

Obstacles to Immigration Reform And Mexican Migration to the U.S.

Elaine Levine*

While most people in the United States would agree that the country urgently needs to reform its immigration policies, no clear consensus exists about what the new policy should be. The fact is that U.S. Americans have very contradictory ideas and attitudes about immigration and immigrants. Given the primary role immigrants have played throughout the nation's history, it is by and large "politically incorrect" to oppose immigration altogether. However, many of those who refer to their immigrant forbears with pride show disdain for recently arrived poor immigrants seeking better work and a better life. Furthermore, since the September 11, 2001 terrorist attacks, it has become somewhat more acceptable to at least show suspicion and skepticism toward some immigrant groups.

Immigrants come to the U.S. from almost all regions of the world, bringing with them a wide range of educational back-



Lucy Nicholson/Reuters

grounds, class structures, languages, and ethnicities, and thus are often classified accordingly. There is a notable difference of perceptions and attitudes toward low-skilled, less educated workers and highly skilled and educated profes-

* Professor and researcher at CISAN, elaine@unam.mx.

sionals. As of the most recent census (2010), over half (53 percent) of the immigrants living in the U.S. were born in Latin America. Almost half of those (29 percent of the total immigrant population) were from Mexico, and many were from Central America, while Asians made up 28 percent of the foreign-born population and Europeans, 12 percent.¹ Perhaps the most salient division among immigrants today, certainly in the public eye, would be the distinction between those who have and those who do not have “legal” authorization to reside in the country. Hence, one of the most controversial aspects of almost any and all proposals for reform is how to deal with the estimated 11 million or more unauthorized immigrants.

The immigrant share of the U.S. labor force has been on the rise for several decades, especially since 1990. Between 1990 and 2010, the foreign-born component of the labor force grew faster than the native-born component and “immigrant employment has tended to rise faster than native-born employment.”² Since the 1990s, Latin American immigrants in particular have been an important component of labor force growth in the U.S. Mexico has long supplied the largest number of workers from south of the border. The demand for labor in the U.S. and the supply from Mexico, and increasingly from Central America as well, evolved in such a way that Latino immigrants became the primary source of low-skilled, low-wage workers in several branches of the economy and in various parts of the country.

The high numbers of unauthorized workers from Mexico and their generally low levels of educational attainment, characteristic of most recent Mexican and Central American immigrants, make them extremely vulnerable in terms of working conditions and wage levels. In contrast, the number of unauthorized immigrants from European or Asian countries is quite low. The severe 2008-2009 recession momentarily stemmed the arrival of new labor migrants, especially the unauthorized. The supply from Mexico and Central America is more or less adaptable—or can be forced to adjust—to demand conditions north of the border.

From 2009 through 2013, given the severity of the recession and a climate of growing hostility toward immigrants, in some parts of the U.S., U.S. Immigration and Customs Enforcement (ICE) removed an average of 1 000 unauthorized immigrants a day, most of whom were Mexicans or Central Americans. The continued presence of large numbers of unauthorized immigrants, who had been actively recruited and/or readily employed by U.S. businesses and households, and the separation of families and other abuses and hardships

Many of those who refer to their immigrant forbears with pride show disdain for recently arrived poor immigrants seeking better work and a better life.

suffered by those deported clearly evidence the urgent need to change current policies.

The demand for immigration reform has resounded in the halls of the U.S. Congress and across the nation since the beginning of this century. Although various proposals have been presented and voted on over the past 15 years, none has been approved by both houses thus far. President Obama was unable to fulfill his campaign promise to achieve immigration reform during his first term in office. Even the Dream Act (Development, Relief and Education of Alien Minors Act) has succumbed to legislative impasse more than once since it was first proposed in the Senate in 2001.

In the aftermath of the “great recession,” which officially ended in June 2009, the overall economic climate has not propitiated positive attitudes toward immigration reform and/or somehow regularizing the status of millions of unauthorized immigrant workers. At first there were lingering fears of a double-dip recession, and GDP growth has been disappointingly slow for the past seven years. Total employment did not return to its pre-recession level until June 2014. The employment level for Latinos began to recover in 2010—even as overall employment continued to decline—and surpassed the pre-recession figure in 2012. However the rise in the number of Latinos employed was initially accompanied by falling wages, especially in the case of Latino immigrants.

Before the 2008-2009 recession, Mexican and other Latin American immigrants easily found work in several labor market niches where their participation had grown rapidly during the 1990s and the first part of the 2000s: construction, meat packing, poultry processing, crop production, various branches of food processing, plant nurseries and landscaping services, building cleaning and maintenance, and personal care for children or the elderly, among others. The recession brought high levels of unemployment for all. Throughout the economic decline, from the beginning of 2008 until the middle of 2009 and the weak recovery thereafter, unemployment for Latinos, especially Latino immigrants, was consistently higher than the rate for non-Hispanic whites and lower

The hard times experienced throughout the country have generated hostility toward those who a few years earlier had been recruited to fill thousands of jobs that local workers would not accept.

than the rate for blacks, just as it has been since the 1970s or earlier.

The overall unemployment rate peaked at 10 percent in October 2009, four months after the recession had officially ended. Since then it has fallen more or less steadily but extremely slowly. In June 2015, the unemployment rate (5.3 percent) was still above the pre-recession level of 4.6 percent, which was the annual average for 2006 and 2007. Furthermore the current unemployment rate would be higher if it were not for the fact that the labor force participation rate has dropped by at least three percentage points, from 66 percent in 2008 to 62.9 percent in 2014. In addition to the approximately 8.3 million unemployed persons actively looking for a job at this time, another 6.1 million want to work but have stopped looking for employment because they do not think they can find a suitable job.³

Most U.S. citizens and legal permanent residents who became unemployed during the recession received at least some relief through unemployment insurance payments, which were nevertheless certainly insufficient to compensate for their losses. Obviously, none of the unemployed undocumented immigrant workers have received any benefits whatsoever. The hard times experienced throughout the country have in some places, especially in some of the southeastern states, generated hostility toward those who a few years earlier had been sought out and even actively recruited to fill thousands of jobs that local workers would not accept.

In spite of his 2008 campaign promise, no immigration reform was passed during Obama's first term as president. In what many have considered a more or less desperate move to have at least something to offer to Latino voters in November 2012, Obama implemented the Deferred Action for Childhood Arrivals (DACA) program on June 15 of that year. This program grants those who meet the requirements, who entered the country before their sixteenth birthday and prior to June 2007, temporary exemption from deportation and permission to work in the U.S. for a period of two years, with the possibility of renewal for a subsequent period. The U.S.

Citizenship and Immigration Services offices began receiving DACA applications on August 15, 2012. Two years after its implementation, over 500 000 requests had been approved.

The fact that Obama received 71 percent of the Latino vote in the 2012 elections, as opposed to only 27 percent for Romney, seems to have made an impression on some Republicans with an eye to the future importance of Latino voters. By the end of January 2013, Washington was buzzing with talk of immigration reform. A bipartisan Senate commission comprised of four Republicans and four Democrats was formed to draw up a proposal for comprehensive immigration reform. As a result of their efforts, the *Border Security, Economic Opportunity, and Immigration Modernization Act of 2013* (S744) was approved by the Senate on June 27, but it was never put to a vote in the House of Representatives. Leading members of the House preferred a more gradual, "piece-meal" approach. Five separate bills dealing with specific issues were marked up in the House Judiciary and Homeland Security Committees but never reached the floor for a vote. Thus, even though new life was breathed into the immigration debate after the 2012 elections, the extreme partisan divisions that have plagued Obama's entire presidency prevailed once again and finally thwarted the possibility of achieving immigration reform in 2013.

Clearly evidencing his frustration over the impasse in Congress, Obama announced on June 30, 2014, that he would soon take executive action to make changes to the immigration system. The summer of 2014 was marked by the widely publicized arrival at the southern border of an unusually high number of unaccompanied minors from Central America hoping to obtain refugee status in the U.S. Public opinion about how to manage the situation was highly vociferous and extremely polarized. On September 6 the president announced that he would delay taking any executive action on immigration until after the mid-term elections.

On November 20, 2014, Obama announced an expansion of DACA and a new program of Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) to provide work authorization and protection from deportation for all applicants meeting the stipulated requirements. The DAPA program and the expansion of DACA have not been implemented so far because 26 states took legal action to block them from taking effect. The federal government's appeal of the decision to block these measures has not yet been resolved.

Although only the federal government has the constitutional and legal power to determine immigration policy, lack

of action at the federal level has prompted many states to take matters into their own hands. Several states have invoked the argument of federal inaction as a justification for passing highly punitive laws to detect and remove unauthorized immigrants. In contrast, some recent examples exist of states and localities that have enacted laws and implemented policies to allow immigrants certain rights and protections, in recognition of the important role they have played in bolstering languishing local economies.

All these economic, political and social factors interact to determine the demand for immigrant labor in the United States at any given time. Furthermore, the resulting demand then interacts with the economic, social, and political conditions that determine the supply of willing and available migrant workers from potential sending countries over time.

By the end of 2012, the number of Mexican immigrants in the U.S. labor force was a little higher than it had been in 2007, even though the total number of Mexican-born residents in the country was estimated to have either stagnated or even declined. At that time, the number holding jobs was still lower than, and the unemployment rate almost twice as high as, pre-recession levels. Since Mexican immigrants are a primary source of information for their friends and relatives back home concerning job opportunities in the U.S., it is logical to assume that they also provide information about the lack of jobs and the rise in deportations. Between 2008 and 2013, approximately 1.5 to 1.6 million Mexicans were removed or deported from the U.S., and this figure alone goes a long way in explaining the apparent decline in the number of Mexicans currently residing there.

The wage differentials and the extremely precarious working conditions prevailing in Mexico still provide strong incentives to migrate. According to official statistics, almost 60 percent of all persons counted as working did not have formal employment status as of July 2014; 27.17 percent were counted as employed in the informal sector of the economy; and an additional 31.61 percent, although working in formally established enterprises, had no formal contractual relationship with their employers.⁴ The earnings of approximately 80 percent of persons with incomes in Mexico are less than one half of the current minimum wage in the U.S. Almost half of the population is considered to be living in poverty or recognized as having an income “below the level of well-being.”

Under such conditions, it is difficult to imagine that the available supply of willing labor migrants from Mexico has actually diminished. What has changed significantly since

Examples exist of states and localities
that have enacted laws to allow immigrants
certain rights and protections, in recognition of the
important role they have played in bolstering
languishing local economies.

2008 are the economic conditions and the political climate prevailing in the U.S. The highly uncertain employment prospects and possibilities of being able to remain in the U.S. are surely in and of themselves strong deterrents to assuming the risks inherent in the journey to “the North.”

Thus, the repercussions, both direct and indirect, of this “great recession” for Mexican immigrants in particular, and to some extent for Latinos in general, go far beyond the immediate economic impacts. The economic crisis brought to light and accentuated underlying anti-immigrant sentiments that continue to prevail within certain segments of the U.S. population and have generated a climate of hostility toward many Latin American labor migrants, and especially toward undocumented Mexicans. It remains to be seen how the supply of and demand for Mexican labor in the U.S. will interact and evolve once the U.S. economy has fully recovered from the 2008-2009 recession and if and when the federal government can approve and implement any sort of comprehensive immigration reform. ■■

NOTES

¹ U. S. Department of Commerce, “The Foreign-Born Population in the United States: 2010,” *American Community Survey Reports*, May 2012, <http://www.census.gov/prod/2012pubs/acs-19.pdf>.

² Rakesh Kochhar, C. Soledad Espinoza, and Rebecca Hinze-Pifer, “After the Great Recession: Foreign Born Gain Jobs; Native Born Lose Jobs” (Washington, D.C.: Pew Hispanic Center, October 29, 2010), <http://www.pewhispanic.org/2010/10/29/after-the-great-recession-brforeign-born-gain-jobs-native-born-lose-jobs>, p. 3.

³ U.S. Department of Labor, Bureau of Labor Statistics, “The Employment Situation-June 2015,” news release, July 2, 2015, www.bls.gov/news.release/pdf/empsit.pdf.

⁴ Instituto Nacional de Estadística y Geografía (INEGI), “Población ocupada por niveles de ingresos,” *Banco de Información Económica* (2014), <http://www.inegi.org.mx/sistemas/bie/>; INEGI, “Indicadores oportunos de ocupación y empleo. Cifras preliminares durante julio de 2014,” press release no. 380/14, August 22, 2014, Aguascalientes, Ags., <http://www.inegi.org.mx/inegi/contenidos/espanol/prensa/comunicados/ocupbol.pdf>; and Consejo Nacional de Evaluación de la Política de Desarrollo Social-Coneval, “Pobreza en México. Resultados de pobreza en México 2012 a nivel nacional y por entidades federativas,” 2013, <http://www.coneval.gob.mx/Medicion/Paginas/Medicin%C3%B3n/Pobreza%202012/Pobreza-2012.aspx>.