



Published in final edited form as:

Race Soc Probl. 2012 April ; 4(1): 5–17. doi:10.1007/s12552-012-9066-6.

Origins of the New Latino Underclass

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Abstract

Over the past four decades, the Latino population of the United States was transformed from a small, ethnically segmented population of Mexicans in the southwest, Puerto Ricans in New York, and Cubans in Miami into a large national population dominated by Mexicans, Central Americans, and South Americans. This transformation occurred through mass immigration, much of it undocumented, to the point where large fractions of non-Caribbean Hispanics lack legal protections and rights in the United States. Rising illegality is critical to understanding the disadvantaged status of Latinos today. The unauthorized population began to grow after avenues for legal entry were curtailed in 1965. The consequent rise in undocumented migration enabled political and bureaucratic entrepreneurs to frame Latino migration as a grave threat to the nation, leading to a rising frequency of negative framings in the media, a growing conservative reaction, and increasingly restrictive immigration and border policies that generated more apprehensions. Rising apprehensions, in turn, further enflamed the conservative reaction to produce even harsher enforcement and more still more apprehensions, yielding a self-feeding cycle in which apprehensions kept rising even though undocumented inflows had stabilized. The consequent militarization of the border had the perverse effect of reducing rates of out-migration rather than inhibiting in-migration, leading to a sharp rise in net undocumented population and rapid growth of the undocumented population. As a result, a majority of Mexican, Central American, and South American immigrants are presently undocumented at a time when unauthorized migrants are subject to increasing sanctions from authorities and the public, yielding down-ward pressure on the status and well-being of Latinos in the United States.

Keywords

Immigration; Latino; Underclass; Race; Undocumented

Introduction

Over the past four decades, the Latino population of the United States has undergone a remarkable transformation in size and composition. In 1970, the Latino population stood at just 9.6 million people and comprised only 4.7% of the U.S. population. By 2010, the number of Latinos had risen to 50.5 million people and constituted 16.3% of the U.S. population. Most of this explosive demographic growth was fueled by immigration. From 1970 to 2010, some 11.5 million Latin Americans entered the country as legal immigrants and net unauthorized migration is estimated to have been in the neighborhood of 9 million.

As a result, whereas in 1970 nearly three-quarters of Latinos were native born, by 2010 the share had dropped to 60%. The national origins of Latinos also shifted. In 1970, the top three groups were Mexicans (60% of the total), Puerto Ricans (15%), and Cubans (7%); only 6% came from Central or South America. By 2010, however, Puerto Ricans and Cubans had declined to just 9% and 4% of the population, respectively, while Mexicans grew to 63% and Central and South Americans to 13%.

At present, therefore, more than three-quarters of all Latinos trace their origins to Mexico, Central America, or South America, compared with just 15.5% from the Caribbean. Moreover, whereas Cubans, Puerto Ricans, and Dominicans tend to be legal residents or U.S. citizens, large numbers of Mexicans and Central or South Americans are non-citizens and a substantial share lack documents entirely. Although the percentage of foreign born among Mexicans is rather low at 36%, in absolute numbers they are still the largest immigrant group. Meanwhile, the share of foreign born is 63% among Salvadorans, 69% among Guatemalans and Hondurans, and 67% among Nicaraguans and Colombians. According to the latest estimates from the U.S. Department of Homeland Security, 58% of Mexican immigrants are present illegally, compared with 57% of Salvadorans, 71% of Guatemalans, and 77% of Hondurans (Hoefler et al. 2010).

In other words, undocumented migrants are no longer a small share of the Latino population. Among Mexican and Central Americans, they constitute a majority of all those born abroad, and even when one considers national origins as a whole, the undocumented constitute 21% of all persons of Mexican origin, 38% of those of Salvadoran origin, 50% of those of Guatemalan origin, and 52% of those of Honduran origin. Never before have so many people found themselves outside the law, and never before have the undocumented been so concentrated in such a small number of national origins. As a result, Latinos are now the most vulnerable of all of America's disadvantaged populations. No other group—black, white, or Asian—contains such a large fraction of unauthorized, exploitable people.

The rising tide of illegality within the Latino population is critical to understanding the nature of discrimination and exclusion in contemporary American society, for whereas Latinos may be a protected category U.S. under civil rights legislation, undocumented migrants are not. Indeed, U.S. immigration law encourages and often compels employers, landlords, and service providers to discriminate against the undocumented even as civil rights law requires them to remain affirmatively to protect the rights of Hispanics. The remarkable rise in illegality among Latinos has implications that extend far beyond the undocumented themselves. In addition to the 1.5 million undocumented children living in families with an unauthorized parent are around four million U.S.-born citizen children, whose progress in society is held back by the very real fears of their undocumented family members; these numbers do not take into account the millions of other older children and more distant relatives of undocumented migrants.

In this article, we outline the paradoxical social and political dynamic by which this lamentable state of affairs came about. The United States did not set out to create a large undocumented Latino population living north of the border. Indeed, the policies that triggered the chain of events leading to this outcome were undertaken for the most laudable of reasons, but without any realistic appreciation of their likely effects on what had become a large, well-established flow of migrants across the Mexico-U.S. border. When the consequences of these policies became apparent, political and bureaucratic entrepreneurs in the United States found it more useful to demonize Hispanic immigrants by constructing a "Latino threat narrative" to mobilize political support and garner agency resources than to deal with the problem in any productive way. The result was a self-perpetuating cycle in which rising border apprehensions were manipulated to produce a conservative reaction that

demanded more enforcement measures, which in turn produced more apprehensions, which then produced more conservatism and even harsher enforcement measures, which generated more apprehensions.

As a result of this feedback loop, border apprehensions continued to rise long after the undocumented inflow had stabilized, and the resulting militarization of the border had the perverse effect of discouraging return migration. As crossing the border without authorization became more difficult and costly, migrants responded by curtailing border crossing, not by staying home in sending communities but by hunkering down and remaining in the United States rather than facing even higher costs and risks of crossing at some future date. This dynamic was given an exogenous boost by terrorist events in the 1990s and 2001, which resulted in the enactment of laws and enforcement operations that not only accelerated border enforcement but dramatically increased deportations from within the United States while curtailing the rights and liberties of non-citizen foreigners.

As rates of return migration plummeted, net immigration rose and the undocumented population growth accelerated to record levels. The concentration of enforcement resources in San Diego, meanwhile, diverted flows away from California to make Latin American immigration a truly national phenomenon for the first time. Mexican immigration, in particular, was transformed from a circular flow of male workers going to three states into a settled population of families living in 50 states, which further exacerbated anti-immigrant, anti-Latino throughout the nation. In 40 years, Latinos went from a regionally isolated and ethnically segmented populations of Mexicans, Puerto Ricans, and Cubans composed overwhelmingly of nativeborn citizens and legal resident aliens to a national population of Mexicans and South and Central Americans who were heavily foreign born and illegal.

Methods

In order to back up the foregoing argument, we draw on a variety of data sources. In order to describe trends in legal, guest worker, and illegal migration, we draw on data obtained from the Yearbook of Immigration Statistics, published annually by the U.S. Department of Homeland Security. Legal immigration is indicated by the annual number of entries by permanent resident aliens, whereas guest worker migration is indicated by entries of persons holding temporary worker visas (Bracero visas before 1965 and mostly H visas since then). Illegal migration is proxied by the number of apprehensions per thousand Border Patrol Officers. In general, counts of apprehensions constitute a poor measure of illegal entries because they reflect the extent of the enforcement effort as well as the underlying migratory traffic. Dividing apprehensions by officers standardizes for the enforcement effort and yields a serviceable indicator of the trend in unauthorized entries. Similar results are obtained when apprehensions are divided by the size of the Border Patrol Budget or linewatch hours (person-hours spent patrolling the border).

In order to measure the rise of what Chavez (2008) has called “the Latino threat narrative,” we used the Proquest Database to search articles published in the New York Times, Wall Street Journal, Washington Post, and Los Angeles Times from January 1965 through December 2009 and counted the number of times undocumented, illegal, or unauthorized migrants or aliens were paired with Mexico or Mexicans and with the words crisis, flood, or invasion. After 1965, Latin American immigration was increasingly framed as threatening using martial and maritime metaphors (“invasions” and “floods”—see Massey and Sanchez 2010). Politicians and journalists were provided with a steady stream of sensational stories, images, and statistics by Border Patrol Officials eager to increase their budgets and expand their bureaucratic influence (Rotella 1998; Massey et al. 2002).

In order to capture the conservative turn in the United States, we used successive waves of the General Social Survey from 1972 to 2009 and computed the percentage of respondents who identified themselves either “slightly” or “extremely” conservative. From 1965 through 1971, we used various national surveys done by Gallup, Newsweek, and other national polling organizations to fill in individual years before the launching of the GSS. The percentage of Americans who self-identified as conservative rose steadily over the period, going from around 18% in 1965 to 37% in 2009. Ideally, we would like to have measured anti-immigrant sentiments directly, but the GSS only asked detailed questions about attitudes toward immigration in 1996 and 2004. When we created an index of exclusionist sentiment in those 2 years, however, we found that it was highly correlated with conservative self-identification in individual-level regressions.

In order to measure the rise of restrictive immigration policies in the United States, we created two indices. The first computed the accumulative number of restrictive pieces of immigration legislation passed by Congress from 1965 to the present. The specific pieces of legislation are listed in “Appendix 1”. The second index computed the accumulative number of immigration enforcement operations launched either by the Immigration and Naturalization Service or by the Department of Homeland Security from 1965 to the present. These operations are listed in “Appendix 2”. Together they capture the shift of American policy toward more restrictive, exclusionary, and punitive actions directed against immigrants. Finally, to measure how this shift affected the personnel and resources directed against immigrants, we obtained from the Immigration and Naturalization Service, the Department of Homeland Security, and other federal sources the annual number of Border Patrol Agents, the yearly size of the Border Patrol Budget, the annual number of linewatch hours spent by Border Patrol Agents guarding the Mexico-U.S. border, and the annual number of deportations from within the United States.

Our methodological approach using these data is straightforward and allows readers themselves to judge the strength of the connections at various points along chain of events that we lay out narratively. At each juncture, we simply present a scatterplot showing the tightness of the hypothesized relationship and report an overall correlation between the two variables under consideration. As we shall see, at each stage in the chain of events we lay out below, the hypothesized connection is strong and immediately obvious from the figure presented.

Results

The Cost of Good Intentions

Although large-scale migration between Mexico and the United States stretches back to the early 20th century, the current era of undocumented migration has its roots in years after the Second World War. The Great Depression of the 1930s was accompanied by a mass deportation campaign that from 1929 to 1935 forcibly removed some 430,000 Mexicans from the United States (Hoffman 1974). The Mexican population living north of the border was cut in half, and by the late 1930s, cross-border movements of all kinds had faded to insignificance (Massey et al. 2002). When the United States entered the war in late 1941 and mobilized in 1942, labor shortages immediately began to appear in services and agriculture throughout the south-west. In response, the United States approached Mexico and negotiated a binational treaty known as the Bracero Accords, which arranged for the legal entry of Mexican workers on temporary visas (Calavita 1992). From just 4,200 workers in 1942, the number of braceros rose rapidly to peak at 62,100 in 1944. Legal immigration also began to revive as employers sponsored permanent resident visas for key workers on whom they had come to depend.

As the end of the war approached, Congress sought to reduce the number of braceros entering the United States and lowered annual entries to just 20,000 by 1947, but the postwar economic boom was already in swing and native workers were not attracted by seasonal work in agriculture or services when good union jobs were available in the bustling factories of Chicago, Los Angeles, and Houston. Although legal immigration began to rise in response to demand in the United States, it could not increase fast enough to meet the rapidly escalating demand for low-skilled workers, especially in the agricultural sector. With government sitting on the sidelines, employers took it upon themselves to recruit the workers they needed and apprehensions of unauthorized Mexicans began to rise rapidly, going from just 7,000 in 1942 to 183,000 in 1947.

Congress belatedly responded by increasing bracero entries to 35,000 in 1948 and 107,000 in 1949, and these increases momentarily halted the rise in border apprehensions, but after 1950, labor demand kept rising while work visas did not and apprehensions resumed their upward climb, reaching a record 544,000 in 1952. With the Korean War winding down, the McCarthy Era gaining momentum, and veterans returning to a slowing economy, the apparent entry of so many “illegals” came to be seen as a threat to national security. In response, the U.S. Immigration and Naturalization Service in 1953 launched “Operation Wet-back,” the first full-scale militarization of the southwestern border that yielded more than a million border apprehensions (Massey et al. 2002).

As the Border Patrol very publicly applied force along the border, however, Congress quietly increased the size of the bracero program to accommodate employer demands, raising bracero entries to 201,000 in 1953, 309,000 in 1954, 400,000 in 1955, and 450,000 in 1956 (Calavita 1992). Employers also increasingly sponsored Mexican workers for permanent resident visas, and in the absence of numerical limits on legal immigration from the Western Hemisphere, Mexican immigration rose from just 9,600 entries in 1952 to 65,000 in 1957.

The increase in the number of legal visas—both temporary and permanent—finally met the U.S. demand for labor, and after 1955, illegal migration quickly disappeared as a public issue. From 1954 to 1959, the number of apprehensions plummeted from more than 1 million to around 30,000 per year. The late 1950s were thus a time of peace and tranquility along the border, with total entries fluctuating around 500,000 persons per year—around 90% circulating back and forth as braceros and 10% entering as permanent residents. Illegal migration was virtually non-existent and from 1953 to 1963. The circular flow of Mexican workers back and forth across the border was progressively institutionalized by the growth of migrant networks and by structural changes on both sides of the border, as communities of origin and destination adapted to the realities of mass migration.

Figure 1 picks up the story in 1959 by showing trends in the number of Mexicans entering the United States in three statuses: legal immigrants, temporary workers, and without documents. The well-functioning status quo of orderly Mexico-U.S. migration came to an abrupt end in 1965, not because the United States sought to end Mexican migration per se, but because it sought to reform the immigration system in the context of the civil rights movement. In 1964, Congress passed the Civil Rights Act to outlaw discrimination in labor markets, accommodations, transportation, and retail services, and in 1965, it passed the Voting Rights Act to guarantee black suffrage. As part of its broader effort to de-racialize federal policies, in 1965 Congress scrapped discriminatory national origins quotas that had been enacted in the 1920s to exclude southern and eastern European immigrants and prohibit the entry of Africans and Asians. In its place, Congress created a new, racially neutral system that allocated a quota of 20,000 visas to each country.

At first, the nation-specific quotas applied only to the Eastern Hemisphere, which was given total cap of 160,000 visas, but for the first time in history, the legislation set an overall cap of 120,000 for the Western Hemisphere. At the same time, Congress in 1965 terminated the Bracero Program, having come to see it as an exploitive labor program on a par with southern sharecropping and inconsistent with the move toward the civil rights. These actions had profound consequences for Mexico. Although the racist national origins quotas of the 1920s had indeed discriminated against immigrants from Asia, Africa, and southeastern Europe, they never applied to the Western Hemisphere; while the Bracero Program was an exploitive labor program, at least it arranged for orderly and legal migration to meet a very real demand for labor and offered workers a modicum of protection.

At the time, few in Washington considered how capping immigration from the Americas and scrapping a long-standing and massive guest worker program would affect what had by then become a well-established binational migration system. With the Bracero Program suddenly terminated and legal immigration from the Western Hemisphere capped, there was simply no way to accommodate the institutionalized flows legally. The new hemispheric cap took effect in 1968, and in 1976, the Western Hemisphere was put under the 20,000 per country quota system. Suddenly, Mexicans were forced to compete in a zero sum game with immigrants from throughout the Americas for a fixed supply of visas. Whereas Mexico in 1956 enjoyed access to some 450,000 temporary worker visas and a theoretically unlimited number of permanent resident visas (in practice, running around 50,000 per year), by 1976 the temporary visas were gone and resident visas were capped at 20,000.

The inevitable consequence of these actions was the initiation of a new round of mass illegal migration. As can be seen in Fig. 1, the number of apprehensions per thousand agents was fairly stable at around 25,000 to 30,000 per year during the late 1950s through the early 1960s, but with the curtailment of legal opportunities for entry in 1965, illegal entries began a precipitous rise that peaked in 1979 at around 460,000 arrests per thousand officers. Legal immigration continued to fluctuate around 50,000 entries per year in the years immediately after 1965, being unable to expand in the face of the new caps and quotas.

During the late 1970s, legal immigration crept upward toward 100,000 entries per year as permanent residents increasingly naturalized to U.S. citizenship and thereby gained the right to sponsor the entry of certain relatives outside the caps and quotas. Whereas a legal permanent resident is authorized to apply for the entry of a spouse and minor children, these visas are numerically limited and family members must wait in line. If the same person becomes a U.S. citizen, however, the spouse and minor children are eligible for immediate entry, along with the immigrant's parents. The new citizen also acquires the right to sponsor the entry of older children and brothers and sisters subject to numerical limitation.

As suggested by the figure, the migratory system once again stabilized by the late 1970s when the volume of both legal and illegal entries stopped rising. From 1976 to 1986, apprehensions per officer fluctuated between 330,000 and 470,000 per year, dropping during Mexico's oil boom of 1978–1982 and rising after the peso crisis in 1982, but with no consistent trend. Over the same period, legal immigration fluctuated between 75,000 and 150,000 entries per year and followed much the same temporal pattern, but again with no secular trend. In practical terms, the North American migratory system had reestablished itself by the late 1970s, but with the crucial difference that most of the entries were now illegal.

Rise of the Latino Threat Narrative

Because Mexican migrants were increasingly “illegal” after 1965, however, they were easily framed by aspiring politicians and bureaucratic entrepreneurs as “lawbreakers” and

“criminals” and thus “dangerous” and “threatening” to American society. Politicians looking for an issue to mobilize voters seized on rising apprehensions as evidence of a new “alien invasion” in which “outgunned” Border Patrol officers “fought” to “hold the line,” against “banzai charges” of “alien hordes” (Dunn 1996; Rotella 1998). Likewise, journalists looking for a sensational story to grab headlines and boost circulation warned of a “rising tide” of “illegals” that would “flood” the United States to “inundate” American society and “drown” its culture (Andreas 2000; Chavez 2001), and ambitious bureaucrats looking for an alarming hook to garner agency resources happily fanned the flames of xenophobia. Indeed, the Chief of the Immigration and Naturalization Service led the way in 1976 by publishing an article in *Reader’s Digest* entitled “Illegal Aliens: Time to Call a Halt!” in which he warned Americans that the Border Patrol was “out-manned, under-budgeted, and confronted by a growing, silent invasion of illegal aliens. Despite our best efforts, the problem—critical then—now threatens to become a national disaster” (Chapman 1976:188).

After 1965, Latin American immigration was increasingly framed as a threat using martial and maritime metaphors (“invasions” and “floods”—see Massey and Sanchez 2010). Politicians and journalists were provided with a steady stream of sensational stories, images, and statistics by Border Patrol Officials eager to increase their budgets and expand their bureaucratic influence (Rotella 1998; Massey et al. 2002). Figure 2 graphs the number of times undocumented, illegal, or unauthorized migrants or aliens were paired with Mexico or Mexicans and with the words crisis, flood, or invasion each year from 1965 through 2009, with the results smoothed using three-year moving averages.

As revealed by the figure, the use of threatening marine and martial metaphors in connection with Mexican immigration was close to zero in 1965. As the number of apprehensions steadily rose in the ensuing years, however, thus rendering Mexican migrants more visible and more threatening, the use of these metaphors rose exponentially, going from an average of just 0.5 per year in 1965 to peak at 36 per year in 1979. From 1965 through 1995, the correlation between the frequency of newspaper allusions to crises, floods, and invasions, and the total number of apprehensions is 0.956. After this date, the frequency of threatening metaphors, like the trend in apprehensions itself, stopped rising and began to fluctuate, falling during periods of economic expansion in the United States and rising during periods of economic decline.

The story might end there, except that the rise and popularization of the Latino Threat narrative had other, more lasting consequences, sparking a conservative counter-reaction and raising anti-immigrant sentiment among native-born white Americans. After the 1970s, each peak in the use of anti-immigrant metaphors in the media coincided with the implementation of another anti-immigrant measure. Unfortunately, we cannot readily measure changes in anti-immigrant sentiment and xenophobia directly using national survey data because questions on attitudes toward immigrants and immigration are not regularly asked on nationally representative surveys. We can, however, establish a strong empirical relationship between illegal migration, as evidenced by border apprehensions, and the rise of conservatism in the United States, which is reliably measured on annual basis.

To recap what has been established so far, the shift in the legal auspices of Mexican migration transformed what had been a largely invisible circulation of innocuous legal immigrants guest workers into a yearly and highly visible violation of American sovereignty by undocumented migrants increasingly framed as alien invaders and threatening criminals. Here, we argue that such relentless pro-pagandizing had a powerful effect on public opinion, turning it decidedly conservative not only on issues related to immigration, but with respect to political ideology more generally. Indeed, the rise of illegal migration remains under-appreciated as a factor in the rightward drift of American public opinion.

To demonstrate this connection, we used data from the General Social Survey (GSS) from its inception in 1972 to the present and estimated the effect of the annual number of border apprehensions on the likelihood that a respondent self-identified as a conservative, controlling for individual demographic, social, and economic characteristics as well as the nation's overall economic climate (measured in terms of expected earnings, or the annual probability of employment times average weekly income in 2010 dollars). Here, we use total apprehensions rather than standardized apprehensions (i.e., apprehensions divided by agents), because it is this statistic that is regularly reported in the press and trumpeted by political actors and bureaucratic entrepreneurs to mobilize constituencies and secure power and influence.

As can be seen in Table 1, the annual number of border apprehensions has a very powerful effect on the likelihood that a GSS respondent self-identified as conservative. Raising the number of apprehensions from its minimum to maximum value nearly doubles the odds that a respondent self-identified as a conservative, holding constant a diverse set of background characteristics and the overall economic climate. The GSS only asked detailed questions about attitudes on immigration in 1996 and 2004. In Table 2, therefore, we use data from these 2 years to document the strong association between conservatism and support for exclusionist immigration policies.

We began by developing an index of support for exclusionist immigration policies by combining responses to two items that asked respondents to assess the degree to which they agreed with the statement that "American should exclude illegal immigrants" and whether they felt that "the number of immigrants nowadays should be increased or decreased." The response categories for the former item were as follows: (4) agree strongly; (3) agree; (2) neither agree nor disagree; (1) disagree; and (0) disagree strongly. The responses to the latter item were as follows: (0) increased a lot; (1) increased a little; (2) remain the same; (3) reduced a little; and (4) reduced a lot. When combined, responses to the two items yield a 0–8 scale of support for exclusionist policies. We then estimated an OLS regression predicting the level of support for exclusionist policies from the degree of conservative self-identification, controlling for economic climate and individual demographic, social, and economic characteristics.

As can be seen, other things equal, the more conservative a person is, the more likely he or she is to support restrictionist immigration policies, and the effect is quite powerful. People who self-identify as slightly conservative have a value on the exclusionist index that is 0.40 points greater than those who do not identify as conservative, whereas those who self-identify as extremely conservative have a value that is 0.56 points greater. Both effects are highly significant and persist despite controls for age (which is associated with increased support for exclusion), being white (also increased support), education (decreased support), southern residence (increased support), and residence in large urban areas (decreased support). Other things equal, therefore, conservative and exclusionist sentiments are strongly intertwined.

Enforcement on Autopilot

In a rational world, border enforcement efforts would have stabilized after 1979 when the underlying flow of illegal entries reached a plateau, and it might have declined after 1986 when the Immigration Reform and Control Act gave legal status to around two million formerly illegal Mexican immigrants and dramatically cut unauthorized traffic across the border. Certainly, reason would dictate a cutback in border enforcement as the U.S. economy sputtered after 2001 and then collapsed in 2008 to reduce undocumented migrant and ultimately cause it to reach record low levels. Such rational shifts in policy in response to changing objective circumstances were not to be, however, as border

enforcement increasingly went on auto-pilot during the 1980s and 1990s and was pulled ahead by its own momentum.

The momentum stemmed from a vicious feedback loop wherein rising border apprehensions caused by past restrictive actions heightened the conservative reaction against immigrants, which led, in turn, to more restrictive policy measures, which produced more apprehensions. The end result was a self-feeding cycle whereby rising apprehensions promoted conservatism, which led to more restrictive policies, which led to more apprehensions. Figure 3 presents evidence on the first link in this chain by showing the relationship between the annual number of apprehensions and the percentage of adult Americans who self-identified as conservative. According to the figure, as the number of apprehensions goes from zero to around 1 million per year, the percentage of Americans self-identifying as conservative rises in lockstep before leveling out and reaching an upper asymptote once apprehensions go over the one million mark.

The next link in the chain is illustrated in Fig. 4, which shows the connection between conservatism and the cumulative number of restrictive immigration laws passed from 1965 to the present. The specific pieces of legislation are listed in “Appendix 1,” and the cumulative total of laws is graphed by year in Fig. 5. The scatterplot shown in Fig. 4 reveals the exponential growth in restrictive legislation after the percent conservative reached around 30%. The powerful effect of cumulative restrictive legislation on border enforcement is shown in Fig. 6, which graphs linewatch hours as a function of the cumulative total of restrictive bills enacted by Congress. As can be seen, border enforcement rises at an accelerating rate as anti-immigrant legislation accumulates, ultimately producing an exponential expansion of border enforcement.

The important point to bear in mind here is that this exponential increase did not come as a response to any increase in the underlying volume undocumented migration, but instead arose because of the steady increase in apprehensions themselves, which were actually brought about by heightened enforcement rather than increased traffic and were cynically used by political and bureaucratic entrepreneurs to “prove” that the nation was being “invaded” by “threatening” aliens. In sum, rising border enforcement was not connected to objective conditions on the ground, but to a self-perpetuating enforcement cycle that fed on itself over time. The effect of this feedback loop on the enforcement effort is indicated by Fig. 7, which shows the annual value of the Border Patrol’s budget relative to its value in 1986, when the militarization of the border began. As can be seen, by 1996 the agency’s budget had tripled, and by 2002, it had grown by a factor of nearly ten.

Enforcement on Steroids

The feedback dynamic linking apprehensions to rising border enforcement and spreading conservatism was well established by the mid-1990s and pushed the nation’s enforcement effort forward exponentially despite the fact that illegal migration was actually in decline. As Fig. 7 suggests, however, there were noticeable accelerations in the rate of increase after 1996 and 2001, reflecting a new impetus added to the enforcement feedback cycle added by the War on Terror. The 1993 attack on the World Trade Center and the Oklahoma City bombing in 1995 prompted the passage of the Anti-Terrorism and Effective Death Penalty Act in 1996. Then, upon the heels of the 1998 bombing of the USS Cole in Yemen, the 2000 bombings of the U.S. Embassies in Kenya and Tanzania, and the attacks on the World Trade Center and the Pentagon in 2001, Congress passed the USA PATRIOT Act. These two pieces of legislation had immediate effects on the resources devoted to immigration enforcement.

In addition to accelerating enforcement at the border, these two acts had the additional and novel effect of spurring internal enforcement. Figure 8 shows the number of deportations by year from 1965 to the present. Until passage of the 1996 Anti-Terrorism Act, deportations for decades had hovered in the tens of thousands per year, but immediately thereafter deportations surged to plateau at 150,000 by around 2000. With the passage of the PATRIOT Act in late 2001, deportations of Mexicans once again surged upward exponentially to reach 283,000 in 2009.

Supplementing the effect of these two pieces of legislation was a series of new enforcement operations launched by the Department of Homeland Security. The operations are listed in Appendix 2, and their cumulative number was graphed along with cumulative restrictive legislation back in Fig. 5. The effect of these restrictive policies is documented in Fig. 9, which presents a scatterplot of deportations as a function of the cumulative total of restrictive operations and legislation taken together. Very clearly, enforcement operations proliferated after 1996 and when combined with the cumulative pieces of legislation propelled deportations to new heights in the United States.

Discussion

With the expansion of the Border Patrol to 20,000 officers and a 6-billion-dollar budget allocated to Immigration and Customs Enforcement, the United States has erected a permanent bureaucracy for the persecution of immigrants. It is as if the Deportation Campaigns of the 1930s and Operation Wetback of the 1950s have been permanently institutionalized; in recent years, the federal government has targeted not only unauthorized migrants, but any foreigner present in the United States who is not a U.S. citizen. Immigration and welfare reform laws passed in 1996 barred legal residents from receiving a variety of public entitlements, and the simultaneous passage of the Antiterrorism and Effective Death Penalty Act gave the federal government broad new powers for the “expedited exclusion” of legal immigrants who had ever migrated illegally or ever committed a felony, no matter how long ago. With the passage of the PATRIOT Act in 2001, Congress authorized, for the first time since the Alien and Sedition Act of 1798, the arrest, imprisonment, and deportation of non-citizens without judicial review.

These repressive federal laws were not enough to placate the hysteria cultivated by the Latino threat narrative, however, and recent years have witnessed an unprecedented surge in anti-immigrant measures enacted at the state and local levels (Hopkins 2010). According to the National Council of State Legislatures (2011), state laws related to immigration increased dramatically after 9/11. Although some 200 bills on immigration had been introduced and 38 laws enacted by 2005, this proved to be just the tip of the iceberg, and by 2007, immigration-related legislation had tripled to 1,562 bills introduced and 240 laws passed. By 2009, 23 states had signed cooperative agreements with federal authorities to assist in arresting and detaining undocumented migrants under the 287 (g) program.

At present, of the [12 million Mexicans present in the United States, 6.5 million are present without authorization, meaning that a majority of all Mexican immigrants have no rights whatsoever and are thus exceedingly vulnerable socially and economically as well as politically. On top of these remarkable statistics, Mexican migration has shifted from being a regional phenomenon mainly affecting California, Texas, and Illinois to being a national issue that touches all 50 states and the District of Columbia, with large Mexican populations in places that had never before experienced significant immigration (Massey et al. 2002; Massey and Capoferro 2008).

Despite the rising pressure and growing climate of hostility, however, the undocumented migrants who are already here show no inclination to return to Mexico. Indeed, although the volume of undocumented migration has now slowed to a trickle, the volume of return migration has fallen even further and faster (Massey et al. 2009a; Massey 2011). Mexican immigrants thus find themselves in the difficult situation of being cut off from their homeland by a militarized border while being increasingly marginalized in the United States by rising hostility, official exclusion, and heightened repression from all levels of government. In the absence of a shift in U.S. policies, the only possible outcome for the United States is the creation of a large underclass that is permanently divorced from American society and disenfranchised from its resources, with little hope of upward mobility.

Evidence suggests the process of underclass creation is already underway. Levels of Hispanic residential isolation are increasing (Massey et al. 2009b); Mexican wages have stagnated and fallen behind those of non-Hispanic whites and even blacks (Massey and Gelatt 2010); Hispanic household wealth fell by 66% from 2005 to 2009 (Taylor et al. 2011); and Latino poverty rates have risen steadily to equal those of African Americans (Pew Hispanic Center 2011). On virtually every measure of socioeconomic wellbeing, Hispanics in general and Mexicans in particular have fallen from their historical position in the middle of the American socioeconomic distribution—somewhere between blacks and whites—to a new position at or near the very bottom (Massey 2007).

Perhaps the saddest fact of all is not the decline in the fortunes of Hispanics per se, but that the drop in status was almost entirely an artifact of misplaced U.S. immigration policies. Thus, the illegality among Latinos that has been manufactured by U.S. policies over the past decades constitutes the single largest and most potent barrier to Hispanic socioeconomic mobility and integration in the United States. With huge fractions of Latinos lying outside the protections of the law and even larger shares related to people who lack legal protections, and with most rights stripped away from all non-citizen foreigners, the Hispanic population has never been more vulnerable and its position in America more precarious. Until the burden of illegality is lifted from the shoulders of Latinos in the United States, little other progress—economic, social, or political—will be possible.

Appendix

Appendix 1:

Restrictive immigration legislation enacted by Congress toward Latin American immigrants 1965–2010

1965	Hart-Cellar Act Imposed first-ever annual cap of 120,000 visas for immigrants from Western Hemisphere
1976	Amendments to Immigration and Nationality Act Put Western Hemisphere under preference system and country quotas
1978	Amendments to Immigration and Nationality Act Combined separate hemispheric caps into single worldwide ceiling of 290,000
1980	Refugee Act Abolished refugee preference and reduced worldwide ceiling to 270,000

1986	Immigration Reform and Control Act Criminalized undocumented hiring and authorized expansion of Border Patrol
1990	Amendments to the Immigration and Nationality Act Sought to cap visas going to spouse and children of resident aliens
1996	Antiterrorism and Effective Death Penalty Act Authorized expedited removal of aliens and deportation of aggravated felons
1996	Illegal Immigrant Reform and Immigrant Responsibility Act Increased resources for border enforcement, narrowed criteria for asylum, and increased income threshold required to sponsor immigrants
1996	Personal Responsibility and Work Opportunity Act Declared documented and undocumented migrants ineligible for certain entitlements
1997	Nicaraguan and Central American Relief Act Allowed registered asylum seekers from Central America (mostly Nicaraguans) in the United States for at least 5 years since December 1, 1995, to obtain legal status, but prohibited legalization and order deportation for those who lacked a valid visa or who previously violated U.S. immigration laws (mostly Hondurans, Salvadorans, and Guatemalans)
2001	USA Patriot Act Created Department of Homeland Security, increased funding for surveillance and deportation of foreigners, authorized deportation of aliens without due process
2004	National Intelligence Reform and Terrorism Protection Act Funded new equipment, aircraft, border patrol Agents, immigration investigators, and detention centers for border enforcement
2005	Real ID Act Dramatically increased the data requirements, documentation, and verification procedures for state issuance of driver's licenses
2006	Secure Fence Act Authorized construction of additional fencing, vehicle barriers, checkpoints, lighting and funding for new cameras, satellites, and unmanned drones for border enforcement
2010	Border Security Act Funded hiring 3,000 more Border Patrol Agents and increased BP budget by \$244 million

Appendix 2:

Restrictive enforcement operations launched by the Immigration and Naturalization Service or the Department of Homeland Security 1990–2010

1993	Operation Blockade Border Patrol's (BP) militarization of the El Paso Sector
1994	Operation Gatekeeper BP's militarization of the San Diego Sector

- 1998 Operation Rio Grande
BP program to restrict the movement of migrants across the Texas and New Mexico border with Mexico
- 1999 Operation Safeguard
BP's militarization of the Tucson Sector
- 2003 Operation Endgame
Plan launched by Immigration and Customs Enforcement to detain and deport all removable aliens and "suspected terrorists" living in the United States
- 2004 Operation Frontline
Program launched by Immigration and Customs Enforcement (ICE) to address "vulnerabilities in immigration and trade" by focusing on immigration violators with an "enhanced public safety or national security threat"
- 2004 Arizona Border Control Initiative
Multi-agency effort supporting Homeland Security's anti-terrorism mission through the detection, arrest, and deterrence of all those engaged in cross-border illicit activity
- 2004 Operation Stonegarden
Federal grant program administered through the State Homeland Security Grant Program to provide funding to state and local agencies to improve immigration enforcement
- 2005 Secure Borders Initiative
Comprehensive multi-year plan launched by ICE to secure America's borders and reduce illegal migration
- 2005 Operation Streamline
Program mandating criminal charges for illegal migrants, even first-time offenders
- 2006 Operation Return to Sender
Sweep of illegal immigrants by the ICE to detain those deemed most dangerous, including convicted felons, gang members, and repeat illegal migrants
- 2006 Operation Jump Start
Program authorizing the deployment of United States National Guard troops along the U.S.-Mexico border
- 2007 Secure Communities Program
ICE program to identify and deport criminal aliens arrested state and local authorities
- 2007 Operation Rapid REPAT
Program Remove Eligible Parolees Accepted for Transfer by allowing selected criminal aliens incarcerated in U.S. prisons and jails to accept early release in exchange for voluntarily deportation
- 2008 Operation Scheduled Departure
ICE operation to facilitate the voluntary deportation of 457,000 eligible illegal migrants from selected cities
- 2010 Operation Copper Cactus
Deployment of Arizona National Guard troops to assist Border Patrol in apprehension of illegal migrants
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<http://pewhispanic.org/reports/report.php?ReportID=145>

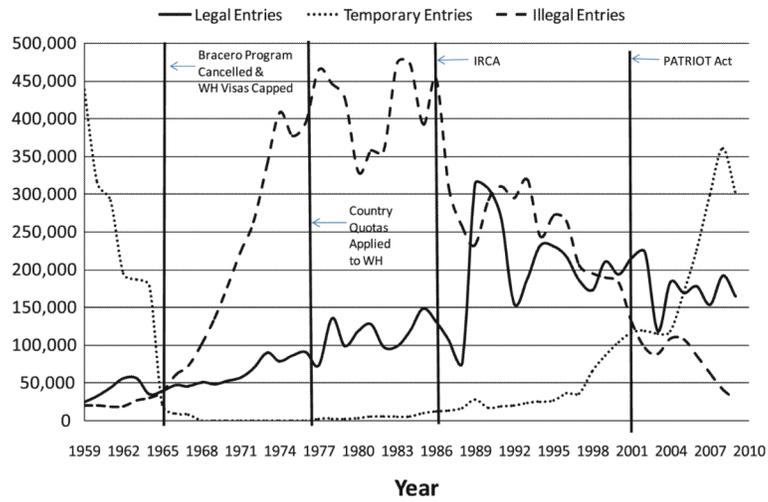


Fig. 1. Mexican migration to the United States in three legal categories

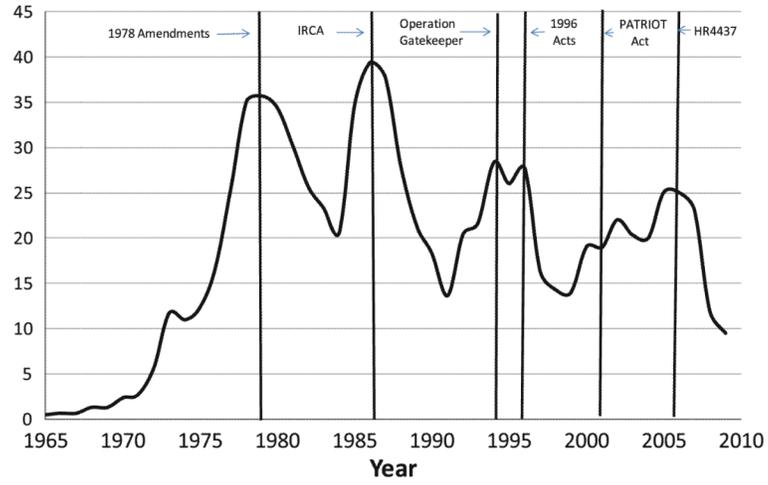


Fig. 2. Mentions of Mexican immigration as a crisis, flood, or invasion in leading U.S. newspapers: three-year moving average

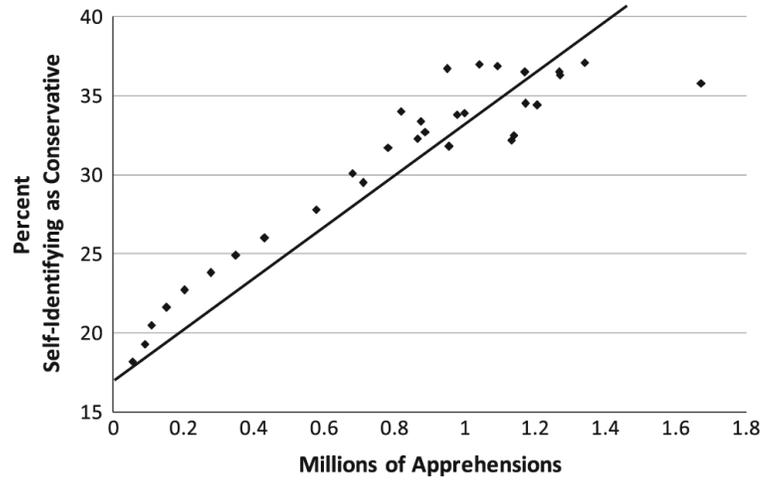


Fig. 3. Scatterplot showing effect of apprehensions on conservatism 1965–1995

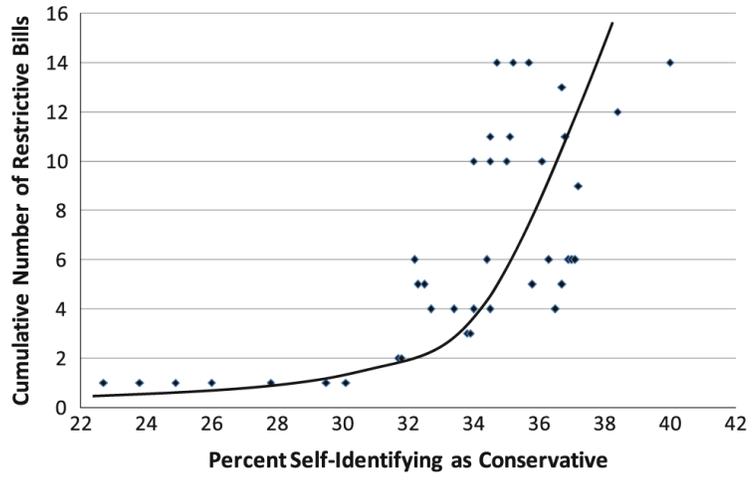


Fig. 4. Scatterplot showing effect of percent conservative on cumulative restrictive legislation 1969–2009

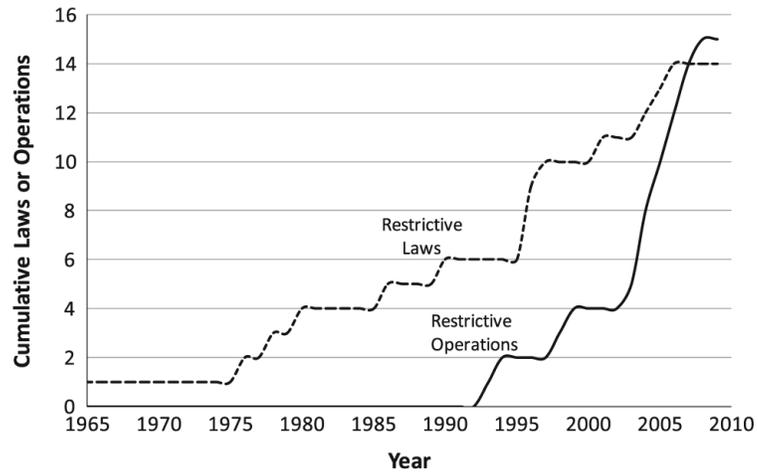


Fig. 5. Cumulative number of restrictive immigration laws enacted and restrictive enforcement operations launched

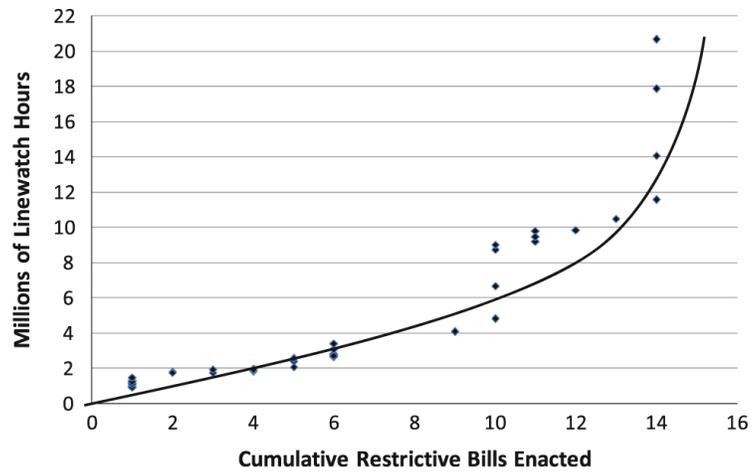


Fig. 6. Scatterplot showing effect of cumulative restrictive legislation on linewatch hours along the Mexico-U.S. border

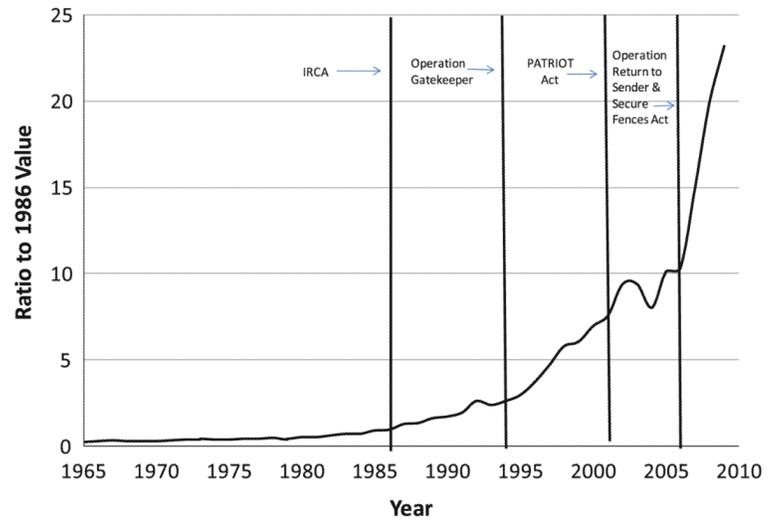


Fig. 7.
Size of the Border Patrol's budget relative to its value in 1986

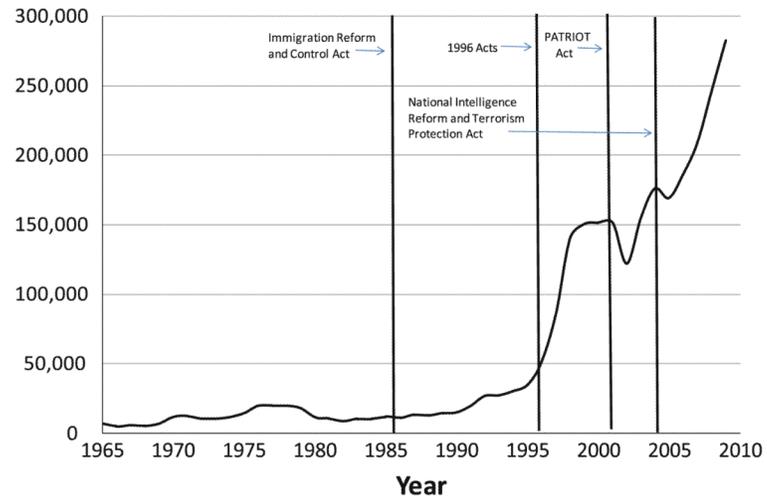


Fig. 8.
Number of Mexicans deported from the United States

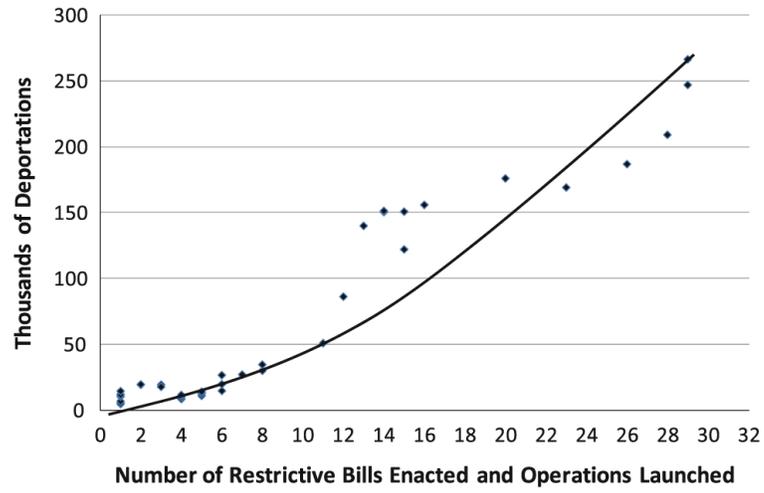


Fig. 9. Scatterplot showing relationship between restrictive legislation and operations, and deportations of Mexicans

Table 1

Logistic regression equation showing the effects of selected variables on the probability of self-identifying as conservative in the General Social Survey 1972–2009

Independent variables	Outcome: identified conservative	
	B	SE
Demographic background		
Age	0.0113**	0.0035
Age-squared	0.0000	0.0000
Female	-0.1818***	0.0215
White	0.3532***	0.0287
U.S. born	0.0139	0.0289
Currently married	0.2479***	0.0214
No. of minors in household	0.0552***	0.0094
Socioeconomic background		
Education	0.0329***	0.0037
Income	0.0021***	0.0003
Skilled occupation	–	–
Professional occupation	-0.0422	0.0273
Service occupation	0.0269	0.0250
Farm occupation	0.0365	0.0676
U.S. region		
West	–	–
Northeast	-0.2168***	0.0323
Midwest	-0.0218	0.0295
South	0.1734***	0.0279
Level of urbanism		
Rural	–	–
Small city	-0.0078	0.0240
Medium city	-0.1140***	0.0309
Large city	-0.2395***	0.0412
U.S. economic context		
Expected earnings	-0.0027***	0.0004
U.S. policy context		
Mexican apprehensions	0.1680***	0.0315
Log likelihood	1263.2685	
Wald chi-square	1189.8908***	
Total number of observations	51,981	

* $p < .10$

** $p < .05$

 $p < .001$

Table 2

OLS regression showing the effect of selected variables on support for restrictive immigration policies in the General Social Survey in 1996 and 2004

Independent variables	Outcome: support for restrictive policie	
	B	SE
Demographic background		
Age	0.0351 **	0.0138
Age-squared	-0.0002 *	0.0001
Female	-0.1113	0.0918
White	0.5176 **	0.1597
Currently married	0.2474 **	0.1094
No. of minors in household	-0.0150	0.0403
Socioeconomic background		
Education	-0.0793 ***	0.0183
Income (×1000)	-0.0016	0.0013
Skilled occupation	-	-
Professional occupation	-0.1017	0.0885
Service occupation	0.0235	0.0852
Farm occupation	-0.0526	0.3130
U.S. region		
West	-	-
Northeast	0.1012	0.1512
Midwest	0.1187	0.0982
South	0.2608 **	0.1062
Size of city		
Rural	-	-
Small city	-0.1302	0.1056
Medium city	-0.1258	0.0784
Large city	-0.3992 **	0.1667
Political identification		
Identified as not conservative	-	-
Identified as slightly conservative	0.3959 ***	0.1018
Identified as extremely conservative	0.5572 **	0.1520
Adjusted R-squared	0.037	
FTest	11.47 ***	
Total number of observations	5,194	

* $p < .10$

** $p < .05$

*** $p < .001$