



Inmigración del sureste de Estados Unidos
Immigration to the Southeastern United States

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Immigration Policy in the Southeastern United States: Potential for Internal Conflict

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ALAN LEBARON**

In the months preceding the publication of this special issue of *Norteamérica* devoted to the topic of immigration in the southeastern United States, three states in the region (Georgia, followed by Alabama and South Carolina) approved stringent Arizona-style immigration enforcement measures. Georgia's House Bill 87 (HB87) sparked intense debate in the state, and civil rights groups immediately filed suit. The two most controversial sections of the Georgia law have been stopped for the time being: on June 27, 2011, a federal judge granted a partial injunction, but 21 of 23 sections took effect on July 1, 2011. Georgia immediately promised to appeal the judge's decision, and the stage now seems set for further acrimonious debate and conflict. The articles included here were first presented as papers at a conference held at Kennesaw State University (KSU) in October 2010.¹ This Conference on Immigration in the Southeast: Defining Problems, Finding Solutions was a sequel to two prior events: the Conference on Georgia's Undocumented Work Force: Dilemmas in Law, Economy and Society, held at KSU in September 2006, and the Conference on Immigration to New Settlement Areas: Trends and Implications, held at the University of South Carolina in 2007. By the time the 2010 conference was held, tensions over immigration-related issues in Georgia and elsewhere had heightened considerably.

Since most of the articles included here deal with specific issues or places, in our introduction we will present general background information about immigration to the Southeast, and how and why it grew so rapidly over the past two decades. We will then briefly comment on local attitudes toward the region's new immigrant

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populations, which appeared relatively benign in the first decade of this century, but became increasingly negative up to the time when HB87 took effect in July 2011. To provide readers with additional points of reference and further contextualization for the articles that follow, we present the example of Georgia to explore the threat of these new state laws as perceived by immigrants themselves and by businesses and employers as they face the prospective loss of workers and financial difficulties.

THE SOUTHEAST EMERGES AS A NEW IMMIGRANT DESTINATION

Although not without recurring manifestations of anti-immigrant sentiments, the United States has generally prided itself on being a nation of immigrants, at least until recently. The number of foreign-born rose more or less steadily between 1890 and 1930 (from 9.2 million to 14.2 million), while declining slightly in relative terms from 14.8 percent of the total population to 11.6 percent. These successive waves of immigration, characteristic of various periods in the nation's history were interrupted by the Great Depression and World War II; thus, by 1970, the 9.2 million immigrants residing in the U.S. were only 4.7 percent of the total population (Gibson and Jung, 2006); but immigration began to rise again in the 1970s in both absolute and relative terms, reaching 38.2 million in 2010, or 12.4 percent of the total population. According to Charles Hirschman and Douglas S. Massey (2008: 1), the "magnitude and character" of this recent immigration wave surprised "policy makers and many experts." Most of the new arrivals came from Latin America and Asia, rather than Europe as had previously been the case. In addition, many of these new immigrants settled in non-traditional destinations where their impact was large even when absolute numbers of immigrants were not extremely high. For example, "new immigrants arriving in Georgia, North Carolina, and Nevada may number only in the hundreds of thousands, but in relative terms the growth of the immigrant communities in these areas is frequently off the charts" (Hirschman and Massey, 2008: 3).

Perhaps the region of the United States most surprised by the new immigration was the Southeast, i.e., the 12 states that, with only the exception of Florida, had experienced relatively little immigration for most of the twentieth century.² By the 1990s,

² Virginia, West Virginia, North Carolina, South Carolina, Georgia, Alabama, Arkansas, Kentucky, Louisiana, Mississippi, Tennessee, and Florida. Because of its special characteristics, Florida in some ways stands apart. The South, which would include Texas and Oklahoma, is generally used to include the Southeast. The authors of the articles published here may at times have used the two terms interchangeably or may not necessarily refer to all of the states generally considered part of the South or the Southeast when using either term.

many southern states found themselves suddenly receiving unprecedented numbers of newcomers, and by the end of the twentieth century the region was attracting growing numbers of immigrants from many parts of the world (Eckes, 2005: 42-3). Several factors came into play that produced this unexpected influx of strangers, such as the Immigration Reform and Control Act (IRCA) of 1986, which gave amnesty to many immigrants allowing them to move more freely through the country just as new job opportunities were opening up in many southeastern states. For example, throughout the 1990s, demand increased in the Southeast for low-wage workers in construction, food processing (particularly poultry processing plants), custodial, and maintenance and similar industries. Since employers could not attract sufficient numbers of local laborers, they began actively recruiting Latino immigrants, and also announced openings in flyers and newspapers and on billboards in Mexico and Central America (Mohl, 2005 and 2009; Odem and Lacy, eds., 2009; Zúñiga and Hernández-León, 2009). Active recruitment no longer became necessary as communities of immigrants were established, and by the end of the 1990s “chain migration facilitated employer recruitment efforts” (Odem and Lacy, eds., 2009: xvi). As Zúñiga and Hernández-León have explained in reference to immigrant workers in the carpet mills of Dalton Georgia, “In the early 1990s, carpet industrialists briefly resorted to recruitment of Mexicans and Mexican-Americans in South Texas,” but immigrants themselves created communication networks that “soon assumed the role of recruiters and fostered the exponential growth of Mexicans in Dalton and other new destinations” (2009: 38). Similar processes occurred in various other industries in many localities throughout this “new destination” region, the Southeast.

Since the Southern defeat in the United States Civil War in 1865, the Southeast had generally grown more slowly than other parts of the country and, until the civil rights movement began to bear fruit, the region had remained mired in racist laws that kept African-Americans lawfully segregated from whites. But national and global forces began to encourage change, including the heightened international competition that forced the United States into a process of economic restructuring and industrial reorganization, downsizing, and outsourcing that began changing the country’s economic landscape in the late 1970s. Many factories and plants in the typically more industrialized Northeast and parts of the Midwest shut down and relocated to other countries, or at best to the Southeast, as they searched for a cheaper and more flexible work force. In addition to a relatively abundant supply of labor with anti-union traditions, southern states offered developable land, tax breaks, and other incentives to attract both domestic and foreign investment and bring new industries into the region (Murphy, Blanchard, and Hill, eds., 2001; Cobb and Stueck, eds., 2005; Odem and Lacy, eds., 2009). The Southeast became known as part of the “Sun Belt”

in reference to the somewhat milder climate and in contrast to the term “Rust Belt” used to identify the now literally rusting, obsolete, and abandoned industrial sites in and around some cities in the Northeast and Midwest. By the 1980s and 1990s, the southern states had become the country’s most economically dynamic region, and according to James Cobb, also the “most globalized” in attracting foreign businesses; thus “one of eight manufacturing workers in the South now gets his or her paycheck from a foreign employer” (2005:1). Several foreign automobile makers (Mercedes, Honda, Hyundai) built factories in the region (Odem and Lacy, eds., 2009: xiv). The Southeast’s booming economy demanded labor, and while local workers were not as willing to accept low-wage jobs in construction, food processing, cleaning and maintenance services, and similar positions, immigrants became a hardworking, docile labor force, willing to work in dangerous conditions and easily expendable (Murphy, Blanchard, and Hill, eds., 2001; Cobb and Stueck, eds., 2005; Massey, ed., 2008; Odem and Lacy, eds., 2009; Stuesse, 2009).

Construction and poultry processing, both high growth industries in the Southeast, were major players in attracting immigrant labor for jobs that locals disdained. Poultry processing in particular was distasteful work for U.S. citizens, and with the willing labor of immigrants “Americans eat almost twice as much chicken per capita (89.1 pounds annually) as they did in 1980 (48 pounds)” (Stuesse, 2009: 91). In certain circles in Atlanta, it is a well-known fact that undocumented Latino workers were actively recruited so that the necessary infrastructure for city’s 1996 Olympic Games would be ready on time (Amescua, 2006). Much of the continuing building boom throughout the Southeast continued to employ undocumented workers until the economic downturn.

There are numerous other examples of industries that increasingly came to rely on immigrant labor in the boom years of the 1990s and early 2000s, such as Louisiana’s oil fields and ship yards, lumbering activities in various states, or hospitality and food preparation services throughout the region. Immigrants, and in particular Latino immigrants, as Odem and Lacy point out, provided “a flexible, low-cost labor pool that ... not only boosted corporate profits but also reduced costs for consumers” (2009: xxi). For many obvious reasons immigrants were more willing than native workers to accept temporary and seasonal employment, thereby providing many employers with a “just-in-time” labor force. Thus immigrant labor “fueled the economic growth and competitiveness of key southern industries such as poultry processing, forestry, textiles, carpets and rugs, construction, landscaping, hospitality, and agriculture” (Odem and Lacy, eds., 2009: xxi). Immigrant populations also revitalized many small towns and rural communities. Immigration status was often overlooked or ignored during this time, as evidenced in the agricultural industry. Underlining the importance

of Mexican migrant workers, Duchon and Murphy recall that when what was then the Immigration and Naturalization Service (INS) raided the Vidalia onion fields at harvest time, “Georgia’s senior senator flew down from Washington to arrange a truce between growers and INS to make it possible for the harvest to be completed” (2001: 8).

Fast-paced immigration to the Southeast included people from many different origins. According to Duchon and Murphy, the “strong economic performance of the South at a time when the nation was under increasing pressure to admit refugees from Southeast Asia, the former Soviet Union, Eastern Europe, and Africa led the State Department to choose the region as a target area in which to settle refugees who were not being sponsored by family members in other parts of the country” (2001: 1). However, the largest and hence the most visible group of immigrants were from Latin America, the majority from Mexico but including significant numbers from Central America, Brazil and elsewhere. These growing numbers of immigrants, hailing from many different parts of the world, are particularly significant because, as many authors have pointed out (Mohl, 2009), up until fairly recently, ethnic relations in the Southeast had been essentially the relations between white citizens and black citizens. Nevertheless, the southeastern states did begin to experience significant changes in the 1950s and 1960s as the civil rights movement gained momentum. By the end of the twentieth century, contrary to prior trends, this was the fastest growing region in the country. Recently there has been a growing body of literature, both academic and other, about what is referred to as the “New South” and even the “New Latino South,” given the high proportion of Mexicans and other Latinos in the region’s newly arrived immigrant population.³

As a result of these changes, seven of the ten states with the highest immigrant population growth rates over the past decade (2000-2009) are located in the Southeast: South Carolina, Alabama, Tennessee, Arkansas, Georgia, Kentucky, and North Carolina (Migration Policy Institute, 2011a). Five of these states (North Carolina, Georgia, Arkansas, Tennessee, and Kentucky) were also among the top ten in the previous decade (1990-2000), when growth of the foreign-born population was particularly high overall; South Carolina ranked eleventh then, and all six states showed increases of over 100 percent. Such high growth rates were to some extent due to the small numbers of immigrants residing in these states prior to 1990. Nevertheless, Georgia (fourth place) and North Carolina (ninth) were also among

³ The term “New South” has been used at various times to underline significant changes that took place in this part of the U.S. Because of its history of slave-based plantation agriculture, the South was considered less permeable to change than other parts of the country. It seems that the expression was used for the first time in the aftermath of the Civil War in reference to the fact that slavery had been abolished. It was also used after the civil rights movement finally achieved desegregation of schools and public spaces in the South.

the top 10 states with the largest absolute growth in their foreign born populations (343 000 and 235 000, respectively) from 2000 to 2009. Furthermore Georgia is in ninth place in terms of the total number of immigrants residing in the state (an estimated 920 000 in 2009). Virginia ranks eleventh (with 806 000) and North Carolina is fourteenth (665 000).

According to Pew Hispanic Center estimates, approximately 500 000 undocumented Mexicans per year entered the U.S. between 2000 and 2005 (Passel and Cohn, 2011). It is also quite likely that the number of Latinos in the U.S. has been underestimated. As Mohl points out in reference to official Census Bureau estimates, “Actual Hispanic population counts are much higher, perhaps as much as twice as high in many southern cities, counties, and states according to local sources” (2005: 75). Johnson and Kasarda (2009: 70-71) estimated that a total of 600 913 Hispanics resided in North Carolina in 2004 as opposed to the American Community Survey figure of 506 206 for that year. According to Elaine Lacy, “The actual number of Latinos in South Carolina is likely at least twice that reported by the U.S. Census Bureau” (2009: 3). The rapidly rising numbers of Latinos in the Southeast—most of whom are presumed to be immigrants, most likely undocumented—is no doubt one of the factors that has contributed to the anti-immigrant sentiments and hence the punitive legislation approved recently in various states.

LOCAL AND STATEWIDE RESPONSES TO NEW IMMIGRANTS

During the initial years when immigrants supplied much of the dynamic force behind the growth of the Southeast, there was relative tolerance for the immigrants, who began to build communities and families in the hopes of finding permanent homes. Examining the 1990s, in their introduction to the book *Latino Workers in the Contemporary South*, Duchon and Murphy wrote the following:

One would probably expect such populations to have a hard time in the South, and indeed in some cases at the beginning of the new phase of immigration service providers were concerned for the very lives of the new residents (Viviano, 1986). After all, the South has a history of racial intolerance, xenophobia, and poverty. Quite the opposite, however has been true in the long run. After some difficult early years during which Mexicans, Asians, and other immigrants were subjected to racial and ethnic intolerance, the traditional ethnic groups (white and black) of the region have begun to appreciate and value the contributions newcomers have made. (2001: 2)

In their chapter in this same book, John D. Studstill and Laura Nieto-Studstill explored how “new Latins” have been received by “the long-term residents” in two unnamed Georgia counties, simply referred to as “Fruit County” and “Tobacco County”:

Some of the Euro and Afro working class may not have been as welcoming of the new immigrants as the Euro employers have been, although we found little evidence of overt hostility. Since the Mexicans still account for only 5 percent of the population in a growing economy, they are not yet perceived as a threat....It would appear that in neither county has competition for jobs created hostility between the locals and the newcomers, but this situation could change in an economic downturn....The integration of the new Latins in both counties seems to have been almost too good to be true. It is worth noting, however, that in Fruit County at least, a concerted effort spearheaded by the big growers was organized to head off problems....Our research suggests that hospitality has largely outweighed hostility towards the new immigrants in rural Georgia. The hospitality probably stems from economic self-interest ..., and so the situation could change if economic conditions worsen....But in the meantime, the relative prosperity of the region has made it possible for the Latins to be given perhaps a surprisingly positive welcome. (2001: 78-80)

It should be noted that these excerpts are taken from texts written before September 11, 2001, and they refer to the fact that newly arrived Latinos and other immigrants were “at that time” generally received well in the southeastern states in spite of the region’s past history of intolerance and racial discrimination. However, this observable yet unexpected tolerance for the newcomers might well have stemmed from the fact that for many employers and other local residents, “brown” immigrant workers were considered to be more desirable –or at least less undesirable– than blacks. As Hirschman and Massey point out, “Especially in the South, Americans are used to thinking in black and white racial terms –literally and figuratively– and are still unsure about what to make of the new brown-skinned arrivals” (2008: 12). In terms of attitudes toward immigrants and immigration in general, 9/11 definitely marked a sea change nationwide and of course in the South as well. Since then it has become more politically acceptable to be suspicious of immigrants, and in many states it is now extremely popular and politically expedient to vociferously oppose “illegal immigration.”

In addition to 9/11, as numbers of immigrants increased so rapidly, citizens throughout the Southeast grew alarmed. As mentioned above, seven of the ten states with the highest rates of growth in their immigrant populations over the past decade (2000-2009) are in the Southeast and two of these (Georgia and North Carolina) are also in the top ten in terms of absolute or numerical growth (Migration Policy

Institute, 2011a). It is probably no coincidence that these same seven states were among the top ten in terms of Latino population growth from 2000 to 2010, even though, of course, not all Latinos are immigrants (U.S. Census Bureau, 2011); indeed only 40 percent of the Latino population in the U.S. is foreign-born (Pew Hispanic Center, 2011). However, about three-quarters (76 percent) of the unauthorized immigrant population, estimated at 11.9 million in 2008, are Latinos, and a majority (59 percent), approximately 7 million, are from Mexico. Furthermore, "Unauthorized immigrants are spread more broadly than in the past into states where relatively few had settled two decades ago. This is especially true in Georgia, North Carolina, and other Southeastern states" (Passel and Cohn, 2009: i-ii). Nevertheless, 73 percent of the children of unauthorized immigrant parents were born in the U.S. and hence are citizens (Passel and Cohn, 2009).

The number of children attending public schools whose first language is not English has been cause for concern in many school districts in the Southeast. In the case of Georgia, for example, the number of Asian children enrolled throughout the state more than doubled between 1995 and 2010, jumping from 19 546 to 53 369. The number of Hispanic children increased eight times, soaring from 23 632 to 189 684. Hispanic children now constitute 11.4 percent of total K-12 school enrollment, up from 1.9 percent in 1995. In Gwinnett County, just north of Atlanta, Hispanic enrollment in 2010 was 24.8 percent of the total and reached almost 70 percent in some of the county's elementary schools. In Gainesville, where poultry processing is a fundamental economic activity, 54.4 percent of the children enrolled in city schools are Hispanic, as are 67 percent of those in Dalton, a textile manufacturing center (Georgia Department of Education, n.d.). By 2009, 18.8 percent of the children under 18 residing in the state had at least one foreign-born parent. Furthermore, of the 459 000 children in the state with at least one immigrant parent in 2009, 83 percent (381 000) were U.S. citizens by birth (Migration Policy Institute, 2011b).

For most of this recent period with a rapidly rising immigrant population—whose U.S. born children are probably also perceived by many as somehow "foreign"—the U.S. economy was also growing rapidly. Annual GDP growth averaged 2.96 percent from 1992 through 2006, and even surpassed 4 percent from 1997 through 2000 (U.S. Council of Economic Advisers, 2011). At the same time unemployment was low and remained under 5 percent for most of the years between 1997 and 2007. Hence immigrant workers were a much needed addition to the labor force. This was particularly true in the Southeast where economic growth and employment growth were quite high.

In 2006, even before the onset of the recession, Georgia passed a law prohibiting public sector employment of undocumented immigrants, along with other employ-

ment restrictions, and prohibiting their access to almost all public services and benefits, except prenatal and emergency medical attention. At the time, it was referred to in the *Southeast Farm Press* as “one of the toughest immigration laws in the country” and as a matter of great concern for Georgia’s farmers, who had “become increasingly dependent on migrant labor” (Hollis, 2006). Between 2007 and 2009 four Georgia counties (Cobb, Hall, Whitfield, and Gwinnett) established 287(g) agreements with the federal government thereby authorizing local law enforcement officers, with appropriate training, to detain and process undocumented immigrants. Each of these four counties is among those with either the highest percentages or the highest numbers of Latinos in the state.

Odem and Lacy found that the “scant attention given new immigrants in the [southeast] region during the 1990s tended to be positive, more often than not” (2009, 144), but from the early twenty-first century, a combination of 9/11, weakening economies, the rapid growth in immigrant numbers, and a national anti-immigration movement hardened attitudes and began the demands for draconian laws. It seems as if Studstill and Nieto-Studstill were prescient about what the future held, despite the optimism they expressed in 2001 about “hospitality” having outweighed “hostility.” These authors pointed out that “Mexicans” were “not yet perceived as a threat” (at that time) because they accounted for only a small percentage of the population (5 percent) in the context of “a growing economy.” Furthermore, they insisted repeatedly that the situation could change “in an economic downturn” or “if economic conditions worsen.” They mentioned “economic self-interest” as one of the motivating factors behind the tolerance and acceptance shown toward the new immigrants. They also indicated that there was “one area of concern” that could potentially increase friction: the presence of “many undocumented workers” (2001: 78-80). Thus, they had in fact outlined what would take place over the course of the next decade. It seems quite clear that these three conditioning factors (the anti-immigrant sentiments that prevailed after 9/11, the rising numbers of recent immigrants, and the severe recession that set in at the end of 2007) coinciding near the end of the last decade combined with the vestiges of racism and intolerance that persisted in the region to transform what had been an apparently welcoming—or at least tolerant—environment into an openly hostile one. Meanwhile, politicians increasingly joined the rhetoric as they positioned themselves to garner votes, often leading the pack in surprising statements such as Governor Sonny Perdue’s assertion during a news conference on September 6, 2006, that “it is simply unacceptable for people to sneak into this country illegally on Thursday, obtain a government-issued ID on Friday, head for the welfare office on Monday, and cast a vote on Tuesday” (*The Augusta Chronicle*, 2006).

NEW STATE IMMIGRATION LAWS

In May of 2011, Georgia passed another law (HB87), once again referred to as “one of the nation’s toughest immigration enforcement measures” (Redmon, 2011b). To be phased in between January 1, 2012 and July 1, 2013 by size, all businesses with over 10 employees will be required to use government data to verify that new hires have proper work documents. Use of false identification to obtain employment in Georgia could mean up to 15 years in prison and up to US\$250 000 in fines. As passed and signed, the law would have allowed local and state police to investigate a person’s immigration status. However, this provision was blocked by a federal court decision along with another that would have penalized those “who transport or harbor illegal immigrants” (Leslie, 2011). Federal judges have also prevented similar laws in Arizona and Utah from taking effect thus far.

Nevertheless, and in spite of these rulings, Alabama and then South Carolina passed similar, and in some aspects even more restrictive, anti-immigrant measures. The Alabama law, if allowed to take effect, in addition to requiring all businesses to use E-Verify, would require “schools to find out if students are in the country lawfully,” make “it a crime to knowingly give an illegal immigrant a ride,” “allow police to arrest anyone suspected of being an illegal immigrant if the person is stopped for some other reason,” and “make it a crime for landlords to knowingly rent to an illegal immigrant” (Johnson, 2011). South Carolina’s law, in addition to requiring businesses to use E-Verify, “requires police to check the immigration status of any person whom they suspect of being undocumented when that person is arrested or stopped for any other reason” (Mustufa, 2011). It will be a “misdemeanor for any adult in the state to not carry official identification, like a driver’s license or immigration document, while traveling in South Carolina, and further makes it a felony to provide or sell fake photo IDs for undocumented immigrants” (Mustufa, 2011).

One of the sponsors of the Alabama law “said it would help the unemployed by preventing illegal immigrants from getting jobs in the state” (Johnson, 2011). Similar arguments were invoked by supporters of Georgia’s HB87 who claimed that “illegal immigrants...are taking jobs from state residents and burdening Georgia’s public schools, hospitals, and jails” (Redmon, 2011b). In contrast, certain business groups representing the state’s agricultural, landscaping, restaurant, and tourism industries have voiced stiff opposition to the measure. “These groups fear that the law will damage the state’s economy by scaring away migrant workers and conventioners” (Redmon, 2011b). How the battle over immigration will play out remains highly uncertain, and while some of the early fears may have been abated by the injunction, immigrants remain in a precarious condition.

IMPACT OF NEW LAWS ON THE IMMIGRANT POPULATION IN GEORGIA⁴

In Georgia, as in much of the South, the 1990s and the early 2000s were the golden years of opportunity for undocumented immigrants, as jobs were plentiful, and local governments fined and released those caught driving without a license or who committed other minor infractions. Although employer abuse and wage theft were commonly committed by numbers of Georgia's citizens, immigrants found that many employers were grateful for their hard work and treated them well. Often local churches proved happy to have new members in the congregation; and hundreds of new churches were established catering specifically to immigrants. Non-profits, churches, and well-meaning individuals offered various forms of assistance, and for many immigrants, it appeared that Georgia could become their home.⁵ In addition, until 2007 there appeared to be a realistic chance that Congress would pass some measure of comprehensive immigration reform to allow immigrants a path to permanent residency and citizenship, a possibility that added immense hope to an already very hopeful era. The results of Guthey's 2001 study of North Georgia in the late 1990s, which found that Latino immigrants were establishing stable communities and increasingly spending money to develop their own households rather than sending money home, would have been true in much of the state.

As a "case example inside a case example," we can look at the small town of Canton, Georgia, where the Maya Heritage Community Project at Kennesaw State University has worked closely with several hundred Guatemalan Maya since 2001. In the late 1990s, Canton had around 6000 residents when a boom began that made it the fastest growing town in Georgia and the fifth fastest in the nation by 2005. The 2010 census for Canton claims over 22 000 residents, with over 5000 Hispanics. Undocumented workers had been the work force behind tremendous growth and development in Canton, and during the late 1990s and early 2000s immigrants worked in the economy openly to the apparent gratification of Canton residents. A day labor pickup station operated by an alliance of local churches gave out food and shelter as day workers waited for private homeowners and contractors to pick them up, and some Canton politicians supported driver's licenses for immigrants as a public safety policy. The chicken plant was the largest single place of immigrant employment in

⁴ The information presented in this section draws upon Alan LeBaron's personal relationships with immigrants through the Maya Heritage Community Project, recent news reports, and over 400 responses to a survey conducted at the Guatemalan Consulate in June 2011.

⁵ Possibly not so well-meaning were the banks and real estate agents that encouraged hundreds of families to purchase homes, leading to great losses for many immigrants.

those early days, but no one seemed too openly suspicious about the large number of workers at the plant with Puerto Rican identification, at the same time that their poultry bosses called them Guatemalans.

By 2005, appearances gave the strong impression that approximately one-half the town was immigrant; moreover large numbers of immigrant children many of whom did not speak English, began attending the schools; in fact the children of the Guatemalan Maya often learned the Mayan language at home and therefore did not speak fluent Spanish either. Moreover, the medical clinics and hospitals found themselves with a growing number of expectant mothers; indeed, to Canton residents the situation had become problematic, and when some local high school boys were arrested and convicted of beating up and robbing workers, it was clear that the basic mood of the people blamed the immigrants for being there (Moser, 2005). Another illustration of the mood of the time was residents' angry response to immigrants riding the free, federally funded city bus. A local Maya group had agreed to help the Canton bus Transportation Department teach immigrants how to ride the free city bus, a campaign so successful that the *Atlanta Journal-Constitution* wrote an article on the program, with photos of Guatemalan Maya immigrants getting on the bus (Borden, 2005). The publicity immediately killed the project after city residents, not wanting to give free rides to immigrants or to encourage their presence, complained to City Hall and caused the Transportation Department to stop the alliance.⁶

Immigrants have legitimate reason to fear HB87. Since 2005, Georgia's immigration laws became increasingly focused on the goal of driving out undocumented immigrants, and to deny rights and privileges to those who remain. In her article published in 2010, Debra Sabia claimed that Georgia's "rogue political culture" and "strong traditions of localism and exclusionary politics" contributed to legislation that tore families apart and resulted in "abuses by police forces, raised racial tensions, and created serious employment difficulties for businesses" (73). During the months that HB87 was discussed in the Spanish-language media, knowledge of the bill became widespread among immigrants, and fear began to verge on panic. Although the law stated that police officers would need a legitimate reason to check a person's documents, many thought the police would act aggressively, and rumors were spreading that starting on July 1, police would begin clearing the streets of everyone standing for day labor; or (in the words of one young worker) "who looked to be from Mexico."

Soon after HB87 passed, reports and testimonies surfaced indicating that large numbers of immigrants were considering leaving Georgia, and by June examples

⁶ LeBaron participated in this project; thus, this information is based on personal knowledge.

became widespread of immigrants exiting areas throughout the state. Churches, apartment building managers, employers, and farm owners all noted a sudden exodus, as demonstrated by a heavy increase in traffic at Atlanta's consulates where consulate workers perceived serious distress among people waiting long hours in crowded waiting rooms to obtain passports and other documents.⁷ According to the Honorable Beatriz Illescas Putzeys, Atlanta Consul General of Guatemala, whose office ministers to most of the Southeast except Florida, their office processed over 1000 passport applications just for Georgia in the month of June 2011, while in June 2010 there had been 542 passport applications. Even more people were seeking marriage documents, a necessary part of keeping families together, with over 1100 applications in June 2011, compared to 238 in June 2010, an increase of over 400 percent. Alabama numbers also doubled from 2010 to 2011.⁸ As the consulate lacked the capacity to deal with high numbers, people often had to return another day before reaching the front desk, and the staff realized that dozens of people were gathering hours before dawn, with over 200 people (men, women, and children) waiting at the hour of opening. "We don't have enough staff or machines to cope with the crowds; at the end of the day they sometimes try to steal the sign-in sheet to make sure they stay on the waiting list," said a consulate worker.

News reports of migrant farm workers avoiding Georgia and leaving the agricultural industry without sufficient workers became commonplace; for example the *Atlanta Journal-Constitution* reported that according to the agricultural industry, "they have only two-thirds or half the workers they need now and for the weeks of harvesting to come" with the potential loss of US\$300 million (Redmon, 2011a). In addition to the plethora of state and local news sources, *The Economist* reported on the lack of agricultural workers in Georgia and the probable effects of HB87 causing a further decline, which "could portend disaster for farmers" (2011). But, of course, it is not only farmers who will be hurt by an exodus of workers, for Georgia has hundreds of thousands of undocumented workers in its work force, and despite the high unemployment rate, filling these jobs with adequate replacements would be problematic. As Charles Kenny commented in the *Bloomberg Businessweek*, "if forced to do without illegal labor, vast sectors of the U.S. economy, from agriculture to construction, would founder –not to mention the putting greens infested with crab grass and the children who would run riot without care" (Kenny, 2011).

⁷ Various testimonies; see also Guevara, 2011.

⁸ Data supplied by the Consulate General.

Interviews with Immigrants

Undocumented immigrants know the consequences of deportation; most, if not all, have known families torn apart and heard testimonies of the hardships and the indignities of staying in ICE detention centers for long periods while awaiting final deportation. The fears include the hardships they face in their home countries, in particular for those from areas of greatest poverty or high crime, where a common fear is that criminals will target them or their children for ransom believing that people returning from the United States will have bank accounts with money. To capture the people's sentiments, their stories, and their plans, the Guatemalan Consulate, with the help of the Maya Heritage Community Project at Kennesaw State University, conducted short interviews with people as they waited for services in the consulate offices. Not everyone wanted to answer the questions and some refused; staff who did the interviews said that some people expressed their anger at waiting long periods for assistance. However, over a three-week period, over 400 interviews were conducted, and although they were not done under controlled circumstances, and interviewees came not only from Georgia but also from Alabama, South and North Carolina, and Tennessee, the overall results give insights into immigrant sentiments. The questions relevant to this article are the following:

"Are you thinking of leaving the state where you live?" Just over one-half of participants said yes.

"Before the new laws were passed, did you feel content in the USA?" The "yes" responses were close to unanimous: 377 people said they felt content before the laws were passed and only 13 said no.

The interviewers also asked "Do you think the new laws are just?" Again, almost everyone thought the new laws were unjust; although a few said the laws were just, "for them [Anglos]." Some believed the laws were designed specifically to be against Latinos; and some spoke of racism as a motive. Several respondents explained the laws as unjust because undocumented workers were doing no harm, and that they had come to the U.S. for the valid reasons of looking for work and security. For example, the laws were unjust "because we are left defenseless and we live in fear, and no one is doing anything"; "they're sending us to our countries without asking themselves the reasons we had for coming here"; "because we're not doing any harm and they're throwing us out for no reason"; and "because they aren't giving us the chance to have a future."⁹

⁹ For an excellent report that indicated similar feelings among immigrants, see Guevara (2011).

Besides being disappointed and afraid, some people apparently felt tricked into having had the hope of becoming citizens, because many aspects of the United States had made them feel valuable and accepted. Employers sought them out, as did churches and other organizations; their children have been born in the United States as citizens; and salespeople cheerfully encourage buying houses, cars, and furniture, and opening bank accounts. Especially the very poorest of the immigrants have come to admire not only the better economic opportunities in the United States, but the relative safety and lack of corruption among officials. A Guatemalan immigrant, Juan Nicolás, in the month before his final immigration hearing and his subsequent deportation with his wife and three U.S.-born children, said that he admired the United States for its system of laws that gave people safety and the right to education. "I have learned that we all have rights; the entire world has rights, in the USA there are laws everywhere, but that law is good for you."¹⁰ Juan believed until the last day that the judge would see him for an honorable man and grant him permanent residency.

FUTURE TRENDS

Several polls taken in the state of Georgia in the middle of first decade of the century indicated that the majority of citizens were willing to accept a comprehensive law that allowed some path to citizenship; these results were similar to a number of national polls. In spite of this, Georgia residents have hardened in recent years. Bohon and Macpherson Parrot came to the conclusion that the *Atlanta Journal-Constitution* helped sway Georgia's residents to harder opinions on immigration, for, "as we examined articles and editorials on unauthorized immigration in the *AJC*, we found a pattern of inflammatory language use, uncritical parroting of the 'illegal problem,' and the conflation of unauthorized immigration and Hispanic immigration, especially since 2005" (2011: 111).¹¹ In the opinion of several Maya Guatemalans interviewed in the Maya Heritage Community Project, the marches and public rallies by pro-immigrant groups may have had an adverse effect on public opinion. Probably the most credible overarching reason for the intensity and strength of the anti-immigrant groups and their influence over politicians would be connected to the Great Recession and continuing economic troubles, and, of course, nativism.

¹⁰ In conversation with Alan LeBaron.

¹¹ Although Atlanta has excellent Spanish-language newspapers and news sources, including the major paper owned by the *AJC*, comprehensive coverage is seldom achieved in the English language.

Much remains uncertain with the ongoing fragile economy in the United States, the severely divided society, and the uncertain fate of the anti-immigrant laws as they make their way through the courts. Pro-immigrant groups remain small and have little power in the South, and creating an effective alliance between black and Latino human rights groups has proved problematic. Business interests have strongly lobbied elected state and national representatives for some time, but mainly as back-room politics; however, as the laws have become more draconian, businesses have become more open in admitting the need for immigrants, and calls have been made to increase temporary worker programs. Indeed, although anti-immigration forces have obtained a strong hold on much of the Southeast, the economic consequences of the laws and the resultant anger and desperation among affected businesses will inevitably produce increased consideration of temporary worker programs as a compromise. Since they are temporary and do not confer immigrants with significant rights, anti-immigrants might be persuaded, while the large middle groups neither pro- nor anti- can continue to sit things out. But temporary worker programs will produce their own basket of problems: for example, must we prohibit marriage or sex to prevent children being born in U.S. territory? Will “temps” continue to be hard-working and skillful when creating homes and families is no longer a possibility? Will the fruit be bitter without the picker’s fingers being sweetened by the American Dream? As researchers and academics, perhaps we must increase our involvement and find new ways to educate the sections of the public who may bring back a stronger middle group willing to accept comprehensive reforms. We hope the articles presented here will contribute to that aim.

THE ARTICLES IN THIS ISSUE

Based on extensive field work carried out between January 2006 and May 2010, Cristina Amescua explores the perceptions residents of Gwinnett County, in metropolitan Atlanta, have formed about the Mexican immigrants who began to arrive in significant numbers in the mid-1990s. She clarifies from the beginning that neither Mexican immigrants nor native-born southerners are homogeneous groups, despite certain preconceived notions they tend to have formed about one another. In the article, she explores native residents’ ideas about Mexicans with respect to their economic impact on host communities, criminal activity, and their status in the U.S. as either legal residents or unauthorized immigrants. Amescua points out that the emphasis placed on this last issue can be an effective mechanism for camouflaging xenophobic and discriminatory ideas behind a “politically correct” discourse.

However, she also refers to a significant appreciation for “Mexican culture,” which is perceived to include hard work, family values, and religious devotion, along with a rich cuisine and colorful festivals. In general, it seems that both positive and negative ideas voiced by many longtime residents of the Southeast about their new neighbors are based on preconceived ideas and casual observations in public spaces, but very little direct contact or interaction. Furthermore, the author mentions Mexican migrants’ references to brief direct encounters with native residents and the idea they have formed that many of them, “but definitely not all,” can be both kind and helpful. Amescua concludes that more direct interaction in schools, churches, and other social spaces will help both groups eventually move closer to mutual appreciation and understanding.

In their article, Mary Odem and Irene Browne analyze how different groups of Latino immigrants experience new forms of “racialization” upon settling in the U.S. South. They raise the question as to whether these newcomers are “pushing the boundaries of existing categories to create new binaries –white/non-white or black/non-black” – or perhaps “forging new, multiple categories of race that place many of them in the middle” between what has traditionally been perceived in this region as white or black. They selected metropolitan Atlanta as the site for their inquiry, given its importance as a business and financial capital, the fact that it is the main transportation hub in the Southeast, and the dramatic growth of its foreign-born population over the past two and a half decades.

They compare the experiences of Guatemalan and Dominican immigrants, along with some obligatory references to Mexicans as the largest group of Latinos in metro Atlanta, to show how “different groups bring divergent resources and understandings of ‘race’ with which to navigate racialization processes.” They analyze the differences in gender composition, educational attainment, and occupations between these two groups as well as “their own racial and ethnic identity, constructed through the specific history and racial projects of their respective countries of origin.” The authors explain that being considered “*indio*” has a very different and much more favorable connotation in the Dominican Republic than in Guatemala.

According to Odem and Browne neither of the two groups identifies strongly with the pan-ethnic category of Hispanic or Latino. Furthermore, class also interacts or “intersects” with processes of racialization. Hence “for dark-skinned Dominicans who are members of the middle class, being perceived as black does not *necessarily* entail a process of marginalization, given Atlanta’s large African-American elite.”

Kathleen Griesbach’s article discusses how the two major programs for collaboration between the federal and local governments for immigration enforcement, 287(g) and Secure Communities, have been implemented in North Carolina. Her

point of departure is that many of the concerns raised by the federal government, when challenging the legality of Arizona's SB1070, are in fact applicable to the aforementioned programs as applied in North Carolina and elsewhere in the U.S. She explains "how the criminal and immigration systems interact with each other...in these enforcement collaborations" to produce results that are contrary to the programs' originally stated goals of "identifying and deporting immigrants who have been convicted of serious criminal offenses." Griesbach refers to both government and outside reports, as well as other evidence, showing that most immigrants processed for removal through these local-federal collaborations have not been charged with any serious crime and sometimes have not even been charged with a criminal offense at all. Thus, these programs have "caused a surge in deportations of immigrants for many minor infractions, contrary to their stated intent."

The author refers to the "context of a broad expansion of immigration enforcement under the guise of national security interests" that occurred after 9/11. She explains that "North Carolina's embrace of restrictive immigration enforcement has occurred alongside a national and southern trend toward punitive policies on both the state and local levels." She maintains that "restrictive immigration policy and political rhetoric by the close of the 2000s can also be linked to the failure of Comprehensive Immigration Reform in 2007." She points out that as of April 2011 various measures that would have punitive effects for immigrants "were pending before the North Carolina General Assembly." After discussing "several practical and legal problems with how 287(g) and Secure Communities are implemented," Griesbach concludes her article with "some preliminary policy possibilities related to identification [documents] and the use of ICE detainees."

De Ann Pendry's article provides an account of how immigration policies and politics have evolved in Tennessee over the past decade. In the spring of 2001, a few months before 9/11, a grassroots campaign had "successfully convinced the state legislature to pass a law that enabled all residents of the state to obtain a driver's license, regardless of immigration status." Since then, however, an "anti-immigrant backlash" has been gathering strength. As of 2008, only persons with a valid social security number could obtain a driver's license. "In Tennessee, the number of proposals in the state legislature designed to place restrictions on undocumented immigrants or on all immigrants and place requirements on employers, police officers, state employees, and others increased from 20 in 2006 to 44 in 2007 to 66 in 2008." The author also describes the Tennessee Immigrant and Refugee Rights Coalition's (TIIRC) efforts to prevent such proposals from becoming law; they have had only very limited success.

It seems that in Tennessee, as elsewhere in the U.S., undocumented immigrants "serve as convenient scapegoats that help enable some politicians to avoid address-

ing deeper issues regarding the economic downturn, the restructuring of the U.S. economy that has been going on since the 1960s, and the dismantling of laws that protect workers." The author points out that "many Tennesseans...do not have much knowledge about current requirements for legal immigration, the net effects of our immigration policies over the last 30 years, or the long history of labor recruitment and legal restrictions applied to migrants, particularly those from Mexico." Hence, as Pendry concludes, there is an ongoing need for organizations like the TIRRC and their allies to counter what seems to have become a politically expedient negative discourse.

Charles Jaret and Orsolya Kolozsvari-Wright examine the citizenship and naturalization patterns of immigrants in the southeastern United States and discuss the possible political implications of the trends they observe. They point out that "when the U.S. federal government revises policies affecting immigrants ... or if it hints at revising policies ... political activity by immigrants increases ... and rates of naturalization usually rise." They cite numerous studies of the various types of factors that come into play in determining immigrants' propensity to naturalize but maintain that "up to now research on citizenship has not explored naturalization trends in different areas *within* the United States."

Their detailed statistical analysis is based on data from the U.S. Census Bureau's 2006-2008 American Community Survey (ACS), which shows the citizenship status (naturalized U.S. citizen or non-U.S. citizen) of the foreign-born population residing in each state subdivided by entry year cohorts for people born in six different regions of the world. They found that "Georgia and the other southeastern states have relatively low rates of naturalization for most immigrant groups, except for Caribbean immigrants (especially in Georgia and South Carolina, where they are above average) and 'Other' immigrants." Such results were not surprising since "immigrants in the South tend to have entered the U.S. more recently than those in other regions, and since little or no tradition exists in this region of recruiting immigrants into, or mobilizing them for, political processes."

Nevertheless, in their article they have "suggested several ways that naturalized citizens and naturalization rates are affecting U.S. politics," and they underline "the potential political influence" that Asian immigrants might come to have since they tend to have high naturalization rates. They reach the conclusion that it is definitely useful to examine naturalization patterns in various parts of the country, since over time naturalized immigrants may have the capacity to alter the political landscape of the United States.

In his essay entitled "The Declaration of Independence and Immigration in the United States of America," Kenneth M. White makes an appeal for a "moderate"

and “balanced” or what he has also labeled as a “common sense” approach to immigration reform. He argues that “The current immigration debate fits within a historical pattern that pits an unrestricted right of immigration (the left) against exclusive, provincial politics (the right)” and finds justification for both of these positions within the Declaration of Independence. In White’s analysis, this document establishes a philosophical “paradigm of universal Natural Right for all human beings” and yet “also sets forth a political paradigm where Americans are ‘one people,’ which creates the anti-philosophic distinction of us vs. them.”

According to White, “the great genius of the Declaration of Independence is that it attempts to strike a balance between the conservative, political side and the philosophic, liberal side of human nature.” Furthermore, he believes that “it is possible to find common ground between liberals and conservatives on the issue of immigration.” Achieving this, however, will require a “balance between the two paradigms of politics and philosophy, not the conquest of one by the other.” His “proposed call for moderation between the extreme views on the left and right...regarding immigration requires an end to the political polarization that debilitates current policy debate in the United States.” “In short, people need to stop shouting about immigration and start deliberating based on the principles enshrined in America’s founding documents.” That is the essence of his “common sense proposal for immigration reform,” which could also well be applied to so many other areas of political debate in the U.S. today.

In her critical note about the current use and proposed expansion of E-Verify, Elizabeth O’Connor expresses some serious concerns about the program’s efficacy and effects. A corporation hired by U.S. Citizenship and Immigration Services (USCIS) to assess this program estimated “that E-Verify misses about 54 percent of unauthorized workers during its database scans.” As she explains, “This occurs largely because, while a database can detect if a document is flawed or inaccurate, it cannot determine if it belongs to the person who submitted the document.” The program may facilitate “discrimination” and “exploitative practices.” Furthermore, if E-Verify became mandatory nationwide, many employers would simply “begin to shift workers off the books,” leading to lost local, state, and federal tax revenues.

O’Connor’s central argument is that “fixing the immigration system must pair enforcement efforts with full, fair immigration reform.” She uses the example of the janitorial or cleaning industry to illustrate the limited and perverse impacts of an “enforcement-only approach to immigration.” As the author explains, besides being an industry that employs a large number and high proportion of immigrants, “the cleaning industry is also an area where large ‘formal,’ law-abiding employers com-

pete with off-the-books, fly-by-night employers." "I-9 audits and E-Verify are not affecting cleaning contractors with workers off the books. Instead, the result has been to steer janitors into an underground economy and to reduce the number of legal, family-supporting, tax-paying jobs in the industry." She concludes that in the cleaning industry, as in many others, the current enforcement-only measures have "simply led to a growing work force operating outside the legal and tax systems, which is bad for both immigrants and the U.S. economy."

Another critical note by Josema de Miguel León describes the ordeals that undocumented Central American migrants go through as they cross Mexico's southern border on their way to the United States. Her report covers their journey from Tecun Uman in Guatemala, where they cross the Suchiate River, to the town of Arriaga in Chiapas, Mexico, where they climb aboard a freight train, commonly referred to as "*La bestia*" (the Beast), bound for the Mexico-U.S. border. It is a harrowing, nightmarish experience for all, which discourages some, who after being assaulted, raped, robbed, or even mutilated when falling from the train, choose to return to their home countries or remain in Mexico, and yet moves most others to persist all the more, sometimes making several attempts, until they finally reach "el Norte." The author's vivid, poignant descriptions speak for themselves, and one can only wonder what kinds of hardships these people must be experiencing every day in their homelands for them to be willing to undergo such risks and suffering on their journey to an uncertain future in the U.S.

Rebecca LeFebvre's bibliographical note discusses two edited volumes that present specific examples and case studies of the recent Latino immigrant influx to the Southeast and analyze the impact that "this population transformation [is] having on the attitudes, culture, and institutions in the U.S. South." The various articles presented in each volume will help readers understand and "sort through the trends, countertrends, and misperceptions surrounding the controversial issue of immigration" in general, and in particular how these elements play out in the specific context of the southeastern states. LeFebvre detected four main themes or "similar patterns of social transformation" common to each volume: "shifting of the historic black-white racial line, racialization of the Latino identity, conflation of Latino immigrants and unauthorized immigrants, and the uncommon example of accommodation."

She also perceived some differences with respect to the various authors' interpretations and expectations of how immigrant communities and race relations within the region might evolve over the next several years. However, as she points out, "the future of immigrant communities in the South is not a question of whether the Latinos will be a significant part of the population, but rather how Latinos will be incorporated into the population." In her opinion both books "are essential reading

for anyone studying social, political, or economic implications of the current wave of Latino immigration" in this new destination region.

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Percepciones sobre los migrantes mexicanos en el condado de Gwinnett, Georgia: fricciones y encuentros en el sur estadounidense

CRISTINA AMESCUA*

RESUMEN

Este artículo aborda las percepciones de los habitantes de Georgia hacia los migrantes mexicanos que empezaron a llegar ahí en la década de los noventa. Los objetivos son identificar las áreas de fricción, pero también visibilizar los momentos de encuentro, a partir de los cuales los migrantes mexicanos y los estadounidenses construyen vínculos de conocimiento y reconocimiento mutuos. El análisis se centra en la percepción de muchos estadounidenses de que los migrantes constituyen una carga para el sistema económico estadounidense; que los migrantes aumentan la criminalidad; y que la ilegalidad de los migrantes es el principal factor de rechazo. Finalmente, se abordan los puntos de vista de los mexicanos sobre la convivencia con los estadounidenses de la localidad.

Palabras clave: migración, percepciones, experiencias, sur estadounidense, fricción, encuentro

ABSTRACT

This article deals with Georgia residents' perceptions of the Mexican migrants who began to arrive there in the 1990s. Its objectives are to identify sources of friction, but also to visualize moments in which people come together, based on which Mexican immigrants and U.S. citizens can build links of mutual knowledge and recognition. The analysis centers on many Americans' perception that migrants are a burden to the U.S. economy, that they increase criminality, and that their illegal status is the main reason they are rejected. Finally, it delves into the Mexicans' views of their experience living among Americans in the area.

Key words: migration, perceptions, experiences, U.S. South, friction, coming together

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INTRODUCCIÓN

El rápido crecimiento de la inmigración mexicana en el condado de Gwinnett, Georgia, detonado en la década de los noventa por las profundas transformaciones económicas y sociales de la región, y por la necesidad de mano de obra para la construcción de la infraestructura de los Juegos Olímpicos de Atlanta, produjo fuertes cambios en las configuraciones de las localidades suburbanas del sur estadounidense.

Para los fines de este trabajo considero el condado de Gwinnet como lo que Mary Louise Pratt llama una zona de contacto; es decir, como aquellos “espacios sociales en donde las culturas se conocen, chocan, luchan entre sí, frecuentemente en contextos de relaciones de poder profundamente asimétricas, tales como el colonialismo, la esclavitud y sus consecuencias, tal como se viven día con día en muchas partes del mundo” (Pratt, 2005: 586). Aunque, en este texto no abordo a fondo el tema de la construcción de una zona de contacto, me interesa mencionarlo porque pienso que la diseminación de estos espacios a lo largo y ancho del territorio estadounidense es una de las características principales de la migración mexicana de finales del siglo xx.

En efecto, Pratt (2005) acuña el término para referirse fundamentalmente a las zonas de frontera, sin embargo, las características actuales de los procesos de migración y asentamiento han rebasado las franjas fronterizas para construir espacios similares en el interior del territorio estadounidense, y con la diversificación de los destinos migratorios, los suburbios de muchas ciudades en Estados Unidos se han ido “mexicanizando”.¹

Con el objetivo de ofrecer un recuento de la complejidad que entraña el proceso de contacto cultural entre estadounidenses sureños y migrantes mexicanos, en este artículo presento algunas de las percepciones negativas de los habitantes de las localidades receptoras sobre los migrantes. Éstas se organizan en torno a tres ejes temáticos: el papel de los migrantes en la economía estadounidense, la relación (percibida) entre migración y criminalidad, y la cuestión de la ilegalidad de la migración. No obstante, me interesa presentar, de la misma manera, el “otro lado de la moneda”, al dar cuenta de las percepciones y experiencias positivas de los migrantes mexicanos en sus relaciones cotidianas con los estadounidenses.

Este trabajo forma parte de mi investigación para obtener el grado de doctora en antropología titulada “Percepciones sobre las culturas en las zonas de contacto: fricciones y encuentros en el caso de la migración mexicana al sur de Estados Unidos”, que realicé principalmente en las ciudades de Lawrenceville y Norcross, en el con-

¹ Por supuesto que también reciben migrantes de otras nacionalidades, pero la proporción de latinos, y entre ellos de mexicanos, es mucho mayor.

dado de Gwinnett, Georgia. Entre enero de 2006 y mayo de 2010 se llevaron a cabo siete temporadas de trabajo de campo y varias visitas a Gainesville, en el condado de Hall, y a algunos puntos estratégicos de la ciudad de Atlanta.

Se aplicaron encuestas y entrevistas en contextos tan diversos como zonas comerciales (hispanas y estadounidenses), comunidades religiosas hispanas (protestantes y católicas), una escuela preparatoria y un jardín de niños, casas de la recién llegada clase media (conformada por trabajadores altamente calificados) (mexicana y francesa) y en casas de migrantes indocumentados y de mexicanos con residencia legal. Se presenciaron varias sesiones de la corte federal de Gainesville, así como algunos interrogatorios con detenidos mexicanos. Por limitaciones concernientes a la extensión de este artículo, solamente se incluirán algunos de los datos emanados de las encuestas y entrevistas tanto a estadounidenses como a migrantes mexicanos, particularmente en el cuarto apartado que aborda las experiencias de encuentro y convivencia entre migrantes mexicanos y habitantes de las localidades receptoras.

El procedimiento metodológico adoptado para la investigación empírica consistió en la aplicación de encuestas y entrevistas, con la finalidad de conocer en lo general las percepciones de los distintos actores sociales en torno a temas concretos. Los instrumentos de recolección de información empleados en la investigación fueron los siguientes:

1. Encuesta a migrantes mexicanos en Lawrenceville, 2008 (EM2008).
2. Encuesta electrónica a estadounidenses, 2009-2010 (EAW2009-2010).
3. Encuesta a estadounidenses en el marco del Programa de Educación Continua de la Barra de Abogados de Georgia (Continuing Legal Education Program-State Bar of Georgia), 2010 (EAL2010).
4. Entrevistas a migrantes mexicanos en Lawrenceville, Norcross y Atlanta, 2006-2010 (EnM2006-2010).
5. Entrevistas a estadounidenses, 2006-2010 (EnA2006-2010).²

² A lo largo del texto, cada vez que utilice una cita textual de algunos de los entrevistados/encuestados pondré entre paréntesis el código del instrumento de origen, acompañado del número de la entrevista o encuesta, así como los datos demográficos proporcionados por los entrevistados/encuestados (género, edad, autoadscripción étnica). Por ejemplo, la referencia "EnM1, 2006 mujer, 36 años" se refiere a entrevista número 1 aplicada a migrantes mexicanos; la referencia "EnM7, 2006, hombre migrante, 47 años", alude a las respuestas del séptimo entrevistado (migrante mexicano); mientras que la referencia "EAW7, 2009-2010, hombre estadounidense blanco, 61 años" indica lo dicho por el séptimo estadounidense que contestó la encuesta electrónica.

EL SURGIMIENTO DEL SUR DE ESTADOS UNIDOS COMO DESTINO MIGRATORIO

Históricamente, el Sur nunca había sido un polo de atracción para los trabajadores mexicanos, en gran medida porque el ritmo de su desarrollo industrial era lento y la presencia de “grandes números de pobres blancos y negros proveía un sector estable de mano de obra barata” (Odem y Lacy, eds., 2009: xiv).

Cuadro 1
POBLACIÓN LATINA EN EL SUR (1990-2000)

Lugar	Población latina (1990)	Población latina (2000)	Porcentaje de la población por estado	Aumento del porcentaje (1990-2000)
Georgia	108 922	435 227	5.3	299.6
Carolina del Norte	76 726	378 963	4.7	393.9
Virginia	160 288	329 540	4.7	105.6
Tennessee	32 741	123 838	2.2	278.2
Luisiana	93 044	107 738	2.4	15.8
Carolina del Sur	30 551	98 076	2.4	311.2
Arkansas	19 876	86 866	3.3	337.0
Alabama	24 629	75 830	1.7	207.9
Kentucky	21 984	59 939	1.5	172.6
Misisipi	15 931	39 569	1.4	148.4
Virginia del Este	8 489	12 279	0.7	44.6

Fuente: U.S. Census Bureau, 2000.

Aquí, los nuevos inmigrantes que llegaron en la última década entraron a una región en donde la mayoría de la gente no había tenido ninguna experiencia directa con la inmigración. Había poca infraestructura preexistente de instituciones hispanohablantes. [...] Pero sobre todo, la distintiva historia del sur estadounidense implica que los nuevos inmigrantes deben abrirse camino en medio de un paisaje social definido en muchas de las localidades por la tajante división racial entre blancos y negros (Smith, 2001: 1).³

³ Las traducciones de las citas y de los testimonios son de la autora.

Como muestra el cuadro 1, en una década, en seis de los once estados del sur (Carolina del Norte, Carolina del Sur, Georgia, Tennessee, Arkansas y Alabama) aumentó la población latina más del 200 por ciento, y solamente en dos (Luisiana y Virginia del Este) el incremento fue inferior al 100 por ciento. Cabe destacar que de estos estados sureños, en Georgia, la población latina alcanza el mayor porcentaje de la población total (el 5.3 por ciento).

De acuerdo con Lacy y Odem,

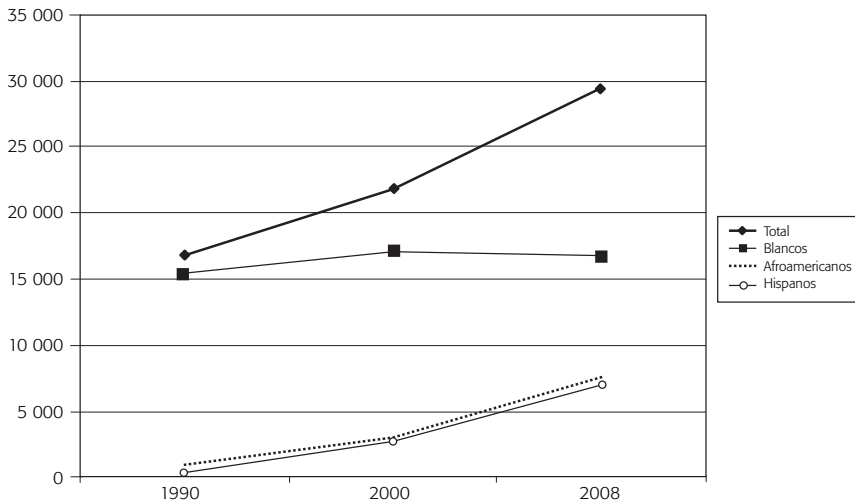
hacia el 2006 la población de latinos en los diez estados sureños aumentó hasta alcanzar un total de más de 2.5 millones, con números que van desde 46 348 en Misisipi, hasta 696 146 en Georgia. Los migrantes latinos continúan asentándose en una gran variedad de localidades a lo largo y ancho del sureste. Muchos se han mudado a pequeños pueblos y áreas rurales, con el mayor número asentándose en el área metropolitana de Atlanta, en plena expansión (467 418 en 2006) (2009: xvii).

La mayor parte de los condados de Carolina del Norte concentraba en el año 2000 entre un 3 y un 10 por ciento de población latina. En Georgia, en ese año, el porcentaje de latinos fue del 8 por ciento, siendo el décimoprimer estado con mayor población hispana en el país. El único condado en toda la región sur con más del 20 por ciento de latinos es Dalton, Georgia, la capital internacional de la alfombra. Otros cinco condados: Echols, Colquitt, Atkinson, Hall y Gwinnett concentran cada uno entre un 10 y un 20 por ciento: Gwinnett tiene 105 943 latinos (el 15.3 por ciento de la población total del condado); Cobb, 64 550; DeKalb, 59 002; Fulton, 56 968; y finalmente Clayton County, 28 500 latinos. Los mexicanos en Georgia conforman el 67.8 por ciento de la población hispana, mientras que los centroamericanos (Guatemala, Belice, Honduras, El Salvador, Nicaragua, Costa Rica y Panamá) constituyen en conjunto el 11 por ciento.

Lawrenceville es la capital del condado de Gwinnett y actualmente tiene un total de 29 488 habitantes (de acuerdo con el U.S. Census Bureau, 2006-2008).

Como muestra la gráfica 1, el aumento poblacional en la ciudad de Lawrenceville está claramente relacionado con el crecimiento de la población hispana, aunque también con el de la población afroamericana. Entre 1990 y 2008, la población hispana de la ciudad creció un impresionante 2284 por ciento al pasar de 307 hispanos a 7012. Así, si en la última década del siglo xx los hispanos representaban el 1.82 por ciento de la población total, en el 2008 representaban ya el 23.8 por ciento. Esto significa que en la actualidad casi uno de cada cuatro habitantes de Lawrenceville son hispanos.

Gráfica 1
DISTRIBUCIÓN POBLACIONAL EN LAWRENCEVILLE, GEORGIA



Fuente: U.S. Census Bureau, 2006-2008.

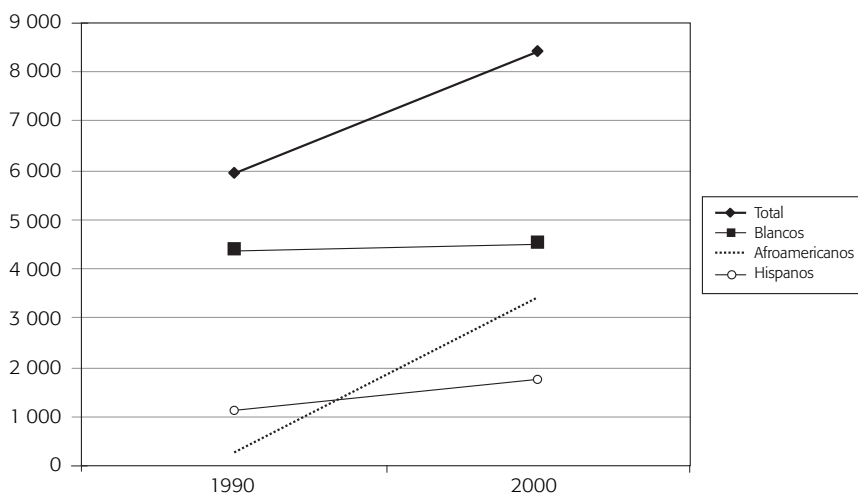
Hay que señalar que, en esta ciudad, la mayor parte de la población se identifica como blanca, pero en 1990 este sector representaba un 91.6 por ciento –hispanos y afroamericanos juntos apenas sumaban un 3.9 por ciento–, mientras que en 2008 solamente representaban el 56.7 por ciento. Estos datos indican que en los últimos veinte años Lawrenceville ha experimentado una fuerte reconfiguración demográfica, la cual también ha venido acompañada de importantes cambios sociales y culturales.

En cuanto a Norcross es interesante ver, como se muestra en la gráfica 2, que tan sólo en diez años (1990-2000) la población hispana pasó de 291 a 3442, mientras que la población afroamericana mostró un crecimiento progresivo, aunque lento, y la población blanca mantuvo una casi total estabilidad.

En el caso de los pequeños pueblos de las áreas metropolitanas del sur,

aun cuando [el número de inmigrantes] es más pequeño en términos absolutos que en las áreas establecidas, el creciente número de extranjeros es un fenómeno nuevo, por lo menos en la memoria de las personas que están vivas en la actualidad. Los trabajadores inmigrantes están creando nichos étnicos en los mercados laborales locales y las escuelas e iglesias están luchando por adaptarse a este surgimiento de recién llegados hispanohablantes (Hirshman y Massey, 2008: 7).

Gráfica 2
POBLACIÓN HISPANA EN NORCROSS (1990-2000)



Fuente: U.S. Census Bureau, 1990-2000.

Así, el sur es uno de los nuevos destinos tanto de los migrantes legalizados después de la Ley de Control y Reforma de la Inmigración (Immigration Reform and Control Act, IRCA) como de nuevos migrantes que se vieron atraídos por el crecimiento económico en la región, que derivó en un aumento de la oferta laboral y por el fortalecimiento de redes sociales que facilitaron su inserción en los nuevos mercados de trabajo. En efecto, el *old south*, caracterizado por ser una de las regiones con mayores índices de pobreza en el país, con una economía agrícola de grandes plantaciones y enormes desigualdades económicas y sociales, se convirtió en el *new south* gracias a la implementación de políticas de desregulación y flexibilización del mercado laboral, con grandes incentivos fiscales para la inversión nacional y extranjera, como por ejemplo el trabajo no sindicalizado. Pero, además –no hay que olvidarlo– a mediados de los años noventa del siglo pasado, hubo un esfuerzo consciente y activo por atraer mano de obra migrante para garantizar el cumplimiento de los compromisos derivados de la organización de los Juegos Olímpicos (Amescua, 2006a; 2006b).

En este sentido, el sur es un lugar emblemático de la nueva era de las migraciones y una zona de destino con particularidades muy marcadas: una dinámica histórica orientada por las luchas contra la pobreza y la desigualdad, y contra la discriminación y el racismo. Los mexicanos llegaron entonces a insertarse en una

muy particular historia de complicadas relaciones entre blancos y negros, entre pobres muy pobres y ricos muy ricos.

LAS PERCEPCIONES: UNA PUERTA DE ENTRADA PARA EL ANÁLISIS DE LAS RELACIONES SOCIALES

Los efectos de este fenómeno migratorio han sido múltiples y muy diversos. La llegada de los migrantes hispanos ha producido profundas transformaciones no solamente en la economía, sino en las relaciones sociales, en la esfera política y en el ámbito religioso. Los suburbios del sur estadounidense constituyen un área privilegiada para el análisis de las constantes y complejas transformaciones que ocurren como consecuencia de la migración. Este trabajo se centra en las nuevas configuraciones de las relaciones sociales entre migrantes mexicanos⁴ y estadounidenses; y para entenderlas, tomo como punto de partida el supuesto de que se construyen fundamentalmente a partir de las percepciones que los distintos actores sociales tienen unos de otros (en este caso, los migrantes mexicanos de los estadounidenses y viceversa). A continuación presento el marco teórico y metodológico con el que pretendo explicar cómo se van construyendo estas percepciones, a las que, mediante los datos empíricos, daré contenido.

Todo análisis de la apropiación subjetiva de la realidad debe considerar que las distintas formas de apropiación están en cierto grado determinadas por las normas sociales y culturales en las que un individuo fue socializado. Lo individual y lo colectivo se interconectan y se influyen mutuamente. La pregunta es, entonces, ¿cómo se configuran las relaciones sociales entre personas de diferentes culturas, a partir de la forma en que los sujetos se apropian de una realidad cada vez más diversa y muchas veces contrastante?

El sujeto se apropia de la realidad gracias a las percepciones que tiene de ésta a partir de las creencias, valores y juicios que se realizan constantemente (a nivel consciente o inconsciente). Esto es justamente lo que da pie a las actitudes que dicho sujeto adopta en relación con el mundo que lo rodea y su lugar en él.

Las relaciones interpersonales entre sujetos de diferentes culturas se realizan (se llevan a la práctica) a partir del complejo entramado que forman las percepciones –moldeadas por la ideología, las vivencias, las experiencias afectivas, y los factores contextuales en los que se desarrolla el ser humano–, y las actitudes que de ellas

⁴ En aras de una mayor fluidez en el texto, cuando utilice el término “migrantes” me estaré refiriendo a los migrantes mexicanos.

derivan, así como la forma en que éstas son recibidas, interpretadas e interiorizadas por “el otro” (en la relación) generando un nuevo conjunto de percepciones que producirán representaciones sociales, las cuales darán pie a determinadas actitudes, reproduciendo el ciclo una y otra vez.

Muchos de los trabajos sobre la percepción, en los ámbitos psicológicos y filosóficos, se han centrado en la elaboración de juicios como característica básica de la percepción. Frecuentemente se ha situado a la percepción en el ámbito de los procesos mentales conscientes, pues ésta derivaría de un modelo lineal en el que el individuo al recibir un estímulo lo experimenta sensorialmente y lo intelectualiza por medio de la formulación de juicios u opiniones. Pero, la percepción no es un fenómeno tan sencillo. Ciertamente, una parte de sus procesos ocurre en el plano de lo consciente, cuando el individuo se da plena cuenta de los acontecimientos y emite un juicio acerca de ellos para poder clasificarlos; sin embargo, existe también el muy amplio y complejo espectro de lo involuntario, de lo inconsciente, de todo aquello que de tan cotidiano se hace invisible. Aquí se realizan los procesos de selección y organización de las sensaciones, generadas a partir de una base biológica de capacidades sensoriales.

En el proceso de discriminación de estímulos intervienen, además de la capacidad sensorial, las preferencias y prioridades –factores individuales– que tamizan, de entre toda la gama posible de manifestaciones sensibles del ambiente, sólo las que son aprehensibles y relevantes de acuerdo con las circunstancias biológicas, históricas y culturales. Así, “la percepción no es un proceso lineal de estímulo y respuesta sobre un sujeto pasivo, sino que, por el contrario, están de por medio una serie de procesos en constante interacción y donde el individuo y la sociedad tienen un papel activo en la conformación de percepciones particulares a cada grupo social” (Vargas Melgarejo, 1994: 47, 48).

El individuo ordena y transforma sus experiencias cotidianas a partir de la interacción entre sus capacidades sensoriales y los referentes culturales e ideológicos que moldean su percepción de la realidad y sus acontecimientos. En el proceso de percepción interviene también la capacidad de reconocimiento que consiste en recordar e identificar experiencias y saberes pasados para compararlos con los actuales y así configurar un patrón de interacción con el entorno. La realidad, entonces, se explica con los parámetros contruidos colectivamente, establecidos desde la infancia, que se erigen como marco de referencia para hacer inteligible la experiencia y facilitar tanto su comprensión como su procesamiento.

Siguiendo a Vargas Melgarejo, la percepción clasifica la realidad a partir de *estructuras significantes* que ponen “de manifiesto el orden y la significación que la sociedad asigna al ambiente” (Vargas Melgarejo: 1994: 49). En este caso, tales estructuras significantes corresponden a la ideología, la experiencia y los factores contextuales que

intervienen en el proceso. La cultura de pertenencia, las creencias y valores que le son propios, el lugar que ocupa el individuo en la estructura social, su nivel educativo, su nivel de contacto con otras culturas, su nivel de acceso a los recursos sociales o su posición en el mercado laboral, así como su personalidad⁵ son factores que moldean la percepción, y ésta a su vez produce constantes reformulaciones de las experiencias y de las estructuras preceptuales, en un proceso continuo de construcción de significados.

Desde el punto de vista antropológico, la percepción es una forma de conducta conformada por el proceso de selección y elaboración simbólica de la experiencia, en el que se atribuyen características de orden cualitativo a los distintos elementos del entorno a partir de los referentes emanados de los sistemas culturales e ideológicos de un determinado grupo social:

La percepción ofrece la materia prima sobre la cual se conforman las evidencias, de acuerdo con las estructuras significantes que se expresan como formulaciones culturales que aluden de modo general a una característica o a un conjunto de características que implícitamente demarcan la inclusión de determinado tipo de cualidades y con ellas se identifican los componentes cualitativos de los objetos (Vargas, Melgarejo, 1994: 51).

La percepción, pautada por la estructura de valores en uso en una sociedad dada es la que califica las vivencias, otorgándoles un sentido, un significado y un lugar.

Existen diversos trabajos que abordan el tema de las percepciones hacia los migrantes en Estados Unidos. Por ejemplo, en 1996, Bobo y Hughes publicaron un trabajo acerca de las percepciones sobre la competencia racial de grupo para extender la teoría de Blumer sobre la posición de grupo en un contexto multirracial.

Más recientemente, el trabajo de Haubert y Fussell (2006), utilizando datos de la Encuesta Social General de 1996 llevada a cabo por el National Opinion Research Center at the University of Chicago, construye una escala de percepciones sobre el impacto de los migrantes en la economía y la sociedad de Estados Unidos además de presentar regresiones estadísticas sobre los indicadores de amenaza de grupo, competencia por el mercado laboral y cosmopolitismo:

La variable dependiente es una escala aditiva que mide las percepciones de los encuestados acerca del impacto de los inmigrantes en la economía y la sociedad nacionales. Los cuatro ítems en la escala miden el acuerdo o desacuerdo con las siguientes afirmaciones:

⁵ La personalidad es un dominio que está conformado por el temperamento –con el que se nace– y el carácter –que se forja.

1) los inmigrantes aumentan la tasa de criminalidad; 2) los inmigrantes son buenos en lo general para la economía de la nación; 3) los inmigrantes le roban sus trabajos a las personas nacidas en Estados Unidos; 4) los inmigrantes hacen de Estados Unidos un lugar más abierto a nuevas ideas y culturas. Los encuestados calificaron su acuerdo o desacuerdo en una escala del uno al cinco, en donde 1 indica que están muy de acuerdo y 5 indica que están en total desacuerdo (Haubert y Fussell, 2006: 494).

También han empezado a publicarse investigaciones sobre las percepciones hacia los migrantes en el sureste estadounidense. Entre otros, está el trabajo de O'Neil y Tienda (2009), "A Tale of Two Counties: Natives' Opinions Toward Immigration in North Carolina", en el que

comparan las opiniones y percepciones de los nativos residentes sobre la inmigración utilizando una encuesta representativa en dos condados similares de Carolina de Norte –uno que ha experimentado un crecimiento reciente en su población nacida en el extranjero y uno que no-. A partir de diferentes perspectivas teóricas, incluyendo la de amenaza de grupo, la teoría del contacto y la de políticas simbólicas, se formulan y evalúan empíricamente varias hipótesis (2009: 1).

El amplio campo de análisis de los impactos de la migración en el sur de Estados Unidos recientemente ha atraído la atención de los "migrólogos" (antropólogos, economistas, demógrafos, historiadores) que se encontraron súbitamente con el fenómeno en sus propias comunidades o en las localidades en las que realizan sus estudios. Sin embargo, éste es un campo relativamente inexplorado. Los estudios publicados hasta el momento apenas empiezan a dibujar las distintas líneas de un complejo entramado que está en plena evolución. Este trabajo pretende, a partir de los datos empíricos, aportar más elementos para esta discusión.

Analizo aquí algunas de las percepciones que tienen los estadounidenses acerca de los migrantes mexicanos y de la migración. Cabe aclarar que, aun cuando en este texto no abordaré muchos de los matices encontrados a lo largo de mi investigación, parto de la base de que ni "los mexicanos" ni "los estadounidenses" son un conjunto homogéneo; por el contrario, se trata de grupos con una gran diversidad interna, en los que el análisis de las diferencias es de central importancia para entender cuáles son y cómo se generan sus dinámicas internas. Como afirman Zúñiga y Hernández León

los grupos étnicos y raciales no son homogéneos. Aunque esto pueda parecer un punto obvio, mucha de la bibliografía acerca de las relaciones interétnicas olvida convenientemente las diferencias y divisiones intragrupalas. Nosotros sostenemos que en el caso de

Dalton,⁶ los inmigrantes, los residentes nativos, blancos y negros no forman grupos homogéneos. De hecho, argumentamos que el paisaje interétnico del noroeste de Georgia no puede aprehenderse plenamente si no se entienden las divisiones de clase que existen, particularmente entre los blancos. [...] [Por otro lado] a pesar de que los (inmigrantes) recién llegados muestran una elevada homogeneidad en términos de su origen nacional, las diferencias basadas en el estatus legal, la clase, el género, las raíces regionales dentro de México y la experiencia en Estados Unidos lentamente se están volviendo más relevantes en las dinámicas intragrupalas de la población inmigrante (Zúñiga y Hernández León, 2005b: 255).

LOS PROBLEMAS: LAS PERCEPCIONES DE LOS ESTADUNIDENSES RESPECTO DE LOS MIGRANTES MEXICANOS

Las percepciones que los estadounidenses tienen acerca de los migrantes mexicanos pueden aportar datos clave para la comprensión de los problemas generados por la llegada de miles de migrantes a las ciudades y pueblos del sur estadounidense. Aunque los problemas que esta nueva realidad supone son muchos y muy diversos, aquí me centraré en la discusión en torno a tres percepciones de los estadounidenses sobre los migrantes mexicanos: los migrantes y su papel en la economía, los migrantes y la criminalidad, y el estatus indocumentado de los migrantes, o los migrantes y la ilegalidad.

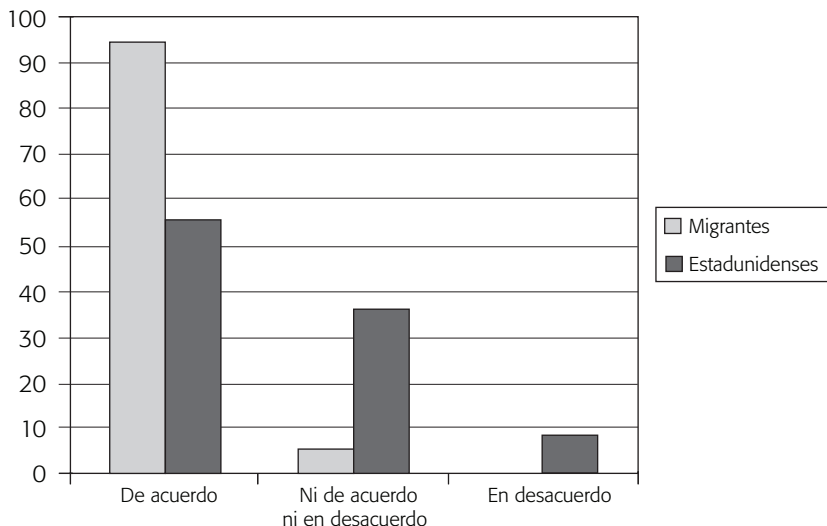
LOS MIGRANTES Y SU PAPEL EN LA ECONOMÍA

Determinar si la migración y los inmigrantes producen un efecto positivo o negativo en la economía de Estados Unidos es una cuestión muy complicada. Existe una amplia gama de percepciones y de argumentos que van desde las posturas radicalmente aperturistas y las radicalmente restriccionistas.

A manera de un primer acercamiento, a continuación presento algunos de los datos obtenidos en las encuestas aplicadas entre 2006 y 2008 tanto a migrantes mexicanos en el condado de Gwinnett como a estadounidenses residentes en Georgia.

⁶ Dalton es una ciudad ubicada en el condado de Whitfield, al noroeste de la ciudad de Atlanta, y es considerada la capital mundial de las alfombras, ya que es sede de grandes fábricas de grandes empresas textiles (por ejemplo Mohawk). De acuerdo con el Dalton Convention and Visitors Bureau, el 90 por ciento de las alfombras que se producen en el mundo es fabricado allí. Además en Dalton se encuentran también numerosas plantas de procesamiento de carnes y aves (entre las más conocidas está Pilgrims Pride). Lo que los autores afirman en el caso de Dalton puede hacerse extensivo a otras localidades receptoras de migrantes en el estado de Georgia.

Gráfica 3
LOS MIGRANTES MEXICANOS TIENEN UNA INFLUENCIA POSITIVA
EN LA ECONOMÍA ESTADUNIDENSE
(%)



Fuente: Elaboración propia con base en datos de las encuestas EM (2008), EAW (2009-2010) y EAL (2010) aplicadas en el marco del proyecto.

En relación con la cuestión de si los migrantes tienen una influencia positiva en la economía de Estados Unidos, no sorprende que un contundente 94.4 por ciento de los migrantes mexicanos encuestados diga estar muy de acuerdo con esta afirmación. Como dice una de las migrantes encuestadas: “Los mexicanos claro que somos buenos para la economía de Estados Unidos porque nosotros lo dejamos todo para venir acá, a eso venimos. Nosotros somos los que sacamos adelante a ese país, aunque digan que no, gracias a nosotros está creciendo este país” (EnM14, 2006, mujer, 36 años).

El impacto económico de la migración es más fácil de identificar en el caso de los migrantes que llegaron en la década de los noventa, cuando Georgia apenas empezaba a constituirse como un polo de atracción. Ellos tienen la posibilidad de comparar cómo eran las cosas cuando llegaron y cómo han ido evolucionando. Judith Martínez, la editora y fundadora del periódico *Atlanta Latino* platica:

En 1996 con lo de las olimpiadas, allí empezó la ola de inmigrantes, y ni comparar... el nivel económico es súper diferente. La Bufford Highway es como Reforma en México, es una avenida que cruza bastantes ciudades y estaba muerta antes. Llegaron los hispanos y ahora hay como ochocientos negocios, ha habido un *boom* en negocios y medios de co-

municación; hay un canal de la televisión local de Georgia que es todo en español (EnM1, 2006, mujer, 36 años).

Sin embargo, resulta interesante notar que el 55.5 por ciento de los estadounidenses encuestados consideró que los migrantes sí son buenos para la economía del país. Uno de los argumentos –entre muchos otros– que sostiene esta postura es que el inmigrante poco calificado contribuye al crecimiento económico de Estados Unidos “al ocupar un nicho vital en la fuerza laboral, sólo que este nicho fue creado por la realidad demográfica de que, entre 1960 y el 2000, el porcentaje de residentes estadounidenses nativos en edad laboral, sin un diploma de educación media superior, bajó de cincuenta a doce” (Riley, 2008: 68). Es decir que el nicho laboral ocupado por los migrantes poco calificados se abrió, entre otras cosas, a partir del avance educativo de la población estadounidense.

No obstante, hay que señalar que un notorio 36.1 por ciento de los estadounidenses encuestados decidió no asumir una postura en relación con la pregunta de los beneficios que aportan los migrantes a la economía de la sociedad receptora. Es necesario explorar esta ambivalencia con mayor profundidad porque posiblemente tenga que ver con los distintos puntos de vista en cuanto a asuntos económicos menos generales.

Otro de los grandes temas en el debate sobre la inmigración es la cuestión del pago de impuestos y de la contribución, o la falta de ésta, de los inmigrantes al sistema fiscal tanto federal como estatal y local.

Muchos migrantes argumentan que el pago de impuestos y el escaso uso de los sistemas de seguridad social son otras de las razones por las que el impacto de la migración en la economía estadounidense puede calificarse como positivo. “Los migrantes son buenos para la economía de Estados Unidos porque, fíjese, hasta [a] los que no tienen papeles de todos modos les cobran *taxas* [taxes: impuestos]” (EM36, 2008, mujer, 60 años). Y en esto coinciden algunos estadounidenses cuando afirman que “si los migrantes producen dinero y pagan impuestos, entonces está bien. Económicamente, la migración no es mala, sólo [lo es] si los inmigrantes no pagan impuestos” (EnA1 2006, hombre, afroamericano, 30 años). Otro entrevistado estadounidense dice: “yo trabajo con población mexicana inmigrante y me parece que son muy trabajadores, honestos y muy orientados hacia la familia, no me parece que tengan tantas probabilidades de depender de la asistencia gubernamental” (EAW7, 2009-2010, hombre estadounidense blanco, 61 años).

Esta última es una afirmación importante, porque uno de los argumentos más frecuentes e incendiarios en el discurso restriccionista es que los inmigrantes están acabando con el sistema de seguridad social estadounidense al hacer un uso desmedido de la educación y la salud públicas, y al recurrir con enorme frecuencia al sistema

de asistencia gubernamental que incluye los seguros de desempleo, los cupones de comida y otras prestaciones que el gobierno estadounidense le otorga a sus ciudadanos.

Esta discusión tiene como foco principal a los migrantes indocumentados, puesto que los hispanos con residencia legal sí están obligados a pagar impuestos, mientras que la percepción generalizada es que los inmigrantes sin papeles no lo tienen que hacer. Sin embargo, es cada vez más reconocido el hecho de que los migrantes indocumentados sí pagan impuestos y lo hacen por varias vías. Como cuenta Judith Martínez, editora del periódico bilingüe *Atlanta Latino*, “el Georgia Institute Budget [Georgia Budget and Policy Institute] hizo un estudio que muestra que los inmigrantes sí pagan impuestos y bastantes [...]. El latino ha contribuido a la economía del Estado” (EnM1, 2006, mujer, mexicana, 36 años). Otro de nuestros encuestados afirma: “Y luego uno aquí de por sí sí está pagando *taxes*; las paga uno como si fuera de aquí. Ya es mucho y es el trabajo de uno” (EnM7, 2006, hombre, 47 años).

LOS MIGRANTES Y LA CRIMINALIDAD

Los datos de la encuesta aplicada a estadounidenses en la región de estudio muestran que ante la afirmación “los migrantes aumentan la criminalidad” una mayoría relativa de los estadounidenses encuestados (el 41.7 por ciento) estuvo en desacuerdo (ninguno dijo estar en total desacuerdo); mientras que un 25 por ciento no asumió una postura (dijo estar “ni de acuerdo ni en desacuerdo”) y un 33.4 por ciento consideró que los migrantes sí aumentan la criminalidad en Estados Unidos.

Cuadro 2				
ENCUESTA A ESTADUNIDENSES: LOS MIGRANTES AUMENTAN LA CRIMINALIDAD				
	Frecuencia	Porcentaje	Porcentaje válido	Porcentaje acumulado
Muy de acuerdo	2	5.6	5.6	5.6
De acuerdo	10	27.8	27.8	33.3
Ni de acuerdo ni en desacuerdo	9	25.0	25.0	58.3
En desacuerdo	15	41.7	41.7	100.0
Total	36	100.0	100.0	

Fuente: Elaboración propia con base en datos de la encuesta EAW (2009-2010) aplicada en el marco del proyecto “Percepciones sobre las culturas en las zonas de contacto: fricciones y encuentros en el caso de la migración mexicana al sur de Estados Unidos”.

Es importante mencionar que otras encuestas arrojan resultados distintos de los que pude captar en el trabajo de campo. Una de ellas, citada por Riley, encuentra que

casí el 75 por ciento de los estadounidenses percibe un vínculo causal entre el aumento de la migración y el aumento de la criminalidad [...]. Ciertamente Hollywood promueve esta percepción errónea con producciones populares como *El padrino*, *Scarface* y *Los Soprano*. Los informes noticiosos sobre los cárteles colombianos que trafican cocaína o sobre las pandillas salvadoreñas pueden conducir a que la gente crea que los inmigrantes son responsables por las tasas de criminalidad más elevadas (2008: 193).

No obstante, los datos obtenidos en mi investigación permiten suponer que la idea de los migrantes como potenciadores de la criminalidad ha tenido efectos diferenciados en la población estadounidense. Algunos de los encuestados estadounidenses me aclararon que tuvieron problemas para contestar el cuestionario debido a que no se especificaba si las preguntas se referían a los migrantes con documentos o a los indocumentados. La vaguedad en la formulación del cuestionario fue intencional, pues justamente se pretendía identificar las percepciones hacia los migrantes en general y dar cuenta, sin inducir la respuesta, de qué es lo que viene a la mente de los estadounidenses cuando se les hacen preguntas acerca de los migrantes en general. El hecho de que algunos encuestados hayan señalado esta generalización muestra, por lo menos en ellos, una visión un poco más compleja, puesto que tienen plena conciencia de las diferencias que podrían existir entre la migración legal y la indocumentada, y, por decirlo de manera coloquial, no meten a todos en “el mismo paquete” que es quizás uno de los principales temores de los mexicanos con residencia legal.

Sin embargo, desde mi punto de vista, este argumento que traza una línea tajante entre migración legal y la indocumentada es utilizado por muchos estadounidenses para poder expresar puntos de vista negativos acerca de los migrantes, sin dejar de ser políticamente correctos. Es decir, al marcar esta diferencia, logran expresar ideas que de otra manera podrían parecer racistas y estereotipadas, pero al hacerlo, de alguna manera estereotipan también a los migrantes indocumentados:

Siento que, como en el caso de los estadounidenses, hay buenos y malos inmigrantes. Los inmigrantes que llegan a América para vender drogas y convertirse en miembros de las pandillas sí aumentan la criminalidad y no son buenos para América. Aquellos que vienen legalmente y mantienen sus trabajos y a sus familias son buenos para nuestra economía. Mi principal problema con los inmigrantes son los que vienen aquí de manera ilegal y venden drogas, etc. (EAW14, 2009-2010, mujer blanca, 62 años).

Este comentario, hecho por una de las encuestadas estadounidenses, aunque intenta ser justo con los inmigrantes y evitar generalizaciones, sin querer cae en otra generalización más: los migrantes con documentos son buenos, trabajadores y productivos, los migrantes indocumentados son criminales que venden drogas o se juntan en pandillas. En realidad todos los migrantes con documentos no son buenos ni productivos, ni todos los indocumentados son criminales y flojos.

No obstante, la encuesta electrónica arrojó afirmaciones mucho más contundentes en cuanto a la relación entre migración indocumentada y delincuencia, lo cual puede indicar que, al no estar frente a frente con una encuestadora mexicana, los encuestados se sienten con mayor libertad de expresar sus percepciones negativas. Estos datos también muestran la clara asociación (cuando menos en un tercio de los encuestados) entre la ilegalidad de la migración y la criminalidad o la delincuencia. Este punto se discutirá con mayor profundidad en uno de los siguientes apartados.

Es importante subrayar que, a pesar de las imágenes negativas que se transmiten en los medios de comunicación –que no solamente incluyen a los noticieros o periódicos, sino a los programas de televisión, las películas e incluso muchas novelas– y que pintan a los latinos o hispanos como delincuentes, criminales, traficantes de drogas y de personas, etc., una mayoría de los encuestados no asocia la migración con la delincuencia. Esto indica que la penetración de las imágenes mediáticas no es tan directa e inmediata como podría pensarse. La mayoría de la gente reconoce que hay mucho de positivo tanto en la cultura mexicana como entre los mexicanos.

De hecho, hay estudios que demuestran que no existe un vínculo directo entre la migración y la delincuencia en Estados Unidos. Por ejemplo Rumbaut y Ewing afirman que

Aun cuando la población indocumentada se ha duplicado desde 1994 hasta alcanzar los doce millones, la tasa de crímenes violentos en Estados Unidos ha decrecido un 34.2 por ciento y la de los crímenes contra la propiedad ha caído un 26.4 por ciento [...] ciudades con una importante población de inmigrantes tales como Los Ángeles, Nueva York, Chicago y Miami también han experimentado tasas decrecientes de criminalidad en este periodo (2007).⁷

Otro estudio citado por Riley, realizado en 2005 por Kristin Butcher y Anne Morrison para el Federal Reserve Bank of Chicago muestra que “los inmigrantes recién llegados tienen las tasas de encarcelamiento comparativamente más bajas, y

⁷ El texto completo de este informe realizado para el Immigration Policy Center se puede consultar en http://borderbattles.ssrc.org/Rumbault_Ewing/printable.html.

las tasas relativas de institucionalización han caído en las últimas tres décadas”. En 1980, la tasa de encarcelamiento de extranjeros estaba un punto porcentual debajo de la de los nativos; en 1990, estaba un poco más de uno por ciento abajo; y en el 2000 era casi tres por ciento más baja” (Riley, 2008: 194).

EL PROBLEMA DE LA ILEGALIDAD

No hay que olvidar que hablar de “inmigrantes” o de “mano de obra”, o de “trabajadores migratorios” es una generalización que oscurece el verdadero nudo del debate migratorio y que tiene una incidencia medular sobre la vida de millones de personas –los que se fueron, los que se quedaron, los que ya estaban–. Me refiero aquí a la cuestión de la ilegalidad.

Lacy y Odem explican que

Desde el 11 de septiembre de 2001, las preocupaciones acerca de la seguridad nacional han moldeado las actitudes de los sureños hacia todos los inmigrantes, pero la cuestión que más afecta a la población nativa es la del estatus de residencia de los inmigrantes latinos. En cartas a los periódicos, artículos editoriales, reuniones públicas, programas de radio en vivo, *blogs* de internet, *chats* en línea y en muchos otros lados, los residentes del Sur han vinculado la ilegalidad de los inmigrantes con la complicidad en los problemas económicos y sociales de la región. La lista de acusaciones contra ellos generalmente incluye las siguientes: están aquí sin autorización y por lo tanto son criminales; desangran a la economía por la carga adicional que producen sobre los proveedores de educación y servicios de salud, sobre el sistema judicial y los servicios sociales; no pagan impuestos; aumentan los índices de criminalidad; se roban los trabajos que deberían ser para los estadounidenses; disminuyen los salarios; significan una amenaza para los valores y las culturas regionales de Estados Unidos. Aunque muchos de los que tienen estos sentimientos generalmente dicen que su objeción real es contra los “extranjeros ilegales”, muchas de sus acusaciones van dirigidas a todos los inmigrantes latinos (2009: 145-146).

Ciertamente ésta es la cuestión que más preocupa a los estadounidenses que no están de acuerdo con la migración y, al mismo tiempo, se trata de un tema poco retomado por los que adoptan una postura aperturista. Sin embargo, existen ya algunos estudios que permiten esclarecer lo que quizá sea la razón más profunda para dar solución al tema migratorio entre México y Estados Unidos: la ilegalidad en sí misma es benéfica para la economía estadounidense.

El análisis de Hanson sobre los costos y beneficios fiscales de los inmigrantes legales en comparación con los de los inmigrantes indocumentados, le permite concluir que “[...] hay poca evidencia de que la inmigración legal sea económicamente preferible a la inmigración ilegal [...] de hecho, la inmigración ilegal responde a las fuerzas del mercado, de manera en que la inmigración legal no lo hace” (Hanson, 2007: 5).

De acuerdo con Riley (2008: 92), esto se debe a que los migrantes indocumentados se adaptan bien a los ciclos de la economía estadounidense: cuando la economía se expande, los migrantes se trasladan hacia donde se encuentran los nuevos nichos laborales, mientras que cuando la economía se contrae, ellos pueden fácilmente moverse hacia otros sitios con mejor demanda laboral.

Algunos estadounidenses, como uno de los blogueros del sitio Black Voices, identifican el problema así: “Son las compañías las que mantienen a los ilegales aquí para poder mantener una fuerza laboral verdaderamente barata. Estoy harto de ellos” (Brtrs, posteo en Black Voices, 2010). El sitio Immigration Human Cost lo explica más claramente: “Por supuesto que la idea de ‘los trabajos que los estadounidenses no quieren realizar’ es un mito impulsado por los negocios y empresas que quieren disponer de una interminable oferta de mano de obra barata [...]. La inmigración funciona entonces como un subsidio a las empresas, porque las industrias obtienen mano de obra barata mientras que los ciudadanos que pagan impuestos asumen los costos colaterales” (Immigration Human Cost, s.f.).

De acuerdo con

un informe de 2004 del Urban Institute estimó que entre el 40 y el 49 por ciento de todos los inmigrantes en Georgia en 2000 eran indocumentados. El porcentaje sería notablemente más elevado si solamente se contara a los inmigrantes latinos. El informe “Migrantes no autorizados”, de Jeffery Passel, elaborado en 2005, estima que a nivel nacional los latinoamericanos representan un 81 por ciento de la población no autorizada (Odem, 2009: 115).

La idea de que Estados Unidos es un país de inmigrantes, hecho por inmigrantes, es uno de los discursos fundacionales de la identidad estadounidense. Uno de los encuestados lo expone de la siguiente manera:

Todos nosotros venimos de diferentes culturas y nos hemos mezclado [hasta formar] lo que se conoce como un americano. La familia de mi padre vino de Alemania y de Escocia en los 1700; mis abuelos del lado de mi madre vinieron de Noruega alrededor de los 1900. Mi abuelo de Noruega tenía un título de licenciatura (ingeniería química). En la familia

de mi padre (del sur de Estados Unidos) muy pocos antes de su generación se habían graduado de la Universidad (EAW14, 2009-2010, hombre, estadounidense, blanco, 69 años).

Este tipo de discursos son muy frecuentes entre los estadounidenses, lo que llevaría a pensar que asumir el valor fundacional de las anteriores olas de migrantes y criticar a los recién llegados implicaría una contradicción fundamental. Sin embargo, se ha documentado ampliamente (Diner, 2008; Riley, 2008) que cada periodo de migración masiva ha provocado movimientos y sentimientos antiinmigrantes y que las características y efectos negativos ahora atribuidos a la migración mexicana (o latina), antes le fueron también atribuidos por ejemplo, a la migración irlandesa o a la italiana.

Sin embargo, para muchos de los estadounidenses que no están de acuerdo con la migración actual, la forma más sencilla de soslayar la contradicción antes señalada es hacer una distinción, un tanto falaz y estereotípica, entre la migración legal y la migración "ilegal".

Un informe del Pew Research Center y del Pew Hispanic Center, publicado el 30 de marzo de 2006, afirma que

la gran mayoría del público considera que la inmigración ilegal, más que la inmigración legal, es el principal problema que enfrenta Estados Unidos. Seis de cada diez estadounidenses dicen que la inmigración ilegal es el mayor problema, comparado con sólo un 4 por ciento que afirma que es la inmigración legal. Sin embargo, una considerable minoría (el 22 por ciento) cree que tanto la inmigración legal como la ilegal son preocupantes. Solamente un 11 por ciento dice que ninguna de las dos representa un gran problema (Pew Research Center [...], 2006: 13).⁸

Otras percepciones más radicales afirman, por ejemplo, que "somos un país de inmigrantes [...] con 'cuotas' para la entrada 'legal' a nuestro país desde muchos otros países en todo el mundo, no sólo desde México. Algunas veces pienso que hay una inequidad entre la gente de otros países [...] distintos de México que quieren venir a nuestro país legalmente y pasar por todo el proceso. Los ilegales de otros países son deportados cuando los encuentran" (EAW10, 2009-2010, hombre, 70 años). Otra de las encuestadas afirma por su parte que está "totalmente en contra del flujo de millones de extranjeros ilegales. Tenemos leyes, ¡jobedézanlas! Estoy especialmente en contra por respeto a todos aquéllos que llenan los papeles, los vuelven a

⁸ El documento completo titulado "America's Immigration Quandary No Consensus on Immigration Problem or Proposed Fixes" puede encontrarse en versión PDF en <http://people-press.org/files/legacy-pdf/274>, consultada el 28 de diciembre de 2009.

llenar, esperan su turno por largos periodos de tiempo. ¡No está bien!” (EAW36, 2009-2010, mujer, 86 años).

En general, estas expresiones señalan algunos puntos importantes: existe una violación a la ley cuando cualquier inmigrante entra al país sin seguir los canales oficiales, y esto, ciertamente, podría pensarse como una injusticia para quienes sí siguen los canales legales para conseguir su permiso de entrada. Pero este tema sólo es relevante si se piensa en otorgar automáticamente derechos ciudadanos a los inmigrantes indocumentados (y de esto no hablan los encuestados, aunque supongo que es lo que tienen en mente cuando abordan el tema). Sin embargo, si solamente se está hablando de la entrada ilegal al país, estas expresiones no consideran que la mayor parte de los migrantes que cruzan la frontera sin documentos no buscan la ciudadanía estadounidense, sino buscan trabajo, para el cual sí existe demanda en Estados Unidos. Ni toman en cuenta que el cruce indocumentado de la frontera significa grandes riesgos para la salud, la integridad e incluso la vida de los migrantes.⁹ Si tuvieran la opción, seguramente los migrantes preferirían seguir los canales legales y no arriesgarse cruzando de manera ilegal.

En este caso, Riley identifica claramente el verdadero problema:

Toda persona razonable se opone en principio al comportamiento ilegal. La cuestión con respecto a la inmigración es si nuestras leyes actuales tienen sentido, si están logrando las metas esperadas que fijaron los responsables políticos que las pusieron en funcionamiento. Las malas leyes deben reformarse no aplicarse, y las leyes actuales sobre inmigración nos han dejado un número que supera los doce millones de inmigrantes ilegales a Estados Unidos (2008: 223).

Así, el problema es que existe una demanda de mano de obra poco calificada que no se reconoce, por lo cual las leyes solamente ofrecen un número restringido y poco realista de visas de trabajo. La mayor parte de los problemas relacionados con la migración indocumentada podrían resolverse con mayor facilidad si se reconociera la demanda existente de la mano de obra migrante y se diseñaran leyes acordes con esta realidad.

Finalmente hay un punto más que es importante señalar. Es frecuente que muchos estadounidenses asocien el estatus de indocumentados de los inmigrantes con un acto criminal. Por ejemplo D.A. King me dijo: “Los extranjeros ilegales están quebran-

⁹ Por no mencionar lo que le cuesta a cada migrante pagarle al o los polleros o coyotes que habrán de guiarlo en el cruce. Este costo es más elevado que el de cualquier visa laboral. Actualmente las visas H2 cuestan 2025.00 pesos (o 150 dólares), mientras que el pago al pollero oscila entre los tres mil y cinco mil dólares.

tando las leyes estadounidenses, por lo tanto son criminales. Las leyes están hechas para cumplirse, no para ser ignoradas, y no podemos permitirles a los criminales permanecer en nuestro país y beneficiarse de los derechos que se supone deben ser para los ciudadanos respetuosos de la ley” (EnA, 2006). Éste es un tema que los medios de comunicación reproducen constantemente; sin embargo, como explica Riley: “muchas personas creen erróneamente que estar en el país de manera ilegal es un acto criminal en sí. No lo es y nunca lo ha sido. Es una violación civil, igual que una infracción de tráfico. Estar aquí sin autorización ciertamente es contra la ley, pero es una ofensa civil, no una ofensa criminal” (Riley, 2008: 212).

NO TODO ESTÁ PERDIDO: LAS PERCEPCIONES Y EXPERIENCIAS POSITIVAS EN EL CONTACTO INTERCULTURAL

Así como es importante documentar y analizar las percepciones negativas que existen en torno a los migrantes, también es fundamental dar cuenta del lado positivo de la moneda: existen una multiplicidad de percepciones positivas sobre la cultura mexicana y los migrantes de parte de muchos estadounidenses.

Las percepciones positivas de los estadounidenses acerca de los mexicanos y la migración

Ciertamente, la gastronomía es uno de los rasgos culturales de México más apreciados por los extranjeros en general y, en este caso, por los estadounidenses. Me detendré de manera más detallada en este tema, ya que cuando llegué por primera vez a Norcross la abundancia en la oferta gastronómica mexicana fue uno de los elementos que me llevó a pensar en el tema del impacto de la migración en las localidades suburbanas del sureste estadounidense. En un primer momento pensé que la existencia de tantos restaurantes podía ser una muestra de la penetración de la cultura mexicana en las nuevas zonas receptoras de migrantes. En efecto, en la zona metropolitana de Atlanta es posible encontrar una gran cantidad de restaurantes mexicanos.

Nada más en la zona de Norcross se encuentran más de cincuenta restaurantes que se anuncian en internet y que pueden localizarse con una simple búsqueda en Google. Entre ellos están El Vaquero Mexican Grill, Vallarta, Mexican Grill, El Torero Mexican Restaurant, Zapata, Lupita’s Mexican Restaurant, El Norteño, Willy’s Mexican Grill, El Taco Veloz, Los Arcos y el Frontera Mex Mex Grill, Gorditas La Rancherita y El Amigo. Pero un paseo por las calles, avenidas, *highways* y *freeways*

de Norcross permite ver que la oferta es mucho más amplia. Muy cerca del Taco Veloz se encuentran las Tortas Locas y la panadería La Esperanza.

De hecho, puede pensarse que el mayor punto de contacto que una gran parte de los estadounidenses tiene con la cultura mexicana es justamente la comida, pero el hecho de apreciarla, no significa que todos ellos muestren actitudes más abiertas hacia el tema migratorio. Así pues, el trabajo de campo desarrollado a lo largo de seis años permitió matizar la percepción inicial de que la abundancia de ofertas gastronómicas mexicanas era muestra de una cierta apertura hacia lo mexicano y los mexicanos por parte de la sociedad receptora. En efecto, la fascinación por la variedad, colorido y sabores de la comida mexicana no implica forzosamente un mayor acercamiento con la cultura en general y con los mexicanos en particular. Varios de los encuestados/entrevistados que mencionaron la comida como una de las cosas que aprecian de la cultura mexicana también dijeron no conocer esa cultura ni tener contacto con mexicanos. A modo de ejemplo, es posible citar afirmaciones como éstas: “No sé mucho acerca de la cultura, no tengo opinión” (EAL2, mujer, estadounidense, blanca, 30 años), “No sé mucho acerca de la cultura mexicana” (EAL28, estadounidense blanco/a).

Sin embargo, lo interesante aquí es notar cómo la comida, la música y las fiestas y bailes son expresiones de la cultura mexicana que pueden ser difundidas a través de los medios masivos de comunicación, pero además son bienes culturales que pueden ser fácil y redituablemente comercializados. De esta manera, los estadounidenses pueden tener un fácil acceso a estos bienes culturales sin tener que pasar por el contacto con los mexicanos portadores de su cultura. Así, lo que el trabajo de campo permitió evidenciar es que a pesar del incremento de la población mexicana en el sureste estadounidense, los contactos entre ambas culturas siguen siendo mediados por los medios masivos (valga la redundancia) o por el mercado, mientras que los contactos cotidianos y directos son poco frecuentes.

Otro aspecto que vale la pena mencionar con respecto al aprecio de la música es que parece haber una contradicción entre esta percepción positiva y su contraparte negativa que afirma que los mexicanos son “ruidosos”. En efecto, una de las quejas de los estadounidenses es que los mexicanos ponen sus radios o estéreos a todo volumen. Lo primero que podría pensarse es que si los estadounidenses refieren que la música mexicana les gusta, no tendrían por qué molestarse al escucharla desde las bocinas de casa del vecino o desde los automóviles estacionados en el *front yard*. Sin embargo, el problema tiene doble naturaleza. Aunque no fue posible indagar con mayor profundidad sobre el tema, es probable que el tipo de música que los estadounidenses aprecian sea la que se comercializa como música tradicional, es decir, el mariachi o el bolero y no la música de banda que la mayor parte de los inmigrantes

pone en sus aparatos de sonido. Por otro lado hay también una implicación más profunda en esta contradicción: la distinción entre lo público y lo privado. La música mexicana puede gustarles siempre y cuando ellos elijan el lugar y el momento para escucharla; el problema con la música a todo volumen es que irrumpe en su espacio privado. Una hipótesis que valdrá la pena considerar para futuros estudios es que algunas de las fricciones entre mexicanos y estadounidenses se derivan de concepciones y usos diferentes del espacio público y del espacio privado. Esta idea, que surgió a partir de las observaciones en el trabajo de campo en Estados Unidos (y en otros realizados en México), la comparten otros investigadores como Massey y Capoferro que encontraron que

una encuesta realizada por una organización local sin fines de lucro reveló que lo que le molestaba a los residentes de El Paso (Texas) no eran los migrantes indocumentados per se, sino el hecho de que frecuentemente se detienen en los jardines a tomar agua y descansar. Por lo tanto, lo que a la gente no le gustaba era la invasión del espacio privado; si los migrantes hubieran permanecido invisibles o se hubieran quedado en las áreas públicas, a pocos les hubiera importado (2008: 30-31).

Algunos otros datos recolectados en el trabajo de campo sugieren que estas diferencias existen y se hacen particularmente evidentes en contextos de contacto cultural.

En cuanto a las fiestas y los bailes los encuestados dijeron por ejemplo que de la cultura mexicana les gustan “[las] ceremonias, festivas/ celebraciones” (EAL5, 2010, mujer, estadounidense blanca, 35 años); o las “fiestas [y] la ropa colorida”. (EAL30, 2010, mujer, estadounidense blanca, 31 años); o la “música [y] el baile” (EAL23, 2010, mujer, estadounidense blanca, 43 años). Aquí, también valdría la pena explorar a qué tipo de celebraciones, festivas y fiestas se refieren y cómo han llegado a conocerlas. Otras de las observaciones realizadas durante las diferentes temporadas de trabajo de campo es que las celebraciones como las ofrendas del día de muertos y los festejos a la virgen de Guadalupe atraen a algunos estadounidenses que, aun cuando no participan integralmente (sino más bien como público espectador), sí muestran un creciente interés por la historia y las tradiciones mexicanas.

Con respecto a las percepciones acerca de la familia, los estadounidenses encuestados las formularon de esta manera: dos de ellos dijeron que les gusta que los mexicanos tengan “vínculos familiares fuertes”; tres hablaron de que los mexicanos son “muy orientados hacia la familia” y los demás hablaron de la importancia de la familia, de la cercanía familiar y del respeto por la familia. El reconocimiento de este valor es interesante porque, en principio, entra en conflicto con uno de los principales valores de la cultura estadounidense: el individualismo. El énfasis valorativo

de este aspecto se coloca en los logros individuales y en la manera en que cada individuo logra forjarse a sí mismo y su propio destino. En este sentido, es interesante que algunos estadounidenses reconozcan la importancia de la familia como un valor positivo de los mexicanos. Aunque serían necesarios estudios más profundos para poder explicar esto; a manera de hipótesis identifico tres posibles líneas interpretativas. Por un lado, es posible que la cultura del Sur, al ser fundamentalmente agrícola, haya dependido en mayor medida del mantenimiento de los vínculos familiares como una forma de asegurar la reproducción económica y social, por lo que podría pensarse que en el Sur existe una fricción histórica entre el valor de la individualidad, derivado de la ética protestante, y el valor de la familia, derivado de razones económicas más instrumentales. Por otro lado, podría ser que las culturas africanas traídas por los esclavos, particularmente después de la guerra de Secesión, cuando ocurrió la reunificación familiar, hayan ejercido alguna influencia en las concepciones acerca de la familia incluso entre los blancos sureños. Finalmente podría pensarse también que el discurso sobre la descomposición social, producto de la sociedad moderna híperindividualista e híperconsumista, habría llevado a algunos estadounidenses a replantearse el valor del individualismo.

En cuanto al tema de la religiosidad, es interesante que haya sido mencionado por muchos estadounidenses encuestados como una de las características positivas de los mexicanos y de su cultura, ya que la religión ha jugado un importante papel histórico en la conformación del Sur como un área cultural distinta y particular dentro de Estados Unidos. En este sentido, el hecho de que uno de los ámbitos en donde los migrantes encuentran un importante espacio de socialización y refugio sean las iglesias (tanto católicas como protestantes) es sin duda un elemento que contribuye a que los estadounidenses sureños, profundamente religiosos, vean con buenos ojos la presencia de los mexicanos. En efecto, las congregaciones religiosas son, junto con la escuela, los espacios no privados en los que los migrantes (incluso indocumentados) se hacen visibles. Además, aunque la mayoría de los migrantes sean católicos, mientras que la mayoría de los estadounidenses sureños no lo son, el hecho de que la diversidad religiosa no haya sido un terreno de conflicto y enfrentamiento en el Sur contribuye a que los estadounidenses acepten la religiosidad de los mexicanos como un valor en sí mismo, independientemente de la denominación a la que se adscriban.

Finalmente, los encuestados reconocieron en los mexicanos las siguientes características positivas: trabajadores, amables y respetuosos.

El hecho de que los estadounidenses consideren que los mexicanos son trabajadores sí es una percepción influida por la migración, ya que no todos los que dieron esta respuesta han viajado en México. Asimismo esto se corresponde con las respues-

tas de la encuesta electrónica en donde el 47.2 por ciento de los que la respondieron dijeron estar de acuerdo en que los migrantes son buenos para la economía del país, pero además, “durante la década de los noventa los funcionarios públicos y los medios de comunicación [en Georgia] le prestaron poca atención a los inmigrantes, mostrando una mayor tendencia a enfatizar sus contribuciones económicas y su sólida ‘ética de trabajo’” (Odem y Lacy, 2009: xxiv).

Sin embargo, Mark Hutch, un bloguero estadounidense cuyo sitio recibe entre seiscientas y mil cien visitas diarias, escribe “cuando pienso en trabajo duro, mi mente inmediatamente imagina a alguien poniendo asfalto caliente sobre un techo a mediados de julio o alguien que pasa diez o doce horas diarias inclinado recogiendo cosechas. [...] Si hay algo que no está en discusión en este debate sobre la inmigración es que los trabajadores mexicanos no tienen miedo de realizar trabajos duros”.

Este reconocimiento de la capacidad y voluntad de trabajo de los mexicanos es relevante porque coincide con uno de los valores característicos de la cultura estadounidense: el trabajo como pilar de la identidad. Así, el hecho de que los estadounidenses reconozcan esta característica en los migrantes mexicanos es un área de oportunidad importante para fomentar una imagen positiva e impulsar una mayor aceptación de los mexicanos en el sureste de Estados Unidos. Sin embargo, este tema es uno de los que produce mayor división, pues ciertamente muchos estadounidenses sienten amenazadas sus posibilidades tanto laborales como salariales por el gran influjo de mano de obra barata y siempre disponible, tan es así que muchos estadounidenses conciben la migración como una “colonización” mexicana en sus pequeñas localidades, que, como en el caso de Dalton, ha provocado

cambios en las dinámicas del mercado laboral de los empleos en las fábricas de alfombras. Debido a la abundancia de tales trabajos en Dalton, los trabajadores blancos estaban acostumbrados a cambiar de empleadores y de puestos con frecuencia, [pero] en la medida en que el flujo de mexicanos y otros latinos empezó a llenar las vacantes y a ser una fuente muy abundante de mano de obra para las fábricas, los trabajadores nativos no pudieron sostener tales estrategias de mercado laboral. Los trabajadores blancos opusieron resistencia a estos cambios de varias maneras: cambiándose a plantas que todavía no estaban pobladas por mexicanos y mostrando violencia indirecta (por ejemplo, rajar las llantas de los vehículos de los latinos). De acuerdo con algunos administradores de plantas entrevistados en 1997, existía también animosidad entre los trabajadores negros y los mexicanos. En este contexto, la queja de la clase trabajadora local, blanca y negra de que “vienen todos aquí y nos quitan nuestros trabajos, fue todo menos una sorpresa” (Zúñiga y Hernández León, 2005b: 262).

Así, el trabajo de campo demostró que sí existe un buen número de percepciones positivas en cuanto a los mexicanos. Aun cuando estas percepciones puedan no estar construidas con base en la experiencia directa de los estadounidenses con migrantes, es importante reconocer que existen, ya que si se encuentran maneras de apuntalarlas mediante la difusión de esas características que ellos mismos consideran positivas, probablemente sea posible contribuir a una mejor imagen de los migrantes mexicanos, una que se apegue con mayor rigurosidad a la realidad de cientos de miles de hombres, mujeres y niños que cruzan la frontera en busca de una mejor calidad de vida para ellos y sus familias.

Experiencias de ayuda o apoyo entre mexicanos y estadounidenses

Muchos de los migrantes encuestados refirieron haber podido construir buenas relaciones de amistad con los estadounidenses: “Buenas experiencias, tengo muchas con amistades o con conocidos” (EM35, 2008, mujer, 25 años); y en general consideran que “aunque no todos, cuando tienen oportunidad, te ayudan. Siento que en general son buenos” (EM36, 2008, mujer, 60 años). Esta percepción se extiende también hacia quienes, sin ser amigos, se muestran amables o dispuestos a ayudar en los encuentros casuales. “He tenido también muchas buenas experiencias con los americanos, en las tiendas, en las calles, en todos lados” (EM33, 2008, hombre, 26 años). Aunque los mexicanos y estadounidenses viven realidades separadas, cada uno en su enclave social, ciertamente ocurren cada vez con mayor frecuencia encuentros fugaces y ocasionales en las tiendas y restaurantes, en las calles, en los parques y los centros comerciales. Estos pequeños encuentros cotidianos no implican el establecimiento de una relación interpersonal; sin embargo, sí contribuyen a moldear las mutuas percepciones de unos y otros. Hay otros ámbitos, como la escuela y las iglesias, en donde los encuentros sí producen, en mayor o menor medida, relaciones interpersonales, pero lo que el trabajo de campo me permitió ver es que los migrantes perciben en muchos estadounidenses (casi siempre aclaran que “no en todos”) una genuina voluntad de ayudar. Así, uno de los encuestados cuenta: “Una buena experiencia con los americanos es que una vez me ayudaron cuando se me dañó mi carro y hasta de comer me dieron, me llevaron a su casa y me quedé dos días. Los americanos son buenos” (EM32, 2008, hombre, 40 años).

Por otro lado, a pesar de que es bien sabido que existen dificultades y prejuicios en la relación con los afroamericanos, también hay algunos ejemplos de buenas experiencias y relaciones de amistad. Una de las mujeres encuestadas me contó que desde

que llegó a Georgia se hizo amiga de una mujer afroamericana, con quien lleva muy buena relación. Dijo que a veces le parece que es un poco agresiva y gritona, pero que con ella siempre se ha portado muy bien “A mí ella siempre me ayuda, siempre. Cualquiera cosa que necesito, ella nunca se niega, por decir, luego ella solita se ofrece y va con mis hijas a pedir *Halloween*, las lleva” (EM1, 2008, mujer, 30 años).

Además, las observaciones realizadas en Norcross, Atlanta y Lawrenceville me permitieron ver, por ejemplo, cómo muchas familias afroamericanas asistieron a la celebración del 5 de mayo organizada en el Centennial Olympic Park por un grupo de comunicación y relaciones públicas llamado Lanza Group-Hispanic Marketing PR and Events. Esta celebración se ha realizado por cuatro años consecutivos y se la conoce como Fiesta Atlanta. A ella asisten latinos de países tan diversos como Colombia, Perú, República Dominicana, Brasil, Honduras, Panamá y Guatemala (de acuerdo con las banderas que pude identificar en la celebración del 2010). De alguna manera, esta celebración del 5 de mayo se ha convertido en un evento para celebrar la latinidad. Es un festejo familiar, patrocinado por negocios que buscan llegar al mercado hispano. Asisten también familias de estadounidenses blancos y de afroamericanos que disfrutan de la música, la comida mexicana y el ambiente festivo. Por lo general pude observar que las familias se reunían en pequeños grupos (casi siempre de la misma nacionalidad), es decir, que entre los padres de familia no se veía mucha comunicación intercultural, sin embargo, los grupos de adolescentes que circulaban de un lado al otro del parque, haciendo cola para comprar unos tacos o esperando su turno en alguno de los juegos sí eran grupos mixtos, en los que algunas veces había estadounidenses blancos y otras afroamericanos.

Otros lugares en donde es posible notar la convivencia entre los hispanos y otros grupos culturales son los mostradores de los restaurantes de comida rápida (Wendy's, Mc Donald's o Burger King). Allí, la mayoría de los empleados son jóvenes afroamericanos y adultos hispanos e indios (hombres y mujeres). Un día, mientras esperaba mi comida pude ver cómo dos empleadas hispanas y un afroamericano bromeaban entre ellos. Al poco rato el joven negro salió por la puerta, ya sin uniforme y les dijo a sus compañeros con un marcado acento sureño “*I'm off for the day*¹⁰... *Hasta mañana amigos*”, haciendo un verdadero esfuerzo por pronunciar bien las palabras en español.

¹⁰ “Ya terminé por hoy...”.

Convivencia

Otra de las áreas en las que empiezan a verse cambios (en este caso referidos por los migrantes encuestados) es la de la convivencia. “Yo digo que las buenas experiencias con los americanos son muchas, tener de parte de ellos amistad y convivencia, no son como el hispano, ellos son cálidos y abiertos” (EM11, 2008, hombre, 22 años, técnico).

En general, los migrantes que dijeron haber tenido buenas experiencias con estadounidenses lo refirieron de esta manera: “Buenas experiencias son muchas; yo convivo con varios americanos y veo que son buenas personas” (EM30, hombre, 31 años, contratista), “Buena experiencias con ellos he tenido muchas, siempre me han recibido bien, siempre me han tratado bien” (EM29, 2008, mujer, 49 años). Otro de los encuestados dijo que ha conocido muchos “americanos” discriminadores y racistas “pero también otros americanos me han invitado a comer” (EM12, 2008, hombre, 23 años, pintor de casas).

Estas afirmaciones no permiten hablar de que exista un contacto cercano con los estadounidenses, aunque quizá sí lo haya, pero sí dejan ver que los migrantes han encontrado amabilidad y buen trato. Hay dos factores clave que intervienen en esta cuestión. En primer lugar, la hospitalidad sureña puede tener que ver con el buen trato superficial que algunos migrantes reportan. Un trabajador de la construcción me contó:

[...] un día estábamos trabajando en una casa, éramos varios haciendo el *roofing*. Hacía un montón de calor ese día, ya ves que aquí se pone bien pesado por ahí de julio o agosto. Bueno, la cosa es que ya llevábamos un rato trepados en el techo dándole, porque a nosotros nos pagan por trabajo terminado, cuando salió la señora de la casa con una jarra de agua bien helada y unos vasos, y nos llamó a todos a que descansáramos un poco y tomáramos el agua. No hablaba español ella, pero a puras señas nos invitó. Bien buena gente esa señora (EnM14, 2008, hombre, 39 años).

Independientemente de los puntos de vista que muchos estadounidenses puedan tener con respecto a la migración y a los migrantes, el rasgo cultural de la hospitalidad puede estar jugando un papel importante en el buen trato que éstos reciben. Es un trato cortés y amable que no forzosamente indica que esos mismos estadounidenses estén dispuestos a entablar una relación de amistad con los migrantes. Ciertamente, quienes tienen opiniones radicales en contra de la migración y quienes son calificados de racistas probablemente no tienen gestos hospitalarios, pero hay un gran número de personas cuyas percepciones o actitudes son más o menos neutrales

con respecto al tema migratorio y en ellas seguramente se impone el valor aprendido de la hospitalidad y “las buenas maneras”.

Por otro lado, los efectos de varias décadas de lucha por los derechos civiles han generado en un amplio sector de la población estadounidense una conciencia más amplia de la diversidad cultural y un sentido de lo que es políticamente correcto en el trato con las personas que son diferentes. Por lo tanto, en el trato superficial y cotidiano, suelen ser amables y atentos, lo cual no forzosamente implica un contacto interpersonal cercano o profundo.

Sin embargo, además de estos cientos o quizá miles de pequeños encuentros fortuitos, hay algunos estadounidenses que empiezan ya a compartir sus tradiciones y costumbres con vecinos o amigos hispanos (como en el caso de la amiga afroamericana de la encuestada que llevó a sus hijas a pedir *Halloween*), que a su vez les enseñan las costumbres mexicanas. “En lo personal sí he tenido buenas experiencias: nos invitaban a festejar en su casa o nos invitaban a festejar el día de pavo, nos llevábamos al tú por tú, los enseñamos a comer con tortilla” (EM7, 2008, hombre, 37 años, proveedor de servicios).

Otra de las encuestadas comenta “Hay mucha penetración de la cultura mexicana en la sociedad local; los gringos con los que convivo, todos mis vecinos sureños, les encanta la comida mexicana, la música, el tono de piel, la forma de vestir, el gusto por ciertos accesorios” (EnM1, 2008, mujer, mexicana, 36 años).

Así, los migrantes están aprendiendo acerca de las costumbres estadounidenses, pero las internalizan a su modo, por eso el *Thanksgiving* (el Día de Acción de Gracias) se ha convertido, en el lenguaje mexicano en Atlanta, en “el día del pavo”. Varios de los encuestados lo mencionaron como una de las tradiciones de la cultura estadounidense que les parecen “bonitas”. “Como la cultura mexicana no hay otra, pero también me gusta la cultura de acá, como el día del pavo; ellos también tienen sus tradiciones y me gusta por qué lo hacen” (EM13, 2008, mujer, 30 años). Aunque todavía muchos mexicanos no han internalizado el significado histórico y fundacional de la celebración, saben que existe y que es un día en que “los americanos se juntan, cocinan muchas cosas, pero lo más central es el pavo... hígole, ese día todo mundo hace su pavote” (EnM8, 2008, mujer, 28 años).

También, como parte de los supuestos culturales que valoran el esfuerzo y la lucha personal por salir adelante, muchos estadounidenses se dan cuenta de su privilegiada situación, un claro interés por ayudar a quien se ayuda a sí mismo. Durante los años transcurridos en Atlanta conocí a varios como John Cot y su esposa. Ella trabajaba como voluntaria en un hospital en donde conoció a la familia Germán, constituida por una madre divorciada y sus tres hijos adolescentes. Un día, el menor de ellos sufrió una fractura bastante grave a raíz de un accidente en patineta e inmediatamente

su madre y su hermana mayor lo llevaron al hospital, en donde fue atendido. Cuando llegó el momento de ver la cuenta del hospital, la familia Germán casi se desmoronó, puesto que debían una enorme cantidad de dinero. La señora Germán se acercó con las voluntarias a decirles que no podía pagar esa cantidad y a preguntarles qué opciones tenía para pagarla a plazos. La señora Cot la asesoró y juntas diseñaron un plan de pagos factible para la familia Germán. El matrimonio Cot, al conocerlos más a fondo y ver que eran una familia muy unida, luchadora y con muchas ganas de salir adelante, decidió ayudarlos en un principio con algunos de los pagos y al final acabaron liquidando la cuenta completa. Ante este gesto, la señora Germán fue a buscarlos a su casa con un pequeño regalo de agradecimiento: un platillo que ella había cocinado.

Desde entonces, inició una relación de amistad entre ambas familias, se visitaban constantemente y convivían mucho. Luego, cuando Karina, la hija mayor, una muchacha inteligente y estudiosa, con deseos de construir una carrera universitaria, iba a entrar a la preparatoria, el matrimonio Cot decidió apoyarla con los gastos de una escuela privada en la que pudiera recibir una mejor educación. Como la distancia entre la nueva escuela y la casa de Karina era grande, ella se mudó a vivir con los Cot entre semana y regresaba a su casa los fines de semana. Terminó la preparatoria con excelentes calificaciones, pero allí su sueño de estudiar medicina forense se vio truncado, pues para entrar a cualquier universidad, debía presentar prueba de su estancia legal en Estados Unidos (papeles que no poseía, ya que había ingresado como indocumentada con su madre y sus hermanos a los cinco años de edad). Ante el compromiso de Karina por forjarse un futuro, el matrimonio Cot contrató un abogado para que analizara las posibilidades que ella tenía para continuar con su educación superior. El abogado les informó que en Estados Unidos no había ninguna, que lo mejor que podía hacer era regresar a México y desde allí ver si le era posible conseguir una visa de entrada como estudiante.

Finalmente, después de un cuidadoso y doloroso análisis de las opciones reales, Karina presentó un examen de admisión a una universidad en Canadá, en donde fue aceptada (los gastos de colegiatura y manutención serían cubiertos por los Cot) y regresó a México (después de trece años de no estar aquí) para solicitar la visa de entrada a Canadá. Tuvo que dejar a su madre y a sus hermanos e irse a otro país con su padre que la esperaba con los brazos abiertos, pero a quien no había visto desde que era una niña. Esto significó también adaptarse a su familia paterna. Para ella, su mundo estaba en otro lado. Fue un proceso difícil que Karina enfrentó con valor y buena voluntad, y ahora dice que su sueño es ser una buena profesionista y que en Estados Unidos se apruebe la Ley de fomento para el Progreso, Alivio y Educación para Menores Extranjeros (Dream Act, Development, Relief and Education for Alien Minors Act), para que sus hermanos tengan un camino más fácil que el que le ha tocado recorrer a ella.

Las buenas experiencias que han tenido muchos migrantes en sus encuentros con los estadounidenses han sido hasta ahora individuales, si acaso familiares. Hay algunos ámbitos en los que se han realizado esfuerzos institucionales por lograr los reajustes necesarios para dar cabida a la nueva población hispana. “En nuevas áreas de destino de los migrantes, como Dalton, el súbito arribo de recién llegados latinos y mexicanos ha producido una gama de cambios a nivel de la comunidad. El orden tradicional de las comunidades locales ha sido cuestionado y redefinido por los recién llegados” (Zúñiga y Hernández León, 2009: 47).

CONCLUSIONES

El sur de Estados Unidos –entendido como una nueva zona de contacto, producto del reciente arribo de una importante ola de migrantes de origen mexicano– es, como ya lo han dicho varios de los investigadores citados en este trabajo, un área de estudio particularmente interesante. En primer lugar, por ser una zona de destino relativamente nueva ofrece la posibilidad de entender desde una etapa temprana cómo se reconfiguran las relaciones sociales por efecto de la migración. En segundo lugar, las características históricas de la región, marcadas por un constante proceso de fricciones y negociaciones entre las poblaciones blanca y afroamericana hacen de éste un lugar en donde los migrantes deben, a su vez, negociar su propia inserción social en un contexto en donde los conflictos y las tensiones sociales y culturales no están del todo resueltos.

Un patrón general que pudo observarse a lo largo de la investigación es que los espacios de convivencia entre estadounidenses y migrantes mexicanos son pocos todavía. Existen y cada vez son más numerosos y más complejos: desde breves encuentros en la calle, en las tiendas y en el transporte público, pasando por los espacios laborales, hasta los que se dan en sitios más densos (por constantes y cotidianos), como las escuelas o las iglesias. Una de las ventajas de describir el fenómeno de las percepciones entre culturas distintas en las zonas de contacto y las relaciones que se establecen entre ellas es que esta fotografía puede constituir un punto de partida –o cuando menos un punto estratégico en una etapa temprana del desarrollo histórico de la migración mexicana hacia el sur estadounidense–, que permita seguir su evolución a lo largo del tiempo.

Así, el análisis de las percepciones recogidas en Lawrenceville y Norcross permite afirmar que existen representaciones sociales (construidas con base en las percepciones) positivas de los mexicanos y de su cultura, las cuales dibujan la cultura mexicana con una imagen de riqueza y calidez, en la que los sabores de la gastro-

nomía, los sonidos de la música, el colorido del arte y de los trajes típicos, así como lo vistoso de los bailes constituyen potentes atractivos. La representación social positiva de los mexicanos los pinta, entonces, como gente trabajadora, amable y respetuosa, apegada a la familia y profundamente religiosa.

Por otro lado, describir las experiencias positivas que los migrantes han tenido con los estadounidenses, así como narrar situaciones en las que se han ido construyendo espacios de encuentro y convivencia entre ambas culturas, es importante porque los científicos sociales tendemos a concentrarnos en el análisis de los problemas sociales, dejando de lado el de las prácticas positivas y constructivas, de las cuales también hay muchas lecciones que extraer. Un panorama de la realidad social que pretenda ser completo y complejo debe considerar tanto los problemas y los conflictos como los encuentros.

Entre las experiencias positivas referidas por los encuestados/entrevistados hay historias de ayuda y apoyo, de convivencia, de aprendizajes mutuos que muestran que, mientras más cercano, directo y cotidiano es el contacto entre mexicanos y estadounidenses, más puentes se tienden entre unos y otros, que existe una mejor comprensión de las historias respectivas y que con ello se generan vínculos de solidaridad y de amistad. Crear tales puentes requiere frecuentemente de un esfuerzo consciente y de un constante ejercicio de tolerancia.

Los espacios de convivencia que se crean en lugares como las iglesias y las escuelas pueden convertirse en ámbitos de conocimiento y reconocimiento mutuo; en espacios en donde puedan compartirse las costumbres, las tradiciones, las formas de ser y de estar en el mundo. Una de las conclusiones que pueden extraerse del análisis de las percepciones tanto de migrantes como de estadounidenses es que la cultura es un ámbito en el que se producen y reproducen percepciones positivas. Compartir las prácticas culturales “del otro” es un modo de acercarse y comprenderse mejor.

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Understanding the Diversity Of Atlanta's Latino Population: Intersections of Race, Ethnicity, and Class

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ABSTRACT

The authors investigate how race is socially constructed among Latino immigrants. Drawing upon Omi and Winant's theory of "racialization," they call for a highly contextualized analysis that takes into account specific Latino groups and geographic locations. They develop their argument by investigating how Guatemalan and Dominican immigrants in Atlanta must negotiate their unique understandings of race with forces of racial homogenization that erase distinctions and characterize "all" Latinos as undocumented Mexican laborers. The authors explain how Guatemalans and Dominicans rely on different resources to challenge this racial construction and assert a distinct racial and ethnic identity.

Key words: immigration, Latinos, race

RESUMEN

Las autoras investigan cómo el concepto de raza es construido socialmente entre los inmigrantes latinos. A partir de la teoría de la "racialización" de Omi y Winant, ellas señalan la necesidad de emprender un análisis contextualizado que tome en cuenta a grupos específicos de latinos, así como diferentes regiones geográficas. Desarrollan su argumento al investigar cómo los inmigrantes guatemaltecos y dominicanos en Atlanta tienen que negociar su particular entendimiento de raza con fuerzas de homogeneización racial que borran cualquier distinción y caracterizan a todos los latinos como si fueran trabajadores mexicanos indocumentados. Las autoras explican cómo los guatemaltecos y los dominicanos manejan recursos diversos para desafiar esta construcción racial y afirmar sus identidades raciales y étnicas particulares.

Palabras clave: inmigración, latinos, raza

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INTRODUCTION

As the number of Latinos surpasses the African-American population in the U.S., scholars debate how the new largest race/ethnic minority will influence the traditional black/white color line (Frank, Akresh, and Lu, 2010; Winders, 2008). Some argue that Latinos will be subsumed into expanded categories of “black” or “white” based on skin tone, with dark-skinned Latinos considered “black” and lighter-skinned Latinos considered “white” (Feagin, 2001). Others argue that Latinos will forge a new, middle race category between “black” and “white” (Frank, Akresh, and Lu, 2010). We contend that none of these conceptualizations adequately capture the dynamics of race and racialization among Latinos. Instead, we argue for a highly contextualized analysis that takes into account specific Latino groups, specific geographic location, and intersections of class with race within specific groups (Winders, 2008).¹ In addition, we show that the categories of “race” involving Latinos move beyond a single dimension (whether it is with two or three categories) into multiple dimensions. That is, in conjunction with the black/white or black/brown/white axis, processes of racialization among Latinos create an “illegal/legal” axis. How these two axes work together varies for specific nationality groups, immigrant destinations, and class locations.

WHAT IS “RACIALIZATION”?

We rely on Omi and Winant’s conception of “racialization” (1994) to inform our analyses. Rather than understanding race as a fixed characteristic of individuals, they argue that race is continually socially constructed at multiple levels of social life—from individual interactions to state policies. The social construction of race signifies social conflicts and interests by referring to different types of human bodies. The content and importance of racial categories are determined by social, economic, and political forces. Omi and Winant locate forces of racialization within both social structure and cultural representations, so that race plays a fundamental role in structuring and representing the social world (1994). Individuals reinforce and reproduce racial categories through social interaction, while institutions propel racialization through organizational structures and practices. Thus, in the U.S., “race”

¹ We acknowledge that a full understanding of race and Latinos must also incorporate a consideration of gender and sexuality. Before delving into the three-dimensional and four-dimensional analyses that this entails, we focus on clarifying the relationship among race, ethnicity, and class in this article. See McCall (2005) for a discussion of the utility of looking at two dimensions of inequality to “contain” the complexity of intersectional analyses in empirical research.

suffuses access to the key resources that immigrants need to survive, including housing, schools, and the labor market (Rugh and Massey, 2010; López, 2002; Tomasovic-Devey, Zimmer, Stainback, et al., 2006).

We contend that we are in the midst of a shift of social understanding and construction of race in the U.S. South. The shift has been impelled by global economic restructuring, which created high demand for low-wage workers in the South; mass immigration of Latinos; and immigration laws and policies at federal and local levels. With the rapid influx of Latinos to new destinations and their increasing visibility in the South, they challenge the established black/white racial binary (Winders, 2008). Yet, the precise direction of the reconfiguration of racial categories remains an empirical question. Are Latinos pushing the boundaries of existing categories to create new binaries –white/non-white or black/non-black– or are they forging new, multiple categories of race that place many of them in the middle between “white” and “black” (Frank, Akresh, and Lu, 2010)?

THE ATLANTA CONTEXT

History of Latino Immigration to Atlanta

With a population of more than four million, metro Atlanta is the business and financial capital as well as the main transportation hub for the southeastern United States. For most of its history, Atlanta, like the rest of the South, was a biracial society (after the expulsion and quarantine of indigenous peoples). African-Americans and whites constituted the vast majority of inhabitants in southern states, with the exceptions of Texas and Florida; and the black-white divide profoundly shaped the region’s politics, social structure, and social geography. With the dramatic growth of its foreign-born population over the last quarter-century, the South became a major new immigration destination in the United States, home to millions of people originally from Latin America, Asia, and Africa.

Metro Atlanta experienced a period of robust economic growth in the 1990s, driven by the service and financial industries, and by construction, transportation, and public utilities. Economic expansion created a diverse range of job opportunities in white-collar and high-tech employment as well as for skilled and unskilled labor. As native-born blacks and whites took advantage of white-collar jobs, Latin American immigrants increasingly filled positions as laborers. A Brookings Institution study in 2000 defined Atlanta as “one of the nation’s great metropolitan success stories.” According to the report, “population and job growth show no sign of slowing in the Atlanta

area.... The region is a place of economic opportunities for both whites and African-Americans, and it is a magnet for new immigrants from Latin America and Asia" (Brookings Institution, 2000).

The total population of the Atlanta metro area grew rapidly, from 2.3 million in 1980, to 3 million in 1990, to 4.2 million in 2000. African-Americans composed 28 percent and whites 61 percent of the total population in 2000. Although native-born blacks and whites contributed significantly more to overall population growth, the foreign-born population grew rapidly, from 2 percent of the metro area population in 1980, to almost 4 percent in 1990, to 10 percent in 2000. In absolute numbers, it rose from 47 815 in 1980, to 117 253 in 1990, and to 424 519 in 2000, an increase of 262 percent from 1990 to 2000, and an amazing 788 percent from 1980 to 2000.

Diversity of Latino Immigrants in Atlanta

Immigrants in Atlanta come from hundreds of different countries and all regions of the world.² In 2005, the largest regional group came from Latin America (52 percent), followed by 25 percent from Asia, 11 percent from Europe, and 9 percent from Africa. The immigrants from Latin America are a diverse group in terms of nationality, race/ethnicity, class, and legal status. Unlike traditional Latino immigrant destinations, where one group initially dominated the immigrant community (such as Mexicans in Los Angeles and Cubans in Miami), Latino immigrants in Atlanta come from a variety of countries in Central and South America and the Caribbean. The largest national group by far is Mexican, but there are significant numbers of Guatemalans, Salvadorans, Hondurans, Colombians, and Venezuelans. The Latino immigrant population is further divided along lines of race and ethnicity and includes whites of European descent, mestizos (mixed race, usually of Spanish and Indian descent), Afro-Caribbeans, and indigenous peoples from Guatemala and Mexico.

Latino immigrants in Atlanta are diverse in socioeconomic status as well. There is a sizable group of Latino professionals in the region, many of whom serve the growing immigrant population as lawyers, accountants, dentists, and doctors. Other Latinos work as independent entrepreneurs, particularly in the urban and suburban South, where immigrants have opened bakeries, restaurants, contracting and landscaping companies, clothing and jewelry shops, cleaning and child-care businesses, and taxi companies.

² The 10 countries of origin which accounted for the most immigrants in 2005 were Mexico (29.7 percent), India (6.8 percent), Korea (4.1 percent), Jamaica (3.9 percent), Vietnam (3.5 percent), China (2.6 percent), Colombia (2.4 percent), Brazil (2.2 percent), El Salvador (2.1 percent), and the United Kingdom (2 percent).

The largest number of Latino immigrants work as laborers, primarily in the service and construction industries. More than 60 percent of Latino workers were employed in these industries in metro Atlanta in 2000, with 30 percent in construction and 34.6 percent in services, including work in hotels, restaurants, landscaping, and other services to buildings and dwellings. (These figures include both immigrant and native-born Latinos.) Another 12 percent of Latino workers in Atlanta are employed in manufacturing, largely in carpet factories and poultry-processing plants (Kochhar, Suro, and Tafoya, 2005).

Differences in legal status also characterize Latino immigrants in the region. The population includes naturalized citizens, legal residents, temporary workers, and undocumented immigrants. A significant portion of Latino immigrants in the South are undocumented. A report by the Urban Institute estimated that in 2000, between 40 and 49 percent of all immigrants in Georgia, were undocumented (Passel, Capps, and Fix, 2004). The increase in unauthorized immigration in the South reflects national trends. As of 2005, 11 million undocumented immigrants resided in the United States, constituting fully one-third of all immigrants nationwide. Of the undocumented, 78 percent are from Mexico or other Latin American nations.

COMPARING GUATEMALANS AND DOMINICANS: DATA AND METHODS

Atlanta's economic, political, and demographic situation thus provides an important context in which the divergent groups of Latino immigrants experience processes of "racialization." Yet, as we demonstrate with a comparison of Guatemalan and Dominican immigrants there, different groups bring divergent resources and understandings of "race" with which to navigate racialization processes.

We combine quantitative and qualitative data on Guatemalan and Dominican immigrants in Atlanta to support our argument. First, we construct a demographic profile of the two groups through analyses of the 2007-2009 American Community Survey (Ruggles, Trent, Genadek et al., 2010). The American Community Survey (ACS) is conducted by the U.S. Census Bureau every year and represents a probability sample of the population. Because the ACS sample of Dominicans is so small, we use the three-year combined ACS data from 2005, 2006, and 2007. Our demographic profile highlights the ways that the populations of Guatemalan and Dominican immigrants differ along key dimensions, including gender composition, educational attainment, and occupation.

Next, we explore how these demographic differences combine with divergent experiences and distinct understandings of race, drawing upon ethnographic fieldwork and interviews with Guatemalan and Dominican workers and community leaders in the Atlanta metro area. The qualitative research with Guatemalan immigrant workers and community leaders was conducted in two phases. From 2001 to 2003, Mary Odem interviewed 15 Guatemala immigrants in metro Atlanta and 8 social service professionals who work with Mayan immigrants. All of the immigrants interviewed are indigenous Maya, who make up the majority of all Guatemalans in Atlanta. She also attended community meetings and celebrations of Guatemala Mayan immigrants as well as several national-level meetings for community leaders involved in Maya Pastoral, a national organization with local branches supported by the U.S. Catholic Church. The second phase of the Guatemalan research was spearheaded by Irene Palma and Carol Girón, our collaborators at the Central American Institute for Economic and Social Studies (Incedes). In November 2009, Palma and Girón ran two focus groups and conducted seven individual interviews with Guatemalan community leaders in Cobb and Gwinnett Counties.

To obtain a social profile of the Dominican immigrant population in Atlanta comparable to our social profile of Guatemalans, two graduate students attended Dominican social events in Atlanta and interviewed seven Dominican community leaders during the summer of 2009. In the data collection, we used the same interview guide with the Dominican and Guatemalan community leaders. For the Dominican sample, we also drew upon 21 interviews conducted for another ongoing study of middle class Dominican (and Mexican) immigrants in Atlanta (see González and Browne, 2010).

COMPARING GUATEMALAN AND DOMINICAN IMMIGRANTS IN ATLANTA: DEMOGRAPHIC PROFILES

Looking at the disparities in gender composition, education, and occupation between Guatemalans and Dominicans highlights the extent to which these two groups inhabit different social and economic spaces in Atlanta. From Table 1, it is clear that gender is one of the most striking differences between the two groups. Approximately equal numbers of Dominican immigrants in Atlanta are male and female, while the majority (73 percent) of Guatemalan immigrants are male.

On average, Dominican immigrants in Atlanta are much more highly educated than Guatemalan immigrants. About 20 percent of Dominican immigrants in Atlanta hold a college degree, and another 50 percent completed high school (Table 1).

Guatemalans show a much more disadvantaged picture of educational attainment; almost half (47 percent) of Guatemalan immigrants did not attend school past the sixth grade, and an *additional* 22 percent did not graduate from high school. Only about 6 percent of Guatemalan immigrants in Atlanta are college graduates, and only 24 percent graduated from high school. Thus, while the majority of the Dominican immigrants have a high school diploma or more, the majority of Atlanta's adult Guatemalan immigrants did not complete high school.

Gender	Guatemalan (n=296)	Dominican (n=117)
Male	77.20	50.00
Female	22.80	50.00
	100.00	100.00
Marital Status		
Married, Spouse Present	21.20	29.50
Married, Spouse Absent	18.60	13.30
Widowed, Divorced, Separated	5.70	24.00
Never Married	54.50	33.20
	100.00	100.00
Education		
6th Grade or Less	47.10	9.30
7 th -12 th Grade (no H.S. diploma)	22.50	18.30
H.S. Graduate	24.20	53.20
BA or Above	6.30	19.30
	100.00	100.00

The gender and educational differences between the two groups are reflected in the labor market sectors in which Atlanta's Dominican and Guatemalan immigrants are concentrated (Table 2). For instance, 11 percent of Dominican women are employed in management, business, and finance occupations compared to none of

the Guatemalan women in the ACS sample.³ In contrast, more Guatemalan women are concentrated in jobs requiring low levels of education than Dominican women, such as food preparation (22 percent), factory production operatives (20 percent), and cleaning (23 percent). Male Guatemalan and Dominican immigrants in Atlanta most often work in construction, with rates of construction employment slightly higher for Dominican men (60 percent) than Guatemalan men (54 percent).

Table 2
 PERCENT OF EMPLOYED GUATEMALAN AND DOMINICAN IMMIGRANTS
 IN MAJOR INDUSTRIES BY GENDER, ATLANTA METRO AREA, ACS 2007-2009*

Occupation	Men		Women	
	Guatemalan	Dominican	Guatemalan	Dominican
Management, Business, Finance	6.70	2.80	0.00	10.90
Engineering, Computers, Science	0.20	1.60	0.00	3.50
Counseling, Legal, Education	0.10	0.80	2.00	7.20
Entertainment	0.30	1.00	0.00	0.00
Medicine, Health	1.00	3.70	2.00	0.10
Protection	0.00	3.40	0.00	1.30
Food preparation, Eating	5.90	3.80	22.35	1.00
Cleaning	9.40	2.00	23.00	17.50
Personal services	0.00	2.50	10.30	22.10
Sales	0.10	3.40	4.20	8.10
Office	2.20	0.70	5.40	15.00
Construction	53.80	60.10	0.00	0.00
Extraction, Repair	3.40	0.00	1.20	1.10
Production	5.30	6.60	19.60	2.70
Transportation	7.00	7.50	0.80	8.30

* Weighted percents using the combined 2007-2009 ACS files. Weights adjust for sampling design and non-response. Gender and poverty include all individuals. Marital status includes individuals age 18 and older. Education includes individuals age 25 and older. Occupation and industry includes individuals in the work force.

³ When examined by gender, we see that, although Dominican women are more prominent in management, business, and finance (about 11 percent), a greater percent of Guatemalan men are employed in this area compared to Dominican men. Given the gap in educational achievement between the two national groups, this discrepancy seems puzzling. However, about 3 percent of the Guatemalan men in "management, business, and finance" are construction managers. Indeed, when we look at *industries* in which Guatemalans and Dominican immigrants are concentrated in Atlanta, we find that about 18 percent of Dominican men and 24 percent of Dominican women work in professions, compared with only 9 percent of Guatemalan men and 16 percent of Guatemalan women.

Reflecting the educational and occupational distribution of the two national groups, median wages for Dominican and Guatemalan immigrants in Atlanta also diverge, with Guatemalans earning less than Dominicans (Table 3). Employed Dominican men earn approximately US\$24 000 in median wages, compared to US\$16 000 for Guatemalan men. The race/ethnic gap in wages is thus much larger than the gender gap for these two immigrant groups. With median wages of US\$21 000, Dominican women earn more than both Guatemalan women *and* men. Guatemalan women appear to face a “double jeopardy” of gender and race/ethnicity when compared to Dominican women and Guatemalan men, earning just US\$10 700 in median wages.

In addition to the wage data, poverty rates expose a wide difference in economic resources between Dominican and Guatemalan immigrants in Atlanta. Guatemalan immigrants in Atlanta are two-and-a-half times more likely to live in poverty compared to Dominican immigrants. About 11 percent of Atlanta’s Dominican immigrants live in poverty. This is lower than the poverty rate for the general population living in the Atlanta metro area (13 percent). Almost 30 percent –29.6 percent, to be exact– of Guatemalan immigrants in Atlanta are poor, a figure that *exceeds* the poverty rate for the general population in the Atlanta metro area.

Table 3		
MEDIAN ANNUAL WAGES FOR EMPLOYED GUATEMALAN AND DOMINICAN IMMIGRANTS, BY GENDER, ATLANTA METRO AREA, ACS 2007-2009*		
	Guatemalan	Dominican
Men	US\$16 000	US\$24 000
Women	US\$10 700	US\$21 000
* Wages for 2007 and 2008 adjusted to 2009 US dollars.		

It is clear from the American Community Survey census data that the Guatemalan and Dominican immigrants in Atlanta represent two very different populations. The resources and experiences that each of these groups bring to Atlanta are unique, and fail to be captured in aggregate statistics on “Latinos.” Further, we argue that the process of racialization differs greatly for these two groups as well.

PROCESSES OF RACIALIZATION AMONG GUATEMALAN AND DOMINICAN IMMIGRANTS IN ATLANTA

Current processes of racialization among Latino immigrants in Atlanta occur within a history of white-run political and economic institutions that have been created to systematically oppress blacks, on the one hand, and stem African-American resistance and a growing, influential black elite on the other. Slavery, secession, and Civil War legalized racial segregation and repression in the late nineteenth century, and its undoing by the Civil Rights movement of the 1950s and 1960s all form part of the history of race relations in Atlanta and the U.S. South. Currently Atlanta presents a seeming “paradox”: the existence of a large black middle class and significant black political influence, especially in the city of Atlanta, and the persistence of white-black racial inequality and high black poverty (Brookings Institution, 2000: 4-5).

When Dominicans and Guatemalans immigrate to Atlanta, they must negotiate the racial categories and meanings within their country of origin with the U.S. racial hierarchy in the South, on the one hand, and the ethnic category of “Latino” or “Hispanic” on the other; this negotiation occurs in a transnational space (Duany, 1998). Migrants often retain ties to their country of origin through traveling back and forth, communicating with family members via phone or the internet, and participating in events with co-ethnic family and friends (Smith, 2006).

One key point of difference in the process of racialization of Guatemalans and Dominicans involves their own racial and ethnic identity, constructed through the specific history and racial projects of their respective countries of origin. As noted earlier, the majority of Guatemalan immigrants in Atlanta are indigenous people, primarily Maya. With over four million people in Guatemala and Mexico, the Maya are one of the largest indigenous groups in the Americas. Most come from impoverished rural towns and villages in the western highlands of Guatemala where they speak one of more than 20 different Mayan languages and where families support themselves as small farmers, rural laborers, and market vendors. Centuries of discrimination and exploitation of their land and labor, first by Spanish colonizers and later the *Ladino* (European or mixed European-indigenous descendant) elite have left indigenous people impoverished and marginalized within their countries.⁴ Pronouncements of Indian inferiority and backwardness by dominant groups have justified and reinforced the subordination of indigenous peoples in Central America and Mexico from the colonial era to the present.

⁴ Although in other countries, “*Ladino*” has another meaning, in Guatemala, the term refers to those of European or mixed European and indigenous ancestry.

In striking contrast to the Guatemalan racial project of constructing the “*indio*” category to signal exclusion, the racial category of “*indio*” involves a nationalist racial project in the Dominican Republic.⁵ Dominicans hail from an island shaped by Spanish colonialism, the virtual elimination of the indigenous population (the Taíno), the African slave trade, and years of dictatorship. Dominicans represent a continuum of physical appearance, from dark skin and features that would be considered “black” in the U.S. to individuals who would be considered “white” in the U.S. (Bailey, 2001; Duany, 1998; Itzigsohn, 2009). Individuals in the same Dominican family can vary greatly in their skin tone. Although light skin is accorded higher status in the Dominican Republic, race does not play a strong role in organizing social life. Dominicans draw their sharpest racial boundary to distinguish themselves from Haitians (Bailey, 2001; Candelario, 2001; Duany, 1998). According to Duany (1998), racial categorization is based upon physical appearance and social status rather than biological heritage. Part of the racial project of the Dominican state under Trujillo was to vilify Haitians, and reserve the racial category of “black” to connote Haitians. After Trujillo, the Dominican government officially adopted the category of “*indio*” (indigenous), to distinguish the Dominican Republic from Spain and from Haiti (Duany, 1998; Roberts, 2001). Thus, unlike Guatemala, the category of “*indio*” conveys a proud, nationalist connotation (Roberts, 2001). This racial project is reflected in racial identity among Dominicans living on the island; Dominicans most often refer to themselves as “*indio*,” “*mulato*” (mixed) or “*trigueño*.” Dark-skinned Dominicans may refer to themselves as “*indio oscuro*” (dark indigenous).

The negotiation of racial categories from their countries of origin with processes of racialization in Atlanta also involves federal and local policies that construct Latino immigrants as “unwanted foreigners.” Although they contribute significantly to the country’s economic well-being, U.S. immigration policies prohibit the legal entry of many Latin Americans and deny them a legitimate place in U.S. social and political life. In the words of David Bacon, the nation’s immigration policies create a “special category of residents in the U.S. who have significantly fewer rights than the population as a whole; they cannot legally work or receive social benefits, and can be apprehended, incarcerated, and deported at any time” (1999).

In the last decade, state and local lawmakers have taken an increasingly aggressive stance toward unauthorized Latino immigration, convinced that federal authorities were not doing enough to address the problem. Charging that “illegals” burden taxpayers and increase crime rates, state and local legislators have enacted laws

⁵ See Wade’s discussion of the *mestizaje* ideology in Latin America for a similar argument about national inclusion and exclusion associated with a racial category (2005).

and ordinances that restrict or deny Latino immigrants' access to healthcare, housing, education, and transportation. Together, federal and local immigration policies have marginalized Latino immigrants and categorized them as a foreign race that poses a danger to U.S. society and is not suitable for full membership in the nation.

For Guatemalan Mayan immigrants in the United States, their indigenosity is not the central mark of difference and subordination, as it is in Guatemala, but rather their status as brown-skinned immigrants from south of the border. For the most part, U.S. authorities and citizens do not recognize ethnic distinctions among Latino immigrants; the Maya are lumped together with other Latino immigrants, and more often than not are perceived as Mexicans. They face the same epithets as millions of other immigrant workers: "illegals," "criminals," and "dirty Mexicans." Yet within the population of Latin American immigrants, the Maya encounter particular forms of discrimination as indigenous people. They are looked down on by other Latino immigrants who make fun of the way they speak Spanish and refer to them disparagingly as "*indios*" (Burns, 1993; Odem, 2003b; Popkin, 1999).

Some Mayan immigrants have challenged the status of "illegal Latino" and backward "*indio*" by organizing along ethnic lines to build solidarity among themselves and to gain access to needed social and material resources. The collective identity they claim connects them to the Mayan people and homeland rather than the nation state of Guatemala. The celebration of Mayan cultural and religious traditions emphasizes the common history and culture of indigenous migrants *and* marks their difference from other (non-indigenous) Latino immigrants.

For Dominicans in Atlanta, the racial category of "*indio*" does not carry the invidious weight that it does for Guatemalans, nor does the *indio* identity "mark" Dominicans among other Latin Americans in the same way that it "marks" Guatemalans. Although the Dominican-Haitian tension persists in New York, Atlanta's Dominican and Haitian populations remain too small to fuel their rivalry (Candelario, 2001).

Dominicans, like Guatemalans, do not identify with the pan-ethnic category of "Hispanic" or "Latino." Instead, they identify more strongly with the regional distinction of "Caribbean." Dominicans especially aim to distance themselves from the stereotype of "illegal Latino" in which race, ethnicity, and legal status are inextricably fused. But unlike the Maya, Dominicans have not organized collectively, but rather pursue individual-level strategies to distance themselves spatially and discursively from the "illegal Latino" category (Feagin and Cobas, 2008; González and Browne, 2010; Ono, 2002). As one Dominican respondent explained,

When we talk to people, we immediately clarify that we're Dominican. I'm being very honest; we don't like to be confused with Mexicans. We make very clear that, no, we're

not Mexican. Because of the negative connotations that we have seen here in the Atlanta area, about being, you know, Mexican. Because they immediately think that you might be illegal, that you might not speak English, or that you might not be educated. Or that you eat spicy food....That's not the case. You know. I don't eat tortillas. (González and Browne, 2010).

In their study of professional Dominican immigrant parents in Atlanta, González and Browne found that many respondents echoed this perception that the label of "illegal Latino immigrant" became synonymous with "Mexican." This example highlights the theoretical and empirical challenges posed by investigating the process of racialization among Latinos immigrants in Atlanta. As we have shown, there are different ways of defining race, and different understandings of race within specific national contexts. In addition, the distinction between the concept of "race" as a system of difference based on physical characteristics and "ethnicity" as group traditions, customs, and language does not reflect the experience of Latino immigrants in Atlanta (Alba, 2009; Hollinger, 1995).

INTERSECTIONS OF CLASS WITH RACE

Duany argues that "the racialization of Dominican immigrants in the U.S. ... has reinforced the persistence of an ethnic identity against the prevailing racial order and has largely confined them to the secondary segment of the labor and housing markets" (1998). We agree that racialization involves ethnic identity, but we contend that position in the racial hierarchy and access to housing and economic resources vary by class. Class intersects with processes of racialization in at least two ways. First, Spanish colonization in Guatemala and the Dominican Republic linked social class with race, so that the elite were white. The correlation between class and skin color still holds, so that currently, wealthy and professional Guatemalans and Dominicans tend to be lighter-skinned. Darker-skinned individuals are over-represented among the poor. In Guatemala, the Maya are at the bottom of the social and economic hierarchy. Processes of racialization will thus vary depending on social class *and* national origin. This is not only due to skin color, but also the resources available to migrants to counter discrimination and prejudice.

In addition, for dark-skinned Dominicans who are members of the middle class, being perceived as black does not *necessarily* entail a process of marginalization, given Atlanta's large African-American elite (González, 2006). As far as Dominicans and other Afro-Latino immigrants are concerned, "black" in Atlanta is no longer the

lowest racial category, associated only with poverty, something to avoid. For Dominicans, association with the African-American group can facilitate process of integration in positive ways.

CONCLUSION

Within Atlanta and throughout the U.S., “illegal Mexican” is being forged as a new racial category, constructing Latinos as unwelcome foreigners and rendering them suspect of draining social welfare programs and stealing jobs. Yet, how this homogenizing force of racialization plays out is context- and group-specific.

As Jamie Winders asserts, “Latino migration to Southern cities, through their historical riveting to America’s history of race, creates a new *racial* context for immigrant politics that merits more critical attention” (2008: 248). We have shown that an understanding of these racial politics must incorporate the distinctiveness of particular locales, such as Atlanta, as well as the diversity of the Latino population within those locales. Comparing Guatemalans and Dominicans in Atlanta highlights the important ways that these two groups bring very different understandings of “race” to the U.S. from their respective countries of origin, and how they possess different social, economic, and cultural resources with which to negotiate the U.S. racial hierarchy.

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APPENDIX A

TECHNICAL DETAILS FOR THE SAMPLE

Source of Data

To construct a profile of the characteristics of Atlanta's Dominican and Guatemalan populations, we use the PUMS files from the American Community Survey (ACS), which provide the most recent data. The ACS is administered every year to a probability sample of U.S. households. Given that the number of Dominicans and Guatemalans in a single year of the ACS is quite small, we combine ACS files for 2007, 2008, and 2009. Unless otherwise specified, the data include all individuals in the ACS sample (children as well as adults). We analyze ACS provided by the IPUMS project at the University of Minnesota (Ruggles, Trent, Genadek et al., 2010).

Geography

We use the Atlanta Regional Commission's 10-county definition of the Atlanta Metro Area. The ACS does not provide county codes. Instead, a "PUMA" is the smallest geographic unit available in the ACS PUMS file. A PUMA contains approximately 100 000 residents. Therefore, large counties (such as Fulton) span several PUMAs. Small counties (such as Douglas) are combined with adjacent small counties within a single PUMA. All of the Georgia PUMA containing one of the 10 counties in the ARC definition for the Atlanta Metro Area are included in our sample.

Weighting

The tables present the unweighted sample sizes and the weighted percentages. Data are weighted to account for sampling design and non-response.

Local-Federal Immigration Enforcement in North Carolina: Mapping the Criminal-Immigration Overlap

KATHLEEN ANN GRIESBACH*

ABSTRACT

This essay explores local-federal immigration enforcement in North Carolina's Wake, Durham, and Guilford Counties through ethnographic analysis. It situates 287(g) and Secure Communities partnerships in their regional, historical, and structural contexts, namely the broader southern response to immigration, the expansion of local-federal enforcement, and the contemporary U.S. immigration detention pipeline. Section 287(g) and Secure Communities highlight growing linkages between criminal and immigration law with increasingly punitive consequences. Comparing these programs illuminates the gap between policy and practice and subsequent barriers to justice. The article discusses the significance of narrative and coalition-building in contemporary resistance work and concludes with preliminary policy recommendations related to identification and federal detainee usage.

Key words: immigration, interior enforcement, detention, Section 287(g), Secure Communities

RESUMEN

Este ensayo explora la aplicación de las leyes migratorias en los condados Wake, Durham y Guilford, de Carolina del Norte, a través de análisis etnográficos. Ubica los programas 287(g) y Comunidades Seguras en sus contextos regionales, históricos y estructurales, es decir, la respuesta sureña a la inmigración, la implementación local de las medidas previstas en las leyes federales y el proceso actual de detención de inmigrantes. La Sección 287(g) y Comunidades Seguras ilustran los vínculos que se han establecido entre las leyes penales y las leyes de inmigración con consecuencias cada vez más punitivas. Comparar éstos programas revela la brecha que existe entre política y práctica y cómo, por ende, se obstaculiza la justicia. El artículo plantea la importancia que tienen las narrativas y la construcción de coaliciones en las tareas de resistencia. Concluye con algunas recomendaciones preliminares sobre las políticas relacionadas con documentos de identificación y las prácticas de detención de los infractores de las leyes migratorias.

Palabras clave: inmigración, aplicación interior de la ley, detención, Sección 287(g), Comunidades Seguras

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INTRODUCTION: LOCAL-FEDERAL INTERIOR ENFORCEMENT THROUGH THE MIRROR OF ARIZONA'S SB1070¹

Sub-national immigration enforcement strategies flooded the national debate over immigration reform in spring 2010, when Arizona's legislature enacted Senate Bill 1070, the controversial immigration bill surpassing previous state laws in restriction. SB1070 would criminalize immigrants who failed to carry identification documents at all times, authorize police to detain anyone they suspected to be in the country illegally, and crack down on those who sheltered, harbored, or transported unauthorized immigrants. On July 6, 2010, the United States Department of Justice filed a lawsuit against Arizona's SB1070 leading to a federal injunction against its most controversial statutes the day before it was to go into effect on July 29, 2010 (Archibold, 2010).

The government complaint rests on the preemption argument, contending that the "the federal government has preeminent authority to regulate immigration matters," and that SB1070 oversteps those bounds; the lawsuit also predicts several negative outcomes of the law. Considering federal reaction to SB1070 alongside the harsh consequences she has seen from local-federal enforcement partnerships in North Carolina, my supervising attorney in Raleigh, Lara, first raised the question, "What about 287(g)?"² As she read through *U.S. v. AZ*, Lara recognized the government's fearful premonitions for SB1070 as well-observed consequences of the 287(g) program, in which local law enforcement agencies collaborate with Immigration and Customs Enforcement (ICE) to perform certain immigration functions. While 287(g) has received considerable scrutiny for years, the newer and more pervasive Secure Communities program brings with it many of the same problems. In Secure Communities, Department of Homeland Security (DHS) databases are connected to local jails so that all who are booked automatically have their fingerprints run through them. These programs will be explored in more detail in the following pages.

Indeed, at least three of the arguments in *U.S. v. AZ* reveal a contradictory response to sub-national immigration enforcement in light of 287(g) and other local-federal collaborations like Secure Communities: the government's argument that SB1070 would divert resources from the "dangerous aliens" that the government

¹ This article is an expansion of an Op Ed piece I wrote under the guidance of my supervising attorney that was published in the *Raleigh News & Observer* on September 9, 2010, "A Program at Odds with Federal Immigration Powers," <http://www.newsobserver.com/2010/09/09/670729/a-program-at-odds-with-federal.html>.

² Unless otherwise stated, all interviews are by the author and are referenced by pseudonym in a table at the end of the article. Names and identifying details have been changed to preserve subjects' anonymity.

prioritizes, its claim that SB1070 risks causing harassment and detention of “authorized visitors, immigrants, and citizens,” and its argument that constitutional and federal immigration law “do not permit the development of a patchwork” of state and local immigration policies throughout the country (United States District Court for the State of Arizona, 2010). September reports by the Office of the Inspector General (OIG) reveal that less than 10 percent of those placed in removal proceedings through 287(g) fall into ICE’s priority “Tier 1” criminal category, and many who enter removal proceedings through 287(g) programs have minor or no criminal convictions (Office of the Inspector General, 2010). In North Carolina, most immigrants processed for removal in 287(g) counties were arrested for traffic offenses, according to reports from University of North Carolina (UNC) Law School and the UNC Latino Migration Project from February 2009 and 2010 (ACLU North Carolina Legal Foundation, 2009; Gill and Nguyen, 2010). Data on Secure Communities released in summer 2010 show that the majority of noncitizens processed through Secure Communities nationally were neither charged with nor convicted of felonies (Center for Constitutional Rights, 2010). The lawsuit’s second claim, that SB1070 risks the harassment and detention of authorized residents, rings hollow given the lack of necessary training and oversight in 287(g) partnerships reported by the OIG³ and other accounts that citizens and legal residents have been “harassed” and even wrongfully deported under local-federal law enforcement collaborations.⁴ The UNC reports also find wrongful detention and in some cases deportation in 287(g) counties in North Carolina, due to insufficient training by ICE and rampant racial profiling. Finally, the government’s assertion that federal law currently prevents a “patchwork” of state and federal immigration laws belies the expanding but still uneven network of 287(g) counties and Secure Communities coverage from state to state.

Federal concerns about SB1070 thus parallel documented outcomes of North Carolina’s seven 287(g) partnerships and its implementation of Secure Communities. The contradiction in policy hopefully helps to connect the following discussion to broader contemporary debates and concerns around sub-national immigration enforcement, including the debate around SB1070.

This article seeks to expand existing scholarship on problems related to the devolution of federal immigration law in the form of ICE-local law enforcement collaborations, through a site-specific analysis of several North Carolina counties with 287(g) and Secure Communities partnerships. Scholars and policy analysts have

³ According to the March 2010 report, ICE has not established reporting requirements that would allow it to measure or improve its performance.

⁴ 287(g) programs in other southern states particularly have been evaluated and found to exhibit all three of the above claims (e.g., ACLU of Georgia, 2009a and 2009b).

brought to life racial profiling and the negative impact of local-federal enforcement partnerships on community policing and safety, so these issues are not the concern of this article. Instead, it focuses in detail on how the criminal and immigration systems interact with each other in these enforcement collaborations. The discussion aims to shed light on processes that are often poorly explained and understood and to contribute to scholarship illuminating gaps between the policies and practices of local-federal immigration enforcement.

I utilize findings from research conducted in summer 2010 to analyze policies and practices of 287(g) and Secure Communities in North Carolina. During this time I interned for a local nonprofit, performing research and casework for an immigration attorney who represented some detained clients. I conducted around 20 interviews with immigration attorneys, advocates, community members, and law enforcement representatives in Wake, Durham, and Guilford Counties.

In the following pages, I first use several case studies to introduce how the immigrant community perceives the way 287(g) and Secure Communities work. I next review contemporary data related to Secure Communities and 287(g) partnerships nationally and map their rise in North Carolina within a broader southern response to increased immigration. I contextualize the rise of these partnerships theoretically in Juliet P. Stumpf's formulation of a "cimmigration crisis" and related scholarship revealing that increasing linkages between immigration and criminal law form part of a broader move toward a "disciplinary" state from the 1970s onward. I next analyze 287(g) and Secure Communities in Wake and Durham Counties, contrasting the adjacent counties' implementation of the program to draw out contradictions between policy and practice. I bring in Guilford County's replacement of its short-lived 287(g) program with Secure Communities to pinpoint the increased sophistication of local-federal collaboration. I then discuss problems relating to contradictions between stated policies and outcomes, focusing on barriers to legal representation. Through anecdote, I identify coalition-building and the use of narrative as important strategies in state-wide advocacy. I conclude by discussing identification and the use of ICE detainers and noting possible challenges to the gap between policy and practice.

NARRATIVES OF ARREST AND THE GEOGRAPHY OF IMMIGRATION DETENTION IN NORTH CAROLINA

Pedro was trapped between two legal systems. For over a year he had been dodging his ex-partner's physical attacks, stalking, and threats to "have his ass deported," a common tactic of domestic abuse when the abuser is documented and the victim

is not.⁵ With Pedro's help, a Raleigh police detective had been gathering a case against his ex when she filed a false report against him. Pedro waited for the detective to arrive at his job one morning and peacefully accepted arrest. He was booked into the Wake County Jail, and immediately came to the attention of Immigration and Customs Enforcement (ICE) through Wake County's Secure Communities partnership.⁶ That the false charges against him in state court were eventually dropped did not matter; once he entered the Wake County Jail; he simultaneously was ushered into immigration removal proceedings.

Pedro remembers being funneled into ICE's system immediately. He recalls, "When you've been arrested, when you get to the office at the jail, they ask you for information—where you live, my address—and they take your fingerprints to figure out who this person is, that he's not lying. Then, you go to the infirmary to get the TB shot...and then ICE takes you [for questioning]."

Pedro's case illustrates some of the challenges of the merging of the criminal justice and civil immigration system in counties with local-federal immigration enforcement collaborations. Unlike the vast majority of people processed for removal, Pedro qualified for immigration relief and found an attorney. However, despite concerted efforts between his criminal and immigration attorneys to coordinate his release from state custody with an immigration bond, there was a one-week gap between when his state charges were dropped and his immigration bond hearing occurred. ICE took custody, transferring him first to Alamance County Jail for a few days.⁷ Though he was granted bond at a hearing at Alamance several days later, his family was unable to pay it quickly enough to stop his transfer to Stewart Detention Center in Lumpkin, Georgia, nine hours away by car.

His rapid transfer shows how quickly those in North Carolina are moved through the system, most often to remote detention centers in Georgia or Alabama since North Carolina lacks its own federal detention center. Sam, an immigration attorney, finds that one of the biggest problems with the geography of detention is trying to get an immigration bond. He recalls clients being moved from Wake County to Stewart as soon as 48 hours after their arrest on state charges. Lara, another immigration attorney, adds that this rapid transferring is "terrorizing," "especially for family mem-

⁵ Pedro also commented that his case was much less common than domestic violence against women. He added, "The jail is full of people who have domestic violence charges. Lots of people. It's difficult because for the first time, a man in my case [is the victim], they don't believe me. Because for the majority it's the opposite: they [the men] do the abuse."

⁶ Wake County also has an active 287(g) Jail Enforcement model, but apparently Pedro was processed through Secure Communities. The distinction is explained below.

⁷ Alamance County Jail, like many local jails in 287(g) counties, has a contract with ICE (an Intergovernmental Service Agreement) to hold immigrant detainees temporarily in their facilities.

bers. A detained person doesn't know where they're being taken or why. They're just told, 'You're going to Atlanta, to get deported,' is what most people are told."

Statistics show that often immigrants processed for removal through local-federal collaboration are not charged with serious crimes (OIG, 2010; ACLU of North Carolina Legal Foundation, 2010; Center for Constitutional Rights, 2010), and anecdotes suggest they are sometimes not charged with any offense at all.⁸ One migrant, Alejandra, told of an acquaintance who was driving in Raleigh when an officer saw him drinking something and suspected it was alcohol. Once he pulled him over and saw it was *Jarritos*, a Mexican soda; "the cop went on to say, you know, like 'Are you illegal? What's your legal status?' And the guy just freaked out, he didn't know his rights, and was just like, 'Yeah.' Totally turned himself in....He got arrested and you know – he's probably already been deported."

Sam had a client who was arrested for swerving too close to the yellow line and another who was taken into state custody for being an "accessory" to a DWI (Driving While Impaired); both were flagged for removal following their arrests. Frank, a Greensboro advocate, recalled a case where someone "was in a car parked in a parking lot of a public park, he was a passenger." He was asked for his driver's license but could only present his Mexican ID, "and so they took him into custody and he was then taken into custody and issued an immigration detainee." In Lara's experience, common removal cases begin as traffic violations, noise violations, and DWIs, but "the worst situations are those domestic violence ones where the victim...gets picked up." She recalls a case where

this woman had been abused by the father of her children for years and years. And the time she finally got it in her to hit him back, she got arrested....Once the abuser saw what was happening...that she was in the jail, and she wouldn't be able to get out...he was all apologetic, but it was too late...She was already in the system, she already had that detainee and was going to get removed.⁹

⁸ Alamance County, one of the first 287(g) counties in the state whose Sheriff's Office is currently under investigation by the Department of Justice, has faced scrutiny for practices of racial profiling. In one case, several people were arrested (and eventually deported) for fishing without a permit. Interview, 8/24/10, Raleigh, North Carolina. Another well-known case involves a mother being arrested for a traffic infraction at night and forced to leave her children on the side of the interstate for eight hours in June 2008. Interviews, 7/22/10 and 8/24/10 (TimesNews.com, 2008).

⁹ The Violence Against Women Act of 1994 (reauthorized in 2006) provides for relief for immigrants who are victims of domestic violence, since immigration status is recognized as a common reason for remaining in an abusive relationship (for fear of being reported). People in removal proceedings can apply for Cancellation of Removal under VAWA. However, they must have the legal knowledge to do so.

These stories detail “criminal” arrests which then funnel people into “civil” removal proceedings. Once someone is booked into a county jail that participates in 287(g), Secure Communities, or both, he or she receives an ICE “detainer” after being flagged as potentially unauthorized. This is a request that the county sheriff hold the person after his or her state charges are resolved (something they can legally do for up to 48 hours) so that ICE can put the person into immigration detention. Thus, the implementation of 287(g) and Secure Communities has caused a surge in deportations of immigrants for many minor infractions, contrary to their stated intent.¹⁰ As Lara puts it, “You get a detainer lodged on you; after that...it doesn’t matter. You just get ground through the system and put into removal with everybody else.”

287(G) AND SECURE COMMUNITIES IN NORTH CAROLINA: HISTORICAL, SOUTHERN, AND STATE CONTEXTS

The implementation of 287(g) and Secure Communities partnerships in North Carolina began in the late 2000s. This surge in local-federal collaborations in the state parallels a national shift toward such practices and, when the Obama administration took office in 2008, a decrease in more high profile enforcement practices like workplace raids. The implementation of 287(g) and Secure Communities in North Carolina counties can also be tied to a punitive response to immigration in the South in the late twentieth and early twenty-first centuries.

287(g) partnerships, under Section 287 (g) of the Immigration and Nationality Act, are agreements wherein local law enforcement agencies enter into Memoranda of Agreement (MOA) with Immigration and Customs Enforcement (ICE) to deputize certain local law enforcement officers to perform immigration functions after receiving around four weeks of training (U.S. Immigration and Customs Enforcement, n.d.). There are two types of 287(g) models: the Jail Enforcement (JEO) model, in which certain officers are deputized to interview noncitizens after they are booked into jail, and the Task Force (TFO) model, in which certain officers are trained to perform immigration enforcement functions within felonious field investigations. The Immigration and Nationality Act is part of 1996’s Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA).¹¹ Despite becoming law in 1996, the first 287(g)

¹⁰ This instance seems to qualify as “driving while brown” (Muchetti, 2005).

¹¹ The statute empowers ICE to train local and state law enforcement agents to perform certain immigration functions pursuant to the formation of MOAs with the agencies.

agreement was not signed until July 2, 2002 (U.S. Immigration and Customs Enforcement, n.d.) Thus, 287(g) was not an active component of federal immigration enforcement until after 9/11, and the expansion of 287(g) since then is often understood in the context of a broad expansion of immigration enforcement under the guise of national security interests.¹²

In contrast to 287(g) partnerships, which occur on the county or city level, Secure Communities is signed on the state level. George, a Durham County Sheriff's Office representative, clarified that Secure Communities is basically administered by the North Carolina Sheriff's Association, which enters into an agreement with ICE and decides the order in which to implement it by county. He adds that since the agreement has been reached, the program "is required." Counties with Secure Communities merge the fingerprints of those arrested at local jails with Department of Homeland Security (DHS) databases, so that any immigrant who has had prior encounters with DHS will be identified. Reports also indicate that even if the fingerprints do not match, ICE can investigate a suspected noncitizen further at the jail (Campoy, 2010). Secure Communities is a newer initiative than 287(g), with the first activations occurring in 2008 (U.S. Immigration and Customs Enforcement, 2011a). Controversy over whether the program is mandatory or certain counties can "opt out" made headlines throughout 2010 and 2011, as the Department of Homeland Security made seemingly conflicting statements but ultimately suggested that opting out is not possible (Vedantam, 2010). On May 4, 2011, Illinois Governor Pat Quinn announced that he was withdrawing his entire state from Secure Communities because the program has not met the terms of its 2009 agreement that it would focus on identifying and deporting immigrants "who have been convicted of serious criminal offenses" (Preston, 2011). Meanwhile, the Office of the Inspector General announced an investigation into the program (Romney, 2011).¹³ According to its website however, ICE plans to have Secure Communities activated throughout the country by 2013 (U.S. Immigration and Customs Enforcement, 2011b).

287(g) and Secure Communities are prominent components of the Obama administration's shift away from high profile workplace raids more characteristic of the Bush administration. As Lara acknowledged, "The vast numbers [of removals] are coming through the local enforcement programs now." Despite their relative subtlety, these and other ICE ACCESS partnerships have helped produce an even greater number of deportations, up from 369 221 in 2008 to 389 834 in 2009 and 392 862 by

¹² Scholarship discussing post-9/11 transformations and expansion of immigration enforcement includes the following, among others: Welch, 2007; Sanchez, 2007; Brotherton, and Kretsedemas, eds., 2008.

¹³ The investigation is to include the extent to which ICE uses it for its stated purpose, its accuracy, and how ICE officials portrayed it to states and counties.

the end of 2010 (TRAC, 2010).¹⁴ The stated focus of both 287(g) and Secure Communities is to prioritize “the arrest and detention of criminal aliens” (U.S. Immigration and Customs Enforcement, n.d.; 2011b). Yet again, government and outside reports have established that neither program meets these stated priorities in practice.

The increase in 287(g) and Secure Communities in North Carolina has occurred alongside a recent wave of immigration to the Southeast and with it a backlash in legislation and public perceptions. Unlike other regions of the country, large-scale immigration to the South did not occur until the 1980s and 1990s. Scholars relate a convergence of factors to the wave of immigration to the South in the late twentieth century. These include the effects of legalization under the Immigration Reform and Control Act of 1986 and stricter border enforcement, both leading to more permanent settlement nationally; economic recession in more traditional immigrant destination states and a resulting anti-immigrant backlash and migration to new destinations; economic globalization and the southern states’ generally pro-business policies; the North American Free Trade Agreement’s effect of economic destabilization in many Latin American countries; and political unrest in countries like El Salvador and Guatemala spurred by U.S. interference and/or support of repressive regimes (Odem and Lacy, eds., 2009; Smith and Furuseth, eds., 2006).

In the 1990s, southeastern states recruited migrant workers in the carpet, food-processing, and construction industries, first from Texas and California but later directly from Mexico and Central America. They did this through both temporary work visa programs and recruiters (Smith-Nonini, 2005; Odem and Lacy, eds., 2009). Demand for cheap labor in the meatpacking industries brought Latino immigrants to towns across North Carolina and Georgia, as companies actively recruited them (Parrado and Kandel, 2008; Lippard and Gallagher, 2010: 4). A lack of native-born interest in “dirty” jobs combined with threats of unionization and higher wages to bring Latinos to the meatpacking and construction industries (Lippard and Gallagher, 2010: 5). As Odem and Lacy point out, the late 1990s saw chain migration and enhanced employer recruitment. As migrants began settling in the Southeast, migration streams developed, and the corresponding resources and social networks stimulated migrant settlement across the region (2009: xvi).

As the Latino immigrant population in the South increased in the late 1990s and 2000s, the tone toward immigrants began to shift in the region. Building backlash linked to demographic change and the economic recession of the late 2000s stoked anti-immigrant sentiments, political rhetoric, and a widespread rise in restrictive

¹⁴ However, reports found that ICE used “unusual” mathematics in the effort to reach a record-setting quota (see Becker, 2010).

legislation and policies. These restrictive laws typically aim to discourage undocumented immigrants from coming to a region and to push current unauthorized immigrants out, though some impact authorized immigrants and other community members as well. Local anti-immigrant ordinances, stemming from frustrations with slow action on the state and federal level, have also appeared throughout the South.¹⁵

As part of the wave of anti-immigrant policies in the South, North Carolina passed House Resolution 2692 in mid-2006, which creates a new immigration court in the state to speed deportations (currently operating in Charlotte, North Carolina), supports local law enforcement-ICE collaboration, and pressures Congress to make driving while impaired a deportable offense for both legally present and undocumented immigrants. In 2006 North Carolina also restricted driver's licenses to those who can provide a valid social security number, which has had a tremendous impact on undocumented migrants' mobility and undoubtedly enables more minor arrests that lead into deportation.¹⁶ North Carolina leads the southern states with the most 287(g) partnerships in the region, with the exception of Virginia (U.S. Immigration and Customs Enforcement, n.d.). In North Carolina, Senate Bill 229 may also come into play in local-federal immigration enforcement collaboration impacting immi-

¹⁵ State laws with similar provisions have been enacted in Georgia, South Carolina, and North Carolina with this goal, beginning in 2006 with the Georgia Security and Immigration Compliance Act, or Senate Bill 529, which restricts social services, requires that everyone arrested for DWIs (driving under the influence) and felonies be checked for legal status, encourages local law enforcement collaboration with Immigration and Customs Enforcement, and restricts undocumented labor.

¹⁶ The prohibition of licenses for undocumented drivers was impacted by federal pressures. Prior to 9/11, Governor Jim Hunt's administration saw the issue of undocumented drivers as a safety problem and expanded access to driver's licenses, accepting utility bills and lease agreements as proof of residency. After 9/11, the state changed the law to require Individual Taxpayer Identification Numbers, which migrants could still generally obtain. After dealing with claims of identity theft and fraud and with heavy pressure from the Department of Homeland Security, the Department of Motor Vehicles (DMV) stopped accepting the *matrícula consular* and other foreign documents. Then, in 2006, lawmakers passed Senate Bill 206, which prohibited the DMV from accepting taxpayer ID numbers and thus restricted undocumented immigrants from obtaining state driver's licenses. These changes were encouraged by pressure to apply to the REAL ID Act (Raleigh NewsObserver.com, 2008; Riggsbee Denning, 2009).

Colin, an advocate who runs a local Catholic Worker House, traced a connection between the driver's license law and other immigration policies and sees the DMV issue as a precursor to 287 g and Secure Communities, saying,

I would say that that to me was ... absolutely shameful, that North Carolina would pass anti-immigration - integration laws. I mean, anti-immigration and anti-integration. To me, it was the same thing: white people in power passing laws to restrict the liberties of people of color.

...And it was a horrifying thing for the General Assembly to pass that law. Not only was it idiotic in terms of not being practical, making the roads more dangerous, increasing the likelihood that people would drive without valid licenses, without insurance. Not only was it just impractical, but it was...it was just incredibly racist...and cruel and unfair. It was very sad to me, like that was a ...a real low point. But it got lower. I mean, ICE and 287 g, you know, when that kind of stuff happened, it got worse.

The parallel Colin draws between anti-immigrant and anti-integration policies informs coalition-building work between African-American and immigrant communities in the state, discussed below.

grants with encounters with law enforcement. The 2008 law requires that North Carolina jails check citizenship status of all DWI and felony arrests but implicitly allows them to check for other arrests.

As of April 9, 2011, a number of restrictive bills impacting immigrants were pending before the North Carolina General Assembly. House Bill 343B is the state's "copycat" version of Arizona's SB1070. It would make it a state crime to not carry identification documents and would crack down on "transporting, moving, concealing, harboring, or shielding of aliens not lawfully present in the United States," require law enforcement to investigate anonymous citizen complaints, and restrict public benefits, among many other provisions (North Carolina General Assembly, 2011a). House Bill 11, "No Post-Secondary Education/Illegal Aliens," would prohibit undocumented immigrants from attending North Carolina community colleges and universities (North Carolina General Assembly, 2011b). Assembly House Bill 33 would prohibit consular documents as an acceptable form of identification, erasing the recent advance in Durham to approve the *matrícula consular* as an acceptable form of ID (North Carolina General Assembly, 2011c). House Bill 744, the "Safe Student Act," introduced late in the legislative session, would require that students registering for public school present certified copies of their birth certificates to prove their citizenship. It would require school principals to determine the immigration status of every child in the public school system, to be used for "fiscal analysis" (North Carolina General Assembly, 2011d). Other restrictive bills have been introduced as well. This pending legislation echoes the introduction of restrictive immigration bills during the 2011 congressional sessions in other southern states like Alabama, Georgia, and South Carolina (Severson, 2011).

Thus, North Carolina's embrace of restrictive immigration enforcement has occurred alongside a national and southern trend toward punitive policies on both state and local levels. Restrictive immigration policy and political rhetoric by the close of the 2000s can also be linked to the failure of comprehensive immigration reform in 2007.

LOCAL-FEDERAL ENFORCEMENT COLLABORATIONS AND THE "CRIMMIGRATION CRISIS"

The merging of criminal and immigration law evident in 287(g) and Secure Communities partnerships points to a greater convergence of the two systems in recent years. It seems necessary to theorize why, in North Carolina and elsewhere, criminal and immigration law have become increasingly intertwined and what problems

underlie local-federal immigration partnerships. Juliet P. Stumpf proposes that membership theory, in which individual rights are limited to “members of a social contract between the government and the people,” can help explain how the two systems have merged (2006). After the 1970s, immigration laws rapidly incorporated criminal sanctions for immigration infractions, and more noncitizens who committed crimes faced deportation.¹⁷ Meanwhile, criminal penology shifted “from rehabilitation to retribution, deterrence, incapacitation, and the expressive power of the state”: convicted criminals became excluded through heightened incarceration and the loss of basic political and social welfare rights. The term “cimmigration” can describe the increased connections between these two types of law, and a “cimmigration crisis” results when those in power use the mechanisms of both criminal and immigration law to exclude an expanding group of outsiders (2006: 28).

Rebecca Bohrman and Naomi Murakawa similarly map a punitive shift in both criminal and immigration law since the 1970s. They frame this phenomenon as part of the “remaking” of big government from the welfare state to the disciplinary state (2005).¹⁸ In what serves as an example of this “cimmigration crisis” in the disciplinary state, Mary Bosworth discusses how the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) simultaneously cut welfare for vulnerable people of color and restricted benefits for illegal immigrants and their children (2007). Legal scholar Jennifer Chacón sketches some key procedural problems for immigrants in the marriage between “civil” immigration and criminal law in local-federal enforcement collaboration (2010).¹⁹ Further, statistics on criminal prosecutions reflect a visible growth in the criminalization of immigration infractions, particularly since 2005’s Operation Streamline mandated criminal prosecution for illegal

¹⁷ The restrictive 1996 Illegal Immigration Reform and Immigrant Responsibility Act exemplifies the shift toward exclusion of more immigrants, as it redefined many crimes as “aggravated felonies” and retroactively mandated the deportation of many legal permanent residents.

¹⁸ While the notion of the “disciplinary state” merits a more thorough theoretical definition and application to patterns of immigration policing and enforcement elsewhere, this text is concerned with following the “criminal-immigration” overlap within the empirical move toward more punitive policies in both systems as shown by Bohrman and Murakawa. This article frames this increased overlap between the two systems, largely through punitive policies, in Bohrman and Murakawa’s notion of the disciplinary state to encapsulate the broader punitive shift in which the “cimmigration crisis” exists. Thus, the deployment of the word “disciplinary” in this article to describe this state is meant only to reflect the broader move toward punitive policies.

¹⁹ Chacón discusses how the passage of restrictive federal immigration laws in 1996 and after 9/11 has begotten numerous allegations of government misconduct in the apprehension of immigrants, but immigration courts by design cannot “police the police.” Chacón and others outline many problems resulting from the fact that deportation cases are not seen as “criminal” proceedings, because deportation is not viewed as “punishment.” Thus, those who enter removal proceedings—which in North Carolina often begins with arrest for a criminal infraction, no matter how minor—lack the due process protections afforded people in criminal proceedings and often become enmeshed in a lack of communication between systems. See also Kanstroom, 2007.

entry in certain border sectors. According to the Transactional Records Access Clearinghouse (TRAC), yearly federal criminal prosecutions for immigration infractions more than quadrupled during the Bush administration, while at the same time federal prosecutions of other crimes greatly decreased (TRAC, 2009). This highlights the nexus of the “civil” immigration and criminal systems as an essential site of the expansion of the disciplinary state.

Many informants trace the rise of restrictive immigration enforcement partnerships in North Carolina to a backlash against the immigrant population in recent years, nationally and in the South. Sara, an advocate, suggests that government actors, “motivated by racism, [and] xenophobia...not liking the changes they’re seeing in their communities,” fuel the rise of ICE –local law enforcement immigrant policing. Mary, an immigration attorney, believes that “mostly it’s because we have one of the fastest-growing Latino populations in the country ...anything that...visual...is gonna make people nervous. In times of economic and social turbulence, long-term settlers get nervous, and so that creates this political atmosphere where immigrants become an easy target, a scapegoat,” something that politicians exploit. Lara adds that since sheriffs are elected officials, they often run on 287(g) as a “scapegoat, fear issue” to get elected. On this point, Mary draws an explicit connection between the scapegoating of immigrants and of convicted criminals, both part of an expanding group of the excluded. She explains,

Nobody is going to fault you for being “tough on crime” ...because, again, that’s a very vulnerable population. Many, many criminals are completely disenfranchised because of laws that say you can’t vote if you’ve been convicted of certain crimes. So, again, it’s a disenfranchised population, vulnerable; it’s a very easily exploitable topic for politicians to capitalize on.

Here, Mary alludes to a broader “cimmigration crisis,” a concurrent movement in criminal and immigration law to expand the ranks of the excluded. Local-federal immigrant enforcement partnerships bridge both systems, leading to the ultimate expulsion of more immigrants through the increasingly fluid pipeline between criminal arrest and immigration removal.

IMMIGRATION ENFORCEMENT IN WAKE AND DURHAM COUNTIES: LOCAL AND FEDERAL INTERFACE

Wake County

Downtown Raleigh's Wake County "Public Safety Center" is the site of the Wake County Sheriff's Office's 287(g) Jail Enforcement model (JEO) with ICE, signed in July 2008. Under Wake County's Jail Enforcement 287(g), every person determined to be a possible noncitizen at booking is interviewed by one of four deputized officers who also do initial ICE detainer paperwork. If these officers suspect the person is illegally present, Wake County Sheriff Donnie Harrison stresses, "ICE decides what to do." The 287(g) officers are not sworn officers, but detention officers, meaning that they do not have arrest powers. Sheriff Harrison explains that prior to implementing 287(g), he was concerned he might be letting serious criminals out and wanted access to ICE's database.

In addition to their 287(g) program, Wake County has had Secure Communities since fall 2009. According to Harrison, since the program's implementation four or five immigrants who were not sent to the 287(g) floor because they "faked us all out" at booking have been identified through Secure Communities." Pedro's recollection of being identified as unauthorized through Secure Communities before going up for questioning suggests that in Wake County perhaps the two programs are utilized in different circumstances and not uniformly.

The Memorandum of Agreement between ICE and the Wake County Sheriff's Office, like 287(g) MOAs signed across the country, states that the program's purpose is "to enhance the safety and security of communities by focusing resources on identifying and processing for removal criminal aliens who pose a threat to public safety or a danger to the community" (Immigration and Customs Enforcement and Sheriff's Office of Wake County, 2009); this was when all MOAs were standardized. According to ICE, Secure Communities has the same focus on identifying serious criminals. However, data from the Wake County Sheriff's Office shows a majority of immigrants booked into the Wake County jail and subsequently processed for removal do not fit the programs' target populations. Of the total 3 012 noncitizens "processed" through Wake County from July 14, 2008 to August 3, 2010, only 298 were considered criminal (Wake County Sheriff's Office..., 2010).²⁰ Of the 1 485 "processed" in the year 2010, 154 were considered criminal (Wake County Sheriff's Office..., 2011).

²⁰ ICE statistics on Secure Communities alone released in January 2011, running from November 12, 2008 (the activation date ICE lists for Secure Communities in Wake County) through November 30, 2010, state

Durham County

The Durham County Sheriff's Office does not participate in a 287(g) program, but the City of Durham Police Department has a Task Force 287(g) with one trained officer. Chief José López of the Durham Police Department stresses that the Task Force 287(g) is limited to "felonious investigations." If there is a homicide and the individual involved as a witness, suspect, or victim is undocumented, the 287(g) officer can access ICE databases to "identify people and find family members." López says it helps immensely to have someone connected to ICE on site to put detainees on these people. Apparently the 287(g) has helped his department solve several homicides, track witnesses, and work with victims and family members. Supporting López's description of the partnership, Sam asserts that the Durham Police Department's 287(g) is a rare example of a program that is actually run as intended, to target people implicated in serious crimes. Data also suggest that their 287(g) is indeed targeted. The statistics provided by the Durham City Police Department show that yearly totals of immigrants processed for removal through the 287(g) program were 32 in 2008, 27 in 2009, and 14 as of August 19, 2010 (Taylor, 2010).²¹

George, the Durham County Sheriff's Office representative, confirmed that Secure Communities is being set up at the Durham County Jail as of August 2010.²² According to ICE's website, Durham has officially operated Secure Communities since February 2009 (U.S. Immigration and Customs Enforcement, 2011c). According to George, the program "is required," but is not meant to "send somebody away for driving without a license." Again, ICE decides who to put a detainer on. George also acknowledged that the Sheriff's Office must act under SB229 to check the citizenship of anyone arrested in the state for a DWI or a felony.

The sheriff's representative stressed that Secure Communities targets serious criminals. When I showed him the Monthly Arrest Processing statistics the Wake County Sheriff's Office had given me, which break down the criminal charges of those who receive ICE detainees, he peered at the data and commented, "This is a lot of zero percents here. Murder, zero; rape, zero; robbery, zero." A quiet moment pre-

that, of 1 112 total removals and returns of immigrants occurring through Secure Communities in Wake County, 229 were Level 1 offenders; 327, Level 2 offenders; 152, Level 3 offenders; and 404, noncriminal (U.S. Immigration and Customs Enforcement, 2011c).

²¹ However, their yearly total detainees lodged did increase from 29 in 2008 to 64 in 2009 –there were 18 as of August 19, 2010 for the year 2010).

²² Chief López commented, "As I understand it, they don't have much choice." According to Sam, at a community forum, the Durham County Sheriff's Office (DCSO) wasn't aware that they had Secure Communities until they checked with their lawyer. Apparently, "No one bothered to tell the sheriff." This example demonstrates how increasingly pervasive and yet often unknown the program is.

ceded the continuation of our conversation. The representative's surprise at the low numbers of serious offenders processed through 287(g) and Secure Communities pinpoints the tremendous disconnect between the policy of Secure Communities and the program in practice, which often results in the removal of noncitizens with minor charges, contrary to its stated goals.²³

ENFORCEMENT IN FLUX IN GUILFORD COUNTY: PHASING OUT 287(G) FOR SECURE COMMUNITIES

The Guilford County Sheriff's Office began a 287(g) Task Force Model on October 15, 2009, but announced its suspension in December 2010. In our August 2010 interview, Sheriff BJ Barnes attested like Sheriff Harrison that his main reason for wanting 287(g) was because it "gives us access to the computer; that's all I wanted was access, to get into that computer to check these folks to make sure we know who they are," and avoid unwittingly releasing those illegally in the country with criminal records who might evade their charges. Barnes stressed that the Task Force Model, in contrast to the Jail Enforcement Model, only affects someone who has committed a Tier 1 crime, like "murder, assault with a deadly weapon with intent to kill, burglary, kidnapping, rape, large amounts of drugs, those type are Tier 1 crimes. Those are the crimes that once they're committed...if someone has committed those, then we do a check to see if they are here legally or illegally."

If they are found to be illegally in the country, he added, his officers work with ICE to place people into removal proceedings. The statistics Barnes's office released reveal the 287(g) Task Force model was indeed targeted: in the year the 287(g) agreement was active, the program's two trained officers conducted eight investigations leading to the processing of eight persons for removal by ICE. Those under investigation had prior state and federal charges including "human smuggling, weapons possession, drug trafficking, drug possession, drug sales, drug manufacturing, identity theft, [and] fraud" (Guilford County Sheriff's Office, 2010).

In our August interview, Sheriff Barnes reported that Guilford County did not yet have Secure Communities, which coincided with ICE's public information at the time. Barnes reflected, "I suspect that every county in this state within the next six months will be hooked up with Secure Communities." He conjectured that "that's

²³ In Durham County, according to ICE statistics on Secure Communities alone, 165 removals and returns have resulted from the program since its February 2009 implementation, of which 36 were Level 1 offenders; 45 were Level 2; 20, Level 3; and 60 were noncriminal (U.S. Immigration and Customs Enforcement, 2011c).

where those issues have come in that you're talking about with things such as drivers driving while impaired and stuff like that." Under Secure Communities, he said, people arrested for something like "No Operator's License" "will be caught." Those arrested for such minor infractions will be placed in removal if they are found through the database to be out of status, because "that's what Secure Communities does."

Barnes's comments illuminate a nationwide fact: Secure Communities does focus on serious "criminal aliens," since people can be arrested on any number of minor and possibly false charges depending on the county and the arresting officer. Barnes's prediction that Secure Communities would quickly spread across other corners of the state proved true, and Immigration and Customs Enforcement announced in a November 16 News Release that Guilford County would benefit from Secure Communities (U.S. Immigration and Customs Enforcement, 2010). ICE has since announced the implementation of Secure Communities in all 100 counties of North Carolina (Cowell, 2011).

In a December 9, 2010 news post in Greensboro's *YES! Weekly*, Sheriff Barnes confirmed that Guilford County had withdrawn their 287(g) agreement in November, after processing just eight immigrants for removal since January 2010 through its targeted program (Green, 2010).²⁴ In the article, Barnes stated that his agency had enrolled in Secure Communities the previous month, and that the program would probably "cast a wider net" than the limited task force 287(g) model. An article by Adolfo Briceño in the December 16-22 edition of North Carolina's Spanish language newspaper *Qué pasa* confirmed that Guilford County had suspended its 287(g) program (2010).

The decision to disband the 287(g) program, then, relates to the greater efficiency of Secure Communities, which does not include deputizing local law enforcement agents but simply connects jail databases directly to ICE. Sheriff Barnes's acknowledgement that deportations of people with minor charges would increase in Guilford County with the arrival of Secure Communities suggests that Secure Communities is the new, more sophisticated and more far-reaching face of local-federal enforcement. Like the jail enforcement 287(g) model seen in Wake County, Secure Communities engages with everyone booked into jail. Therefore, it cannot target ICE's top "priorities." As the American Immigration Council's Immigration Policy Center has commented,

²⁴ The article helpfully lists the differing numbers of deportations since January 2010 for the neighboring 287(g) counties, of which all but Durham and Fayetteville (which have task force models like Guilford) have jail enforcement models: "Alamance County has deported 293. The state's two most populous counties, Mecklenburg and Wake, have respectively deported 2 037 and 1 703. Durham has deported 44. Only Fayetteville County has notched a lower number: seven."

ICE has, in effect, outsourced the identification of immigrants for enforcement actions to local police agencies and jails. However, programs such as Secure Communities and 287(g) undermine ICE's priorities because they are designed in such a way that leads to the deportation of immigrants with minor criminal offenses or no criminal history at all. (2010)

PROBLEMS WITH THE CRIMINAL-IMMIGRATION OVERLAP IN LOCAL-FEDERAL ENFORCEMENT

Several major policy problems with the actual practices of 287(g) and Secure Communities emerged from my interviews. First, interviews and data in each county reveal a recurring disjuncture between the targeted "criminal aliens" of the policies and the actual immigrants processed through the programs, often for minor infractions. Also, many legal experts argue that the five week training 287(g) officers receive from ICE is not enough to navigate complex immigration law. In Mary's opinion, "immigration law is not straightforward" and takes more than a couple of weeks of training. Because of its complexities, Mary adds, local 287(g) officers "cast a wider net, which in turn makes people who are lawfully present have to go through that kind of screening." Mary has career experience working on post-conviction cases involving legal permanent residents whose convictions render them deportable, and she and another attorney each shared instances of clients who were actually unknowing derivative U.S. citizens and thus not deportable. She reflects that "derivative citizenship is another pretty complicated area of law....It's not an easy thing for any average person to be able to figure out necessarily." As a result of its "lack of expertise," local law enforcement will often "err on the side of picking people up who probably are here lawfully." Lara similarly argues that 287(g) officers are not knowledgeable about immigration law, as compared to ICE officers who are "very experienced."

Another issue with the rise in local-federal enforcement relates to transparency. The North Carolina Sheriff's Association (NCSA) has played a huge role in implementing both 287(g) and Secure Communities, principally through its Illegal Immigration Project. The project was allocated US\$750 000 by the North Carolina General Assembly in 2007 to be used by sheriff's offices around the state to apply for and enter into 287(g) agreements. The move followed the passage of House Resolution 2692 in 2006, which supports local law enforcement-ICE collaborations.²⁵ The money

²⁵ According to a PowerPoint presentation made before the North Carolina Association of County Commissioners by Tony Queen, the Director of Special Projects for the North Carolina Sheriff's Association (who joined to oversee this project and whose salary was paid by the NCSA funds), the project's goals were to "provide technical assistance and advice" to sheriffs related to ICE, to provide technical assistance

passed directly to the NCSA and included no reporting requirements. An allocation of US\$600 000 was made to the NCSA in 2008, though with some reporting requirements, and US\$150 000 during the 2009 session despite tremendous budget cuts (Preston, 2009). As Mary, a *pro bono* immigration attorney, commented, this funding process had enormous transparency issues, since “there was no way to really track what happened to that money after the Sheriff’s Association got it.”

A final problem in focus here which relates directly to the “crimmigration crisis” is the lack of communication between the two legal systems, which hinders immigrants’ access to justice in both. In the criminal system, people generally get bail set. The problem, Lara says, is that if someone pays state bail but has an ICE detainer, then “the bail is worthless to youYou get turned over to ICE custody immediately, and then you don’t have a chance to fight your state charges at all. Plus, you get a Failure to Appear, Called and Failed, and an order is issued for your arrest.”

Not appearing for your state charges because you are in immigration detention might even be counted against you in an immigration bond hearing. Ultimately, the systems do not communicate, but have interwoven legal consequences for immigrants caught between them. Lara concludes that “the systems have their own problems, and then you throw them together, and it’s a disaster.”

“LOS DERECHOS SON PARA TODOS”: COALITION BUILDING IN NORTH CAROLINA

Local-federal enforcement and other restrictive practices impacting immigrants in North Carolina are a major focus of immigrant rights advocacy in the state. As Greensboro advocate Cindy comments, the Latino community in North Carolina, “even though it grows so much, like 400 to 600 percent in the past 10 years,” is “still a transitional population,” in contrast to settled regions like Miami, New York, and California. The community has felt “bombarded” by recent restrictions. However, the relative newness of this community activism also leaves room for community advocates to develop strategic alliances with other impacted groups from the beginning.

In recent years, human rights documentation has been utilized with this conscious goal of alliance-building in mind. NC ICE Watch, a state-wide advocacy coalition working against ICE abuses, has utilized the Hurricane Human Rights Documentation Project of the National Network of Immigrant and Refugee Rights (NNIRR).

to sheriffs wanting to enter into in a 287g agreement, and to “reimburse Sheriffs for training costs and replacement personnel to participate in training” (Queen, 2008).

This national project is aimed at documenting abuses related to immigrant policing for strategic media, academic, and political use and to create a national repository of true narratives that often remain outside official government records (National Network for Immigrant and Refugee Rights, n.d.)

A “Story Night” was held in November 2010 to share accounts of human rights and dignity abuses arising mainly, but not exclusively, from immigration enforcement. The event’s strategic venue at the Muslim American Freedom Society was meant to invite more members of the Muslim-American community who have experienced abuses to participate and to draw Latino community members together with other impacted groups. Around 25 Latino immigrants, Muslim Americans, and white allies attended. One organizer stressed the importance of coalition-building across racial and ethnic lines to combat racism and rights abuses. She argued that

without real coalition-building we’re not going to be able to overcome the hassles of the future and provide a society for our children in which every person is respected by, you know, by...their personalities, by their basic value system. And not ... judged by the color of their skin or their religious dress. (NC ICE Watch, 2010)

“Story Night” included several pre-identified testimonials, small group discussions and brainstorming, larger group discussion, and finally the collection of individual stories for Hurricane.

Part of the point of people sharing their stories, another event organizer explained, is to talk about rights and dignity violations occurring as a community, to name the abuses and draw out similarities among different experiences. She stressed that

as part of this process, we get together and we look at all the stories and maybe part of that is seeing that, “Oh, maybe the thing I went through is similar to what Gisela went through, or it has some little pieces of what Mohammed went through. And maybe some of the same systems are causing the things that are making us suffer.” And so we decide together as a community what we want to do about it. (NC ICE Watch, 2010)

This theme of drawing out similarities among differences connects to the wider goal of coalition-building among diverse groups, without denying the particularities of the struggles within, for example, the African-American community as opposed to the Latino community in North Carolina.²⁶ The notion of finding similarity in dif-

²⁶ Ruth Wilson Gilmore’s argument for the need to “stretch” a question or problem so that it reaches “further than the immediate without bypassing its particularity” may be useful in addressing the “immediate”

ference, of “relating the universal to the particular,”²⁷ is essential in thinking through alliances between African-Americans and Latinos, about whom much about horizontal racism has been written but who face similar vertical racism, manifested in racial profiling and criminalization (Jackson, 2010).

While in no way without its challenges, coalition-building among diverse groups with similarities in their experiences of oppression is emerging through partnerships and participation among differing groups with a stake in immigrants’ rights in North Carolina. Efforts to “relate the universal to the particular” might begin by theorizing immigrants’ rights as human rights. Tamara, an immigrant who shared a testimonial of being stalked by an immigration official and the successful prosecution of the agent through her own cooperation and courage, made this connection seamlessly. She stressed that “a person has to fight for what they want, and not let that...because they don’t have papers, or something that says you are from here, you don’t have rights. Rights are for everyone...no one can take them away.”

CONCLUSION: CHALLENGING THE DISCONNECT BETWEEN POLICY AND PRACTICE

In this last section, I discuss several preliminary policy directions within a discussion of identification and ICE detainers. Unauthorized immigrants’ inability to obtain identification (such as a valid driver’s license) and the lack of utilized discretion on all law enforcement levels in the lodging and honoring of ICE detainers each play into the detention and removal of non-criminals and immigrants charged with minor crimes in North Carolina, contrary to ICE priorities. Thus, potential remedies exist related to identification and detainer usage that could address the gap between policy and practice.

problems of criminalization and subsequent deportation of Latinos in North Carolina through targeted interior enforcement practices in a longer trajectory of criminalization and racial oppression of blacks in the state, for example, without dismissing the particular moment of anti-immigrant discrimination (Gilmore, 2008).

²⁷ David Harvey discusses the importance of “relating the universal to the particular” struggles of different groups in order to pursue social justice. Harvey maps weakening working class politics in the United States along a postmodern “shift from universalism to targeting of particular groups.” He explores how a large fire at a chicken processing plant in Hamlet, North Carolina revealed horrendous conditions in the factory, but attempts at class mobilization in the wake of the fire failed because impacted groups split along racial and special interest lines. Harvey argues that basic gains toward social justice require that different impacted groups find “the similarities that can provide the basis...to understand each other and form alliances” while still recognizing difference. He argues that “the task...is to find an equally powerful, dynamic and persuasive way of relating the universal and the particular in the drive to define social justice from the standpoint of the oppressed” (1993: 45).

Identification

Statistical and anecdotal evidence demonstrates that local-federal enforcement collaborations impact immigrants for minor offenses, with No Operator's License (NOL) arrests (a criminal misdemeanor) clogging the detention pipeline. Law enforcement representatives all express the need to properly identify subjects, but differ somewhat in NOL arrest practices. Legally, the decision to arrest someone for NOL, a misdemeanor, is discretionary. Sheriff Harrison of Wake County states that if a person driving without a license seems dishonest, the officer may consider him a flight risk and arrest him. If many NOL arrests lead to removal, he adds, "That's still keeping our country safe." On the other hand, Mary argues that these arrests are clear evidence of racial profiling, since "there's really no way an officer can know that someone is driving without a license until they stop them and ask them for their license." She adds,

So then the question is, why do they get stopped in the first place?...Maybe they may have violated some sort of traffic violation that triggered the officer to want to stop them. But if that's the case, why haven't the clients been charged with that also? Like, passing the center line...that's a ticket. So the officer could very well give them a ticket if that's what prompted them to stop them in the first place. So, we're not seeing that. We're not seeing, you know, Speeding *and* No Operator's License. We just seem to be seeing No Operator's License.

Regardless of the reason for No Operator's License arrests, they undeniably conflict with ICE's stated enforcement priorities.

Durham County seems to differ slightly from Wake County in its arrest practices for No Operator's License. Though Chief López confirms that his officers do not ask for immigration documents in traffic stops, he adds that after verifying documentation, "we may or may not write a citation for driving without a license, and in some cases we will make an arrest." However, legal and community informants report that Durham law enforcement officers typically do not make NOL arrests. Supporting this, the Durham County Sheriff's Office representative was "not familiar with anyone that's been arrested by the Sheriff's Office for driving without a license." Officers do not want to arrest someone for a traffic charge, he explained; they have better things to do than getting "tied up...before the magistrate" for that.

The geography and reputation of 287(g) partnerships in particular counties impact unauthorized immigrants' mobility, in part based on the fear of arrest for minor offenses like NOL. Sara observes that "people are sometimes making travel

decisions, based on the need to drive through...a 287(g) county like Alamance that's known for profiling and other abuses." According to Alejandra, who has been living in North Carolina since she was a young child, people are more afraid of being pulled over in 287(g) counties. She adds that people outside 287(g) counties are less afraid, but "there's still that burden of you know, 'I'm driving without a license, so if something happens I'm screwed.'" Unauthorized migrants must negotiate the terrain of local- ICE collaborations without the means to legal identification. Since the state restricted drivers' licenses in 2006, the situation Alejandra describes has become common.²⁸

A possible solution to NOL arrests and subsequent ICE processing is to expand accepted forms of identification. On November 15, 2010, the Durham Bill of Rights Defense Committee successfully passed a resolution to make the City of Durham formally recognize the Mexican *matrícula consular* (Gronberg, 2011). The resolution states that a person who presents the *matrícula* when driving without a license should only receive a ticket when consistent with the policy for presenting a valid form of ID but not a driver's license (Gronberg, 2010). However, Durham's comparatively accommodating climate and Chief López's support undoubtedly helped the resolution to succeed, and such conditions do not exist in many counties. Also, if House Bill 33, pending in the 2011-2012 legislative session, passes, it will make this resolution void: the bill prohibits consular documents as an acceptable form of identification. Another possibility for preventing people from entering immigration removal proceedings after NOL arrests is reclassifying NOL as an infraction to eliminate arrest powers for that offense alone. North Carolina Indigent Defense Services considered this possibility in an impact study released in 2011 (North Carolina Office of Indigent Defense Services, 2011).²⁹

ICE Detainers

The ICE detainer, or ICE "hold," refers to ICE's formal request to a local jail that the agency in charge hold an immigrant for up to 48 hours after his or her state charges have been dropped. Sheriff Harrison confirmed that in Wake County, ICE puts a hold

²⁸ Of course, community safety is endangered when a population of community members cannot obtain the legal means to drive to work, yet still must get there, as my interviews and the UNC reports show.

²⁹ The study considered the impact of reclassifying 31 misdemeanors as traffic infractions, including No Operator's License. Its main goals were to "identify misdemeanor statutes that could be reclassified as infractions without negatively impacting public safety" and to "quantify potential cost savings to indigent defense that would result from reclassifying a statute."

on anybody who is flagged as potentially removable through 287(g) questioning or a match with Secure Communities. After the 287(g) officer questions someone, the ICE agent decides to either put a detainer on him/her for transfer to ICE custody after his/her state charges are resolved (or after he/she posts state bond) or to release him/her on his/her own recognizance. According to Lara, the problem with ICE's discretion is that

they don't use it...I've been told by the ICE officer, "Well, what am I supposed to do? If I know this person is illegal, even if they didn't commit the crime that they were picked up for, I know they're illegal, and so I can't just let them go." But the truth is, they can. That's what they're supposed to do, at least according to the stated priorities.

For this reason, she adds, the Obama administration's claim to be prioritizing criminals is not even "remotely true, and the system is set up so that it can't be true. [You can't prioritize] if you're lodging detainers on everyone that comes in, regardless of conviction, regardless of whether the charges are dropped." Sam makes the same observation, adding that ICE's general philosophy is that "'if a person is removable I'm gonna remove them'," regardless of the person's criminal record or lack of one. So, he argues,

quote- unquote "prioritizing" people who've committed felonies doesn't protect the people who are here for 15 years, have four U.S. citizen kids, pay their taxes, own their home, go to work every day, and get picked up for driving without a license. Doesn't help them!

The lack of discretion in detainer usage extends to the local sheriffs administering the jail. As far as Sam knows, "No county sheriff has ever ignored an ICE detainer. Ever," though it is supposed to be voluntary. The result is the widespread use of the detainer on anyone determined to be out of status through Secure Communities or 287(g).

Legal challenges to ICE detainers render their usage in federal-local enforcement partnerships problematic. In July 2009, the Florida ACLU sent a letter to Florida law enforcement officials, urging them to stop using ICE detainers unlawfully (ACLU, Florida, 2009),³⁰ and in June 2010 various immigration nonprofits sent a coalition

³⁰ The letter referred to the practice of holding individuals with ICE detainers at local jails for up to 48 hours after their criminal charges are resolved so that ICE can move them to immigration detention. The letter brought up several legal issues which Christopher Lasch (2008) outlines in more detail.

letter to Assistant Secretary John Morton urging ICE to consider how far the detainers have “become unmoored” from their authority (ACLU, 2010).³¹ A 2008 lawsuit against the Sonoma County, California Sheriff and ICE alleges racial profiling and the detention of young Latino men without reasonable suspicion for an unreasonable period. The lawsuit charges that ICE agents abused the limited authority of ICE detainers, the sheriff honored the invalid detainers, and both parties conspired to remove these men from the community without criminal procedural due process protections. This case reflects the problematic entrenchment of the criminal into the immigration legal context, to deny suspected gang members due process rights (United States District Court, District of Northern California, 2008). Another lawsuit was filed by the ACLU of Colorado on behalf of a man who was held under an ICE detainer for 47 days without any formal charges being filed. The suit charges false imprisonment and constitutional violations, since the legal authority of the detainers expires after 48 hours (United States District Court, District of Colorado, 2010). According to Sam, the 48 hour rule is also typically ignored in North Carolina, and immigration attorneys are forced to “go to court to file a *habeas*, in order to get somebody out...if you call and say, ‘You need to let my client out, the 48 hours have passed,’ most detention centers require you to file a *habeas*.”

The legal history of detainers sheds light on the tenuous legal authority on which many ICE detainers rest. Christopher Lasch traces the detainer statute to its origins and finds the federal government greatly expanded the authority Congress gave to issue detainers when they interpreted the statute in the Code of Federal Regulations (2008).³² The only time Congress explicitly granted statutory authority to issue immigration detainers was in the Anti-Drug Abuse Act of 1986 (ADAA), which clearly limits the authority to issue detainers to noncitizens arrested for violating controlled-substance laws.³³ Apparently, in practice, the government had been issuing immigration detainers long before the detainer authority was narrowly defined in the ADAA, and continued to issue them beyond the controlled-substance requirement after 1986. To justify this, it implemented wider interim regulations, citing the authority of the 1986 Immigration Reform and Control Act (IRCA), which dictated

³¹ This coalition letter demands ICE stop issuing detainers to people arrested or charged with crimes and prioritize convicted ones; only issue detainers in accordance with its own standards in its regulations for warrantless arrests; listen to the regulations’ requirement to only issue a detainer if the person is in the agency’s custody on an independent basis; and give detainees who are issued detainers full advisories based on the requirements for warrantless arrests and a procedure to contest the detainer.

³² Congress gives authority to agencies like DHS to promulgate regulations based on the statutes they pass. These go into the Code of Federal Regulations. Regulations that exceed a given agency’s statutory authority are called *ultra vires*.

³³ This is the content of INA 287(d)(3) and 8 U.S.C. 1375(d).

that the Attorney General quickly begin deportation proceedings against any removable alien.³⁴ When the INS (Immigration and Naturalization Service) finalized the statutes, they removed specific references to the enabling statutes.³⁵ Thus, 8 C.F.R. 287, which used to be tied to the Anti-Drug Abuse Act of 1986 and the narrow authorization of detainers for controlled-substance arrests, is much broader. According to the government, it codifies the “general authority” of detainers prior to 1986 (Lasch, 2008). This background depicts an instance of “crimmigration,” where the Anti-Drug Abuse Act led to the convergence of criminal with immigration law. It also illuminates the logic of legal challenges to detainer practices, particularly when neither ICE nor local officials use discretion in practice.

The attorneys I spoke with argue that detainer usage must change to a system more aligned with federal priorities. Lara says that reform is needed, if only because “the courts can’t possibly handle...every person driving without a license coming through the system.” A memo released by ICE Director John Morton in August 2010 pointed to a move toward prioritization (2010).³⁶ However, Lara feels that the people trained on the ground—either poorly trained 287(g) officers or “career ICE people”—are already set in their ways. They will not use discretion, so “the only way you’re going to change that is if from above, the policy gets implemented as rules. As in, ‘There will not be detainers issued for this level of offense.’ Not, ‘We are not required to issue detainers,’ or ‘These are our priorities.’”

Sam expresses the same view, that ICE “need[s] to have clear guidelines that [they] *will* not put someone into deportation proceedings unless they were either currently convicted of a felony or had been convicted of committing one in the past.” He adds that “as long as it’s discretionary, as long as it’s voluntary, as long as it’s based on the priority system,” nothing will change.

This article discussed some practical problems with local-federal 287(g) and Secure Communities collaborations, grounding its review in current debate around sub-national immigration enforcement and critical scholarship on increasing intersections between criminal and immigration law with punitive consequences and three case studies of 287(g) and Secure Communities in North Carolina. It analyzed several practical and legal problems regarding how 287(g) and Secure Commu-

³⁴ So the INS put their regulations, granting much broader authority to use detainers beyond the controlled-substance situation, into 8 C.F.R. 242. They then put the specific, narrow statute created by Congress with the controlled-substance case into 8 C.F.R. 287.

³⁵ And the language of the detainer regulations became identical to the language of 287.

³⁶ The memo, released by Assistant Secretary John Morton on August 20, 2010, outlines a new policy of dismissing removal cases of people who have been detained for not having legal status but who have pending applications for adjustment. The Houston court’s dismissal of non-priority cases has already backfired politically (Carroll and Powell, 2010).

nities are implemented. It highlighted the use of narrative and coalition-building in advocacy work to expose problematic consequences of these programs. It concluded with some preliminary policy possibilities related to identification and the use of ICE detainees.

In a political landscape where eliminating programs like 287(g) and Secure Communities seems improbable, seeking root causes of their inconsistencies and problems is hopefully a viable first step toward change. As long as ICE continues to operate from a quota-driven platform (Hsu and Becker, 2010), it seems unlikely that even a move to turn “priorities” into practice will come without immense political pressure. Amy, a professor and advocate in North Carolina who is part of a group pushing for more transparency in her county’s 287(g), emphasized the importance of such strategic resistance, working within an unjust system for incremental change. She explains,

I think we have to work within, we have to have realizable goals. And I think we’re pragmatic and I think we understand that...that’s just the goal that we think we can get to at the moment.

...We also have to take into mind, you know, the community that we live in. You know, we don’t live in –I don’t know– we don’t live in, like, San Francisco or somewhere like that [*laughs*]. And it’s –you know– you have to do the best you can do with where people live.

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Sam	Durham, North Carolina	Attorney	7/22/2010
Lara	Raleigh, North Carolina	Attorney	8/27/2010
Alejandra	Raleigh, North Carolina	Migrant	9/6/2010
George	Durham, North Carolina	Law Enforcement	8/19/2010
Sara	Raleigh, North Carolina	Advocate	9/1/2010
Mary	Raleigh, North Carolina	Attorney	8/24/2010
Sheriff Donnie Harrison	Raleigh, North Carolina	Wake County Sheriff	8/04/2010
Chief	Durham, North Carolina	Durham Chief of Police	8/11/2010
José López	Greensboro, North Carolina	Guilford County Sheriff	8/09/2010
BJ Barnes			
Colin	Raleigh, North Carolina	Advocate	8/24/2010
Frank	Raleigh, North Carolina (phone)	Advocate	8/16/2010
Cindy	Raleigh, North Carolina (phone)	Advocate	8/18/2010
Amy	Chapel Hill, North Carolina	Advocate	7/22/2010

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Seeking to Understand the Politics Of Immigration in Tennessee

DE ANN PENDRY*

ABSTRACT

This article analyzes state legislative politics related to immigration from 2001 to 2011 in Tennessee, a “new destination” for Mexican and other Latino migrants as well as refugees from Africa and the Middle East. Although the Tennessee Immigrant and Refugee Rights Coalition endeavored to influence policy-making, legislators have passed 13 exclusionary laws that increased internal enforcement and criminal penalties for “illegals,” constructed as undeserving, rather than contributing members of society. Also passed were laws restricting “legal” migrants. A small group of white legislators proposed many of the bills. However, half of the senators and one-third of the representatives sponsored at least one bill. Tennessee and other states are setting precedents that will make it difficult to achieve a path to legalization for the “low-skilled” “flexible” workers and their families now living in the United States. Migrants and their allies will need to continue working on shifting the discourse that justifies punitive policies.

Key words: immigration policy, immigration rights organization, state legislation, undocumented immigration, Tennessee, Tennessee Immigrant and Refugee Rights Organization

RESUMEN

Este artículo analiza las políticas legislativas estatales con respecto a la inmigración de 2001 a 2011 en Tennessee, un “nuevo destino” para migrantes mexicanos y otros latinos, así como refugiados de África y el Medio Oriente. A pesar de las actividades de cabildeo por parte de la Coalición por los Derechos de los Refugiados e Inmigrantes de Tennessee, los legisladores han aprobado trece leyes excluyentes que incrementan la ejecución local de las leyes migratorias y las penas criminales para los inmigrantes “ilegales”, concebidos como no merecedores de consideración en lugar de como miembros útiles de la sociedad. También aprobaron leyes restrictivas para los inmigrantes “legales”. Un pequeño grupo de legisladores blancos es el que ha propuesto la mayoría de estas iniciativas de ley, pero la mitad de los senadores y un tercio de los representantes han impulsado cuando menos una iniciativa de este tipo. Tennessee y otros estados están estableciendo precedentes que dificultarán la legalización de los trabajadores poco calificados y sus familias que ahora viven en Estados Unidos. Los inmigrantes y sus aliados tendrán que seguir luchando para cambiar el discurso que ahora justifica las políticas punitivas.

Palabras clave: política de inmigración, organización para los derechos de los inmigrantes, legislación estatal, inmigración indocumentada, Coalición por los Derechos de los Refugiados e Inmigrantes de Tennessee

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FOR MOST OF THE TWENTIETH CENTURY, Mexican migration to the United States has been concentrated in the southwestern states. However, during the 1980s and more so during the 1990s and into the 2000s, Mexican and other Latino migrants were increasingly moving to “new destinations,” particularly in the Midwest and the Southeast. These changes have been documented and discussed by a growing literature involving researchers from several social science disciplines (e.g., Murphy, Blanchard, and Hill, eds., 2001; Fink, 2003; Millard, Chapa, Burillo, et al., 2004; Zúñiga and Hernández-León, 2005; Peacock, Watson, and Matthews, eds., 2005; Anrig and Wang, eds., 2006; Smith and Furusest, eds., 2006; Massey, ed., 2008; Singer, Hardwick, and Brettell, eds., 2008; Odem and Lacy, eds., 2009; Ansley and Shefner, eds., 2009; Gill, 2010). Tennessee has been one of those new destinations, not only for Mexicans, Guatemalans, Hondurans, Salvadorans, and other Latinos (including U.S.-born Latinos), but also for refugees from various regions of the world. This article describes the politics that have emerged in Tennessee as a result of this in-migration. Tennessee is one of an increasing number of states whose governments have been passing their own laws designed to include or exclude immigrants (Anrig and Wang, eds., 2006; Odem, 2008; Mohl, 2009; Varsanyi, ed., 2010a). As this article will illustrate, there have been governmental and non-governmental efforts to include immigrants, including a law passed in early 2001 that granted access to driver’s licenses to state residents who could not present a valid social security card. However, since then state legislators have been proposing an increasing number of anti-immigrant bills. The rhetoric used to justify exclusionary proposals focuses on “illegals,” whom as Newton (2008) argues, are constructed as “undeserving” individuals who “broke the law,” even though some of the proposals, such as the English-only propositions, affect “formally” as well as “informally authorized” migrants (Plascencia, 2009).¹

The analysis in this article is based on my work as a volunteer and an ally of the immigrant rights movement in Tennessee since 2005, which has included helping to organize and participating in meetings, lobbying efforts, “know-your-rights” sessions for immigrants, outreach to U.S.-born residents, and protest marches. Much of that participation has taken place here in Knoxville where I live, but has included

¹ Newton (2008) demonstrated that elected officials frequently used variations of the term “illegal” when debating the proposals and amendments associated with the immigration reform bills passed in 1986 and 1996. Luis Plascencia makes a compelling argument that the use of “undocumented” (although favored by immigrant rights advocates) as well as “illegal” helps reproduce the ideology of “individual responsibility” for unlawful presence and/or visa violations and obscures the role of the state in determining laws, selectively enforcing laws, and granting exceptions to laws (2009: 379, 407, and 409). Hence, he suggests using the terms “informally authorized” and “formally authorized.” In this paper, I will occasionally use his terms, but I also use undocumented and unauthorized without quotes (as is conventional in much of the literature on migration) and “illegal” when quoting the discourse of politicians.

trips to several nearby towns, Nashville, Chattanooga, Atlanta, and Washington, D.C. Hence, the article also discusses the activities of immigrants, their children, and their allies to prevent exclusionary proposals from becoming law and efforts to promote immigration reform at the federal level that recognizes the many contributions of undocumented migrants.

Many researchers have highlighted the importance of migrants' transnational political activities, but those works have tended to focus on participation in local, regional, indigenous, and/or national politics in the migrants' countries of origin and/or labor organizing or religious organizations in the destination countries (e.g., Kearney, 1995; Kearney and Besserer, 2004; Portes and DeWind, 2004; Smith, 2006; Stephen, 2007; Foxen, 2007; Barajas, 2009). In his ethnography about Mexican migrants in San Jose, California, Christian Zolniski (2006) describes their participation in local labor organizing and school board politics. In works about migration to "new destinations," researchers have discussed labor organizing (Stuesse, 2009; Ansley and Lewis, 2011), organizing spaces for religious participation (Griffith, 2008; Odem, 2009), and the politics of participation in local cultural celebrations (Shutika, 2008). When discussing the impact of the 2006 pro-immigrant marches on federal immigration debates, scholars observe that many took place in "new destinations" (e.g., Chavez, 2008). In general, the literature on migration to "new destinations" has described the demographic changes and the anti-immigrant backlash that has resulted in exclusionary policies at the state or local levels. Researchers also note that local marches were held in 2006, and then observe that pro-immigrant advocacy groups are not as well-developed as they are in traditional gateways, or they mention that pro-immigrant groups were attempting to influence state or local policy-makers, without exploring the groups' activities in much detail (e.g., Anrig and Wang, eds., 2006; Singer, Hardwick, and Brettell, eds., 2008; Massey, ed., 2008; Odem and Lacy, eds., 2009; Varsanyi, ed., 2010a). Films such as *Farmingville* and *9500 Liberty* and several recent articles (Brettell, 2008; Price and Singer, 2008; Wilson, Singer, and DeRenzis, 2010; Danielson, 2010) illustrate that pro-immigrant groups have organized to contest anti-immigrant ordinances at the local level. Building on the work of Jamie Winders (2008 and 2009), Barbara Ellen Smith (2009), and Winders and Smith (2010), who have focused on the politics of immigration in Nashville and Memphis, this article will illustrate that, although not always successful, pro-immigrant advocates in Tennessee have been working on contesting anti-immigrant legislation at the state level. Before turning to the politics of immigration in Tennessee, it is important to place those politics within the larger context of global political and economic processes. What follows is a brief overview of the structural factors involved in the shift in migration to new destinations such as Tennessee.

MIGRATION TO NEW DESTINATIONS IN THE MIDWEST AND THE SOUTHEAST

After the Immigration Reform and Control Act (IRCA) passed in 1986, 3 million undocumented migrants, including 2.3 million Mexicans, were allowed to regularize their status (e.g., Massey and Capoferro, 2008: 28). In the early 1990s, a court case enabled some Guatemalans and Salvadorans to legalize their status by reapplying for political asylum.² Hence, these migrants were freer to move out of states like California to other places in the United States to seek employment opportunities, lower costs of living, and safer environments for their children (Millard, Chapa, Burillo, et al., 2004, Brown and Odem, 2011). By the early 1990s California was experiencing an extended recession, a saturated job market, and the anti-immigrant sentiments that resulted in Proposition 187. Thus, some migrants began moving out of California as well as Texas and Florida and became “pioneers” in new areas, who were then followed by other migrants in their networks, including new arrivals from Mexico and Central America who would move directly to the new destinations (Massey and Capoferro, 2008; Leach and Bean, 2008). Some of the pioneers were recruited by employers and some had worked in the Midwest or Southeast as migrant farmworkers and began finding more permanent employment opportunities (Millard, Chapa, Burillo, et al., 2004; Johnson-Webb, 2003; Striffler, 2005; Griffith, 2008; Zúñiga and Hernández-León, 2009; Mohl, 2009; Gill, 2010).

From the 1980s through the 1990s, industrialized farming was expanding, and meatpacking companies in major urban areas in the Midwest like Chicago closed their unionized factories, opening new ones in small towns that were also closer to beef and pork producers (Millard, Chapa, Burillo, et al., 2004; Gouveia, 2006; Fennelly, 2008).³ Poultry processing was also expanding, particularly in the Southeast (Kandel and Parrado, 2004). In the context of the increasing global mobility of capital and declines in U.S. manufacturing due to outsourcing, towns in the U.S. found themselves competing to attract new businesses that would “create jobs,” and thus also were offering these companies tax incentives to build processing plants in their towns. The newer meat and poultry processing plants were generally not unionized, and had declining working conditions, increased deskilling of jobs, and esca-

² The court case determined a bias in political asylum decisions during the early 1980s, when most Guatemalans and Salvadorans fleeing the violence of their civil wars were denied asylum, while it was routinely granted to Nicaraguans fleeing the Sandinistas (i.e., “communism”) (Brown and Odem, 2011: 5).

³ Katherine Fennelly describes a small town in Minnesota where a meat-packing company closed its plant in the early 1990s after the predominantly Euro-American unionized workforce refused to make wage concessions and re-opened it less than a month later using large numbers of non-unionized immigrant workers (2008: 154, 175).

lating line speeds. Initially these industries often went to large U.S. cities and to Mexico to recruit immigrant labor for these plants (Stull, Broadway, and Griffith, eds., 1995; Grey, 1999; Johnson-Webb, 2003; Striffler, 2005; Fleury-Steiner and Longazel, 2010). As had occurred in traditional destinations, when migration streams began to be established in new destinations, employers could recruit additional labor informally through immigrant networks (Massey, Durand, and Malone, 2002; Massey and Capoferro, 2008).

During the 1990s, job opportunities in general were expanding in southern cities like Atlanta, Charlotte, and Nashville. Professionals in fields like banking were moving to these cities and then wanted to purchase new homes and to hire services such as lawn maintenance, house cleaning, and childcare. The economic expansion in these cities also provided jobs for U.S.-born workers that were more attractive than working in agriculture and food processing. At the same time, it provided opportunities for formally and informally authorized immigrants to work in construction, landscaping, services, and manufacturing (Sassen, 2000 and 2006; Anrig and Wang, eds., 2006; Odem, 2008; Furuseth and Smith, 2010; Winders, 2008; Lacy, 2009; Mohl, 2009; Smith, 2009; Zúñiga and Hernández-León, 2009; Gill, 2010).

Mexicans have had a long history of migrating to work in the United States, which established networks that facilitated subsequent migration (Martínez, 2001; Massey, Durand, and Malone, 2002; Delgado Wise and Márquez Covarrubias, 2009; Stephen, 2007; Barajas, 2009). In addition to wage differentials between Mexico and the United States providing motivation to migrate, scholars have documented the devastating effects that neoliberal economic restructuring has had on Mexico. Privatization, diminished social services, cuts in price supports for basic foods, peso devaluations, the closing of factories that no longer enjoyed protected national markets, and the North American Free Trade Agreement, signed in 1994, which flooded Mexican markets with cheap U.S.-grown corn, meant that working class and middle class Mexicans, indigenous people and mestizos, from rural and urban areas, from new sending states and traditional sending states, were migrating “*al Norte*” in spite of increasing U.S. efforts to “secure the border” (Massey, Durand, and Malone, 2002; Delgado Wise and Márquez Covarrubias, 2009; Portes, 2009). Central Americans have been migrating to the U.S. since the 1960s; however, migration increased substantially during the late 1970s, the 1980s, and into the 1990s when people were fleeing the violence of civil war. By the late 1990s and the 2000s, they were still experiencing lingering violence as well as stagnating economies that offered few opportunities for working class people and even some middle class professionals, and prospective migrants could join social networks that had already been established in the U.S. (Menjívar, 2000; Foxen 2007; Brown and Odem 2011).

The United States government has spent millions of dollars on increased Border Patrol agents, fencing, roads, night-vision goggles, radar equipment, floodlights, vehicles, and helicopters to ensure border enforcement in El Paso-Juárez, San Diego-Tijuana, and other urban areas since the mid-1980s (Dunn, 1996; Nevins, 2010; Slack and Whiteford, 2011). Border enforcement escalated even more after the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) passed in 1996. The U.S. also pressured Mexico to step up its enforcement toward Central American migrants. The combination of labor demand in the U.S. (and minimal enforcement of employer sanctions that were part of the IRCA reforms) and economic difficulties in Mexico and Central America (as well as other countries) meant that the selective border enforcement policies did not “deter” unlawful entries, but shifted unlawful entries toward more remote areas, especially the Sonora Desert leading into Arizona. The net effect has been to increase the use of professional *coyotes* and the involvement of drug traffickers in human trafficking, to increase the financial costs of crossing, and to step up the numbers of injuries, robberies, assaults, rapes, and deaths during the crossings (Massey, Durand, and Malone, 2002; Nevins, 2010; Slack and Whiteford, 2011). Consequently, many migrants who managed to make it across were no longer entering through California (a favored entry point prior to 1986), and were motivated to move to destinations farther from the border region. In addition, in contrast to previous patterns of circular migration, many migrants chose to stay for years rather than returning to visit family and risking the dangerous re-entry. Thus, many decided to bring spouses and children to live with them in the United States (Massey and Capoferro, 2008; Leach and Bean, 2008; Brown and Odem, 2011). Since many migrants are young working-age adults, they also started having children in the United States. By the late 1990s –and even more so during the 2000s– children who were brought over without legal permission when they were young were beginning to graduate from (or drop out of) high school and were facing substantial obstacles in terms of obtaining further education and jobs (Bejarano, 2005).

Given this history, it is not surprising that Arizona has emerged as one of several states proposing contentious anti-immigrant legislation, and that one portion of the reforms being proposed at the federal level, known as the Dream Act, addresses the obstacles faced by undocumented youth. Monica W. Varsanyi and the other researchers who contributed to the edited volume *Taking Local Control: Immigration Policy Activism in U.S. Cities and States* mark the escalation in state and local involvement in immigration enforcement and legislation as beginning to increase after the events of September 11, 2001, and escalating more after the federal government failed to pass immigration reform bills in 2006 and 2007 (2010a: 11). The politics in

Tennessee generally appear to fit this pattern. However, as will be discussed later in the article, a few legislators in Tennessee were proposing exclusionary bills before 2006.

In *Immigration's New Frontiers: Experiences from the Emerging Gateway States*, published in 2006 and edited by Greg Anrig, Jr. and Tova Andrea Wang, the contributors summarize state legislation for Iowa (Mark A. Grey), Minnesota (Katherine Fennelly), and Nebraska (Lourdes Gouveia) in the Midwest and North Carolina (Paula D. McClain) and Georgia (Stephanie Bohon) in the Southeast. Some governors and state legislators in these five states initiated inclusionary policies related to immigrants in the 1990s and early 2000s.⁴ Of note were laws in Nebraska that protected workers' rights and offered in-state college tuition to undocumented children who had attended high schools in Nebraska (Gouveia, 2006: 166-167, 183). North Carolina's governor set up a state office and advisory council for Hispanic/Latino affairs in 1998, and in the early 2000s immigrants could use an Individual Taxpayer Identification Number (ITIN) to obtain a driver's license. However, by 2000 some legislators in these states were proposing exclusionary bills. For example, Iowa declared English the official state language in 2002, and North Carolina was moving toward eliminating the ITIN as an option for a driver's license, a bill which passed in July 2006 and went into effect a month later (Grey 2006; McClain, 2006). All five researchers noted a shift toward more exclusionary proposals, although Fennelly (2006) observed that there were fluctuations in Minnesota based on which political party was in control, and Gouveia noted that a network of immigrant organizations, advocacy groups, and community social agencies in Nebraska were serving as "an important counterweight" to the efforts of anti-immigrant groups that were beginning to form in 2006 (2006: 150).

This, then, is the context related to Latino migration to Tennessee. Latinos have been migrating to work and live in increasing numbers in Tennessee since the 1990s. By 2000, they accounted officially for about 2.3 percent of Tennessee's population (Drever, 2006: 20), increasing to 4.6 percent by 2010 (Ansley and Lewis, 2011: 10).⁵ According to the U.S. census data for 2000, almost half (48 percent) of the Latinos living in Tennessee were U.S.-born (Drever, 2006: 28).⁶ Of those who were foreign-

⁴ Bohon indicates that in Georgia, although local governments and institutions began to develop new policies related to immigrants in the late 1990s and a Puerto Rican legislator advocated for but did not obtain more access to driver's licenses, "most state-level policies have only been considered seriously since 2000," and "with very few exceptions, this legislation has been aimed at limiting immigration—particularly unauthorized immigration" (2006: 74, 75, 87-89).

⁵ In 2000, there were 124 000 Latinos living in Tennessee. That had increased to 290 000 by 2010. Those numbers include both U.S.- and foreign-born Latinos (Ansley and Lewis, 2011: 10-11).

⁶ It is likely that the census undercounted people who were Latinos and/or undocumented (Winders, 2008: 254-255).

born, principal countries of origin included Mexico, Guatemala, Honduras, and El Salvador. This includes migrants from indigenous groups in Mexico (such as Mixtecs and Purépechas) and Guatemala (such as Kanjobals and Mam Mayas).⁷ Estimates in 2000 and 2005 (prior to the 2007 economic downturn) were that about half of the foreign-born Latinos were undocumented (Drever, 2006 and 2009; Passel, 2005 and 2006). In keeping with other descriptions of migration to the Southeast, Latinos in Tennessee tend to live in the major urban areas of Memphis, Nashville, Chattanooga, and Knoxville, and in smaller towns that have poultry and other food processing businesses. Other sources of employment include construction, landscaping, warehouse work, hotel housekeeping, restaurant work, house cleaning, and other services (Drever, 2006 and 2009; Winders 2008; Smith, 2009; Ansley and Lewis, 2011). U.S. census population figures for 2000 and 2010 show that every county in Tennessee had some Latinos.⁸ By 2010, the numbers of Latinos had increased in almost every county, ranging from 13 in one rural county to 61 117 in Davidson County, where Nashville is located. There were many counties where Latinos constituted 3 percent or less of the population (below the state average of 4.6 percent); some were close to the state average; and some had higher proportions. Davidson County had one of the higher percentages in the state with 9.8 percent. Proportions for counties of the other major urban areas were 5.6 percent for Memphis, 4.5 percent for Chattanooga, and 3.5 percent for Knoxville. Other counties with high percentages of Latinos included 11.3 percent for Bedford County (with a poultry processing plant in Shelbyville), 10.7 percent for Hamblen County (with a poultry processing plant in Morristown), 8 percent for Montgomery County (which has a military base), and 7 percent in Loudon County (with a mushroom business in Lenoir City).⁹ At the same time, Tennessee has also become home to a number of refugees. Nashville has large communities of Iraqi Kurds, Somalis, and Sudanese. Knoxville has received refugees from Liberia, Burundi, and Iraq, and other countries. Refugees have settled in Memphis, Shelbyville, and other areas as well.¹⁰ As Winders (2008 and 2009), Smith

⁷ This is based on personal observations through interactions with migrants here in the state. In keeping with trends noted in the literature, a number of migrants I have met are from new sending states such as Oaxaca, but some are from traditional sending states like Guanajuato.

⁸ <http://www.knoxnews.com/data/tennessee-census-diversity/>.

⁹ Using 2000 U.S. census data for towns, Anita Drever identified Shelbyville (14.6 percent or 2 351 Latinos), Morristown (10.4 percent or 2 596 Latinos), Clarksville (home to the military base, 6 percent, or 6 207 Latinos), and Lenoir City (6 percent or 409 Latinos) as being among the 10 towns with the highest relative percentages of Latinos in the state (2006). In 2000 Bedford County had 2 811 Latinos, so most of the Latinos in the county were living in Shelbyville. The same can be said for Morristown and Lenoir City in their respective counties. However, clearly some were living in other areas of the county too.

¹⁰ According to the Migration Policy Institute (2011), the total foreign-born population in Tennessee grew from 1.2 percent in 1990 to 2.8 percent in 2000 and an estimated 4.2 percent in 2009. In 2009 they estimated

(2009) and Winders and Smith (2010) observe, this diversity has complicated the historically established black-white dynamic of racialized work relations and politics in Tennessee.

DRIVER'S LICENSES WON AND LOST: A SIGN OF CHANGES IN THE POLITICS OF IMMIGRATION AT THE STATE LEVEL

In response to this growing number of immigrants and refugees, the Tennessee Immigrant and Refugee Rights Coalition (TIIRC) was formed in 2001. TIIRC was organized as a non-profit organization after a grassroots campaign that successfully convinced the local legislature to pass a law enabling residents of the state who could not present a valid social security card to obtain a driver's license. That was in spring 2001, or, in other words, just before the events of 9/11. TIIRC's mission has been "to empower immigrants and refugees throughout Tennessee to develop a unified voice, defend their rights, and create an atmosphere in which they are recognized as positive contributors to the state" (2011b). Among other things, TIIRC organizes lobbying efforts at the local, state, and federal levels and helped form the Southeast Immigrant Rights Network to facilitate communication and cooperation among immigrant rights groups throughout the region. They also coordinate with various national immigrant rights groups, such as National Immigration Law Center (NILC), the National Immigration Forum, and the National Council of La Raza.

All these groups have been dealing with an anti-immigrant backlash that apparently has been increasing since 2001 (Anrig and Wang, eds., 2006; Singer, Hardwick, and Brettell, eds., 2008; Varsanyi, 2010). In Tennessee during the campaign to obtain access to driver's licenses, pro-immigrant advocates argued that undocumented immigration was an issue that needed to be resolved at the federal level, so in the meantime it made sense for the safety of all Tennesseans to ensure that all people residing in the state could take the driver's examination to prove they knew the rules of the road and thus would have access to licenses and auto insurance.¹¹ According to Stephanie

that 46.9 percent were from Latin America (Mexico, Central America, South America, and the Caribbean); 15 percent were from Europe, Canada, Bermuda, Greenland, and St. Pierre and Miquelon; 29.6 percent were from Asia, 7.7 percent from Africa; and 0.7 percent from Oceania. The 2009 figures are in line with the 2010 census figure of 4.6 percent for all Latinos (which includes U.S.-born Latinos). On that basis, one could guess and estimate that in 2010 the foreign-born, plus U.S.-born Latinos, plus U.S.-born children of other immigrants might amount to 10 percent of the total population in Tennessee.

¹¹ This was the logic of pro-immigrant advocates. I do not have data available to indicate whether legislators who supported the bill agreed with all or part of this logic.

Bohon (2008), Tennessee legislators supported the bill because the state government would benefit financially from the licensing fees. However, since 9/11, federal initiatives (including the reorganization of immigration enforcement under Homeland Security and the passage of the Real ID Act in 2005), neighboring state governments (particularly Georgia), and anti-immigrant voices within the state began calling on state legislators to rescind the law.¹² TIRRC lobbied to retain the law. In 2004, it was reduced to a driver's certificate that had to be renewed every year, but by 2007 that option was eliminated with a bill that took effect in 2008.¹³ State senators and representatives from both political parties voted to require that people seeking a driver's license had to present a valid social security card, and a Democratic governor signed the bill into law.

In Knoxville and other areas of Tennessee, public transportation is not well developed. Most people have to drive to get to work or go grocery shopping. Driving without a license in Tennessee is a misdemeanor. If a person has multiple incidents of driving without a license, he or she can be arrested. Police departments who charge immigrants for driving without a license collect substantial fines. In 2007, Tennessee legislators also passed a law authorizing state troopers to be trained as immigration enforcement agents. That same year the Davidson County Sheriff's Office signed a 287(g) agreement with the federal government. As a result, officers in the county jail were certified as immigration officers and could initiate deportation proceedings for anyone arrested. In all, about 8000 immigrants have been deported from Nashville between 2007 and 2011, many of whom were arrested for driving without a license. In 2010, the Knox County sheriff started participating in "Secure Communities," yet another federal enforcement initiative. In addition, while Arizona was passing its stringent enforcement bill, SB1070, which received national attention, several states, including Tennessee, passed bills designed to increase detentions of undocumented immigrants. Tennessee's SB1141 requires all county sheriffs

¹² In her 2008 talk (based on Bohon, Stamps, and Atilas, 2008), Stephanie Bohon said that Georgia legislators did not want undocumented residents of their state to be able to obtain a driver's license in Tennessee. Anecdotally, it appears that some immigrants residing in neighboring states did attempt to obtain driver's licenses in Tennessee during the time they were available.

¹³ Paula McClain (2006) notes that in 2004 North Carolina reduced the types of items allowed as proof of identity for a driver's license (as part of a program called Operation Stop Fraud). Immigrants were allowed to present an Individual Taxpayer Identification Number (ITIN) to apply for and renew driver's licenses. In 2006 North Carolina's legislature eliminated that option, and only allowed valid social security cards and visas. McClain adds that at the time Juan Hernandez, the director of the Mexican government's Offices of Mexicans Abroad, was meeting with state governors to encourage them to follow North Carolina's position of accepting the ITIN and Mexican identification cards. She notes that "while a causal link cannot be drawn," there seems to have been a "backlash to this approach" (2006: 20-21). However, we need to recall that the federal government passed the REAL ID Act in 2005, so states were responding to its mandates.

to determine the immigration status of anyone arrested, and to forward that information to Homeland Security's Immigration and Customs Enforcement (ICE). Sheriffs around the state were required to implement this starting January 1, 2011 (without any training from federal officials).

As Michele Waslin explains, 287(g) was set up as part of the provisions of IIRIRA, passed in 1996, as a voluntary program to increase federal collaboration with state and local enforcement.¹⁴ Prior to 2001, very few state or local police had enrolled in the program. A number of police departments argue that participating in immigration enforcement hampers their ability to deal with crimes such as assaults and robberies since undocumented immigrants may be reluctant to report such crimes for fear of deportation. After 9/11, with the increased stress on national security, more state and local police forces began to enroll.¹⁵ Florida signed an agreement in 2002; Alabama signed one in 2003, and by 2006, Georgia, Oklahoma, and North Carolina had passed laws obliging their state police to participate (Waslin, 2010: 102-103).¹⁶ This was the context for the decisions that Tennessee legislators and some sheriff's offices were making. The federal government offers funding (but no officer salaries) for the training and underwrites some of the costs of detentions. However, some police departments are discovering that implementing these programs diverts resources that could have been used in other areas of law enforcement (Waslin, 2010).

As a result of these federal, state, and/or local enforcement initiatives, nationally, more undocumented immigrants were deported in 2010 under the Obama administration than in previous years under Bush. ICE (2011) maintains that they are focusing on "criminals," but it appears that an increasing number of people are being deported after being arrested for driving without a license. In general, immigrant rights advocates have expressed concerns about the increasing "criminalization" of undocumented immigrants. As one example, in 2008 ICE began implementing Operation Streamline in Arizona, which now prosecutes migrants who entered without authorization and have criminal records or previous orders of deportation, and sentences them to jail time ranging from 30 days to 24 months before deporting them

¹⁴ Lina Newton observes that a Republican representative from Iowa (a new destination) was pushing for the IIRIRA amendment that created 287(g) and other forms of collaboration between federal immigration enforcement and state and local police (2008: 112-115).

¹⁵ Michele Waslin also explains that although IIRIRA provisions only allowed data on "previously deported felons" to be entered in the FBI criminal data base, in December 2001 the INS simply informed Congress that they decided to add "absconders," "persons with outstanding orders of deportation, exclusion, or removal" (2010: 101). In other words, they added the names and biometric data of people who were guilty of the civil offense of being unlawfully present. This is another way that the federal government has stepped up internal enforcement efforts aimed at individuals.

¹⁶ Waslin adds that by January 2010, 67 agreements had been signed and 1 075 police and correctional officers trained (2010: 103).

(Slack and Whiteford, 2011: 18). Reporters have shown that the Corrections Corporation of America (CCA), which has its headquarters in Nashville, spent millions of dollars lobbying ICE and other government officials to obtain detention center contracts and to persuade Arizona legislators to pass SB1070 (Sullivan, 2010; Nieto, 2011). In other words, more tax dollars are being spent on internal enforcement, including money being paid to privately run for-profit detention centers. This past spring, TIRRC members picketed CCA's shareholders meeting in Nashville, calling on them to sell their stock in the company (George, 2011).

ESCALATION OF RESTRICTIVE IMMIGRANT PROPOSALS AND LEGISLATION AT THE STATE LEVEL

In Tennessee, the number of proposals in the state legislature designed to place restrictions on undocumented immigrants or on all immigrants and place requirements on employers, police officers, state employees, and others increased from 20 in 2006 to 44 in 2007 to 66 in 2008.¹⁷ In 2006, one passed, and in 2007, four passed. In 2008, no exclusionary laws were passed, but one bill passed that TIRRC regarded as favorable: a bill proposed by Memphis legislators to prevent racial profiling. The four new laws passed in 2007 eliminated the driver's certificate, authorized state troopers to become certified as federal immigration agents, prohibited the use of individual taxpayer identification numbers (ITINs) for employment, and restated federal I-9 requirements for employers, adding new procedures for suspending state-issued business licenses for non-compliance. At the time these bills were being considered, one legislator told me that the state trooper bill would pass, because the state was going to receive federal funding for it.

¹⁷ These numbers are based on internal documents that TIRRC produced to track the legislation. They represent paired proposals by senators and representatives. Several proposals overlapped in content. If you count the paired proposals separately, then 132 bills were proposed in 2008. Tennessee's legislature operates in two-year cycles, so pending 2007 proposals rolled over, and more were added in 2008. The sessions typically last from January through May. In 2008, of the 66 paired proposals, 19 were intended to create new barriers for state government services and voting or turn state employees into immigration enforcement agents; 12 were intended to turn state and local police into immigration enforcement agents; 13 were aimed at employers of undocumented workers; 3 would have required landlords, car salesman, and other business owners to act as immigration enforcement agents; 3 were designed to confiscate earned benefits and wages of undocumented workers; 7 entailed unequal application or protection of the law for certain immigrants, such as creating misdemeanor crimes for using false work documents; 5 involved discrimination against people with limited English proficiency; and 4 included proposals to redeploy the Tennessee National Guard to the border—yes, they were deployed once before 2008 by a Democratic governor—to study the fiscal impact of illegal immigration on the state, and to create a Tennessee Department of Homeland Security. The proposals aimed at employers and businessmen included fines and confiscation of property.

While Tennessee was considering these bills, in 2006 Georgia legislators passed the Georgia Security and Immigration Compliance Act. This required contractors and subcontractors doing business with the state to ensure workers were authorized to work, denied state-supported benefits including health care to adults who could not prove legal residency, required police to check the legal status of anyone arrested for a felony or driving under the influence, authorized state police to be trained as federal immigration agents, and prohibited employers from claiming a state tax deduction for wages paid to undocumented workers. Mary Odem notes that legislators considered amendments that would have charged a 5-percent tax on money transfers by undocumented immigrants and denied public education to undocumented children, but the bill's supporters did not include these amendments in the final version because they "did not want to threaten the passage and viability of the bill by including unconstitutionally questionable provisions" (2008: 130-132; and Bohon, 2006).

As Odem suggests, it is clear that state legislators introducing exclusionary bills are paying attention to efforts in other states and are drawing on the language from other proposals. For example, the Republican representative from my district in Knoxville proposed a 25-percent tax on all money orders sent out of Tennessee to foreign countries.¹⁸ That bill did not pass. In 2008, a Republican senator and a Democratic representative from Murfreesboro (in Rutherford County, south of Nashville) introduced the Tennessee Taxpayer and Citizen Protection Act, which copied almost verbatim an act that had passed in Oklahoma, and would have required state employees administering services to check credentials, obliged employers to use E-Verify, deemed all undocumented immigrants as flight risks for bond purposes, and denied prenatal care to undocumented mothers, among other provisions. That proposal did not pass either.

It is significant to note that all these proposals preceded Arizona's SB1070, which has received more national and international attention and was even more draconian. So did the legislation that was being considered in other new destinations, such as Iowa, Minnesota, and North Carolina (Grey, 2006; Fennelly, 2006; McClain, 2006). This is not to mention the precedents set by California's Proposition 187 in 1994. Although overturned by the courts, many argue that Prop 187 influenced the cuts in services to legal permanent residents and undocumented immigrants that became part of federal immigration reform, IIRIRA, passed in 1996 (Chavez, 2001; Ono and Sloop, 2002; Newton, 2008).

¹⁸ I am not using the names of the state senators and representatives in an attempt to not reproduce the "cult of personality" that often prevails in U.S. politics. They are public figures, and readers can ascertain who they are from the references provided in the bibliography.

Odem observes that the 2006 Georgia Act was proposed by a Republican state senator from a suburb of Atlanta that had drawn “a growing number of Latino immigrants, attracted by jobs in poultry-processing plants and in the booming construction industry” (2008:130).¹⁹ Nevertheless, we have to recognize that he managed to garner the votes needed to pass the law. The same can be said for the laws that passed in Tennessee. In their regression analyses on municipalities passing immigration-related ordinances, S. Karthick Ramakrishnan and Tom (Tak) Wong found weak effects for correlations with Latino growth, but strong and consistent effects for political parties, with cities in majority-Republican areas more likely to pass ordinances aimed at restricting immigration, while cities in majority-Democratic areas were more likely to pass pro-immigrant ordinances (2010: 87-88).²⁰

For politics at the state level in Tennessee, one could say that the Latino and/or refugee population did increase within most of the districts of legislators who introduced exclusionary proposals in 2007 and 2008. However, there were legislators representing districts with similar or higher growth rates who did not make such proposals, though they may have voted for them.²¹ The legislators all spend time in Nashville, which has become quite diverse. Alarming from my point of view, half of the senators (18) and one third of the representatives (27) served as co-sponsors of an exclusionary proposal (see table). Most proposed one or two bills, while 10 proposed 5 to 16 bills each. These individuals clearly were choosing to take up the cause of controlling “illegal immigration” and passing English-only laws.

As the table shows, Republicans were more likely to propose exclusionary bills, but Democrats also proposed some. TIRRC maintains a non-partisan stance and lobbies legislators in both parties. They do targeted lobbying when bills are in subcommittees, committees, or up for a vote on the floor. For several years, they have hosted “New American Day on the Hill,” which provides training and transportation for immigrants and allies around the state who come to Nashville to personally speak with senators and representatives.

¹⁹ Fennelly (2006) and McClain (2006) also noted that particular people in Minnesota and North Carolina emerged as strong proponents of exclusionary legislation.

²⁰ Fennelly notes a partisan divide in Minnesota state politics, with Republicans gaining political power and proposing laws to “curb illegal immigration” (2006: 102-103). Interestingly, Ramakrishnan and Wong also found weak correlations between local politics and state-level politics (2010: 88). Even more significant is that, as of 2007, out of the 26 622 municipalities in their sample, 99.3 percent had not passed any kind of legislation related to immigration, 0.4 percent had passed restrictive ordinances, and 0.3 percent had passed pro-immigrant ordinances.

²¹ I was unable to obtain data about how legislators voted on these measures, so for this analysis I am focusing on the people bringing these measures up for consideration.

COMPARISON OF TENNESSEE STATE LEGISLATORS WHO PROPOSED AND DID NOT PROPOSE LEGISLATION TO RESTRICT IMMIGRANTS IN THE 2007 AND 2008 COMBINED SESSIONS								
	Republicans	Democrats	White Males	White Females	Black Males	Black Females	Latino Males	Latina Females
33 Senate								
18 proposed	10	8	14	3	—	1	—	—
15 did not	7	8	11	2	1	1	—	—
99 House								
27 proposed	17	10	23	3	—	—	—	1 (R)
72 did not	29	43	52	4	9	6	1 (R)	—
Source: Tennessee Immigrant and Refugee Rights Coalition internal documents tracking legislation. Legislative record also at www.capitol.tn.gov/ . Demographic information from Tennessee Secretary of State (2005 and 2009) (Tennessee Electric Cooperative Association, 2007)								

Most of the proposals were made by white males or females, but there were white males and females who did not make proposals.²² With the exception of one black female senator, none of the other black senators or any of the black representatives, who were all Democrats mostly representing districts in Memphis, Nashville, or Chattanooga, made any proposals. Indeed, one of them proposed the bill to help prevent racial profiling that did pass in 2008. One of TIRRC’s goals has been to facilitate black-brown dialogue. Some African-American community leaders are important allies and have given encouraging speeches to TIRRC members and have participated in TIRRC rallies. However, TIRRC recognizes the potential for divisions over job competition and anger over Latino attempts to compete for minority set-aside contracts in Memphis, which have been described by Barbara Smith (2009), and in Winders and Smith (2010).²³ Politically TIRRC has also worked to cultivate the support of sympathetic whites. As Jamie Winders discusses (Winders and Smith, 2010), in one attempt to appeal to “all Tennesseans,” TIRRC put up billboards in Nashville to remind residents to “welcome the immigrant you once were.” As Winders argues, (notwithstanding the diverse photographic images on the billboard) that classic trope evoked the history of European Americans and not African-Americans (not to mention the state’s very small minority of Native Americans). Hence, forming alliances with

²² In this analysis, I have reproduced the color-based terms to convey the racial dimensions of politics in Tennessee. However, in general I regard the terms Euro-American and African-American as preferable. I also chose to use the term Latinos instead of Hispanics.

²³ In North Carolina Helen B. Marrow (2008) observed efforts at black-brown coalition-building (initiated by black political leaders) as well as tensions between blacks and Latinos.

African-Americans is a work in progress that requires reflecting on history and some taken-for-granted assumptions by immigrants, African-Americans, and white (and other) allies.

As can be seen in the table, there were two Republican Latino representatives (a female and a male). The woman sponsored the bill that passed and authorized Tennessee state troopers to become ICE officers. She is a Republican of Mexican origin and lives in a small town west of Memphis. In her county, the number of Latinos increased from 298 in 2000 to 858 in 2010 (or from 1 percent to 2.2 percent of the total population, which increased by about 10 000). She is a farmer and a retired Marine (Tennessee Secretary of State 2005 and 2009; *Knoxville News Sentinel*, 2011). By 2009 she had been elected as a state senator and went on to co-sponsor another exclusionary bill that passed. Needless to say, TIRRC is disappointed that they could not count on her as an ally. Although the Latino male did not sponsor any bills in 2007 and 2008, eventually he, too, signed on as a co-sponsor for an exclusionary proposal.

As noted earlier, 10 legislators proposed 5 to 16 bills each during 2007 and 2008. All were white males, aged from their late 30s to late 60s. The four senators (three Republicans and one Democrat) and six representatives (four Republicans and two Democrats) were from Collierville (a suburb of Memphis), Old Hickory (a suburb of Nashville), Goodlettsville (located just north of Nashville), Murfreesboro (south of Nashville), Cleveland (near Chattanooga), and Knoxville. By 2010 and 2011, three more (two white males and one white female who call themselves “conservative Republicans”) were prioritizing “illegal immigration control” on their legislative agendas. They are from Murfreesboro, Shelbyville, and Lancaster, a small town east of Nashville.²⁴

Percentages for Latinos by 2010 (based on the U.S. census) in these districts varied: 5.6 percent for Shelby County (Memphis); 9.75 percent for Davidson County (Nashville); 6.7 percent for Rutherford County (Murfreesboro); 11.3 percent for Bedford County (Shelbyville); 6.6 percent, 4.1 percent, and 2.3 percent for DeKalb, Macon, and Smith Counties (for the woman from Lancaster); 4.7 percent for Bradley

²⁴ I did not formally interview the legislators. I have interacted with several while lobbying, including my own representative (who was one of the top 10 proposers in 2007 and 2008). I heard the Latina woman give a non-committal speech to a lobbying group from TIRRC the year that she sponsored the state trooper bill, and witnessed the woman from Lancaster give an angry speech in a committee hearing, but I have not interacted much with the legislators from Memphis, Nashville, Murfreesboro, Shelbyville, Lancaster, and Cleveland, who were among the top proponents of “immigration control,” so their quotes are drawn from their campaign websites or news articles about them. There was not much information available online for a couple of them. The Cleveland senator, for example, was no longer in office by 2011. Demographic and professional information was drawn from the Tennessee Secretary of State (2005 and 2009) and Tennessee Electric Cooperative Association (2007). The same information is also available online at www.capitol.tn.gov.

County (Cleveland); and 3.5 percent for Knox County (Knoxville).²⁵ Nashville, Murfreesboro, and Shelbyville Counties have refugee communities, which were increasing in size during the 2000s. This area has been the site of several anti-Islamic incidents. These counties (as well as others) saw increases in Latinos and/or refugees during the 1990s and 2000s (as well as increases in whites and blacks). However, these legislators are choosing to assign a negative meaning to that growth. Indeed, the female legislator noted above is part of that growth. She moved (or migrated) to Lancaster in 1992, seeking her dream home in the countryside after a career of touring as a country gospel singer. In general, however, most of the legislators (proposers and non-proposers) were born, raised, and educated in Tennessee.

For several years a Republican senator from Murfreesboro has been taking the lead in efforts to “control illegal immigration” and pass “English-only” laws. In 2011 he also introduced a bill to restrict Muslim religious practices. He proposed 16 bills during the 2007-2008 cycle, including the I-9 and ITIN bills that passed in 2007. In 2008, he was a co-sponsor of the Tennessee Taxpayer and Protection Act, which as mentioned before, copied almost verbatim an act passed in Oklahoma. He also proposed items in this act as separate bills, apparently to ensure that at least some of them would pass (a tactic that worked). In 2003-2004 and again in 2005-2006, he sponsored at least three exclusionary bills, including restrictions on licenses and requiring English for the driver’s license exam.²⁶ He has insisted that he “will continue to introduce legislation as long as the federal government continues to turn a blind eye.” He sells insurance, was an Eagle Scout, and is a Mason. As is typical of many politicians who have proposed exclusionary laws, in a statement on his campaign website, he states that as a “proud American” he values immigrants, but “all I ask is that they follow our laws and come here legally.” He tells an anecdote about how a police officer chose to give a ticket to a young lady who would dutifully

²⁵ County population figures based on U.S. census data for 2000 and 2010 recorded on a map posted at <http://www.knoxnews.com/data/tennessee-census-diversity/>. To look at these numbers another way: by 2010 the numbers of Latinos in each of these counties were 52 092 in Shelby County; 61 117 in Davidson County; 17 500 in Rutherford County; 5 083 in Bedford County; a total of 2 575 in DeKalb, Macon and Smith Counties; 4 664 in Bradley County; and 15 012 in Knox County. Based on 2000 census data for cities and towns (rather than counties), in addition to concentration in the major urban areas, Drever (2006) identified ten towns in Tennessee that had percentages of Latinos ranging from 5.2 percent to 22.8 percent. Most of the towns had chicken- or other food-processing businesses. Shelbyville and Collegedale (near Cleveland) were on the list. She did not list any towns for Rutherford County or DeKalb, Macon, and Smith Counties. In 2000, Rutherford County had 5 065 Latinos (2.8 percent) and DeKalb, Macon and Smith Counties had a combined total of 1 182 (2.1 percent).

²⁶ As another sign of the increase in legislation, in 2007 the Tennessee legislature began listing “immigrants” as a subject category for bill proposals. Prior to 2007 bills were being proposed, but they were categorized under subjects like driver’s licenses, criminal offenses, and employees. For the earlier years, I looked at the legislation that led to the driver’s license law in 2001 and its subsequent elimination. I did not thoroughly check the other categories, but it is possible other proposals related to immigrants were made.

comply with the law and pay her ticket, but then chose not to not give a ticket to an “illegal” driver, because it would not do any good, since “they know they do not have to pay the tickets.” Although this senator was frustrated that “illegals” were not being held accountable for traffic violations because they did not have driver’s licenses that police could use to track them, his solutions were to continue to make sure that they did not have access to driver’s licenses or car tags. He justified continuing to call for “English-only” exams for driver’s licenses, because it would be less costly and would not discriminate against the speakers of 52 different languages in Nashville who did not speak the four languages being offered or the three that might be added. He listed other issues on his website that concerned him, including funding for the arts, and by 2009 had become deputy speaker of the Senate.

This senator co-sponsored five of his proposals with a Democratic representative who was also from Murfreesboro, a man in his 60s who decided not to run for office in 2008. In an article about this decision, he did not discuss these bills, but cited other legislation dealing with crime victims as achievements during his tenure. He was replaced by the “conservative Republican” noted above, who is a business owner, pilot, and farmer. Immigration reform dominates his website, which has a three-minute video, in which he calls on the Tennessee legislature to congratulate Arizona for passing SB1070, because “if we don’t stop illegal immigration at the border, they will just keep coming.” They did pass that decree, and he and other legislators took a trip to Arizona (which they paid for themselves) to personally deliver it to Arizona legislators. In 2011 the senator and this new representative from Murfreesboro co-sponsored Tennessee’s version of an Arizona copycat law. That proposal did not make it out of the Finance Committee, because it was estimated that it would cost the state several million dollars to implement (which they do not have), but it will be up for consideration again in 2012. Meanwhile, these two men along with the senator from Shelbyville and another representative co-sponsored the one portion of the copycat bill that did pass in 2011, which requires all employers in the state to start using E-Verify, a federal computerized system that checks social security numbers put in place after the IIRIRA reforms. IIRIRA made participation optional for employers. Opponents note that it is error-prone, and has caused legal residents to be denied employment.

The representative from Murfreesboro, the senator from Shelbyville, the representative from Lancaster, my own representative –now a senator– from Knoxville, and the representative from Collierville (all Republicans) have reproduced negative stereotypes about “illegals.” In a committee hearing, the representative from Collierville compared immigrants to “rats,” and then in his apology, said that he should have used the term “anchor baby.” My representative also uses “anchor baby,” and

is the one who proposed the 25-percent tax on money orders. In his video, the representative from Murfreesboro reels off statistics about 83 percent of warrants for murder in Phoenix, 40 percent of detentions in Arizona, and 2 000 murders a year being related to “illegal aliens.” He cites the costs of illegal immigration to Arizona at US\$2.4 billion, and portrays the Obama administration as “spiraling out of control” (this part is in black and white, compared to the rest of the video that is in color). In his campaign ad, filmed in a barbershop with several other white males, the senator from Shelbyville argued, “Illegal immigration is costing taxpayers billions of dollars and our families and businesses pay the price. For too long our politicians have protected illegal aliens. It’s time to cut it out, cut out their ability to sneak across the border, cut off their access to our jobs, cut off their ability to get tax-payer funded health care, because if we don’t, they’re never going to stop coming.” The barbershop scissors reinforce his mantra of “cuts.” The color image shown for “our families” is a modestly dressed white couple with one child, which contrasts with black and white photos of a dozen people climbing over a dilapidated fence, five apparently Latino workers raising a house frame, and a waiting room of Latina women and children and one white guy, with a color overlay in one corner of prescription medicine bottles. The representative from Lancaster was angry about the costs of educating “illegal students” in Davidson County –not her district– and the national annual costs of educating illegal immigrants and children born here to illegal immigrants, which add up “to a staggering US\$28.6 billion.”

These legislators (as well as others) subscribe to the ideology that constructs “illegal immigrants” as “undeserving” (Newton, 2008). As yet another example, during TIRRC lobbying in 2011, another white male legislator told me that he was upset that his elderly parents, who had worked hard all their lives and “played by the rules,” had to wait in the emergency room, while the doctors attended the “illegals.” I asked him if that meant that he thought that they did not deserve health care. He claimed that is not what he meant. However, doctors in emergency rooms prioritize patients (all human beings who enter their doors) by the seriousness of their injuries. As Luis Plascencia (2009) argues, several legislators I have met view “illegals” as individuals who chose to “break the law,” and therefore should be punished. My own representative said that he wants to “make their lives so miserable that they will go back where they came from.”

While lobbying, I heard him and others justify their positions by citing statistics, which appear to be derived from Federation for American Immigration Reform (FAIR) and the Center for Immigration Studies (CIS), both explicitly anti-immigrant in their politics. Along with the Minutemen, these organizations have gotten involved in several state and local political struggles. The groups have websites. CIS supplies

“the facts” or “numbers.” FAIR provides funding for ads and billboards and leadership training and “talking points” to local activists. Examples include Iowa after the governor announced his welcoming plan in 2000 (Grey, 2006: 40), Nebraska prior to and during 2006 (Gouveia, 2006: 149-150), and day labor campaigns in La Vista, California in 2006 (Danielson, 2010) and in Farmingville (*Farmingville*, 2004). As Grey and Gouveia point out, often fewer than 100 people show up to anti-immigrant protests, but Danielson and the Farmingville film illustrate how they help provide the logic that justifies punitive policies.

On the other hand, three of the legislators from Tennessee who proposed five or more exclusionary bills in 2007 and 2008 were not stressing this issue on their websites in 2011. A Republican senator from Colliersville, a lawyer, provided information about flood assistance and a slew of bills he was sponsoring that were not related to immigration. He emphasized that he would be focusing on balancing the budget, rather than being distracted by attempts to attack Muslims. There was almost no mention of “illegal immigration” on his website. The same was true for the websites of a Democratic representative from Old Hickory, who sponsored 10 bills in 2007-2008, and a Democratic senator from Goodlettsville, who sponsored five. The Democrat from Old Hickory, a fireman, was stressing flood assistance, attacks on teachers, getting tougher on meth, helping vets, and his decision to oppose calls for a voter ID (an issue pushed by legislators who argue that this will prevent “illegals” from trying to vote). The Democrat from Goodlettsville, a lawyer, portrayed himself reading for a multicultural classroom, obtaining an arts grant, honoring a fallen vet, and calling for more oversight on used mattress sales. Of course, they still may have been voting to support some of the measures proposed by others, but they were not reproducing anti-immigrant rhetoric or imagery on their websites.

I do not know how many legislators in Tennessee subscribe to the ideology that “illegals” are “undeserving.” However, it seems that not many are willing to publicly criticize their peers who are vocally advocating this stance. TIRRC creates handouts, which it distributes to legislators, so they will have information they can use to construct a counter-narrative. However, much work is still to be done in terms of educating legislators. I have yet to hear a strong legislative voice emerge in Tennessee, such as that of Representative Luis Gutiérrez of Illinois (a Puerto Rican), who attempted to reintroduce “comprehensive immigration reform” at the federal level in 2009, and not only sponsored the Dream Act, but was willing to participate in civil disobedience and have himself arrested on the steps of the White House to draw attention to the plight of the undocumented students who could benefit from the bill.

ENGLISH-ONLY LAWS AND MORE ANTI-IMMIGRANT LEGISLATION IN THE WAKE OF ARIZONA'S SB1070

In 2009, TIRRC secured a commitment from Tennessee's Department of Safety to add Chinese and Arabic as languages for driver exams, which were already available in Spanish, Japanese, and Korean. They also supported a bill, which passed, that authorized funding for English as a Second Language and citizenship classes for adults. That year TIRRC was monitoring 35 anti-immigrant proposals. They worked on stopping bills (proposed by the senator from Cleveland and my representative from Knoxville) that sought to create barriers to attending college for children of undocumented immigrants. Following the example of Georgia, the senator from Shelbyville and the representative from Murfreesboro, introduced a bill to prohibit local governments from enacting sanctuary policies. TIRRC worked on amending the language of that bill to make it less dangerous. TIRRC also participated in processes that helped delay two bills that did end up passing in 2010.

However, that year two more exclusionary bills passed. They were sponsored by the representative from Murfreesboro, the senator from Shelbyville, and two other legislators. One made it a criminal offense for a person to knowingly provide, transfer, or submit to another person false identification for obtaining or maintaining employment. Note that this bill was worded to not include college students who use fake IDs to buy alcohol. The other bill imposed penalties on employers and employees in certain cases involving employees not authorized to work, and gave employers the ability to deny undocumented workers full unemployment benefits.

In 2010, despite ongoing efforts by TIRRC, the Tennessee legislators passed SB1141 requiring all county police officers to determine the immigration status of anyone detained in their jails.²⁷ They also passed a law allowing employers to require "English only" in the workplace. TIRRC is planning to bring a lawsuit if an employer decides to implement the latter, because it contradicts federal statutes.

Despite the claims of some legislators that all these proposals are only being directed at "illegals," the "English-only" proposals affect all immigrants and residents who do not speak English well or prefer to speak other languages. As already noted, the senator from Murfreesboro was committed to continuing to reintroduce a bill that would require "English-only" for driver's license examinations. Given that undocumented immigrants are no longer eligible to apply for a driver's license, this proposal would only affect lawful permanent residents, people who have tempo-

²⁷ This was the other bill sponsored by the Latina woman, who by then was a senator. She may only have sponsored two bills, but both passed, and both were designed to increase detentions and deportations.

rary work visas, student visas or tourist visas, and naturalized or native-born citizens. For refugees this adds one more burden to the stressful experience of relocating. Not only are many in the process of learning English, but refugees are expected to be employed within six months of arrival. How are they supposed to get to work if public transportation where they live is not adequate? It is logical that people need to know what a “stop” sign is in order to pass the test, but that is different from having to take the entire test in English. This proposal was debated in 2010 and 2011, but it did not pass. It appears that the main argument that prompts some legislators to vote against “English-only” proposals like this is that it would be bad for business, since Tennessee has several Japanese-owned businesses, just opened a large plant run by Volkswagen, and would like to attract other foreign investors. In Nashville, which as mentioned earlier has large populations of refugees as well as Latino immigrants, TIRRC has also had to lobby intensely to help prevent English-only ordinances at the city level.

In seeking to understand the politics of the “English-only” proposals, one can observe that in “new destinations” like Tennessee, prior to the 1990s, most residents probably were not accustomed to hearing languages other than English being spoken or seeing signs posted in other languages. The U.S. now has federal laws that require hospitals and courts to provide interpreters if needed. Some schools have hired interpreters. Hence, one could argue that taxpayer dollars are being spent to cover this. However, it takes adults a while to learn another language, and in the meantime, it would serve the common good if they could understand health care instructions, legal questions, and matters related to their children’s education.

Although not required by law, many businesses offer bilingual pamphlets and options to hear telephone instructions in Spanish. Clearly they want to attract customers. In Knoxville, the cellular phone pamphlets in Target are bilingual and Wal-Mart offers films in Spanish with no subtitles, music CDs in Spanish, and large packages of tortillas, among other items. One might argue that this adds extra costs for consumers, or perhaps it demonstrates that immigrants have buying power.

Still, I have to wonder: why do people feel they need to restrict language use to English only? I also have to ask: why does hearing other languages in public anger some people? One woman told me that she was standing in line at McDonald’s discussing food options with her husband in Spanish, and the man behind her in line told her that she should go back to her own country. I heard another woman say that she did not like not being able to understand what other people were saying, even though they were people she did not know who were engaged in their own conversations. Historical pressures to speak English are not new. One need only look at the experiences of Native Americans, African-Americans, and Mexican-Americans

where the English language was imposed through physical coercion. In the early 1900s in Iowa, school teachers told my grandmother to stop speaking Norwegian, and my grandfather never learned German, due to the anti-German sentiments of World War I. For me and others, this history evokes understanding for first-generation migrants. However, many white Tennesseans had ancestors who migrated during the 1700s or early 1800s, or their ancestors were English-speaking. Nonetheless, most people have attempted to learn a “foreign” language in school, so they must have some idea of how difficult it is to learn another language. I grew up in multi-lingual and multicultural Hawai’i and in Spanish-speaking Honduras, so I am accustomed to hearing other languages that I do not understand, and I speak Spanish fluently. Furthermore, I know that in Honduras, the Americans who lived there established an English-language school for their children and preferred to speak in English with each other even if they had learned Spanish, not to mention that some never really learned to speak Spanish very well, even after living there for several years. Consequently, I do not understand why some people in Tennessee and elsewhere think they need to legislate this. As Leo Chavez has argued, the language issue is part of a larger set of discourses that construct Latinos (and one could add, Muslims and other immigrants) as a “threat.” He points out that this is ironic given that studies show that Latino immigrants are learning English and that Spanish use has declined rapidly among the second and third generations (2008: 56-60).

In Nashville and other areas of Tennessee, several refugees are Muslims. In 2011, the senator from Murfreesboro decided to propose a law prohibiting observances of Sharia Law. I happened to be up in the legislature on one of the days that over 300 Muslims arrived to talk to legislators to try to prevent this bill from becoming a law. It was an impressive sight. After they protested, the language of the bill was amended to remove references to Islam and restate federal guidelines regarding support of terrorism, but it still passed. In 2011, another bill was proposed to allow cities to decide whether or not to receive refugees. Again, the language was amended after TIRRC and Catholic Charities objected, but it also passed. These proposals came on the heels of calls in Murfreesboro to restrict the building of a mosque in 2010. As mentioned above, other anti-Islamic incidents have occurred in the state. TIRRC is committed to contesting these acts and promoting welcoming attitudes, as illustrated in *Welcome to Shelbyville*, a film shown on PBS television not long after the legislative session ended in 2011.

As Monica Varsanyi (2010) and others have observed, the proposals in Tennessee seem to be a response to the lack of immigration reform at the federal level in 2006 and 2007. That is certainly what the senator from Murfreesboro claimed. However, that claim obscures the fact that U.S. Representative Luis Gutierrez and others intro-

duced legislation that was voted down by members of Congress and/or the Senate, and that the federal legislators have passed bills to increase funding for enforcement. In addition, as noted above, ICE continues to do its job and has stepped up internal enforcement by encouraging state and local governments to participate in programs like 287(g).

As already noted, in 2011 Tennessee became one of several states that had legislators proposing Arizona “copycat” bills, or, in other words, their own forms of “comprehensive immigration reform.” However, as we have seen, similar initiatives were already underway by 2006 in Georgia, Oklahoma, and Tennessee. Furthermore, Tennessee legislators have been passing a series of bills that basically reproduce several of the provisions of these larger acts. The bills often repeat the language of the federal legislation, but add state penalties and criminal charges.

In the summer of 2010, while the small group of legislators made their trip to Arizona, the campaign for state governor was in full swing. During their campaigns, all three Republican candidates and the one Democratic candidate affirmed that they supported passing an Arizona-like bill in Tennessee. Their views were in line with 72 percent of the 625 registered and likely voters across the state polled by telephone in July 2010 (when there had been a lot of media coverage about the Arizona law).²⁸ In his television ad, Bill Haslam, the Republican candidate who won the election, asserted, “With state unemployment at 10 percent, we’re all paying the price for the federal government’s failure to secure our borders.” Then this rhetoric became a proposal. Indeed, the senator from Murfreesboro has reiterated the same claim about unemployment. In February 2011, he and the representative from Murfreesboro and others announced their proposal for a “comprehensive plan to combat illegal immigration in Tennessee,” which they asserted had been “mandated by 72 percent of Tennesseans.” Their plan was designed to require law enforcement officials and state agencies to determine a person’s lawful status, require all public and private employers to use E-Verify, and prohibit “unlawful aliens” from receiving any benefits (Humphrey, 2011).

In 2004, before the economic downturn that began in 2007, unauthorized immigrants probably only constituted about 2.5 percent of Tennessee’s population, or about 100 000 to 150 000 out of a total population of 5 900 962.²⁹ Undocumented

²⁸ The poll was conducted by Mason-Dixon Research and Polling, Inc. for the Tennessee Newspaper Network and WBIR Channel 10 TV station. Results were reported in the *Knoxville News Sentinel* (a member of the Network) July 28, 21010, A1-9, in an article originally written by Chas Sisk for *The Tennessean* (Nashville’s paper, also a member of the Network). Ninety-two percent of Republicans and 46 percent of Democrats favored passing an Arizona-style law in Tennessee.

²⁹ Undocumented estimate for 2002-2004 by Passel (2005: 14). Total population 2004 estimate at “U.S. Population by State, 1790 to 2009”, Fact Monster, n.d.

immigrants come from several countries, but estimates are that nationally about 57 percent are from Mexico and another 24 percent from other Latin American countries (Passel, 2005: 4). As already noted, the 2010 census indicated that Latinos (U.S.-born and foreign-born) comprised 4.6 percent of the population. At the national level in 2005, undocumented immigrants were estimated to account for 5.4 percent of the total civilian labor force. Estimated averages were higher for low-wage service jobs (10 percent), with rates ranging from 12 percent in food preparation and service, 17 percent in construction, to 19 percent in landscaping and building maintenance (Gomberg-Muñoz, 2011: 37; Passel, 2006). The numbers in Tennessee appear to be lower, but Latinos in general were employed in similar professions (Drever, 2009: 67-72). Tennessee politicians cite the national estimates and claim that stricter enforcement will result in deportations, which would enable 5 percent of the 10 percent of native-born workers in Tennessee who are currently unemployed to obtain jobs. That claim presumes that the downturn in the economy has not also already affected undocumented workers. One has to observe that unemployment among undocumented workers is generally not accounted for within national or state figures, since they do not apply for unemployment benefits. In addition, the politicians are assuming that documented workers who have filed for unemployment benefits during the economic downturn are now prepared to work in the jobs that would be vacated by workers who are deported. Thus, “illegals” serve as convenient scapegoats that help enable some politicians to avoid addressing deeper issues regarding the economic downturn, the restructuring of the U.S. economy that has been going on since the 1960s, and the dismantling of laws that protect workers (Harvey, 1989; Sassen, 2000; Massey, Durand, and Malone, 2002; Massey and Sánchez R., 2010).

Another logic underpinning state-led efforts to restrict illegal immigration is that of “individual responsibility,” which applies to the “illegals,” who should be punished. This logic conveniently sidesteps the roles of U.S. employers and policy makers in creating a system that now defines 5.4 percent of its workforce as “illegal.” As Ruth Gomberg-Muñoz succinctly put it, the current levels of undocumented migration in the U.S. are a result of “uneven global economic development, the establishment of transnational social networks over time, and policies that restrict legal entries to unrealistic levels” (2011: 18).³⁰ Her last point refers to restrictions on legal entries of low-wage workers.

³⁰ Gomberg-Muñoz (2011) was summarizing arguments of scholars who have been working on immigration for years, such as Douglas Massey, Jorge Durand, Alejandro Portes, and others.

TO DREAM OR NOT TO DREAM: TENNESSEE LEGISLATORS AT THE NATIONAL LEVEL

In summer 2001, President George Bush was shaking hands with fellow ranch owner and the president of Mexico, Vicente Fox, and the United States appeared to be on the verge of passing some kind of immigration reform. However, after 9/11, it was relegated to the back burner, while opinions began circulating in the public media linking illegal immigration and the “lack of border security” with the threat of terrorism. In spring 2006, the House of Representatives was considering HR4437, or the Sensenbrenner-King bill. Among other draconian measures, this bill would have made it a felony for people (such as priests and pastors and social workers) to assist immigrants. Consequently, immigrants and their allies took to the streets to protest, and the legislation did not pass. The national press focused on the hundreds of thousands who marched in places like Los Angeles and Chicago, but marches were taking place all over the United States (Chavez, 2008; Gouveia, 2006). This included Tennessee, where 15 000 people marched in Nashville and 300 and then over 800 turned out for two demonstrations in Knoxville. As Leo Chavez observes, conservative pundits were taken aback by the sight of so many immigrants demanding their rights, and they criticized the display of Mexican and Central American flags, even though the marchers were primarily waving U.S. flags (2008: 158).³¹ The marchers also carried placards declaring “We Are Not Criminals” and “We Also Pay Taxes,” and chanted, “Sí, se puede,” “Yes, we can.”

Since 2006, not much has been done at the federal level in terms of passing immigration reform, although as just noted attempts were made, and enforcement has continued. In 2007, for example, there was a simultaneous raid on five Pilgrim’s Pride chicken processing plants in Texas, Florida, Arkansas, West Virginia, and Tennessee. Over 100 workers were deported from Chattanooga, many of them Guatemalans. There were also workplace raids in Iowa and North Carolina.

In 2008, immigrants and their allies were optimistic after Barack Obama was elected President, but then felt compelled to remind him of his campaign promises in the spring of 2010. Over 200 000 people from all over the country converged for a march and rally in Washington, D.C., including 10 busloads of people from Tennessee. It was exhilarating for those who participated, but in terms of press coverage it was upstaged by the vote for the health care reform bill. Then, in the 2010 lame-duck

³¹ Kent Ono and John Sloop (2002) note that people were similarly dismayed in the 1990s when people of Mexican origin displayed Mexican flags at protests in California against Prop 187. These days one would not see pundits getting upset about the display of Irish symbols at St. Patrick’s Day parades. Likewise, New Yorkers have managed adjusted to the display of Puerto Rican flags during their annual parade.

session, it appeared that at least the Dream Act had a chance of passing. This bill would have permitted undocumented children brought here by their parents before the age of 16, who had completed at least five years of schooling in the United States, to either attend college or join the military and then slowly be able to regularize their status. With Representative Luis Gutiérrez taking the lead, the House of Representatives passed it. Because I contacted him asking for his support, my representative sent me a letter noting that I would be happy that the bill had passed; however he failed to mention that he actually voted no. In the Senate, the bill was tied to a bill proposing to repeal Don't Ask, Don't Tell for gay and lesbian military personnel, which ultimately received more attention from the press. A cloture vote was required. In other words, 61 yes votes were needed. They were five votes short. Both senators from Tennessee voted no. I had contacted them asking for a yes vote. Their standardized letters informed me that rewarding illegal behavior would only encourage more migration and assured me that they were supporting additional efforts to secure the border. In other words, they had voted to spend more tax dollars on border security.

In fact, it was precisely this kind of rhetoric that motivated me to begin attending the meetings of the Tennessee Immigrant and Refugee Rights Coalition in 2005. That summer in a television ad during the primary elections for the U.S. Senate, I heard one of the Republican candidates refer to immigration as "a threat to our very way of life." That phrase was particularly disturbing to me. That candidate eventually lost the primary; however his Republican opponent, Bob Corker, who eventually won the entire election, put out an ad where he was standing next to a barbed wire fence, promising to secure the border. His Democratic opponent, Harold Ford, Jr., was not much better. Although Ford attacked Corker for hiring undocumented migrants to help build apartment complexes in Chattanooga, Ford represented himself as being tough on immigration. Later, I was told by one of Ford's assistants that he chose to do that, because 9 out of 10 calls he was receiving from voters were against illegal immigration.

More recently, John Duncan, who is my U.S. representative, sponsored a bill that would deny citizenship to any child born in the United States with a parent who is undocumented. (And at the state level my representative has proposed bills to make it impossible for undocumented parents to obtain birth certificates.) Many immigrant rights advocates believe that this bill has little chance of passing, because it challenges the birth-right citizenship granted by the 14th amendment of the U.S. Constitution. In 2009, his proposal was not getting much political traction and only had one other co-sponsor. However, after Arizona passed SB1070, several representatives and senators added their names as sponsors, including Arizona Senator

John McCain. Perhaps one can attribute this to election-year maneuvering, but it illustrates that those politicians believed that supporting this would motivate more of their constituents to vote for them.³² This appears to be the logic operating at the state level as well, although one can question this proposition.

SO WHAT DOES “THE PUBLIC” THINK? ONE SURVEY MAY NOT TELL THE WHOLE STORY

In 2005, on top of hearing immigrants being constructed as a “threat to our very way of life” –which presumably included me– and seeing the border portrayed as a barbed-wire fence when I know that we have been pouring millions of dollars into fences, helicopters, heat sensing technology, and night vision goggles since the mid-1990s, I heard Jay Leno, who had an audience of millions five nights a week, tell a joke about “little Mexicans” running around. For me, that was the last straw. It was evidence that anti-immigrant, anti-Latino and/or anti-Mexican discourse was becoming far too common in the mainstream media.³³ Since then, through TIRRC, I have participated in lobbying (which I had never done before), and I have participated in public forums intended to educate local non-immigrant audiences about undocumented migration. My general impression –and it is just a general impression, or maybe it is my hope– is that the general public in Tennessee may not be as anti-immigrant as the 72 percent in the July 2010 survey noted above implies.

First, we should observe that Tennesseans did elect the officials who have been making the proposals and generating the rhetoric described earlier. However, voting is complex, and people may have had other more salient reasons to vote for those candidates. In addition, some people in the state did not vote for those officials. As mentioned earlier, the July 2010 survey was conducted right after SB1070 was passed in Arizona. In addition, although they may have used random sampling, they only talked to 625 people. Indeed, by February 2011, a statewide poll conducted by Vanderbilt University found that 57 percent of Tennesseans said job creation and the economy were more important than wedge issues like immigration, and less than 4 percent responded that immigration should be the priority (TIRRC, 2011a).

³² Although this motive may apply to Senator McCain and others, Duncan himself did not have to do much campaigning at all to get reelected, so it is not clear to me why he has proposed this measure. Although I addressed this issue at the same time that I asked him to support the Dream Act, his stock response did not articulate his logic for revoking birth-right citizenship.

³³ In other words, following the work of Pierre Bourdieu (1977), Ana Alonso (1988), and others, this discourse was becoming too unquestioned and normalized. See also Leo Chavez (2008).

Nevertheless, the numbers suggest that TIRRC has more work to do to educate voters and legislators about the “myths” associated with immigrants, which continue to be reproduced in the media. Furthermore, as suggested by the 9 out of 10 calls to Harold Ford’s office, it seems that people who are anti-“illegal immigrant” are vocal when it comes to contacting policy-makers.³⁴ As with many political issues, there seems to be a silent majority in the middle. TIRRC has initiated a number of campaigns to call, write, and visit legislators over the years, and we are continuing to build up the number of people who are willing to contact their legislators to say that they do not want anti-immigrant laws passed at the state level and that they do want immigration reform at the federal level that will provide a way for the 12 million undocumented immigrant people to regularize their status.

Based on the questions and reactions I have heard at public forums, I have the impression that many Tennesseans (including people who recognize the disparities between salaries in the United States and countries like Mexico and who believe that undocumented immigrants work in jobs that “most Americans do not want”) do not have much knowledge about the current restrictions on legal immigration, the net effects of our immigration policies over the last 30 years, or the long history of labor recruitment and past legal restrictions applied to migrants, particularly to “low-skilled” workers from Mexico. Among other things, that history helped create the transnational social networks that have been documented by many scholars (Massey, Durand, and Malone, 2002). As an academic who has been working on Latin America and Latino issues for some time, it is easy for me to take for granted that people know the history of the U.S.’s role in Latin American politics and the history of discrimination directed at people of Mexican origin and other Latinos. Recently, I heard two comments, both from well-meaning people inclined to support immigrants that reminded me that public education has been and will continue to be an important task for TIRRC. One person asked, “Why do they migrate?” Another learned about our immigration laws as part of a religious retreat, and was surprised to learn about the “empire-like” control that the United States has exerted over Latin America historically.

It also appears that many people are busy with their everyday lives or other political causes and are not always paying attention to what some of their legislators are proposing. This became evident with an exclusionary proposal proposed in 2011 by the representative from Lancaster. She wanted school secretaries to have to ask parents of enrolling children to present social security cards, U.S. birth certificates,

³⁴ The film *9500 Liberty* suggests that this was the case in Prince William County, Virginia, which proved to be an initial testing ground for the laws passed in Arizona and being considered in Tennessee and in other states. Furthermore, in Prince William County, it turned out that out-of-state activists sent dozens of e-mails to city council members who mistakenly thought those messages were coming from constituents.

or valid visas for the children, and if the parents were unable to produce those documents, they would have to sign an affidavit saying they did not have them. Schools would have been required to track this information and submit reports to the legislature. She claimed that implementing this bill would not cost anything. That might be true for the legislature itself, but it certainly would not have been true for the schools. When this bill was in committee, TIRRC alerted the superintendents, school boards, and educators of the school districts of the representatives on that committee. They wrote letters and made phone calls saying that they did not want this law to be passed, so the committee members asked her to withdraw her proposal. She will no doubt re-propose the bill next year. Meanwhile, a similar bill did pass in Alabama. Georgia and South Carolina also passed a series of exclusionary policies, which probably will confirm for the supporters of punitive approaches to immigration reform that they are on the “right” track.

I witnessed this woman’s angry speech when she withdrew the bill. She began with the claim that “the legal citizens of this state that pay taxes and vote” and “the taxpayers of this state” would not be happy about this. Tennessee does not have a state income tax. The state government is supported by sales taxes, which are collected on everything including food. That means that all residents, regardless of immigration status, are “taxpayers.”

Finally, it is worth noting that in this article I dedicated several pages to outlining the negative discourse that is of concern, because that discourse is influencing policies that are being generated by people in positions of power. However, in so doing, I have not given equal space to examples of more welcoming discourses. As scholars, we probably need to do more to highlight these efforts (as was done by the contributors to Anrig and Wang (2006), and Singer, Hardwick, and Brettel (2008), among others). There are people who are contesting the negative discourse and generating positive images. This includes immigrants themselves as well as U.S.-born people of various racial and ethnic groups.

In Knoxville, this includes everything from guest columns written in the *Knoxville News Sentinel* that question the logic of denying birth-right citizenship and celebrate the contributions of Latino youths (Velásquez, 2011) to the eleventh annual HoLA festival on October 15, 2010, which celebrated Latin American cultures with music, artwork, food, 90 booths, children’s activities, a parade of nations involving local high school bands, and an estimated attendance of 20 000. In addition to this festival, Knoxville also hosts Italian, Greek, German, and Indian festivals. The Turkish Cultural Center has sponsored dinners and cultural exchanges. Churches and soccer leagues help foster cross-cultural understanding. And one should not overlook everyday acts of kindness that are also happening. This could be an immigrant who

saves a man trapped in his flooded car, or a doctor who provides free or low-cost treatment to uninsured immigrants. In addition, right after the Dream Act did not pass, I was surprised to hear one local conservative talk show radio host tell his listeners that after some agonizing and some reflection, he reached the conclusion that the senators should have passed the Dream Act, since young people did not make the decision to migrate.³⁵ Similarly, at the national level, songs were produced in the wake of SB1070, such as “Are We a Nation?” by Sweet Honey in the Rock or “One Heart, One Beat” by Taboo,³⁶ and comedians like Stephen Colbert collaborated with labor union activists and challenged his viewers to apply for farmworker jobs. Personally, I hope that the voices calling for changes that address structural inequalities, structural violence, and racism, and calling for peace and harmony will prevail, and I am planning to keep on working toward that goal.

CONCLUSIONS: CAN IMMIGRANT RIGHTS ADVOCATES “TURN THE TIDE”?

In this article, I have discussed the bills that have been passed or proposed at the state level in Tennessee and the rhetoric used to justify those proposals. Likewise, I have illustrated that the Tennessee Immigrant and Refugee Rights Coalition (and other allies) have been endeavoring to prevent these proposals from becoming law. TIRRC is continuing to build up its membership, and it has had some successes in its lobbying efforts. However, although Tennessee passed an inclusionary law in 2001 allowing immigrants who did not have social security numbers to obtain a driver’s license, since that time at least 13 exclusionary bills have become law, and more proposals are in the pipeline. On the plus side, two inclusionary laws were passed, and the language of some exclusionary bills was successfully amended to make them less harmful.

Exclusionary proposals were made prior to 2006, but the number increased in 2006 and 2007, peaked at 66 in 2008, dropping to 35 in 2009. However, the decrease could reflect the fact that there is less need to make proposals, since several of them have passed. In addition, there continues to be a steady stream of exclusionary proposals. Although 2008 was the year that none passed, four passed the year before, and two or three were passed each year in 2009, 2010, and 2011.

³⁵ Thanks to a phone call from one of TIRRC’s activists, he invited TIRRC representatives to express their views on the show. Unfortunately, most of the six or seven listeners who called in and were given airtime disagreed with him. Nevertheless, his listeners were exposed to an hour and a half of alternative views.

³⁶ See bibliography for YouTube links to the songs.

An alarming finding was that even though it appears that a small group of ardent legislators have proposed many of the bills, half of the senators and a third of the representatives proposed at least one bill. That helps explain why so many of these bills have passed. But the real question is: why have they been supporting these bills?

From my standpoint as a supporter of immigrant rights, it is encouraging that only one of the 17 black legislators proposed an exclusionary bill. It is disappointing that the two Latinos, even if they are Republicans, have signed on to and even promoted the exclusionary agenda. It is disturbing to watch as a small group of ardent legislators pushes forward with their mean-spirited agenda. It is discouraging that more whites in the legislature are not questioning the assumptions of the exclusionary bills and not articulating counter-narratives. However, that entails examining their own privileges within the globalized economy. As both Jonathan Inda (2006) and Leo Chavez (2008) argue, although the Tennessee legislators who are actively supporting “controlling illegals” and passing “English-only” bills claim that they are “not racist,” and that they are “only against illegals,” there is an embedded class and racial dimension when it comes to who is included as a full member of the community and who is not, who “deserves” services and who does not, who pays taxes and who does not, who deserves access to legal avenues to migrate and who does not, who is portrayed as an animal and who is not, and who is portrayed in color and who is portrayed in black and white.

In Tennessee, Republicans have been proposing more bills, but so have Democrats. When Obama was elected president, Republicans in Tennessee gained majorities in both the House and Senate. It is significant that several of the proponents of “tough immigration reform” also see themselves as “conservative Republicans.” Despite their own ideology of “less government,” in practice they are quite willing to spend tax dollars on enforcement. Both senators at the federal level are Republicans and have insisted that more enforcement is the way to solve “the problem.” The newly elected Republican governor’s campaign language suggests that he is prepared to sign off on any future exclusionary policies the legislators may pass.

I would argue that another reason this legislation has passed is because the conservative discourse appeals to deeply held ideals, and perhaps at a less conscious level, some deeply rooted fears. Principal among those is the value placed on the “rule of law,” a fundamental ideal within U.S. democracy. At a less conscious level is the desire to retain “control.” Lina Newton (2008) also calls attention to the ways that U.S. politicians have constructed “target groups” that will be affected by proposed legislation. As we have seen, in the discourse of Tennessee’s politicians who have crafted the exclusionary proposals or laws aimed at “controlling illegal immigration” and enforcing “English-only,” there is a difference in the ways that various

groups are constructed: “illegals,” “refugees,” “immigrants,” “employers,” “tax-payers,” “the American worker,” and one implicit contrast, “college students” who use fake IDs but are “just having fun.” With his references to the language groups not benefiting from translating the driver exam, the senator from Murfreesboro was attempting to drive a wedge between “immigrants” and “refugees.” TIRRC has created a space for dialogue between these two groups, particularly since refugees can easily be constructed as “deserving” (unless they are Muslim) while “illegals” are constructed as “undeserving.” It has been uplifting to see Somalis, Sudanese, and Iraqi Kurds marching with Latinos to defend the rights of the undocumented. Furthermore, TIRRC is also committing to fostering dialogue with other groups within the U.S.

In her analysis of the legislative discourse leading up to the passage of IRCA and IIRIRA, Lina Newton (2008) points out that both reforms were initially proposed when unemployment was high in the U.S. Unemployment is now as high (close to 10 percent) as it was when IRCA was first proposed in 1982. She observes that while images of the “undeserving illegal” were prevalent during the congressional debates of the 1980s, some legislators in the Democratic-controlled Congress constructed a counter-narrative of “illegal immigrants” as human beings who were “contributing to their communities” in multiple ways. This construction enabled policy makers to regard them as “deserving” and to consider the policy solution of “granting amnesty.” She notes that a few legislators then even discussed global inequalities.

However, by the 1990s, conservative Republicans led by Newt Gingrich controlled Congress. Their “Contract with America” constructed both welfare mothers (implicitly seen as black, even though some were Latinos or Asians, and most were white) and illegal aliens as “undeserving,” as people who only used services, were not contributing to society, and were costing “the taxpayers” money. Indeed, they insisted that immigrants were only coming to the United States for these services. “Zero-sum” logic was applied to the economy, jobs, and services: someone’s use of a service was a taxpayer’s loss. Hence, the policy solution was to cut services for welfare mothers and for legal and illegal immigrants. Narratives about the federal government being inefficient, “illegals” being criminals, and “the border” being lawless were also stressed. The only counter-narrative Newton found were arguments that the cure might be worse than the disease. So, for example, even lawmakers like Bill Richardson, a Democrat from New Mexico, argued that cutting off services or restricting “illegal students” from education might lead (Latino) young people into (more) crime or gangs.³⁷ Newton highlights the fact that constructions of positive

³⁷ Ono and Sloop (2002) go further: they argue that this pro-immigrant narrative, like the anti-immigrant narratives, infantilizes immigrants, and assumes that only paternalistic help from the state can deter them from their natural tendency to become criminals.

contributions of “illegal immigrants” were virtually absent from the congressional debates of the 1990s. I have heard current immigrant rights advocates make similar arguments. Newton’s analysis warns us that narratives like this will not lead to desired policy outcomes.

Most of the narratives identified by Newton were being employed by Tennessee state officials. Furthermore, it appears that the discourse and policies reinforcing the images of “illegal” as “criminal” and the “border” as “lawless” have intensified since the 1990s. As Newton observes, the legislators also employed emotional personal anecdotes to reinforce their policy objectives. Two anecdotes used by the Tennessee legislators (described above) stressed the “unfairness” of being displaced by “illegals” and the idea that “illegals” are evading and undermining “the rule of law.”

In Tennessee the most crucial bills passed were those that eliminated access to driver’s licenses, authorized state troopers to become ICE agents, and mandated local jails to question immigrants about their status. The trend of Tennessee legislation has been toward increasing the number of “criminal” charges at the state level, which serves to reinforce the construction of “illegals” as “criminals” (even though crossing the border without inspection is a federal civil offense). As has been suggested by scholars who have analyzed Prop 187 (Ono and Sloop, 2002; Chavez, 2008; Newton, 2008), these state regulations are setting precedents that are likely to influence future reforms at the federal level.

In addition, if the reforms do provide a path to legalization, but stipulate, as they have in the past, that the person must be of “good moral character,” how will the reforms address these additional “crimes” that are being created by state and local governments? Many immigrants (and especially those who live in small towns or rural areas) have to drive a car to get to work or buy food or obtain health care or go to church. This means that if they are lucky enough to not be deported, they could have several misdemeanors on their records. In addition, policy makers will have to make decisions about the *quid pro quo* in employment practices and policy enforcement that has been operating since IRCA was passed. This informal system has placed all of the responsibility for fake documents on individual workers (or subcontractors), so that the employers can claim that they did not “knowingly” hire undocumented workers, even though many of those employers formally or informally recruited them. The bill that just passed in 2011 increases the penalties for workers who present fake documents, but retains the federal language of “knowingly” hired for the “employers,” i.e., people that the legislators know personally and view as positive contributors to society since they “create jobs.”

In my view, U.S. policy makers need to consider the option of not criminalizing the “workers” or the “employers” (although there are unscrupulous employers). As

pro-immigrant advocates assert, there has been a mismatch between the legal entries allowed and the types of jobs that the economy has been creating since the 1980s. The economy has created “unskilled” or “low-skilled” jobs. Notwithstanding the intentional deskilling of jobs, I would argue that use of the term “unskilled” by social scientists only helps reinforce the narrative that migrant workers and others with lower formal educations are “undeserving.” Will “the public,” and more specifically, policy makers in the U.S. (as well as in Mexico and other countries) acknowledge that the economy needs people who are willing to do manual labor, and that the people who do these jobs have skills and talents and are valuable contributing members of society? In addition, as one of the supporters of TIRRC put it, no matter who does the work, the individuals doing the work are going to have families and are going to use and need basic services, such as driving on the roads, medical care, and education.

Finally, we can observe that attempts were made to introduce immigration reform at the federal level between 2007 and 2011. However, the attempts to obtain a pathway to legalization for all undocumented immigrants or for undocumented children (who have been constructed as “deserving” since they did not make the decision to cross the border) have met with resistance. In fact, conservatives have constructed and continue to construct even the U.S.-born children as “undeserving.”

Meanwhile, enforcement not only has intensified in terms of numbers of people deported, but has shifted away from large workplace raids toward obliging employers to use E-Verify and increased internal enforcement through collaboration with state and local police, all aimed at deporting individual migrants, along with continued efforts to “secure the border.” The result has been enforcement practices that are less visible—whereas workplace raids usually received some media attention—more individualized, and less linked to employment, since arrests are now made while the individual is “driving while brown.” Indeed, proponents of intensified use of E-Verify are hoping that the “flexible labor force” that was needed during the 1990s will decide to self-deport on its own.

The political road ahead will not be easy, but organizations like Tennessee Immigrant and Refugee Rights Coalition are engaged in the struggle. They will need the support of everyday people. They will need to have a strong counter-narrative. And they will need the support of academics, who should continue and increase their efforts to publish their work and give talks or engage in dialogue in venues that are more accessible to non-academic audiences.

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Citizenship and Naturalization Patterns of Immigrants in the Southeastern United States And Their Political Consequences

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ORSOLYA KOLOZSVARI-WRIGHT**

ABSTRACT

This study examines naturalization rates in the southeastern United States and compares them to other regions while investigating some political consequences of naturalization. In terms of the number of naturalized citizens and naturalization rates, the Southeast lags behind states with long immigration histories. In all U.S. southeastern states, Asians comprise the largest group of naturalized citizens, but rates vary. Mexicans and Central Americans are the least likely to obtain citizenship in all southeastern states. The authors also find and discuss a small immigrant presence in the U.S. House of Representatives and a significant positive correlation between states' naturalization rates and the percentage of the state that voted for Barack Obama in the 2008 presidential election.

Key words: citizenship, naturalization, immigrants, politics

RESUMEN

El presente estudio examina las tasas de naturalización en el sureste de Estados Unidos y las compara con las de otras regiones, mientras investiga algunas de sus consecuencias políticas. En términos del número de ciudadanos naturalizados y de las tasas de naturalización, el sureste se mantiene atrás de estados que tienen largas historias de inmigración. En todos los estados del sureste estadounidense, los asiáticos tienen los mayores números de ciudadanos naturalizados, aunque las tasas varían. Los mexicanos y los centroamericanos son quienes tienen menos probabilidades de obtener la ciudadanía en los estados del sureste. Los autores también encuentran y discuten la escasa presencia de inmigrantes en la Cámara de Representantes de Estados Unidos y una correlación positiva significativa entre la tasa de naturalización de un estado y el porcentaje que votó por Barack Obama en la elección presidencial de 2008.

Palabras clave: ciudadanía, naturalización, inmigrantes, política

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INTRODUCTION

The process through which immigrants become citizens of their new homelands, the extent to which they do so, and their roles in political life have become increasingly important in sociological research and public debate recently. In 2010, the theme of the American Sociological Association's annual meeting was "Toward a Sociology of Citizenship," featuring panels exploring topics such as dual citizenship and immigrant inclusion, how immigrants become citizens in different countries, and migration and asylum-seeking as challenges to citizenship regimes. Earlier, important work appeared on the social and political incorporation of immigrants, comparative studies of naturalization, and the role of immigrants as citizens (or non-citizens) in the political life of their new countries (Bloemraad, 2006a and 2006b; Castles and Davidson, 2000; Joppke, 1999; Koopmans, Statham, et al., 2005; Plotke, 1999; Schuck, 1998).

Outside academia, when the U.S. federal government revises policies affecting immigrants (e.g., changes eligibility for receiving welfare,¹ or constructs a wall along the Mexican border) or if it hints at revising policies (e.g., calls for "comprehensive immigration reform," ponders ending "birthright" citizenship, or considers the Dream Act),² political activity by immigrants increases (e.g., lobbying legislators, op-ed newspaper columns, and protest demonstrations), and naturalization rates usually rise. At state and local levels, too, controversial attempts to deal with real or alleged problems associated with foreign-born newcomers, such as recent laws aimed at illegal immigrants in Arizona, Pennsylvania, Utah, and Georgia, or the 2009 referendum in Nashville on English as the official language, trigger political responses and advocacy by immigrants, their children or descendants, and allies.

As the South, particularly the Southeast, has increasingly become an area of settlement for recent immigrants, researchers have produced a growing body of literature on immigrants in this region (Ansley and Shefner, eds., 2009; Bankston, 2003; Lippard and Gallagher, eds., 2010; Massey, ed., 2008; Mohl, 2003; Odem and Lacy, eds., 2009; Zúñiga and Hernández-León, eds., 2005). However, this work rarely deals with citizenship, naturalization, or political aspects of immigrants' presence. Therefore, we have two purposes in this article. The first is to compare the attainment of U.S. citizenship by immigrants in southeastern states (and selected states in other

¹ As in the Welfare Reform Act of 1996 (see Van Hook, Brown, and Bean, 2006).

² The full name of this proposed law is the Development, Relief and Education for Alien Minors Act. If passed, it would enable certain immigrants who entered the U.S. illegally as children and who graduate from a U.S. high school to change their status to conditional permanent resident if they complete certain requirements in either college or the military.

regions of the country), and the second is to uncover some political implications or consequences of immigrant naturalization.

Regarding the first purpose, the data described below allow comparisons to be made on the citizenship status of foreign-born Mexicans, Caribbeans, Central Americans, South Americans, Asians, Europeans, and a residual “Other” category. Separate comparisons of these groups are done by decade of entry into the United States. In this part of the article, we address two questions: 1) Which southeastern states have the highest and lowest numbers and percentages of naturalized U.S. citizens, and how do they compare with the U.S. as a whole and selected northern and western states?; and 2) In the Southeast, do immigrants from different parts of the world differ in their numbers and naturalization rates, and are the same patterns found in other states?

Secondly, we want to help shift analysis of immigrant naturalization in a different direction. Many researchers investigating immigrant naturalization focus on factors that encourage or discourage it (see literature review). Other scholars interested in the political inclusion or exclusion of immigrants pay relatively little attention to naturalization, perhaps thinking that “issues about the naturalization process, including rates of naturalization among immigrants from various countries, are analytically distinct from the question of how new citizens are incorporated into politics” (Plotke, 1999: 297). So, rather than asking why some states or foreign-born nationalities have high or low rates of naturalization, and rather than assuming that naturalization numbers or rates have little bearing on immigrant political incorporation, our second goal is to contribute to the search to discover what –if any– consequences the number or rate of naturalized citizens have in U.S. politics.

LITERATURE REVIEW

Research on citizenship and naturalization has concentrated on three main areas. First, studies explore socioeconomic and demographic predictors of immigrants’ propensity to naturalize (Bloemraad, 2006a and 2006b; Bueker, 2006; Clark, 2003; DeSipio, 1987; Gilbertson and Singer, 2000; Liang, 1994; Portes and Curtis, 1987; Portes and Rumbaut, 2006; Van Hook, Brown, and Bean, 2006; Yang, 1994). Second, research has examined how structural factors, the context of reception, and host country policies affect naturalization, sometimes comparing these factors across countries (Bloemraad, 2006a and 2006b; Bueker, 2006; Castaneda, 2006; Fujiwara, 2008; Portes and Rumbaut, 2006; Van Hook, Brown, and Bean, 2006; Yang, 1994). Third, several studies analyze the political incorporation and participation of immigrants (Bass

and Casper, 2001; Castaneda, 2006; Cho, 1999; Clark, 2003; Leal, 2002; Lien, 1994; Lien, Collet, et al., 2001).

Examining socioeconomic and demographic predictors of naturalization has been a major line of citizenship research. Previous research has found that a higher education, a professional occupation, higher income, speaking English fluently, being middle-aged, being married, having children, being a homeowner, having a homeland that is far away, and rarely visiting the homeland boost immigrants' propensity to naturalize (Bass and Casper, 2001; Bloemraad, 2006a and 2006b; Bueker, 2006; Clark, 2003; DeSipio, 1987; Gilbertson and Singer, 2000; Liang, 1994; Portes and Curtis, 1987; Portes and Rumbaut, 2006; Van Hook, Brown, and Bean, 2006; Yang, 1994). These factors have been used to explain why Mexicans are the least prone to naturalize, and Asians and Europeans are more inclined to do so.

The country of origin matters in several ways. A homeland fraught with economic battles, curtailed freedoms, or religious or political persecution raises the incentives for immigrants and refugees to seek citizenship in the host country. Furthermore, whether or not the country of origin allows dual citizenship is a crucial consideration for immigrants (Bloemraad, 2006a and 2006b; Clark, 2003; Gilbertson and Singer, 2000; Portes and Rumbaut, 2006; Yang, 1994). The possibility of dual citizenship illustrates the many factors immigrants weigh as they assess the costs and benefits of naturalization. In the United States naturalization tends to be a long and costly process, and for some immigrants the benefits of citizenship do not surpass these costs (Dodoo and Pinon, 1994).

Structural factors and social policies in a host country also affect immigrants' propensity to naturalize. For instance, the Welfare Reform Act of 1996, which limited numerous public benefits to citizens and excluded permanent resident aliens, escalated naturalization rates in the United States (Bueker, 2006; Castaneda, 2006; Fujiwara, 2008; Gilbertson and Singer, 2000; Van Hook, Brown, and Bean, 2006). Other countries, such as Canada, have higher naturalization rates than the U.S., which Bloemraad (2006a and 2006b) attributes to their different policies. Canada has a shorter residency requirement and an easier, faster naturalization process than the United States; moreover, it has implemented policies and programs that prepare immigrants for naturalization.

Research exploring the political participation of naturalized immigrants finds they have lower rates of political activity than native-born citizens, although there are some exceptions. Immigrants from Asia and Latin America are not homogenous in their political participation; naturalized citizens from some of these countries show higher political activity than others. Naturalized immigrants with high educational levels or income, professional occupations, long residence at their current

U.S. address, and are older and fluent in English (e.g., Europeans, Asians of several nations, such as Japan and Korea, as well as Cubans) are more likely to vote than those without these characteristics (e.g., Mexicans or Dominicans [Bass and Casper, 2001; Castaneda, 2006; Cho, 1999; Clark, 2003; Leal, 2002; Lien, 1994; Lien, Collet, et al., 2001]). However, socioeconomic and demographic characteristics alone do not determine rates of political participation; they also depend on the level of political socialization (Cho, 1999). In addition, it is important to understand that naturalization does not necessarily result in political participation; being naturalized and registered, together with the other aforementioned factors is a better predictor of voting patterns and other forms of political involvement (Bass and Casper, 2001; Castaneda, 2006; Cho, 1999; Clark, 2003; Lien, 1994; Lien, Collet, et al., 2001).

As is apparent from the review of previous research, prior studies have focused on the United States as a whole, and up to now research on citizenship has not explored naturalization trends in different areas *within* the United States. Our study helps fill this gap in the literature by comparing naturalization rates in southeastern states to other states and regions of the U.S. Given recent political debates on immigration and the growing number of immigrants who become potential voters upon naturalization, it is useful to examine naturalization patterns in various parts of the country, since over time naturalized immigrants may have the capacity to alter the U.S. political landscape.

Based on findings in prior literature, we formulated three main hypotheses. First, we expect Florida to have higher naturalization rates than Georgia, Tennessee, and North and South Carolina, because Florida's immigrants have been in the United States longer and because many of Florida's immigrants, especially Cubans, are at least middle-aged and have relatively high educational levels and income. Since recent immigrants in Georgia, North and South Carolina, and Tennessee are less likely to possess the same characteristics, we expect them to have lower naturalization rates. Similarly, we hypothesize that the Southeast as a whole has lower naturalization rates than the West and Northeast.

Second, since, on average, Asian and European immigrants have higher educational levels, income, and rates of homeownership, and their homelands are far from the U.S., we expect them to have the highest naturalization rates. We also hypothesize that Mexicans and Central Americans have the lowest naturalization rates because of their nearby homelands and relative lack of the characteristics mentioned above. We expect South Americans, Caribbeans, and the category "Other" to be in the middle in terms of naturalization rates, both in the Southeast and elsewhere.

Third, we hypothesize that the percentage of naturalized citizens in a state does affect politics, and that states with a sizable (and actively voting) naturalized immi-

grant population might move in a direction that favors Democratic candidates more than Republicans.

DATA AND RESEARCH METHOD

Data for this article are from the U.S. Census Bureau's 2006-2008 American Community Survey (ACS). Specifically, Table B05007 (accessed on the Census Bureau's website), shows the citizenship status (naturalized U.S. citizen or non-U.S. citizen) of the foreign-born population residing in each state of the U.S., subdivided by entry year cohort of people born in six different regions of the world. The four entry year cohorts designated in the ACS data are: "entered 2000 or later," "entered 1990 to 1999," "entered 1980 to 1989," and "entered before 1980" (this refers to the year they entered the United States, not the year they entered their state of residence at the time of the 2006-2008 ACS). Since a substantial percentage of people in the most recent entry cohort has not lived in the U.S. long enough to meet the residency requirement or complete the naturalization process, the post-2000 cohort has the lowest percentage of naturalized citizens, and the percentage of naturalized citizens increases steadily among entry cohorts with longer tenure in the country. In addition, the ACS shows the citizenship status for people in each entry cohort from six separate areas of the world (people born in Europe, Asia, the Caribbean, Mexico, Central America, South America, and a residual "Other" category). Thus, while we would prefer to compare and report naturalization rates for immigrants from specific countries (e.g., Korea, Vietnam, Jamaica, Haiti, etc.), it is not possible due to the way the Census Bureau has aggregated the data and presents it in the ACS table.

The central variable in this study is the percentage of the foreign-born population that has become naturalized U.S. citizens. We refer to this percentage as the "percent naturalized" or as the "naturalization rate," interchangeably. We have computed the percent naturalized for the U.S. as a whole, for individual states, and for subsets of states, and done so for the foreign-born populations from the different parts of the world and the four entry cohorts.

To assist and clarify interpretation of different states' or different groups' naturalization rates, we also utilize "standardization" (based on U.S. entry cohorts). This is a statistical technique that enables a researcher to take into account (control for) compositional differences between two or more groups being compared. In this case, we standardize to control for differences between Europeans, Asians, Caribbeans, Mexicans, etc. in terms of their percentages in the four U.S. entry cohorts (arrived since 2000; arrived 1990-1999; arrived 1980-1989; arrived pre-1980). Obviously, a

group or a state that has a very large percentage of immigrants that entered in the post-2000 cohort will have a lower percent naturalized (other things being equal) than a group or state with many immigrants who entered in the 1980s or earlier. The standardization procedure used here eliminates the differences in group's and state's entry cohort composition by taking each group's actual naturalization rate in each entry cohort and multiplying those rates by a standard set of percentages in each entry cohort. Specifically, we chose to use the Georgia Asian percentages of foreign-born residents in the four entry cohorts as the standard, and applied each states' / groups' own entry cohort naturalization rates to that standard.³ These cohort entry percentages and the naturalization rates for each entry cohort are shown, for selected states, in Table 2. The results of the standardization procedure appear in Table 3; they indicate what the naturalization rate would be for each state's immigrant groups from different parts of the world *if* they had the *same* distribution across entry cohorts as Georgia's foreign-born Asians have. They reflect the effect of real differences in naturalization rates (i.e., proclivity and ability to successfully naturalize) among immigrant groups after taking away differences in the timing of their entry into the U.S. Disparities between these hypothetical naturalization percentages (in Table 3) and the actual naturalization percentages in Table 1 also allow us to see how large an impact groups' or states' differences in entry cohorts makes on naturalization rates. For example, Table 1 shows that for the whole U.S., the Caribbean percent naturalized is 54.0, but after entry cohort standardization, its percent naturalized declines to 44.7. This means a substantial part of Caribbeans' actual naturalization rate (nearly as high as Asians') is due to their being in the U.S., on average, longer than Georgia's Asians; if, hypothetically, they had the same entry cohort percentages as Georgia's Asians and retained the Caribbean naturalization rates in each entry cohort, then their naturalization rate would be 10 percentage points lower than it actually is (well below that of Asians). In contrast, Mexicans' actual and standardized naturalization rates for the U.S. as a whole (Tables 1 and 3) hardly differ, implying that their relatively low naturalization rate cannot be attributed to them being more recent immigrants than Georgia's Asians.

We use least squares multiple regression analysis to investigate the relationship between states' naturalization rates and the percentage of voters who cast their

³ Selecting which group to use as the standard is an arbitrary choice. We chose Georgia Asians because they are average in terms of their distribution in entry cohort categories (neither the most recent nor the "oldest" immigrant group) and because in size they are neither the largest nor the smallest immigrant group in the Southeast. As a check, we also compared these results to those obtained using other standards (e.g., percents in entry cohorts of all Europeans in the U.S., all Mexicans in the U.S., and Caribbeans in Florida). The agreement of these alternative standardized naturalization rates is extremely high, with correlations among them of .95 or higher.

ballots for Barack Obama in the 2008 presidential election. Since there are only 50 states (plus Washington, D.C.), only a few other variables can be used in the regression equation to see and control for their effect. In addition to the state's naturalization rate, we chose to use the percentage of blacks in the state population, whether the state is in the South or not (South coded 1, non-South coded 0), the state median household income, and the percentage of the state's population that is foreign-born. All data come from the American Community Survey, except the percentage voting for Obama, which came from the *Atlas of U.S. Presidential Elections* (Leip, 2008).

We note three limitations relevant for understanding the meaning of the naturalization data. First, except for people in the "entered 2000 or later" cohort, we cannot tell from this ACS data set when (i.e., which decade) people became naturalized citizens. Since the ACS tables do not specify the year of naturalization, we cannot determine, for example, the percentages of people in the 1980-1989 entry cohort who naturalized in the 1980s, 1990s, or the 2000s, and, therefore, we cannot link changes in naturalization rates to specific political or economic events (e.g., IRCA, California's Proposition 187, or other anti-immigrant laws).

Second, although the ACS data are organized by state of residence, this does not mean that all the naturalized citizens residing in a given state when they were surveyed by the ACS did their naturalization while living in that state. Some (an unknown percentage) were naturalized in other states and subsequently moved to the state where they were surveyed in the 2006-2008 ACS. This means, for example, that although a higher percentage of Asians in Florida (57.8 percent) are naturalized citizens than of Asians living in Georgia (48.7 percent) and North Carolina (48.0 percent), we should be cautious about assuming that conditions in Florida are especially conducive to encouraging Asians living there to naturalize, since we do not have evidence about how many Asians actually lived in Florida when they decided to start the naturalization process or when they actually completed it.

Third, these data are based on the ACS's sampling design, and for some of the smaller foreign-born regional categories and entry cohorts the standard errors—"margin of error" in ACS terminology—are rather large; so some estimates of the percentage naturalized provided by the ACS are rough and not very accurate.⁴ Therefore, in this

⁴ For example, South Carolina's number of Central Americans who entered the U.S. between 1990 and 1999 and are naturalized U.S. citizens is relatively small (estimated at 668 in the ACS), and these naturalized Central Americans comprise 17.6 percent of South Carolina's Central Americans in that entry cohort. But after taking sampling errors into account by applying the ACS's "margin of error," we see the lack of precision: 90 percent confident that the percent naturalized among Central Americans in South Carolina who entered between 1990 and 1999 is a number between 9.3 percent and 25.8 percent. In contrast, Florida has a much larger population of Central Americans of that same entry cohort (estimated at 87 669). The ACS sample based on them shows 20.9 percent are naturalized U.S. citizens, and a much narrower "margin of error"

article, we emphasize naturalization percentages for foreign-born regional categories and entry cohorts large enough to serve as the basis of relatively more accurate estimates.

Despite these limitations, these ACS data are valuable and appropriate for our research goals. They provide useful estimates of the numbers and percentages of naturalized U.S. citizens in the southeastern states and enable comparisons with other states as well as comparisons of the differences in naturalization rates among groups from different parts of the world. The ability to analyze naturalization rates by entry cohort, which this data source allows, is very valuable since the states and the foreign-born groups studied here vary greatly on this important factor.

We define the Southeast narrowly in this study, limiting it to Georgia, North Carolina, South Carolina, and Tennessee. Florida, obviously, is geographically in the Southeast, but its immigration history differs so greatly from other southeastern states that including it with the other four states would distort the picture more than clarify it. Similarly, we found that the northern edge of the South Atlantic census division (Virginia, D.C., Maryland, and Delaware) has a pattern distinct enough that it makes sense to keep it separate in our analysis. As for Alabama and Mississippi, we drop them from the analysis because their numbers of immigrants from most world regions and entry cohorts are small, which generates large standard errors and estimates of dubious value.

FINDINGS

Our findings are presented in the following order: 1) Which southeastern states have the highest and lowest numbers and percentages of naturalized US citizens, and how do they compare with the U.S. as a whole and selected northern and western states?; 2) How do immigrants in the Southeast from different parts of the world compare in numbers and rates of naturalization, and are the same patterns found in other states?; and 3) Is there evidence suggesting that the number or percentage of naturalized citizens affects U.S. politics in an important way?

indicates we can be more confident of it: 90 percent sure that the naturalization rate of Central Americans living in Florida from the 1990-1999 entry cohort is a number between 18.7 percent and 23.1 percent.

NATURALIZATION NUMBERS AND RATES IN SOUTHEASTERN STATES

First, we examined which southeastern states have the highest and lowest numbers and percentages of immigrant U.S. citizens (see Table 1). In terms of numbers of naturalized citizens in the four southeastern states, Georgia has by far the highest number of immigrants who have obtained citizenship (288 180). North Carolina also has a relatively high number (175 751). The number of naturalized citizens, however, is much lower in Tennessee and South Carolina (78 633 and 63 226, respectively). In recent years, Georgia and North Carolina have become popular destinations for immigrants and now have many immigrants who have attained or are seeking U.S. citizenship.

The number of naturalized immigrants in Georgia and North Carolina, however, is dwarfed by the number observed in Florida (1 564 911). Florida, a state with a rich and long immigration history, has more than five times the number of naturalized immigrants than Georgia and more than eight times that of than North Carolina. Also, states on the northern tip of the South Atlantic division, such as Virginia and Maryland, have higher numbers of naturalized citizens than the four southeastern states. The number of naturalized citizens is higher in almost all comparison states in the West, Northeast, and Midwest than in the Southeast. For example, (in descending order) California, New York, Texas, New Jersey, and Illinois all have much higher numbers of naturalized citizens than the Southeast; and while Arizona, Michigan, and Nevada do not surpass Georgia, they do exceed the other three southeastern states.

In terms of the *percentage* of foreign-born residents who have become naturalized citizens, there is less difference among southeastern states than in terms of the number of naturalized immigrants. In the Southeast, the highest naturalization rate for foreign-born residents is in South Carolina and Georgia (33.9 percent and 33.0 percent, respectively). Tennessee has a naturalization rate of 32 percent and North Carolina, 28.2 percent. North Carolina has the lowest percentage of naturalized citizens not only in the Southeast, but among all states we observed. Again, southern states with a longer and different immigration history, such as Florida, Maryland, and Virginia have higher naturalization rates than Georgia, North Carolina, South Carolina, and Tennessee (46 percent; 45.2 percent; and 43.7 percent, respectively).

A comparison of the Southeast in terms of naturalization rates with states in the West, Northeast, and Midwest yields a slightly more complicated picture than comparing the numbers of immigrants who have obtained citizenship. States with a long history of hosting European and Asian immigrants, such as New York, New

Table 1
NUMBER OF NATURALIZED U.S. CITIZENS AND PERCENTAGES
OF FOREIGN-BORN WHO ARE NATURALIZED U.S. CITIZENS (NATURALIZATION RATES)
FOR SELECTED GROUPS IN THE SOUTHEAST AND OTHER STATES (2006-2008)

	Total	Asian	European	Caribbean	Mexican	Central Am.	South Am.	Other
U.S. Total								
#	16 028 758	5 781 156	2 999 702	1 822 960	2 509 324	810 282	1 072 537	1 032 797
Rate (percent)	42.5	57.1	60.2	54.0	21.9	30.0	42.0	42.0
Georgia	288 180	104 856	43 516	43 088	26 466	13 209	20,028	37 017
	33.0	48.9	48.2	58.6	9.7	18.0	34.5	40.7
North Carolina	175 751	61 892	37 947	12 038	18 382	12 904	12 830	19 758
	28.2	48.0	52.0	50.2	7.5	20.4	37.4	36.9
South Carolina	63 226	21 296	19 379	4 100	5 203	2 718	4 844	5 686
	33.9	52.5	51.0	57.4	8.9	19.3	35.3	39.3
Tennessee	78 633	33 438	18 448	3 739	6 884	3 850	2 725	9 549
	32.0	48.0	54.9	52.0	8.9	17.8	33.7	33.4
Florida	1 564 911	191 522	222,494	704 283	42,470	101 629	226 900	75 613
	46.0	57.8	58.3	53.6	14.6	32.1	38.5	42.2
Virginia	342 919	180 305	50 967	14 849	8 481	26 760	26 558	34 999
	43.7	57.3	51.9	55.5	14.9	21.5	35.5	39.8
Maryland	312 449	129 142	54 248	31 546	4 967	24 172	21 868	46 476
	45.2	56.8	60.2	54.5	15.0	22.2	41.8	38.2
New York	2 187 819	585 897	552 809	562 516	26 123	83 196	286 051	91 227
	51.9	54.2	66.3	54.6	11.2	35.0	49.3	41.3
New Jersey	853 898	285 416	214 885	145 572	12 276	31 242	117 384	47 123
	49.8	54.9	66.6	56.3	10.4	26.8	41.3	49.2
Illinois	780 703	254 932	246 383	17 851	188 237	20 153	25 218	27 929
	44.3	58.3	60.0	66.9	26.3	40.6	45.9	40.3
Michigan	284 808	131 122	90 890	5 447	16 800	3 494	5 715	31 340
	47.9	51.9	60.2	48.6	19.7	26.9	50.4	44.5
California	4 317 495	2 123 054	411 665	46 492	1 138 693	290 801	125 799	180 991
	43.8	63.0	60.7	67.9	26.3	35.7	51.1	51.3
Arizona	284 472	67 074	54 292	4 012	121 673	8 343	8 947	20 131
	30.1	54.2	60.2	45.2	19.7	28.3	52.7	34.5
Nevada	180 151	71 910	24 298	7 386	47 487	11 462	6 354	11 254
	37.2	60.3	55.8	50.8	20.6	30.4	47.1	43.5
Texas	1 173 139	340,753	85 919	28 510	540 753	71 670	39 709	65 825
	31.0	54.3	51.0	54.0	22.9	23.8	36.8	39.3

Source: U.S. Census Bureau, 2006-2008 American Community Survey (ACS), table B05007.

Jersey, Illinois, Michigan, and California have much higher naturalization rates than the Southeast (with naturalization rates ranging from 43.8 percent in California to 51.9 percent in New York). Arizona and Texas, however, have total naturalization rates similar to those in the Southeast (around 30-31 percent). These relatively low naturalization rates might partly be due to the proximity of Texas and Arizona to the Mexican border, the easy reversibility of migration, and possibly a larger percentage of undocumented migrants in the Southwest who are not eligible for citizenship. However, the similar total naturalization rates of southwestern and southeastern states conceal remarkable differences in the naturalization rates of different groups within these regions. For example, Mexicans and Central Americans have higher rates of naturalization in Texas and Arizona, as do South Americans in Arizona, than in the four southeastern states; this is most likely because these groups have been present for a longer period of time in the Southwest than the Southeast.

The naturalization rates (i.e., percentage of foreign-born that have become naturalized U.S. citizens) mentioned here should not be confused with the percentage of a state's total population made up of naturalized citizens. In Georgia, North Carolina, South Carolina, and Tennessee naturalized foreign-born U.S. citizens are still a tiny fraction of the state's total population: 3.0 percent, 1.9 percent, 1.4 percent, and 1.3 percent, respectively. In contrast, they comprise 8.7 percent of Florida's total population, 5.6 percent in Maryland, 4.5 percent in Virginia, and larger percentages in many northern and western states (e.g., 11.9 percent in California, 11.3 percent in New York, 9.9 percent in New Jersey, and 9.5 percent in Hawaii).

NATURALIZATION NUMBERS AND RATES FOR DIFFERENT IMMIGRANT GROUPS IN THE SOUTHEAST

Naturalization Numbers

Given the greater attention the media and many researchers place on Mexican rather than Asian immigrants, our results may surprise people. As table 1 shows, in Georgia, Asians have by far the largest number of naturalized U.S. citizens (104 856), even though considerably more foreign-born Mexicans than Asians live in the state. In fact, Asian naturalized citizens in Georgia are more than twice as numerous as each of Georgia's next largest groups of naturalized citizens (Europeans, Caribbeans, and Others). Mexicans, South Americans, and Central Americans make up Georgia's smallest number of naturalized citizens, and even when added together, they are much fewer in number than Georgia's naturalized Asian immigrants. A

slightly different rank order exists in North Carolina and Tennessee (Asians, Europeans, Others, and Mexicans); while in South Carolina, Asians and Europeans are about equal in number and together comprise almost 65 percent of South Carolina's naturalized citizens, with the remainder split equally among the remaining regional categories.

These four southeastern states contrast much more sharply with Florida, home to more than 700 000 naturalized immigrants from Caribbean countries, more than triple the number of the next two largest groups: South Americans (226 900) and Europeans (222 494). Whereas in Georgia, North Carolina, and Tennessee, Asians were the largest set of naturalized citizens, in Florida, Asians are fourth largest, followed by Central Americans, Others, and Mexicans.

Asian naturalized citizens also numerically predominate by a wide margin in the upper southern states of Virginia (180 305) and Maryland (129 142). European naturalized citizens are a distant second in these states, but what is perhaps most distinctive about Virginia and Maryland is that the "Others" are the third largest number of naturalized citizens, probably due to the large, well-established African immigrant communities in the Washington, D.C. metropolitan area. The lower numbers of naturalized Mexican and Caribbean immigrants also distinguishes Virginia and Maryland from Georgia.

In numbers of naturalized U.S. citizens from different parts of the world, northern and western states differ from southeastern states mainly in that Asians are not as predominant numerically. As Table 1 shows, in New York, New Jersey, and Illinois, naturalized Europeans are almost as numerous as Asians; in Texas and Arizona naturalized Mexicans outnumber naturalized Asians.

Naturalization Rates

How do immigrants from different parts of the world and currently residing in southeastern states compare in their rates of naturalization? In Georgia, we find a surprising answer to this question (Table 1, bold numbers): foreign-born residents from Caribbean countries have Georgia's highest naturalization rate (58.6 percent). Georgia's immigrants from Asia (48.9 percent) and Europe (48.2 percent) are next highest, while immigrants from South America (34.5 percent), Central America (18.0 percent), and Mexico (9.7 percent) have the lowest naturalization rates. In Georgia, foreign-born from "Other" countries are in the middle of the distribution, with a naturalization rate of 40.7 percent. The relative uniqueness of Caribbeans in Georgia is evident in Table 1, which shows that among Caribbeans, the percentage

naturalized in Georgia is higher than the U.S. as a whole and almost all other states in the table. In South Carolina, like Georgia, Caribbean immigrants have the highest naturalization rate, followed by Asians and Europeans; but North Carolina, Tennessee, Florida, Maryland, and Virginia all differ, with either immigrants from Europe or Asia having the highest naturalization rates.

As expected, Mexican immigrants have very low naturalization rates in Georgia (9.7 percent) and other states in the Southeast (all under 10 percent). All other states in Table 1 (and the U.S. as a whole) show Mexicans with the lowest naturalization rates, albeit their rates do run higher in states outside the Southeast (especially California, Illinois, and Texas). Central Americans have the next lowest naturalization rates (ranging from about 18 percent to 20 percent in the Southeast), while South Americans and “Other” immigrants’ rates are typically close to each other, but well above those of Mexicans and Central Americans.

In sum, we find Georgia and the other southeastern states have relatively low rates of naturalization for most immigrant groups, except for Caribbean immigrants (especially in Georgia and South Carolina, where they are above average) and “Other” immigrants. This result is not unexpected, given that immigrants in the South tend to have entered the U.S. more recently than those in other regions, and since little or no tradition exists of recruiting immigrants into, or mobilizing them for, political processes.

Of course, the percentage of an immigrant group that naturalizes is strongly affected by how long the group’s members have lived in the U.S. One reason Mexicans’ and Central Americans’ naturalization rates are so low is that relatively large percentages of them have entered the country since 2000. For example, in Georgia 47.9 percent of Mexicans and 44.8 percent of Central Americans came to the U.S. in 2000 or more recently, compared to 17.7 percent of Caribbeans and 26.2 percent of Europeans (see Table 2), and this most recent entry cohort has by far the lowest rate of naturalization for all groups (shown in Table 2, italicized numbers). By using the statistical standardization procedure described above, we compare groups’ naturalization rates controlling for their differences in percentages in each entry cohort.

Results of the standardization procedure, shown in Table 3, lead to reinterpretation of some Table 1 findings described above. For instance, after standardization, North Carolina no longer has the lowest naturalization rate; Arizona and Texas do. Also, the northern states, as well as border states like Maryland and Virginia, still have higher naturalization rates than the southeastern states, but results in Table 3 show that this differential is not as large after controlling for differences in size of entry cohorts. Taking the nation as a whole, entry cohort standardization reveals that Europeans rank highest on percent naturalized in Table 1 because they have more

Table 2
PERCENTAGES OF IMMIGRANTS IN EACH ENTRY COHORT (UPPER NUMBER)
AND PERCENTAGE OF IMMIGRANTS IN ENTRY COHORTS WHO ARE NATURALIZED
U.S. CITIZENS (LOWER NUMBER, IN ITALICS) (BY STATE)
Cohorts of Entry into the U.S.

Region of Birth	Since 2000	1990-1999	1980-1989	Before 1980
Georgia				
Asia	29.9 <i>11.7</i>	34.0 <i>49.0</i>	21.5 <i>74.0</i>	14.6 <i>88.4</i>
Europe	26.2 <i>14.2</i>	32.0 <i>45.0</i>	12.6 <i>58.8</i>	29.2 <i>77.7</i>
Caribbean	17.7 <i>14.4</i>	28.5 <i>47.6</i>	26.2 <i>72.5</i>	27.6 <i>84.9</i>
South America	41.6 <i>8.0</i>	29.8 <i>31.7</i>	16.8 <i>71.9</i>	11.9 <i>81.2</i>
Central America	44.8 <i>4.2</i>	31.8 <i>15.0</i>	16.3 <i>37.6</i>	7.1 <i>73.8</i>
Mexico	47.9 <i>3.1</i>	36.7 <i>9.2</i>	11.8 <i>28.8</i>	3.7 <i>39.0</i>
Other countries	38.2 <i>13.1</i>	35.5 <i>50.1</i>	15.0 <i>66.6</i>	11.3 <i>69.6</i>
Florida				
Asia	27.9 <i>12.7</i>	27.6 <i>57.7</i>	21.5 <i>80.6</i>	23.0 <i>91.5</i>
Europe	19.8 <i>11.1</i>	20.8 <i>44.0</i>	12.1 <i>58.6</i>	47.3 <i>84.1</i>
Caribbean	22.1 <i>10.5</i>	25.8 <i>40.0</i>	20.4 <i>64.5</i>	31.7 <i>87.8</i>
South America	37.8 <i>6.9</i>	28.8 <i>35.3</i>	17.9 <i>70.8</i>	15.5 <i>84.2</i>
Central America	30.0 <i>5.0</i>	27.7 <i>20.9</i>	31.3 <i>50.8</i>	11.1 <i>80.2</i>
Mexico	45.7 <i>3.4</i>	2.7 <i>12.9</i>	14.8 <i>35.1</i>	6.8 <i>53.8</i>
Other countries	26.6 <i>7.5</i>	25.9 <i>37.1</i>	15.0 <i>54.0</i>	32.6 <i>69.3</i>
New York				
Asia	26.4 <i>12.0</i>	31.9 <i>52.2</i>	24.7 <i>77.9</i>	16.8 <i>90.4</i>
Europe	15.1 <i>12.1</i>	27.9 <i>62.5</i>	12.5 <i>69.4</i>	44.6 <i>86.3</i>
Caribbean	17.9 <i>16.5</i>	28.1 <i>43.1</i>	26.6 <i>65.2</i>	27.4 <i>81.1</i>
South America	25.7 <i>11.3</i>	29.6 <i>40.5</i>	24.7 <i>71.4</i>	20.1 <i>83.5</i>
Central America	27.1 <i>7.62</i>	29.0 <i>20.7</i>	26.1 <i>49.1</i>	17.9 <i>78.8</i>
Mexico	40.7 <i>2.1</i>	38.0 <i>8.7</i>	16.2 <i>27.4</i>	5.2 <i>50.8</i>
Other countries	34.0 <i>10.8</i>	30.0 <i>41.3</i>	15.3 <i>60.9</i>	20.8 <i>76.7</i>

Source: U.S. Census Bureau, 2006-2008 American Community Survey (ACS), Table B05007.

Table 3
 STANDARDIZED RATES OF NATURALIZATION IN THE SOUTHEAST AND SELECTED STATES
 TO CONTROL FOR GROUP DIFFERENCES IN LENGTH OF RESIDENCE IN THE U.S.*

	Total	Asian	European	Caribbean	Mexican	Central American	South American	Other
U.S. total	38.7	53.6	48.2	44.7	21.0	29.3	42.1	42.3
Georgia	36.9	48.9	43.6	48.5	16.0	25.2	40.5	45.4
North Carolina	33.2	50.1	42.2	40.0	15.2	28.8	40.9	40.1
South Carolina	35.8	48.8	39.7	51.2	17.1	27.6	41.9	38.4
Tennessee	36.6	48.2	47.3	44.8	17.3	25.4	38.7	39.9
Florida	40.6	54.1	43.2	43.4	20.8	31.2	41.6	36.6
Virginia	44.2	54.4	44.3	49.7	22.5	26.8	38.9	46.8
Maryland	45.2	54.7	50.7	46.4	25.1	27.0	42.3	45.2
New York	45.5	51.3	52.4	45.4	16.9	31.4	44.7	41.5
New Jersey	45.1	53.0	48.8	47.0	17.8	29.1	40.7	49.5
Illinois	40.0	55.5	52.6	52.4	23.8	34.4	43.5	43.7
Michigan	45.6	54.1	48.7	44.2	23.9	31.0	44.8	37.7
California	36.9	55.7	48.0	44.3	21.8	28.8	43.4	44.6
Arizona	29.0	52.7	46.0	37.2	20.9	26.7	48.3	34.2
Nevada	34.3	53.2	43.1	43.6	22.3	29.5	45.2	39.8
Texas	29.2	53.0	42.1	42.4	20.7	26.3	41.1	44.3

* The calculation uses Georgia Asians' percentage distribution in entry cohorts as the standard.

Source: Authors' computations based on U.S. Census Bureau, 2006-2008 American Community Survey (ACS), Table B05007.

people in the pre-1980 entry cohort (43.3 percent, compared to only 19.6 percent of Asians) and fewer in the post-2000 entry cohort (19.2 percent, compared to 27.4 percent for Asians). However, by controlling for differences in entry cohort, the standardization procedure shows that in the U.S. as a whole (and in most states) Asians become naturalized U.S. citizens at a higher rate than Europeans, or than any other group studied here –exceptions include New York, Wisconsin, and Pennsylvania, where Asians' and Europeans' naturalization rates are equal after entry cohort standardization. Georgia represents a slight exception to that pattern, in that after taking entry cohort sizes into account, Asians and Caribbeans are tied for the highest naturalization rate (both have standardized naturalization rates of just under 50 percent). In other words, the actual higher percent of naturalized Caribbeans in Georgia (58.6 percent in Table 1) is due to the fact that Georgia's Caribbeans are more concentrated in earlier entry cohorts than Georgia's Asians, not because of a higher proclivity to naturalize.

In contrast, entry cohort standardization does not change the findings for Mexican, Central American, South American, and Other naturalization levels, except to reduce by a small amount the gap between them and Europeans. For the U.S. as a whole, the southeastern states, and most other states, too, the rank order of their percent naturalized is the same, with Mexicans consistently having the lowest rates, usually by 6 to 12 percentage points.

DO NATURALIZED IMMIGRANTS AND/OR NATURALIZATION RATES AFFECT U.S. POLITICS?

The prominence of immigration, especially “illegal immigrants,” as a hot current political issue is obvious at local, state, and national levels. However, the place and roles of immigrant U.S. citizens is a murkier matter, often passed over in public debates or neglected by researchers. In earlier eras people spoke of “the immigrant vote” and linked it to the success of the big urban political machines of bygone days. But today, even as the percentage of immigrants in the U.S. population is almost as high as it was in the heyday of machine politics, does it make sense to speak of “the immigrant vote,” or for that matter, immigrants as a bloc of campaign donors, supporters, or activists? Writing about southern and eastern European immigrants decades ago, Banfield and Wilson (1963: 43) spoke of immigrant and second generation voters not wanting candidates who were “too” Jewish, Polish, or Italian; instead they preferred “candidates who represent the ethnic group but at the same time display the attributes . . . the speech, dress, manner, and public virtues . . . of the upper-class Anglo-Saxon.” Do similar preferences exist currently? Is an “Anglo-Saxon model” still held in high regard, and, if so, does it doom foreign-born U.S. citizens running for office if they too closely resemble the “immigrant/just-off-the-boat” stereotype? Today, is it more analytically astute, or politically practical, to view naturalized immigrants as a subset of larger pan-ethnic or ancestry groups (i.e., Mexican immigrants merge into a larger Latino bloc or Mexican American bloc; immigrant Jews fall into the Jewish American bloc or even larger “white” bloc), or is a view with more nuance needed? What “model” of citizenship involvement (Plotke, 1999; Van Hook, Brown, and Bean, 2006) is appropriate for immigrants (or most frequently chosen by them), and does it differ from that of native-born citizens? These are broad questions about immigrants and U.S. politics that we think ought to be addressed by scholars. However, staying within the bounds of our data in this study, we focus on a narrower but basic question: Do naturalized citizens and/or naturalization rates affect U.S. politics? In this section we present some evidence on that issue,

suggesting that immigrant naturalization rates and naturalized U.S. citizens *do matter*, sometimes in ways that are not obvious.

Immigrants in the U.S. Congress

To what extent have immigrant U.S. citizens made it into the halls of power? Are there any in the U.S. Congress? Everyone knows that Congress has a Black Caucus and a Hispanic Caucus, but is there an Immigrant Caucus? No, there is not; but if one existed, how many people would be eligible for membership? After considerable digging we learned that in the 2008-2010 (111st) Congress, no senators but eight members of the House of Representatives are immigrants.⁵ They are Mazie Hirono (Hawaii; from Japan), Ciro Rodriguez (Texas; from Mexico), Albio Sires (New Jersey; from Cuba), David Wu (Oregon; from Taiwan), Anh “Joseph” Cao (Louisiana; from Vietnam), Lincoln Díaz-Balart (Florida; from Cuba), Peter Hoekstra (Michigan; from the Netherlands), and Ileana Ros-Lehtinen (Florida; from Cuba).⁶ Except for the two from Florida none represents a southeastern state. Interestingly, they are evenly split across the two major political parties: the first four are Democrats and the last four are Republicans.

These legislators represent Congressional districts with wide demographic variations. Only Díaz-Balart and Ros-Lehtinen are from majority immigrant districts. Rodriguez represents a majority Mexican-American district, but only 15 percent is immigrant. Sires’s district in New Jersey is about 40 percent immigrant, mainly from several Latin American countries. Cao’s district is over 60 percent black; Hoekstra’s is almost 90 percent white and less than 4 percent foreign-born; while Wu’s district is 80 percent white and 14 percent foreign-born. Hirono’s district in Hawaii is the most diverse: a mix of white, multi-racial, and Filipino or Japanese backgrounds, none of which comprises more than one-third of the district’s population.

As a result of the most recent election (November 2010), the next Congress (for 2011-2012) will have fewer immigrants in the House of Representatives. Cao and Rodriguez were defeated and Hoekstra did not run for re-election in his House dis-

⁵ Many would be considered “1.5 generation” since they were young when they came to the U.S.

⁶ Two voting members of the House, both Democrats representing New York, were born in Puerto Rico (Jose Serrano and Nydia Velazquez), but technically they are not immigrants since people born in Puerto Rico are U.S. citizens by birth (though those living in Puerto Rico lack the full set of rights and privileges people born on the U.S. mainland have). Also, several members of Congress were born “overseas,” but are not immigrants since they were U.S. citizens at birth because one or more of their parents were U.S. citizens living abroad. Finally, a few people born abroad are non-voting members of Congress who represent Puerto Rico or other U.S. overseas territories.

trict (instead he ran as a candidate for Governor of Michigan, but lost in the Republican primary). In addition, in August 2011, Representative Wu resigned from his seat in Congress due to a scandal involving alleged sexual impropriety.

Almost all the foreign-born members of Congress have espoused issues related to immigration. For example, *Ciro Rodriguez* is the vice-chairman of the House Appropriations Subcommittee on Homeland Security, and he has co-sponsored legislation to increase funding for border security (e.g., Operation Stonegarden and H.R. 6080). *Lincoln Díaz-Balart* has played a major role in reintroducing the Dream Act. He has also sponsored the Immigrant Children's Health Act, which calls for health care coverage for immigrant children and pregnant women. Moreover, he has received medals for working on the behalf of Nicaraguan and Colombian immigrants. *Anh Joseph Cao* is a member of the Committee on Homeland Security and an advocate of refugees and affairs of his homeland (Vietnam). *David Wu* worked on legislation for improved status for H-1B visa holders with advanced degrees. *Peter Hoekstra* is a member of the Immigrant Reform Caucus and advocates secure borders, the enforcement of existing law, accountability for breaking immigration laws, and economic justice for hardworking Americans. Most recently, on December 8, 2010, the House of Representatives voted on the Dream Act and it passed by a 216-to-198 vote. In general, Democrats supported this bill and Republicans were against it, but it is interesting to see that three out of four immigrant Republicans in the House (*Cao*, *Ros-Lehtinen*, and *Díaz-Balart*) voted in favor of it (*Hoekstra* voted against). Three out of four immigrant Democrats in the House voted for the Dream Act (*Hirono*, *Rodriguez*, *Sires*), while one (*Wu*) did not cast a vote on it.

Electing Obama

There is good reason to be skeptical about the existence of "the immigrant vote," especially if it is thought of as a monolithic voting bloc aligned with a particular candidate or party. *Plotke* (1999: 295) characterizes naturalized citizens as "centrist and mildly pro-Democratic" and says they do not vote at high rates and are not united by common political views. The even split between Democratic and Republican immigrant members of Congress and *Portes and Rumbaut's* (2006) discussion of the very different political leanings of Mexican and Cuban immigrants show that immigrant political orientations vary along dimensions of region, socioeconomic level, degree of assimilation, and other factors. We also realize that naturalized foreign-born U.S. citizens comprise a small percentage of the U.S. population (5.3 percent, and less than that in the Southeast), and the percentage that is registered to

Table 4
 MULTIPLE REGRESSION ANALYSIS OF PERCENTAGE OF STATE VOTERS CHOOSING
 BARACK OBAMA IN THE 2008 PRESIDENTIAL RACE

Correlations	Percent for Obama	Naturalization rate	Percent black	South or non-South	State median household income
Percent voting for Obama					
Naturalization rate ¹	.412**				
Percent black in state	.244*	-.203			
South or non-South ²	-.177	-.350**	.700**		
Median household income	.508**	.420**	-.080	-.352**	
Percent foreign-born in state	.491**	.150	.054	-.140	.611**

1-tailed significance tests: * < .05 level; ** < .01 level

¹ Naturalization rate = Percent of foreign-born residents in each state who are naturalized U.S. citizens.

² Southern states are coded 1; all other states are coded 0.

Source: U.S. Census Bureau, 2006-2008 American Community Survey (ACS) and Leip (2008).

MULTIPLE REGRESSION ANALYSIS FOR PERCENT
 IN EACH STATE THAT VOTED FOR BARACK OBAMA

Variables	Model 1		Model 2	
	b (unstandardized) coefficient	B (standardized) coefficient	b (unstandardized) coefficient	B (standardized) coefficient
Naturalization rate	.382*	.268	.433*	.303
Percent black	.590**	.599	.563**	.573
South	-9.213*	-.395	-9.134*	-.392
Household income	.403*	.304	.142	.107
Percent foreign-born			.544*	.296
Constant	11.473		18.584	
Adjusted R ²	.435		.481	

Note: Variables defined as above, except median household income is scaled in thousands of dollars.

Source: U.S. Census Bureau, 2006-2008 American Community Survey (ACS) and Leip (2008).

vote or actually votes is even smaller. Nevertheless, we were curious to see whether a state's percentage of naturalized immigrants was related in any way to the outcome of the 2008 presidential election. We expected to find, at best, a weak relationship—probably statistically insignificant—and therefore were surprised by the results, presented in Table 4 and described below.

The percentage of the foreign-born population in a state who are naturalized U.S. citizens has a significant positive correlation with the overall percentage of votes cast for Barack Obama in the state (Pearson's $r = .41$, probability = .003). In other words, the higher the naturalization rate, the more the state leaned toward President Obama. One must be cautious in interpreting ecological correlations of this type (Robinson, 1950); it does not necessarily mean that immigrants voted disproportionately for Obama, since another variable might be the underlying cause of this statistical result, thereby rendering the observed correlation spurious. An obvious variable to consider is the size of a state's black population. Since blacks voted overwhelmingly for Obama, if they comprise a large portion of a state's population and if naturalized immigrants tend to live in greater numbers in states with large black populations, this might explain away our observed positive correlation between the naturalization rate and the overall percent voting for Obama. We tested this by controlling for states' percentage of blacks; however, even with percent black controlled, the correlation between states' naturalization rate and states' voters preferring Obama remains significant, in fact it gets stronger (partial $r = .49$, $p < .000$).

Multiple regression analysis is a more efficient method of determining whether the naturalization rate's relationship with the percentage voting for Obama remains significant after taking into account the influence of other variables. The results shown in Table 4 indicate that the general trend of higher levels of support for Obama persist even after controlling for percent black, for whether the state is located in the South, and for the household income level in the state (model 1). The regression analysis indicates that all four independent variables are significant and that states' percent black has the strongest effect on the size of the vote for Obama. In addition, being located in the South is associated with having a lower vote for Obama, while both the percentage of foreign-born who have been naturalized and the median household income in the state are related to higher percentages of votes for Obama. Together these variables explain 43.5 percent of the variation in states' percentage voting for Obama.

Model 2, in Table 4, takes it one step further, by adding an additional variable: percentage of each state that is foreign-born. Doing this tests whether it is actually the size of the foreign-born population in a state, rather than the percentage of the foreign-born that has been naturalized, that affected the percentage of votes cast for

Obama. The results show that percent foreign-born and the naturalization rate each have significant independent effects on the size of the Obama vote: the higher the percent foreign-born and the higher the naturalization rate, the larger the vote for Obama. Interestingly, adding the percent foreign-born to the multiple regression analysis causes the median household income to become an insignificant variable (due to the fact that the correlation between percent foreign-born and states' median household income is strong [$r = .61$]). Thus, the data suggest that Barack Obama did better in states with higher percentages of naturalized immigrants, and this outcome is not due to chance nor is it a spurious result produced by one of the other variables included in the regression analysis.

The intriguing question is how to explain this relationship. What political and sociological reasons or processes account for Obama doing better in 2008 in states that have higher rates of naturalization?⁷ Since this outcome is unlikely to be due solely to the voting patterns of naturalized immigrants, a broader explanation is needed. Our explanation suggests a larger significance of immigrant citizens' role in U.S. politics.

As we explored the relationship between states' naturalization rates and percentage voting for Obama, two aspects of it became apparent. First, in states with very low pro-Obama results (e.g., Alabama, Arkansas, Arizona, Texas, Utah, or Idaho), not only was the percent naturalized low, but the foreign-born in these states were largely from Mexico. In many people's minds, this puts these immigrants in a racially subordinate or suspect category and contributes to a climate in which a rhetoric regarding "bad immigrants" (i.e., who enter illegally, engage in crime, use too many public services, or do not want to adopt "American culture") runs high in these states.

Second –and in sharp contrast– states with high pro-Obama results fell into two categories. One consists of generally liberal states in which the naturalization rate is high, but immigrants are only a tiny portion of the state population and *not* predominantly Mexican (e.g., Vermont, Maine, New Hampshire, and Wisconsin). In this case, current immigration does not represent to most people a serious social or economic threat, and the relatively small numbers of immigrants in these states (most of whom have naturalized) probably represent, or are perceived in the public's mind as, "good immigrants" (those who successfully assimilated and became incorporated into the civic culture and political community). The other set of states with high pro-Obama results are those with large immigrant populations and a

⁷ It will be interesting to see if there is any relationship between states' naturalization rates and voting results for candidates in the recent 2010 mid-term elections, in which Republicans were more successful than Democrats.

high percentage of naturalized foreign-born residents (e.g., Hawaii, New York, New Jersey, Rhode Island, Illinois, and California). These are states with strong Democratic Parties and a history of intense political competition among immigrant groups coupled with a tradition of reaching out to diminish inter-group conflict and bringing immigrant voters into a coalition, if only to compete successfully with the opposing political party. In both cases, these experiences of naturalized immigrants contribute to a liberal pluralist narrative regarding immigration (i.e., the United States as a nation of immigrants; immigrants perceived as fitting in and making positive contributions), and a broader mindset emphasizing tolerance and faith in change and diversity. Clearly, Barack Obama, in his 2008 presidential campaign, was able to tap into and expand sentiments of this sort, and he became a very appealing candidate to many people in these states with high naturalization rates. Thus, we suggest that aside from which candidate naturalized immigrants vote for, who they are (i.e., race/ethnicity/nationality), and the degree to which they have moved through the naturalization process contributes something to the general political culture in a state.

Some Anecdotal Evidence

Are the positions that an elected official takes on political issues affected by having a growing number of naturalized foreign-born citizens living in the area he/she represents? Although it is outside the Southeast, the case of Senator Harry Reid (D-Nevada), the current Senate majority leader, suggests that it does. Back in 1993, Senator Reid introduced the Immigration Stabilization Act (which subsequently would not be enacted into law). This bill proposed to reduce legal immigration from 800 000 to 300 000 per year, make it harder to obtain political asylum in the U.S., speed up the deportation process, and end the policy of granting U.S. citizenship to babies of women who were in the U.S. illegally at the time they give birth. Senator Reid stated that illegal aliens were receiving welfare, food stamps, and medical care without paying taxes and said, "Safeguards like welfare and free medical care are in place to boost Americans in need of short-term assistance ... These programs were not meant to entice freeloaders and scam artists from around the world" (Ungar, 1998: 358-359). At that time, Senator Reid certainly did not seem like a political leader sympathetic to immigrants, especially those who entered the U.S. illegally. Today, his stance is much more sympathetic to this constituency. Senator Reid has been a visible supporter of the Dream Act, and in September 2010, as majority leader, he attached the Dream Act as an amendment to a major Department of Defense appropriations bill –though it was defeated.

Some observers see Senator Reid's policy change as an attempt to curry favor among Latinos, who make up about 25 percent of Nevada's population, whereas back in 1990 it was 10.4 percent. Our research indicates that in 1990, foreign-born people constituted just 9.6 percent of Nevada's total population, and naturalized foreign-born U.S. citizens only 3.6 percent. Data from the 2009 ACS show the growth of these numbers: now 19.2 percent of Nevadans are foreign-born, and 7.6 percent of the state's population is naturalized U.S. citizens. Beyond the growing size of the naturalized citizen constituency in his own state, in order to become a national leader in the Democratic Party, Senator Reid probably had to shift his position to accommodate and gain support from other leading Democratic politicians who have taken a more liberal stance on immigration issues to gain immigrant electoral support, or in hopes of attracting them to the Democratic Party in the future.

DISCUSSION AND CONCLUSION

In summarizing our findings, we note that Georgia has many more naturalized immigrants than North Carolina, South Carolina, and Tennessee; however, both the naturalization rate and the absolute number of naturalized citizens in these four southeastern states are lower than other southern states with large immigrant populations (e.g., Florida, Virginia, and Maryland), as well as states in the North and West that are home to many immigrants. Naturalized immigrants in the Southeast also comprise a very small portion of their respective states' total populations (3 percent in Georgia and less than 2 percent in the other southeastern states). One political implication of these facts may be that naturalized immigrants will have a small impact on political processes and outcomes in the Southeast, and perhaps that immigrants in the Southeast are likely to be people talked about as objects to be "dealt with" rather than active agents making or influencing decisions that affect their own fate. However, we believe that some evidence from our research tells a different story and hints at naturalized immigrants having more than the minimal role implied in the preceding sentence.

For one thing, our findings suggest that the potential political strength of naturalized Asian citizens in the Southeast (and the country as a whole) has been unrecognized or under-estimated by researchers and media observers. For the most part, the "face" of "the immigrant vote," at least in the popular media, has been presented as Mexican or Latino. Yet, in the four Southeastern states we examined, there are 221 482 naturalized Asians compared to only 56 935 naturalized Mexicans, and 130 043 naturalized people from Mexico plus Central and South America. Thus, in

the Southeast, the number of U.S. citizens who are Asian immigrants and registered or eligible to register to vote greatly outnumbers that of Latinos. Perhaps more importantly, the same is true for the United States as a whole: there are almost 1.4 million more naturalized Asian citizens than naturalized citizens from Mexico, Central and South America. Moreover, the rate at which Asians naturalize after being in the U.S. more than ten years is well above that of groups from other parts of the world. Thus, we expect their numbers to increase markedly in the next ten years.

In addition, the internal diversity of Asian immigrants puts them in a somewhat unique position in the U.S. social structure, and generates two kinds of political opportunities. Some immigrant Asian subgroups rank relatively high in socioeconomic status, are residentially dispersed and integrated with other racial/ethnic groups, and fairly well accepted by others, especially whites. These naturalized Asians may have good chances of success in political activities (e.g., elections) since they can appeal to a broad constituency beyond an immigrant base (as Congresspersons Cao, Wu, and Hirono have done). In other places, research (Logan, Stults, and Farley, 2004) shows that Asian residential segregation has increased over the past 20 years (e.g., Gwinnett County in suburban Atlanta and growing “Little Saigons” in California and Boston). In these areas, depending upon how electoral district boundaries are redrawn after reapportionment in 2011, it is likely that one or more districts will have enough voters of Asian background, counting immigrants and second generation, to enable a naturalized Asian candidate to win. With regard to the impact of reapportionment, we also note that naturalized Asians are well represented in states with large population increases since 2000 (e.g., Texas, California, Georgia, and North Carolina) that will receive an additional seat in the House of Representatives and an additional electoral vote in presidential elections, which could perhaps amplify the political voice of naturalized Asian U.S. citizens.

Of course, it would be a mistake to assume that naturalized Asians will form a unified bloc speaking with a single political voice. The interests and concerns of Asian Indian immigrants are likely to be different from those of the Hmong or Vietnamese, to cite one example. Beyond that, the concerns and needs of Asian immigrants may often diverge from those of immigrants of other nationalities, so it is probably unrealistic to predict broad long-term coalitions among them. For instance, Zolniski (2006) shows the conflict of interest between Korean immigrant owners of office-cleaning companies and the Mexican immigrant janitors they employ. Even on immigration-related matters, some Asian groups will differ among themselves and with non-Asians. For instance, some Asians (e.g., from India, Taiwan, or Malaysia) are much more concerned about decisions related to H-1B visas than the wall being constructed on the U.S.-Mexico border, or with ICE arrests at construction sites or day-

labor waiting areas. Some Asian immigrants do not favor the proposed Dream Act or the idea of amnesty for immigrants in the U.S. illegally, viewing it as unfair to those who immigrated legally.⁸ Our point is that a meaningful political role for naturalized Asian U.S. citizens does not necessarily depend solely on being part of a large mass immigrant voting bloc. Their potential political influence can be generated through their growing numbers, particularly in several key large or growing states, but it also rests on the fact that many naturalized Asian immigrants are in economic and educational categories associated with higher levels of political knowledge, efficacy, and participation, and their support and input may be especially valuable in close elections.

In conclusion, in this article we have shown and discussed important differences in naturalization rates among states and regions of the U.S. and among immigrant groups arriving from different parts of the world. Beyond that, we have suggested several ways that naturalized citizens and naturalization rates are affecting U.S. politics: showing the immigrant presence in Congress, analyzing the correlation between states' naturalization rates and the percentage that voted for Barack Obama in 2008, and suggesting the potential political influence naturalized Asian immigrants may have. We believe it is worth examining the 2010 mid-term elections, as well as the 2012 presidential elections and political activity in the years beyond to see whether naturalization rates in a state continue to affect voting patterns, and how the role of immigrants in U.S. politics continues to unfold.

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⁸ As Lou put it, "My [Korean immigrant] mom is trying to sponsor my uncle to come here, and the whole process will take seven years and cost thousands of dollars. I know many immigrants from Asia and Europe who came here . . . and are going through hell trying to become citizens. How is it fair that people who circumvented the system are being put in line in front of people who do it the right way?" (*Atlanta Journal Constitution*, 2010: A17).

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ENSAYOS / ESSAYS

*The Declaration of Independence and
Immigration in the United States of America*
Kenneth Michael White

The Declaration of Independence and Immigration in the United States of America

KENNETH MICHAEL WHITE*

ABSTRACT

The United States has always been a nation of immigrants, and immigration policy has always been controversial. The history of immigration in the United States is contrasted in this article with a normative standard of naturalization (immigration policy) based on the Declaration of Independence. The current immigration debate fits within a historical pattern that pits an unrestricted right of immigration (the left) against exclusive, provincial politics (the right). Both sides are simultaneously correct and incorrect. A moderate policy on immigration is possible if the debate in the United States gets an infusion of what Thomas Paine called "common sense."

Key words: immigration, political philosophy, Declaration of Independence, American founding, American government

RESUMEN

Estados Unidos ha sido siempre una nación de inmigrantes, y su política respecto de la inmigración siempre ha sido controversial. En este artículo se compara la historia de la inmigración con la normativa estándar de naturalización (política de inmigración), basada en la Declaración de Independencia. El debate actual al respecto entra en un patrón histórico que contrapone el derecho irrestricto a la inmigración (la izquierda) con una política provincial excluyente (la derecha). Ambas posturas son a la vez correctas e incorrectas. Una política moderada de inmigración es posible si el debate en Estados Unidos adquiere lo que Thomas Paine llamaba "sentido común".

Palabras clave: inmigración, filosofía política, Declaración de Independencia, fundación de América, gobierno estadounidense

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INTRODUCTION: THE PHILOSOPHICAL BEGINNING

The United States of America is an idea. As the Declaration of Independence puts it, “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights...Life, Liberty and the pursuit of Happiness” (2000: 6). Truths are held or understood in the minds of people, and, in this sense, the notion of equality (the foundation of the country) is an idea. To be an American, then, is to think a certain way about the rights of all human beings, regardless of their culture or country of origin. This notion that the fundamental basis of the United States of America is an idea or an argument makes the country philosophical, i.e., universal, because any human being on the planet has the potential to recognize the idea of natural equality and, thus, be an American. As John Locke puts it, “The state of Nature has a law of Nature to govern it...Reason...is that law...[which] teaches all mankind who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty or possessions” (2003: 271).

But, the Declaration of Independence also begins with the anti-philosophical assertion that Americans are “one people.” That is a clear political assertion. To say that Americans are one people, who need to be free from the “political bands” that connected them with Great Britain is to create a political paradigm of us vs. them. In this sense, not everyone is a welcomed member of the United States of America. The British certainly were not considered American during the Revolution. And there have been many other examples of American exclusion throughout history (including in The Declaration’s identification of Native Americans as “savages”). Thus, it is possible to think like an American, to understand the notion of Natural Right or unalienable right; however, it is not automatically guaranteed that everyone will be considered an insider or a citizen of the country even if they think the correct way. A citizen, as Aristotle defined it in Book Three, Chapter One of *The Politics*, “is entitled to participate in an office involving deliberation or decision” (1984). Aristotle uses this definition to distinguish between the insider, the citizen, and the outsider (those who are not part of the government) who are fit only to be slaves. It is the citizen who has worth as a human, as an end in and of him/herself; it is the slave who has worth only as an animal (a thing to be used or discarded).

Herein then, are the two polar forces that have always vexed the study of society and government, i.e., the particular (us vs. them) paradigm of politics, which creates a class structure of master (human) and slave (beast or thing), against the cosmopolitan and universal paradigm of philosophy (where everyone is human), which destroys class or group distinctions among human beings, recognizing only

a world of individuals living the self-examined life (not in different countries, but rather in one world). The beginning of the realization of this conflict is found in ancient Athens between Socrates (the first philosopher) and the city. Socrates dared to think for himself and to question the rules of the city; this made him a danger to it. In Plato's *Meno*, Socrates is seen showing that a slave can be just as intelligent as a full fledged citizen of the city through the process of the dialectic: "Do you see, Meno [the master of the slave], that I am not teaching him [the slave] anything, but all I do is ask questions...the knowledge [of a lesson in geometry] he now has...[and] he will do these same things with...all the other subjects of learning" (2004: 82E-85E). In the *Meno*, this idea that a slave can be taught as well as a full-fledged Greek citizen angers an onlooker named Anytus so much (2004: 100B-100C), that it eventually forms the basis of the charges against Socrates, found in Plato's *Defense*, for corrupting the youth, for making up new gods, and –importantly– for making the weaker argument appear stronger, in other words, for making philosophy more important than politics.

Prior to the United States of America the idea that Natural Right (universal equality and unalienable rights) could actually become political right was unprecedented. But it does appear to have been the purpose of the Founding Fathers. As Jaffa points out in *A New Birth of Freedom*, "We may be confident that James Madison had the Socratic tradition in mind when he wrote that, 'A government deriving its energy from the will of society, and operating, by the reason of its measures, on the understanding and interest of the society...is the government for which philosophy has been searching and humanity been fighting from the most remote ages'" (2000: 121). This idea is confirmed by Leo Strauss and Joseph Cropsey when they observe in *History of Political Philosophy*, "The authors of the *Federalist Papers* were still under a compulsion to prove that it is possible for a large society to be republican or free...[they] signed themselves 'Publius': republicanism points back to classical antiquity and therefore also to classical political philosophy" (1987: 6). In sum, the Founding Fathers "considered themselves to be republicans, part of a venerable tradition that stretched back to the classical ages of Greece" (Greenberg and Page, 2007: 6).

To be philosophical or republican in this sense is to be paradoxical. For example, Plato's Socrates in the *Republic* argues that philosophy is a search for truth and what is good (1991: 505a), but he also admits that telling lies –"noble" ones– can be good. Socrates lived his life attempting to discover what virtue is as a means of serving his city, yet his city condemned him and killed him. In the United States, on the one hand, all human beings are said to be equal in the Declaration of Independence; on the other hand, this idea was not applied to white males without property,

to non-white males, or to females at the time. The Declaration sets forth a paradigm of universal Natural Right for all human beings (in Article I, section 8, the Constitution sets forth a process of “naturalization” whereby immigrants can come into the fold and have those Natural rights become established political right). However, The Declaration also sets forth a political paradigm where Americans are “one people,” which creates the anti-philosophic distinction of us vs. them. How can a country be both philosophic (universal) and political (particular) at the same time? How can a forest (the universal) also be a tree (the particular)?

A BRIEF HISTORY OF IMMIGRATION IN THE UNITED STATES OF AMERICA

The paradox of The Declaration’s appeal to both politics and philosophy is illuminated via the issue of immigration. The United States of America is a nation of immigrants, primarily those who “left Europe for political, religious, and economic reasons” (Greenblatt, 2008: 201). In most of the world, “citizenship is indeed defined by race or ethnicity....By contrast, an American may belong to any ethnic group” (Fiorina, 2006: 67). But even in the best light, the early U.S. immigration policy favored those who came from Western Europe to the exclusion of other groups: “there was a concern that immigrants might come in numbers too large, or from countries too despotic, to assimilate to the American way of life...[they] would not possess, or be in a position to acquire soon, the principles and habits necessary for democratic citizenship...Naturalization was therefore limited primarily to those who had been formed by Western civilization” (West, 1997: xiv).

In the beginning of the country (the first 100 years) there was an “open-door immigration policy” on immigration (for those who qualified under property, ethnic, or gender classifications) (Greenblatt, 2008: 201). But, in reality, the policy on immigration in the United States has never truly been open; “for both legal and illegal immigrants, America’s actions have been inconsistent and often racist” (Greenblatt, 2008: 201). Perhaps the ugliest immigration chapter in the history of the United States came at the expense of Asians with the Chinese Exclusion Act of 1882 and in 1917 with legislation that created “barred zones” for Asian immigrants; laws in 1921 and 1924 created a quota system for immigration that capped immigration and “effectively exclud[ed] Asians and Southern and Eastern Europeans, such as Greeks, Poles, and Russians” (Greenblatt, 2008: 201). Interestingly, this late 1800s and early 1900s period saw the creation of the nation’s first drug laws, which were aimed at controlling undesirable ethnic groups. Some of the Chinese workers who built the rail-

roads also built opium dens, which became a “visible symbol of the Chinese presence on the West Coast and as such became the target of anti-Chinese sentiment” (quoted in White, 2004: 21-22). Consider this editorial from the *Tombstone Epitaph* at the time on the animus towards the Chinese:

The Chinese are the least desired immigrants who have ever sought the United States...the almond-eyed Mongolian with his pigtail, his heathenism, his filthy habits, his thrift, and careful accumulation of savings to be sent back to the flowery kingdom. The most we can do is to insist that he is a heathen, a devourer of soup made from the flagrant juice of the rat, filthy, disagreeable, and undesirable generally, an encumbrance that we have determined not increase in this part of the world (quoted in White, 2004: 22).

Hispanics were also targeted with anti-immigration legislation in the early 1900s, primarily Mexican Hispanics in the Southwest. In 1924, the United States Border Patrol was created to block illegal immigration coming from Mexico (Greenblatt, 2008: 201). In 1937, in another anti-immigrant, anti-drug measure, the Marihuana Tax Act was passed on the basis of racial and cultural animus directed toward Hispanics and Mexicans. The legislative history of the Tax Act reveals an overt attitude of bigotry, which would not be outlawed until some 17 years later with the ruling in *Brown v. Board of Education* (1954). But before *Brown* was decided, the laws of the land, particularly immigration-themed laws, were based in whole or in part on now unlawful bias or prejudice. Consider this testimony to Congress on the “need” to outlaw cannabis in 1937:

The people and the officials here want to know why something can't be done about marihuana....The sheriff, district attorney, and city police are making every effort to destroy this menace....I wish I could show you what a small marihuana cigarette can do to one of our degenerate Spanish-speaking residents. That's why our problem is so great; the greatest percentage of our population is composed of Spanish-speaking persons, most of whom are low mentally, because of social and racial conditions (quoted in White, 2004: 22).

Congress was also told, without any supporting empirical evidence, that Mexicans were targeting the youth with marihuana:

The Mexican population cultivates on average two to three tons of the weed annually. This the Mexicans make into cigarettes, which they sell at two for twenty-five cents, mostly to white school students. We must remind friend skeptic that the great majority of indulgers are ignorant and inexperienced youngsters and members of the lowest strata

of humanity. When you think this fact over there should be no room for argument (quoted in White, 2004: 23).

Such testimony led to little debate and swift passage of the prohibition of marijuana at the federal level in 1937. Something worth noting here is how this history of anti-immigration sentiment and drug legislation has created a form of institutional bias such that members of non-white ethnic groups are significantly more likely to find themselves in the criminal justice system for drug offenses than their white counterparts, even though whites, as a whole, are more likely to use drugs than non-whites. This creates an enormous burden on the resources available to the government and also contributes to the narrative that the United States has failed to live up to its original goal of equality under the law (ACLU, 2003: 1).

The effort to control immigration from Asia and Eastern and Southern Europe in the early 1900s did not work as planned; the unintended consequence (despite the creation of the Border Patrol and the passage of the Marihuana Tax Act) was that illegal immigration through Mexico increased. In 1942, a guest-worker program was created that allowed Mexicans to work on U.S. farms, and in 1952 the Immigration and Nationality Act attempted to unify the previous patch-work legislation on immigration by retaining the quota system favoring Northern Europeans, but still permitting Mexican farm workers in Texas (Greenblatt, 2008: 200). By 1954, the Border Patrol launched "Operation Wetback" and transferred some 500 immigration officers from Canada to join the 250 agents already patrolling the Mexican border. As a result, there were "more than 1 million undocumented Mexican migrants...deported" (Greenblatt, 2008: 201).

The first immigration reform effort in the United States with a more philosophical purpose came in 1965 when President Johnson attempted to repair "a deep and painful flaw in the fabric of American justice" by giving priority to family reunification petitions by immigrants (Greenblatt, 2008: 201). This also marked a trend where European immigration began to wane and immigration from South America and developing nations began to increase. The 1965 effort at immigration reform did not end the practice or problem of illegal immigration.

By 1986 the apprehension of a record 1.7 million undocumented immigrants spurred Congress into passing more legislation (the Immigration Reform and Control Act) aimed at reforming the system. The law effectively gave amnesty to illegal immigrants then in the country, but, for the first time in the country's history, also imposed sanctions on employers who hired undocumented workers (Greenblatt, 2008: 200). In support of the reform effort, President Reagan declared, "The simple truth is that we've lost control of our own borders and no nation can do that and survive" (quoted in Greenblatt, 2008: 202).

The next national effort to address immigration came in 1996, after it became clear that the 1986 Immigration Reform and Control Act had not solved the issue of illegal immigration. The 1996 law increased –doubled– the size of the Border Patrol and created 600 new Immigration Naturalization Services investigative agents. The law also focused on using technology (motion sensors) to patrol the border with Mexico, and set strict controls on the process of applying for political asylum. It also made it easier to deport persons without proper paperwork (or false paperwork), and limited the due process available to non-citizens seeking to challenge a deportation order in court (Greenblatt, 2008: 206).

Though the 1996 law was the last attempt by Congress to specifically address the issue of immigration reform, there have been a number of efforts by states to deal with illegal immigration. In 1994, Californians passed Proposition 187, which denied illegal immigrants public education or non-emergency public health services. The courts struck down most of the provisions of this law as being against the guarantee of due process, but it signaled the electoral popularity of anti-immigrant policies among certain segments of the voting population.

Recently, other states have attempted to deal with the issue of illegal immigration in the wake of the failed 2005 attempt by Congress and President Bush to pass comprehensive immigration reform. In 2006, Colorado passed a law requiring anyone over 18 to prove their legal status in order to enjoy public benefits; and employers must verify the legal status of their workers (Greenblatt, 2008: 202). In Georgia, the stance against illegal immigration is strict: “state and local government agencies have to verify the legal residency of benefit recipients....Employers will have to do the same whenever they make a hiring decision” (Greenblatt, 2008: 202).

The politics of immigration hit a tipping point here in Georgia at Kennesaw State University (KSU) when an undocumented student was pulled over for violating a motor vehicle ordinance on campus. Jessica Colotl was arrested in March 2010, for breaking a minor traffic law on campus, and she was discovered to be in the country illegally. Her parents had brought her to the United States when she was 10 years old without proper paperwork. She was turned over to immigration authorities upon her arrest, which sparked a national firestorm over immigration and education. KSU President Papp supported Colotl’s attempt to get an education at KSU –she is, by seemingly all accounts, a diligent student. While the KSU administration supported Colotl’s attempts to remain a student, it also made it clear they wanted to avoid the larger issue of immigration reform itself. A press release by the university states clearly, “The immigration debate is volatile and center stage in our nation....However, KSU’s administration will not become embroiled in that debate....Our focus has been...on ensuring that we are in full compliance with all Board of Regents’ policies

that address...undocumented students" (quoted in Moore, 2010: 1). The Board of Regents later clarified its position on undocumented students, i.e., they have "effectively ban[ned] undocumented students from attending 5 of the 61 universities and Technical College Systems of Georgia starting in the fall of 2011 through a series of admissions provisions" (Packer, 2010: 1). For her part, Colotl has been granted a one-year deferment to finish school.

But it is Arizona's law that has gotten the most attention in terms of state efforts to address the federal issue of immigration. The law, SB1070, allows local police to check a person's immigration status and criminalizes people who fail to carry registration papers. A lawsuit filed by the Obama administration challenging the constitutionality of the Arizona law on the basis that it preempts federal prerogative is working its way through the legal system, with a judge having issued a temporary injunction against the law's most controversial provisions (Martinez, 2010: 1). Critics of the Arizona law claim that it will lead to racial profiling because a person's immigration status is not determinable by sight, but proponents argue that the law does not condone racial profiling. On July 8, 2010, Jon Stewart of *The Daily Show with Jon Stewart* lampooned the Arizona law by ridiculing a training video produced by the State of Arizona designed to teach law enforcement officers how to enact the law: "So, they can't arrest you for not carrying your immigration papers. But, if you don't have your papers, you can be detained. I guess that's what's known in Arizona as a Catch-Veinte-Dos." Stewart concluded his bit on the Arizona law, after watching a clip of an Arizona official stumbling through the definition of reasonable suspicion, by concluding, "Mexicans are f*#ked."

THE TWO SIDES OF IMMIGRATION REFORM TODAY

The two political parties have staked out competing visions of immigration reform today. The Republicans have taken a very hard line. For example, recently a group of Republican senators wrote to the Immigration and Customs Enforcement (ICE) to protest what they see as a lenient policy of only pursuing deportation of illegal immigrants in cases involving criminal misconduct. Senator John Cornyn and six other Republican colleagues insist that all illegal aliens should be deported. If resources are needed to achieve this mass deportation, then these senators encourage ICE to simply make the funding request to Congress for that purpose (McCarter, 2010: 1). An ICE policy directive from its Assistant Secretary John Morton advises ICE attorneys to seek dismissal of cases against illegal aliens where the defendant does not have a prior felony or more than two misdemeanors on record (McCarter, 2010: 1).

The Republican senators disagree with this kind of exercise of discretion, and call on ICE to strictly enforce the immigration laws against all offenders, regardless of prior history. The policy preference of these Republicans, then, is that all acts of illegal immigration are equal, and all undocumented immigrants ought to be deported without an opportunity to become naturalized.

The leader of the Senate, Democrat Harry Reid, is pushing for a slightly more moderate immigration policy. Senator Reid has proposed a path to immigration reform that attempts to assuage some Republican concerns by creating clear benchmarks for securing the border with Mexico, e.g., increasing the number of Border Patrol officers and ICE officials, and increasing the use of technology to assist in securing the border between the United States and Mexico. In contrast to the hard line taken by Republicans, however, Senator Reid has also proposed to create a path for illegal immigrants to gain legal status. Under the proposal, they would be required to “come forward to register, be screened, and, if eligible, complete other requirements to earn legal status, including paying taxes” (quoted in Bash and Barrett, 2010: 1).

In sum, the positions of the two parties can be summarized as follows. Republicans want to keep “them” (immigrants) out of the country by securing the border with Mexico and deport undocumented immigrants currently in the country to their country of origin. Democrats, meanwhile, also want to secure the border with Mexico, but they differ with their partisan counterparts by favoring a guest-worker or path-to-residency status for illegal immigrants, which under the Reid plan would occur “eight years after current visa backlogs have cleared” (Bash and Barrett, 2010: 1). Anyone familiar with the backlog should understand that this does not mean eight years from today, but more likely eight years in the very, very distant future.

Put differently, the proposals by both political parties on immigration are wholly political in nature; there is no philosophic understanding of America’s tradition of a liberal immigration policy where all are welcome and where willing employers are able to match up with willing employees in a capitalistic system free from unduly burdensome government interference. The Republicans want “them” out altogether; while the Democrats are willing to let “them” work here (but not enjoy equal status under the law). Thus, both parties are political; they either see immigrants as a fearful “other” to be kept away (Republican) or as a means to an end (a “guest-worker” who is welcome only so far as they provide labor, but not in the sense that they are ends in and of themselves). It is arguably the case that “day-laborers” is a term demeaning to people who work day-to-day for different employers each day, because this term only sees worth in these people to the extent they provide “labor.” They are not seen as human beings, but only as de-humanized workers. Is there another alternative to the two parties that is in keeping with the promise of The Declaration’s

balance between the political and philosophical paradigms? The answer is “yes,” but it requires a return to the Founding Fathers’ focus on classical political philosophy or what Thomas Paine called “common sense.”

A COMMON SENSE SOLUTION TO IMMIGRATION

According to Thomas Paine in *Common Sense*, “The cause of America is in a great measure the cause of all mankind” (1776/1997: 2). According to the Declaration of Independence, the cause of America is respect for unalienable rights and self-government. John Locke has described the notion of unalienable rights, or Natural Right, as including a notion of property. Conservative constitutional scholar Bernard H. Siegan, from whom the author learned constitutional law in law school, spent his career arguing for “economic liberties,” where individuals could be free to labor and work without undue interference from government. According to Siegan, “For a great many in our society, the opportunity to engage freely in a business, trade, occupation, or profession is the most important liberty society has to offer” (1980: 4). For Paine, “Society in every state is a blessing, but government even in its best state is but a necessary evil; in its worst state an intolerable one” (1776/1997: 3). Putting these ideas together, then, leads one to conclude that it is un-American to interfere or prevent an employer from hiring an employee for something as unrelated to job performance as immigration paperwork. This, of course, is a liberal interpretation of the freedom to work, which finds support in The Declaration’s philosophical claim that all mankind is equal and free; in this case, free to work without government interference.

The conservative response to this liberal interpretation of The Declaration would be the political argument that the United States is a nation of laws—see John Adams—and no one should be allowed to profit from a wrong. This maxim stems from the common law rule articulated in the case of *Bradley v. Fox*, 129 N.E.2d 699, 699 (1955), where the Illinois courts refused to allow a man who murdered the other half of a joint-tenancy to inherit the rest of the property in full. The court recognized the principle that “no man shall profit by his own wrong” (1955: 699). The relevance here is that illegal immigrants who have broken the nation’s immigration laws should not be allowed to profit from such illegal conduct by gaining legal status as documented immigrants or citizens. This is unfair to those immigrants who do follow the law, and it violates the common law maxim that no one should profit from a wrong. Note the focus here is on John Adams’s claim that Americans, as “one people,” are distinct from other countries because we are a “nation of laws, not of men [or women]” and,

as such, the country has a right to establish rules whereby “they” –immigrants– may not break the laws created and established by “us.” This is a conservative position on immigration formed via the political perspective contained in the Declaration of Independence.

To summarize, the Declaration of Independence has room for both a liberal and a conservative position on immigration. A liberal, focusing on the more philosophical aspect, would argue that it is a Natural Right to work, and, as such, it is unfair or wrong for the government to interfere with the liberty of an employee and an employer to contract together and trade labor for wages. Alternatively, a conservative, focusing on the more political aspect, would argue that it is a political right of Americans as “one people” to restrict “them” –immigrants– from interfering with the immigration laws created by “us” via the deliberative process of government. A liberal focuses on the freedom to work, while a conservative focuses on the law controlling the process of naturalization under the Constitution.

This creates an impasse, which is not unprecedented. In a sense, this is the struggle faced by Socrates in ancient Athens. The political regime did not recognize the validity of any non-Athenian or universal ideals; however, one of their own, Socrates, was questioning Athens’ ideals and, thus, threatening the regime. Athens allowed Socrates to live for 70 years (an amazing act of tolerance in those days), but eventually the pure politics of the ancient world could no longer tolerate his philosophical questioning. To question is to deny, e.g., anyone who questions whether $1+1=2$ is basically denying that it does. For Socrates to question what virtue was when Athens had already staked out a position on what it was constituted the denial of Athenian virtue; to the extent that Socrates had followers, this created the charge that he corrupted youth by teaching them to question the government.

Aristotle, the student of Socrates’s student, Plato, resolved the struggle between the political and the philosophical by appealing to what he called the mean, i.e., moderation. For Aristotle, according to Joe Sachs, moral virtue is “always in its own nature a mean condition” (2002: xvii). For instance, the virtue of courage is a mean between cowardice and rashness. If politics is one extreme and philosophy the other, then the Declaration arguably strikes a moderate balance between the two by making room for both. In ancient Athens, there was only room for one; either Socrates would live or he had to die; there was no room for a moderate middle ground. Arguably, the great genius of the Declaration of Independence is that it attempts to strike a balance between the conservative, political side and the philosophical, liberal side of human nature.

On immigration, a moderate solution to the problem requires respect for both the conservative and liberal perspectives on the issue. Both sides have to bend a little.

The conservative deserves to have his/her respect for the rule of law vindicated. Those who knowingly violate the nation's immigration laws should not be allowed to profit from that illegal conduct. However, conservatives must also bend in the sense that they need to recognize that not all illegal immigrants are responsible for their illegal status. Children, for example, who are brought here by their parents without proper paperwork, cannot reasonably be held responsible for the actions of their parents. How could they? Children do not control their parents' conduct. Thus, it is wrong to support a policy of blanket deportation for all undocumented immigrants, because some of them, e.g., children or others who are victims of a broken bureaucracy that loses their paperwork, were not to blame for their illegal status. In short, conservatives need to recognize a path not just to legal resident status for illegal aliens, but to full citizenship status –because immigrants are ends, not means.

Liberals, by contrast, need to recognize that the rule of law is important and countries have a duty to police their borders. Every country, like every house, has to have locks on its doors. Just because someone wants to come into your house does not mean they have a right to do so. The owner of the house has the right to set forth reasonable restrictions on just who can be a visitor, permanent resident, and full citizen of that house. The idea that anyone who wants to become a citizen of the United States can, simply by virtue of wanting to become one, is irrational. Americans are “one people,” and, as such, they have a right to demand that “they” (immigrants) comply with the laws enacted by “us.”

This proposed call for moderation between the extreme views on the left and right in this country regarding immigration requires an end to the political polarization that debilitates current policy debate in the United States. The so-called “culture wars” (Nivola and Brady, 2008; Fiorina, 2006) where those on the left and those on the right hijack public debate, have to arrive at a truce. The current situation is that each side of the political spectrum rallies its base and yells at its opponents. The sacrifice is that deliberative policy, what the Founding Fathers called the “cool and deliberate sense of the community,” is seemingly entirely lost (Madison, 1787/1999; Bessette, 1994).

It is possible to find common ground between liberals and conservatives on the issue of immigration. The example of the Founding Fathers shows it is possible. The Declaration of Independence struck a balance between the political and philosophic drives of human nature. Indeed, it is important to note here that the Declaration of Independence was created with a consensus: a “unanimous” call for revolution. Consensus is important, because, as Leo Strauss observes, this is the standard of truth: when all agree on it, it is true (2001: 187). The history of the United States shows that keeping this consensus is not easy; but this does not mean it is impossible.

There is seemingly a desire or hunger within the American populace that longs for sensible compromise between the ideological perspectives. President Obama captured this hunger in his July 27, 2004 speech at the Democratic Convention where he referred to the consensus in the Declaration of Independence: "Well, I say to them tonight, there's not a liberal America and a conservative America; there's the United States of America...There's not a black America and white America and Latino America and Asian America; there's the United States of America".

Jon Stewart held a rally on October 30, 2010, called the Rally to Restore Sanity, where he called for common ground and common sense in opposition to the current polarization of political discourse. The description of the rally was –not surprisingly– a humorous attempt to make a serious point about the need for political reconciliation between the two parties on behalf of the moderate middle of America:

"I'm mad as hell, and I'm not going to take it anymore!"

Who among us has not wanted to open their window and shout that at the top of their lungs?

Seriously, who?

Because we're looking for those people. We're looking for the people who think shouting is annoying, counterproductive, and terrible for your throat; who feel that the loudest voices shouldn't be the only ones that get heard; and who believe that the only time it's appropriate to draw a Hitler mustache on someone is when that person is actually Hitler. Or Charlie Chaplin in certain roles.

Are you one of those people? Excellent. Then we'd like you to join us in Washington, DC on October 30 –a date of no significance whatsoever– at the Daily Show's "Rally to Restore Sanity."

Ours is a rally for the people who've been too busy to go to rallies, who actually have lives and families and jobs (or are looking for jobs) –not so much the Silent Majority as the Busy Majority. If we had to sum up the political view of our participants in a single sentence...we couldn't. That's sort of the point.

Think of our event as Woodstock, but with the nudity and drugs replaced by respectful disagreement; the Million Man March, only a lot smaller, and a bit less of a sausage fest; or the Gathering of the Juggalos, but instead of throwing our feces at Tila Tequila, we'll be actively *not* throwing our feces at Tila Tequila. Join us in the shadow of the Washington Monument. And bring your indoor voice. Or don't. If you'd rather stay home, go to work, or drive your kids to soccer practice...Actually, please come anyway. Ask the sitter if she can stay a few extra hours, just this once. We'll make it worth your while. (Stewart, 2010)

The rally has had no immediate impact on polarized political discourse in the United States. It remains to be seen whether a comedian like Jon Stewart can actually impact policy debate in the country to make it more rational, less ideological. The idea that a silly man could engage in serious policy debate may seem laughable; however, it is important to remember that Socrates himself was considered laughable in his day. As Plato's Socrates observed in the *Republic* regarding the allegory of the cave, when the philosopher experiences the blinding truth of the natural light of the sun and then returns to the cave and the artificial light of the political regime, he is mocked and ridiculed (because he has been blinded by wisdom): "if he had to compete with those perpetual prisoners in forming judgments about those shadows while his vision was still dim...wouldn't he be the source of laughter...?" (1991: 517a). The point being: it is not without precedent for a humorist to be a serious political force.

CONCLUSION

From the beginning of the United States of America, as evidenced by the Declaration of Independence, two powerful and conflicting paradigms are at work in the country. On the one hand, Americans are "one people" and, as such, they are distinct from other countries. This is an ancient paradigm of politics; of us vs. them. On the other hand, what it means to be an American is a belief that is self-evident, like $1+1=2$: that all human beings, regardless of their country of origin, gender, or ethnicity (or any other involuntary trait), are equal and are entitled to unalienable rights, which includes the right to work. This is the philosophic paradigm where there is no distinction between groups; there are only individuals. Thus, America is a group of individuals. But it is also a place where both politics and philosophy are respected; the Declaration requires a balance between the two paradigms of politics and philosophy, not the conquest of one by the other.

In ancient times, everything was political; philosophy was a dirty word. Consider the death of Socrates as an example of how pure politics views philosophy. In modern America, there is a liberal tendency to be too philosophic, to refute any and all things political or provincial. Likewise, there is a conservative tendency to revert back to the ancient paradigm and ignore the philosophical perspective that finds worth in all human beings, even non-co-nationals. The key is to find a moderate balance between the two extreme views of a strict us vs. them paradigm or a strict one-world paradigm. Neither extreme viewpoint is consistent with the balance struck by the Declaration of Independence.

On immigration, this means that conservatives are right to worry about an immigration policy that would reward people for knowingly violating the nation's immigration laws, because, as John Adams observes, America is a nation of laws, and those laws deserve respect. No one should profit from a wrong; violating the law is wrong. Alternatively, however, liberals are also right to want to protect the right of all people, regardless of their immigration status, to enjoy their economic liberties (including employment). It is un-American to deny the capitalistic principle of allowing a willing employer to hire a willing employee. When the moderate middle of America rejects 1) the extreme conservative notion that all undocumented immigrants must be deported and denied access to citizenship, and 2) the extreme liberal notion that anyone who wants to come to the United States should be allowed to do so, simply because they want to, then the country will be vindicating the promise of the Declaration to strike a balance between the two fundamental drives of humanity: our political and philosophical vantages. In short, people need to stop shouting about immigration and start deliberating based on the principles enshrined in America's founding documents that date back to Socrates in ancient Athens. That is a common sense proposal for immigration reform.

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REFLEXIONES / REFLECTIONS

NOTAS CRÍTICAS / CRITICAL NOTES

*E-Verify vs. Real Reform:
What It Means for Immigrants,
Their Communities, and the U.S. Economy*
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Frontera sur de México, de camino al Norte
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E-Verify vs. Real Reform: What It Means for Immigrants, Their Communities and the U.S. Economy

ELIZABETH O'CONNOR*

There is widespread consensus across the United States that the nation's immigration system is broken. However, a divisive and angry debate rages as to what to do. Some call for closed borders, building massive walls, and deportation of "those people" who come to take away jobs from Americans. Others call for humane reform, including total amnesty and the recognition of mobility as a human right. Most Americans find themselves somewhere in the middle –descendants of immigrants (this author has ancestors from Ireland and Poland), sympathetic to those striving for a better life for their families, interested in new cultures, but fearful of the impact on overburdened local schools, hospitals, social services, and jobs. The result is that no one is happy with the current system, including employers, state officials, anti-immigrant forces, immigrant rights advocates, and immigrants themselves (Sherer, 2010).

In this environment, the Obama administration's approach has been to mandate greater enforcement of immigration laws since 2009 while calling for comprehensive immigration reform. The president's argument is that strengthening the enforcement of our nation's laws can set the stage for a rational discussion of immigration reform; that once members of Congress see improved actions against lawbreakers, they will be more confident about discussing reforms that may create a lawful path to citizenship.

Unfortunately, Congress has resisted passing comprehensive immigration reform, and so the actual result of Obama's policy has been simply a massive enforcement push by the U.S. Immigration and Customs Enforcement (ICE). This has not solved the issues, but instead has shown the

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severe limitations of an enforcement-only approach to immigration, and, as will be described below, its damaging effect on the U.S. economy.

The United States has always attracted immigrants. Currently, an estimated 12 million undocumented immigrants live within its borders and 8 million work there. Enforcement measures will never be able to locate –let alone expel– 12 million people nor seal borders, even if such a thing were desirable. Attempts have proven costly and only serve to drive immigrant communities underground, fostering an illegal, informal economy that evades regulation, impedes integration, and risks moving the national economy in the wrong direction.

This article will describe various enforcement measures used in recent years to address immigration and employment, looking in particular at E-Verify, a measure currently being considered in Congress. Then, using the example of one immigrant-dominated industry, janitorial services, it will examine the impact of enforcement-only policies on immigrants, their communities, and local economies. It will make clear that the result has been to steer janitors into an underground economy and to reduce the number of legal, family-supporting, tax-paying jobs in the industry, rather than encourage undocumented workers to leave the United States. Moreover, it shows that unless enforcement actions are connected with a path to legal residency and citizenship, enforcement will expand the underground economy, with a huge work force operating outside the legal and payroll tax systems, which harms both immigrants and the U.S. economy.

ENFORCEMENT APPROACHES SINCE THE 1970S

Since at least the early 1970s, a mainstay of U.S. immigration policy has been to eliminate the “magnet” of access to jobs by sanctioning employers who knowingly hire immigrants without the correct legal documents (Rosenblum, 2009: 3). For many years, immigrants have been experiencing this policy through workplace raids and roundups, actions during which authorities raid a worksite, round up workers, and deport those deemed –correctly or not– to be in the United States illegally. In addition to the inhumane impact this approach has had on migrants and their families, critics point out that raids do little to actually sanction the employers who hired workers without work authorization. The past decade has seen a

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shift from raids to policies intended to verify that employers can prove their employees are eligible to work (Sherer, 2010).

The Immigration Reform and Control Act of 1986 mandates that all employers fill out an I-9 form for each hire, showing they reviewed one or more documents proving an employee's eligibility to work in the U.S. (such as a passport, a green card, a social security card, etc). The result, predictably, is a thriving market in false documents. In turn, this has led to the creation of programs designed to verify and check the documents used in the hiring process.

In 2007, the Bush administration proposed the No-Match rule, which was quickly blocked by court order and never took effect (DHS, 2009). The rule would have notified employers if the social security number provided by a worker for their payroll did not match the name that number has in the Social Security database. The No-Match notification could come years after an employee began work, and, courts found, the No-Match finding could often be due to typographical errors or unreported name changes. In 2009, following the court order, the federal government announced it would focus its efforts on auditing I-9 forms, as well as push for broader use of a program called E-Verify.

Employers and immigrant workers immediately felt the impact of increased I-9 audits (often called "paper raids"). ICE states that it has carried out up to 2740 audits since February 2010. In an I-9 audit, ICE, usually acting on a tip or lead, asks an employer to turn over their I-9 forms for review. If the documents used in the forms are deemed "questionable," the employer receives a notice and is asked to take action. A major shortcoming of the policy is that ICE often does not inform employers what discrepancies they have found, the procedures for addressing questionable documents, or a timeline for resolving found issues (González, 2011). As a result, employers have chosen to, or feel pressured to, dismiss large numbers of immigrant employees (Cancino, 2011).

Chipotle Mexican Grill, Inc., which employs 25 000 people at nearly 1100 restaurants across the United States, was audited this year. ICE officials reviewed documents from stores in Minnesota, Virginia, Washington D.C., Los Angeles, Denver, and other locations. The investigation is ongoing, and to date at least 500 employees have been fired. According to workers interviewed by Reuters, the chain often knew employees were presenting false documents. Says a 35-year-old mother of four identified as Tanya, "They know beforehand you don't have papers...and after the

In 2009, following the court order, the federal government announced it would focus its efforts on auditing I-9 forms, as well as push for broader use of a program called E-Verify.

6 years I worked there or the 10 years of some of my colleagues, they get rid of us without warning” (Yekopa, 2011).

Similar audits have occurred at McDonald’s, major cleaning companies, and other workplaces around the country. A noteworthy characteristic of these audits is that they target employers with enough records and documents to audit in the first place. In other words, these are relatively large, “formal” employers, who took the initial steps to seek documentation of employees and pay immigrant workers through a legal payroll system, in which workers and the company make payroll tax payments into Social Security, Medicare, and the income tax system. Off-the-books employers or those hiring maids and day laborers from their pickup trucks often escape auditing. According to Javier Morillo, president of the Service Employees International Union (SEIU) Local 26 in Minnesota,

ICE reports targeting egregious employers that exploit workers –but it’s become increasingly obvious that this policy is nothing short of lip service. Let’s be clear: I-9 audits, by definition, do not go after egregious employers who break immigration laws because many of them do not use I-9 forms. Human traffickers do not ask their victims for their social security cards. (Smith, 2011)

Employees impacted by the I-9 audits frequently have long histories in the United States, with children in U.S. schools, communities here, and relatives in Mexico who depend on them. It is unrealistic to think that most will return to Mexico when they lose a job.

The emphasis ICE places on auditing large, established companies rather than egregious, lawbreaking employers has become a major source of concern for immigrants and their advocates. Employees impacted by the I-9 audits frequently have long histories in the United States, with children in U.S. schools, communities here, and relatives in Mexico who depend on them. It is unrealistic to think that most will return to Mexico when they lose a job. More commonly, dismissed immigrant workers move to jobs in the cash or underground economy, becoming nannies, day laborers, or working for small, fly-by-night companies (Garza, 2011). These workers swell the large and growing informal economy, leading to more people not paying taxes, and more employers outside the realm of labor, immigration, environmental, and many other regulations.

The growing numbers of ICE audits only reach a limited number of worksites. The electronic verification program called E-Verify, however, threatens to dramatically expand the reach of ICE enforcement efforts and push greater numbers of workers into the underground economy. As SEIU Director for Immigration Strategy and Policy Joshua Bernstein puts it, “E-Verify will be like I-9 audits on steroids” (2011).

E-VERIFY, EXPANDING ENFORCEMENT WITHOUT REFORM

E-Verify was conceived in 1997 as a voluntary program, called the Basic Pilot Program. Employers, who sign up voluntarily for the program, upload the I-9 Form information collected for new hires to an online system run by the U.S. Citizenship and Immigration Services (USCIS), which then checks that information against the databases of the Social Security Administration (SSA) and the Department of Homeland Security (DHS) (DHS, n.d). In September 2009, E-Verify became mandatory for all federal contractors. Its use is continually expanding, but at this writing, several states, including Georgia, Colorado, and South Carolina, require state agencies and public contractors to use E-Verify; other states, such as Virginia and Rhode Island, require parts of the state government to use it in hiring, as do some cities of California. Mississippi and Utah require large private employers to use E-Verify, and Arizona mandates E-Verify for every employer in the state (Rosenblum, 2011: 4).

Currently, various proposals exist, at both state and federal levels, to expand the use of E-Verify. Proposals vary in scope: some mandate E-Verify for employers over a certain size, some for all employers; for new hires only, or for all current employees. As these proposals are debated, E-Verify is promoted by DHS as a simple method for employers to verify the information given to them by new hires and ensure they are only employing workers who are in the country legally.

The reality, however, is far more complex. The proposed expansion of E-Verify has created alarm among an unusually broad mix of organizations, not only immigrant's rights organizations, unions, and community groups, but also some anti-immigration groups, SSA administrators, several state governments, and even the U.S. Chamber of Commerce.

One major concern about E-Verify is its accuracy and thus its effectiveness. Questions have arisen over E-Verify's ability to properly identify which workers are illegally employed, the potential for discriminatory impacts on workers, and that employers may be encouraged to simply take workers off their formal payrolls. The Westat Corporation, hired by the United States Citizenship and Immigration Services (USCIS) to assess E-Verify, estimates that it misses about 54 percent of unauthorized workers during its database scans (Westat Corporation, 2009). This occurs largely because, while a database can detect if a document is flawed or inaccurate, it cannot determine if it belongs to the person who submitted it (Croft, 2010).

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In addition, in 2010, E-Verify returned Temporary Non-Confirmations (TNCs) erroneously in 0.8 percent of its checks, impacting about 128 000 workers (NILC, 2011b: 2). Under E-Verify, an employer is notified of a TNC, meaning some problem surfaced with their documents. The employer should then inform the worker, who has 90 days to contest or resolve the issue before the program issues a Final Non-Confirmation notice (FNC), at which point the employee should be prevented from working (Rosenblum, 2009: 5).

In reality, however, few employees ever learn of a TNC. Many employers simply opt not to hire them, and the worker is never given the chance to clear up the issue. Employees who have the opportunity to contest a TNC are often able to prove the discrepancy is the result of a data error, a name change, or a new immigration status (NILC, 2011b: 2). The National Immigration Law Center (NILC) gave an example in its testimony before the U.S. Congress: "A U.S. citizen and former captain in the U.S. Navy with 34 years of service and a history of having maintained high security clearance was flagged by E-Verify as not eligible for employment. It took him and his wife, an attorney, two months to resolve the discrepancy" (NILC, 2011b: 3).

Clearly, the process to clear up a false TNC is difficult, time-consuming, and costly for the worker, who probably has to take days off work to do it.

To date, information about E-Verify's accuracy and impact on workers is based mostly on its use by companies who volunteered for the program, as well as the state and federal contractors and agencies required to use it. This group is, by definition, motivated to use the system and generally has the logistical capacity to use it correctly. Should the E-Verify program become mandatory, advocacy organizations have expressed deep concern about its impact on employers who are required to use the system against their wishes or who do not have the necessary capacity. Another concern is that employers will use E-Verify in a discriminatory manner, or begin to shift workers off the books, leading to lost taxes for state and federal government, as well as opening the door to exploitative practices against vulnerable workers (NILC, 2009: 2).

For some employers, the logistics of using E-Verify are daunting. Construction companies, for example, employ large numbers of immigrants (22 percent of Mexican immigrants work in construction [Batalova, 2006: 6]) and usually do not have computers at worksites (Vedantam, 2011). Will these employers simply shift to the practice of using day laborers who are paid a daily cash wage and therefore have no recourse or protection

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against incorrect wages or help if they are injured? Evidence indicates that employers with off-the-books workers may be more likely to violate wage, safety, and environmental regulations (Bernstein, 2011). If employers move employees off the books, hundreds of thousands of workers could find themselves beyond the reach of regulation: no social security network, no proof of employment, no labor protections, and also no longer paying taxes to support the communities where they live.

Some employers are likely to assume that job applicants with foreign-sounding names are more likely to have issues with E-Verify and will create extra paperwork and take longer to hire. Employers may thus use E-Verify as a pretext for discriminatory hiring practices. The assumption that native-born workers will sail through E-Verify, while foreign-born workers probably will not is likely to shape interviewing and hiring practices, especially among those employers who are required to use the system by mandate, not by choice.

We can get a sense of how mandatory E-Verify could work in practice by looking at Arizona. The Legal Arizona Workers Act ruled that all employers in Arizona must start using E-Verify as of January 1, 2008. In reality, Arizona employers seem resistant to its use. Census Bureau data for the fiscal year 2009 show that for the state's 1.3 million new hires, only 730 000 E-Verify checks were run (Berry, 2010). The Arizona Chamber of Commerce estimates 100 000 to 110 000 businesses have employees, but, as of July 2010, only 34 327 firms had signed up to use E-Verify (Berry, 2010). Small businesses are especially reluctant to assume the cost and burden of E-Verify. In Arizona, business owner Mike Castillo of Scottsdale explained to a local paper that the program is not user-friendly for small businesses and that "if you don't have the luxury of a human-resources staff, E-Verify takes time away from your core business" (Berry, 2010).

Seeing and hearing this, business organizations have been leery of expanding E-Verify. In a letter to DHS, the U.S. Chamber of Commerce, which represents more than 3 million U.S. businesses, questioned the potential liability, burden, and privacy issues mandatory E-Verify could create for its members (Johnson and Nice, 2011). "I have a real mixed reaction from my members," Chamber Senior Vice President Randall Johnson told reporters. "Some find it workable, others do not. If you are running a small business, there is aversion to a new system that will make things more complicated" (Vedantam, 2011). Some state Chambers of Commerce have gone further. In Georgia, House Bill 87 and Senate Bill 40 would require

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many businesses to use E-Verify. "There are some inaccuracies within pilot programs such as E-Verify," stated David Raynor, a lobbyist for the Georgia Chamber of Commerce, in February 2011 before the state legislature (Raynor, 2011). In Florida, the Chamber of Commerce sent out an e-mail alert in May 2011, asking its members "to contact Senators NOW and tell them you OPPOSE mandatory E-Verify" (Restrepo, 2011).

Among the employers most concerned about E-Verify are farmers and agricultural companies. These industries, which rely heavily on undocumented workers, caution that mandatory E-Verify could be completely destabilizing. "Simply put, any E-Verify expansion that comes without meaningful immigration reform would be disastrous for the American agricultural economy," says Craig Rugelbrugge, vice president of the American Nursery and Landscape Association. "It will leave the United States importing food and exporting jobs" (Vedantam, 2011).

E-Verify's impact on workers has been devastating. A survey of 376 immigrant workers in Arizona found that 33.5 percent had been fired due to erroneous E-Verify non-confirmations, and *none* of them had been informed, as required by law, that they could appeal the E-Verify finding (Issacs, 2009). It is not only immigrant workers who are affected. For example, a worker in Florida who is a U.S. citizen lost her telecommunications job due to an E-Verify error. Despite contesting the error with government officials, she remained unemployed for several months (NILC, 2011b: 2).

According to the NILC, "In fiscal year 2009, about 80 000 workers likely received erroneous findings from the system and may have lost their jobs as a result" (2011a). NILC's prediction based on these patterns is that if E-Verify is made mandatory nationwide, about 1.2 million workers would need to contact some government agency to correct erroneous non-confirmations, and it is likely that close to 770 000 of those workers will lose their jobs.

With E-Verify, the SSA, will face a burden that could affect elderly and disabled persons across the United States. Undocumented immigrants paid an estimated US\$12 billion into the Social Security Trust Fund in 2007, and similar annual contributions have helped keep Social Security solvent in recent years (NILC, 2011b: 5). If millions of undocumented workers move into the informal economy, SSA will lose this income. Moreover, SSA will bear a large part of the burden of implementing mandatory E-Verify. An SSA administrator testified before the U.S. Congress that it

could need to process as many as 154 million queries as employers check the records of their employees (NILC, 2011b: 6), and as many as 3.6 million workers would need to visit a local SSA office to correct their records or risk losing their jobs (NILC, 2011b: 7). This could “cripple SSA’s service capabilities,” leaving senior, disabled, and retired Americans in the lurch (NILC, 2011a).

Finally, E-Verify will also be costly to implement, potentially up to US\$3 billion over 5 years, according to Congressional Budget Office (CBO) estimates (NILC, 2011a: 3). But the larger expense will be in lost tax revenues. As in the case of the I-9 audits described earlier, undocumented workers who lose their jobs are unlikely to leave their communities in the United States. If they cannot change their legal and work status in the U.S., they will become part of the underground economy, taking jobs where employers pay cash and do not pay taxes. This has serious consequences for tax revenues at the local, state, and federal levels (NILC, 2011b: 1).

In 2008, the CBO estimated that federal revenues would decrease by U.S. \$17.3 billion over the 2009-2018 period if E-Verify was made mandatory (Orzag, 2008), during a time when the United States is struggling toward economic recovery. The impact in Arizona lends credibility to these estimates. In 2008, the first year in which E-Verify was mandatory, income tax collection dropped 13 percent from the previous year, but other types of tax revenue, such as sales tax, dropped by much smaller percentages. This implies that workers were not paying income tax but were continuing to earn money to make purchases (González, 2008). As this drop in income tax revenue occurs, Arizona is facing a huge budget gap and faltering economy, and without a path to become legal citizens and authorized workers, Arizona’s immigrants will still work but will be unable to fully contribute to the state’s economic recovery.

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THE JANITORIAL INDUSTRY: A CASE STUDY OF THE ELLIS ISLAND INDUSTRY

Janitorial services have been called the “the Ellis Island industry” (Regan, 2011). Since the turn of the twentieth century, the growth of U.S. cities has spurred a demand for labor to clean and maintain office and apartment buildings, and recently-arrived immigrants often filled the need. In 1921, Polish immigrants founded the Service Employees International

Union, one of the largest in the United States today. In recent decades, the industry has become predominantly Latino. Of Mexican immigrants in the U.S., 32.9 percent work in service and maintenance jobs (Batalova, 2006). In some cities, other nationalities are also common in the cleaning industry: for example, Polish and Serbian immigrants in Chicago and East African immigrants in Minneapolis.

In addition to being comprised largely of immigrants, the cleaning industry is also an area where large “formal,” law-abiding employers compete with off-the-books, fly-by-night employers. It is an industry that represents the impacts of an enforcement-only immigration policy.

There are roughly three tiers of employers in cleaning: national and regional unionized companies with good, negotiated wages and benefits; non-union companies who tend to run legal payrolls and fulfill Social Security and tax requirements but pay minimum wage with few benefits; and underground, cash-only companies who often violate minimum-wage regulations and do not participate in Social Security or pay taxes. To date, ICE audits have mostly affected cleaning companies and their employees in the first tier.

For seven years, Alondra had worked for the ABM cleaning company in Minneapolis, cleaning skyway tunnels and the city’s large sports arena. Her husband worked for the same company. As she later described to a journalist, they were edging into the middle class with steady, unionized employment. They had bought a small house, renovated it, and had a child. Then, in October 2009, their world collapsed. ABM informed them that ICE had audited the company’s personnel files. After years of employment and hard work, Alondra and her husband were asked to bring in “documents that ICE deems acceptable.” They were unable to do this, and were fired (Kaye, 2011).

In Minneapolis alone, almost 1500 unionized janitors lost their jobs during 1-9 audits in the past 18 months. An audit of the ABM cleaning company in 2009 led to the dismissal of 1200 workers and a later audit of Harvard Maintenance resulted in 240 more job losses (in addition, the Chipotle audit mentioned earlier led to a couple hundred more dismissals in Minnesota) (SEIU Local 26 website). What happened to these workers?

In Alondra’s case, she and her husband are scraping by on house-keeping work, dog-walking, and other odd jobs, always paid in cash. They now rent their house to boarders and live in the attic with their son. They no longer have access to medical care. They have been pushed fur-

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ther underground, earning cash wages, paying fewer taxes, and living a marginal existence. But she has not even considered returning to her country of birth, Ecuador. “I have my home here, I have my child. I have nothing back in my home country” (Kaye, 2011).

SEIU Local 26 in Minneapolis, which lost nearly a quarter of its membership during these audits, tracked a group of its laid-off members for six months. Two-hundred fifty workers filled out surveys, describing how they were impacted by the job loss and what their plans and alternatives were (Nammacher, 2011). Of these workers, only 5 percent were even considering a return to their country of origin. Nearly all found some other kind of employment in Minnesota. The reason, says SEIU Local 26 Secretary Treasurer Greg Nammacher, “is that the economy needs them. The difference is in wages: most had been earning US\$13 an hour plus benefits while they had been in our local. Now they are in low-paid, cash-only jobs. The effect has not been to make immigrants leave; it has been to depress wages” (Nammacher, 2011).

Not only immigrants who lost their jobs experienced depressed wages. After the audits, ABM filled those positions with workers hired through a temp agency. Since they no longer had union jobs (due to subcontracting), the new workers, largely African-American youth, earned US\$9/hour and fewer benefits (Nammacher, 2011). In this case, Local 26 worked with both the fired and new employees, Latinos and African-Americans, and together filed a legal suit for discrimination that was eventually successful. They also succeeded in organizing the new ABM employees and in returning the wage level to \$13/hour (Nammacher, 2011). This was due to the presence and efforts of an exceptionally active union local; however, this is unfortunately not likely to occur in other locations where such support does not exist.

While there is not yet any research about the fiscal impact of the Minneapolis-area ICE I-9 audits on the region’s economy and tax revenue, anecdotal evidence suggests the impact is not likely to be positive. While tracking fired employees over months, the local has noted nearly 500 home foreclosures related to the job losses. As a result, families and children are relocating, and students are often moved from one school to another. With some of the local’s janitorial members working in school districts, they have heard stories of schools dedicating more resources to uprooted children. Their tracking also suggests that a larger number of families are in contact with public service or charity institutions to receive assistance or

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counseling (Nammacher, 2011). At the same time, with many of them working for cash wages in the informal economy, it is almost certain that the payroll tax revenues and social security payments from these workers have declined.

These stories, repeated thousands of times across major cities, mean that union locals representing janitors find themselves smaller and with diminished power, while non-union, underground cleaning companies are growing. If the goal of the Obama administration and legislators is to reduce the number of undocumented immigrants in the United States, enforcement-only policies are not achieving that goal. I-9 audits and E-Verify are not affecting cleaning contractors with workers off the books. Instead, the result has been to steer janitors into an underground economy and to reduce the number of legal, family-supporting, tax-paying jobs in the industry.

For the most part, immigrant janitors, even unionized ones, work long hours for low pay precisely because the path to citizenship and better employment opportunities is denied them. If immigration enforcement were combined with improved enforcement of labor laws to create better jobs and a route that law-abiding immigrants could follow to become documented citizens, it could result in pressure on underground, law-breaking employers. But to date, ICE has not pursued employers in the third tier of the cleaning industry, the law-breaking and underground companies. Instead, the audits are creating pressure on the industry's best employers and pushing many workers into lower paying jobs.

Only if paired with a path to citizenship and directed at law-breaking underground employers can immigration enforcement play a role in reforming these employers, reducing the number of undocumented workers, and strengthening the U.S. economy. But current enforcement measures in the cleaning industry and in many others have simply led to a growing workforce operating outside the legal and tax systems, which is bad for both immigrants and the U.S. economy.

CONCLUSION

In the United States, always a melting pot, immigrants and immigrant workers are here to stay. As President Obama emphasized in a speech in May 2011 by the Texas border, "There is consensus around fixing what is bro-

With many migrants working for cash wages in the informal economy, it is almost certain that the payroll tax revenues and social security payments from these workers have declined.

ken” (Obama, 2011). Immigrants can be –and in many cases are– part of the solution to the U.S. economic crisis. For this to be the case, however, the United States needs comprehensive immigration reform, allowing hard-working immigrants to become legal residents and motivating employers to create more tax-paying jobs that contribute to the greater economy. Resistance by congressional Republicans to full immigration reform means that current ICE efforts such as I-9 audits and calls for expanding E-Verify are likely to hurt not only immigrants but also the U.S. economy. As such, a broad group of organizations, representing not only immigrants but also business and local governments, is expressing growing concerns about the direction immigration policy is taking. As reflected in regional examples, like Arizona, and in sectoral examples, like the janitorial industry, fixing the immigration system must pair enforcement efforts with full, fair immigration reform. Immigrants, and all Americans, can only hope that the U.S. political system will eventually understand and address this reality.

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Frontera sur de México, de camino al Norte

JOSEMA DE MIGUEL LEÓN*

Miles de centroamericanos indocumentados intentan llegar cada año a Arriaga. De allí parte “la bestia”, el tren de carga que los cruzará por México hacia el sueño americano. Para llegar, los migrantes han de superar primero la pesadilla de la frontera sur. Éstas son algunas de sus historias.

EN Balsa por Tecún Umán

El río Suchiate separa México de Guatemala. Un puente une los dos puestos migratorios de la frontera oficial. Es el paso para los que llegan con papeles y pasaporte. A veinte metros del puente, de la policía y la migración, están los *balseros*. Dos llantas de camión, unidas por troncos de madera, constituyen el chasis de una rudimentaria embarcación. Sacos de arena afinados en la orilla del Suchiate hacen las veces de embarcadero.

Allí, una señora sirve el arroz con frijol y tortas de papa. Aún está preparando el caldo de pollo, es temprano.

Pese a ello, han pasado ya la mayoría de los migrantes. “Se van al amanecer”, dice el padre Ademar Barilli, un cura brasileño que lleva el albergue del migrante de Tecún Umán. Por allí han pasado más de cuarenta mil migrantes, catorce mil de los cuales han denunciado violaciones de derechos humanos. “Al albergue sólo se acercan los que no tienen nada. Muchos pasan tres o cuatro veces. Los repatrian hasta la frontera con su país y de volada vuelven a subir, cada vez en peor estado. Ayer deportaron a cuatro autobuses”.

Cuando la señora sirve el arroz con frijol, el ambiente denso de la desesperación se puede notar en la orilla del embarcadero del Suchiate.

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La región del Soconusco está considerada, junto con Brasil y Tailandia, un punto negro de la trata de blancas. Casi todas son migrantes y centroamericanas.

Los que sólo cargan una mochilita se quitan los tejanos y las botas, y cruzan el río a nado. Con las manos levantadas cargan sus pertenencias. Otros, los que tienen algo de dinero, pagan cinco quetzales para que los crucen los balseros. Llevan seis migrantes por viaje. Cuando llegan a la orilla mexicana, los balseros cargan las barcazas con cajas de refrescos o detergente y se regresan a la orilla de la temida Tecún Umán, donde *los bicicleteros* esperan el contrabando.

“Por negocios de más alto nivel como mujeres, menores o migrantes, mejor no preguntar, y si lo hacen tengan mucho cuidado. Es muy peligroso. Aquí estamos todos amenazados de muerte”, se despide el padre Ademar.

Esta región del Soconusco está considerada, junto con Brasil y Tailandia, un punto negro de la trata de blancas. Casi todas son migrantes y centroamericanas.

UNA SOPA CALIENTE EN TAPACHULA

En el albergue de Belén, que lleva el padre Flor María Rigoni, en Tapachula, todos cuentan sus aventuras del viaje. “A mí me han deportado cinco veces –dice el Pelón–. Ésta es la última vez que lo intento. Quiero trabajar allí y regresar con *feria* a Nicaragua”. No han comido. Su amigo, el del bigote, pide unas galletas, un cigarrillo. Doña Licha calienta agua en la cocina para darles una sopa Maruchan.

El albergue es un centro de información. Mapas de la república mexicana: a Houston, 2930 km; a Chicago, 3678; a Los Ángeles, 4025, dice un cartel. Hay trípticos con los derechos de los migrantes, casi ninguno los mira. Saben que, aunque tengan derechos, en México nadie los respeta. Son indocumentados, ilegales.

El cartel del lado es más práctico: un mapa con los albergues de migrantes que hay por el camino. Centros donde algún cura, como el padre Flor, da refugio. Tecún Umán, Tapachula, Arriaga, Ixtepec. Ésa es la ruta sur.

Los albergues se marcan en el mapa con una cama azul; con cruces, los lugares de muertes frecuentes de migrantes (el desierto en Arizona acumula cruces negras); con un muñequito sin pierna se marcan las zonas de accidentes, como Ixtepec, donde tantos sufren amputaciones al caerse del tren; billetes verdes señalan las zonas donde sufren extorsiones de “la migra”.

Después de calentar el cuerpo con la sopa, el Pelón y su amigo únicamente quieren darse una ducha y lavar sus pantalones: “Que me pres-ten unos *shorts*, quiero quitarme estos tejanos. Con este calor y el viaje, los llevo pegados”. Mañana salen para Arriaga, por tren, y de ahí a Veracruz, pero hoy necesitan dormir.

Llegan al albergue del padre Flor dos muchachos con camisa blanca limpia y un maletín.

“Ésos son turistas” dice entre risas el Pelón.

“¿Dónde nos apuntamos para dormir?”, pregunta uno de los chicos de camisa blanca. Tiene cara de colegial, casi de turista, pero no, también es migrante, es salvadoreño. Ésta es su primera vez. Conserva toda la inocencia en la cara, de familia de clase media. Y es que de El Salvador no sólo salen por pobreza, sino por la inseguridad y violencia de los Maras.

También sorben la sopa como si no hubiesen comido nada en días. Están cansados, pero sonrientes.

Olga ya no sonrío, ya no le brillan los ojos. “No es lo mismo el viaje con dinero que sin dinero. No me acostumbro a pedir, me da vergüenza”. Hace dos días la repatriaron por segunda vez. En sus dos intentos le robaron lo que no había gastado. La primera vez fueron sus paisanos con los que viajaba y la segunda, la policía. Este tercer intento era diferente, ahora iba sin nada de dinero.

“Tanto que sufre una en el camino” suspira Olga mientras mira el vacío. Tiene dos hijas, una de diecisiete y otra de siete años, a quienes dejó con su madre en Honduras. A su hermana la secuestraron los Zetas cuando también subía al *gabacho*. La retuvieron hasta que su familia pagó cuatro mil dólares. Su cuñado, que vive allá, aportó la mayoría. Su mamá tuvo que empeñar su casita de Honduras. Después de esa experiencia, su mamá le pidió que no fuera. Su hermana tampoco quería que empezara el camino.

“Tanto que sufre una en el camino”.

En la cocina del albergue, la señora Licha también da sopa Maruchan caliente a dos niños migrantes. Su mamá espera otro hermanito, tiene ocho meses de embarazo. Al padre de estos niños le pegaron cinco balazos en ciudad de Guatemala, cuando intentaba defenderlos: “Me querían robar a mis hijos”, dice. No sabe si podrá recuperar la movilidad en el brazo, lo tienen que operar, pero no tienen dinero. La pierna va mejor, la bala sólo lo rozó. Se recupera en el albergue mientras espera a que su mujer dé a luz. Una asociación ha conseguido que los niños, aún indocumentados, puedan ir a la escuela en Tapachula.

Los niños se acaban la sopa, se ponen la mochila que les han donado y esperan la Combi en la puerta del albergue. Con mirada tímida de niños asustados, escuchan las historias de los migrantes, incluso la propia y los cinco balazos que le dieron a su padre.

Llega la Combi. Los niños se van a la escuela. El Pelón se afeita. Olga continúa sentada mirando el vacío. Los chicos de la camiseta impoluta se anotan para conseguir una litera. Otros dos se despiden, salen para Arriaga. La señora Licha recoge los envases de la sopa Maruchan, cierra la cocina del albergue con llave y se va.

LOS MALOTES DEL CAMINO

Saca del cajón una carpeta. Son fotos de migrantes fichados que han pasado por el albergue: polleros mareros, los Zetas y enganchadoras.

Son las 10:30 a.m. del domingo. En el albergue de Belén, empieza la misa: “Abel, un inmigrante, murió ayer en manos de otro inmigrante, de una pedrada”. El padre Flor María Rigoni cierra los ojos y recapacita: “De una muerte salimos todos derrumbados. ¿Hasta cuándo Caín seguirá matando a Abel? Oremos, dando gracias a Dios”. Empieza la misa el padre Flor.

Luis es la mano derecha del padre desde hace más de un año. Es un antiguo militar; veinte años de servicio le permiten dar orden y mando para poder llevar el día a día del albergue. “Hace unas semanas, tuvimos a seis cargos medio altos de los Maras aquí. Se pusieron a cobrar peaje a todo el que pasaba por la calle. Si no les pagaban, amenazaban o golpeaban. Los migrantes me avisaron. Tuve que plantarles cara. Aquí pasa gente buena, mala y canallas”.

Saca del cajón una carpeta. Son fotos de migrantes fichados que han pasado por el albergue: *polleros* (los que por una cantidad hacen de guía), *mareros* (pandilleros sobre todo de la M18, M13 o Salvatrucha), *los Zetas* (antiguos militares de elite mexicanos, muchos entrenados por Estados Unidos. Se dedican a negocios de drogas o secuestros. Son los más crueles) y *enganchadoras* (mujeres que se ganan la confianza de los migrantes y luego los entregan a los polleros).

“A veces no te puedes fiar de las historias que cuentan. Mira ayer: de una pedrada lo mató, y había más gente en el río, estaban *pisteando* (tomando bebidas alcohólicas). También estaba su mujer, embarazada. Nadie ha querido decir nada ni su mujer, que se ha ido hoy mismo por miedo”, comenta Luis.

El migrante muerto llevaba tatuada, en todo el pecho el símbolo de pertenencia a la Mara M13. Dicen que quería cobrar peaje por bañarse en el río y que la pedrada fue por algo relacionado con la mariguana.

LOS AMPUTADOS DE LOS TRENES

La familia de Dani ha venido desde Quetzaltenango, Guatemala, a verlo. No sabían nada de él desde que salió hacia el *gabacho*. No lo habían visto amputado. Su madre, ataviada con el huipil típico de su comunidad, no pudo evitar llorar cuando lo vio caminar con muletas hacia ella. “¿Cómo va a recoger leña así?”, dijo en lengua quiché. Su familia es muy pobre, vivía de vender la leña que recogían de la montaña. También su tía lloró, y su hermana y su suegra. Su mujer no pudo venir: acababa de dar a luz a su segundo hijo. Dani se puso contento con la noticia. Hacía doce días que había perdido la pierna izquierda al caerse del vagón del tren, huyendo del operativo de “la migra”. Al albergue lo trajeron miembros del Grupo Beta, lo recogieron en las vías. Él no se acuerda de nada.

Tampoco Mary se acuerda de lo que pasó aquella tarde cuando salía del trabajo que había encontrado para pagarse su viaje: vendía pollos en la frontera. Pero las huellas de aquella tarde se le han quedado grabadas en la cabeza. La tiene destrozada de la paliza. Un agujero en medio de la frente, que supura, y veinte puntos en el cogote. La encontraron moribunda y casi desangrada. Es hondureña.

“Sólo quiero volver a casa de mi mamá”, llora Mary mientras se tapa con el pelo sus cicatrices. “Con el cabello tan largo que tenía, hasta aquí me llegaba, casi a la cintura. Negro era. Y ahora me van a ver así”, dice y vuelve a llorar. “¿Quién me ha hecho esto? Si yo nunca le he hecho daño a nadie”. Mary aún no sabe que está embarazada de sus violadores. “¿Cómo hago para que me baje la regla? ¿Qué me hicieron?”, murmura.

Ricardo, el panadero del albergue, le da un pan caliente a Mary para que se calme. Otro a Luis, que va en silla de ruedas, y diez más a la familia de Dani, que no ha comido nada en todo el día. Los extorsionaron en la frontera cruzando Tecún Umán cuando venían a ver a su hijo amputado al albergue. Fueron los mismos de “la migra”.

Ricardo regresa a la panadería. Tiene los panes en el horno. Hace cuatrocientas donas diarias, de chocolate y crema, y trescientos panes dulces. Con la venta de éstos ayuda a mantener este albergue del Buen Pastor

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que doña Olga abrió en 1990 en Tapachula. Sus instalaciones son muy precarias, no reciben ninguna ayuda pública. Viven de la limosna y de los panes de Ricardo. Aun así, han conseguido prótesis para miles de migrantes, y eso que cada una cuesta cerca de cuarenta mil pesos.

Dani está esperando la suya. Su familia se despidió de él, regresan a Quezaltenango. Todos se arrodillan en círculo, menos Dani, quien, en su silla de ruedas, inclina la cabeza en señal de respeto. Rezan juntos y dan gracias a su dios, porque, después de todo, Dani está vivo y ellos están juntos.

LOS PUTOS DE LAS CALLES

“¿Has visto qué guapo está Jonathan con su nueva prótesis?”, dijo la Gorda, feliz mientras Jonathan caminaba con sus muletas por la plaza.

“¿Has visto qué guapo está Jonathan con su nueva prótesis?”, dijo la Gorda, feliz mientras Jonathan caminaba con sus muletas por la plaza. Se habían conocido semanas antes, en las calles de Tapachula, donde trabajan.

La Gorda venía de San Pedro Sula, como su paisana la Flaca, que era de Tegucigalpa. Era la segunda vez que subían. “Esta vez, primero Dios, voy a North Carolina”, dice la Flaca. Jonathan por fin llega con un *six* de Tecate, las rosas y las muletas “Me quedan cuatro rosas por vender y luego nos vamos a la disco”.

También es la segunda vez que Jonathan sube al Gringo. La primera se quedó dormido arriba del tren. Es uno de los muchos que cayó. “Tuve mala suerte, me quedé sin pierna, pero hoy estreno prótesis y ahora voy a intentarlo de nuevo, dice Jonathan con una sonrisa.

De camino al *gabacho*, con su amigo Guanaco vende rosas a las parejas de enamorados del parque de Tapachula. Guanaco además hace tatuajes; su cuerpo es un catálogo de tatuajes que le dan pinta de marero. Estuvo en la cárcel de El Amate tres años. “Pero yo no me prostituyo”, dice.

Jonathan sí, dice que es puto y que cobra quinientos pesos por trabajo. “Aquí mismo en la Plaza. Paro un coche y ¡vámonos! A mí no me gustan las mujeres, pero a veces para alguna con su carro y se lo hago por dinero”. Jonathan tiene diecisiete años y vive en las calles desde que a los diez se fue de su casa. “Esta vez voy a subir en autobús, ahora tengo credencial mexicana que me dieron por el accidente. No subo de indocumentado escondido en los trenes. Quiero llegar con la otra pierna”.

Jonathan ha estado cuatro meses en el albergue del Buen Pastor, donde lo llevaron tras encontrarlo desangrándose en las vías. “Me salí del alber-

gue porque a mí me gusta ir a la mía; trabajo de noche y allí no me dejaban. ¡Vamos a la disco!, a estrenar mi prótesis”, insiste Jonathan con cara de pícaro: “Tengo que buscar clientes, hoy aún no he trabajado. De las rosas no se gana mucho y en una semana tenemos que empezar el viaje”.

Hay un coche de policía en la puerta de la disco. Adentro, el 90 por ciento son centroamericanos indocumentados.

POR FIN SALE EL TREN EN ARRIAGA

Viernes en la tarde, una estación de trenes de carga, decrepita, de un pueblo perdido en mitad de una ruta de éxodo humano, Arriaga. Llega el tren. Un tren al que se le conoce como *La Bestia*. Son cuatro vagones oxidados y una vieja locomotora que servirán de transporte para más de doscientos indocumentados en su viaje al *gabacho*.

Después de cruzar Nicaragua, Honduras, Guatemala, de sobrevivir a la frontera sur de Tecún Umán, de asearse en Tapachula, algunos de los que emprendieron el viaje han llegado a Arriaga. Mañana a las 6 de la mañana está previsto que salga el tren.

A algunos les falta algún miembro que fue amputado. Ya son veteranos del tren. Otros se emborrachan; es su primera vez “y nunca sabes cómo te va a ir, pero con la ayuda de Dios... ¿verdad?”, dice uno mientras se tambalea cerca de las vías.

También los cientos de migrantes escondidos en las casas de los polleros que abundan en Arriaga se preparan.

“Entonces, ¿mañana a qué hora sale el tren?, para que yo avise a mi gente?”, le pregunta un hombre gordo al encargado del ferrocarril. Es un pollero y el encargado trabaja para ellos. “A las 5:30, díles que vengan”.

“La mayoría de los indocumentados viaja con un pollero hasta el Norte.” Dice el padre Heyman Vázquez, que lleva el albergue de Arriaga. Entre 3 000 y 7 000 dólares cobra un pollero por llevar a un indocumentado centroamericano. “Los que vienen a los albergues son los más pobres”.

Y entre los más vulnerables están las mujeres. Dunia es hondureña. Mañana también se subirá al tren. Lleva una prótesis en la pierna izquierda. “No tengo miedo, sé que mañana podré subir a ese tren”, dice sonriente.

La Casa del migrante del padre Heyman está alborotada. Ya ha llegado la noticia de que *La Bestia* sale mañana. Ahí están alrededor de sesenta inmigrantes. Acababan de cenar cuando se enteraron. Ahora nadie

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puede dormir. Algunos repasan los mapas del camino que cuelgan de la pared del albergue. Otros descansan mientras miran en el televisor una película en inglés. Un grupo de jóvenes juega a las cartas, conversa, ríe. Federico, el guatemalteco, no se irá mañana, espera una prótesis. Tampoco la señora de El Salvador se irá: "No, yo ya voy de vuelta a casa, me regreso. Si no tienes a nadie que te ayude, es muy difícil". Otros, que sí irán, ponen el despertador o rezan.

Cuatro jóvenes hondureños parten a pasar la noche junto a las vías. "A mí no se me escapa ese tren", dice uno de ellos. El albergue abrirá sus puertas a las 5. A los cuatro hondureños no les importa.

No son los únicos. Es una noche ajetreada en la oscura estación de carga. A las cuatro de la mañana comienzan a aparecer sombras más negras que la noche. Son grupos de migrantes en busca de un lugar en un tren sin pasajes. A las 5:30 ya están casi todos los que van. Algunos no se mueven del sitio por miedo o por no perder su puesto, aunque el tren no saldrá sino hasta el cuarto para las siete.

Otros, en cambio, bajan y se acercan por un café que reparte, en una camioneta junto a las vías, el cónsul de Guatemala en Arriaga.

"Muchos de los que van en ese tren son chapines. A treinta mil deportaron el año pasado sólo de Guatemala, imagínate los que pasan. Intentamos ayudarlos, aunque sea con un café. También con agua para el camino", dice Estuardo, el cónsul guatemalteco. "Ahora en Chiapas parece que el gobierno está haciendo algo por proteger a los migrantes de paso, pero Oaxaca ya es otra cosa. Allí se dan la mayoría de los accidentes, por los operativos de la migra o los asaltos de los Zetas. Los migrantes se avientan del tren, huyendo", dice mientras sirve café.

Amanece en Arriaga. El viento del Norte sopla fuerte.

Son las 6:45. Sale el tren.

Un grupo de diez migrantes llega corriendo, se quedaron dormidos. Demasiado tarde, tendrán que esperar al menos tres días más para que salga el próximo, aunque nunca se sabe su horario. Los cuatro chicos hondureños que se fueron a dormir a las vías, sí están en el tren. Tienen sonrisas gigantescas en sus caras. Uno hace la señal de victoria con los dedos y grita: "Nos vemos en Houston".

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Book Review on Latino Immigration To the U.S. South

REBECCA LEFEBVRE*

The size of the Latino immigrant population in the U.S. South over the last two decades has increased at an impressive rate. The number of Latino immigrants increased by 200 to 400 percent in most southeastern states from 1990 to 2006, compared to the national average of 50 percent. Various factors have driven this growth, including pull-driven recruitment by employers in the region, push-driven aspects of slowing economies in Latin America, and policy-driven changes such as the Immigration Reform and Control Act (IRCA) of 1986. What impact is this population transformation having on the attitudes, culture, and institutions in the U.S. South? The two books reviewed here tackle this question in a thorough, fascinating manner. Both are edited collections of multidisciplinary essays focusing on change in the “new” immigration states in the South as seen through specific case studies across 10 states. The books complement each other on the various perspectives they bring to the understanding of racial dynamics between Latino immigrants and native southerners. The books’ similarities in discussing immigrant assimilation and racialization lead the reader to a consistent view of the current challenges facing southern society, while their differences in emphasis may lead to diverging predictions of the future of race relations in the region.

The key question addressed by Odem and Lacy throughout their book, *Latino Immigrants and the Transformation of the U.S. South*, is how the new wave of Latino immigrants is transforming the unique nature of the U.S. South as a region. The South stands out from the rest of the U.S. as more politically conservative and evangelical Protestant, with more poverty than the rest of the nation and a history of racial segregation. The South was not originally a main immigrant destination because it

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did not experience the same rapid industrialization as other parts of the country. Since the 1980s, economic globalization began generating investment there, and a shortage of low-cost labor ensued. The policies brought about by IRCA opened up the possibilities for immigrant movement in the late 1980s and the wave of immigration into the South began. The impact of this is investigated in the book by way of five main themes: transnationalism, economic impact, community building, racial dynamics, and southern responses.

The key question addressed in Lippard and Gallagher's *Being Brown in Dixie: Race, Ethnicity, and Latino Immigration in the New South* is how race matters in southern society, particularly with regard to the Latino immigrant population. The wave of Latino immigration over the last two decades differs from previous flows into the country in three ways. First, today's Latino immigrant issues are intertwined with race relations. Second, the number of unauthorized immigrants is higher. And third, today's immigrants have "brown" skin color, as opposed to the "white" immigrants who previously came from Europe. As these immigrants flow into a region with a history of strained racial relations, the shifting nature of race and ethnic understanding needs to be fully explored. This book explores the topic through three themes: re-conceptualization of race and ethnicity in the South, changes in social institutions, and immigrant incorporation into labor and politics.

To a large degree, both books are on a common path toward understanding Latino immigrant incorporation into the culture of the South. The books have similar messages in four main areas. First, the introduction of a large-scale population of Latino immigrants has changed the racial binary of black and white that has dominated the U.S. South for decades. Odem and Lacy point out that many believe the distinctiveness of the South is rooted in its history of slavery, entrenchment of white supremacy, and civil rights movements. The introduction of foreign-born population has confused the racial lines that have been used to define social relations as well as social issues in the region. Several chapters in their book explore the new racial lines being drawn between Latinos and blacks, particularly with regard to competition for low-wage jobs.

One specific example of the changing racial lines is a study about Mississippi's poultry-processing industry, found in Chapter 6, entitled "Race, Migration, and Labor Control: Neoliberal Challenges to Organizing Mississippi's Poultry Workers," by Angela C. Stuesse. Increased demand for

chicken in the U.S. created growth in the industry and an increased demand for low-cost labor. Latinos grew from 9 percent of the poultry-processing work force to 29 percent in just 20 years. Through participant observation, interviews, and focus groups, Stuesse was able to show how the differing perspectives of each racial group created obstacles for collaboration and positive change. The blacks tended to view the Latinos as hard workers, but too docile and unwilling to stand up to unreasonable demands from management. The Latinos tended to view the blacks as lazy, and were generally unaware of the oppressive history of blacks in the region. Corporate management was able to take advantage of these differing racial views and exploit low-cost labor. Management was viewed as purposely encouraging the division between the black and Latino workers in order to prevent increased union power.

The growing hostility between blacks and Latinos in the South is discussed frequently in Lippard and Gallagher's book. In chapter 2, entitled "The Shifting Nature of Racism," by Regine O. Jackson, the term "horizontal racism" was emphasized as essential vocabulary in contemporary discourse on racial relations. Horizontal racism refers to the discrimination among minority groups, often replacing the "vertical racism" demonstrated by the oppression of a minority by a dominant group. The low-wage-job competition made the black population more vulnerable as they were displaced by the new Latino immigrant work force. At the same time, blacks were more powerful than the Latino population because of gains they had made during the Civil Rights Movement putting them in a stronger political position. Tension between blacks and Latinos was brought out in the chapter "Racializing Hiring Practices for Dirty Jobs," by Cameron D. Lippard. Lippard's case study of hiring practices in Atlanta's construction industry demonstrated how race had indeed become a generalized proxy for hiring. Construction management considered Latino immigrants "the bargain of the century": in its view, they made for a high quality work force and were perceived as loyal, docile, hard-working, and low-cost. Other potential workers, including blacks, whites, and Americanized Latinos, were all put into the category of "lazy Americans." This drove the broader concern of Latino immigrants taking jobs away from native-born Americans, particularly displacing traditionally black workers in the growing Southern industries such as construction, poultry-processing, and carpet manufacturing.

The second common message found in both books was that Latino immigrants' racialized identity is a hindrance to social mobility in the home,

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The studies in the two books demonstrate the restricted mobility in home, school, and community for Latino immigrants who have been given a “racialized” identity by their host communities.

school, and community. Lippard and Gallagher explored the process whereby Latino immigrants are “racialized” in the U.S. South. As a new group entering the U.S. with an uncertain classification, Latino immigrants tend to be defined by native U.S. culture in a way that secures existing privilege and entitlement for the dominant white population. This process plays out in a way that creates obstacles in basic social institutions such as housing, education, and community space. One case study was described in chapter 7, “Unfair Housing Practices in Black and Brown,” by Stephen J. Sills and Elizabeth Blake. Sills and Blake studied the Latino housing situation in North Carolina, uncovering frequent discrimination against Latinos, despite the existence of fair housing laws. Latinos were shown to experience greater housing discrimination in the region than either blacks or whites. Another social obstacle was described in chapter 8 of the book, entitled “The Public Schools’ Response to the Immigration Boom,” by Andrew Wainer. The author explored the impact of a growing Latino immigrant population on the public education system in case sites in Georgia, Arkansas, and North Carolina. His study found four major barriers to immigrant education including parental involvement, teacher training, immigrant status, and discrimination. Without needed policy improvements, the educational barriers could lead to stratification of the southern population along racial lines leaving Latinos as a permanent laboring class.

Odem and Lacy contributed to the racialized identity message with a study of community space in Atlanta, Georgia, in chapter 7, “Latino Immigrants and the Politics of Space in Atlanta,” by Mary E. Odem. Odem’s study showed how Latino immigrants were excluded from various public spaces. Some city councils in the metro-Atlanta area created ordinances to prevent gathering on street corners, a common practice of Latino day laborers looking for work. Unauthorized immigrants are not allowed to get driver’s licenses in the state of Georgia, limiting their access to roads. Even the local Catholic Church prohibited separate church gathering spaces for Latinos and insisted that they assimilate into existing churches, even if they were hard to get to by public transportation. By putting restrictions on the movements and gathering places of Latino immigrants, communities have hindered their ability to adjust and sustain a social life in their new environment. These various studies in the two books demonstrate the restricted mobility in the home, school, and community for Latino immigrants who have been given a “racialized” identity by their host communities.

The third trend the two books highlighted was the idea of the conflation of Latino immigrants with unauthorized immigrants and related misperceptions. In their summary chapter entitled “Popular Attitudes and Public Policies: Southern Responses to Latino Immigration,” Odem and Lacy assert that some policies seeking to exclude unauthorized immigrants also impact authorized immigrants. One example is the declaration of English-only laws. Twenty-nine states have made English their official language, and all of the southeastern states are included in the 29, creating an obstacle to immigrant assimilation. Hostility and anti-immigrant attitudes increase due to the perception of unauthorized immigrants. Public misperceptions of unauthorized immigrants include the notion that they do not pay taxes, they use state welfare, and they increase crime rates, none of which is supported by the evidence.

Lippard and Gallagher revealed a pattern of conflation of unauthorized immigrants and the Latino population in a compelling content analysis of the Southeast’s most widely circulated news publication, the *Atlanta Journal-Constitution* (AJC). The analysis was entitled “The Myth of Millions: Socially Constructing Illegal Immigration” by Stephanie Bohon and Heather Macpherson Parrott. The authors of this study theorized that the problem of unauthorized immigration to Georgia was socially constructed and not a true cause of any of the state’s social difficulties. Their analysis showed that the AJC consistently over-reported the number of unauthorized immigrants in the state without citing any source for that number. Content analysis revealed four main patterns of AJC reporting on unauthorized immigration: 1) confusing reporting on the estimate of unauthorized immigrants in the state; 2) stories about Latinos almost always referred to illegal immigrants and vice versa, creating a picture that Latinos and illegal immigrants are the same; 3) stories consistently used the term “illegals” or “illegal immigrants” as opposed to “unauthorized”; 4) stories unquestioningly quoted those who claimed illegal immigration was an issue without verifying claims. The trend of conflating the Latino group with the unauthorized immigrant group can have negative effects on all Latinos, bringing them under suspicion simply due to their ethnicity. The media’s impact in this area was shown in a letter to the editor of the AJC where a reader did in fact consider that any Latino she saw was illegal.

Finally, the fourth common theme was one of accommodation and cooperation between Latino immigrants and their host communities in the South. Both books exemplified this theme with a study on the com-

The trend of conflating the Latino group with the unauthorized immigrant group can have negative effects on all Latinos, bringing them under suspicion simply due to their ethnicity.

munity of Dalton, Georgia. The Dalton immigrant story may be more of an exception than a rule, but it is significant as an example of successful social change. Known as the “carpet capital of the world,” the city of Dalton experienced a tremendous inflow of Latino immigrants to meet the growing local demand for labor in the flooring industry. The Latino population of Dalton grew from 6.5 percent in 1990 to over 40 percent by the year 2000. Due to the positive response of local political, civic, and business leaders, Latino immigrants were incorporated into the community with more tolerance than other cities in the region. Dalton did experience resistance from native residents, particularly to the unauthorized immigrant presence, but extreme anti-immigrant attitudes were not present as they were in other cities, such as Gainesville. The study in Lippard and Gallagher’s book was entitled “Success Stories: Proactive Community Responses to Immigration,” by William E. Baker and Paul A. Harris, two professors from universities in the U.S. South. The study in Odem and Lacy’s book was called “The Dalton Story: Mexican Immigration and Social Transformation in the Carpet Capital of the World,” by Víctor Zúñiga and Rubén Hernández-León, two professors from universities outside the region, one in Mexico and the other in California. The two studies gave a complementary and balanced view of the Dalton story. The former attributed Dalton’s success largely to a balanced two-pronged approach including both the enforcement of immigration laws and responsiveness to immigrants’ social needs. The latter attributed Dalton’s success to the local employers who were closely linked with governance of the area. Both studies applauded the efforts of the Georgia Project, a local non-profit organization established to address the bilingual education needs of immigrant children and their families, including a teacher exchange program between the public schools of Dalton and a university in Mexico.

These two books significantly advance our understanding of the Latino immigrant impact on the U.S. South, finding four similar patterns of social transformation:

These two books significantly advance our understanding of the Latino immigrant impact on the U.S. South, finding four similar patterns of social transformation: shifting of the historic black-white racial line, racialization of the Latino identity, conflation of Latino immigrants and unauthorized immigrants, and the uncommon example of accommodation. Where these books differ is in their projection into the future of immigrant transformation of the South, particularly in two areas: immigrant communities and race relations.

The future of immigrant communities in the South is not a question of whether the Latinos will be a significant part of the population, but

These two books significantly advance our understanding of the Latino immigrant impact on the U.S. South, finding four similar patterns of social transformation.

rather how Latinos will be incorporated into the population. Odem and Lacy focus on the transnational aspect of immigrant communities. Many of the immigrants in their studies indicated a desire to return to their countries of origin or live in transnational space, with ties to their host community as well as their home countries. Linkages between an immigrant's two cultural homes take the form of remittances, frequent communication, travel, and bilingualism. The "sojourner mentality" discovered among Latin American immigrants points to a trend of cross-cultural citizenship that allows immigrants to develop a sense of belonging in two countries. Lippard and Gallagher, on the other hand, view Latino immigrants as here to stay, not as a presence living between cultures. The question is whether or how those immigrants will assimilate with the existing culture of the South. Will Americans and Latinos exist as two divided communities, or will the cultures eventually blend in some way? For Lippard and Gallagher, the answer lies in a blend that creates a hierarchy fully dependent on race and ethnicity. This leads to the second difference between the books: the future of race relations.

For Lippard and Gallagher, the future of race relations in the South involves the introduction of "brown" into the historical dichotomy of "black" and "white" in a way that continues to raise issues of racism that drive toward white dominance. The racial hierarchy is anticipated to evolve into categories of "black" and "non-black," with Latinos trying to find their place in that hierarchy. Some of the chapters of their book showed how Latinos have attempted to distance themselves from blacks and to associate more with whites. However, Lippard and Gallagher do not envision Latinos becoming part of the "non-black" category. They do envision a racial pecking order that will rely on three factors: race (skin color), ethnicity (Americanization), and nativity (immigrant versus citizen), with skin color as the dominant factor in determining racial privilege. Alternatively, Odem and Lacy assert that after two decades of Latino immigration to the U.S. South, it is still too soon to draw conclusions about the future of race relations. Although they concur that racial relations in the South are being transformed by the new immigrant population, they contend that generalizations about the direction of changing racial relations cannot yet be made.

Both books promote continued study of the changing racial dynamics in the U.S. South, particularly with regard to policy making. The racial pecking order theorized by Lippard and Gallagher is an area that warrants

Both books promote continued study of the changing racial dynamics in the U.S. South, particularly with regard to policy making.

more study. They suggest that Americans and their public institutions have socially constructed a rank for the Latino immigrant population, and that rank is unlikely to change in the short term. What effect have policies had in that social construction and how should future policies be formed? Lippard and Gallagher point out that communities cannot wait for federal involvement when it comes to issues around immigration. Communities should be proactive and create positive relations between native-born southerners and new immigrants.

Overall, these two books are essential reading for anyone studying the social, political, or economic implications of the current wave of Latino immigration into the U.S. South. They sort through the trends, countertrends, and misperceptions that surround the controversial issue of immigration. The themes of racial dynamics, racial identity, immigrant incorporation, and social transformation are explored through a variety of case studies in states across the region. The two books make different predictions for the future of immigrant communities and race relations in the South, but both make the point that communities cannot wait for federal government intervention. State and local governments and organizations need to address the future of their communities, which will most certainly be a multiracial one.

Overall, these two books are essential reading for anyone studying the social, political, or economic implications of the current wave of Latino immigration into the U.S. South.

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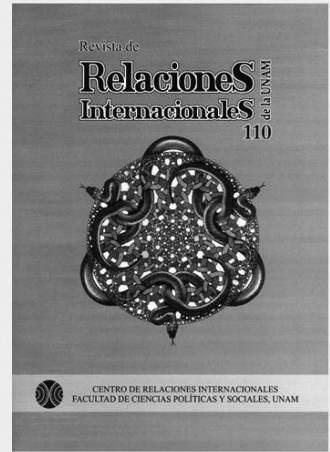
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RESEÑAS

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