

# **Managing and Mismanaging Migration**

## *An Introduction*

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On March 9, 2007, six welders from India employed at a Pascagoula, Mississippi, company that overhauls offshore oil rigs were fired and imprisoned for forty-eight hours in the TV room of their dormitory, ostensibly for threatening to incite fellow Indian workers to protest the company's recruitment practices, labor relations, and worker housing. More than half a century earlier, on January 22, 1954, crowds of Mexican men gathered at the border town of Mexicali, hoping to be legalized as agricultural workers in the United States after US employers and the immigration service announced plans to recruit Mexican labor at the border. Blocked by the Mexican police, the men dodged wherever they could to cross the border, aided by the US Border Patrol; in some cases, prospective Mexican workers ended up as human ropes in tugs-of-war between Mexican and US authorities. In August 1992, a Florida state judge ruled that South Florida's sugar producers had underpaid Caribbean sugar workers for several years, ordering the companies to pay each sugarcane cutter between \$1,000 and \$1,500 per year in back wages. During the summer of 2009, a Mexican woman contracted to pick meat from blue crabs in North Carolina, after weeks of practically no work, due to a shortage of crabs, visited a friend in a nearby city. During the visit, she was hired by a labor contractor to work for two weeks, illegally, painting condominiums in Myrtle Beach,

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South Carolina. Following the end of her contract, instead of returning to Mexico, she remained, still illegally, in the United States. In Toronto, Canada, on Father's Day 2010, the United Food and Commercial Workers sponsored a forum to call attention to the plight of temporary workers from the Caribbean and Mexico who live and work in Canada for months on end without their families.

Each of these incidents occurred because a nation-state—either the United States or Canada—developed an alternative to human trafficking and unregulated labor migration across international boundaries. This alternative is commonly known as managed migration. Called other names—such as guestworker, temporary worker, or temporary visa programs—managed migration involves arranging, legally, for the immigration of foreign nationals into domestic labor markets to perform designated economic services—most commonly, seasonal work in economic sectors like agriculture and food processing. The above examples constitute a fraction of the locations and jobs in which guestworkers work, but they highlight some of the more persistent problems that plague guestworker programs: excessive labor control, persistent wage theft, the contradictory roles of sending and receiving governments, guestworkers becoming undocumented, and the separation from children that is required of most guestworkers. Abuse of guestworkers is particularly common when they are recruited for perceived emergency circumstances or enter economies during periods of unique social or environmental circumstances—following declarations of war, for example, or after a natural disaster—and the conditions they face reflect exceptional labor market developments. Yet, over time, even as labor market conditions change, guestworkers often become a preferred labor force, colonizing specific industries and occupations in ways that effectively bar citizen workers from domestic jobs.

“There is nothing so permanent as a temporary worker,” observers of guestworker programs quip, yet guestworker programs and the numbers of guestworkers entering North American labor markets have fluctuated significantly over time. These fluctuations may be because of changing federal positions toward managed migration as much as shifting labor markets, economics, and politics. The best-known North American guestworker program, the *bracero* program, ran for more than two decades and brought millions of Mexicans to work on US farms, but it was abolished in the mid-1960s because of social movements, shifting political sentiments, and the increasingly elaborate methods of farm labor contracting. Another large-scale guestworker presence in US farm labor, in the Florida sugar industry, succumbed to the legal challenges mentioned above and mechanized

sugar harvests after half a century of bringing to South Florida, annually, 8,000 to 15,000 West Indian men.

Yet, today, managed migration is growing across North America (the focus of this volume) and around the world, and the current volume represents a baseline of North American managed migration practices at the dawn of this expansion. An increasing number and variety of North American employers and an increasing number of sending states are becoming interested in or are experimenting with managed migration, allowing employers of guestworkers access to a wider variety of types of migrants—women and men from different national, cultural, and social backgrounds. Hahamovitch (chapter 1, this volume; 2011) considers this a kind of “global shape-up,” referring to an international labor market designed to recruit and deploy labor swiftly, pitting workers from many nations against one another and leading, over time, to wages falling to levels that only the poorest are willing to accept.

The growth of managed migration may reflect the general growth of migration from poorer to richer countries occurring around the world, with upward of 200 million people now living outside their natal country. Faced with this phenomenon, managed migration offers nation-states a method of regulating those population movements, directing foreign nationals to specific, identified economic sectors that citizens are less likely to care about, matching employers who claim labor shortages with workers who are highly motivated to work, and offering people from poorer countries the opportunities of higher earnings abroad through temporary absence from their families and homelands. Characterized like this, managed migration sounds like the ideal alternative to unregulated, undocumented migration, which too often results in families separated for years at a time, in wage theft and other abuses, in interior bordering and anti-immigrant sentiments, in increased state expenditures for border patrols and immigration enforcement, and in the orphaning of immigrants’ children when their parents are deported.

Unfortunately, as the examples above suggest and the chapters in this volume demonstrate more comprehensively, managed migration does not usually work on the ground as well as it does on paper. Wage theft, excessive labor control, sexual and physical abuse, bribes and kickbacks to labor recruiters and contractors, and broken promises of work guarantees are a few of the problems that plague guestworker-dominated labor markets. At the same time, cases have been documented (e.g., Bump, Goździak, and Lowell, chapter 8, this volume) of guestworker labor forces seeming to function to the mutual (if imbalanced) benefit of employers and workers over long time periods.

Although organized, instituted, and legitimized by nation-states, the actual day-to-day and season-to-season management of guestworkers and guestworker programs usually falls to the employers of the migrants or to their representatives—growers associations, labor contractors, small-scale recruiters, employer-contractor partnerships, and the like. Organizations and individuals from these backgrounds often actively oppose state oversight, characterizing it as a regulatory burden or bureaucratic nightmare, and vehemently oppose efforts to unionize guestworkers or provide them with any means to bargain collectively or negotiate for higher wages, improved working conditions, or other workplace changes that would result in safer or more humane work experiences. Only in isolated cases (Preibisch, chapter 4, this volume) have labor unions begun making inroads into organizing guestworkers, and these have come at great cost, including the death of labor organizer Santiago Rafael Cruz. Cruz worked for the Farm Labor Organizing Committee (FLOC), which in 2004 was successful in organizing North Carolina cucumber guestworkers with H-2A visas; during the campaign, Cruz was found bound and beaten to death in the FLOC office in Monterrey, Mexico, next door to the US consulate (Griffith 2009b). Even when the state plays an active role in managing migration, as in the Canadian Seasonal Agricultural Worker Program, the tendency over time has been for state agents to transfer management responsibilities from public to private control. The changing players and economic interests involved in different phases of guestworker programs—their formation, maintenance, and oversight—often result in contradictory roles of the state in managing migration and in uneven consequences for different regions, industries, and workers' lives.

The contradictions, discussed more thoroughly below, occur at and between many levels. Internationally, even states with government-to-government agreements may have differing expectations and interests in managing migration. Sending states' representatives may desire certain wage levels, work guarantees, and protections from occupational injury and abuse for their citizens, yet receiving states' representatives are reluctant to promise such provisions. Within the sending and receiving states, federal and local interests may clash regarding recruitment of workers, enforcement of protections, methods of establishing wage rates, worker transportation and housing, or other factors. In terms of labor-management relations, rarely are the interests of guestworkers and those of employers and their representatives the same, however much both are involved in joint production processes that generate income they share. Divergent interests derive from a variety of sources, including different national, ethnic, and gender

backgrounds, but ultimately become complicated by different social class backgrounds and the vastly different relationships to political-economic power associated with class.

Although some guestworkers are highly skilled individuals, recruited for talents ranging from superior intelligence to athletic prowess to artistic virtuosity, the majority of guestworkers are recruited into the lower-paid and lower-skilled segments of labor markets—in far lower classes than the employers who hire them. Originally used in agricultural harvests in the United States and Canada, today guestworkers are imported into North American labor markets as seafood workers, fast food counter and kitchen help, chambermaids, shepherds, mates on shrimping vessels, race horse stable attendants, and other low-wage workers. The roots of managed migration in agriculture are notable, however, in that agricultural labor practices often become models for other sectors of the economy. Faced with the difficulties of attracting labor to work that is seasonal, sporadic, variable from year to year, and regularly interrupted by inclement weather, US and Canadian farmers and agricultural companies have had to pioneer innovative methods of recruiting and retaining workers. Added to these challenges is the desire to release workers from service as soon as the harvest or processing season ends, without having to compensate them during the off-season. These conditions have underwritten the development of a multilayered, socially and culturally complex workforce of which guestworkers form a small, significant, and growing part. Indeed, one of the questions addressed in this volume is how relatively small numbers of guestworkers influence far larger numbers of both immigrant and native workers.

With the demographic and economic changes that occurred across North America in the century following the US Civil War, resulting in fewer but larger farms and fewer people directly employed in agriculture, the exodus of former slave labor from rural areas meant that agricultural labor markets began relying more on non-slave workers who were disadvantaged because of ethnic origins or legal status, marginal to the labor force, sifted into labor markets through social networks linking labor contractors to specific immigrant and ethnic populations, or working under sharecropping or tenant farming arrangements. At various times and in various locations across North America, farmers have used as farmworkers prisoners of war and prisoners out on work release, convict leasing, child labor, high school students on summer break, drifters, casual workers, the mentally challenged, and, of course, legal and undocumented immigrants. Most people who work in agriculture do so only for a brief part of their lives, moving on to less seasonal, more highly paid, and less dangerous jobs as

quickly as they can. This has led observers such as Philip Martin (chapter 2, this volume) to characterize the seasonal farm labor market as a “revolving door,” as a labor market that workers move through rather than stay in. This metaphor is significant. Others have characterized workers in agriculture and similar occupations as “disposable” (Stull, Broadway, and Griffith 1995), implying that these industries, which are often hazardous, burn through workforces after a few seasons, disposing of workers after injuring them. The high turnover rates in agriculture, food processing, and similar employment sectors have led employers in these sectors to use political, technical, social, cultural, and physical mechanisms to secure labor that is—in addition to productive—captive and hence reliable.

The characteristics of farm and related labor markets have been critical to the argument that temporary foreign workers are needed to stabilize workforces that fluctuate seasonally and from year to year, generally shrink during periods of economic expansion, and suffer from instability in other ways. As part of the increasing erosion of job security in capitalist economies as contracts between workers and employers become less binding and shorter term, several features of farm labor processes have become more common in other sectors of the economy. Temporary, insecure, and seasonal work environments, in and out of agriculture, are predisposed to receive immigrant workers, including guestworkers. Three processes influencing North American labor markets seem particularly relevant to the growing interest in managed migration among employers, politicians, and potential sending nation-states. Together, they act as three pillars of a theory of key factors leading to or encouraging managed migration: (1) the growing use of temporary, contingent, and subcontracted workers and contract production in North American economies; (2) the contradictory state positions toward labor unions and other worker rights initiatives and toward employers, fluctuating within political regimes and from one regime to the next; and (3) the increasing influence and penetration of global political and economic processes into local production settings in North America and around the world. The three processes are related to one another in dynamic ways and have led to a fourth phenomenon: an increasing number of nation-states are interested in supplying guestworkers to US and Canadian labor markets, as well as to the labor markets of other powerful economies. We deal with each of these below.

### **TEMPS, CONTRACTS, AND MICROMANAGED MIGRANTS**

The use of temporary workers in agriculture, recruited and supervised by labor contractors, has a long history, dating at least to the abolition

of slavery around the world and in some settings much earlier, and the practice has had multiple benefits and drawbacks nearly everywhere it has become institutionalized. At its most basic, labor contracting involves recruiting workers for specific, usually temporary tasks, with labor contractors negotiating with employers such things as wage and piece rates, payment systems, and working conditions. Yet, labor contracting can also involve transporting, housing, and feeding workers; providing cultural and linguistic brokerage services; and developing relations of credit and debt between labor contractors and crew members for services such as filing visa applications or for provision of transportation, loans, and goods such as food, drugs, alcohol, and equipment needed for work.

These are the more concrete dimensions of the growth in labor contracting, but it also raises issues related to labor and migration policies in sending and receiving nations, the degrees of formality or informality of agreements and contracts, and the role of reproductive labor in labor markets. In the Canadian Seasonal Agricultural Worker Program (SAWP), for example, government-to-government agreements have provided some degree of oversight regarding how workers in Mexico and the West Indies are recruited to work in Canadian agriculture, although the Canadian state has been phasing back on this oversight in the past few years. Similarly, once the workers are in Canada, liaison officers in the consulates of guestworker-sending states can respond to worker complaints or employer contract violations, guaranteeing some (albeit limited) protection against exploitation and abuse.

In the US H-2A (agricultural) labor markets, however, recruitment has been privatized, with partnerships between labor-contracting organizations in the United States and in the sending states creating several layers of social relationships between workers and employers that reach deeply through Mexico, the West Indies, and Central America and create opportunities for exploitation and abuse at various social locations in the networks (e.g., between local recruiters and workers, between recruiters and employers, and between supervisors and workers). These conditions are by no means uniform across guestworker settings but vary from one recruiter to another, across employers, and between H-2A and H-2B (non-agricultural) labor markets. Most seafood-processing workers arriving with H-2B visas, for example, have been recruited through their home community, family, and friendship networks rather than through state offices or large labor-contracting companies (Griffith 2006; Griffith and Contreras, chapter 6, this volume). Although conditions for abuse remain, these workers enjoy some protections because they and their families interact with the family

members of the contractors in their home communities, where they may be able to exert peer pressure when abuses occur. By contrast, large labor contractors in the shipbuilding industry have been responsible for wage theft and other abuses of H-2B workers along the US Gulf Coast (Austin, chapter 5, this volume).

Behind these examples are a growing number of private labor-contracting firms and the tendency for states to delegate more and more recruiting, labor contracting, and managed migration oversight to private hands. Today in the Canadian SAWP, the federal and provincial governments have been attempting to transfer the responsibilities for recruiting and managing migration from public to private sectors, in line with global neoliberal trends that have shaved away the state's responsibility for its citizens, making work more precarious for many groups of workers but especially for guestworkers (Preibisch, chapter 4, this volume). Liaison officers who might have formerly advocated for workers, however weakly, are becoming increasingly obsolete. This is occurring along with the dismantling of state programs designed to protect workers' rights in agricultural labor markets and other economic sectors that have relied heavily on immigrant labor, including guestworkers. With the dismantling of state protections, increasing privatization of the management of guestworker programs, and decreasing job security, limiting guestworkers' and other low-wage workers' employment prospects, labor unions and others, including churches and NGOs, have stepped forward to advocate on labor's behalf, working with guestworkers in both sending and receiving countries. As the murder of Santiago Rafael Cruz made clear, this advocacy can be daunting, especially when organizers' efforts threaten the continued ability of labor recruiters and contractors in sending countries to sell access to managed migration opportunities.

How these processes play out is best understood through specific cases, given that local circumstances and specific commodity production regimes influence the management of migrant labor as well as related political-economic factors, such as markets, regulatory environments, and community involvement. To illustrate the contradictions in state processes as nation-states both withdraw from industry support and continue providing foreign, temporary, and reliable labor, below we profile the US tobacco industry and fishing and seafood industries. Both industries have used guestworkers since the late 1980s, after the Immigration Reform and Control Act (IRCA) of 1986 expanded opportunities for employers and their associations to import temporary foreign workers using H-2A (agricultural) and H-2B (non-agricultural) visas. Even as they have expanded their use of foreign labor, however, both industries have been experiencing decline.



**CONTRACTION AND EXPANSION OF THE STATE  
PRESENCE IN US TOBACCO PRODUCTION**

In the United States, tobacco was protected by an allotment and price support system from the 1930s to 2004—what one tobacco farmer called “the longest running drug cartel in history” (Griffith 2009a). Guaranteeing prices to tobacco farmers, strictly controlling production amounts, dictating the regional distribution of tobacco varieties, and instituting other controls on the economics of tobacco production, the tobacco program allowed many small farmers to remain in business with relatively small acreages. The degree of government control over production stifled capital concentration in tobacco and made the concomitant displacement of small farmers by large farmers difficult. At the same time, collectively, tobacco farmers became one of the agricultural producer groups most commonly using guestworkers during the period immediately following the passage of the IRCA, when a growers association began marketing the program across tobacco-growing regions. Like the Florida Fruit and Vegetable Association (Hahamovitch 2011) or the Frederick County Fruit Growers Association (Bump, Goździak, and Lowell, chapter 8, this volume), the North Carolina Growers Association (NCGA) became a large labor contractor. Much of the tobacco H-2A labor force was hired by means of the NCGA and labor contractor called Del Al Associates. Del Al recruited workers in Mexico, and the NCGA, along with marketing the program (in part, by spreading fear that farmers hiring undocumented workers would experience workplace raids), handled government paperwork requirements, recruited growers, distributed incoming workers from processing centers to tobacco and other farmers in the southeastern United States, moved guestworkers among farms and crops, and handled employer complaints about workers (usually by deporting and blacklisting any workers causing problems).

From the late 1980s to 2004, therefore, two state developments—the first focused on tobacco prices and production and the second on labor—supported the production of a commodity that many (including many courts of law) view as detrimental to society. In 2004, the longest running of the two supports—the allotment and price support program—succumbed to pressure from tobacco companies like Philip Morris and Universal Leaf, and tobacco marketing through auctions was replaced with contract production arrangements between tobacco companies and eligible tobacco farmers. Production contracts in tobacco now replicate those in the hog and poultry industries, in which “integrators” like Purdue, Butterball, Smithfield, and Hormel contract with individual farmers to raise chickens, turkeys, and hogs according to standardized industry specifications. The

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withdrawal of the US government from the field of tobacco production has resulted in an accelerated process of structural change in tobacco similar to that which occurred over the twentieth century in agriculture in general: fewer tobacco farms now exist than prior to 2004, but those still producing tobacco tend to be larger than before.

The remaining state presence in tobacco, involving the management of the H-2A labor force, tends to be relatively tame: the NCGA files the same paperwork year in, year out, without any appreciable interaction with the federal and state agencies that exercise oversight over wage rates, working conditions, housing, and other parts of the contracts. As has been the experience of other growers associations that function as labor contractors, the state does not exercise much oversight of tobacco labor contractors' activities. The Florida Fruit and Vegetable Association managed the migration of Jamaicans during the sugar program, and the New England Apple Council and the Frederick County Fruit Growers handled Jamaican labor contracting after the sugar season ended. None of these organizations was heavily regulated, and, occasionally, their actions were challenged by worker advocates like Farmworker Justice, the Southern Poverty Law Center, FLOC, or Oxfam America.

Increasingly, in Canada, the provincial governments give free rein to labor contractors who import guestworkers, their representatives arguing that things have evolved to the point where governments do not want to be involved in that level of detail, do not want to be concerned with the nitty-gritty. The model of privatization is preferred to a managed model, with its memorandums of understanding and legal arrangements (Preibisch, chapter 4, this volume).

**INCREASING INSTABILITY IN US FISHERIES**

In the US seafood and fishing industries, the state's presence has been complex, with periods of state support of fisheries through research to improve technologies for catching fish or handling seafood interspersed among periods of increased regulatory measures that have reallocated fishing stocks, restricted fishing practices, closed waters to fishing temporarily or permanently, and protected species of fish and other marine life, such as sea turtles or whales, to a degree that has disrupted commercial fishing. The complex state intervention in fisheries has been accompanied by an increase in low-cost imported and farm-raised fish and shellfish and by increased coastal gentrification, with working waterfronts being replaced by pleasure craft marinas, yacht basins, restaurants, resorts, and other facilities oriented toward recreation and leisure.

These developments have combined to make commercial fishing livelihoods more temporary, sporadic, and irregular—along with constricting the US fishing fleet in general—resulting in fluctuating supplies of fish and shellfish to the seafood-processing and marketing sectors. For the seafood processors that have remained in business, the increased irregularity of supply of raw materials has led them to supplement domestic seafood supplies with imports or farm-raised products, phase back on business, rely more heavily on workers who can be marshaled at a moment's notice yet who can remain idle for long periods without work, or combine these strategies. Griffith and Contreras (chapter 6, this volume) found that the few remaining blue crab processors along the mid-Atlantic coast have been able to stay in business primarily due to access to H-2B workers from Mexico—a labor force that can spend many weeks idly in labor camps if supplies of crab fail to materialize.

Tobacco and fisheries are industries that, in decline for the past few decades, have relied on guestworkers as they face ever-greater uncertainty. Their conditions suggest that immigrant labor may compensate partially for a market sector's uncertainty and instability and that, conversely, without such a readily available, captive labor force, neither tobacco nor fisheries would survive as currently constituted. In other words, if market mechanisms were allowed to function without government intervention in tobacco and fisheries, these industries might well not survive. Low-cost or highly productive immigrant labor often functions to support enterprises that, without access to such labor, would either have to change their production methods—say, mechanize operations, as some industries have done (Martin, chapter 2, this volume)—or go out of business.

### **THE CONTRADICTIONARY ROLE OF THE STATE**

The labor market distortions that often result from the use of immigrant labor, in general, and guestworkers, specifically, underscore a central contradiction of the state's role in regulating a nation's labor supply with guestworkers. As states around the world move to support more free market, neoliberal policies, the deterioration in the conditions of work has encouraged industries to appeal for labor market interventions that reduce workers' access to the labor market. Many writers have emphasized the captive nature of guestworkers, who are legally confined by their contracts to work for individual employers. Preibisch and Encalada Grez argue that the "availability of migrant labor, regardless of the mechanism under which it is made available, has resulted in labor market distortions and the structural dependence of growers on migrants, particularly as farmwork becomes

socially constructed as undesirable through the persistence of low wages and poor working conditions” (2010:289). Similar observations could be made of most low-wage labor markets, especially those for seasonal employment, as North American governments at all levels phase back protections for low-wage workers.

The state’s contradictory positions toward guestworker programs are not restricted to promoting free market mechanisms and expanding access to captive labor at the same time. Mexican and Caribbean liaison officers and consulate officials in Canada and the United States, supposedly in place to advocate on behalf of workers, routinely engage in disciplining workers from their home countries on behalf of foreign employers, primarily to ensure the workers’ continued participation in managed migration. This derives from the power disparities that exist between the sending and receiving countries, emphasizing the ever-present possibility that employers will dismiss workers from one nation only to replace them with foreign nationals from another.

States receiving managed migrants often adopt policies and enforce or ignore regulatory measures that at once encourage and discourage employers from seeking guestworkers. Some US employers of H-2A and H-2B workers, for example, have been able to access foreign nationals by certifying to the US Department of Labor that no domestic laborers are available—completing what are called “clearance orders”—yet they have been sued by rural legal aid organizations funded by the US government: first, for importing foreign nationals when, legal aid attorneys claim, domestic workers were available for those jobs, and, second, for the abuse of foreign nationals in those jobs. In Canada, although binational agreements with countries supplying guestworkers to Canada are negotiated at the federal level, provincial ministers of labor are responsible for monitoring the use of managed migrants, a situation that often renders binational agreements irrelevant to employment conditions, housing, or occupational health. Similarly, the enforcement of housing, wage, and other provisions of H-2 contracts are left up to a combination of federal and local authorities in the United States, with the federal government enforcing the Migrant and Seasonal Agricultural Worker Protection Act and the local authorities inspecting housing, resulting, as in Canada, in a hodgepodge of government oversight behaviors that vary according to the sympathies and budgets of local inspectors. This is not unique to employers of guestworkers, however, but characterizes the conditions facing many low-wage, seasonal workers.

Contradictory policy initiatives have always swirled around debates over immigration, including managed migration. The trade-offs between

humanitarian and economic immigration policies have been at the core of immigration debates at least for several decades, challenging both labor advocates interested in protecting workers' rights and friends of capital who want streamlined programs unburdened by bureaucratic oversight. In this volume, US policy positions discussed by Martin (chapter 2) and by Hahamovitch (chapter 1) and Canadian policy positions discussed by Preibisch (chapter 4) and by Smart (chapter 3) show that the questions surrounding managed migration reach right and left across the political spectrum and engage advocates and critics from all walks of life.

The contradictory roles of states in guestworker programs and policies surely have contributed to the tendency for guestworker programs to expand and contract over time. Some of this, of course, has been due to shifts in the balance of power between labor and capital, but developments in specific regions and labor markets also have swung employers toward and away from using guestworkers. Threats of enforcement of immigration law in their neighborhood often prod employers of undocumented immigrants toward managed migration, for example. Conversely, crises such as the 2008 financial debacle, which resulted in increased numbers of workers displaced from construction, have encouraged some former employers of H-2 workers to replace H-2 workers with the displaced. Managed migration, in other words, does not occur in a social or historical vacuum but is much influenced by the political economy of the day.

### **POLITICAL ECONOMY, THE RISE IN LABOR-SUPPLYING STATES, AND THE GLOBAL PENETRATION OF NORTH AMERICAN LABOR MARKETS AND COMMUNITIES**

Political-economic developments are part of global realities, affecting both the households and communities that supply migrants to international labor markets and the industries that rely on migration to meet their labor needs. The economic and political developments that have altered sending states' political and economic systems range from civil war and debt restructuring to microfinancing and fair trade initiatives, the crises often pushing people into labor markets as wage workers and toward the economic alternatives attempting to create opportunities for people to stay in their home regions. For those displaced from peasant and other small-scale, home-based production systems, the push into domestic rather than international labor markets is far more apt to occur. Many more people work as wage laborers within their home countries than join international labor migrations. The estimated 12 million undocumented immigrants in the United States, for example, constitute about 11 percent of Mexico's estimated

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population of 109 million, and the undocumented hail from many more countries than just Mexico.

Yet, the lack of economic and political initiatives to provide viable livelihoods in sending states has created a climate in which working for wages in factories or factory-like regimes has become the economic alternative of necessity or choice for the majority of the world's peoples. Through this process, they become available for international labor migration, acquiring the workplace discipline required of most capitalist production regimes. Social scientists have written extensively on how people, over time, learn to perform difficult labor and evolve, with their fellow laborers, into working classes, considering it legitimate and just (or at least common) for people to submit to production regimes in which they are paid wages or piece rates for their work. In many parts of the world, wages (or money) as the object or goal of one's work have been a rare and recent phenomenon; most of the world's peoples for most of human history worked not to earn wages but to raise crops and livestock, build shelters and tools, mine minerals, and apply their talents to other useful goods and services, relegating money not to a goal in and of itself but to a medium of exchange and measurement. In Sinaloa, Mexico, Griffith and Contreras (chapter 6, this volume) found that women who want to migrate into the US mid-Atlantic states to pick crab meat must first gain skill in seafood handling in similar crab plants in Sinaloa, learning not only how to pick blue crab meat but also about the many procedures and practices of factory food production: schedules, equipment needs, food safety guidelines, payment systems, supervision, and the like.

Once they are part of the wage labor forces, workers in poor countries begin to hope for improvements in life chances through higher pay and better working conditions, and it does not take long for them to turn their gaze abroad. They learn of wages easily five to ten times higher in wealthy countries than they could, under current conditions, earn at home. Remittances from relatives working abroad further confirm this, as does the tendency for returning migrants to use their overseas earnings to build houses and otherwise conspicuously display their success. The desire for overseas employment is particularly powerful if other paths toward higher-paying and more fulfilling employment, such as education or apprenticeship programs, fail to yield better positions or recede further from reach due to their cost. As opportunities for education and highly paid, skilled positions constrict in poor countries and as the possibility of earning a decent living from independent production or self-employment shrinks, more and more people see their future tied to access to higher-paying jobs far from home.

The increased interest in overseas jobs among people in poor countries has had several consequences in sending and receiving states and in the political-economic geographies that link them—especially the elaborate migration industry of labor smugglers, recruitment companies, and transportation and communication services and the growth of transnational communities. First, in sending states, more and more people are considering migration as a principal path toward improving their life chances, leading to increased emigration and the growth of a migration-facilitating social infrastructure, such as networks of labor recruiters and contractors linked to employer associations. Bump, Goździak, and Lowell (chapter 8, this volume) show how the Frederick County Fruit Growers, an association of apple producers in Virginia's Shenandoah Valley, has developed a managed migrant labor force, a large labor camp, and long experience with the government paperwork required to import Jamaicans; access to this workforce has given many apple growers in the region a buffer against international competition, particularly from China. Second, migration from poorer countries leads to migration to other, usually richer countries and to those intermediate locations and social spaces along migration pathways. Such demographic movements create further demand for the social and physical infrastructures that people rely on to migrate, from transportation and communication networks to official documents to unwritten agreements between labor recruiters and migrants about debts, collateral, and repayment schedules—often particularly nagging aspects of the managed migration experience. In labor-receiving countries, these increased population flows have led to growing immigrant communities whose members occasionally come from managed migration backgrounds. In eastern North Carolina, for example, several Latina-owned businesses—part of a growing number that have revitalized small town downtowns and blighted areas in larger cities—were founded by former guestworkers who either dropped out of managed migration illegally or married local men and settled in or near the small rural communities where they were formerly crab pickers (Griffith 2006).

As immigrant communities grow and become more settled, immigrants begin enrolling students in school, joining and establishing churches, founding businesses, and engaging in the civic life of small towns and large cities, becoming more and more politically active. Leaders emerge, some from the ranks of guestworkers, developing bases for challenging local institutions, employers, and other sources of power that too often violate or fail to protect immigrants' human rights. The profile of the life of Juvencio Rocha Peralta (chapter 9, this volume) in North Carolina shows how leadership

can emerge from humble and modest roots to join in transnational activism for immigrants' rights while not losing sight of the local, grassroots base. As immigrant communities mature, guestworkers have more and more opportunities to find work outside their contracts, learn local transportation systems, access new networks, reconstitute families, and, eventually, settle permanently or for long time periods in receiving nations.

Such developments inevitably pose problems for those policy makers who view managed migration as a preferred alternative to undocumented immigration—in part, because of its tendency to avoid the many perceived problems that attend a growing immigrant population. These perceived problems have led to local and state initiatives restricting immigrants' movements and rights in order to appease those who oppose immigration, whether that opposition is due to racism, xenophobia, or concern over the prospect of immigrants taking US citizens' jobs, draining social services funds, or importing poverty, violence, and crime. Yet, guestworker programs offer viable solutions to the problems associated with undocumented migration only if the guestworkers themselves comply with the terms of their contracts: to live for months every year without their families, return home at their contract period's end, and, while in the host country, perform only the services specified in their contracts. Canada's SAWP is often cited as a model program specifically because most guestworkers return home at the end of the season, yet the program is slowly being overtaken by a less highly regulated temporary worker program, in which employers can shop the world for low-wage workers. Will this result in more guestworker settlement or less? What do such trends tell us about managed migration? Is it possible to design a managed migration program that is just, equitable, efficient, and palatable to forces opposed to and in favor of immigration? And what relations are likely to exist between managed migration and other forms of migration from poorer to wealthier nations, between managed migrants and the undocumented, or between the citizens of sending and receiving states and the guestworkers whose status, for a portion of their lives, seems lodged somewhere in between?

As noted earlier, these three dimensions of managed migration—its coincidence with the labor flexibility inherent in the use of temps and contingent workers, its contradictory position in state political and regulatory agendas, and its embeddedness in the globalizing of local labor markets and communities—compose the basic ingredients of a theory of managed migration that, in this volume, we support with historical material, case studies, and comparative analysis. Again, we emphasize that the experiences of workers, employers, industries, and nations that participate in



managed migration have been uneven across industries, regions, and national backgrounds; this is to be expected, given that managed migration constitutes a complex project involving nations (always plural), growing numbers of economic sectors, and employers and workers coming from a variety of class, ethnic, gender, regional, and national backgrounds. Nevertheless, nearly everywhere, the design of managed migration is subject to local, regional, and industry manipulation and adaptation. Hahamovitch (chapter 1, this volume) illustrates this particularly poignantly by contrasting the treatment of Jamaican guestworkers during World War II in the US Midwest and the US South, with many midwesterners treating Jamaicans like war heroes and most southerners treating them like convicted felons or slaves. One contribution of this volume, discussed further below, is exactly that its breadth and scope has allowed us to capture the varied, uneven ways that guestworker programs have played out across different labor markets, nations, and regions and also to point out common features that unite them across these different social spheres.

#### **POTENTIAL CONTRIBUTIONS OF THE CURRENT VOLUME**

From the above questions and discussion, it should be clear that the complexities and intricacies of managed migration programs, along with the systems and networks they spawn, recommend studies conducted at multiple locations across time and from several disciplinary perspectives. The chapters in this volume evolved out of a short seminar held at the School for Advanced Research in Santa Fe, New Mexico, in August 2010, at which nine of the volume's fourteen authors (Austin, Contreras, Griffith, Hahamovitch, Lowell, Martin, Peralta, Preibisch, and Smart) met to discuss papers they had written about managed migration. The seminar brought together individuals from Canada, Mexico, and the United States in an effort to understand managed migration from multiple points of view. Their chapters, which were revised in light of the discussion at the seminar and additional feedback, address important historical moments and trends in managed migration, develop case studies of managed migration, and provide overviews and analyses of managed migration's relationships to other developments in North American societies and economies.

Managed migration programs have attracted the attention of a broad range of scholars and activists. Reflecting this, here we bring the views of a grassroots leader in a state that imports large numbers of guestworkers together with the views of scholars from anthropology, agricultural economics, history, political science, and sociology. This multidisciplinary team considers the multiple problems associated with managed migration,

the costs and benefits such migration brings to employers, workers, and industries, and the factors that have led to its expansion and contraction over time. This volume is being published at a time, moreover, when managed migration programs are evolving in new directions, becoming more privatized, drawing on more female workers and workers from more nations, in many cases increasing the vulnerability of workers to employers' whims, and posing special challenges to labor unions and others interested in worker and human rights. Its special contribution to the literature on managed migration lies not only in its multidisciplinary, multinational, and multisite character but also, as noted above, in demonstrating how uneven have been the consequences of guestworker programs as they are experienced at various scales of human experience, from the highly personal, individual level to the community, regional, national, and global scales.

From such a multiplex perspective, we have nevertheless gleaned common themes. In addition to the three theoretical pillars discussed above, we have found that guestworkers increasingly compete in what historian Cindy Hahamovitch calls a global shape-up, after the infamous methods that farm labor contractors use to form their crews, offering daily wages from the doorways of shuttle buses carrying workers to and from the fields. Guestworkers usually work for wages that are low relative to those of domestic workers but high relative to the wages they can earn in their home countries. These two conditions often lead to guestworkers setting productivity standards that domestic workers have few incentives to match; they also lead to guestworkers (and their nation-states) competing against one another to accept the world's lowest wage. With increasing economic instability worldwide, the race to the bottom has become an avalanche, with labor-contracting firms growing in number and in their ability to promise ever more pliant, willing, and reliable workers.

Yet, the economic sectors that most managed migrants enter are usually particularly sensitive to labor market developments in which sufficient numbers of domestic workers are available only when other economic alternatives have evaporated for them. Such economic sectors are often characterized, as noted earlier, as revolving doors, suffering from chronic high labor turnover. After employers in these sectors become used to guestworkers, they often impose productivity standards that effectively bar domestic workers from these jobs; subsequently, they argue that domestic workers are of poor quality, as well as in short supply. Through such practices, employers construct the labor shortages they use to justify importing guestworkers.

Most of the authors assembled here concur that managed migration has become increasingly privatized and that, with the withdrawal of state

protections, guestworker employment has become more precarious and unstable. At the same time, increasing efforts by labor unions, NGOs, and community groups have begun to fill the vacuum left by state withdrawal as they advocate for both worker and human rights. New social spaces have developed for resistance to excessive labor control, wage theft, human trafficking, and other problems associated with managed migration.

Finally, this volume shows how guestworker programs play out differently in the lives and experiences of women and men. Most managed migration is associated with specific commodities and specific tasks required by producers of those commodities and is heavily gendered, drawing on either women or men but rarely both sexes equally. The consequences of this for home communities and families are explored in this volume with the nuanced understanding required to make sense of the intimate places of people's lives.

The volume is organized into three groups of chapters, a conclusion, and an appendix outlining the chronologies and characteristics of US and Canadian guestworker programs. Part I deals with key moments and broad trends in North American and global guestworker history, with chapters by historian Cindy Hahamovitch, agricultural economist Philip Martin, and anthropologist Josephine Smart. Hahamovitch's chapter 1 focuses on the first forty years of the US experience with Jamaican workers carrying H-2 visas, examining in particular the role of the Jamaican state in protecting (or failing to protect) workers' rights. She traces the evolution of protections for H-2 and other guestworkers from official privileges granted to temporary foreign workers—better than those accorded to US citizen farmworkers—to the highly variable conditions guestworkers faced on the ground, which ranged from receiving near heroes' welcomes in some mid-western states to wage theft, debt peonage schemes, racism, and physical abuse in Florida, New Jersey, and Michigan. Jamaican state officials who attempted to prevent their citizens from entering US geographical regions where they suspected abuse would occur, especially the US South, endured intense pressure from US interests and Jamaican legislators to back away from their concerns. Hahamovitch's work places the origins and growth of Jamaica's involvement in US managed migration within the broader political economy of Jamaica and its relationship to the United States.

Philip Martin's analysis (chapter 2) overlaps with Hahamovitch's in its focus on US sugar production, in which the vast majority of Jamaicans worked following World War II. His particular contribution lies in his insight into the relationships between the H-2 visa and bracero programs and the complex payment schemes developed in the Florida sugar industry

that ultimately led to legal action against Florida sugar companies. He concludes with a consideration of current policy proposals to supply guestworkers to agricultural industries.

With Smart's chapter 3, the focus shifts from the United States to Canada's long and complex history of guestworker programs. After an initial overview, she discusses thoroughly the Temporary Foreign Worker Program (TFWP) begun in 2002. Since the TFWP's implementation, Canadian employers have enjoyed access to global labor, importing guestworkers from more than twenty countries to meet alleged labor shortages in agriculture, meatpacking, fast food, and other economic sectors. Canada's ever-tightening economic relationship with China, including as a source country for guestworkers, concludes this chapter and this section.

The two chapters in part II—by sociologist Kerry Preibisch and by anthropologist Diane Austin—offer national and regional analyses of fluctuations in guestworker programs over time, emphasizing the relations between capital's attempt to control guestworkers and workers' abilities to organize and marshal resistance to those practices. Preibisch (chapter 4) focuses on Canadian agribusiness, arguing that as Canadian food industry employers utilize more guestworkers from a wider variety of countries—a trend coinciding with the gradual transfer of program administration from public to private hands—work for all farm and food workers in Canada has become more precarious. At the same time, the increasing insecurity and other problems facing workers have captured the attention of worker rights organizations, in particular the Agriculture Workers Alliance (AWA) and the United Food and Commercial Workers (UFCW). Together, the AWA and UFCW have created a multipronged campaign to organize foreign and domestic farm and food workers, a development that has met with heavy and, at times, highly effective opposition, causing them to redirect their efforts and organizing strategies.

Austin's chapter 5 focuses on guestworkers in the US Gulf of Mexico shipbuilding and petroleum industries, chronicling the rapid growth of the use of guestworkers following the human and environmental crisis of Hurricane Katrina and the equally precipitous decline of the hiring of guestworkers after reports of guestworker abuse. Her work situates the H-2B visa program in relation to US strategic interests in shipbuilding and oil production, offering a brief recent history of both industries and showing how their use of guestworkers was consistent with their long experience with various forms of government intervention. As in Canada, the cases of abuse of workers caught the attention of organizations interested in workers' rights and, eventually, led to widespread denials of requests for

additional guestworkers. Three years after bringing in more than 10,000 guestworkers, virtually no shipbuilders or oil companies were hiring workers with H-2B visas.

Three of the chapters in part III focus on the families and communities of guestworkers in various regions. The fourth traces the social activism of a grassroots organizer in eastern North Carolina—a region where employers have been heavy users of guestworkers since the 1980s. The section's first chapter (6), by anthropologists David Griffith and Ricardo Contreras, discusses the shared and divergent experiences of women working in the mid-Atlantic seafood-processing industry, who annually leave their families for as long as eight months to pick meat from blue crabs and live in dormitory-like conditions. The paradox of leaving their families to support their families rises to the surface of their narratives along with a generalized ambivalence about how the experience of guestwork has shaped their families and their lives.

In chapter (7), sociologist Christine Hughes offers an account of Guatemalan women working in Canadian agriculture, drawing on Peggy Levitt's concept of social remittances to review how much female guestworkers alter their gender roles as a result of their work and observations in Canada. Perhaps not surprisingly, most prefer to slip back into traditional roles while at home, however progressive their travels and independence abroad may be. A very few, however, have begun questioning gender roles and convincing their husbands to accept more domestic responsibilities.

Chapter 8 by Bump, Goździak, and Lowell tells a story of the evolution of dependence on guestworkers in Virginia's Shenandoah Valley, locating the use of guestworkers in the broader context of the changing apple industry—including increasing national and international competition in apple products like juice from China and fresh apples from Washington and Oregon. In their case, the use of Jamaican guestworkers has not resulted in the permanent settlement of workers in Virginia, unlike the growing Latino population that has emerged in concert with the growing use of H-2A and H-2B workers in North Carolina tobacco, cucumbers, and forestry work and in mid-Atlantic seafood processing. This growing Latino population lies at the heart of the grassroots organizing efforts of Juvencio Rocha Peralta, the executive director of the Association for Mexicans in North Carolina (AMEXCAN) and an ever more highly recognized leader in the transnational community connecting North Carolina with regions across Mexico and Central America. His chapter 9, based on a life history interview conducted by Contreras and Griffith, tells of his growing leadership as more and more Latinos have poured into agriculture and food processing in eastern North Carolina. These industries are among

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the heaviest users of guestworkers, and Juvencio's story draws connections among the undocumented, legal, and guestworker segments of eastern North Carolina's Latino community.

Together, the fourteen contributors to this volume relate the complexity of managed migration from slightly different disciplinary perspectives and by drawing on a variety of historical and contemporary cases. What unites them is their interest in the curious population flows of legal temporary foreign workers across the Americas and, in some cases, around the world. The potential for managed migration programs to offer legal alternatives to human trafficking and undocumented labor migration across borders, despite their historically poor track records, holds out the promise of forging just, lasting, and mutually beneficial connections among nations, communities, and families. By dissecting managed migration with the varied scalpels of disciplinary methods and by opening guestworker programs from their origins in policy to the viscera of their operation on the ground, we enter twenty-first-century debates about social justice and economic formations that reach back hundreds of years. The continued difficulties and challenges facing the management of migration are liable to increase and grow more complex as these programs incorporate more nations, more regions, and more peoples from diverse cultural and linguistic backgrounds into capitalist political economies. If from our scholarship arises even a modicum of the activism necessary to prevent the further deterioration of managed migration into veiled indentured servitude or outright slavery, or even to reverse these trends, we will have become the hosts that the guests who work beside us would like to revisit.