Understanding the Roots of Latina Migrants' Captivity

Martha Escobar

The social movements of the 1950s and 1960s dramatically transformed the ways in which U.S. society is organized. Rather than relying on biologized notions of race to structure social relations, as in prior periods, criminality and state dependency assumed important functions as cultural signifiers of race used to regulate society in a post-civil rights moment. Part of this transformation includes an increased reliance on imprisonment to address inequalities produced by the neoliberal shift of the early 1970s. Prisons are spaces where history is written by and through the bodies of captives; they are spaces where society reorders itself and power is made tangible (Rodriguez, 2006). According to professor of geography and leading anti-prison activist Ruth Wilson Gilmore (1998: 26), prisons have become the predominant "fix" and central response to most forms of deviance:

prisons are partial geographical solutions to political economic crises, organized by the state, which is itself in crisis. Crisis means instability that can be fixed only through radical measures, which include developing new relationships and new or renovated institutions out of what already exists.

This development is evidenced by the fact that the United States is the world leader in incarceration, exceeding two million people in prison at the turn of the 21st century.¹

Migration is a site that expands the prison regime. A 2009 Pew Research Center study, "A Rising Share: Hispanics and Federal Crime," shows that due to changes in the enforcement of immigration laws, Latinas/os have become the largest ethnic group in the federal prison system. Migrant women are increasingly targeted for captivity. For instance, California, a migrant-destination state with the largest concentration of Latina/o migrants in the country, has built the two largest women's prisons in the world. In 1976, the California Department of Corrections and Rehabilitation (CDCR) imprisoned 1,124 women, in contrast to 11,416 in 2007—a 985% increase in three decades. This underscores the significance of the prison regime for the organization of society. In 1976, Latinas in prison constituted 18% of all

¹ Martha Escobar is a Ph.D. candidate in the Department of Ethnic Studies at University of California, San Diego. She is a member of Critical Resistance and the California Coalition for Women Prisoners, grass-roots organizations dedicated to ending the expansion of the U.S. prison regime.
imprisoned women; by 2007, the figure was 29.2% (CDCR, 1997; 2008b). Of the 171,085 people currently held by CDCR, 19,008 have an immigration hold. As such, approximately 11% of people in CDCR custody are migrants facing deportation at the end of their sentences (CDCR, 2008a). Although demographic data concerning who constitutes this group of imprisoned migrants is unavailable, Latinas in general and migrant bodies in particular are clearly targets for containment.

My focus is on the U.S.-Mexico relationship in terms of border control, but I also address the general criminalization of Latina migrants. The fact that Mexico borders the United States has important implications for migration control. Mexican nationals make up the largest number of migrants in the United States (Pew Hispanic Center, 2009); consequently, they are central targets of U.S. border-control policies. They are significantly affected by surveillance practices, arrests, imprisonment, detention, and deportation. I will discuss the general criminalization of Latina migrants because racialization processes ideologically assemble them into a general racial category. As a result, they face border-control policies as a group. Rodriguez (2008) invites us to dislodge “immigrant detention” from exceptionality and to see how the contemporary anti-migrant moment is made possible because of historical processes that made prisons constitutive of how we organize ourselves socially. This essay therefore provides a context to understand Latina migrants’ criminalization. The various forms of containment to which they are subjected include reproductive control strategies that are integrally related to the history of captivity experienced by Blacks in the United States.

Roadmap

This essay first considers how the logic of “law and order” during the late 1960s and 1970s was rooted in attempts to discipline rebellious communities of color, particularly Blacks. As the analysis reveals, the expansion of the U.S. prison regime is directly correlated to policing racialized power relations. Part of this racial reordering depended on cultural constructions of Black mothering as “undeserving” through the rhetoric of state dependency, which I argue becomes remapped onto migrant women’s bodies. I then demonstrate how the War on Drugs, which has been predominantly waged in urban Black spaces, was essential to marking the U.S.-Mexico border as a space of criminality. Moreover, both the United States and Mexico have been involved in this production. I link the War on Drugs to the criminalization of Latina migrants through the Immigration Reform and Control and Act (IRCA) of 1986. IRCA played a central role in the militarization of the border and expanded the War on Drugs to include the border. However, it also contributed to the increased migration of women through family reunification policies. In other words, IRCA ideologically joined border militarization and women’s migration. Finally, I argue that the criminalization of migrants, particularly women, must be understood in relation to the history of captivity of Blacks in the United States. I discuss some of the implications of such a venture.
"Law and Order," or Containing Black Rebelliousness

Several authors have traced the development of criminality, specifically post-reconstruction. They demonstrate how it is primarily constructed around Blackness and Black bodies and continues to inform society's conceptualization of crime (Lichtenstein, 1996; Davis, 2003). In Black Reconstruction in America, first published in 1935, W.E.B DuBois (1998: 670–710) demonstrates that the re-enslavement of Blacks was made possible through redefinitions of crime encased in the Black Codes. Criminalization of Blacks during the post-reconstruction era served to meet the labor needs generated by the abolition of slavery and the development of industrial capitalism. Feminist scholar-activist Angela Y. Davis (2003: 68) argues that a similar relationship exists between the contemporary imprisonment of Blacks and profitability. Prisons are sites of economic profitability (Beckett, 1997; Burton-Rose and Wright, 1998; Dyer, 1999). Though prison labor yields some revenue, the main profit derives from industries that service prisons to meet the needs of over two million captive bodies, such as food, clothing, health care, and so forth. The incarceration of Black men has been central to the function and expansion of the prison regime (Miller, 1996; Mauer, 1999; Tonry, 1995). Black men constitute over half of the prison population, underscoring how this group has become expendable, with criminality serving as a marker of difference that constructs their disposability.

The social movements of the 1960s and 1970s unsettled racial relations globally, producing responses that eventually reconfigured race through cultural difference. Particularly significant in the United States were nationalist movements such as the Black Power, Chicano, American Indian, and Asian American movements, which negated the legitimacy of the United States. Rather than advocating for inclusion, they called for a radical transformation. The militant images of nonwhite bodies setting entire cities ablaze between 1965 and 1968, protesting, engaging in civil disobedience, and defying agents of the state, all in the name of self-determination, threatened the racial order of the United States. The significance of these critiques lies largely in the fact that these movements constructed the United States as unredeemable because this nation's existence was predicated on the racial subjection of bodies racialized as nonwhite. Inclusion necessarily signified participating in racial subjection. Instead, many members of these various rebellions advocated for the creation of alternatives. This period witnessed the deployment of the discourse of criminality, in particular against Blacks, as a response to what was constructed as a national crisis of disorder and lawlessness (Parenti, 1999). Critical race theorist Denise Ferreira da Silva (2007) provides a genealogy of race and demonstrates that spaces inhabited by people of color are constructed as outside the law. Thus, violence is naturalized as indigenous to these spaces. In efforts to reconfigure racial relationships of power, acts of self-determination that critiqued governing power relations were transformed into acts of criminality.
The threat of racial disorder mobilized state responses that reconstituted Blacks as criminal through the attachment of drug use to urban spaces racialized as Black. In *Lockdown America*, Christian Parenti maps the historical development of the U.S. policing and imprisonment regime. He demonstrates how it was fueled by the political crisis of the 1960s and 1970s, which threatened to transform U.S. power relations, and by the economic crisis resulting from the expensive war the United States was waging in Vietnam. According to Parenti, the difficulty police were experiencing in controlling the domestic landscape was complicating efforts to sell capitalism and liberal democracy to the world and to advance the aims of the United States as a world power. The response was a refashioning of the police, judicial system, and prisons.

During this period, the United States shifted its focus from foreign threats to "enemies inside." Parenti (1999: 6–7) highlights the influence Barry Goldwater’s Republican presidential campaign had in this change, with its promise to restore law and order. Goldwater’s 1964 presidential nomination speech states: “Security from domestic violence, no less than from foreign aggression, is the most elementary and fundamental purpose of any government, and a government that cannot fulfill this purpose is one that cannot long command the loyalty of its citizens.” He also joined the image of the “criminal” to state dependency, foreshadowing the logic that would later drive the criminalization of Blacks and migrants: “If it is entirely proper for the government to take away from some to give to others, then won’t some be led to believe that they can rightfully take from anyone who has more than they?” Goldwater lost the presidency to Lyndon Johnson, but his rhetoric prevailed. The Johnson administration undertook the initial groundwork for the policing and prison regimes, including the increased criminalization of drugs. In 1967, Johnson created the Bureau of Narcotics and Dangerous Drugs, the precursor to the Drug Enforcement Agency. He also proposed legislation that created the Law Enforcement Assistance Administration, which strengthened ties between the federal government and local police, and expended massive federal funds “to reshape, retool, and rationalize American policing” (p. 6).

Richard Nixon reinforced this constructed crisis over the loss of law and order. Because crime control fell within the jurisdiction of state and local authorities, he initially found it difficult to deliver on his promise to restore law and order. New York Governor Nelson Rockefeller’s drug laws served as a template for being “tough on crime.” In 1970, the Nixon administration merged the issues of drug use or trafficking and crime, since drug control was the one area in which the federal government could have a local effect, especially on local policing. In 1971, Nixon declared the War on Drugs: “America’s public enemy number one in the United States is drug abuse. In order to fight and defeat this enemy, it is necessary to wage a new, all-out offensive.” Addressing Congress, Nixon stated:

Within the last decade, the abuse of drugs has grown from essentially a local police problem into a serious national threat to the personal health
and safety of millions of Americans.... A national awareness of the gravity of the situation is needed; a new urgency and concerted national policy are needed at the Federal level to begin to cope with this growing menace to the general welfare of the United States (Ibid.: 9).

Significantly, Daniel Patrick Moynihan, who in 1965 wrote the now infamous federal report, *The Negro Family: The Case for National Action*, served as Nixon's Counselor to the President for Urban Affairs. According to journalist Edward Jay Epstein (1977: 77), Moynihan, concerned about the reports of heroin abuse in the ghettos, had persuaded the president that the State Department should do everything diplomatically possible to curtail opium production in foreign countries such as Turkey, and that the president should elevate the suppression of narcotics to an issue of national security policy.

Criminality thus became fused to Black urban spaces and the bodies that reside there. Declaring a war on drugs to activate the buildup of the criminal justice system was thus a declaration of war on Black bodies, while also serving as a mechanism for intervention in other countries.

The Nixon administration ideologically linked the rebelliousness occurring on the streets, especially in inner cities, with crime, and deployed notions of Black criminality that drove the expansion of policing and prisons. Nixon wrote to former President Eisenhower that he had "found great audience response to this [law and order] theme in all parts of the country, including areas like New Hampshire where there is virtually no race problem and relatively little crime" (in Parenti, 1999: 7). This speaks to the logic of criminalization that naturalized Black lawlessness and mobilized national support for law-and-order policies. Nixon's Chief of Staff H.R. Haldeman noted in his diary that President Nixon "emphasized that you have to face the fact that the whole problem is really the blacks. The key is to devise a system that recognizes this while not appearing to" (Ibid.: 12). In another diary entry, Nixon states that "there has never in history been an adequate black nation, and they are the only race of which this is true. Says Africa is hopeless." The policies developed to contain the "crime" crisis—the war on crime and the criminal justice buildup—are thus constructed to control Black bodies.

**Racializing State Dependency and Criminality**

The production of Black lawlessness and disorder merged with changes in the welfare state. During the 1960s, the doors to the welfare system were forced open to allow access to previously excluded groups. This included people of color, particularly Blacks, and divorced, separated, deserted, and, increasingly, unmarried women—the "undeserving poor" (Katz, 1989). Public anxiety was thus directed toward single Black mothers, children born to single mothers, and multigenera-
tional dependency on the program (Abramowitz, 1988). Poor, single Black mothers were constructed as being morally different from “deserving mothers,” who were either dependent on their husbands or self-sufficient (Handler, 2002). Historically, welfare policy and administration have used moral criteria for determining who deserves state protection.

Historian Michael B. Katz discusses how the discourse of personal choice was used to construct the “undeserving poor.” This logic holds that poverty results from people’s poor choices, and thus, those living in poverty are undeserving. Katz (1989: 16) argues that “they remained different and inferior because, whatever their origins, the actions and attitudes of poor people themselves assured their continued poverty and that of their children.” The notion of self-perpetuated poverty disallows poor people from becoming morally “deserving.” By the 1980s, alarm and hostility grew toward people in poverty:

What bothered observers most was not their suffering; rather, it was their sexuality, expressed in teenage pregnancy; family patterns, represented by female-headed households; alleged reluctance to work for low wages; welfare dependence, incorrectly believed to be a major drain on national resources; and a propensity for drug use and violent crime, which had eroded the safety of the streets and the subways (Ibid.: 185).

Through the rhetoric of personal responsibility, families with single Black mothers were held responsible for social problems such as low levels of education, teen pregnancy, and poverty, all of which coalesced in the national imaginary as leading to increased crime. For feminist scholar Dorothy Roberts (1997: 238), “society penalizes Black single mothers not only because they depart from the norm of marriage as prerequisite to pregnancy but also because they represent rebellious Black culture.” Just as Black rebelliousness was criminalized through the logic of “law and order,” Black women’s reproduction was made responsible for “breeding” this imagined crisis. According to Patricia Hill Collins (1999: 126), as welfare recipients became identified as Black women and thus rendered unfit as purveyors of national culture, punitive practices against them, including curtailing their reproduction, were legitimized.

If working-class Black women are the enemy from within that generates a population threatening to the U.S. national interest of maintaining itself as a “white” nation-state (Ibid.), then Latina migrants are the external enemy, crossing the border “illegally” to produce children and absorb state resources. Concerns over dependent Latina migrants were built upon already existing images of Black motherhood. California’s Proposition 187, the “Save Our State” initiative, exemplifies how the merged discourses of criminality and state dependency were remapped onto migrant women. It begins:

The people of California find and declare as follows: That they have
suffered and are suffering economic hardship caused by the presence of illegal aliens in the state. That they have suffered and are suffering personal injury and damage caused by the criminal conduct of illegal aliens in this state. That they have a right to the protection of their government from any person or persons entering this country unlawfully.

Proposition 187 was intended to limit immigrants’ access to education and health care, the public resources primarily accessed by women and children. It associates the immigrant identity with state dependency and crime. Employing a discourse similar to that used to criminalize Black women, Latina migrants are disciplined and barred from using state resources. During the 1990s, claims of the unworthiness of migrants used language originally developed for Black motherhood, holding that some individuals are unable to care for themselves and will become dependent on the state (Luibheid, 2002). Critical sociologist Lisa Sun-Hee Park (2001:1161) has analyzed the notion of public charge in the 1996 welfare reform and argues that “the social contexts that helped garner support for such anti-immigrant legislative measures created an environment that essentially criminalized motherhood for low-income immigrant women—whether they are documented or undocumented.” Park thus links the notion of public charge, criminality, and state dependency. Due to their “illegal” entrance into the United States, migrant Brown bodies are cast as perpetual criminals and punished for acting too much like Blacks. Rhetoric on undocumented migration today emphasizes the lawlessness of the border. People crossing the border without documents are disrespecting U.S. laws and contributing to the imagined crisis of national disorder.

Border Warfare

The end of the Cold War shaped how migrants experienced criminalization. Ono and Sloop (2002: 35) maintain that the Cold War enabled the ideological construction of the United States as a land of freedom and opportunity, in contrast to the unfree and undemocratic nature of communism. Furthermore, the post-Cold War era created the need for new enemies to constitute the nation: “The projection of fears onto ‘alien invaders’ was a natural aftereffect of the Cold War and the concomitant dissolution of a clear and coherent enemy, the Soviet Union.” Attention from the “enemy outside” was diverted to the “enemy among us.” This polarized worldview prevailed even after the Cold War. The enemy has undergone redefinition depending on the geopolitical moment: “news media represent many different versions of enemies who threaten the moral, cultural, and political fabric of the nation-state and therefore must be evicted, eliminated, or otherwise controlled” (Ibid.). For migrants, the notion of war significantly shaped their migration experiences.

According to Palafox (2000), the post-Cold War period in the United States witnessed a conflation of law enforcement and the military by increasing cooperation between these institutions and creating a joint infrastructure. Like Dunn (1996),
Palafox argues that the military presence at the border is a form of low-intensity warfare against immigrants. Andreas and Price (2001) discuss this transformation as a change from “war fighting to crime fighting.” Akin to Palafox, they argue that there is a blurring of the boundaries between the police and the military, with the military becoming more domestic and the police more militarized. Thus, the criminalization of migrants is inherently part of the war waged at the border.

The War on Drugs, which was developed largely to contain Blackness, was an essential element in wedding criminality to the border. With the border already a legally contested space given the restrictive measures that produced undocumented migration (Ngai, 2004), the War on Drugs reinforced the element of criminality. “Illegal” migration joined drug trafficking as a national threat and rationale for controlling the border and containing migrant bodies. The border became another space, via the War on Drugs and the logic of “law and order,” in which to expand the reach of federal law enforcement.

Before President Nixon’s declaration of the “War on Drugs,” Operation Intercept was mobilized in September 1969 at the U.S.-Mexico border. The concern over drugs entering the nation’s borders largely centered on crimes committed in urban cities by Black bodies to satisfy their drug addiction. Doyle’s (2003) analysis of Operation Intercept shows how the War on Drugs shaped the U.S.-Mexican relationship. Nixon established the Special Presidential Task Force Relating to Narcotics and Dangerous Drugs, which determined that Mexican “free-lance smugglers and organized traffickers” were “responsible for the marihuana and drug abuse problem.” The intent of the resulting Operation Intercept was not so much to stop drug trafficking, as it was to compel the Mexican government to address the drug problem within its borders. Launched with little notification to the Mexican government, the operation consisted of meticulous inspection of everything crossing the border, severely slowing down all border crossings. G. Gordon Liddy, then a senior advisor in the Department of Treasury, revealed that “for diplomatic reasons the true purpose of the exercise was never revealed. Operation Intercept, with its massive economic and social disruption, could be sustained far longer by the United States than by Mexico. It was an exercise in international extortion, pure, simple, and effective, designed to bend Mexico to our will” (Ibid.: 185–186).

Both Mexico and the United States have waged the War on Drugs. Mexico’s Operation Condor, launched in 1975, used aerial herbicides, military units, and “law enforcement collaboration between the United States and Mexico, including intelligence sharing, surveillance, and training” (Andreas, 2000: 41). Law enforcement strategies such as this were perceived as having been a success, but Andreas demonstrates that increased enforcement resulted in a restructuring of the drug trade, making it more dangerous and more profitable. The War on Drugs escalated during the Reagan administration. When the number and settlement of Mexican migrants reemerged as an issue of national concern, the Immigration Reform and
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Control Act of 1986 was passed and the War on Drugs was extended at the border. According to Dunn (1996: 2),

Following the passage of IRCA in 1986, the issue of illegal drug trafficking gained ascendancy, eclipsing undocumented immigration as the most urgent border-control matter. The issue was formally designated as a threat to national security by President Reagan in 1986, and the ensuing War on Drugs was a prominent element of both U.S. domestic and foreign policy.

As in urban cities, the War on Drugs at the border created the appearance of a government crackdown on crime. Yet the criminalization of migrants and the militarization of the border increased the violence experienced in this space. In a bilateral U.S.-Mexican effort, bodies inhabiting and traveling through this space are subjected to criminalized racialization and to policies intended to bring the border under state control. Mexico’s increasing militarization of the border since the 1960s criminalized those engaged in illicit actions such as drug trafficking and mapped criminality onto migrants and residents of the borderlands. Between 1994 and 2000, Mexico’s President Ernesto Zedillo brought in the Mexican army to bolster the federal judicial police in fighting drug trafficking (Chabat, 2002: 139).

The thrust of the War on Drugs intersected with welfare reform via three IRCA provisions: employer sanctions, a large amnesty for people who had worked in the United States for a given number of years, and the militarization of the border. The law was intended to provide enough laborers—hence the amnesty provision—while curtailing future migration (to alleviate discontent over undocumented migration). However, the law actually increased migration because of its family reunification policy, which included the migrants’ spouse, children, parents, and siblings. Female migration had been increasing before IRCA, but the family reunification provision fueled the trend. Those eligible for amnesty and capable of proving they could sustain a family were mainly men who had been working in the United States and could petition for their wives and family (Chang, 2000: 56–92; Hondagneu-Sotelo, 1994: 24; Lindsley, 2002: 177; Luibheid, 2002: 24). Increased migration of Mexican women and their families to the United States drew attention to this group and intensified nativist sentiment. Thus, the centrality of women’s bodies in migration control gained in significance while criminalization of the border was well underway.

Neither Ideal Laborers Nor Ideal Women

Migration is a consequence of global neoliberal trends and provides an important source of labor, yet most migrants and their families are not desired as citizens. Latina migrants constitute an important sector of migrant labor, but their reproduction is particularly undesirable (Chang, 2000; Wilson, 1999, 2000; Hondagneu-Sotelo, 1994, 1995). Mexico’s geographic position, coupled with the negative racialization
of ethnic Mexicans as dirty, lazy, and criminal, generates fear over Mexican migration, particularly that of migrant women (Chavez, 2008). Latina migrants experience distinct processes of racial formation, but like Black mothers before them, they are characterized as a drain on social resources through welfare payments, failure to pay taxes, and as being too different and thus unassimilable. They do not quite fit into the categories of ideal laborers or ideal women. Ideal migrant labor in the United States is traditionally defined as sojourner and exploitable,\(^5\) meaning that they migrate, labor for a while, and return to their home countries. The presence of migrant women disrupts this ideal since they represent reproduction and settlement. They also remain outside ideal womanhood. Traditionally, women have been considered important via their roles as mothers and wives of "ideal citizens," an identity limited to white, middle- and upper-class people, and, more specifically, men (Mink, 1990: 93). The presence of Latinas is tolerated since they perform important labor functions. However, their reproduction, which is perceived as threatening to the nation's ethno-racial makeup and ideologically opposed to their function as laborers, becomes a target of the state.\(^6\) Anthropologist Tamar Diana Wilson (2000: 192) argues that anti-immigrant policies and practices are related to:

> the desire to re-separate the generational and daily reproduction of the labor force, including its maintenance during times of unemployment, illness, and retirement (processes which represent a cost to any society) and of productive activity (a process which represents a gain to any society).

Thus, there is a concerted effort to separate migrant women’s productive and reproductive labor, privileging their exploitability as workers and investing energy into restricting their mothering. These practices highlight some of the ways in which the United States manages its economic and nativist desires. Criminalization of Latina migrants is therefore a form of population control enforced through the logic of warfare.

**Conclusion**

By rooting the criminalization of Latina migrants within the longer history of captivity experienced by Blacks in the United States, we displace the competition paradigm that has dominated our understanding of the relationship between Blacks and migrants. What emerges is the centrality of criminalization in the process of racially organizing society. During the 1970s, two trends converged: an increasing reliance on incarceration and wide-scale use of an undocumented migrant labor force. The targeting of Black and Latina reproduction is an essential element of neoliberal labor relations. Due to the gains of the Civil Rights Movement, Blacks became less attractive as a source of cheap labor due to the social protections afforded by their newly enhanced claims on U.S. citizenship. However, ideological grounds for expanding the U.S. prison regime built upon notions that associated
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laziness, dependency, and criminality with Black motherhood. This justified exploitable, "criminal," and predominantly Black bodies that can labor during periods of confinement and prolonged vulnerability in the labor market due to criminal records once released.

Growing Black imprisonment and an increased reliance on undocumented labor is part of a neoliberal shift that also accounts for the presence of migrant women and their families in a polarized labor market. One pole is feminized, unskilled, and exploitable and the other is masculinized, skilled, and protected. The criminalization of migrant motherhood provides a rationale for policing, incarceration, detention, and deportation. Migrants are tolerated as laborers, but are regulated through punitive practices of capturing and warehousing. Their exploitability as workers is enhanced by separating their productive and reproductive capacities, including the breaking up of migrant families. The production of criminality is thus central to global neoliberal governance. Far from being unique, the contemporary anti-migrant moment is a natural extension of the racialized and gendered methodologies used in the constant remaking of the United States.

NOTES

1. According to the U.S. Bureau of Justice Statistics (2007), "over 7 million people were on probation, in jail or prison, or on parole at yearend 2005—3.2% of all U.S. adult residents or 1 in every 32 adults."

2. Ronald Reagan's 1976 presidential campaign speech made the image of the "welfare queen" everlasting when he cited alleged news stories. "She has 80 names, 30 addresses, 12 Social Security cards and is collecting veteran’s benefits on four non-existing deceased husbands. And she is collecting Social Security on her cards. She's got Medicaid, getting food stamps, and she is collecting welfare under each of her names." Although the story was later discredited, the message lived on.

3. Although Proposition 187 was declared unconstitutional after being voted into law by California voters, it provided the ideological foundation for the federal Welfare Reform Act signed by President Bill Clinton in 1996.

4. As Mexican emigration scholar Cecilia Imaz Bayona (2003) notes, the Mexican state during Ernesto Zedillo's administration officially accepted its diaspora as part of the Mexican nation. The National Plan for Development (1995–2000), in the chapter on sovereignty, declared: "The Mexican nation extends beyond the territory that contains its borders. That is why an essential element of the program of the Mexican nation will be to promote constitutional and legal reforms so that Mexicans preserve their nationality, regardless of the citizenship or residency they have adopted" (p. 6, my translation). Thus, while the Mexican state officially accepted its diaspora, it simultaneously criminalized them through the militarization of the border, highlighting Mexico's contradictory relationship to its emigrants.

5. Their exploitability derives largely from their racialization as foreign and undeserving of social membership or protection of their rights.

6. Feminist activist and researcher Syd Lindsley (2002) argues that some immigration policies are implemented and designed to restrict and regulate immigrant women's mothering. They reveal assumptions about the worth of immigrant mothers and, by extension, their communities. Attempts to limit their reproduction highlight that this community is imagined as undesirable, particularly in terms of contributing to the nation's citizenry.
REFERENCES

Abramowitz, Mimi
1998  Regulating the Lives of Women: Social Welfare Policy from Colonial Times to
the Present. Boston: South End Press.

Andreas, Peter
2000  “Part I. Introduction and Background.” In Border Games: Policing the U.S.-

Andreas, Peter and Richard Price
2001  “From War Fighting to Crime Fighting: Transforming the American National

Bayona, Cecilia Imaz
2003  “La Relación Política del Estado Mexicano Con Su Diaspora en Estados Uni-
dos.” In Migración y Desarrollo: Transnacionalismo y Perspectivas de Integra-

Beckett, Katherine
York: Oxford University Press.

Burton-Rose, Daniel and Paul Wright
1998  The Ceiling of America: An Inside Look at the U.S. Prison Industry. Monroe:
Common Courage Press.

California
1994  “California Voter Information: Proposition 187. Text of proposed Law.” June 18,

California Department of Corrections and Rehabilitation
www.cdcr.ca.gov/Divisions_Boards/Adult_Operations/docs/Fourth_Quar-

california.gov/Reports_Research/Offender_Information_Services_Branch/Annual/

california.gov/Reports_Research/Offender_Information_Services_Branch/Annual/

Chabat, Jorge
2002  “Mexico’s War on Drugs: No Margins for Maneuver.” Annals of the American
Academy of Political and Social Science 582: 134–148.

Chavez, Leo
2008  “Latina Fertility and Reproduction Considered.” The Latino Threat: Construct-
96–112.

Chang, Grace
Cambridge: South End Press.

Collins, Patricia Hill
1999  “Producing the Mothers of the Nation: Race, Class and Contemporary U.S.
Population Policies.” Nira Yuval-Davis (ed.), Women, Citizenship and Differ-
da Silva, Denise Ferreira

Davis, Angela Y.

Doyle, Kate

DuBois, W.E.B.

Dunn, Timothy

Dyer, Joel

Epstein, Edward Jay

Gilmore, Ruth Wilson

Handler, Joel F.

Hondagneu-Sotelo, Pierrette


Katz, Michael B.

Lichtenstein, Alex

Lindsay, Syd

Luibheid, Eithne

Mauer, Marc

Miller, Jerome
Mink, Gwendolyn

Neubeck, Kenneth J. and Noel A. Cazenave

Ngai, Mae M.

Ono, Kent A. and John M. Sloop

Palafox, Jose

Parenti, Christian

Park, Lisa Sun-Hee

Pew Hispanic Center

Roberts, Dorothy

Rodriguez, Dylan

Tonry, Michel

U.S. Bureau of Justice Statistics

Wilson, Tamar Diana