

# USA: A Primer on Immigrant Rights

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IN THE LATE 20<sup>th</sup> century, immigration from Mexico to the United States was at its highest level since the early part of that century. Hunger and poverty, worsened by the inequalities of U.S. trade policies, have forced millions of Mexico’s citizens to leave their homes.

These “economic refugees” literally risk their lives to get to America. They are robbed, raped and murdered by bandits who stalk the borderlands, and preyed upon or abandoned to die in the desert by the human smugglers who traffic migrants from Mexico as a business. As the flow of desperate immigrants from Mexico as well as Central America increased, so did Anglo hostility to all immigrants, legal or undocumented, and to Latinos.

Anglos living in U.S. border states where crime and violence from the Mexican drug cartels is on the rise have become increasingly hostile. Some are members of armed vigilante groups like the white nationalist Minuteman Project. The immigrants not only have to protect themselves from bandits, smugglers and vigilante groups but also now must add the potential for brutal beatings by U.S. Border Patrol agents.

At the same time that the United States blockades its southern border with aggressive, military-style actions by the U.S. Border Patrol and criminalizes immigrant workers, it continues to promote neoliberal regional economic agreements to develop more free markets in the Americas for investments and commerce.

## **False Promises of Free Trade**

The characteristics defining the 21<sup>st</sup> century began to take shape in the 1990s with the dramatic spread of globalization. In Europe, economic policies removed barriers to the free flow of capital, goods, services and persons deemed necessary to make the European continent competitive in global markets. In North America, deregulation and open markets became the rallying cry of the Clinton administration, as a new free trade regime now linked the fortunes of all of the Americas — the North American Free Trade Agreement, or NAFTA.

While creating a “borderless” single market, NAFTA accelerated economic restructuring in Mexico. These free trade initiatives coupled with Mexico’s economic crisis led to growing income disparities (the cost of labor in Mexico had already dropped well below a dollar an hour), and widespread impoverishment. Furthermore living standards in Mexico for millions of its poor were worsened by cuts in public expenditures like health and education.

NAFTA failed miserably to deliver on its promised benefits of employment at good wages in Mexico. Rather, because of the deteriorating labor market conditions, the divide between rich and poor widened every day, turning Mexicans into the western hemisphere's poorest citizens.

From 1994 to 2002, 1.3 million jobs were lost in Mexico's agricultural sector, a 15% decline, and wages overall fell by 14%. This left millions of displaced and hungry peasants and workers in Mexico little option other than coming north. Many free trade proponents in the United States hailed NAFTA as the panacea that would substantially curb migration from Mexico, but instead NAFTA led to the largest surge ever of both legal and unauthorized immigration.

Here in the United States NAFTA proved an unqualified success for corporations outsourcing blue-collar manufacturing jobs. While it safeguarded investors, the trade agreement explicitly excluded any protection for U.S. workers. NAFTA became a powerful weapon for anti-union employers, who used the threat of factory shutdowns and moving production to Mexico to stop employee drives for higher wages and unionization. NAFTA in essence fueled wage suppression, job loss, and growing inequality in the United States.

Admittedly, President Clinton's "Miracle Economy" cut unemployment to 4.9% by 1997, the lowest rate since 1973. But nearly one third of American workers did not hold regular full-time jobs, more and more held jobs that paid \$7 an hour or less and experienced job insecurity. What's more, downsized or laid-off American workers earned 13% less in their next job and were working longer to maintain their living standards.

Clinton's repeal of federal welfare cut \$60 billion in aid and caused great harm to America's poorest families. Millions of people formerly on welfare, who now were at work, did not earn enough to support their families, held dead-end jobs with no future, and were as poor as before. At the same time as real family income dropped, fueling the explosion in personal debt, CEOs were paying themselves 100 times more than workers. This figure rose to 209 times by 1997. Clinton had realized his hope of wanting to "generate a lot of millionaires." [1]

Besides NAFTA, Clinton went on to pursue other free trade initiatives that further undermined the well being of American workers. He ratified the World Trade Organization in 1994. Six years later, he approved "permanent normal trade relations" with China, further advancing the cause of neoliberalism around the world. [2]

As U.S. corporations became afflicted with "greed addiction," they took advantage of a global pool of bargain labor toiling 12 to 14 hours a day and enduring inhumane labor practices and working conditions. About a third of American jobs were at risk to the growing productivity of workers in Mexico, China, India and elsewhere. By outsourcing their work overseas, corporations maximized profits while driving down the wages and living standards of American workers so that today the United States has the greatest inequality of all industrialized nations.

## **The Transformed "Nuevo South"**

International migration became a basic feature of globalization in the Americas affecting countries of origin, transit and destination. Since NAFTA's implementation, half a million Mexicans entered the United States annually, nearly 85% unauthorized.

The "illegals" form a caste of workers with no legal protection and vulnerable to innumerable forms of exploitation. Pushed to American society's margins, routinely underpaid or fired for asking for a raise or time off, having no job protection, no personal injury coverage, no entitlement to paid sick

days and no benefits, many do not know how much, when, or even if they will be paid.

As low-wage domestic workers or sweatshop workers, immigrant women routinely endure some of the worst mistreatment in the form of labor violations, physical abuse and sexual assault. Immigrant women moreover bear many of the negative effects of globalization: they are the most vulnerable to 21<sup>st</sup> century manifestations of human trafficking as forced labor and as sex trade workers.

Deteriorating conditions in Mexico, and the dependence of great numbers of domestic U.S. employers on cheap Mexican labor, generated much of the 58% growth in the nation's Spanish-speaking population. While corporate growth, foreign investment and the reorganization of work can be seen all over the United States, the South experienced the greatest transformation of any region, across all sectors of the economy. Immigration to the South became unprecedented in scale and deeply transformative of the region's traditional biracial system.

During the 1990s, the patterns of Latino migration and settlement in areas like North Carolina saw a population growth of 383.8%. These mostly immigrant workers provided a cheap, reliable, nonunionized labor force that fueled the boom in the South's economy.

They did work that U.S. citizens would not do in manufacturing, construction, chicken processing, agriculture and other employment sectors. Large numbers of them were cheated out of wages, forced to work excessively long hours, threatened and physically abused.

Immigrants are also at risk of racial profiling and harassment by state and local law enforcement owing to the latter's collaboration with federal immigration officials. The increases in immigration have spurred anti-Latino sentiment in the South, a region of the United States that had previously seen few Latino immigrants. [3]

The globalized American South became more diverse, more prosperous and more like the American nation as a whole, and vulnerable as well to the changing winds of globalization. Neoliberalism reigned supreme, enshrining a model of unfettered capital flows and financial markets, deregulated labor, and internationally integrated production chains.

## **The Great American Scapegoat**

The U.S. economic boom of the 1990s proved short-lived. Job creation in the United States by the late 1990s began to fall, plunged during the 2001 recession, and never recovered, even as large new production centers in Brazil, South Korea, Taiwan, Thailand and China poured competing goods onto the world market and U.S. white-collar jobs moved offshore.

In the Great Recession triggered by the 2008 financial collapse, across the United States official unemployment soared towards double digits. Worse off, however, are the economies of Mexico, Venezuela and Central America, the dependent peripheries of the United States and the European Union. All are registering declines of over 35% with little leeway for job protection. [4]

Globalization's impact on the United States has stirred not only economic uncertainties but also heightened racist anti-immigrant hostilities. Immigrants are scapegoats for the effects of globalization on a faltering U.S. economy, and are seen as threatening America's "national values" and institutions. The pervasive fear is that America has thrown open the doors to groups that do not want to assimilate into American culture and society but enjoy its benefits.

In response to the anti-immigrant sentiment, the federal government ordered massive alien

roundups by the U.S. Border Patrol along the border in 1993 through “Operation Hold-the-Line” in El Paso, Texas and in 1994 through “Operation Gatekeeper” in San Diego, California and “Operation Safeguard” in Nogales, Arizona. The U.S.-Mexico border became a virtual war zone pitting the U.S. Border Patrol and the INS against unauthorized immigrants.

In 1996, the passage of the Illegal Immigration Reform and Immigrant Responsibility Act expanded the number of undocumented immigrants who could be removed. Since 9/11, regulation of the status of unauthorized immigrants shifted to a formal policy of preventing foreigners from entering the United States to possibly engage in terrorist attacks.

The militarization of the border continued under President Bush. In 2005, the president launched the Secure Border Initiative (SBI), a multiyear, multibillion-dollar program aimed at securing U.S. borders and reducing unauthorized immigration. Bush also requested increasing the number of U.S. Border Patrol agents from 9,000 to 20,000 even though the number of unauthorized immigrant apprehensions dropped.

Legislatures motivated by fear, racism, and xenophobia adopted a harsh law-and-order crackdown on unauthorized immigrants. Restrictions have included sanctions on employers and landlords who hire and give leases to unauthorized immigrants; allowing police officers to cooperate with federal immigration agents in enforcing immigration law; tightening driver’s license requirements; state referenda making English the official language; and denying local, county and state benefits to unauthorized immigrants. [5]

In the past several years undocumented immigration has fallen by about 17%. Yet inflammatory and openly discriminatory anti-immigrant rhetoric continues to typify the national and local political discourse.

Right-wing demagogues and opportunist politicians shamelessly vilify immigrants as criminals and drug dealers or of giving birth to “anchor babies.” This bigotry and hatred is echoed in the policies of local authorities and persistent racial profiling in police stops and searches. Armed U.S. Immigration and Customs Enforcement (ICE), with broader authority to question people on their immigrant status, do not need warrants to search and detain suspects and make arrests in conducting their raids.

Latino U.S. citizens and legal residents are all equally under threat of racial profiling by local peace officers and the raids by ICE agents, the latter who also target people because of their race and ethnicity.

Outright anti-immigrant, anti-Latino hysteria was fomented last April when Arizona approved its controversial S.B. 1070 law, mandating local police forces to use “reasonable suspicion” to question and detain anyone they suspect of being an undocumented immigrant.

The recent elections will no doubt continue the trend. Immigrant workers in the low-wage labor market are experiencing much of what U.S.-born workers are experiencing: higher unemployment, loss of hours, increased workloads, and rising violations of minimum-wage and overtime laws as employers focus on cutting costs.

All workers in the United States are vulnerable and exploitable in the current recession, but immigrant workers especially so because of their attraction as cheap and expendable labor. Employers are taking advantage of cheaper immigrant workers by disregarding health and safety rules, failing to pay for services rendered, and engaging in cash kickbacks and in the human trafficking of immigrant workers into forced labor. [6]

The longest recession since the 1930s is having a serious effect on both U.S.-born and foreign-born Latinos. Unemployment among the former is 10.9%, while it is 8% for the latter. Because Latinos are concentrated in construction, blue collar or service industries, they are losing jobs faster than the general population. [7]

Economic crises and social frustration are exacerbating xenophobic reaction and parochial forms of nationalism among large segments of the American population as well. The ranting of right-wing groups stigmatizes immigrants as leeching public resources and scapegoats them for the entire mess of America's troubles.

### **Latino/a Immigrants Fight the Power**

As I have noted elsewhere, the pent-up frustrations of many Latino immigrants at super-exploitation, rampant racism, and their marginal place in American society ignited a large-scale mobilization of immigrants.

On April 10, 2006, the National Day of Action for Immigration Justice drew more than two million people in over one hundred cities to march against H.R.4437 passed by the House of Representatives the previous December.

The so-called Sensenbrenner Bill sought increased enforcement against immigrant communities; called for arresting and removing unauthorized immigrants and criminalizing those who provide medical, legal or pastoral assistance to aliens; building a 700-mile fence along the border and heightening its militarization with advanced technology; increasing the size of the U.S. Border Patrol; and penalizing employers who hire unauthorized immigrants. [8]

Last March, an estimated 200,000 people gathered in Washington, D.C. in the largest demonstration since 2006 to highlight the demand for comprehensive immigration reform. Representative Luis Gutierrez (D-Illinois), who introduced the Comprehensive Immigration Reform for America's Security and Prosperity bill in December 2009, told the demonstrators: "We've asked politely. We've turned the other cheek so many times our heads are spinning. It's time to let immigrants come out of the shadows and into the light and for Americans to embrace them and protect them." [9]

The march was essentially a wakeup call for the Obama administration, a reminder to the President of how seriously the Latino and immigrant communities are pushing for reform. Instead, the Obama administration has stepped up anti-immigrant actions. In many localities, federal immigration authorities have deputized municipal governments to enforce laws and conduct traffic patrols and raids that terrorize whole communities. Removals have actually increased since Obama took office; with 392,000 removed so far in 2010, ICE will undoubtedly meet the year's quota of 400,000.

We can be certain that in a globally integrated workplace, people who see their role as the producers of wealth will play a central role in shaping the dynamics of labor and social protest. Latinos are participating in protests against a national ID card system, the greater militarization of the border, and the setting up of a punitive system to remove undocumented immigrants.

The struggle for immigrant rights is one of the most important struggles of our time, and it occurs under a working-class banner.

**Zaragosa Vargas**

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## P.S.

\* From *Against the Current*, January/February 2011, No. 150.

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## Footnotes

[1] Children had the most to lose from welfare reform for it threw over a million children into a hopeless future of poverty. Michael B. Katz, *The Price of Citizenship: Redefining the American Welfare State* (Philadelphia: University of Pennsylvania Press, 2008), 323.

[2] Sharon Smith, *Subterranean Fire: A History of Working-Class Radicalism in the United States* (Chicago, Illinois: Haymarket Books, 2006), 267-268.

[3] Mary E. Odem, Elaine Cantrell Lacy, eds., *Latino Immigrants and The Transformation of the U.S. South* (Athens, Georgia: University of Georgia Press, 2009), 85.

[4] Writing in the *New Left Review* Susan Watkins noted that Mexican gdp growth plummeted from 3.3% in 2007 to -7.3% in 2009. The remittance economies of Central America, especially El Salvador whose largest source of income now is remittances sent by migrant workers, were destroyed by sharp declines in the U.S. construction sector. Watkins further noted that in the United States, Latino and the under-25 age group jobless rates are running at 13 and 18% in that order. Susan Watkins, "Shifting Sands," *New Left Review*, 61, (January-February 2010), 11.

[5] In the first half of 2007, state legislatures considered 1,404 immigration measures and enacted 107 of them. Anti-immigrant groups like the Federation for American Immigration Reform (FAIR) have supported such legislation. After appeals from immigrant advocacy groups, judges have struck down many of these laws. Zaragosa Vargas, *Crucible of Struggle: A History of Mexican Americans from Colonial Times to the Present Era* (New York: Oxford University Press, 2010), 386.

[6] Employers are asking workers to forgo overtime pay, or take a pay cut to below the minimum wage while business is slow. This trend was already building in low-wage industries before the recession hit and it will worsen.

[7] Insecurity over American job loss, deteriorating working conditions, and plummeting wages impact even well educated Latinos in professional occupations. They have lost their jobs to the off shoring of white-collar jobs to India and China as well as to labor market discrimination.

[8] In September 2003, the Immigrant Workers Freedom Ride more than a thousand immigrant workers boarded buses in 10 cities to help promote legal status and civil rights for the estimated 12 million unauthorized workers in the United States. Vargas, *Crucible of Struggle*, 379-380.

[9] In the "March for America" demonstrators were brought to the nation's capital by the Reform Immigration FOR America campaign, a coalition of more than 700 faith, labor, business, progressive, and immigration reform groups. See Gabriel Thompson, "Immigrants on the March," *The Nation*, April 15, 2010.