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**BEYOND SMOKE AND MIRRORS**  
**MEXICAN IMMIGRATION IN AN**  
**ERA OF ECONOMIC INTEGRATION**

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## = Chapter 3 =

### System Assembly: A History of Mexico-U.S. Migration

IN THE history of international migration, that between Mexico and the United States is unique in several ways. First and foremost is the fact that it involves not just any pair of countries, but two with widely disparate standards of living that share a two-thousand-mile land border. Although the United States also shares a long border with Canada, the latter's level of economic development is roughly comparable to the U.S. level and its average income is only fractionally lower. In addition, its population is less than one-third of Mexico's. As a result, legal Canadian immigration to the United States averages only around 21,000 persons per year—just 8 percent of the number arriving from Mexico—and it is offset by a roughly equal number of U.S. citizens moving northward, yielding a net flow that fluctuates around zero (Massey et al. 1998). Moreover, Canada's relationship to its southern neighbor has generally been cordial, and the two nations have long cooperated as allies. Canada has never been invaded by the United States, and despite a series of historical threats, it has never been forced to cede territory to its more powerful neighbor to the south.

A second unique feature of Mexico-U.S. migration is its age. Its origins can be traced to the Treaty of Guadalupe Hidalgo, which in 1848 officially ended the Mexican-American War. In exchange for the cessation of hostilities, the end of U.S. occupation, and a payment of \$18.3 million, Mexico surrendered the present-day states of California, Arizona, New Mexico, and Texas, along with parts of Colorado, Nevada, and Utah. Although the border was adjusted once more in 1853 (when for another \$10 million the United States purchased the southern portions of present-day Arizona and New Mexico to secure a rail route into southern California), since that date the border has remained essentially fixed except for minor adjustments.

The number of Mexicans who "entered" the United States by virtue of the Treaty of Guadalupe Hidalgo was quite small, probably no more than about 50,000 (Jaffe, Cullen, and Boswell 1980). Nearly all of today's 15 million Mexican Americans trace their origins to people who migrated to the United States *after* 1848. During the nineteenth century movement between the two countries was mostly local, involving short trips back and forth between places that had earlier been single, undivided communities. The border was relatively unpopulated and, once it left the Rio Grande River, poorly demarcated and only sporadically policed. As a result, one cannot properly speak of "international migration" between Mexico and the United States until the twentieth century. True international migration required separation and self-definition, an ideological process that assumed different forms at different locations along the Mexico-U.S. border.

In El Paso del Norte, for example, the historical name of the community remained on the U.S. side (albeit in shortened form) while inhabitants of the southern side languished nameless until 1888, when Ciudad Juárez was finally incorporated (Durand and Arias 2000). Elsewhere, Mexican settlements continued to use their original name but preceded it with the adjective "new" to distinguish it from its northern counterpart. After 1848, for example, the southern portion of Laredo became known as Nuevo Laredo, even though the two settlements continued to celebrate common holidays and public events (Ceballos 1999). The town of Nogales, for its part, adopted neither of these options: on both sides of the border the settlement continued to use the original name, a solution that was probably facilitated by the fact that no river divided the northern and southern halves.

In general, only those communities that arose entirely *after* the border was fixed made explicit in their naming the country to which they belonged—hence the mirror images of Mexicali, Mexico, and Calexico, California. Tijuana, which ultimately became the largest and most dynamic city on the border, was just a small *rancho* of 242 people in 1900, connected to the rest of Mexico by neither road nor rail. Its early growth and development were more closely tied to events north than south of the border, and for many years it functioned more as an extension of Los Angeles and San Diego than as a Mexican town (Zenteno 1995).

In sum, the Mexico-U.S. border has not always existed as a practical reality. On the contrary, it was defined slowly but steadily through a process of *social construction*. The process of reification began with the smuggling of contraband, the first human endeavor that marked the Mexico-U.S. frontier as a significant dividing line. During the U.S.



Civil War, in particular, the border between the states of Tamaulipas and Texas provided a route around the Union's naval blockade of the Confederacy, giving life and importance to the twin communities of Brownsville and Matamoros (Hart 1987). After the war the solidification of the border continued when it prevented both U.S. and Mexican authorities from pursuing Indians, criminals, and deserters fleeing in both directions (Durand 1994). The advent of prohibition in the United States gave the border additional substance, transforming Mexican communities into staging areas for bootlegging and diversion. The expansion of bars, prostitution, and black markets gave many border cities a reputation for "sinfulness" they have yet to live down.

The Mexican Revolution (1910 to 1917) also heightened the importance of the border by converting U.S. communities into locations of political refuge as well as points of assembly and debarkation for soldiers, arms, and war matériel. After the Revolution, the new Mexican government (led not coincidentally by generals from the north) increased the nation's investment in the infrastructure of the border states. These investments provided a foundation for the high rates of economic and population growth during the 1960s and 1970s.

The social construction of the border probably received its most important impetus with the formation of the U.S. Border Patrol in 1924. For the first time the U.S. government itself assumed direct responsibility for defending the border against unauthorized intrusions using physical, not just administrative, means. Even this systematic enforcement, however, was more symbolic than real: the Border Patrol originally consisted of just 450 officers, who were expected to guard not only the two-thousand-mile border with Mexico but also the long frontier with Canada.

Although one cannot say with precision exactly when the border became something more than a mental construction, its reification as a socially, economically, and politically meaningful dividing line is mostly a product of the twentieth century. Hence, we begin our account of Mexican migration in 1900, dividing subsequent years into five periods corresponding to different alignments of social, economic, and political forces. Our review suggests that international movement within the Mexico-U.S. system has never operated solely according to the laws of neoclassical economics. Rather, the circulation of migrants has been driven by a complex set of social and economic forces understandable only by drawing on *all* of the theoretical paradigms discussed in chapter 2.

## The Era of the Enganche: 1900 to 1929

Just as railroads were crucial to the development and settlement of Mexico's northern frontier, they were likewise instrumental in enabling and promoting mass migration to the United States (Cardoso 1980). With the opening of the Mexican Central Railroad from Mexico City to the border community of Ciudad Juárez in 1884, Mexico was definitively connected to the United States through four rail lines that met across the border in El Paso: the Atchison, Topeka, and Santa Fe, the Southern Pacific, the Texas & Pacific, and the Galveston, Harrisburg, and San Antonio. By 1888 service had been established between Mexico City and two other border cities, Piedras Negras and Nuevo Laredo, and by 1890 virtually all of Mexico's principal population and production centers were connected to markets in all forty-eight contiguous U.S. states and territories. (For a map of the border states and cities, see figure 3.1.) It was this linkage by rail that made mass migration between Mexico and the United States possible, if not inevitable.

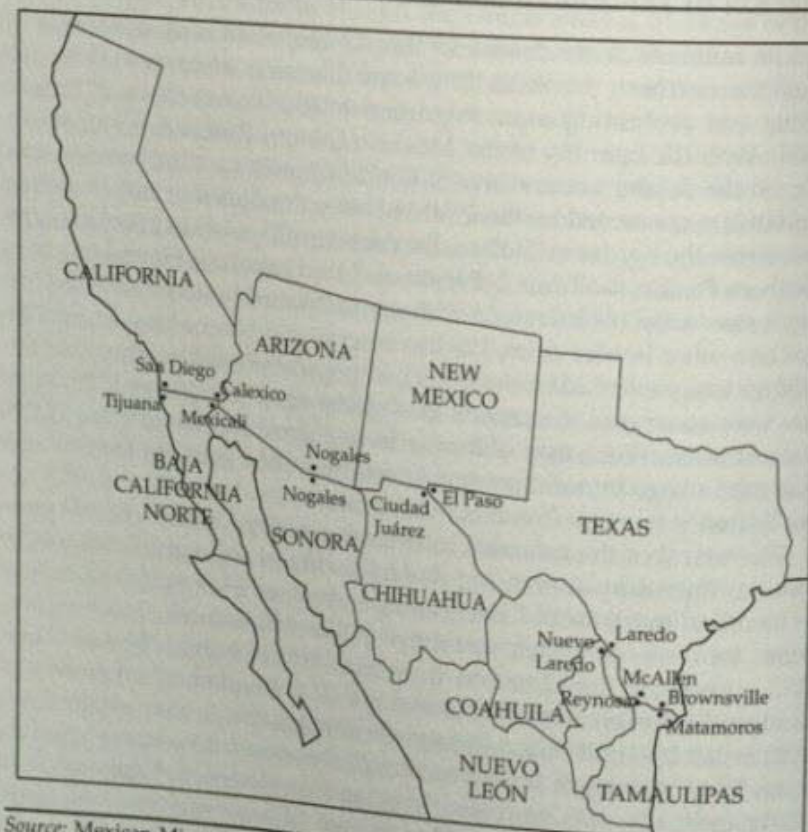
The arrival of the railroads initiated a sustained boom in the American Southwest by connecting its fertile valleys and natural resources to lucrative markets and burgeoning industries back east. Just as the boom took off, however, restrictive policies enacted in Washington, D.C., closed off immigration from traditional sources in Asia. The Chinese Exclusion Act of 1882 and the 1907 Gentlemen's Agreement with Japan brought Asian immigration to an abrupt halt, creating serious labor shortages in key sectors of the western economy, particularly railroads, mining, agriculture, and construction. Desperate for workers, U.S. employers turned to private labor contractors, who employed a variety of coercive measures to recruit Mexican laborers and deliver them to jobs north of the border.

Being paid for each worker they provided, U.S. recruiters sought to obtain as many as possible by any means necessary short of actual enslavement (Durand and Arias 2000). The coercive policies they employed became known collectively as *el enganche*, which translates literally as "the hook" but might be translated more politely as "indentured." The people who employed these techniques were called *enganchadores*. Following the rail lines southward from the United States, *enganchadores* crossed through the empty borderlands and first encountered sizable population centers in Mexico's west-central states—Guanajuato, Jalisco, Michoacán, San Luis Potosí, and Zacatecas. Recruiters arrived in towns and villages throughout this region with tales of high wages and untold riches to be had by working in the north.

The *enganchadores* typically offered to advance naive peasants



Figure 3.1 The Mexico-U.S. Borderlands



Source: Mexican Migration Project.

whatever money they needed to travel northward and get a U.S. job. The loan, plus interest, would then be deducted from their wages upon arrival. Once in the United States, however, recruits usually discovered that wages were lower than promised, working conditions worse than expected, and interest rates higher than anticipated. Since they were required to work until they paid off their "debt" to the recruiter and/or employer, they considered themselves "hooked," at least for a time (Cardoso 1980).

The outbreak of World War I halted European immigration in late 1914, just when the war was inducing an enormous expansion in U.S. industries. Facing a tightening labor market, industrialists in Chicago, Kansas City, Los Angeles, and other cities relied even more on the *enganchadores*. Eventually the U.S. government itself got into the act.

When Congress sought to restrict immigration in 1917 by imposing a head tax and literacy test on all new arrivals, the attorney general immediately exempted Mexicans from these provisions. Once the United States entered the war, the government assumed a direct role in labor recruitment by creating its own worker recruitment program (Reisler 1976; Morales 1982).

When the war ended, so did the labor program, but the United States nonetheless continued to pursue a lax immigration policy toward Mexico throughout the boom years of the 1920s. Even as Congress moved to close off European immigration by implementing strict quotas that restricted immigration from southern and eastern Europe, it remained silent on the issue of immigration from the countries of the Western Hemisphere. Although the total number of immigrants was capped at 357,000 in 1921, then lowered to 164,000 in 1924 and 154,000 in 1929, these numerical limitations were never applied to Mexico, whose nationals were free to enter without quantitative restriction and did so in large numbers.

Within Mexico conditions in the early twentieth century also evolved in ways that encouraged massive out-migration. The decade 1900 to 1910 was the high tide of the Porfiriato, a long period of stable rule under President Porfirio Díaz, who came to power in 1876 with significant backing by U.S. industrialists (Hart 1987). As president, he promoted the development of Mexico along liberal economic lines, offering generous incentives to investors in the United States, Britain, and France to finance the development of railroads, mining, petroleum, and manufacturing. In the countryside the power of the Mexican state was used to privatize lands that for centuries had been held in common by independent towns and Indian villages. Through the consolidation of land and the mechanization of farming, property owners drastically increased production (and profits), and they switched from the cultivation of basic foodstuffs (corn and beans) to the production of cash crops (sugar, cotton, hemp, wheat) for sale on international markets.

Over the course of the Porfiriato, Mexico began to shift from an agrarian to an industrial footing. From 1876 to 1910 the total length of railroad track went from a mere 380 miles to more than 12,000, the production of gold and silver quadrupled, sugar production more than doubled, and exports increased tenfold (Meyer and Sherman 1991). This remarkable spurt of economic development came at a price, however. Through privatization, enclosure, and land consolidation, more than 95 percent of rural households had become landless by 1910 (Cardoso 1980). At the same time the mechanization of agriculture and the switch to cash crops drastically reduced rural work



opportunities; the marked decline in rural wages that resulted was cruelly accompanied by an increase in food prices. Meanwhile, rural artisans who had traditionally handcrafted products for local consumption found themselves undercut by cheap, industrially produced products imported by rail from manufacturing cities in Mexico and the United States (Massey et al. 1987).

In this new rural landscape some families eked out a living as sharecroppers on large haciendas, while many others migrated to Mexico's swelling cities in search of factory or service work. Although urban jobs were being created and city wages rose early in the Porfiriato, by 1900 the small domestic market for Mexican manufactures had been saturated and industrialization had stalled (Haber 1989). As displaced rural families continued to arrive in the cities looking for work, urban wages fell and conditions deteriorated, prompting a wave of violent strikes between 1905 and 1910 (Hart 1987).

By 1910 the structural limitations of the Porfirian political economy had reached a breaking point, and revolt spread throughout the country. Until 1912 the Mexican Revolution was relatively peaceful and socioeconomic relations did not change radically. From 1913 to 1917, however, the Revolution entered a violent phase during which various factions fought for military supremacy; this bloody and protracted struggle brought the Mexican economy to its knees and led to a "demographic catastrophe." Over the course of the revolutionary decade from 1910 to 1920, Mexico experienced 1.4 million excess deaths, 500,000 lost births, and 200,000 net emigrants to the United States (McCaa 2001), the first and only instance of significant refugee migration from Mexico. (U.S. authorities built Fort Bliss in the border city of El Paso to manage the situation.)

The political consolidation of the Revolution after 1917 led to a resumption of economic growth in the 1920s, but along new lines. In the new political economy, wealthy Creole landowners and foreign bankers no longer dominated the state for their own ends. Rather, the state was controlled by a dynamic, forward-looking mestizo class that sought to expand its power by arbitrating relations between labor and capital, peasants and landowners. Rather than serving the interests of a narrow, landed, Creole elite, the new state would balance the interests of an expanded mestizo-Creole elite against those of peasants and workers to promote the welfare of the nation as a whole.

Within urban Mexico, the coalition of old Creole families and foreign investors gave way to a new alliance of mestizo politicians and industrialists willing to cooperate with the state in fomenting economic growth. In the countryside, hacienda owners were eliminated as a cohesive social class, and the foundations were set for a massive

land redistribution (not fully realized until the 1930s). The transformation of Mexico from agrarian to industrial society, launched during the Porfiriato, would thus continue after the Revolution. Markets would continue to be the main mechanism for producing growth and economic expansion, but now they would be managed for the benefit of society by a powerful and independent state.

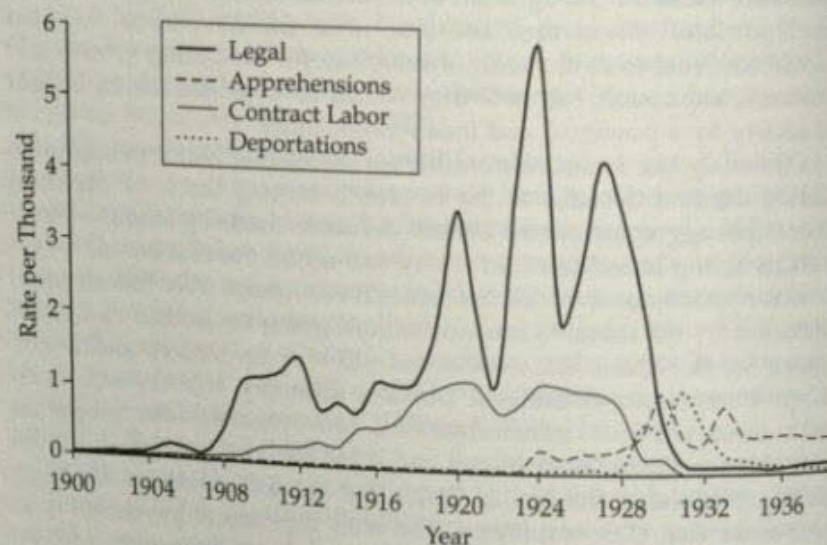
Obviously, the forces responsible for instigating Mexican migration during the first decades of the twentieth century are a far cry from the simple aggregate of cost-benefit decisions made by atomized individuals acting in isolation. In a very real sense, the cost-benefit calculations hypothesized under neoclassical economics were foisted upon Mexicans by the massive transformations going on around them, first under the Porfiriato, then under ten years of revolution, and finally when a new state-dominated political economy was created. Even with these massive transformations, however, Mexican migration probably would not have begun had it not been for parallel structural transformations in the United States that created a demand for labor so intense that U.S. employers, and later the federal government itself, turned to private firms to undertake direct, purposive recruitment of Mexican labor.

The motivations of the earliest Mexican migrants were generally not to relocate permanently north of the border for a lifetime of U.S. work and earnings. Rather, they sought to move northward temporarily to solve economic problems their families faced at home, problems associated with the market failures of the Porfirian economy and later on of the Revolution. What the first migrants sought were ways to manage the risks associated with the structural transformations at home, to buffer the vicissitudes of civil war, and to acquire the capital they could not otherwise hope to gain so as to be able to buy land, construct homes, purchase equipment, and generally enter the emerging market economy as producers and consumers. Embedded within these strategies of migration were expectations of return.

The end result of this alignment of forces north and south of the border was a dramatic explosion in migration to the United States after 1900. Whereas only 13,000 Mexicans had emigrated to the United States in the entire five decades from 1850 to 1900 (with only 971 recorded entries during the 1890s), over the next three decades the outflow totaled 728,000. Figure 3.2 shows trends in the rate of out-migration between Mexico and the United States from 1900 to 1939. The term "legal immigrants" refers to Mexicans admitted for permanent residence (taken from U.S. Immigration and Naturalization Service 1998); "contract laborers" are those admitted for temporary wage labor (compiled from Cornelius 1978; Cardoso 1980; Calavita 1992);



Figure 3.2 Mexican Emigration to the United States, 1900 to 1939



Source: U.S. Immigration and Naturalization Service.

and the number of undocumented migrants is proxied by the total number of apprehensions reported by the U.S. Border Patrol (taken from Cornelius 1978; Cardoso 1980). Rates were derived by dividing these counts by the population of Mexico during the year in question, then multiplying by 1,000.

At the turn of the century the rate of legal out-migration to the United States was essentially zero, and it fluctuated at relatively low levels until 1907, the year when immigration from Japan was finally curtailed, effectively eliminating Asia as a labor source. Legal Mexican immigration then began a rapid rise and peaked at about 1.5 per 1,000 during 1912, but fell once again during the period 1913 to 1916 as the Mexican Revolution degenerated into violent civil war (Hart 1987).

Following U.S. entry into World War I in 1917, the rate of out-migration tripled to peak at 3.5 per 1,000 in 1920 before falling back again to about 1.2 per 1,000 in 1922, when demobilization and the transition to a civilian economy created a brief recession that reduced demand for immigrant workers and triggered the first significant repatriation campaign directed at Mexicans (Durand 1994). By 1924, however, the economy had recovered, and legal immigration once again surged to a rate of nearly 6.0 per 1,000, a level not equaled

again until the unusual circumstances of the early 1990s. Beginning in 1914, the recruitment of contract laborers also surged, rising to a rate of 1.2 per 1,000 in 1921 before dipping temporarily in 1922, then returning to this high level in 1924.

The 1920s were a period of intense nativism in the United States (Higham 1955), and immigrants came to be viewed as a threat to American well-being. Over the course of the decade Congress passed a series of increasingly restrictive quota laws to check immigration from southern and eastern Europe, whose immigrants were widely thought to be "unassimilable." To confront the rising volume of immigration from Mexico, however, Congress chose a different mechanism: the U.S. Border Patrol. Founded in 1924, the new force organized the first systematic, federally directed deportation campaign in U.S. history. Apprehensions began, and the rate of legal out-migration dropped to around 2.0 per 1,000 in 1925.

Despite the nativism of U.S. citizens, the imposition of quotas, and the formation of the Border Patrol, the booming U.S. economy of the "Roaring Twenties" continued to generate a high demand for unskilled workers, and given the restrictions on European and Asian immigration, U.S. employers continued to look southward for workers. After 1925 the rate of legal out-migration from Mexico once again doubled, reaching 4.1 per 1,000 in 1928, and the rate of contract labor migration remained steady at just above 1.0 per 1,000. It would take something more powerful than nativism, quotas, and the creation of the Border Patrol to end Mexican immigration.

### The Era of Deportations: 1929 to 1941

Despite the increase in apprehensions and deportations during 1924 and 1925, immigration from Mexico revived and continued apace until the onset of the Great Depression. The stock market crash in October 1929 ushered in a new era in the history of Mexico-U.S. migration, one characterized by massive expatriation and limited international movement. With the deepening of the depression in the early 1930s, the attitudes of U.S. citizens toward Mexican immigrants hardened and grew quite hostile. As unemployment rose to record levels in the United States, Mexican immigrants became convenient scapegoats for widespread joblessness and budget shortfalls. Paradoxically, they were blamed simultaneously for "taking away jobs from Americans" and "living off public relief" (Hoffman 1974).

Although U.S. politicians were at a loss as to how the faltering economy might be revived, there was one decisive action they could take that would address, if only symbolically, the concerns of fright-



ened U.S. workers: a massive roundup and deportation of Mexican immigrants. In Mexican population centers and agrarian zones throughout the United States, federal authorities, in cooperation with state and local officials, mounted a coordinated series of deportation campaigns that, over the course of the 1930s, succeeded in reducing the size of the Mexican population of the United States by 41 percent (Jaffe et al. 1980).

Whereas during the 1920s the annual flow of legal immigrants had averaged around 46,000, throughout the 1930s it never exceeded 2,700 (Cornelius 1978). On the contrary, during the period 1929 to 1937 some 458,000 Mexicans were arrested and forcibly expelled from the United States, and thousands more, facing a political climate of great hostility and poor economic prospects, decided to return home "voluntarily," a decision that was encouraged by the intensification of land redistribution in Mexico under President Lázaro Cárdenas. During his administration (1934 to 1940) some 45 million acres of land were confiscated from hacienda owners and given to local communities for allocation to agrarian families, creating a new class of small farmers that ultimately came to control half of Mexico's arable land. As a result of these events, the number of Mexicans enumerated by the U.S. census fell from 639,000 in 1930 to just 377,400 in 1940 (Jaffe et al. 1980).

Figure 3.2 shows the effect of these events on the rate of out-migration to the United States. After 1930 the rate of legal out-migration plummeted to 0.1 per 1,000, compared with rates that had never fallen below 2.4 per 1,000 during the period 1923 to 1929. Contract labor disappeared entirely as agricultural growers ended their reliance on Mexican laborers and hired "Oakies" and other internally displaced Americans. The rates of apprehension and deportation, meanwhile, rose to new heights, with notable peaks in 1929–30 and 1932–33. Through the massive use of repressive force and police powers, the U.S. government sought to undo in the 1930s what it had actively encouraged over the preceding two decades. Owing to a lack of political opposition to this massive violation of civil rights and the absence of an effective demand for Mexican labor, it proved to be a remarkably successful strategy.

### The Bracero Era: 1942 to 1964

In the wake of the Great Depression, the U.S. political economy was significantly restructured by President Franklin Roosevelt's New Deal. As in Mexico, the government came to assume a more central role in the management and organization of economic life, enacting

new laws to govern the banking and securities industries, regulate trade, and mediate labor relations. The earlier laissez-faire program of limited government and balanced budgets gave way to a new, Keynesian project of deficit spending and direct investment in key sectors of the economy, such as transportation, communication, utilities, housing, the military, and science. With the entry of the United States into World War II in December 1941, the stage was set for a sustained economic boom that would last for decades.

The mobilization of American industry for the war effort and the enactment of military conscription created the prospect of serious labor shortages in American agriculture. The Oakies and other displaced native workers disappeared from the countryside as quickly as they had arrived. Whereas in the 1930s displaced farmers had been grateful to perform agricultural labor under difficult conditions at near-subsistence wages, they now shunned such poorly paid and demeaning work. Those who were not drafted streamed into cities such as Los Angeles, San Francisco, Seattle, Dallas, and Houston to take high-paying, unionized jobs in shipyards, docks, defense plants, and other factories.

Agricultural growers grew alarmed at the prospect of a labor shortage and turned to Congress and the president for help. Federal authorities, for their part, wanted no disruption of the food supply during war mobilization, and once again they approached Mexico to recruit the necessary workers. In early 1942 the Roosevelt administration negotiated a binational treaty for the temporary importation of Mexican farmworkers, who became known as *braceros*. (Derived from the Spanish word *brazo*, or "arm," the word can be translated loosely as "farmhand.") The bracero program was originally operated jointly by the U.S. Departments of State, Labor, and Justice; the key agency was Justice's Immigration and Naturalization Service (INS), which was given authority to regulate entries and departures and enforce the terms of temporary visas. On September 29, 1942, the first batch of five hundred braceros was delivered by federal authorities to growers outside of Stockton, California (Calavita 1992). The bracero era had begun.

The resurrection of labor recruitment came at an opportune time in Mexican economic history. The 1930s presidency of Lázaro Cárdenas was a time of great structural transformation and social change in Mexico (Hansen 1971; González 1981). The institutionalization of political stability, the acceleration of state-led development, and the creation of internal markets through a policy of import substitution industrialization (ISI) sparked a sustained economic boom that lasted for three decades. From 1940 through 1970 the real rate of economic



growth averaged around 6 percent per year, and the period came to be known as the "Mexican economic miracle."

Despite this impressive growth, the rate of job creation in urban areas was no match for Mexico's burgeoning rural population. Moreover, although the agrarian reform program enacted by President Lázaro Cárdenas had given millions of peasants access to land, it had not granted them access to the financial resources necessary to make their new plots productive. The need to buy equipment, seeds, insecticides, and infrastructure created a great surge in demand for capital and credit throughout rural Mexico that the country's rudimentary banking system was ill prepared to meet. For rural families suddenly in possession of land and searching vainly for a way of financing production, the arrival of the bracero program truly seemed a god-send (Massey et al. 1987).

In all, some 168,000 braceros were recruited to the United States during the war years (1942 to 1945). Although originally envisioned as a temporary wartime measure, the booming postwar economy perpetuated growers' fears of a labor shortage, and under considerable pressure from the Texas and California delegations, Congress extended the bracero program on a year-to-year basis through the late 1940s. Despite these extensions, the number of braceros remained insufficient to meet the demand emanating from the fields, and during the late 1940s agricultural growers increasingly took matters into their own hands by recruiting undocumented workers.

In doing so, they incurred no liability under U.S. immigration law: the well-known "Texas Proviso" (named for the congressional delegation that originally wrote it) had explicitly prohibited the prosecution of employers for hiring undocumented workers (Teitelbaum 1986). Being handed this gaping loophole, growers simply spread the word among braceros that jobs would be waiting for any friends or relatives who chose to come. Once these new workers arrived, employers either filed papers to have them legalized *ex post facto* as braceros or just let them continue working illegally. Although the number of bracero visas issued annually by the INS expanded to around 100,000 in 1949 (partly because of *ex post facto* legalization), the size of the program still was insufficient to meet demand, particularly after 1950 as the cold war turned hot in Korea, resulting in a reinstatement of the draft and a dramatic increase in industrial production. As a result, the number of undocumented migrants grew very rapidly, with apprehensions rising from 69,000 in 1945 to 883,000 in 1950.

In response to continued pressure from growers, Congress in 1951 passed Public Law 78 to give the bracero program a permanent statutory basis. Passed at the height of the Korean War with little discus-

sion and virtually no opposition, the program remained in place for thirteen years (Calavita 1992). Given the program's new statutory authority, the INS immediately doubled the number of bracero visas to around 200,000. Despite the program's growth, undocumented migration continued to rise as well, and the recession that followed the end of the Korean War combined with the paranoia of the McCarthy era to make illegal migration a hot political issue in 1953 and 1954.

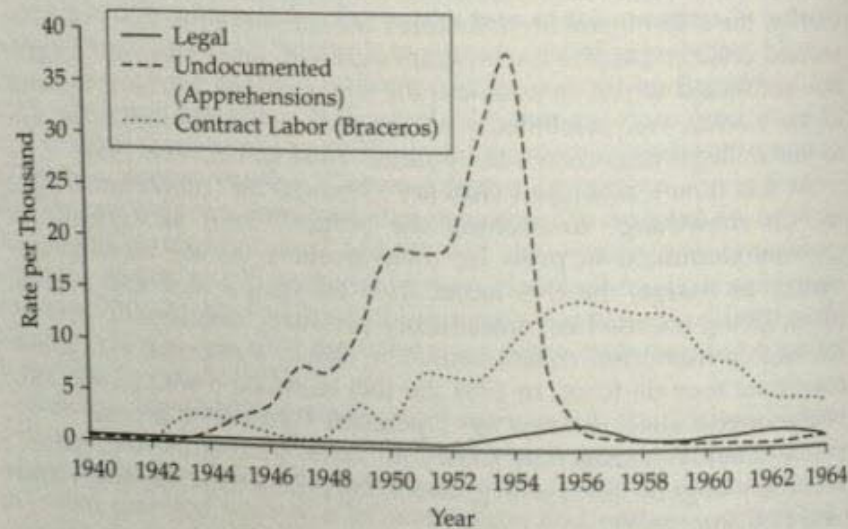
At this time a mobilized citizenry clamored for federal authorities to "do something" to "control the border," even as agricultural growers continued to press for more workers. As the bureaucratic agency in charge, the INS found itself between a rock and a hard place, facing intense but contradictory pressures from equally powerful, highly mobilized constituents. The agency's response was a bureaucratic tour de force. In 1954 the INS launched a well-publicized, two-pronged attack known as "Operation Wetback" (Calavita 1992) that brilliantly managed to satisfy all sides, putting the INS simultaneously in good stead with growers, the public, nativists, and members of Congress.

In cooperation with state and local authorities, the INS took the lead in militarizing the border and organizing a mass roundup of undocumented migrants. During 1954 the number of migrants apprehended by the INS swelled to over 1 million for the first time in U.S. history. At the same time, however, the INS more than doubled the number of bracero visas, an expansion that finally met growers' demand for agricultural workers. From 1955 to 1960 annual bracero migration fluctuated between 400,000 and 450,000 workers. At one point the INS was raiding agricultural fields in the southwestern United States, arresting undocumented workers, transporting them back to the border, and deporting them into the waiting arms of officials from the U.S. Department of Labor, who promptly processed them as braceros and retransported them back to the very fields where they had been arrested in the first place! (Calavita 1992.) Operation Wetback was applied with particular force in Texas, where U.S. authorities deliberately sought to break growers of their traditional habit of illegal hiring and to steer them toward the new, preferred mode of bracero employment (McBride 1963).

This two-pronged strategy was a resounding success for the INS (Calavita 1992). The expansion of bracero migration satisfied growers, while the militarization of the border and the massive number of apprehensions reassured voters and assuaged their nativist fears, creating the widespread perception that the border was under control. After peaking in 1954, the annual number of apprehensions plummeted, and from 1955 through 1964 it never again exceeded 100,000. Illegal



Figure 3.3 Mexican Emigration to the United States, 1940 to 1964



Source: U.S. Immigration and Naturalization Service.

migration effectively disappeared from public consciousness. Everyone, it seemed, was happy with the bracero compromise: growers got a plentiful supply of workers on favorable terms, while the public got the perception of a controlled border. As the federal agency orchestrating this legerdemain, the INS acquired new respect, prestige, and resources.

The direct trade-off between bracero and undocumented migration is illustrated in figure 3.3, which shows fluctuations in the rate of out-migration from Mexico between 1940 and 1964. During the first two years of the 1940s there was virtually no migration of any kind across the Mexico-U.S. border. Bracero recruitment started in late 1942, and the rate of contract labor migration began to rise. By 1944 undocumented migration, stimulated by the recruitment of braceros, also began to increase; when the number of bracero visas was temporarily reduced after the war, undocumented migration surged.

The subsequent expansion of bracero recruitment in 1948 and 1949 once again brought a dip in the rate of apprehension in 1948, but the curtailment of bracero recruitment in 1950 led to another surge in the rate of apprehension. The definitive expansion of the rate of bracero migration from 1955 to 1960, along with the incipient growth of legal immigration, combined to reduce the flow of undocumented migrants to a trickle. Whereas the rate of apprehension stood at about 37 per

1,000 in 1954, within two years it had fallen to around 1 per 1,000 (about the same rate as legal immigration), where it remained until the early 1960s.

The relative peace of the bracero era rested on a delicate compromise between competing interests: a nativist citizenry demanding that the border be controlled, and a well-organized lobby of growers who sought free access to Mexican labor. For a time the bracero program allowed the United States to have its cake and eat it too. Growers were plentifully supplied with farm labor in the form of contract workers, and the public was satisfied with the appearance of a controlled border. Nearly 5 million Mexicans entered the United States during the program's twenty-two-year history—a figure that dwarfs the combined total of legal and contract labor between 1900 and 1929—but this massive movement remained out of the public eye. With government assistance, braceros were whisked across the border and taken directly to the fields, bypassing large urban population centers and largely escaping the attention of the media.

By the early 1960s, however, political conditions in the United States were changing in ways that boded ill for the future of the bracero program. By then the nativist fears of the McCarthy era had waned, the economy was again booming, and Americans were becoming increasingly self-confident. Given the explosive growth in income and rising standards of living, U.S. citizens were able to turn their attention to moral contradictions at home. Even as the United States took the lead in a cold war against Communist dictatorships abroad, it tolerated an ugly, racialized tyranny at home in the form of legal segregation. In the affluent and forward-looking society of the early 1960s, this contradiction proved to be unsustainable.

Legalized discrimination against African Americans in the southern states and informal discrimination against them elsewhere in the country came to be seen as an embarrassment by most Americans, and during the 1960s a powerful civil rights movement gathered force. A broad coalition of labor unions, church groups, northern liberals, and civil rights activists pushed hard for federal legislation to combat racial discrimination in American life. With strong support from President Lyndon Johnson, himself a master of legislative politics, the movement achieved a remarkable string of successes in Congress, notably the 1964 Civil Rights Act, the 1965 Voting Rights Act, and the 1968 Fair Housing Act.

In an era of expanding civil rights, immigration policies that systematically blocked the entry of Asians, Africans, southern Europeans, and eastern Europeans came to be seen as intolerably racist. As part of the broader move to end racism in federal law, the civil



rights coalition also sought to modify U.S. immigration law by repealing the national-origins quotas and the Asian exclusion acts and replacing them with a neutral system that allocated visas among countries in a fair and objective manner. Prodded by legislators who were often themselves descendants of southern and eastern Europeans still smarting from the sting of Anglo exclusion (men like Peter Rodino and Dan Rostenkowski), Congress in 1965 passed landmark amendments to the Immigration and Nationality Act, finally extirpating overt racism from U.S. immigration policy. At the time the bill was seen as more of a piece of civil rights legislation than a fundamental change in U.S. immigration policy, and no one foresaw its far-reaching consequences (Glazer 1980).

The 1965 amendments created a new visa allocation system for the Eastern Hemisphere—Europe, Africa, the Middle East, Asia, and the Pacific. Henceforth, each country from these regions would be granted a quota of up to 20,000 visas annually to be allocated on the basis of family ties to U.S. residents, U.S. occupational needs, and humanitarian considerations. A new “preference system” was created to rank-order the various claims on entry. At the top were unmarried sons and daughters of U.S. citizens (first preference), followed by spouses and unmarried sons and daughters of legal resident aliens (second preference); artists, scientists, and professionals of unusual ability (third preference); married sons and daughters of U.S. citizens (fourth preference); brothers and sisters of U.S. citizens (fifth preference); skilled and unskilled workers in short supply (sixth preference); and refugees (seventh preference). Spouses, parents, and unmarried children of U.S. citizens were exempt from the preference system and not subject to numerical limitation; they entered outside the quotas entirely.

In addition to the 20,000-per-country limit, immigrants from the Eastern Hemisphere were subject to a hemispheric cap of 170,000 visas annually. Although neither the per-country limit nor the preference system was applied to nations in the Western Hemisphere (Latin America, the Caribbean, and Canada), the region was given an overall quota of 120,000 visas, to be applied beginning in 1968. This hemispheric ceiling represents the first attempt ever made by U.S. authorities to limit numerically the number of Latin American (and hence Mexican) immigrants to the United States.

At the time these legal reforms were not expected to have a marked effect on either the size or composition of immigration to the United States (Glazer 1980). What Congress generally expected was a modest increase in immigration from eastern and southern Europe and a clearing of the backlog from Asia. Little new migration was

anticipated from either Asia or Africa, and with one exception, the entry of Latin Americans was given little thought. The one exception was the bracero program, which constituted a second front of attack on what were seen as prejudicial immigration policies.

As the civil rights era progressed, the bracero program came to be seen as an exploitative and discriminatory system detrimental to the socioeconomic well-being of Mexican Americans, who had emerged as loyal allies of African Americans in the campaign for civil rights. In a 1960 television documentary aired at Thanksgiving entitled *Harvest of Shame*, Edward R. Murrow exposed the deplorable working conditions of migrant farmworkers (Andreas 2000), and beginning in that year a coalition of unions, religious organizations, and civil rights groups began to whittle down the annual number of bracero visas, which fell from 438,000 in 1959 to 178,000 in 1964. By the early 1960s, moreover, growers had grown dissatisfied with the program, which had become increasingly corrupt in allocating worker contracts. Ranchers found it easier to hire undocumented workers without having to submit to costly bureaucratic procedures. With growers giving up resistance, in early 1965 the civil rights coalition succeeded in killing the program entirely. The bracero era was finally over.

### The Era of Undocumented Migration: 1965 to 1985

Along with the sharp break in U.S. immigration policy that occurred in 1965, a variety of other conditions had also changed by the mid-1960s. First, growers had become heavily dependent on Mexican labor. In theory, growers could always have drawn native workers back into the agricultural workforce by raising wages and improving working conditions, but in practice they were reluctant to take these steps, which would have increased prices, induced structural inflation, and put them at a competitive disadvantage in the highly competitive food industry. Second, even if growers could raise wages, another problem loomed: after twenty-two years of a near-monopoly by Mexican labor, agricultural work within the United States had come to be defined socially as “foreign” and thus unacceptable to citizens. The social organization of U.S. labor markets had been changed permanently so as to create a built-in, structural demand for immigrant workers (see Böhning 1972; Piore 1979).

By the mid-1960s, not only had the nature of U.S. labor demand changed, but so had Mexican migrants themselves. Whereas in the 1940s and 1950s they had generally been target earners, seeking to earn as much money as possible, as quickly as possible, to recoup



their costs of moving, attain a predetermined income goal, and return home, by the 1960s their perceptions and motivations had changed. Sustained access to high U.S. wages had created new standards of material well-being and instilled new ambitions for upward mobility that involved additional trips and longer stays. As households containing braceros altered their consumption patterns and displayed the fruits of their U.S. labor, nonmigrant families came to feel relatively deprived and themselves sought to migrate (Reichert 1981).

The bracero program also generated a significant stock of migration-related human capital in Mexico. Between 1942 and 1965 hundreds of thousands of braceros were able to familiarize themselves with U.S. employment practices, become comfortable with U.S. job routines, master American ways of life, and learn English. As a result of this new knowledge—this new human capital—the costs and risks of taking additional trips dropped and the potential benefits rose. In addition to generating new human capital, moreover, the bracero program created significant social capital in hundreds of Mexican communities. Each time a bracero departed, social capital was created among his circle of friends and relatives, and that social capital in turn reduced the costs and risks of their own international movement and increased their access to U.S. employment.

In practical terms, therefore, the bracero program functioned as a government-sponsored initiative that set in motion the self-perpetuating forces of cumulative causation. In Mexico, meanwhile, the vaunted economic miracle began to unravel during the mid-1960s. A massacre of student demonstrators in downtown Mexico City in late 1968 shook the political establishment and threatened the stability upon which economic growth had depended (Poniatowska 1971). A massive increase in the size of the state and a surge in deficit spending during the presidency of Luis Echeverría led to capital flight, political unrest, and a devaluation of the peso in 1976 (Centeno 1994). Although the discovery of new petroleum reserves bought Mexico a few years of additional time, by 1982 world oil prices had fallen, and the Mexican economy finally collapsed once and for all.

Despite the end of the economic miracle, undocumented migration would probably not have grown after the demise of the bracero program had it not been followed immediately by the imposition of new limits on the legal immigration of Mexicans. If pre-1965 policies had remained in force, it is likely that the flow of Mexicans would simply have shifted from bracero to resident alien visas and Mexican immigration would have continued apace under a different name. Indeed, as it became clear to growers that the days of the bracero program were numbered, many began petitioning for an "adjustment of sta-

tus" of their former braceros (Reichert and Massey 1979; Massey and Liang 1989). Whereas annual legal immigration from Mexico stood at 23,000 persons in 1959, by 1963 it had doubled to more than 55,000, and during the short window of time from 1960 through 1968 when Mexicans were able to enter the United States without numerical restriction, some 386,000 Mexicans received permanent resident visas, a 43 percent increase over the period 1950 to 1958.

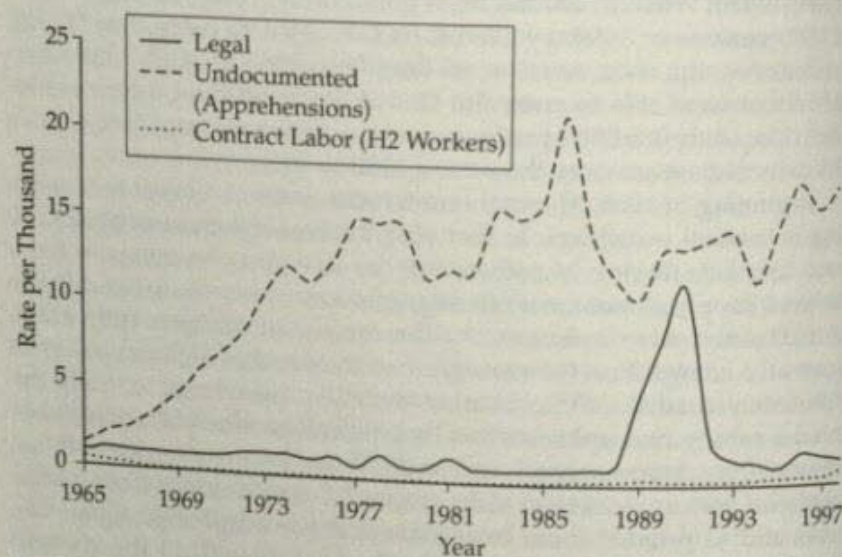
Beginning in 1968, Mexican immigration became subject to increasing numerical restriction. In that year the hemispheric cap of 120,000 was applied, forcing Mexicans, for the first time, to compete for a limited supply of visas with immigrants from other countries in Latin America and the Caribbean. As the exodus of refugees from Cuba grew, the competition for visas grew so intense that Mexican plaintiffs ultimately sued the INS, claiming that they were being unfairly denied access to hemispheric visas by political decisions taken in Washington. The courts agreed, and in 1977 the INS was ordered to set aside for Mexicans 144,946 visas originally used to admit Cuban refugees and to provide them *in addition to* the hemispheric ceiling. The resulting Silva program (named for the lead plaintiff in the lawsuit) ran from 1977 to 1981 and temporarily expanded Mexican access to U.S. visas.

High inflation, rising unemployment, and sagging wages in the United States during the 1970s made Mexican immigration increasingly salient as a political issue, and in 1976 Congress responded once again. In new amendments to the Immigration and Nationality Act, it prevented young U.S.-born children from sponsoring their parents' immigration by stipulating that only U.S. citizens age twenty-one and over could petition for the legal entry of their parents. More important, it extended the 20,000-per-country limit to the Western Hemisphere and placed it under the dictates of the preference system.

Legal Mexican immigration immediately fell by 40 percent, reaching just 45,000 in 1977, the lowest level since the end of the bracero program in 1964. In 1978 Mexican access to visas was further limited by amendments that eliminated the separate hemispheric ceilings and created a single 290,000 worldwide cap, which was subsequently reduced to 270,000 in 1980. Between 1968 and 1980, therefore, the number of visas accessible to Mexicans dropped from an unlimited supply to just 20,000 per year (excluding immediate relatives of U.S. citizens), and even these were allocated in competition with immigrants from other nations against a fixed worldwide cap. Although Mexican immigration temporarily swelled to a record 101,000 in 1981, the final year of the Silva program, Mexican entries once again dropped sharply when that program ended, hovering between 55,000 and



Figure 3.4 Mexican Emigration to the United States, 1965 to 1998



Source: U.S. Immigration and Naturalization Service.

60,000 through 1985, a level well below that observed in the mid-1920s, when Mexican immigration had peaked at 88,000 per year. Compared with the 450,000 work visas made available *annually* to Mexicans during the height of the bracero era, moreover, the number of Mexican immigrant visas granted during the 1970s was small indeed.

The sharp reduction in the accessibility of legal visas coincided with a time of rapid population growth and declining economic fortunes in Mexico. Given this pairing and the accumulation of so much migration-related human and social capital during the bracero era, only one outcome was possible: an explosion of undocumented migration. Figure 3.4 shows the rate of out-migration to the United States from 1965 through 1997. With a few minor and one notable exception, the rate of *legal* immigration has been essentially fixed at around 1.0 per 1,000 since 1965. The rate dipped a little in 1977 with the inclusion of Mexico in the country quotas, and it went to 1.4 per 1,000 during 1978 and 1981 because of the additional Silva visas, but these represented minor blips in a fairly flat trend line that persisted through the late 1980s. U.S. policy clearly succeeded in reducing and limiting Mexican access to legal visas.

With contract labor migration limited to trivial levels throughout

the period, undocumented migration was the only possible outlet for the powerful migration-promoting forces set in motion by the bracero program and ongoing structural changes in Mexico and the United States. From a rate slightly above 1.0 per 1,000 in 1965, the relative number of Mexicans apprehended rose to 21.0 per 1,000 in 1986. Although this rate is high, it still does not come close to the rate of 37.0 per 1,000 achieved during the height of Operation Wetback in 1954, owing mainly to the larger size of the Mexican population.

Nonetheless, undocumented migration steadily came to dominate the flow of migrants to the United States during the period 1965 to 1986. According to estimates by Douglas Massey and Audrey Singer (1995), roughly 28.0 million Mexicans entered the United States as undocumented migrants during this period, compared with just 1.3 million legal immigrants and a mere 46,000 contract workers. For the most part, this massive movement was circular. Massey and Singer also found that the 28.0 million entries were offset by 23.4 million departures, yielding a net increase of only 4.6 million. Since around 200,000 legal Mexican immigrants also returned to Mexico during the same period (Warren and Kraly 1985; U.S. Immigration and Naturalization Service 1997), total net Mexican immigration from 1965 through 1986 was probably on the order of 5.7 million, of whom 81 percent were undocumented.

During the twenty-one-year history of mass undocumented migration, the United States, in effect, operated a *de facto* guest-worker program. Just enough resources and personnel were allocated to border enforcement to reassure the public that the border was under control. The costs of border crossing were raised to the point where some selection was achieved, but they were never raised high enough to hamper seriously the flow of Mexican workers to U.S. jobs. During the late 1970s and early 1980s the odds that an undocumented Mexican would be apprehended while trying to enter the country averaged around one in three (Espenshade 1990, 1994; Massey and Singer 1995).

Although border enforcement served an important symbolic purpose by signaling that the nation was being defended, it did not really deter Mexicans from attempting an undocumented border crossing. Even if they were unlucky enough to be caught and returned to Mexico, they simply tried again until they got in, a process that Thomas Espenshade (1990) has called the "repeated trials model." If the odds of capture are only 33 percent on any given attempt, the likelihood that a migrant will successfully enter the United States over the course of four attempts is 80 percent. In short, most migrants who made it to the border eventually got in (Singer and Massey 1998).



Even though they did not seriously hinder the ultimate arrival of undocumented migrants, the rigors of clandestine crossing, together with the possibility of arrest and deportation, did have the advantage of skewing the flow toward those most motivated and able to work— young men just before or in the early stages of family formation (Massey et al. 1987). Such people had little incentive to work in the United States for very long, since most were target earners who had left friends and family at home; they also knew that they could always return to the United States whenever the need arose. Hence, the odds of return migration were high.

Once again, in seeking to reconcile the conflicting interests surrounding immigration, the INS had evolved a strategy in which the United States could have its cake and eat it too. U.S. employers continued to enjoy ready access to Mexican workers, while the American public was reassured that the border was under control. For more than two decades the system worked well to select highly motivated workers at little cost to the government, ensure their arrival at U.S. work sites at their own expense, and then encourage their relatively prompt return, once again at their own expense.

In addition to reassuring the public, the steady increase in border apprehensions served another important bureaucratic purpose: each arrest at the border justified the need for additional resources for the U.S. Border Patrol, yielding a self-fulfilling cycle that worked strongly to the agency's advantage. From 1965 to 1986 the Border Patrol steadily increased in size, from about 1,500 officers to 3,700, and the number of apprehensions rose from 55,000 to 1.7 million. From the Border Patrol's point of view, the only drawback of the increasing number of apprehensions was the bureaucratic load it put on agents. There was no particular problem in the late 1960s when fewer than 60,000 undocumented migrants were apprehended each year. As the annual number of arrests rose toward the 1 million mark, however, logistical problems became substantial, leading to the evolution of a bureaucratic coping strategy that Josiah Heyman (1995) has called the "voluntary departure complex." Other researchers have labeled it "a game of cat-and-mouse" (Chavez 1992; Koussoudji 1992) and a "revolving door" (Durand 1994).

During the migration regime that prevailed from 1965 through 1986, the career interests of Border Patrol officers were best served by making a large number of arrests and processing them quickly. The interests of the migrants, naturally, were to avoid apprehension if possible, but when arrested, to return to Mexico quickly to try crossing again. The bureaucratic form that evolved to institutionalize these complementary interests was called the "voluntary departure order."

Technically, each undocumented Mexican arrested while entering the United States had the right to a hearing before an immigration judge, but neither the migrant nor the Border Patrol officer was really interested in pursuing this course of action. Upon arrest, therefore, 97 percent of Mexican migrants signed a "voluntary departure order" waiving their right to a hearing and authorizing the Border Patrol to transport them "voluntarily" back to Mexico.

All parties understood that, once repatriated, the migrant would simply try to cross the border again and that on the next or subsequent attempt he or she would probably get in. After two decades of undocumented migration and millions of apprehensions, the social encounter between Border Patrol officers and Mexican migrants became highly ritualized (Heyman 1995). As the comptroller general of the United States explained in a 1976 report: "Presently the border is a revolving door. . . . We repatriate undocumented workers on a massive scale . . . [and] the illegals cooperate by agreeing to voluntarily depart, and significant numbers promptly re-enter" (quoted in Andreas 2000, 37).

### The Great Divide: 1986 to 2000

As the absolute number of apprehensions continued to climb year after year, the voluntary departure strategy began to unravel. In the eyes of lawmakers and the public, the upward spiral of apprehensions ultimately served less to justify the need for more enforcement resources than to prove that past expenditures had been ineffective and that the border was again spiraling out of control. In addition, even though Mexican migration remained highly circular, growing numbers were inevitably settling permanently in the United States. The ratio of settlers to migrants remained small, but as the volume of undocumented migration rose, so did the absolute number of settlers, leading to the formation of large, growing, and highly visible Mexican communities in some of the nation's most important urban centers— Los Angeles, San Diego, San Francisco, Chicago, Dallas, Houston, and New York.

As undocumented Mexicans grew more visible, the United States underwent a period of substantial economic and political turmoil that left citizens feeling insecure, unconfident, and apprehensive about their own well-being. This combination of rising undocumented migration and deep social and economic anxiety made it imperative for lawmakers to find a "solution" to the "problem" of undocumented migration, and during the first half of the 1980s a variety of bills were introduced to tighten border enforcement. Most, however, were bot-



tled up in committee by the conflicts inherent to the immigration debate (see Fuchs 1990).

Suddenly, in late 1986, a historic compromise orchestrated by Senator Alan Simpson (R-Wyo.) and Representative Peter Rodino (D-N.J.) miraculously balanced the interests of growers, immigrants, Latinos, restrictionists, free traders, nativists, and employers to secure the passage of the Immigration Reform and Control Act (IRCA). Although the speed with which the legislation cleared both houses of Congress surprised many observers, IRCA was promptly signed into law by President Reagan and took effect on January 1, 1987, ushering in a new era of Mexico-U.S. migration.

U.S. concerns about Mexico and Mexican immigration did not stop at the border, nor were they all addressed by IRCA. The collapse of the Mexican peso during the summer of 1982 brought another round of hyperinflation, national insolvency, and looming default on international loans. The lion's share of the foreign debt was owed to U.S. banks, and faced with a potential financial catastrophe, the U.S. government pressured Mexico to deregulate its economy, undertake monetary and fiscal reforms, downsize the state, and liberalize trade.

In Mexico, meanwhile, the economic crisis brought to power a new group of U.S.-trained technocrats who were well schooled in market economics and committed to dismantling the political economy of import substitution industrialization that had prevailed since the 1930s (Centeno 1994; Camp 1996). During the late 1980s and early 1990s these technocrats, led by President Carlos Salinas de Gortari, worked assiduously to dismantle trade barriers, eliminate controls on ownership and investment, reduce tariffs, dismantle subsidies, deregulate markets, and generally privatize the economy.

These changes were looked upon with great favor and strongly supported by free-marketeers of the Reagan and Bush administrations, and when President Salinas sought to institutionalize the reforms and make them permanent, U.S. officials eagerly embraced the vehicle he chose: the North American Free Trade Agreement. By tying trade liberalization, privatization, and market economics to a treaty with the United States, Salinas would make it difficult, if not impossible, for a successor to dismantle the political economy he had put in place. Despite opposition from unions, workers, environmentalists, and isolationists in the United States, a bipartisan coalition of congressional Democrats and Republicans succeeded in ratifying NAFTA early in the administration of President Bill Clinton, and on January 1, 1994, the North American Free Trade Agreement went into effect.

Even as it moved progressively toward more restrictive immigration policies, therefore, the United States simultaneously committed

itself to a broader process of economic integration with Mexico, ensuring that the new age of Mexico-U.S. migration would be one of profound ambivalence. Despite the obvious fact that NAFTA would inevitably create more elaborate and efficient transportation and communication links between the two nations, and even though the treaty would obviously forge a broader network of professional contacts and social ties through expanding business, tourism, scientific interchanges, and cultural exchanges, U.S. officials somehow wished to believe that this new integration would not lead to the transnational movement of labor. Indeed, a common refrain was that NAFTA would enable Mexico "to export goods and not people."

Once again, the United States sought to have its cake and eat it too. This time, however, the fundamental contradictions were more difficult to finesse than during the *bracero* or undocumented eras, and federal officials found themselves relying on increasingly harsh and repressive policies to create the impression that the border was still a meaningful dividing line during an era of rampant, government-sponsored transnational integration (Andreas 1998). To increase the costs of entry, IRCA authorized an immediate 50 percent increase in the INS enforcement budget (Bean, Vernez, and Keely 1989; Goodis 1986). To lower benefits, IRCA imposed sanctions against employers who knowingly hired undocumented migrants and increased the Labor Department's budget to carry out work-site inspections. These restrictions, however, came at a political price. To secure support from civil rights organizations, immigrant advocacy groups, and Latino lobbies, IRCA also authorized an amnesty for long-term undocumented residents, and to placate agricultural growers it included a special legalization program for undocumented farmworkers.

Thus, IRCA contained both deeply restrictive and wildly expansive provisions. Despite the increase in border enforcement and the imposition of employer sanctions, it ended up legalizing some 2.3 million formerly undocumented Mexicans (U.S. Immigration and Naturalization Service 1992). As figure 3.4 shows, this legalization hugely increased the rate of legal immigration. The legalizations processed from 1988 through 1992 raised the rate of legal entry to around 11.0 per 1,000 in 1991, exceeding even the high rates registered during the 1920s.

As in the earlier *bracero* era, the figure suggests a trade-off between legal and undocumented migration. Once the legalization programs were announced in late 1986, millions of undocumented migrants chose to remain in the United States and begin the process of applying for a visa. As a result, the rate of apprehension dropped immediately from about 22.0 per 1,000 in 1986 to just 11.0 per 1,000 in



1988. As the legalization program wound down, however, undocumented migration rose once again, with the rate of apprehension going back up to 17.0 per 1,000 by 1996.

### Practical Mechanics of Mexico-U.S. Migration

As the foregoing review indicates, migration between Mexico and the United States has never been a result of simple cost-benefit decisions taken by individuals, nor have migrants been motivated solely by a desire to relocate permanently north of the border to maximize lifetime earnings. Although Mexicans have clearly made decisions to enhance their well-being, income maximization is only one of several potential motivations, and their decisions have never been taken in isolation but within larger social and economic structures that have been transformed over time in ways that have strongly influenced the motivations for and the likelihood of international migration.

Since the late nineteenth century, the Mexican political economy has undergone three wrenching structural transformations. The first was the *liberal revolution* of Porfirio Díaz (1876 to 1910), who attracted massive foreign investment to build an incipient industrial base, create a national market, and link Mexico, via new ports and railroads, to the global trading system. The second was the *Mexican Revolution*, which created a powerful corporatist state that assumed a central role in planning, organizing, and financing economic growth. The third was the *neoliberal revolution* of the 1980s that privatized state-owned industries, dramatically downsized government, limited subsidies, and opened Mexico to global trade and foreign investment.

At each historical juncture, the structural transformations wrought by these three revolutions influenced the circumstances faced by everyday Mexicans, causing them to see international migration as a potential solution to their problems. Usually the motivation for migration was not simple income maximization. Equally important were the goals of minimizing risk and overcoming barriers to the acquisition of money for consumption and investment. Even given such incentives to emigrate, however, migratory flows generally had to be instigated by recruitment, first during the period 1910 to 1920 and then again from 1942 to 1964. In the course of state-sponsored labor migration, social networks evolved to support international movement and make recruitment increasingly irrelevant. At the same time migration transformed social and economic structures on both sides of the border in ways that encouraged additional migration.

The current migratory system has thus been a century in the mak-

ing. With the exception of a brief hiatus during the 1930s, migration between Mexico and the United States has gone on continuously since the dawn of the twentieth century. During this time all of the theoretical forces reviewed in chapter 2 came into play, although different combinations prevailed in different historical epochs. Considering the entire historical panorama of Mexico-U.S. migration, what has changed over time is not so much the *fact* or *rate* of immigration as the *auspices* under which it has occurred. From 1900 to 1929 Mexicans entered as legal immigrants, from 1942 to 1964 as *braceros*, and from 1965 to 1985 as undocumented migrants. The rate of legal immigration during the 1920s was higher than at any time up to 1991, and the rate of undocumented migration (measured by the apprehension rate) during the early 1980s was roughly comparable to the rate of *bracero* migration in the late 1950s. By the 1970s Mexico-U.S. migration had evolved into a well-regulated, highly predictable, and largely self-sustaining system based on the circular movement of undocumented male workers.



the annual arrival of 2 billion migradollars generated \$6.5 billion worth of additional production in Mexico, with particularly strong multiplier effects in the manufacturing and service sectors.

In 1986, however, this stable system came to an end as politicians in the United States manufactured an immigration "crisis" and created the false impression that the border was out of control. These constructions represented a form of symbolic politics that served domestic political purposes but had little to do with the real circumstances of Mexico-U.S. migration. Nonetheless, they led to a variety of legislative actions and policy shifts that had profound consequences for Mexico-U.S. migration. After 1986 the United States unilaterally embarked on a series of repressive policies, police actions, and political campaigns that dramatically changed the rules of system operation, ushering in a new era in Mexico-U.S. migration and guaranteeing that in the future its consequences would be neither benign nor limited.

## = Chapter 5 =

### A Wrench in the Works: U.S. Immigration Policies After 1986

THE YEAR 1986 was pivotal for the political economy of North America. In that year, two events signaled the end of one era and the beginning of another: Mexico's entry into the General Agreement on Tariffs and Trade (GATT) and passage by the U.S. Congress of the Immigration Reform and Control Act (IRCA). In Mexico a new political elite had succeeded in overcoming historical opposition within the ruling party and orchestrated the country's entry into GATT. Then they boldly approached the United States to forge a new alliance that would ultimately create a free trade zone stretching from Central America to the North Pole. Even as U.S. officials worked closely with Mexican authorities to integrate the North American economy, however, they simultaneously acted to prevent the integration of its labor markets. Rather than incorporating the movement of workers into the new trade agreement, the United States insisted on the right to control its borders, and to underscore its resolve Congress passed IRCA.

Thereafter the United States would pursue a politics of contradiction—simultaneously moving toward integration while insisting on separation. In time-honored fashion, the United States sought to have its cake and eat it too—to move headlong toward a consolidation of markets for capital, goods, commodities, and information, but simultaneously to pretend that North American labor markets would remain separate and distinct. In the ensuing years the United States would spend increasing financial and human resources to demonstrate to the American public that the border was under control and *not* porous with respect to migrants or drugs, even as it was becoming increasingly permeable with respect to numerous other flows. Ad-



mitting Mexican workers while pretending not to do so was nothing new. But whereas this sort of hypocrisy could be maintained at a relatively low cost during the *bracero* and undocumented eras, after 1986 the illusion became increasingly expensive to sustain, not only for the migrants themselves but for citizens and taxpayers on both sides of the border.

### The Roots of North American Integration

In the decades leading up to the 1980s, Mexico's political economy of import substitution industrialization (ISI) moved steadily toward its demise. As early as 1968, the limitations of ISI had become apparent. In that year what began as a small, localized movement of university students turned into a mass mobilization against the Mexican state. Demonstrators questioned the legitimacy of the political elite that had governed Mexico since the 1910 Revolution and challenged its commitment to social justice and democracy. Although Mexico's state-centered program of economic growth had succeeded in building an industrial infrastructure and creating an urban middle class, it had also brought about rising inequality, a stagnant agrarian economy, a growing concentration of urban poverty, widening regional imbalances, and a self-serving bureaucracy that showed little interest in relinquishing power or allowing reform.

The political mobilization of the late 1960s was ultimately put down by a bloody massacre of student demonstrators in Mexico City (Poniatowska 1971). Although the massacre quelled the uprising for the moment, it severely undermined the government's standing among its citizens and thoroughly compromised its legitimacy. In 1970 a new president, Luis Echeverría, assumed power and sought to restore the state's lost stature. Having been minister of the Interior at the time of the student massacre, and therefore at least formally responsible for the slaughter, he no doubt felt a special need to make amends.

Echeverría sought to refurbish Mexico's revolutionary credentials at home and abroad. Internationally he espoused an ideology of Third World liberation, cultivated relations with Cuba and other leftist governments, and made a point of voting against the United States in public forums such as the United Nations and the Organization of American States (OAS). Domestically he launched a massive expansion of the Mexican state, characterized by a sharp increase in social spending, a growing nationalization of private industry, and a rapid expansion of the federal bureaucracy. Over the course of his presidency the number of state-owned enterprises doubled, from 491 in

1970 to 845 in 1976; over the same period total government employment grew from 616,000 to 2.1 million (Centeno 1994). To protect the inefficient industries he had acquired for the Mexican state, Echeverría tightened barriers to trade by raising tariffs, imposing new quotas, and enacting regulations.

Prior to 1970 Mexican presidents had relied largely on domestic capital to promote national economic development, but domestic sources were insufficient to support Echeverría's ambitious plans. His grandiose spending habits also found little sympathy in the Ministry of the Treasury or among the nation's bankers. He therefore turned to foreign banks and international lending institutions, which happily provided the funds. Rather than channeling the money through the Ministry of the Treasury (*Secretaría de Hacienda*), however, Echeverría absorbed it directly into the Office of the Presidency, bypassing a traditional check on presidential power (Centeno 1994). The Office of the Presidency also assumed direct control over the distribution of these funds, thereby usurping the patronage functions traditionally managed by the Ministry of the Interior (*Secretaría de Gobernación*) and further centralizing the president's power and control over the Mexican state.

By 1976 Echeverría's nationalizations, spending, and populist rhetoric had deeply alienated Mexico's private sector. Mexico would have had a difficult time paying its foreign debt under any circumstances, but a loss of faith by entrepreneurs and foreign bankers sparked a massive flight of capital that turned a liquidity problem into a full-blown economic crisis. During his last year in office Echeverría was forced to devalue the peso, which caused inflation to soar to 27 percent per annum. The state's fiscal problems, in turn, compelled him to scale back social spending; to compensate for these humiliating retreats, in his final months he rashly expropriated millions of hectares of private land for ostensible redistribution to peasants. (It was mostly returned by his successor.) In the end Echeverría managed to antagonize virtually all sectors of society without restoring the luster of the Mexican miracle, thus deepening the crisis of the state.

As the date of the presidential succession approached (December 1, 1976), Mexico swirled with rumors of military plots, impending coups, guerrilla uprisings, and assassinations. When the new president, José López Portillo, finally assumed office, Mexico seemed on the brink of economic and political collapse. The private sector was worried about the huge foreign debt and the state's recent interventions in the economy, while international lenders doubted Mexico's ability to repay its ballooning foreign debt. López Portillo needed to reassure both audiences, and he quickly worked to demonstrate his



commitment to moderation and reform. In a symbolic gesture, he sent former President Echeverría to the South Pacific as ambassador to Fiji, and in early speeches he promised fiscal reforms and restrained spending. Meanwhile, he discarded the populist poses and leftist rhetoric in favor of a more businesslike approach to national government.

Within a few months these gestures became superfluous, however, for shortly after assuming office López Portillo learned from the state oil company that vast new petroleum deposits had been discovered in the Mexican waters of the Gulf of Campeche. With oil prices spiraling upward, Mexico suddenly emerged as a major oil producer, at least potentially. With visions of petrodollars dancing in their heads, lenders backed off their demands for structural reform and reopened the spigots of capital.

Thanks to the miraculous and unanticipated discovery of oil, López Portillo was literally able to buy his way out of trouble. Rather than addressing the serious economic problems responsible for the problems of 1968 and 1976, he was able to put off the day of reckoning. Assuming that oil prices would remain at astronomic levels, he accelerated social spending and continued Echeverría's expansion of state employment. At the same time he borrowed heavily to cover the huge capital costs of extracting undersea oil and bringing it to market. In the heady days of the late 1970s, López Portillo was not the only leader of an oil-rich country to feel that his nation was somehow immune from the constraints and exigencies of the market. Awash in petrodollars, he believed he did not have to make difficult choices between consumption and investment.

By the dawn of the 1980s, however, new petroleum producers had entered the market, and the oil cartel began to lose its grip on supplies. After years of borrowing to undertake capital investments, oil prices began to fall just as Mexican oil really began to flow. López Portillo was suddenly denied the revenue stream he had counted on to pay off the massive foreign debt, and in the summer of 1982 he was forced to break his promise to defend the Mexican peso "like a dog." The currency was floated and promptly lost half its value. Faced with billions of dollar-denominated loans, Mexico was forced to suspend payments on its foreign debt, which were eating up 43 percent of the national budget (Wilkie 1990).

This time there were no miraculous discoveries to save the situation: the day of reckoning had finally arrived. Over the next year inflation soared to an annual rate of 100 percent, GDP fell by 8 percent, real wages dropped by 21 percent, and the gulf between rich and poor widened markedly (Sheahan 1991; Cortés and Rubalcava

1992). Unable to accept responsibility for the disaster, López Portillo blamed entrepreneurs and bankers for disloyalty and berated them for sending their assets abroad (a course of action that he and his ministers were also pursuing). Against the counsel of his advisers, and with just three months left in office, he suddenly nationalized Mexican banks in a fit of pique that represented the largest single expropriation of private property since the 1930s.

The private sector was stunned, and the move only deepened Mexico's financial problems, which grew into a prolonged economic crisis known as the "lost decade." From 1980 to 1989 Mexican GDP per capita fell by 9 percent, real minimum wages plummeted by 47 percent, and the percentage of families in poverty increased from 45 to 60 percent (Sheahan 1991). López Portillo's bank nationalization proved, however, to be the high-water mark of the old political economy. With a total of 1,155 state-owned entities and one out of every five workers employed either directly or indirectly by the Mexican state, ISI in 1982 had finally reached its limit. Thereafter the tide of state ownership would recede: the neoliberal revolution had begun.

The massive expansion of the state under Echeverría and López Portillo brought to power a new class of forward-looking technocrats who would be instrumental in imposing a new order—neoliberalism—on the Mexican political economy. Effective management of the huge state bureaucracy and its far-flung empire of para-state enterprises required centralized control and planning. To coordinate the growing state apparatus, late in his term Echeverría had instituted a national planning council headed by López Portillo, and when the latter assumed office, he formalized the planning process by creating the Ministry of Planning and Budget (*Secretaría de Planificación y Presupuesto*), better known by its initials SPP.

All other governmental departments and ministries were required to submit plans to the SPP, and it alone developed the global plan to which all agencies had to conform. It had the final say on policies and priorities, taxing and spending, program creation and elimination. The SPP functioned as a super-ministry with the power to approve or deny ventures throughout the state. Henceforth, whoever was in charge of the SPP would have de facto control of the state itself (Ceneno 1994), and the minister of SPP thus became the most powerful person in Mexico after the president himself. It is no coincidence that the next two Mexican presidents were former SPP ministers.

The tasks of planning and budgeting, of course, rely heavily on quantitative data, rational analysis, and technical skills. Those advancing in the new ministry were young (in their thirties and forties) and U.S.-educated, with graduate degrees in economics, public ad-



ministration, or some technical specialty, usually from a prestigious private university. (The next three presidents would hold advanced degrees from either Harvard or Yale.) Growing up in and around Mexico City during the relative prosperity of the economic miracle, and coming from a homogenous class background, the new technocrats had great faith in the soundness of their analyses and their ability to foresee and solve Mexico's problems. With their advanced training, elite educations, and powerful positions in government, they came to believe they had a special mandate to modernize the nation and lead it forward into the next century.

In their view, Mexico's difficulties stemmed from its inward-looking, state-centered economy. They believed that growth, prosperity, and stability could be had only by creating a new, more liberal political economy connected to the global regime of trade and investment. Unlike earlier generations of Mexican politicians, they were neither suspicious nor resentful of the United States. Having been educated there, they understood it well and sought to capitalize on Mexico's privileged geographic position adjacent to the world's largest market to catapult it to the ranks of the First World.

The 1968 student massacre and the crises of 1976 and 1982 had thoroughly discredited the old regime, leaving it with little popular support. After 1982 modernizing neoliberals in the SPP took advantage of this opening and used their powerful positions to impose their technocratic vision on an often reluctant country, frequently running roughshod over the ruling party's older politicians, whom they derisively called "dinosaurs." President Miguel de la Madrid laid the foundations for the neoliberal revolution by lowering tariffs, abandoning quotas, easing state regulations, improving tax collections, rescheduling the foreign debt, privatizing enterprises, limiting wage increases, cutting social spending, balancing the budget, and attacking (at least symbolically) the corruption of the López Portillo era. In the fourth year of his term he decisively broke from the past by securing Mexico's entry into GATT, which in both real and symbolic terms inaugurated the neoliberal era in Mexican society.

Rather than seeking to create closed internal markets, de la Madrid and the neoliberals sought to attract foreign investment to produce goods for sale on international markets, following the model of export industrialization used so effectively by the "Asian Tigers" of the 1970s. Despite de la Madrid's reforms and his relative success in restructuring the country economically, however, the crisis was hardly over. As oil prices experienced a new round of deflation, economic conditions deteriorated and domestic inflation reached new heights,

soaring to 106 percent in 1986 and 159 percent in 1987. Not surprisingly, given the economic pain it was inflicting on citizens, the government had not regained the legitimacy it lost in 1968.

As a result, the presidential succession of 1988 proved unusually difficult for the ruling party to manage. Historically the president simply named his successor, who was then duly nominated by the ruling party and ratified by national election. De la Madrid named as his successor Carlos Salinas de Gortari, but rather than rubber-stamping the nomination, party traditionalists protested. When they were overruled, some broke with the party to launch an independent left-wing campaign led by Cuauhtémoc Cárdenas, son of Mexico's most revered president, who eventually went on to form a party known as PRD (Partido de la Revolución Democrática). At the same time the center-right mobilized under the banner of an old but revitalized party, the PAN (Partido de Acción Nacional).

These mobilizations against the state and its ruling party proved to be surprisingly popular and successful. In the end Salinas was barely elected to the presidency, officially receiving the slimmest majority in Mexican history (50.4 percent), and this victory was probably achieved only through massive electoral fraud. When the new president assumed office on December 1, 1988, the power and prestige of the state, along with the Mexican economy, seemed at a low ebb. Not only was Salinas widely considered to be illegitimate, but there was growing dissent within the ruling party as the "dinosaurs" vented their displeasure with the neoliberal technocrats who, for the moment, had gained the upper hand.

At the beginning of the Salinas administration, therefore, the new order was far from locked into place. On the contrary, the neoliberal hold on the state and the state's hold on society both seemed tenuous. The ponderous ship of the Mexican political economy would take time to reverse course. The structural changes introduced by de la Madrid were unpopular both inside and outside the ruling party, and their future seemed dubious. Under Mexico's system of centralized presidential power, it was entirely possible for a future president to undo everything accomplished by the neoliberals with the stroke of a pen.

As a former minister of SPP and a Harvard-trained technocrat himself, President Salinas was determined to carry forward the neoliberal agenda, and under his administration the pace of privatization accelerated dramatically, the federal payroll was further slashed, government administration continued to be streamlined, and state participation in the economy was greatly reduced. Still, there was the



troubling problem of institutionalizing the reforms and making them permanent. To solve this problem, Salinas broke with tradition and boldly turned toward the United States.

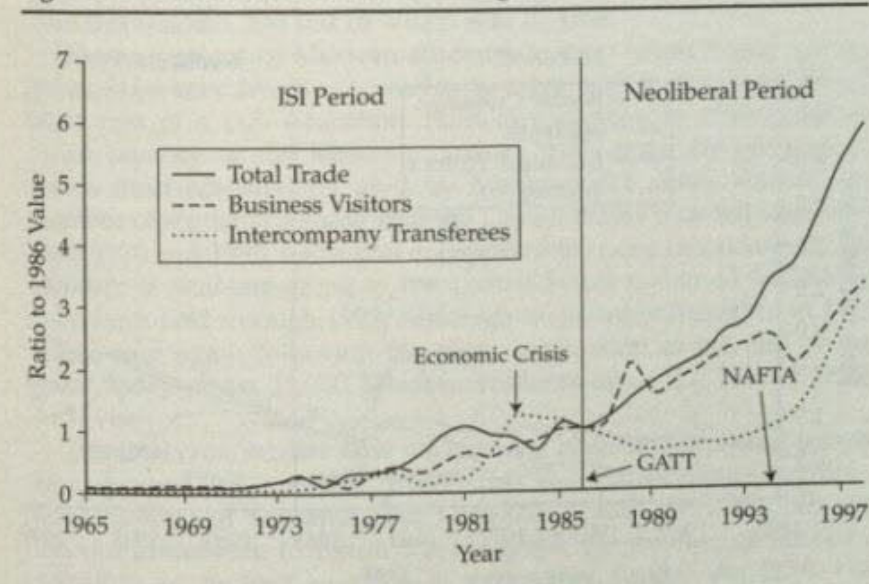
Specifically he proposed joining the free trade agreement that had already been negotiated between Canada and the United States, a move that would tie the neoliberal Mexican economy to a treaty with its powerful northern neighbor. It would be extremely difficult, if not impossible, for a future Mexican president to abrogate a treaty with the United States, no matter how powerful he was. Moreover, the creation of a North American market would bring about permanent institutional changes that would make a return to the old regime costly in practical and financial terms as well.

The structural and fiscal reforms introduced by Presidents de la Madrid and Salinas naturally met with great favor in Washington; indeed, U.S. officials had long recommended many of the changes that they had implemented. The first Bush administration warmly embraced Salinas's overture; after receiving authority from Congress for "fast-track" negotiation, it began talks to create an expanded North American Free Trade Agreement (NAFTA) that would embrace Mexico. The treaty was successfully negotiated and ratified by the U.S. Senate in 1993, with strong support from the new president, Bill Clinton. NAFTA took effect on January 1, 1994, and from that date forward the United States was officially committed to a policy of economic integration between itself and its neighbor to the south.

The imposition of the neoliberal regime after 1986 immediately accelerated cross-border flows of all sorts. In figure 5.1, we show trends in total trade (imports plus exports) and two kinds of international business migration (temporary entries for business purposes and intracompany transferees), all derived from official Immigration and Naturalization Service (INS) and International Monetary Fund (IMF) statistics. We date the beginning of the neoliberal era from Mexico's entry into GATT, and to show trends on a common scale we divide each series by its 1986 value.

Total trade between Mexico and the United States began at relatively modest levels in 1965 and for the next decade changed very little. From 1976 to 1982 trade expanded as Mexico borrowed heavily to finance consumption and investment during the oil boom, causing a surge in U.S. exports. After the onset of the economic crisis in 1982, however, trade ceased to grow and fluctuated around \$30 billion, roughly maintaining this value through 1986. Thereafter, trade accelerated at an unprecedented rate, and the rate of increase appears to have received an added boost after the implementation of NAFTA in

Figure 5.1 Cross-Border Business Exchanges, 1965 to 1998 (1986 = 1.0)



Source: International Monetary Fund; U.S. Immigration and Naturalization Service.

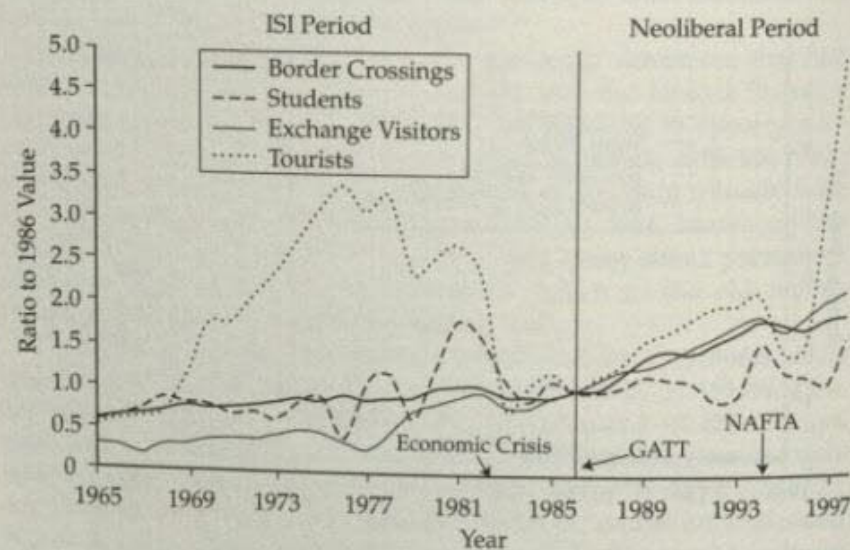
1994. By 1997 total trade stood at record levels and was five times its 1986 value, a rather stupendous increase in little over a decade.

The rise in trade was paralleled by an increase in the cross-border circulation of Mexicans for business purposes. After Mexico joined GATT, the number of Mexicans entering the United States on non-immigrant business visas increased almost threefold, from 128,000 to 373,000 per year. The number of intracompany transferees coming into the United States also climbed, from 4,300 per year in 1986 to 11,000 in 1997. Although we do not show the data here, the number of Mexican treaty investors admitted to the United States also shot up in the post-GATT period (jumping from 73 to around 1,700 per annum).

The growth of trade promoted other cross-border movements as well, such as exchange visitors and people legally crossing the border in cars and trucks or on foot. Trends in these indicators of binational integration are graphed in figure 5.2, and again the data are divided by 1986 values to create a common scale. As can be seen, the number of people flowing into the United States through legal ports of entry increased very gradually from 1965 to 1979 and then remained fairly constant until 1986, when the number of crossings stood at 114 million per year. With Mexico's entry into GATT, however, we see a very



Figure 5.2 Cross-Border Movements of Visitors, 1965 to 1998 (1986 = 1.0)



Source: U.S. Immigration and Naturalization Service.

sharp increase in the volume of cross-border traffic, which reached 208 million persons in 1997, nearly twice its 1986 level. The number of exchange visitors similarly changed very little from 1965 to 1977, ranging between 1,000 and 2,000 per year; the number of exchanges rose until 1981, then remained fairly constant (at around 3,000 per year) until 1986. Paralleling the trend observed for border crossings, however, the number of exchange visitors rose rapidly with the onset of the neoliberal period, peaking at 6,100 in 1997, two times its 1986 level.

Figure 5.2 suggests that one form of transnational movement, tourist entry (non-immigrant visitors entering for pleasure), is not a product of the neoliberal era. Indeed, the boom years of Mexican tourism seem to have been from 1970 to 1981, when ISI policies and the oil boom produced an overvalued peso, making U.S. vacations accessible to a large fraction of Mexicans. Tourism crashed along with the economy after the peso devaluation of 1982; it fluctuated at around 600,000 persons through 1986, after which it expanded again. The latter expansion lasted until the peso devaluation of 1994, which initiated another cycle of crash and recovery. Although Mexican tourism has generally expanded under neoliberalism, it has proven to be quite

sensitive to exchange rates and always falls markedly after a significant devaluation, the last of which was in 1994.

The movement of Mexican students to the United States also appears to be very sensitive to exchange rates, which determine the relative cost of a U.S. education. Student migration is affected by the fiscal capacity of the Mexican state as well, since the government funds most scholarships used by Mexicans for study abroad. The number of students coming into the United States thus fell sharply in both 1976 and 1982, dates that correspond to major devaluations. The number of students going to the United States remained fairly stagnant from 1982 through 1993. Although the number increased in 1994, it fell once again following the peso devaluation at the end of that year. Today about 11,000 Mexican students enter the United States each year.

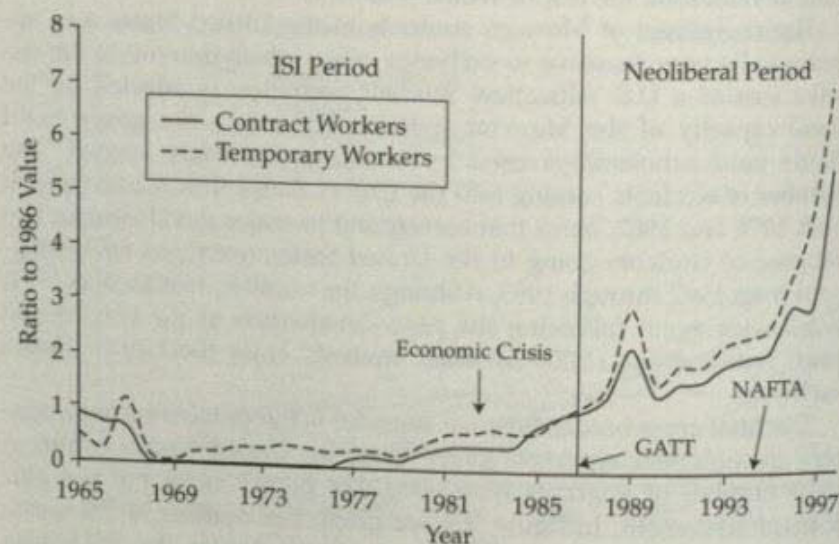
The final cross-border flow we consider is the movement of temporary documented workers. Every year the United States admits a large number of migrants with visas that permit work but not permanent settlement. In figure 5.3, we graph the number of Mexicans admitted as contract workers in agriculture (under the H2A visa program) and the total number of Mexicans admitted in any non-immigrant worker category. As can be seen, the two series show little movement until 1986, when both begin to move rapidly upward. Aside from the surge in 1989, the increase has been steady and has generally accelerated over time. By 1997 the United States was admitting around 37,000 Mexicans per year for renewable periods of short-term labor.

### The Politics of Separation

As envisioned under NAFTA, North American integration has thus been proceeding at a rapid pace in recent years, and cross-border traffic has multiplied accordingly. In an era of pervasive globalization, Mexico, Canada, and the United States have come together to compete as a single trading bloc, creating a free trade zone within which national borders will grow increasingly porous. Even as the United States has committed itself to integrating most markets in North America, however, it has paradoxically sought to prevent the integration of one particular market: that for labor. Indeed, since 1986 the United States has embarked on a determined effort to restrict Mexican immigration and tighten border enforcement. U.S. policy toward Mexico is inherently self-contradictory, simultaneously promoting integration while insisting on separation.



Figure 5.3 Cross-Border Movements of Labor, 1965 to 1998 (1986 = 1.0)



Source: U.S. Immigration and Naturalization Service.

### Manufacturing a Border Crisis

This sort of schizophrenia toward Mexico is nothing new. If anything, it is typical. Throughout the twentieth century the United States regularly encouraged or welcomed the entry of Mexican workers while publicly pretending not to do so. Only the mechanism of self-deception has changed over time. The current institutional arrangement has its roots in the late 1970s and early 1980s. As we saw in chapter 4, there is little statistical evidence that undocumented migration was accelerating at this time. What did change was how political and bureaucratic actors framed the issue.

Neither the numbers nor the legal status of immigrants is particularly relevant to understanding the policy regime that emerged after 1986. More important are U.S. political and economic conditions, which provided a context that allowed immigration to be framed in crisis terms. Economically the 1970s were painful for Americans. The Arab oil embargo doubled and then tripled petroleum prices after 1973, sending industrial nations into a deep and prolonged recession. The U.S. dollar lost more than half its real value between 1970 and 1980, the rate of unemployment increased by 50 percent, median income fell by 5 percent in real terms, and income inequality rose by 15

percent. Throughout the decade the economy remained in the doldrums and lost ground to economies in Europe and Asia. By almost any measure, Americans were worse off in 1980 than they had been a decade before (as presidential candidate Ronald Reagan made sure to remind voters that year).

In geopolitical terms, the United States was faring little better: the tide of the cold war seemed to turn against it. In 1973 the U.S. military withdrew from Southeast Asia, and two years later the South Vietnamese government collapsed, resulting in a chaotic exodus that sent hundreds of thousands of refugees streaming toward American shores. At the same time Fidel Castro remained firmly ensconced in Cuba, Eastern Europe continued under Soviet domination, China had not yet turned toward the market, and left-wing guerrilla movements were threatening U.S.-backed governments throughout Latin America and the Caribbean. The 1970s ended with the takeover of the U.S. embassy in Tehran by revolutionary Islamic students and U.S. State Department employees being held hostage.

By 1980, therefore, American confidence was at a low ebb. Successive rounds of recession and inflation and perceived humiliations at home and abroad had accumulated to produce an electorate that was fearful, angry, and looking for someone or something to blame. The Vietnam War had been lost, the Sandinistas were in power, real wages were declining, and the rich were getting richer while most families had to work harder just to stay in place. In reaction, U.S. voters expelled the hapless administration of President Jimmy Carter and turned to the magnetic self-confidence of Ronald Reagan. It was "morning in America," and having gained control of both the White House and Senate, Reagan and the Republicans sought to remake the U.S. political economy.

Faced with voter anger over intractable economic problems that lacked obvious or easy solutions, Reagan fell back on two time-honored strategies—ideology and scapegoating. Ideologically Reagan moved the nation sharply to the right: the new administration put a strong emphasis on anticommunism and had a decided tendency to view all international conflicts through the lens of the cold war. The Soviet Union was "the evil empire," the leftist president of Panama was a "tin horn dictator," and the Sandinistas were a "threat to the regional peace." Enemies of the United States lurked everywhere, national security became the watchword, and much time, effort, and money were put into defending America from enemies at home and abroad.

Under Ronald Reagan, national economic ideology also moved rightward. The free market became the key to prosperity, and barriers



to the market were to be dismantled. The statist vision of the New Deal, in which government safeguards the welfare of the people and protects them from the excesses of capitalism, gave way to a new philosophy of individual initiative, self-reliance, and progress through competition. In keeping with this ideological stance, Reagan led the way in downsizing the state, reducing federal employment, lowering taxes, deregulating industry, breaking unions, and cutting back on social spending. Only in the area of national security was the role of the state strengthened through a sharp increase in military spending, which in fact increased the budget deficit in spite of the other cuts.

Although "Reaganomics" eventually produced an economic boom in the latter half of the 1980s, its immediate effect was to aggravate the economic circumstances that had undermined Carter's presidency. By 1983 national unemployment had risen to 9 percent, the dollar had lost another 6 percent of its 1970 value, the poverty rate had risen to 15 percent, median income had declined by another 2 percent, and the rise in income inequality had accelerated. The early 1980s were thus marked by an unusual combination of economic insecurity and cold war hysteria, and it was in the atmosphere of this strange brew that far-reaching changes in U.S. immigration policy took shape.

During the 1980s immigrants increasingly were cast in the role of scapegoats for the nation's ills. Ronald Reagan led the way by framing border control as an issue of national security. As a result of Communist insurgencies in Central America, he foresaw "a tidal wave of refugees—and this time they'll be 'feet people' and not boat people—swarming into our country seeking safe haven from communist repression to the south" (quoted in the *Washington Post*, June 21, 1983). The media immediately picked up on the imagery of the "tidal wave" and extended the metaphor, referring to Latin American migrants as a "steady stream" or a rapidly rising "tide" that was close to becoming a "flood."

The symbolic linkage between immigration and the cold war reached cinematic proportions in 1984 with the release of the movie *Red Dawn*, directed by John Milius. Before any live action appears onscreen, the story is framed by a text scrolling slowly from bottom to top: "The Soviet Union suffers the worst harvest in 55 years. Labor and food riots in Poland. Soviet troops invade Cuba and Nicaragua. They reach troop strength goals of 500,000. El Salvador and Honduras fall. Green Party gains control of West German Parliament. Demands withdrawal of nuclear weapons from European soil. Mexico plunged into revolution. NATO dissolves. The United States stands alone . . ." (quoted from *Red Dawn*, Valkyrie Films).

The scene then opens on a small-town high school located on the plains at the edge of the Rocky Mountains. Classes are just beginning when suddenly the morning sky is filled with hundreds of Russian- and Spanish-speaking paratroopers who, fully armed, take up positions around the school. When a teacher charges outside to investigate, he is cut to pieces by machine-gun fire. The school erupts in pandemonium, and in the ensuing melee a group of high school boys, led by several star athletes, pile into a pickup truck and escape to the mountains (stopping, naturally, at a guns-and-ammo store along the way). There they organize themselves as guerrilla freedom fighters called "the Wolverines," after their school sports team. The rest of the movie covers their valiant armed struggle against the mixed Soviet-Latino army of occupation.

In 1986 President Reagan exacerbated the cold war hysteria by linking border control not only to national security but to the threat of foreign terrorism. In a televised speech, he reminded viewers that "terrorists and subversives are just two days' driving time from [the border crossing at] Harlingen, Texas" (quoted in Kamen 1990). A year later Reagan's cabinet-level Task Force on Terrorism warned that extremist groups could be expected to "feed on the anger and frustration of recent Central and South American immigrants who will not realize their own version of the American dream" (quoted in Dunn 1996). By the late 1980s the tidal metaphor of a "flood" had given way to martial images of threatened "invasion." The border was "under siege," Border Patrol officers were "outgunned," and they constituted a "thin green wall" trying to "hold the line." Loss of control became the dominant narrative used by politicians and the media to discuss the border and movements across it (Andreas 2000). It was in this atmosphere that a new regime of immigration control would emerge.

As early as 1982 the Reagan administration had introduced legislation to give the president new authority to declare "immigration emergencies" of up to 120 days, during which time the border could be sealed by the military and aliens deemed threats to national security could be rounded up and detained without warrant. Although the proposed immigration emergency bill failed to pass Congress, portions of it would resurface later in other legislation. By 1986, however, the Reagan administration had created the Alien Border Control Committee to develop contingency plans for sealing the border and arresting aliens, and the Federal Emergency Management Agency (FEMA) had held roundup exercises with personnel from the Department of Defense (Dunn 1996).

The demonization of Latino immigrants as "invaders" and "terrorists," the linking of border control to national security, and the culti-



vation of public hysteria about undocumented migration was not lost on enterprising INS bureaucrats, who detected a means of increasing both their prestige and their resources. The rise of the Immigration and Naturalization Service as a powerful and wealthy bureaucracy began in earnest in January 1992. As undocumented migrants were returning to the United States from their Christmas visits home, the Border Patrol chief in San Diego, Gustavo de la Viña, erected a new fence, deployed additional Border Patrol agents, and installed new detection equipment along the westernmost section of the border, which ran from the port of entry at San Ysidro to the Pacific Ocean.

When they encountered these new obstacles to clandestine crossing, undocumented migrants and smugglers did the obvious thing: they attempted to go around them. The closest unbarricaded sector was the San Ysidro crossing station itself, where the fence stopped just short of the port of entry. In essence, the new border policy funneled all migrants within an extended sector to a single crossing point. Clever smugglers quickly recognized an advantage in the new concentration of people and began organizing "banzai runs" of fifty or more immigrants. Swarms of people would suddenly rush the border, overwhelm the small number of immigration inspectors, and dart into the southbound lanes of Interstate 5, disappearing in the traffic and confusion (Rotella 1998).

As hordes of men, women, and children dashed madly across the border, jumped over highway dividers, and darted through traffic, to the consternation of startled native drivers, Border Patrol Chief de la Viña was waiting with a video crew to capture the moment on tape. The images were then assembled into a public relations video entitled *Border Under Siege* that was released to the public (Rotella 1998). The video was a public relations bonanza for the agency. The dramatic images of undocumented migrants running across the border and risking life and limb to cross an eight-lane freeway quickly became a powerful symbol of "a border out of control." Clearly a national boundary was being "invaded" by "desperate" aliens. Lost in the uproar was the fact that the images were a *direct consequence* of the Border Patrol's own policies—neither the number nor the characteristics of migrants had changed in any significant way.

The scenes depicted in *Border Under Siege* became an important resource for aspiring politicians seeking to exploit illegal migration as a political issue, the most blatant of whom was the Republican governor of California, Pete Wilson. With his state mired in a deep recession triggered by the end of the cold war and the corresponding reduction of defense spending, his 1994 reelection campaign was floundering. He was well behind in the polls when he devised a new

campaign strategy explicitly designed to inflame public anxieties and fears about immigration: blaming the state's economic woes on the federal government's failure to control the border. Using footage taken directly from the Border Patrol video, he produced a television advertisement that featured images of immigrants dashing into traffic as a narrator intoned: "They keep coming. Two million illegal immigrants in California. The federal government won't stop them at the border, yet requires us to pay billions to take care of them." To symbolize his determination to "stop the invasion" of immigrants, Governor Wilson called up California's National Guard, and as the TV cameras rolled, he dispatched them to patrol the border near San Diego. Voters had apparently forgotten that just a few years earlier, as a U.S. senator, Wilson had sponsored legislation to *relax* border controls, and indeed, he regularly employed undocumented workers himself (see Dunn 1996; Andreas 2000).

### *Lines in the Sand*

The framing of border control as an issue of national security, and illegal migration as a military invasion, created a climate in which elected representatives came under increasing pressure to "do something" about the "problem" of undocumented migration. As a result, between 1986 and 1996 the U.S. Congress, three presidents, and several states undertook a remarkable series of actions to reassure citizens that they were working to "regain control" of the Mexico-U.S. border. After 1986 border control became ritualized as a mandatory public performance, and U.S. politicians competed with one another to offer symbolic gestures of how much they cared about undocumented migration. In the words of Peter Andreas (2000, 144, emphasis added), "From the political perspective, the way the media and the public see the border is more important than actual deterrence."

*The Immigration Reform and Control Act* The arrival of a new era of Mexican migration was heralded by the passage, in October 1986, of the Immigration Reform and Control Act. Given an economically vulnerable and fearful electorate, rising hysteria about an alien invasion, and the perceived risk to national security posed by an uncontrolled border, Congress felt compelled to act. Late in the year Senator Alan Simpson (R-Wyo.) and Representative Peter Rodino (D-N.J.) surprised everyone by overcoming the roadblocks to a bill that most observers had long considered to be dead (Fuchs 1990). Through a series of backroom deals, historic compromises, and a delicate balancing of in-



terests, they succeeded in crafting legislation that gave something to everyone and permitted Congress to go on record as taking visible and forceful action to stop illegal migration.

IRCA sought to combat undocumented migration in four ways. To eliminate the attraction of U.S. jobs, it imposed sanctions on employers who knowingly hired undocumented workers. To deter people from trying to enter the United States illegally in the first place, it allocated additional resources to expand the Border Patrol. To wipe the slate clean and begin afresh, it authorized an amnesty for undocumented migrants who could prove continuous residence in the United States after January 1, 1982; the amnesty program was combined with a special legalization program for undocumented farmworkers that was added to appease agricultural growers. Finally, the legislation incorporated most of Reagan's earlier proposed legislation, giving the president new authority to declare an "immigration emergency" if large numbers of undocumented migrants had or were soon expected to embark for the United States—in essence creating the legal foundations for another Operation Wetback.

By enacting employer sanctions, IRCA repealed the famous Texas Proviso, which for years had protected from prosecution persons and firms that hired illegal aliens (Teitelbaum 1986). The new law required employers to verify that workers carried documentation that established identity and the right to work in the United States. Failure to do so could result in harsh penalties, including fines of up to \$10,000 and criminal prosecution for repeated offenses (Bean et al. 1989; U.S. Department of Labor 1991). In addition, the Border Patrol received a \$400 million supplement to hire additional officers in 1987 and 1988. New funds were also made available to the U.S. Department of Labor to undertake workplace inspections, and a \$35 million contingency fund was established to cover costs associated with future "immigration emergencies" (Bean et al. 1989).

IRCA's legalization programs ultimately provided residence documents to more than 3.0 million persons: 1.7 million "legally authorized workers" (LAWs—those demonstrating a long-term residence in the United States) and 1.3 million "special agricultural workers" (SAWs—people showing prior employment in U.S. agriculture). Of those legalized, 2.3 million (three-quarters of the total) were Mexicans—1.3 million LAWs and about 1 million SAWs. In Los Angeles County alone, some 800,000 former undocumented migrants were legalized, and in six other metropolitan areas the tally exceeded 100,000 (U.S. Immigration and Naturalization Service 1992). Unlike most legal resident aliens, however, those who were legalized under IRCA were required to take English-language and civics classes. Reflecting the

cold war hysteria and national security obsessions of the time, Congress chose to push the new immigrants very deliberately and forcefully toward U.S. citizenship. To placate growers and ethnic lobbies, Congress was grudgingly prepared to let them in—but they damn well better learn how to speak English and be good Americans.

*The Immigration Act of 1990* Despite expectations that IRCA would somehow slow Mexican immigration, by 1990 it was clear that the legislation was not working as planned. Although border apprehensions fell in the period 1987 to 1989, by 1990 they were once again on the rise, increasing 26 percent over the prior year. Moreover, it turned out that the 2.3 million Mexicans who had been legalized under IRCA all had relatives in Mexico, and legalization would dramatically increase the odds that these relations would themselves migrate to the United States without documents (Massey and Espinosa 1997). Legalization also had a ripple effect on legal immigration as spouses and dependents of IRCA-legalized migrants suddenly qualified for visas under the preference system. It also became apparent that a large share of the 1.1 million SAW legalizations had been based, in all likelihood, on fraudulent claims. According to Philip Martin, Edward Taylor, and Philip Hardiman (1988), the number of people who were legalized in California under the SAW program (672,000) was *three times* the size of the state's entire agricultural workforce during the qualifying period. Rather than discouraging illegal migration, IRCA actually promoted it.

With both legal and illegal migration from Mexico still on the rise, Congress returned to the drawing board and in 1990 passed another major revision of U.S. immigration law. The 1990 Immigration Act focused more strongly on border control, authorizing funds to hire another one thousand Border Patrol agents. It also tightened employer sanctions, streamlined criminal and deportation procedures, and increased penalties for numerous immigration violations. The act did not, however, focus entirely on the border, for it also sought to impose limits on the total number of immigrants who could be admitted in any single year.

The perceived need for limits stemmed from the fact that a growing fraction of immigrants were entering the United States through categories that were not subject to numerical limitation. Of the 1.5 million legal immigrants admitted to the United States in 1990, for example, only 298,000 (just under 20 percent) were subject to numerical limitation; the rest were spouses, minor children, or parents of U.S. citizens, or they were refugees. Clearly immigration was exceed-



ing the worldwide ceiling of 270,000 that Congress had envisioned in 1980.

In response, the 1990 act sought to cap total immigration to the United States. It fixed a temporary cap of 700,000 immigrants per year through 1994, at which point the cap fell to 675,000 per year. More pointedly, the act sought to cap family immigration (the category under which most nonquota immigrants entered) at just 480,000 per year. Under the 1990 act, immediate relatives of citizens could still enter the United States without numerical restriction, but rather than entering *in addition* to those admitted under numerically restricted categories, in the future they would be *subtracted* from the following year's family quota of 480,000. Although lawmakers sympathetic to immigrants opposed these caps, they were unable to block them. They did succeed, however, in inserting language that made the caps "flexible" in that no more than 226,000 visas could be subtracted from the family quota in any given year. In essence, it permanently subtracted these from numerically limited categories, further lengthening already long waiting times.

The 1990 act also sought to influence the national origins of immigrants. By the late 1980s immigrants were coming overwhelmingly from Asia and Latin America. In 1990, for example, 22 percent of those legally admitted came from Asia, and 63 percent came from Latin America, with Mexico alone accounting for 44 percent of the total. The dominance of Mexico stems from the fact that a majority of those admitted in 1990 came in under IRCA's legalizations, among whom Mexicans were predominant. When IRCA immigrants are subtracted, the prevalence of Mexicans drops to 8 percent and Latin Americans to 20 percent, with Asians rising to 46 percent.

Under any scenario, however, the vast majority of immigrants in 1990 were definitely not Europeans. Although reluctant to admit an actual preference for immigrants of European origin, there was substantial talk in Congress about certain regions being "underrepresented" in the immigrant flow (and they were not thinking of Africa). Thus, in addition to capping the number of family visas, Congress expanded the number of visas going to skilled, well-educated job-seekers, who were expected to come mainly from developed nations. The 1990 act also created a new category of "diversity" visas. Set at 55,000 per year, visas in this category were to be distributed randomly to applicants from countries that had been "adversely affected" by the 1965 Immigration and Nationality Act (those whose share of total immigration had fallen after 1965—in other words, European nations). Senator Edward Kennedy of Massachusetts was even able to insert a special provision that from 1992 through 1994, stated that

48,000 of these diversity visas had to be reserved for natives of Ireland. During this brief period it was virtually impossible to migrate illegally from Ireland!

*State Initiatives* Although immigration is mostly a matter of federal policy, during the 1980s a variety of states jumped onto the anti-immigrant bandwagon. Most state actions were symbolic gestures with few practical consequences; they simply provided voters or legislators with a tangible means of registering their dislike of foreigners. By far the most common vehicle was the circulation of an initiative to make English a state's official language. Prior to 1980 only five states had enacted such a provision, but by 1998 the number had swollen to twenty-five (according to the website [www.us-english.org](http://www.us-english.org)). Most of these referenda were passed in the brief period between 1984 and 1988, with particularly heavy activity in 1987 (when five states made English their official language).

Although such gestures, as intended, irritated Latinos and Asians, they had virtually no effect on their daily lives, and Los Angeles did not end up being renamed "The Angels." The anti-immigrant hysteria stirred up by Governor Pete Wilson in California, however, did lead to the circulation and passage of Proposition 187, a referendum that aspired to more concrete actions. This law proposed to prohibit undocumented migrants from using publicly provided social services, including public schools. It also required state and local agencies to report suspected illegal aliens to the California attorney general and the INS, and it made the manufacture, distribution, sale, or use of false citizenship or residence documents a felony under the law. After its lopsided passage by voters, the terms of the proposition were immediately challenged in court by the American Civil Liberties Union (ACLU) and other groups. Although most of its provisions were ultimately declared unconstitutional and never went into effect, the proposition provided an important rallying point for mobilization against immigrants and sent a strong signal to officials in the nation's capital.

*Prevention Through Deterrence* Early in the Clinton administration (in 1993 and 1994), the INS developed a new border strategy that came to be known as "prevention through deterrence." The idea was to prevent Mexicans from crossing the border illegally in order to avoid having to arrest them later (Andreas 2000). The strategy began in September 1993, when the Border Patrol chief in El Paso, Silvestre Reyes, on his own initiative launched "Operation Blockade" as an all-out effort to prevent illegal border crossing within El Paso, Texas. Within a few months immigrants had been induced to go around Silvestre's



imposing wall of enforcement resources, and traffic through El Paso itself was dramatically reduced.

The policy was extremely popular with El Paso's residents. Although they were overwhelmingly of Mexican origin themselves, they had grown weary of the unwelcome visitors. A survey carried out by a local nonprofit organization revealed that what bothered El Paso residents was not undocumented migrants per se, but the fact that they frequently stopped in yards to drink water and rest. It was thus the invasion of private space that people did not like; if the migrants had been invisible or remained in public areas, few would have cared.

As a result of the operation, Reyes was lauded as a local hero and ultimately went on to be elected to Congress. Naturally his superiors in Washington, D.C., took note of the favorable publicity and the apparent success of Operation Blockade. After being renamed "Operation Hold-the-Line," to assuage Mexican sensibilities, its strategy and tactics were incorporated into the Border Patrol's strategic plan for 1994 (U.S. Border Patrol 1994). In October of that year the INS launched a second operation using the approach pioneered by Silvestre Reyes in El Paso, this time along the busiest stretch of border in San Diego.

"Operation Gatekeeper" saw the installation of high-intensity floodlights to illuminate the border day and night, as well as an eight-foot steel fence along fourteen miles of border from the Pacific Ocean to the foothills of the Coast Ranges. Border Patrol officers were stationed every few hundred yards behind this formidable wall (which came to be known as the "tortilla curtain"), and a new array of sophisticated hardware (motion detectors, infrared scopes, trip wires) was deployed in the no-man's-land it fronted (see Dunn 1996). As in El Paso, the operation was a huge success. From being the busiest point on the entire border, San Diego became positively tranquil, even boring, for Border Patrol officers who were forced to sit in their vehicles staring at a blank wall for hours on end. Operation Gatekeeper put an end to the chaotic images of migrants running through traffic that had so troubled California's voters. Once again, the border appeared to be "under control."

Of course, throwing up blockades in El Paso and San Diego did not really stop undocumented migrants from entering the United States; it simply channeled them to other, less visible locations along the two-thousand-mile border. Passage through remote mountains, high deserts, and raging rivers had been too costly and risky to undertake as long as San Diego and El Paso remained relatively open, but once Operation Hold-the-Line and Operation Gatekeeper made

these sectors difficult to traverse, the prospect of crossing in more distant and dangerous areas did not look so bad. Indeed, crossing in remote areas, which tended to be lightly patrolled, had certain advantages.

One immediate result of the Border Patrol crackdowns, therefore, was to deflect undocumented migrants to new crossing points. As a result, the agency was soon compelled to expand its operations geographically and to launch additional operations in other sectors. In 1995 "Operation Safeguard" was unleashed in Nogales, Arizona; in 1996 Operation Gatekeeper was extended to another sixty-six miles of border; in 1997 Operation Hold-the-Line was extended ten miles west into New Mexico; in August 1997 "Operation Rio Grande" was implemented along thirty-six miles of border in southeast Texas; and in 1999 Operation Safeguard was extended east and west from Nogales to Douglas and from Douglas to Naco, Arizona.

*The Illegal Immigration Reform and Immigrant Responsibility Act of 1996* The buildup of enforcement resources was further accelerated by Congress through its passage of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. Once again, legislation focused heavily on deterrence, authorizing funds for the construction of two additional layers of fencing in San Diego and enacting tougher penalties for smugglers, undocumented migrants, and visa overstayers. It also included funding for the purchase of new military technology (magnetic footfall detectors and an electronic finger-printing system) and provided funds for hiring one thousand Border Patrol agents a year through 2001 to bring the total strength of the Border Patrol up to ten thousand officers (Andreas 2000).

Once again, however, an immigration act's provisions were not confined to the border. Taking a cue from California's Proposition 187, the 1996 act declared illegal aliens ineligible to receive Social Security benefits and limited their eligibility for educational benefits, even if they had paid the requisite taxes. It also gave authority to states to limit public assistance to aliens (both legal and illegal) and increased the income threshold required for a legal resident alien to sponsor the immigration of a family member. The latter provision represents another attempt to scale back family immigration: Congress did not expect that many poor immigrant families would be able to meet the new income threshold.

*The Personal Responsibility and Work Opportunity Reconciliation Act of 1996* Although billed as a reform measure to "end welfare as we know it," the Personal Responsibility and Work Opportunity Recon-



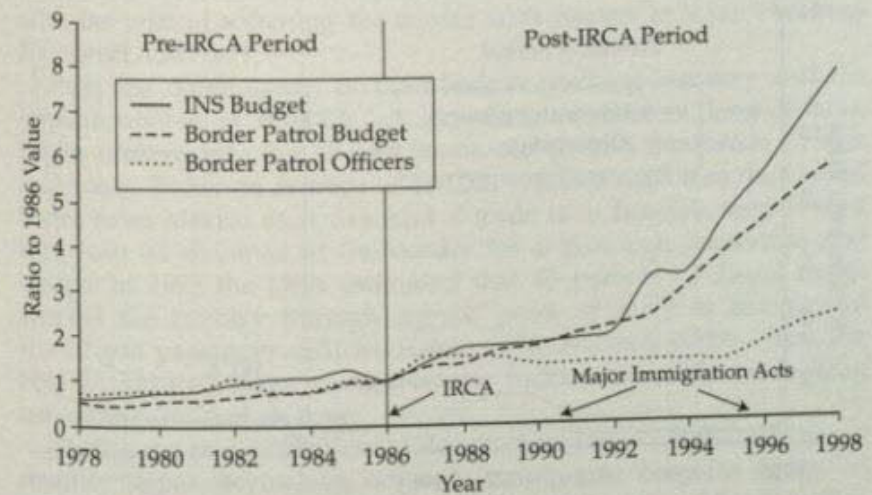
ciliation Act (PRWORA) of 1996 also contained provisions with far-reaching effects on immigration. Again, it copied Proposition 187 in barring illegal migrants from most federal, state, and local public benefits. It also required the INS to verify the immigration status of aliens before they could receive any federal benefit, and it placed new restrictions on the access of legal immigrants to public services, barring them from receiving food stamps or Supplemental Security Income (SSI) and prohibiting them from qualifying for means-tested programs for five years after their admission. Paralleling the 1996 immigration act, it provided states with greater flexibility in setting eligibility rules for legal immigrants and gave them the statutory authority to exclude them from both federal and state programs.

Together the 1996 welfare reform and immigration acts accomplished nationally what Proposition 187 had been unable to do in California—they definitively barred undocumented migrants from Social Security coverage and means-tested programs. But the federal lawmakers went the Californians one better by also drastically reducing the access of *legal* immigrants to public programs. Although unintended, these new provisions suddenly gave legal Mexican immigrants—who historically had displayed very low rates of naturalization—a strong incentive to acquire U.S. citizenship, which would put them in position to sponsor the unrestricted entry of their immediate relatives.

### Militarizing the Border

The string of restrictive policies enacted between 1986 and 1996 proved to be bureaucratically beneficial to the Immigration and Naturalization Service, particularly to its enforcement branches. In the space of ten years the Border Patrol went from a backwater agency with a budget smaller than that of many municipal police departments (Teitelbaum 1980) to a large and powerful organization with more officers licensed to carry weapons than any other branch of the federal government save the military (Andreas 2000). By February 1999 the Border Patrol had grown to nearly eight thousand agents and inspectors and was seeking to hire new officers at the rate of more than eighty per month. The agency was so desperate for bodies that it offered a signing bonus of \$2,000, and a 1997 article in the *Federal Times* reported that "Border Patrol agent" and "immigration inspector" were among the top ten categories for job growth in the federal workforce (Rivenbark 1997). The INS budget, meanwhile, had reached \$4.2 billion by 1999, with over \$900 million going to the Border Patrol alone. In the course of this remarkable expansion, the

Figure 5.4 Size and Budget of the Border Patrol and the INS, 1978 to 1998 (1986 = 1.0)



Source: U.S. Immigration and Naturalization Service.

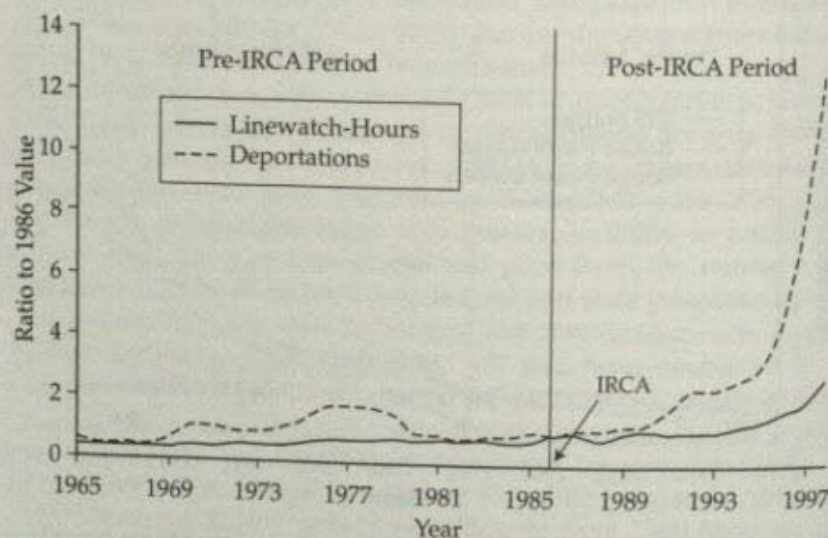
agency acquired a large array of expensive new hardware, including 58 helicopters, 43 airplanes, 355 night-vision scopes, and a host of high-tech devices such as electronic intrusion-detection sensors, closed-circuit TV systems, infrared radar, electronic fingerprinting systems, and microwave communications (Dunn 1996).

The explosive growth in the size and importance of the INS and the Border Patrol is clearly revealed in figure 5.4, which presents the nominal budgets for the two entities as well as the number of Border Patrol officers in the years from 1978 to 1998. To capture trends on the same scale, we once again divide numbers in each series by their 1986 values. As can be seen, the INS and the Border Patrol budgets changed little in the years before IRCA. Then suddenly they doubled between 1986 and 1992 and accelerated exponentially thereafter. By 1998 the INS budget was nearly eight times its 1986 level, and the Border Patrol budget was almost six times its former level. The number of Border Patrol officers more than doubled between 1986 and 1998, reaching around 8,500 in the latter year.

The additional resources and personnel allocated to the INS after 1986 had a pronounced effect on the agency's enforcement efforts. In figure 5.5, we graph the number of linewatch-hours and the number of deportations reported by the Border Patrol, again expressing each



Figure 5.5 Indicators of Immigration Enforcement Effort, 1965 to 1998  
(1986 = 1.0)



Source: U.S. Immigration and Naturalization Service.

series relative to its 1986 value. Linewatch-hours are the number of person-hours spent by agents patrolling the Mexico-U.S. border. After 1986 linewatch-hours began to grow, and after 1992 this growth accelerated rapidly. By 1997 the Border Patrol was devoting twice as much time to patrolling the border as in 1986. Deportations of Mexicans surged briefly in the late 1970s but then fell in the early 1980s. After 1986, however, the number of Mexicans deported once again rose very rapidly, increasing by a factor of thirteen over the next ten years.

### Enlisting in the War on Drugs

As Mexico and the United States became more integrated and the border grew more porous in the wake of trade liberalization, it became easier not only for people to enter the United States but also for drugs and other contraband. With the invention and popularization of crack cocaine, the demand for drugs soared in the United States in the early 1980s. Initially cocaine was transported through smugglers based in south Florida, but a massive interdiction effort mounted by the U.S. Drug Enforcement Agency (DEA) successfully disrupted the

Caribbean routes and displaced the bulk of the traffic to Mexico. Once smugglers had established operations along the border, U.S. efforts to harden the frontier with respect to drugs came into direct conflict with the goal of softening the border with respect to trade (Andreas 2000).

With the deregulation of the Mexican trucking industry and the implementation of NAFTA, an increasing number of long-distance trucks crossed into the United States, along with thousands of cars and buses. Today an average of 220,000 vehicles cross into the United States from Mexico each day, and if trade is to flourish, very few of them can be detained at the border for a thorough inspection and search. In 1995 the DEA estimated that 85 percent of illegal drugs entered the country through regular ports of entry in commercial trucks and passenger vehicles (Dunn 1996; Andreas 2000). Thus, the NAFTA-induced surge in cross-border traffic necessarily made drug smuggling easier than ever.

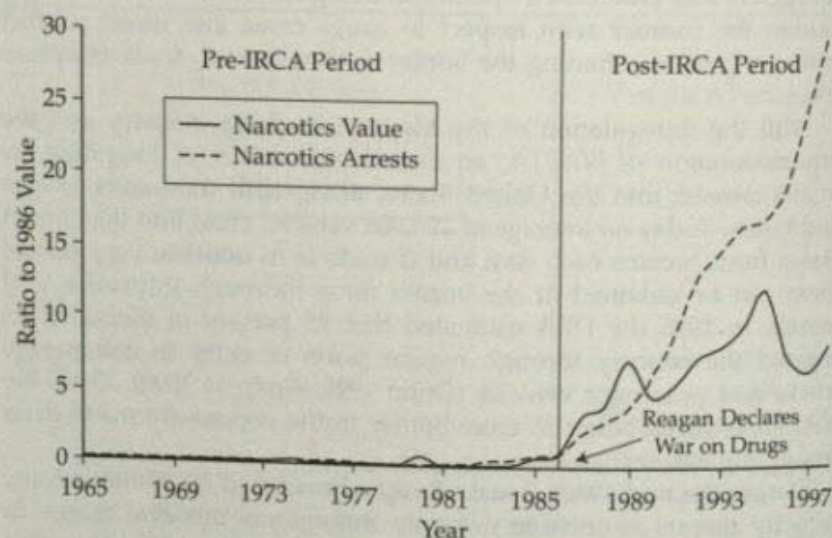
During the mid-1980s Ronald Reagan broadened his list of national security threats to include not only immigrants but also drugs. In 1986 he signed a secret National Security Decision Directive that named drugs as a threat to national security and authorized the military to cooperate with civilian law enforcement agencies to launch a new "war on drugs." In an era of expanding free trade and economic deregulation, of course, it was neither realistic nor feasible to clamp down seriously on cross-border traffic through ports of entry, even though the vast majority of illegal drugs entered the country through these routes. Nonetheless, something visible had to be done to signal the government's resolve to win the newly declared war.

The means chosen—to launch a massive interdiction effort concentrated largely *between* ports of entry—once again framed the issue as one of border control. In the words of a Reagan-era drug enforcement official, "We are engaged in something akin to a guerrilla war along the border against well-entrenched and well-organized trafficking groups" (quoted in Dunn 1996, 3). Once again the U.S. border was subject to invasion by dangerous foreigners who posed a threat to national security.

The framing of drugs as an issue of border control played directly into the hands of entrepreneurial bureaucrats at the INS and the Border Patrol. In 1984 Reagan administration officials formed the Southwest Border Drug Task Force to coordinate federal, state, and local agencies in developing an interdiction strategy; the Border Patrol was designated as the lead agency in the new effort. The 1986 Anti-Drug Abuse Act officially broadened the Border Patrol's duties to include narcotics as well as immigration enforcement, and soon one-third of



Figure 5.6 INS Involvement in Drug Enforcement, 1965 to 1998



Source: U.S. Immigration and Naturalization Service.

all Border Patrol agents were cross-deputized to enforce U.S. drug laws (Dunn 1996).

After 1986 the Border Patrol's involvement in drug enforcement activities skyrocketed, as revealed by figure 5.6, which shows trends in the value of narcotics seized and the number of narcotics arrests made from 1965 to 1998 (expressed relative to their 1986 values). As with the other indicators we have examined, 1986 was the turning point. Before that date the INS was hardly involved at all in drug enforcement, but after 1986 the agency's involvement rose exponentially. Between 1986 and 1998, arrests for narcotics violations increased almost thirty fold, and the dollar value of the narcotics seized grew by a factor of twelve through 1995 before declining and then recovering to reach eight in 1998. (Narcotics value is highly subjective and less reliable as an indicator than narcotics arrests.)

As a result of these trends, the Border Patrol's linewatch-hours increased rapidly after 1986, but increasingly these hours were spent in tracking drug smugglers, not in chasing undocumented immigrants or those who smuggled them. Moreover, whereas immigration enforcement yields a large number of arrests with little effort and little staff time, catching drug smugglers and confiscating their wares is much more time- and labor-intensive. Although participation in the

war on drugs brought the INS new power, prestige, and resources, increasingly these resources were divided between two mutually exclusive and competing activities.

### The Symbolic Politics of Border Control

By the early 1980s Mexico-U.S. migration had evolved into a stable system based on the circulation of undocumented labor. This migratory system began to take shape in 1965 to replace the *bracero* system that had prevailed between 1942 and 1964. Movements under the undocumented regime were governed by stable parameters, which yielded relatively steady probabilities of first migration, border crossing, remitting, return, and remigration. Border enforcement selected for working-age males who were married but traveling without dependents. Migrants were very likely to remit money home and to return after limited sojourns north of the border. As documented in chapter 4, there is little evidence that the likelihood of undocumented migration was rising before 1986, or that the total rate of Mexico-U.S. migration exceeded that which had prevailed during the *bracero* era.

Nonetheless, actors inside and outside of government found it politically useful and materially profitable to make undocumented migration and drugs salient political issues during the 1980s. Framing them as issues of border control and national security, they offered U.S. citizens two new "enemies" upon which their insecurities could be projected. Both were seen to emanate from malevolent foreign sources, and both constituted grave threats to national security. Drugs were foisted upon Americans by sinister foreign cartels and malicious traffickers who were taking advantage of America's openness to flood it with cheap drugs, bringing a wave of addiction, violence, and mayhem to U.S. cities. Immigrants, especially those without documents, were depicted in one of two ways: as desperate people fleeing poverty and despair at home, or as potential terrorists who, if they did not already have terrorist aspirations when they arrived, would become easy prey for the Communist provocateurs and agents loose among them.

Having positioned drugs and immigrants as dire threats to national security, politicians created a political dynamic wherein it became difficult *not* to take some kind of dramatic action. Framing drugs and immigrants in terms of border control, the proposed solutions focused almost exclusively on creating a militarized, defensive perimeter along the nation's border with Mexico in an effort to seal off the unauthorized flows. The crucial date was 1986, when Congress



passed IRCA and President Reagan signed the national security directive declaring drugs a threat to national security.

Meanwhile, those responsible for U.S. drug demand were let off lightly. Americans were exhorted to "just say no," while large amounts of money, equipment, and personnel were thrown into interdiction efforts. These efforts concentrated on stretches of border between the points of entry through which most drugs were known to be entering. Likewise, U.S. demand for undocumented labor received short shrift compared with border defense and interdiction. Although IRCA did outlaw the hiring of undocumented workers, all that an employer had to do to escape prosecution was to show that he had seen two easily falsifiable documents: one proving identity (a driver's license) and another demonstrating the right to work (a Social Security card). The employer was under no obligation to take any steps to authenticate the documents.

Moreover, after IRCA's initial authorization of new funds for the Department of Labor to undertake work-site inspections, internal enforcement of U.S. immigration laws was quietly but steadily reduced (Andreas 2000), then all but abandoned in the late 1990s. Whereas by 1999 more than 2,000 INS agents patrolled the San Diego-Tijuana border, the number of agents stationed north of Los Angeles had fallen from 65 to 22. In 1999 only 2 percent of the INS budget was devoted to the enforcement of employer sanctions, and of the 1,700 investigators assigned to the interior, only one-fifth of their time was devoted to work-site enforcement, yielding only 340 full-time person-equivalents to monitor all jobs in the United States (Andreas 2000). In contrast, during the 1990s the Border Patrol's budget increased by a factor of six, and the number of agents doubled. As a result of this allocation of resources, INS investigations of employers for immigration violations fell from around 15,000 in 1989 to 888 in 1997, while deportations of Mexicans increased by a factor of three (Andreas 2000).

The anti-immigrant hysteria reached its peak in the mid-1990s and crested with the passage of additional "reform" legislation in 1996. With the end of the cold war and the opening of China, the foreign menaces that had dominated the American imagination since 1945 suddenly disappeared, making immigrants and drugs more salient as foreign threats and yielding an exponential growth in resources for border enforcement. The remarkable concentration of effort at the border occurred despite reports from the General Accounting Office (GAO) that "interdiction has not had—and is unlikely to have—a significant impact on the national goal of reducing drug supplies to the United States" (cited in Andreas 2000, 82). The GAO's assessment

of Operation Gatekeeper and Operation Hold-the-Line was that they were, at best, "inconclusive": data failed to indicate "whether the increased difficulty of entry has deterred the flow of illegal entries into the country . . . [or] . . . whether there had been a decrease in attempted reentries by those who had previously been apprehended" (General Accounting Office 1997, 4).

Nonetheless, political leaders in the United States prefer border policing over other approaches to dealing with the issues of drugs and immigration. This seeming contraction persists because border enforcement represents more of a ritualistic performance than an actual strategy of deterrence. As Andreas (2000, 11, emphasis in original) puts it:

The popularity of the border as a political stage is based as much on the *expressive* role of law enforcement (reaffirming moral boundaries) as it is on the *instrumental* goal of law enforcement (effective defense of physical boundaries). High profile law enforcement campaigns that fail in their instrumental purpose can nevertheless be highly successful in their expressive function. Border control efforts are not only *actions* (a means to a stated instrumental end) but also *gestures* that communicate meaning. Even as the enforcement performance has failed to deter illegal border crossings significantly, it has nevertheless succeeded in reaffirming the importance of the border.

Thus, the border enforcement strategy that evolved in the United States after 1986 had little to do with the reality of immigration or the actual operation of a migration system whose roots could be traced back to 1942 and even before. It had much more to do with domestic fears and insecurities than with any real upsurge in undocumented migration or change in the nature of Mexican immigration. It was related more to the nervousness felt by many Americans at the increasing volume of cross-border movements of people, goods, ideas, and products—a direct result of U.S. trade policies. As the United States grew increasingly integrated with its North American neighbors, its political leaders felt a need to reassure citizens of the continued salience of the Mexico-U.S. border, and enterprising bureaucrats in the INS found it very much worth their while to provide the necessary imagery.

If this bit of political theater had had few practical consequences, then there would be little to criticize. If the only problem with pursuing integration while insisting on separation was that it was self-contradictory, hypocritical, and a waste of public money, then perhaps no one would really care. Unfortunately, however, the latest attempt by the United States to have its cake and eat it too has incurred se-



rious costs and led to a host of unforeseen and largely negative consequences for people on both sides of the border. Not only have the instrumental goals of border control (deterring undocumented immigration) not been achieved, but the net effect of America's self-contradictory policies has been to promote rather than restrict Mexican immigration, and these policies have done so under circumstances that exacerbate the negative consequences for both nations.

## == Chapter 6 ==

### Breakdown: Failure in the Post-1986 U.S. Immigration System

**I**F THERE is one constant in U.S. border policy, it is hypocrisy. Throughout the twentieth century the United States has arranged to import Mexican workers while pretending not to. With the sole exception of the 1930s, when the Great Depression effectively extinguished U.S. labor demand, politicians and public officials have persistently sought ways of accepting Mexicans as workers while limiting their claims as human beings. Only the formula by which this sleight of hand is achieved has changed over time, shifting from the legerdemain of a legal guest-worker program between 1942 and 1964, to the Potemkin Village of circular undocumented migration from 1965 to 1985, to the smoke and mirrors of "prevention through deterrence" after 1986.

Despite these charades, the benefits of Mexico-U.S. migration have historically exceeded the costs for all concerned. Since 1986, however, the self-contradictory policy of working to consolidate North American markets while blocking the integration of one particular market has needlessly driven up the costs and reduced the benefits of transnational migration. Although the balance may still be positive, the ratio is far from optimal, and in many ways the United States is doing serious damage to the social and economic fabric of both nations. In an era of massive state-sponsored integration and continent-wide free trade, the costs of U.S. hypocrisy have become unaffordable.

#### The Sham of Border Control

"If a tree falls in the forest and no one hears it, has it really fallen?" That is the well-known conundrum posed for meditation by Zen Bud-