted TPS, which has been renewed multiple times; it is currently set to expire July 5, 2013. And while Guatemala also endured the destruction of Hurricane Stan in late 2005, Guatemalans have never been granted TPS.¹⁷ For the Hondurans and Salvadorans on TPS, its inherent temporariness is made clear by multiple deadlines for application and reregistration and, importantly, by announcing extensions just a month or two prior to the current TPS expiration. Each group has different deadlines and registration procedures, including different applications for TPS and for employment authorization, and various application and renewal fees.

The legal context for Central American immigrants is further shaped by IIRIRA.¹⁸ Among other things, IIRIRA reduced the threshold for crimes and offenses that may be considered grounds for deportation (Stumpf 2006).¹⁹ In effect, IIRIRA has facilitated the removal of hundreds of thousands of immigrants for a wider range of criminal offenses (Rodriguez and Hagan 2004). The year before IIRIRA passed there were 69,680 deportations; this figure has increased every year, reaching a record of 392,000 in 2010 (U.S. DHS/ICE 2010) and surpassing it in fiscal year 2011 with 396,906 deportations (U.S. DHS/ICE 2011). Between 2000 and 2009, 149,833 Guatemalans, 159,265 Hondurans, and 105,397 Salvadorans were deported.²⁰ And whereas in 1998 these three Central American groups accounted for approximately 9% of total deportations, they made up 17% in 2005 and 21% in 2008, remaining in the top four groups (with Mexico) of deportees in the past few years.²¹ This was done through the creation of two mechanisms of IIRIRA that (a) made it possible to deport legal immigrants who have been convicted of a felony at any time in the United States, even when they have already completed their sentences, and (b) created the 287(g) program, which allows local police to enter into agreements with ICE to target and detain “criminal illegal aliens.” With an emphasis on deporting even documented immigrants who have ever committed a felonious crime, thus expanding the categories of noncitizens subject to deportation and augmenting the list of offenses for which they can be deported (Hagan et al. 2011), IIRIRA has legitimated and normalized the perception of immigrants as criminals (and potential terrorists).

Although the 287(g) agreement was created in 1996, it was promoted and used after the attacks of September 11, 2001—a move that further ties terrorist activities with civil immigration matters and invokes concerns about national security in immigration matters. And though all law enforcement involves discretion, the implementation of 287(g) has been linked to racial profiling practices that criminalize immigrants. Indeed, concerns and complaints about the use and implementation of 287(g) have led the federal government to adopt other enforcement strategies. Thus, in 2008 it introduced “Secure Communities,” which along with 287(g), is part of ICE’s Agreements of Cooperation in Communities to Enhance Safety and Security (ACCESS). Secure Communities uses biometric information to “modernize and transform the criminal alien enforcement model through technology, integration, and information sharing . . . to improve public safety.”²² This program is based on electronic data sharing (Kohli, Markowitz, and Chavez 2011), through which the fingerprints of anyone arrested or booked by local police are checked against the Department of Homeland Security databases and the FBI. This program operated in 14 jurisdictions in 2008, had expanded to 660 jurisdictions by 2010 (U.S. Department of Homeland Security 2010), and, at the time of this writing, it is expected that it will be in place in every jurisdiction in the nation by 2013 (Kohli et al. 2011). And whereas the 287(g) program is voluntary (it is up to the municipalities), the Secure Communities program is a national mandatory program for all municipalities. Thus, increasingly, strategies that associate immigrants with dangerous criminals (and terrorists) expand and make immigrants—documented and undocumented alike—vulnerable to the legal system.²³

Although the legal context that Guatemalans, Hondurans, and Salvadorans face is primarily dictated at the federal level, through ordinances, laws, and agreements such as Secure Communities and 287(g), the state and local levels have acted in conjunction to create a multilayered context that makes violent consequences possible.²⁴ Thus, in recent years, immigrants’ legal uncertainty and risk have been aggravated by a barrage of local-level ordinances targeting the activities of undocumented immigrants. These ordinances range from penalties to city contractors and private businesses for hiring undocumented immigrants, to revoking licenses when businesses are found to hire them, to attempts to bar landlords from renting to them.²⁵ Significantly, the language used in local measures parallels the federal trend toward criminalizing immigrants. For instance, in Arizona, a law created to penalize human smuggling was reinterpreted to charge individual immigrants as coconspirators in their own smuggling, thereby making unauthorized entry a criminal rather than a civil offense. And with a new tactic denominated “attrition through enforcement,” these laws do not seek to apprehend everyone but to implement routine practices that

tie immigrants to criminality and debates about national security. Thus, while this multilevel, multipronged approach to restrict immigration may not necessarily decrease levels of immigration, it does make the lives of immigrants particularly difficult by legitimizing more restrictions and normalizing and facilitating violence in immigrants' lives. Even as these laws, or specific policies, seem to change continually, the associated practices and the messages they send have short- and long-term consequences for immigrants' incorporation.

Data and Methods

We did not start out searching for indications of violence in immigrants' lives; rather, in an inductive fashion, their stories and words led us to reflect on the violent effects that current immigration law has on their lives. Our study participants described their legally rooted circumstances in words that evoke the suffering we might associate with more obvious and direct forms of violence, such as those who lived in situations of political violence or war (e.g., torture, pain, anguish, etc.).

The data on which this essay is based come from several studies, which permit us to elucidate the broad reach and ramifications of the legal context. Menjívar draws on a series of studies of Latin American-origin immigrants in the Phoenix metropolitan area that she conducted between 1998 and 2010. This time span has allowed her to capture how immigrants have perceived and reacted to changes to federal and local laws (for further details, see Menjívar [2001, 2003, n.d.]; Menjívar and Bejarano [2004]). In addition, data for this essay come from in-depth, semistructured interviews that Menjívar and McKenzie conducted with women in Honduras in December 2007 and January 2008 (for further details, see McKenzie and Menjívar [2011]). Abrego draws on two separate studies. Between June 2004 and September 2006, she conducted 130 in-depth interviews with Salvadoran families in the midst of long-term separation (for more details, see Abrego [2009]). And from 2001–6, she carried out a longitudinal study that focused on access to higher education for Guatemalan, Mexican, and Salvadoran undocumented high school and college students in Los Angeles (for a detailed description, see Abrego [2008b]).

Given the quick pace of change and ongoing developments in immigration law, we also draw on newspaper articles from around the country to supplement some of the empirical points we make. These articles detail similar incidents as those our study participants shared and provide further evidence of the generalized nature of contemporary legal violence. Although our main empirical focus is on three aspects of immigrants' lives—family, work, and

school—in line with our argument that the laws of the powerful country have a “spillover” effect (see Coleman 2007), we begin by briefly contextualizing the immigrants’ journey into the country and the consequences of the current immigration regime that reaches beyond the confines of U.S. national borders.

Legal Violence and the Journey North

Perhaps reflecting the interconnectedness of immigrant origins and destinations, the effects of current U.S. immigration policies are not neatly contained within the U.S. territory or confined only to immigrant communities in the United States. This is especially visible among the growing numbers of immigrants traveling without a visa (and by land). Under new border enforcement policies in place since the early 1990s, smugglers have significantly changed strategies; rather than being individuals who assist in border crossing, they are now members of smuggling rings with state-of-the-art equipment akin to (and often being confused with) drug cartels (see Spener 2009).²⁶ Through new operations, they move people in ways that are indistinguishable from human trafficking, often exposing immigrants to shootings and kidnappings, as well as extortion at drop houses in the United States (Tobar 2009) and Mexico. In this process, the smugglers, who are themselves immigrants, injure their coethnics in ways that resemble terror techniques used by authoritarian regimes in Latin America (see Menjívar and Rodríguez 2005). The smugglers’ actions incite physical violence that spills over to nonimmigrants who live in the migration corridor where the smuggling rings operate (Tobar 2009). These organized rings have emerged in tandem with border policies that seek to protect the border in the context of national security. And though the building of fences and increased militarization of the southern U.S. border does not necessarily reduce the number of immigrants crossing, it fuels a thriving business in smuggling that benefits both law enforcers and law evaders (Andreas 2001), while creating conditions for multiple forms of violence for immigrants and for nonmigrants along the migration corridor in Central America and Mexico.

Although the passage through Mexico has always been risky for Central Americans (Menjívar 2000), new U.S. border policies in place since the mid-1990s have made this journey increasingly dangerous, a situation that has multiplicative effects on the lives of migrants and their families left behind. In fact, almost all respondents in our studies who traveled by land shared stories of perilous journeys north. Mauricio, a Salvadoran man who was deported from Mexico twice before making it to the United States on his third attempt in 2003, recounted some of the experiences he endured and witnessed:

There were 87 of us and they packed us up into a trailer truck for 16 hours. And for all of us to fit, we had to be so close to each other, and I couldn't take it anymore, I needed to move. . . . And then we started to walk across the desert. All you desire is water and food. We used our shirts to drain some muddy rain water that remained in a plastic bag that was stuck to a tree. That's how thirsty we were! . . . And at one point, we all had to run in different directions, and once the [border patrolmen] were gone, we went back to look for the Guatemalan man who was with us. He was already really tired and we didn't find him. The smuggler wanted to keep going, and who knows what happened to that poor man because we still had to walk many hours and it was so cold that night. I don't know if he survived. He probably didn't.

Tales like these are not uncommon among Central American migrants crossing several international borders to arrive in the United States (see also Coutin 2007; Behrens 2009).

Notably, for unauthorized travelers the journey is not confined to physical injuries, and such harm does not end with their arrival in the United States. The increasingly difficult border crossing has promoted a significant increase in smugglers' fees (Spener 2009). The trip today requires that immigrants invest amounts of money and incur large debts; thus, often their first task upon arrival is to pay off the money they owe. As Gardner (2010) observed among Indian immigrants in Bahrain, this debt becomes a fulcrum for various forms of violence for the immigrants and their families back home. Many participants in our studies struggle to repay their debt, and most owe so much that it takes them years to repay. Suyapa, a mother of five in Honduras, described how payment of the debt has lengthened her husband's intended stay in the United States: "Manuel tells me he expects to be in the United States for six years . . . because right now it's been three years and he still owes half of the money he borrowed." Thus, during this extended time, much of the money immigrants earn goes to reduce their debt rather than to help their relatives, as they originally intended.

Although immigrants are responsible for earning the money to repay their loans, the nonmigrant relatives directly manage the everyday dealings with debt collectors and the looming threat of having their family's houses or land seized as collateral for failure to pay on time (McKenzie and Menjívar 2011). Examining this link to the relatives back home highlights how the threat of deportation in the United States effectively constrains the immigrants' options to provide for their families in their countries of origin. Also in Honduras, Rosa described an interaction in which a debt collector intimidated her: "The