

STATES OF DETENTION: A COMPARATIVE HISTORICAL ANALYSIS OF
MIGRATION CRISES TO THE UNITED STATES

by

DUSTIN ELLIS

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Student: Dustin Ellis

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This dissertation has been accepted and approved in partial fulfillment of the requirements for the Doctor of Philosophy degree in the Department of Political Science by:

Daniel Tichenor	Chairperson
Priscilla Yamin	Core Member
Erin Beck	Core Member
Debra Thompson	Core Member
Laura Pulido	Institutional Representative

and

Krista Chronister	Vice Provost for Graduate Studies
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Original approval signatures are on file with the University of Oregon Division of Graduate Studies.

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DISSERTATION ABSTRACT

Dustin Ellis

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What is a migration crisis? To answer this seemingly simple question, this study juxtaposes two migration crises that have profoundly shaped the character of American political institutions and the imaginations of liberal democratic politics. Migration, crisis or not, will be the primary issue driving major policy and state-market innovations for the next century, and may pose the ultimate test for liberal democracies facing new challenges in a rapidly changing world. Proffering a diagnosis of our contemporary immigration and border politics for the purposes of thinking more holistically about the past, present, and future, this study maps out the origins of crises from colonialism to the 21st century through a comparative historical analysis that uses eclectic data collected from archives both physical and digital. The results are clear, we cannot ignore the deeply interconnected histories and geographies of the United States, Cuba, Haiti, El Salvador, Guatemala, and Honduras if we are to understand the origins of migration crises and their implications in reproducing a future wrought with familiar paradoxical tensions between America as an idea, and America as a place.

for Elise

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CHAPTER I

INTRODUCTION

“This isn’t just the worst immigration crisis in modern history... American history... this is the worst immigration crisis in world history... no country that has ever existed... has allowed this number of foreign nationals to illegally enter its territory... we are living in uncharted waters... I’m paying for it, you’re paying for it, the American taxpayers are paying for it... Joe Biden’s the party of Wall Street, Globalists, and those who hate the middle class.”¹ – Stephen Miller, Former White House Advisor

What is a Migration Crisis?

The opening quote captures the chaotic anxieties, even if in hyperbole, that many Americans across the political spectrum share. It is insufficient to simply dismiss these concerns because the implications for future policies and the stakes for already vulnerable populations are too high to ignore. If we are living in the worst migration crisis now, then what have previous crises been like? Are the causes similar in time and space? What does a migration crisis mean for the state and society? What do they cost, who pays, and who profits? What kinds of interests are served or not by crisis? Migration, crisis or not, is going to define the 21st century in the United States, and beyond. The trajectory is clear, politics aside, shifting environmental dynamics that are estimated to displace upwards of two billion people globally by 2100.²

Adopting a pragmatic approach, the aim of this study is to provide a contribution to understanding of “immigration crises” at the intersection of political science subfields that include American political development, comparative historical analysis, and interdisciplinary scholarship about immigration. Close observers of immigration politics and history probably find contemporary immigration hysteria in many ways familiar and practically cliché, but this study maps an alternative account of how ‘migration crisis’ can be interpreted as a “focusing event” of the “creative destruction” thesis, fueled by the

¹ Fox News. (May 14, 2023). Stephen Miller: This is the Worst Immigration Crisis in World History. [Video]. Youtube. <https://www.youtube.com/watch?v=amGd8UaVZNq>

² Office of the Director of National Intelligence. (2021). Global Trends 2040: A More Contested World. Last accessed Aug 1, 2023. <https://www.dni.gov/index.php/gt2040-home/gt2040-deeper-looks/future-of-migration>; see also United Nations. (n.d.). Global Issue. Accessed July 22, 2023. <https://www.un.org/en/global-issues>

incentive structures of liberal state and market power.³ Coined by political scientist John Kingdon, "focusing events" refer to sudden, unexpected, and often catastrophic incidents that draw the attention of the public and policymakers to specific problems or issues. These events often result in a temporary surge in political and public attention, leading to policy changes, regulatory adjustments, or new legislative initiatives.⁴ The "creative destruction" is a concept developed by Social Scientist Joseph Schumpeter that describes a process through which innovations in an economy lead to the obsolescence of existing technologies, industries, or economic structures, thereby causing the "destruction" of old paradigms while simultaneously leading to the "creation" of new ones.⁵ My analysis brings these two analytical insights into juxtaposition to offer a diagnosis of how 'migration crises' are symptoms of an erosion in the values of democratic and human rights in the United States, and beyond.

Free-market ideology is the popular and scholarly belief that liberal capitalism is premised on a distinction between state and market activities, often depicted as having competing interests, especially around issues of labor and tax laws.⁶ The evidence and analysis herein demonstrate that within in the domain of domain of borders and immigration policies, the traditional wisdom is inverted. I argue the state-market distinction is increasingly opaque and that convergent incentive structures, profit for market actors, and control for state actors, are not only "sedimenting" the border-industrial complex, but are also innovating the accretion of executive power politics at both state and federal levels.⁷ As such, this study joins a growing corpus of scholarship concerned that democracy becomes fugitive in social relations oriented towards

³ Sen. (2001). *Development as freedom*. Oxford University Press.

Nussbaum. (2011). *Creating capabilities, the human development approach*. Belknap Press of Harvard University Press; Stiglitz. (2002). *Globalization And Its Discontents*. W.W. Norton.

⁴ Kingdon. (1984). *Agendas, alternatives, and public policies*. Little, Brown.

⁵ Schumpeter. (2015). *Capitalism, Socialism and Democracy*. Routledge, Chapman & Hall, Incorporated.

⁶ Friedman, M. (1962). *Capitalism and Freedom*. University of Chicago Press; Hayek, F. A. (1944). *The Road to Serfdom*. University of Chicago Press.

⁷ Mahoney, & Thelen, K. (2012). *Explaining Institutional Change: Ambiguity, Agency, and Power in Historical Institutionalism*. Cambridge University Press.

privatization and *carceral solutions* for public goods and problems.⁸ But one may ask, why is this a problem?

For context, consider that approximately one million people cross the US-Mexico border each day, making it one of the busiest and most economically significant borders in the world. Most of these crossings take place at the more than forty land ports of entry along the border. The economic value generated by these daily border crossings is substantial, creating an estimated \$1.8 billion in activity each day, and 750 billion annually—more revenue than Wal-Mart or Amazon.⁹ For comparison, the US-Canada border has about 400,000 daily crossings with a daily economic value of 1-2 billion. Both borders, of course, are major sources of employment for people living in cross-border communities. Millions of jobs in the United States are supported by cross-border trade and investment with Mexico alone. These jobs are spread across a range of industries, including manufacturing, agriculture, tourism, and transportation, and are vital to the economic well-being of many communities along the border.¹⁰ One response to this rapid economic growth has been the escalation of bordering and immigration enforcement policies. Since the 1960s, the border has undergone significant institutionalization and expansion, coalescing into what this study, among others, refers to as the *border-industrial complex* (BIC).¹¹ This concept draws inspiration from the more familiar prison-industrial complex and military-industrial complex. The “complex” is meant to capture the “dense and interconnected networks”¹² of state, market, and other groups that are socially and geographically forming links together as individual components in an

⁸ García Hernández. (2019). *Migrating to prison: America’s obsession with locking up immigrants*. The New Press; Golash-Boza. (2015). *Deported: immigrant policing, disposable labor, and global capitalism*. New York University Press; Wolin, & Xenos, N. (2016). *Fugitive democracy: and other essays*. Princeton University Press.

⁹ Wilson, L. (2015). *The U.S.-Mexico Border Economy in Transition*. Wilson Center. https://www.wilsoncenter.org/sites/default/files/media/documents/publication/Border_Economy_Transition_Wilson_Lee.pdf; Government of Canada. *Canada-United States Relations*. Accessed July 30, 2022. <https://www.international.gc.ca/country-pays/us-eu/relations.aspx?lang=eng>

¹⁰ Campbell, A. (2016) "Nearly 5 Million U.S. Jobs Depend on Trade With Mexico." *The Atlantic*. <https://www.theatlantic.com/business/archive/2016/12/mexico-nafta-trade/510008/>; Duquette-Rury. (2020). *Exit and voice: the paradox of cross-border politics in Mexico*. University of California Press.

¹¹ Davis. (2003). *Are prisons obsolete?* Seven Stories Press; Oparah. (2005). *Global lockdown: race, gender, and the prison-industrial complex*. Routledge.

¹² Gilmore. (2022). *Abolition geography: essays towards liberation*. Verso Books.

assemblage of flesh, steel, and everything in between to produce *the border*.¹³ Despite most border traffic being lawful and orderly, there is an increasingly muscular effort to preventatively police migration and fortify the border against “illegal migration” and other “national security” threats.

For example, since 2003 the sum of the three primary enforcement agencies, United States Citizenship and Immigration Services (USCIS), Customs & Border Patrol (CBP), and Immigration & Customs Enforcement (ICE), has tripled from 10 billion to just over 30 billion dollars annually (see figure 1).¹⁴ This consistent increase in funding for enforcement agents, surveillance technologies, barriers, checkpoints, vehicles, drones, detention centers, and all the consumables necessary to supply the ‘border wall system’ compels accretion of the BIC.¹⁵ Nearly two-thirds of all people, citizen or not, increasingly live in the presence and legal jurisdiction of US border patrol due to the federal government definition of a “reasonable distance” as 100 air miles from any external boundary of the U.S. The CBP claims authority to board a bus or train without a warrant anywhere within this 100-mile zone.¹⁶ Most of the 10 largest cities in the U.S., such as New York City, Los Angeles, and Chicago, fall in this region. Some states, like Florida, lie entirely within this border area and so their entire state is technically subject to border patrol authority.

These new agencies are of course part of the broader changes ushered in by responses to 9/11 and cannot be understated, as it galvanized institutional change and expansion of presidential authority only previously theorized.¹⁷ As a result, the “deterrence” strategy, combined with improving economics of Mexico, border encounters plummeted. Yet this trend only lasted about ten years until upticks in migration from the

¹³ Latour. (2005). Reassembling the social an introduction to actor-network-theory. Oxford University Press; Mitchell. (1991). The Limits of The State - Beyond Statist Approaches And Their Critics. The American Political Science Review, 85(1), 77–969.

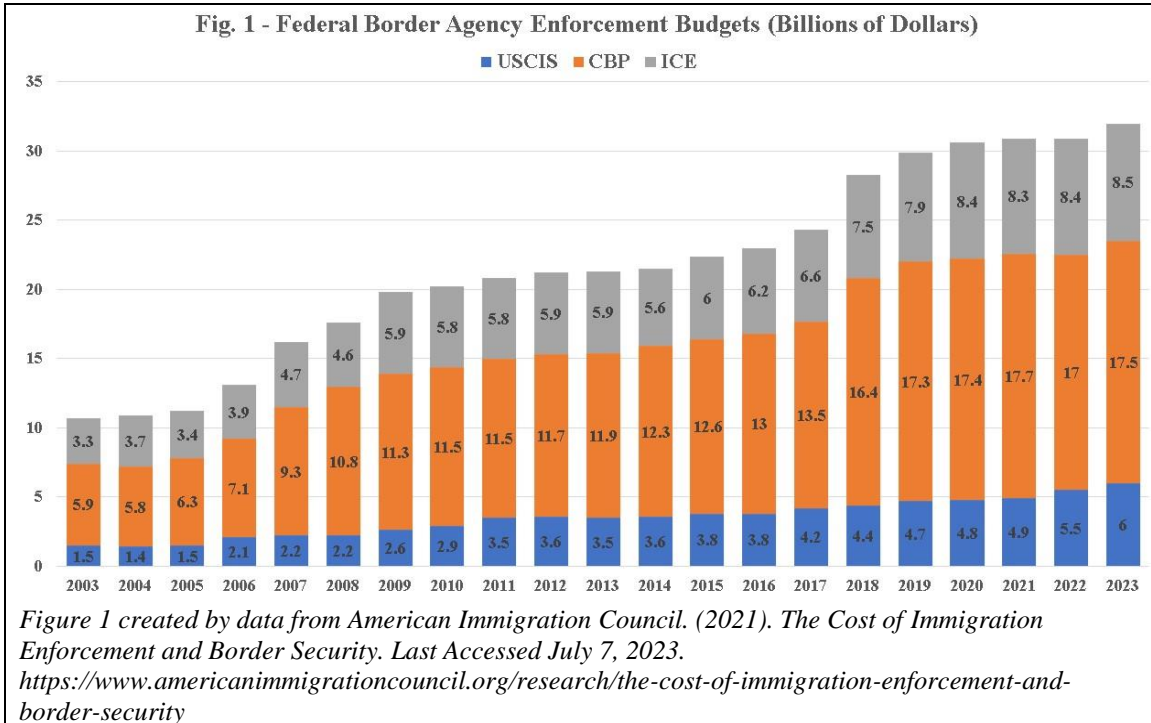
¹⁴ Figure 1: American Immigration Council. (2021). The Cost of Immigration Enforcement and Border Security. Last Accessed July 7, 2023. <https://www.americanimmigrationcouncil.org/research/the-cost-of-immigration-enforcement-and-border-security>

¹⁵ U.S. Customs and Border Protection. (n.d.). Border Wall System. Retrieved June 20, 2023, from <https://www.cbp.gov/border-security/along-us-borders/border-wall-system>

¹⁶ American Civil Liberties Union. (n.d.). Know Your Rights 100 Mile Border Zone. Retrieved June 20, 2023, from <https://www.aclu.org/know-your-rights/border-zone>

¹⁷ Morris, M. (1985). Immigration--the beleaguered bureaucracy. Washington, D.C.: Brookings Institution.; Barr. (2020). The Role Of The Executive. Harvard Journal of Law and Public Policy, 43(3), 605–631.

Northern Triangle countries (El Salvador, Guatemala, Honduras) began in 2012. Now in 2023 reports suggest border encounters are approaching the heights reported at the turn of the 21st century as depicted in figure 2.¹⁸

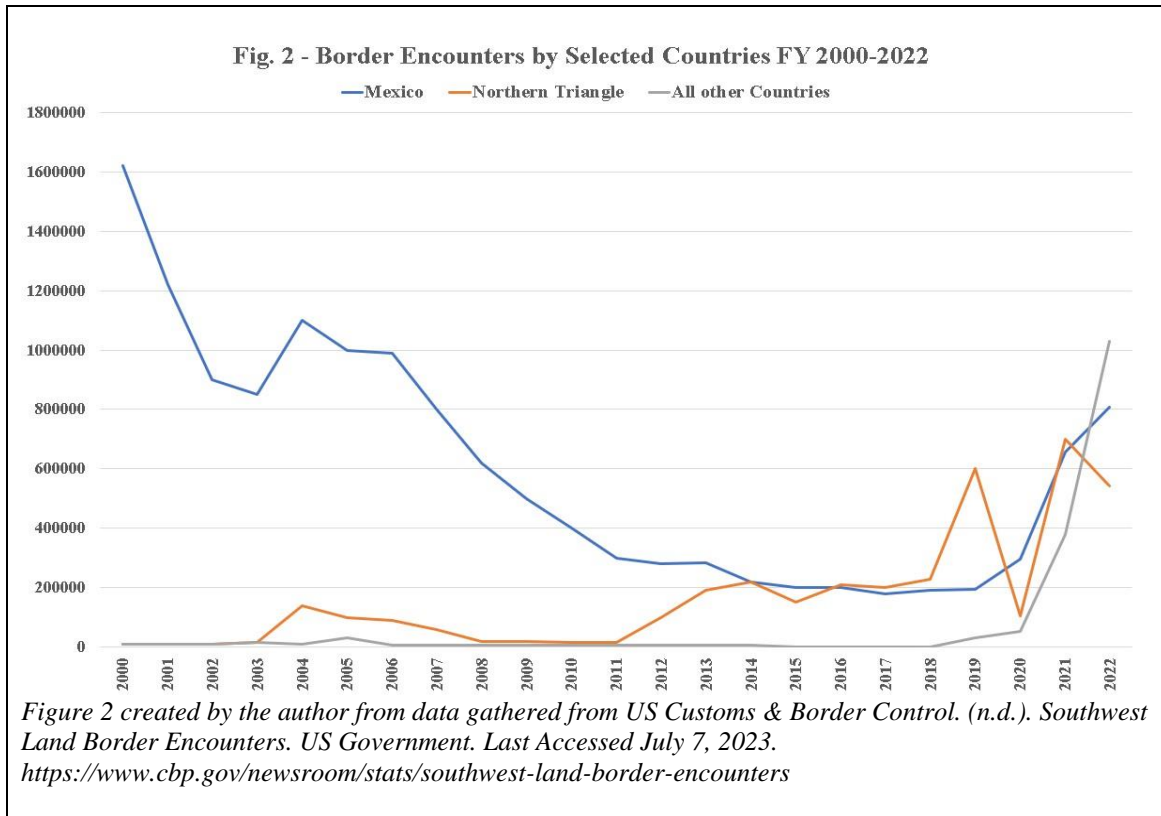


I wanted to conceptualize, in general terms, the average efficiency of institutional spending on border and immigration services with statistics of what happens at the border. It's presumed that more people encountered means more work, and vice versa. As such, we can represent a general approximation of per capita efficiency as a function of dollars and encounters. Figure 3 offers such a graph, depicting annual budgets of the three major immigration and border agencies which are divided by the estimated annual enforcement actions or encounters taken.¹⁹ Essentially, US taxpayers have been on an

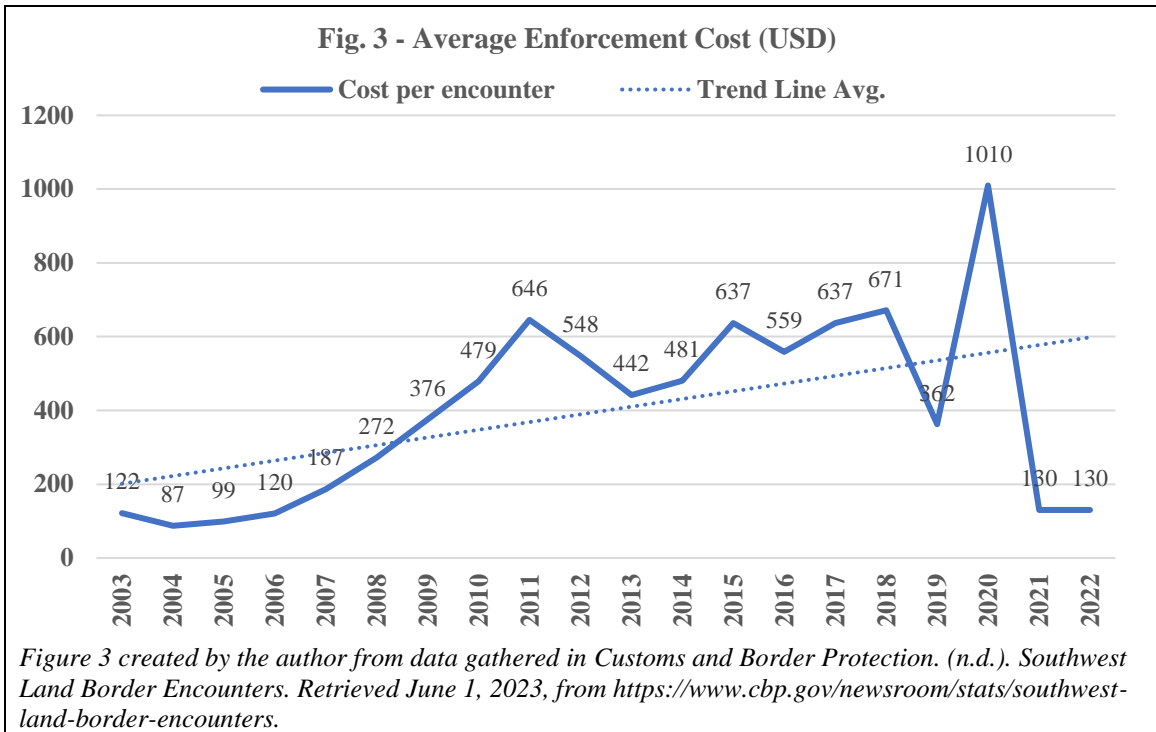
¹⁸ Source Figure 2: US Customs & Border Control. (n.d.). Southwest Land Border Encounters. US Government. Last Accessed July 7, 2023. <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

¹⁹ U.S. Customs and Border Protection. (n.d.). Southwest Land Border Encounters. Retrieved June 1, 2023, from <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

upward spending trend for enforcement per capita for decades—but with what results?²⁰
 How does the US situation compare to other countries in western democracies?



²⁰ These figures do not include additional relief programs that are also in the billions, e.g. Strategy in support of the Northern Triangle’s Alliance for Prosperity Plan (Obama) and U.S. Strategy for Addressing the Root causes of Migration in Central America (Biden). The drastic downturn in 2021 is due to Covid and title 42 policy, discussed later in chapter seven.



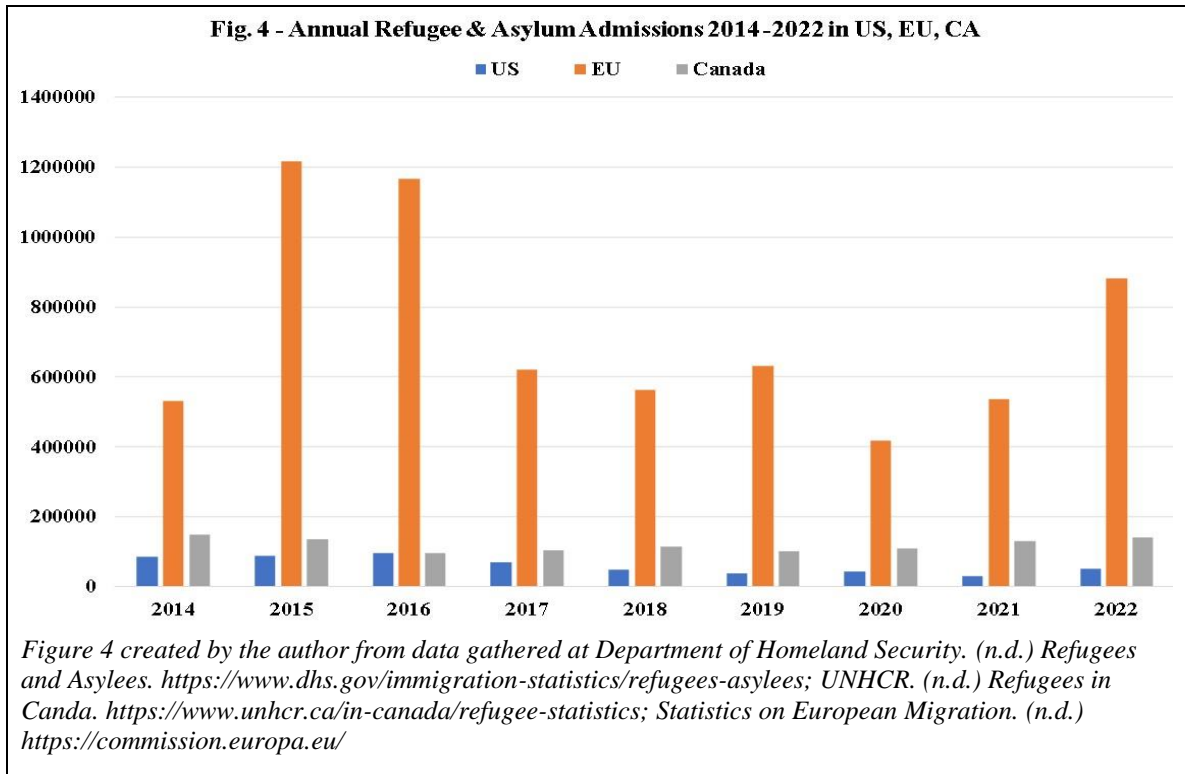
For comparative due diligence it seemed appropriate to put the US situation into context with EU and Canada. Figure 4 compares refugee and asylum rates between the US, the European Union, and Canada. This chart shows what much of the fearmongering in the opening quote is saying in terms of “worst crisis ever” is simply not true. By comparison, the “problem” of refugees is inconsequential compared with the situation facing the EU, which is half the size of the US in land area, with over a one hundred million more people. Smaller still is Canada, which accepts more refugees than the United States every year. FRONTEX, the EU level agency responsible for border and migration security has only recently reached one billion euros a year, with most of the 2000s running closer to a few hundred million euros per year. More surprising, is that larger countries like Germany, have spent billions of Euros on refugee resettlement, and take over a million refugees in *each year*, with 26 billion euros earmarked for 2023 alone (about 28.5 billion USD).²¹ By comparison, the United States has about 7.3 billion USD

²¹ Reuters. (2023). Germany to spend 26.6 bln euros on refugees in 2023. Last Accessed 8/2/2023. <https://www.reuters.com/world/europe/germany-spend-266-bln-euros-refugees-2023-2023-04-19/>

earmarked for refugees in 2023 per the Office of Refugee Resettlement and has a *refugee cap* of 125,000 as set by the president.²²

If crises are real and indicative of more encounters with fewer resources, we should expect these trends and comparisons to be inverted—which would more reasonably justify rallying cries for more resources to the border. However, the reality is more resources are spent on immigration enforcement than ever before and encounters were much lower than in decades prior, even if recent data suggests new heights are on the horizon. How can this be explained? An obvious explanation would be to say encounters went down because enforcement spending is higher, and that deterrent strategies have been working. But if that is the case then why, despite extensive improvements in the efficacy of border security, is the framing of the US-Mexico border and immigration persistently characterized by media and politicians across the political spectrum as some sort of ongoing crisis? If there is a crisis, what are the causes and for whom is it a crisis? And if not, then what work is the term crisis doing? At the most general level—what do migration crises reveal about the dynamics of liberal state-development, and the future of democratic politics?

²² White House. Memorandum on Presidential Determination on Refugee Admissions for Fiscal Year 2023. Accessed June 2, 2023. <https://www.whitehouse.gov/briefing-room/presidential-actions/2022/09/27/memorandum-on-presidential-determination-on-refugee-admissions-for-fiscal-year-2023/>



Crisis, Immigration, and the State

Crisis: a time of intense difficulty, trouble, or danger; an unstable or crucial time or situation in which a decisive change is impending.

*Krisis: a separating, sundering, cleaving; a judgement, especially concerning justice, injustice, right, or wrong.*²³

Crisis and Politics

Pundits and scholars alike have remarked on something akin to a *crisis paradigm*.²⁴ The crisis paradigm is characterized by a sense of urgency, unpredictability, and instability explored by critics of capitalism, (neo)liberalism, and meta-narratives to explain human progress.²⁵ Crises often expose existing social problems and inequalities,

²³ From the Ancient Greek *Krisis* and *Krino*, meaning to approve, esteem, to prefer. to be of opinion, deem, think, to determine, resolve, decree. to judge.

²⁴ Klein. (2007). *The shock doctrine: the rise of disaster capitalism*. Metropolitan Books/Henry Holt; Graber, Levinson, S., & Tushnet, M. (2018). *Constitutional democracy in crisis?*. Oxford University Press. Springer International Publishing.

²⁵ Harvey, D. (2005). *A brief history of neoliberalism*. Oxford: Oxford University Press; Klein, N. (2007). *The Shock Doctrine: The rise of disaster capitalism*. New York: Picador; Fraser, N. (2017). *The old is dying and the new cannot be born: From progressive neoliberalism to Trump and beyond*. London: Verso; Wallerstein, I. (2004). *World-systems analysis: An introduction*. Durham, NC: Duke University Press;

while also creating opportunities for new ideas and approaches to emerge. In this sense, crises can be seen as a catalyst for change, forcing societies to re-examine their values and priorities and to explore new ways of organizing themselves.²⁶

Etymologically the word *crisis* derives from the Greek word *krisis*. As defined above, the terms are nearly identical, except that *crisis* obfuscates the political implications more explicit in *krisis*. Time and temporality are also assumptions that differ upon further interrogation. Consider that *crisis* implies a discrete duration, a periodic quality that is measurable and quantifiable. On the other hand, *krisis* is more continuous, not so much about solving a *crisis*, but rather about an ongoing process of deliberately shaping the future through crises. However, at a time when *crisis* is being used to describe housing, healthcare, student debt, social security, infrastructure, the environment, and the general political climate, many question whether the word crisis in relation to migration or borders has any meaning at all.

In the same way scholars have urged consideration of interrogating binaries of migrant/refugee, agency/structure, change from below or above, so to we must contend with the contested and political meaning of crisis. The opposite of crisis would be somewhere in the conceptual neighborhood of normal, orderly, organized, regular. In terms of immigration and border politics, however, this is a problematic framing to adopt because it posits that *stasis* is natural as orderly, and that *movement* and migration are a *cause* of crisis. My contention, which I unpack further below, is that bordering is a source of *disorder*, and that migration crises are a *symptom* of problems in other areas of social, political, and environmental life. Therefore, acknowledging this distinction between crisis and *krisis* is a way to recover both the inherent political meaning of crisis and tease out this temporal quality which matters in terms of thinking about how power organizes space and time. Afterall, crisis is an extreme kind of “change over time” which is probably the most common or general aspiration of what social sciences aims to study in any given topic.

It’s generally accepted that crisis creates a sense of urgency that encourages people to collectively demand reforms, which puts pressure on political leaders to

²⁶ Gilbert. (2019). The Crisis Paradigm: Description and Prescription in Social and Political Theory.

implement changes and resolve the situation.²⁷ Moreover, from this perspective crises create social capital, which refers to the connections, trust, and norms that enable people to work together effectively, because shared experience of crisis can bring people together and foster a sense of civic engagement, leading to political change.²⁸

Crises also shape how individuals adapt or change their political involvement and beliefs over time. Troubling times are breeding grounds for populist or more authoritarian directions. Crises can lead to the rise of populist movements because they create a sense of disillusionment with the political establishment. Populist movements thrive in times of crisis because they offer simple solutions to complex problems, in a reductive *us vs. them* binary.²⁹ Similarly, some contend that crises can lead to the rise of populism because they create a demand for political outsiders who are seen as better equipped to handle the crisis.³⁰ On the other hand, scholars concerned about “democratic backsliding” have warned that crises can lead to authoritarianism because people may be willing to sacrifice their freedoms and rights in exchange for security and stability.³¹ Overtime the erosion of democratic norms and institutions can give rise to fascism or other authoritarian regimes.³²

Additionally, scholars of political institutions, including those such as Collier and Collier who have explored the concept of “critical junctures,” along with Stephen Jay Gould and Niles Eldredge, who have developed the “punctuated equilibrium” theory, and political scientists like Walter Dean Burnham and Stephen Skowronek who have worked on “realignments,” have long supported these frameworks as explanatory theories of

²⁷ Verba, S. (1965). Crisis, legitimacy, and the growth of political instability. *American Political Science Review*, 59(1), 10-23.

²⁸ Putnam, R. D. (2000). *Bowling alone: The collapse and revival of American community*. Simon & Schuster.

²⁹ Rovira Kaltwasser, Taggart, P. A., Ochoa Espejo, P., & Ostiguy, P. (2017). *The Oxford handbook of populism*. Oxford University Press; Weyland, K. (2001). Clarifying a Contested Concept: Populism in the Study of Latin American Politics. *Comparative Politics*, 34(1), 1-22.

³⁰ Berman, S. (2018). *Democracy and dictatorship in Europe: From the Ancien Régime to the present day*. Oxford University Press. See also, Mudde, C. (2019). *The far right today*. John Wiley & Sons.

³¹ Levitsky, S., & Ziblatt, D. (2018). *How democracies die*. Crown.; Bermeo, N. (2016). On Democratic Backsliding. *Journal of Democracy*, 27(1), 5-19.; Way, L. A. (2015). *Pluralism by Default: Weak Autocrats and the Rise of Competitive Politics*. Baltimore, MD: Johns Hopkins University Press.

³² Mounk, Y. (2018). *The people vs. democracy: Why our freedom is in danger and how to save it*. Harvard University Press. See also, Bermeo, N. (2016). On democratic backsliding. *Journal of Democracy*, 27(1), 5-19; Mettler, & Lieberman, R. C. (2021). *Four threats: the recurring crises of American democracy*. St. Martin's Griffin, an imprint of St. Martin's Publishing Group.

state-society development.³³ These theories are perhaps not always tied to crises, but are certainly in conceptual proximity.³⁴ Cas Mudde, Ernesto Laclau, among other scholars of populism contend along with scholars of democratic backsliding, such as Nancy Bermeo, Levitsky and Ziblatt, how crises often reinforce existing power structures and engender democratic erosion and backsliding, leading to authoritarianism of different kinds.³⁵ Moreover, scholars like Naomi Klein, who has written extensively about the 'shock doctrine,' argue that crises can be used as a pretext for implementing policies that serve the interests of what C. Wright Mills called “the power elite” and their agenda to control the main centers of state and market power.³⁶ Within the context of the United States, political scientists such as Hugh Heclo have raised major concerns with “iron triangles” that bring political power, lobbying influence, and policy outcomes into mutually beneficial relations, instead describing governing as “issue networks.”³⁷ Within the context of the United States, Roberts (2013) expertly explores *disaster* management and the evolution of the Federal Emergency Management Agency (FEMA). Robert’s account depicts the evolution of disaster management as an idiosyncratic and patchwork process, stating “the same plans and personnel are used to prepare for fires, floods, and hurricanes as for nuclear attacks and sometimes for terrorism.”³⁸ Immigration is eschewed in Robert’s analysis despite the Mariel boatlift being the second largest operation in FEMA’s history.

At the more theoretical level scholars debate the nature of the state, its origins, evolution, and state-society relations including concepts like sovereignty, citizenship, and

³³ Burnham. (1982). *The current crisis in American politics*. Oxford University Press; Burnham. (1970). *Critical elections and the mainsprings of American politics*. Norton; Skowronek. (1993). *The politics presidents make: leadership from John Adams to George Bush*. Belknap Press.

³⁴ Pierson, P. (2004). *Politics in time: History, institutions, and social analysis*. Princeton University Press; see also Thelen, K. (1999). Historical institutionalism in comparative politics. *Annual Review of Political Science*, 2(1), 369-404.

³⁵ Levitsky, & Ziblatt, D. (2019). *How democracies die* (First paperback edition.). Broadway Books, an imprint of Crown Publishing, a division of Penguin Random House; Bermeo. (2003). *Ordinary people in extraordinary times: the citizenry and the breakdown of democracy*. Princeton University Press; Laclau.

Mudde, & Rovira Kaltwasser, C. (2018). Studying Populism in Comparative Perspective: Reflections on the Contemporary and Future Research Agenda. *Comparative Political Studies*, 51(13), 1667–1693.

³⁶ Mills. (1956). *The power elite*. Oxford University Press.

³⁷ Overman, & Simanton, D. F. (1986). Iron Triangles and Issue Networks of Information Policy. *Public Administration Review*, 46(S1), 584–589.

³⁸ Roberts. (2013). *Disasters and the American state: how politicians, bureaucrats, and the public prepare for the unexpected*. Cambridge University Press. p 7.

identity. Karl Marx, and the unquantifiable contribution of his thought to critiques of capitalism and of the state emphasized its role in maintaining the class structure and protecting the interests of the bourgeoisie. In contrast, Max Weber's definition of the state centered on its monopoly on the legitimate use of physical force within a given territory, linking sovereignty with the power to command and enforce obedience. Carl Schmitt further developed the concept of sovereignty, focusing on the sovereign's ability to decide on the exception, such as determining when laws can be suspended. This perspective offers a more fluid understanding of law and the state's authority, underscoring the importance of the political decision-making process. Giorgio Agamben expanded on Schmitt's ideas, particularly in his work "Homo Sacer," where he explored the relationship between sovereignty, biopolitics, and exclusion. Agamben's introduces a complex view of how sovereignty functions at the intersection of law and life, often resulting in the creation of "bare life" or life that can be killed without committing homicide, which is frequently evoked in scholarship concerned with migration, rights, and sovereignty.³⁹ This is especially true in debates over borders and the various positions people take, which Sarah Song expertly parses in the vein of liberal pragmatism.⁴⁰

Crisis as concept in political science, then, is widely debated, studied, and theorized from economics to the environment, the ego, and everything in between. For the task at hand, and sake of generalizing, I offer a simple typology that captures the broad analytical positions of crisis and politics. This is useful for two reasons. First, it tries to capture the birds-eye-view of the terrain in which political consideration has been given to the meaning and utility of crisis and politics. Second, it offers a way for this study to situate itself within this otherwise amorphous and sprawling literature.

Captured in figure 5, the X-axis is a well-established difference of position in the sub-field of international relations, constructivism, and realism. Generally, constructivism focuses on the role of social constructs, ideas, norms, and identities.⁴¹ It posits that core

³⁹ Calarco, & DeCaroli, S. (2007). Giorgio Agamben: sovereignty and life. Stanford University Press.

⁴⁰ Song. (2019). Immigration and democracy. Oxford University Press.

⁴¹ Wendt. (1999). Social theory of international politics. Cambridge University Press; Anderson. (1991). Imagined communities: reflections on the origin and spread of nationalism (Revised and extended edition.). Verso.

aspects of international relations, such as sovereignty and nation-states, are socially constructed and maintained through shared beliefs and practices, which takes its most literal form as *the border* institution. Realism is contrasted with constructivism, because it foregrounds a competitive and conflict-driven international system, where states are the primary actors, driven by national interests often defined in terms of power and security. This view is held by international scholars such as Kenneth Waltz and John Mearsheimer have a view of human nature and the organization of politics as inherently selfish and incentivized by scarcity.⁴²

The Y-axis, or *view of crisis*, dimension is more niche and draws inspiration from Kaase and Newton exploring theories of crisis as “optimistic” or “pessimistic” within western liberal democracies.⁴³ However, optimism and pessimism might be imprecise for what I mean to capture. From my understanding, the optimistic viewpoint perceives crises as catalysts that can lead to either transcendence or revolution. In contrast, the pessimistic position characterizes crises as undesirable but likely part of normal growth and reproduction, so centering experimental resolutions that work is key.⁴⁴ This view accentuates the inescapable nature of crises, hurdles in international collaboration, the inadequacy of political establishments, and an inclination toward impromptu, ephemeral solutions. It may portray prevailing governance structures as deficient in either mitigating or averting crises.

From this typology then I derive four broad categories of how crisis is conceptualized: transcendent, revolutionary, apocalyptic, and pragmatic. Transcendent theories are probably most apparent in the theories of modernization popularized in the mid-20th century against the backdrop of the Cold War.⁴⁵ These theories reached their critical mass with “the end of history” and the “liberal consensus” paradigm that Francis Fukuyama, Anthony Giddens, and others examined in the 1990s.⁴⁶ The central idea being

⁴² Waltz. (2000). Structural Realism after the Cold War. *International Security*, 25(1), 5–41; Mearsheimer. (2018). *The great delusion: liberal dreams and international realities*. Yale University Press.

⁴³ Kaase, & Newton, K. (1996). *Theories of Crisis and Catastrophe, Change and Transformation*. In *Beliefs in Government* (Vol. 5). Oxford University Press, Incorporated.

⁴⁴ Lindblom. (1990). *Inquiry and change: the troubled attempt to understand and shape society*. Yale University Press.

⁴⁵ Rostow. (1990). *The stages of economic growth: a non-communist manifesto*. Cambridge University Press.

⁴⁶ Giddens. (2000). *The third way and its critics*. Polity Press; Fukuyama. (1989). *Have we reached the end of history?* Rand Corp.

that despite challenges from fascism, communism, socialism, the prevailing world order has—and will be—liberal democratic capitalism and that development in this sense *is* the path to more freedom. Revolutionary positions represent theories like Marxist or socialist critiques of capitalism, or more liberal transformations like Joseph Schumpeter’s “creative destruction” thesis.⁴⁷ This revolutionary category includes more extreme variants too like “accelerationism” as ideas focused on hastening crisis, actively bringing established order into chaos is desirable to bring about fundamental and lasting reorganization of society.⁴⁸

Apocalyptic accounts are doomsayers, sometimes offering incisive critiques of established order but with little prescription or hope for avoiding an inevitable outcome. For example, those who subscribe to a Hobbesian perspective may carry an implicitly (or not) apocalyptic view on the relationship between human nature and the state, positing that the *leviathan* (a unitary and powerful state) is a remedy for what he imagined as an original crisis of how to form political community. Contemporary philosopher and social critic, Slavoj Žižek often speaks about the failures of global capitalism and the potential catastrophes facing humanity, such as ecological disaster or the collapse of democratic institutions, leaning into explanations that evoke deterministic pessimism.⁴⁹

I conclude with the Pragmatic position because of how it informs this research. Broadly construed, pragmatism is a philosophical approach that emphasizes practical solutions, empirical investigation, and flexible adaptation to changing circumstances rather than adherence to rigid ideological or theoretical frameworks.⁵⁰ Pragmatism is more concerned with what works in a particular context, than what might work universally. In the words of John Dewey, “democracy has to be born anew every generation, and education is its midwife.” Richard Rorty and others reject the idea of universals almost by definition due to the inherent way in which reality is a series of ongoing negotiations and compromises—i.e., constructed.

⁴⁷ Schumpeter. (2010). *Capitalism, Socialism and Democracy* (1st ed.). Routledge.

⁴⁸ Gardiner. (2017). Critique of Accelerationism. *Theory, Culture & Society*, 34(1), 29–52.

⁴⁹ Žižek. (2018). *Living in the end times*. Verso.

⁵⁰ Milstein. (2015). Thinking politically about crisis: A pragmatist perspective. *European Journal of Political Theory*, 14(2), 141–160. <https://doi.org/10.1177/1474885114546138>

Pragmatists are not *optimistic* about crisis, because there is skepticism toward both transcendent and revolutionary ideals associated with post-crisis thinking. On the other hand, pragmatists rejection of universals does not lead to nihilism or relativism either, because the aim is to not herald the end, but rather foster a commitment to continuous inquiry, empathy, and social solidarity, despite the challenges it may pose. The ends of pragmatism are defined by its means, or in the words of Charles Lindblom, “to muddle through” and experiment with hopefully ever-improving processes and practices being updated new information and insights.⁵¹ This means then that pragmatists are engaging in what Berk, Galvan, and Hattam call “political creativity” in which “power is best understood relationally as social practices through which subjects and subjectivities, institutions and authority are established, challenged, and reconfigured.”⁵² This insight provides leverage on thinking about power in terms of borders and immigration policy, which has formal and seemingly stable structures, like barriers and laws, but in practice is mode of power “secured through ongoing negotiation of people, places and things into provisional assemblages that accord meaning to position.”⁵³

By adopting this framework, the analysis can formulate a direct answer to the question *why crisis?* The term crisis can act as a kind of empty signifier, that is, a term which gets meaning not from the objective analysis of the event, but from the subjective interpretation of the event by observers, each with their own biases and preconceived notions.⁵⁴ In this way then, “crises” are an opportunity to not only analyze a “focusing event” as a practical problem, but also to deconstruct the social and political meaning of crisis framing as a discursive strategy pivotal to reproducing ‘imagined communities’ of belonging for some, while retrenching legal exclusions for others.

⁵¹ Lindblom. (1990). *Inquiry and change: the troubled attempt to understand and shape society*. Yale University Press.

⁵² Berk, Galvan, D. C., & Hattam, V. C. (2013). *Political creativity: reconfiguring institutional order and change*. University of Pennsylvania Press. p3.

⁵³ *Ibid.*

⁵⁴ Laclau, & Mouffe, C. (1985). *Hegemony and socialist strategy : towards a radical democratic politics*. Verso.

Fig. 5 - Theories of Crisis Typology		View of Crisis	
		Optimistic	Pessimistic
Nature of Crisis	Realist	Transcendent	Apocalyptic
	Constructivist	Revolutionary	Pragmatic

Consider for example that there are more people participating in some kind of migration now than at any time in history. As of writing this 300 million people are “migrants” and nearly 70 million of those are actively displaced refugees of many causes including war, famine, political oppression, and environmental change. Those who travel within the systems of capital and the state with the appropriate paperwork are usually considered legal, regular, and voluntary. Those traveling in ways that evade or hide from either the systems of capital (i.e., fares) or the state (i.e., identification) are often depicted as illegal, irregular, and sometimes involuntary. While the focus of this study is the United States and its neighbors, most of this global migration is happening beyond US borders, primarily throughout eastern Europe, Southeast Asia, and central Africa.⁵⁵

The United States is often invoked as a *nation of immigrants*. Metaphorically, “waves” of people wash upon the shores of the “shining beacon upon a hill” in pursuit of the American dream throughout history, and together as a melting pot of diverse cultures and people *we* make America great. Or so the tale goes. More critical examinations of US history tell a different story. For Dunbar-Ortiz, the United States is a “vortex of settler colonialism” that brings immigrants into relation with the practices of *Americanization*.⁵⁶

⁵⁵ UNHCR. (2022). Global Report 2022. The UN Refugee Agency. Retrieved June 20, 2023. <https://reporting.unhcr.org/global-report-2022>

⁵⁶ Dunbar-Ortiz, R. (2021). The United States Is Not a Nation of Immigrants. Boston Review. <https://www.bostonreview.net/articles/the-united-states-is-not-a-nation-of-immigrants>; see also

More moderate or liberal interpretations of US state development would lean into “assimilation theory” and “segmented labor-market theory” for social and economic explanations increasing migration to the US.⁵⁷ In both cases, American progress has been structured by the domestic politics of race, sex, class, among others, that reveal a ‘liberal paradox’ diagnosed in different ways by scholars. For example, James Hollifield diagnosed a “liberal paradox” at the heart of US democracy and its tensions between citizenship, democracy, and immigration in the 18th and 19th centuries.⁵⁸ Douglas Massey extended the concept into 20th century politics and argues the “immigration ‘crisis’ stems from a fundamental contradiction lying at the heart of American policy toward Mexico—our schizophrenic attempt to create an integrated North American market within which borders are rendered permeable...to movements of goods, capital, information, services, raw materials and certain kinds of people...but impermeable to the movement of workers.”⁵⁹

Alison Gash and Priscilla Yamin examine the liberal paradox in terms of how the state governs the family structure, particularly within immigration policy. Their argument highlights how mixed status families, such as those with undocumented parents, are kept in a legally ambiguous state of “deportability” and effectively forced to maintain low-wage, low visibility lives, often at the cost of being separated from their families. The paradox for their analysis then is that “immigration policy separates families while also promising family unity” and as such the legal status of family “operates as a status bestowed by the state” which means that the state acknowledges “some households as families and grants them benefits, while forcing other households to live as legal strangers.”⁶⁰ More generally this “liberal paradox” has been explored in the “multiple traditions” thesis, which reflects an understanding that liberalism is not a uniform

Pickus. (2005). *True Faith and Allegiance: Immigration and American Civic Nationalism*. Princeton University Press.

⁵⁷ Roediger. (2010). *Working toward whiteness: how America’s immigrants became white: the strange journey from Ellis Island to the suburbs*. BasicBooks; Wong. (2017). *The Politics of Immigration: Partisanship, Demographic Change, and American National Identity*. In *The Politics of Immigration*. Oxford University Press, Incorporated.

⁵⁸ Hollifield. (2004). *The Emerging Migration State*. *The International Migration Review*, 38(3), 885–912.

⁵⁹ Massey, D. (2007). *Understanding America’s Immigration “Crisis.”* *Proceedings of the American Philosophical Society*, 151(3), 309–327.

⁶⁰ Gash, & Yamin, P. (2019). “Illegalizing” Families: State, Status, and Deportability NPS Christian Bay Best Paper Award Winner, APSA 2018, Boston. *New Political Science*, 41(1), 1–16.

ideology but consists of varied strands and interpretations that have emerged over time and in different contexts. For example, Louis Hartz's seminal work, "The Liberal Tradition in America," argues that the United States was born liberal, without feudalism, and that this distinctive path has shaped American political culture.⁶¹ However, this viewpoint has been nuanced by Rogers M. Smith, who, in works like "Civil Ideals," recognized multiple liberal traditions and conflicting visions within American history, developing what scholarship now calls a "politics of exclusion" endemic to American liberalism.⁶² Attempts to rationalize this "paradox" are probably best captured in works such as Isaiah Berlin's distinction between "negative" and "positive" liberty, which provides leverage on thinking about dimensions and tensions in liberal thought, while Judith Shklar's "liberalism of fear" tried to balance preserving core political aspects of liberal thought while being centrally concerned with restraining state power.⁶³

This is the paradox of liberalism, as a philosophy it aims to free the *human* mind, but in practice has *carceral* origins designed to control those not considered fully rational and human, to bring *civilization* into the world. Within the context of immigration, even in the 21st century, the discourse is always some deserving *citizen*, a person, being threatened by some ominous *illegal alien*, a criminal.⁶⁴ Consider that the "criminalization" of "deviant" groups serves as a central mechanism by which the nascent US colonies came to be populated by non-native people.

During the early 17th century, the first significant wave of "immigrants" to the United States arrived from England, not as *colonists* but as *cheap labor* to be exploited by the landholding companies and associated forces.⁶⁵ During this period of course is the mass expulsion of people from English prisons and workhouses to relieve pressure on

⁶¹ Hartz. (1955). The liberal tradition in America: an interpretation of American political thought since the Revolution. Harcourt, Brace & Company.

⁶² Smith. (1997). Civic Ideals: Conflicting Visions of Citizenship In U.S. History. Yale University Press; Doty, R. L. (2009). The Law into Their Own Hands: Immigration and the Politics of Exceptionalism. University of Arizona Press.

⁶³ Shklar. (1998). Political thought and political thinkers. University of Chicago Press.

⁶⁴ Ngai. (2004). Impossible Subjects: Illegal Aliens and The Making Of Modern America. Princeton University Press; Nevins. (2002). Operation Gatekeeper: the rise of the "illegal alien" and the making of the U.S.-Mexico boundary. Routledge.

⁶⁵ Wilsher, D. (2011). Immigration Detention: Law, History, Politics. Cambridge University Press; Parker. (2015). Making foreigners: immigration and citizenship law in America, 1600-2000. Cambridge University Press.

crowded facilities and clear out “undesirables” and their behaviors, such as vagrancy, pauperism, and prostitution.⁶⁶ While there were enslaved Africans on the landing party in 1619, this more familiar history of the trans-Atlantic slave trade did not become the primary source of labor until the later in the 17th century when it had overtaken indentured servitude and other forms of debtor bondage.⁶⁷ In the grand scheme of things, of course, the issue of slavery became a defining feature of American politics. Scholarship maps the origins of policing and surveillance of “run-a-way” or “fugitive” servants and slaves, particularly enslaved Africans, as key practices that become origins of the prison and police industrial complex.⁶⁸

The 18th century saw continued immigration from Europe, primarily from Germany, Ireland, and Scotland. Slavery expanded rapidly, with some states having more enslaved people than US citizens, such as Virginia. And importantly throughout this time is the continued westward expansion of the US territories. So as people are coming in, so too is the state acquiring more land through trade and conquest, and in turn the state incentivizes people to the push west with policies like the Homestead Act, and cultural visions of a *manifest destiny*.⁶⁹ However, one of the defining issues that divided the US political culture was precisely the issue of slavery, and whether or not it should be permitted in the territories. With no slavery in states and territories of California and Oregon, the cheap labor came in the form of immigration, especially from China along the western seaboard.⁷⁰

Throughout the 19th century sources of Asian and Irish immigration become the focal point of American-ness. Millions of Irish folks suffering a potato famine and

⁶⁶ Jordan, & Walsh, M. (2008). *White Cargo: The Forgotten History of Britain’s White Slaves In America*. Mainstream Press; Ziegler, E. (2014). *Harlots, Hussies & Poor Unfortunate Women: Crime, Transportation & The Servitude of Female Convicts, 1718-1783*. Tuscaloosa: University of Alabama Press.

⁶⁷ Galenson. (1981). *White servitude in colonial America: an economic analysis*. Cambridge University Press; Ballagh, J. (1973). *White servitude in the Colony of Virginia; a study of the system of indentured labor in the American colonies*.

⁶⁸ Browne. (2015). *Dark matters: on the surveillance of blackness*. Duke University Press; Alexander. (2010). *The new Jim Crow: mass incarceration in the age of colorblindness*. New Press.

⁶⁹ Horsman. (1981). *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism*. Harvard University Press; Stephanson, M. (1995). *Manifest Destiny: American Expansionism and The Empire of Right*. Hill and Wang.

⁷⁰ Lee. (2003). *At America’s Gates: Chinese immigration during the exclusion era, 1882-1943*. University of North Carolina Press; Daniels. (2004). *Guarding The Golden Door: American Immigration Policy And Immigrants Since 1882*. Hill And Wang

disease epidemic came to the US beginning as early as 1820, making up nearly a third of all immigrants for most of the century.⁷¹ Our collective imagination conjures images of Ellis Island and the Statue of Liberty, despite there being several major immigration ports along the eastern seaboard. However, another wave of immigration was taking place on the west coast at Angel Island. More than 300,000 Chinese immigrants were processed between 1850 and 1882 before the Chinese Exclusion Acts went into effect, creating the first national origin ban on immigration *and* a federal takeover immigration enforcement.⁷²

From the late 19th century forward congress increasingly wants to restrict immigration, and presidents want to keep it open. For example, as early as 1864, Congress wanted to impose anti-Chinese measures as part of reconstruction, but Lincoln disagreed. In 1897, President Cleveland vetoed a literacy requirement for entry, congress overruled it. Wilson faced a similar situation in 1917 during the initial restrictions that Congress passed as the National Origin Quotas by 1924, which greatly reduced immigration from everywhere except western European countries. However, given the exigencies of World War I, the Great Depression, and then World War II, migration flows between the US and Mexico continued to grow because of American industries desire for cheap and non-union labor.⁷³

World War II ended, and fascism had been defeated, but the Cold War mentality took hold as communism, socialism, and other dissent brewed both domestical and international dissent against the idea of an American superpower. In 1952 Congress overturned President Truman's veto that would have removed restrictions on immigration based on political ideology.⁷⁴ President Kennedy spoke highly about an "Alliance for

⁷¹ Ignatiev, N. (1995). *How The Irish Became White*. Routledge; Bacon. (2015). *Island Of Hope -- Island Of Tears: The Story Of Ellis Island: The American Immigration Experience*. Guggenheim Productions, Inc.

⁷² Law, A. (2010). *The Immigration Battle in American Courts*. Cambridge University Press.

⁷³ Calavita. (1992). *Inside the state: the bracero program, immigration, and the I.N.S.* Routledge; Cohen, D. (2015). *Braceros: Migrant Citizens and Transnational Subjects in the Postwar United States and Mexico*. University of North Carolina Press; Massey, Durand, J., & Malone, N. J. (2002). *Beyond Smoke and Mirrors: Mexican*

Immigration In an Era of Economic Integration. Russell Sage Foundation.

⁷⁴ The McCarran-Walter Act upheld the national origins quota system that had been in place since the 1920s, favoring immigration from Northern and Western Europe. It also added provisions to prevent people from entering the United States who were deemed a threat to national security, including individuals associated with certain political ideologies such as communism.

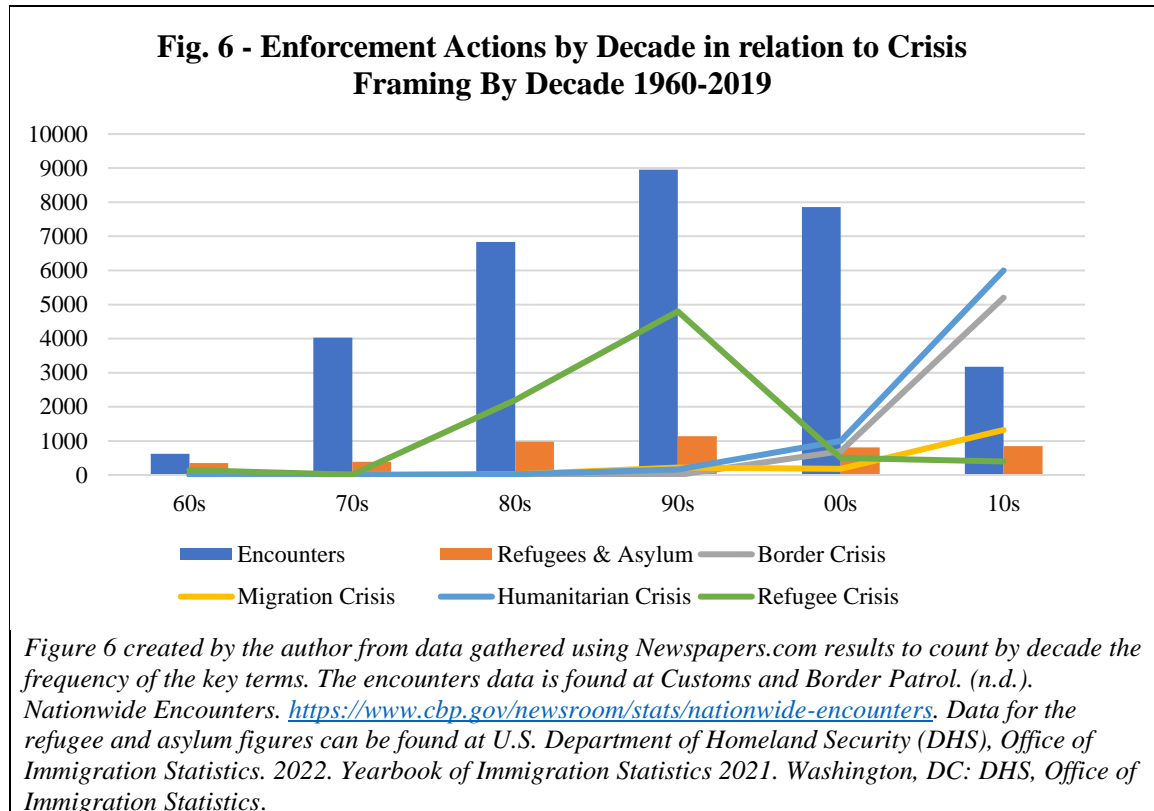
Progress” aimed to better strained relations between Central American countries and the US, but between the Bay of Pigs, Cuban Missile Crisis, and his untimely assassination resulted in the program having little effect.⁷⁵ Despite these tragedies, the intentions of Kennedy’s vision would become the basis for the Immigration and Nationality Act of 1965, or the Hart-Cellar Act, which President Johnson championed as an end to national quotas and with a priority put on reuniting families—of War torn Europe, primarily—and attracting skilled labor. However, given the post-war reconstruction efforts such as the Marshall Plan to rebuild Europe, immigration from western Europe fell dramatically. What emerged in its place was an already growing tension between US labor markets eager to exploit seasonal workers and lawmakers exercising more leverage on social issues increasingly salient to liberal politics, namely the war on drugs, poverty, and crime.⁷⁶

Despite these shifting tensions between Congress, the Executive, and the Courts, at no point was there a “crisis” described in news or government documents related to migrant flows during any of these periods. Indeed, across all US history, up until about the last 20 or 30 years, there is effectively zero discourse that conceptually links crisis and migration or uses the term *migration crisis* at all, as demonstrated in figure 6. The data collected is a large-n sample drawing from the Newspapers.com digital archive, which consists of millions of papers that can be designated by time, place, and key words. I controlled my searches to the US and totaled results by decade for each key phrase, such as “migration crisis” or “border crisis” to create basic trend lines. I then juxtaposed that data with Customs and Border Patrol data on “border encounters” which is the general catch-all category for border agents interacting with a person for whatever reason. The logic being, more encounters mean more work in terms of paperwork, conversations, citations, detention, deportation, etc. Finally, I added data for the number of asylum seekers and refugees admitted by decade per government data. The overall intention with this graph then is to depict that the empirical evidence of *crisis* is not

⁷⁵ John F. Kennedy Presidential Library and Museum. (N.D.). Alliance For Progress (Alianza Para El Progreso). Retrieved June 29, 2023, <https://www.jfklibrary.org/learn/about-jfk/jfk-in-history/alliance-for-progress>.

⁷⁶ Hinton. (2016). From the war on poverty to the war on crime: the making of mass incarceration in America. Harvard University Press; Wacquant, L. (2009). Punishing the Poor: The Neoliberal Government of Social Insecurity. Duke University Press.

consistent with the discourse of *crisis*. Which helps support one leg of my argument that a *migration crisis* is a *krisis* – or more precisely, crises are a political problem—and not a natural one.



However, this is not to say there haven't been dire warnings, existential hyperbole, and overtly racist fearmongering. For example, in Chinese migration was often described as a “yellow peril” and the term “race suicide” was used in popular discourse about concerns of influx of immigrants from Southern and Eastern Europe that threatened the “Nordic” character of the United States.⁷⁷ This is another compelling reason to focus on the crisis framing as a novel iteration in the discourse of American politics. As an empty signifier on one hand, and a generally opaque term on the other,

⁷⁷ Zolberg. (2006). *A Nation by Design: Immigration Policy In The Fashioning Of America*. Harvard University Press; Ngai. (2004). *Impossible Subjects: Illegal Aliens and The Making of Modern America*. Princeton University Press; Higham. (1988). *Strangers In the Land: Patterns of American Nativism, 1860-1925*. Rutgers University Press; Daniels. (2004). *Guarding The Golden Door: American Immigration Policy and Immigrants Since 1882*. Hill And Wang; Tichenor. (2002). *Dividing Lines: The Politics of Immigration Control In America*. Princeton University Press.

crisis discourse enables tropes about race, nation, whiteness, ‘law and order’ among others to be smuggled into otherwise colorblind messaging about “national security” and “sovereign” power.

Indeed, it is now well understood that the United States was imagined as a white democracy, given that much of the social, political, and economic struggles have been primarily about throttling the humanization of “others” into democratic politics and social belonging.⁷⁸ If the United States is a vortex of immigration, it certainly hasn’t been to expand democracy, but rather to increase economic and industrial capacity—at first for the English crown, and then later the new American landlords, corporations, and shareholders. This is typically described in immigration research as a dynamic of “push and pull” factors between sending and receiving countries. Push factors explain why people emigrate or flee their home/country, due to war, famine, poverty, or natural disaster, while pull factors explain what attracts people to a new country, for example better employment, social protections, or family ties. However, history shows that its also in these early push-and-pull movements that racialization emerges as the defining aspect of American society. Its in the colonial period that early laws regulating everything from marriage, childrearing, property rights, voting rights, and even freedoms to move around in space are constructed to police the non-white underclasses of early America.⁷⁹

The recently published *Oxford Handbook on Migration Crises* (2019) is perhaps the single most comprehensive resource on thinking about this recent phenomenon in migration studies. As an edited volume it brings together a diverse set of scholars with a rich mix of global and historical perspectives. Among the many valuable insights are instructive considerations on the *meaning* of crisis. For example, Stephanie Nawyn argues that “crisis connotes numerous types of potential threats to safety and stability” and in doing so often rests on racist and gendered notions of immigration, “where the face of a

⁷⁸ Smith. (1997). *Civic Ideals: Conflicting Visions of Citizenship in U.S. History*. Yale University Press; Olson. (2004). *The abolition of white democracy*. University of Minnesota Press; Du Bois, & Chandler, N. D. (2015). *The problem of the color line at the turn of the twentieth century: the essential early essays*. Fordham University Press; Beltrán. (2020). *Cruelty as citizenship: how migrant suffering sustains white democracy*. University of Minnesota Press.

⁷⁹ Yamin. (2012). *American Marriage : A Political Institution*. (1st ed.). University of Pennsylvania Press; Browne. (2015). *Dark matters: on the surveillance of blackness*. Duke University Press; Alexander, M. (2010). *The new Jim Crow: Mass incarceration in the age of colorblindness*. New York: New Press; Thompson. (2016). *The schematic state: race, transnationalism, and the politics of the census*. Cambridge University Press.

dangerous migrant is usually a brown-skinned man [...] using the term crisis is not an apolitical act. Rather it is a way of framing migration in such a way that it garners an emotional reaction, either one of compassion, fear, or even anger.”⁸⁰ Additionally, Nawyn raises questions we ought to ask when thinking about migration crises, for example, what makes the situation a crisis: does it concern the numbers or volume of people coming? Or is it the speed at which they arrive? Or is it country of origin and concerns about cultural assimilability? For whom is this a crisis? How should crisis be responded to? And finally, “what are the consequences of using the language of crisis? Who benefits and who is harmed by such language?”⁸¹

In addition to these valuable questions that guide this study more in the coming chapters, there are also factors to consider as a matter of position and framing, which is significant because how we interpret and respond to crisis is shaped by political, social, and cultural dynamics. Jane McAdam (2014) for example draws our attention to the conceptualization of crisis itself and how it affects legal and policy response to forced migration, noting that “...we need to be cautious and precise about how we use the concept to of ‘migration crisis’ [...] there is a risk that the language of ‘crisis’ may serve to pathologize all movement ...” and that the “potency of this idea helps both to constitute the emergency and drive responses to it.”⁸²

The utility of crisis as an empty signifier is explored by Claudia Tazreiter as she elucidates how “migration crisis” as a concept can be used to “divert public attention from issues that sovereign states, political leaders, and political parties loathe to deal with” and in doing so “crisis narratives of migration exploit, situate, and relate social and political problems to migration as if there were causal links where none exist.”⁸³ A solid example of this is the opening quote by Stephen Miller. One key dynamic she points out that drives crisis narratives is the process of “capitalist accumulation” which is a “key aspect of

⁸⁰ Nawyn, S. Refugees in the United States and the Politics of Crisis, in Menjívar, C., Ruiz, Marie, & Ness, Immanuel. (2019). *The Oxford handbook of migration crises*. New York, NY: Oxford University Press. pp 163-164.

⁸¹ Ibid.

⁸² McAdam, Jane, *Conceptualizing 'Crisis Migration'* (March 13, 2013). UNSW Law Research Paper No. 2013-20, page 19

⁸³ Tazreiter, C. *Narratives of Crisis Migration and the Power of Visual Culture*, in Menjívar, C., Ruiz, Marie, & Ness, Immanuel. (2019). *The Oxford handbook of migration crises*. New York, NY: Oxford University Press. pp 619-621.

modernity... fundamentally a crisis phenomenon, requiring constant change, renewal, and movement.”⁸⁴ In other words, crisis is good for business when the product is security. This is often seen in discourse concerning “drugs pouring over the border” and “illegal immigrants taking jobs” and criminalizing migration more generally.⁸⁵ The incentive structures for policymakers are to create more visible resistance, even if it has diminishing or negative returns on the problem because most people live beyond the actual effects of the border-industrial complex and instead only consume narratives about it via news and other media. This reminds us to notice where profit motives and the interests of power converge, align, or otherwise reinforce one another, which I argue is central to understanding the US ‘migration crisis’ phenomenon.

The danger is that we become nearsighted in what constitutes crisis and how we should think about them as problems. As Menjivar, Ruiz, and Ness (2019) note, “when a migratory flow is understood as a crisis, as a one point in time event, certain responses that focus on the immediacy of the event are activated, which can have counterproductive consequences.”⁸⁶ They go on to say that policy responses formulated within this emergency framework can and often do obscure “entrenched inequalities based on class, race, gender, religious affiliation, sexual orientation, among other social cleavages...”⁸⁷ This is because different actors and stakeholders are constructing and interpreting the crisis in different ways, and these interpretations bias their responses and actions.⁸⁸

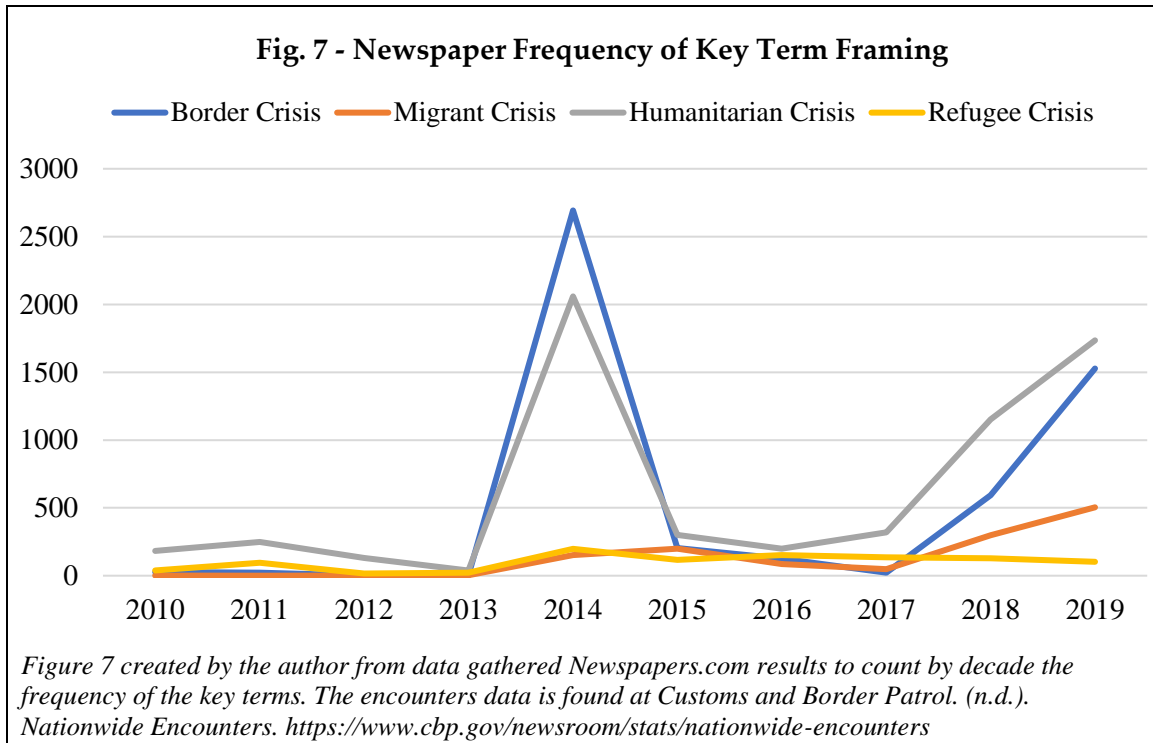
⁸⁴ *ibid.* p 624.

⁸⁵ García Hernández. (2019). *Migrating to prison: America’s obsession with locking up immigrants*. The New Press.

⁸⁶ Menjivar, C., Ruiz, Marie, & Ness, Immanuel. (2019). *The Oxford handbook of migration crises*. New York, NY: Oxford University Press. Page 5.

⁸⁷ *Ibid.* p 5-6.

⁸⁸ Butler, J. (2009). *Frames of war: When is life grievable?* Verso; Latour, B. (2018). *Down to earth: Politics in the new climatic regime*. Polity Press; Haraway, D. J. (2016). *Staying with the trouble: Making kin in the Chthulucene*. Duke University Press.



It is from this perspective then that we need to return to the question: *what is an immigration crisis?* The appearance of *crisis* as an adjective to frame immigration and border matters is non-existent until the mid to late 70s, which is largely related to the Indo-Chinese *refugee crisis* caused by the United States brutal campaign to fight communism in the Vietnam war. By the 1990s *refugee crisis* reaches an all-time high, referencing developments throughout the Caribbean, Central America, Africa, and the Middle east. However, by the late 2000s the framing of crisis started changing, with the concept of *refugee* losing significant use and instead becoming supplanted by other terms like *border*, *humanitarian*, and *migrant*. This is further supported at a more granular level as shown in figure 7. Data was collected and analyzed back to the 1800s but was so insignificant that I culled it for visual clarity. Moreover, the figures have been proportionally adjusted for better pattern recognition between the data. “Encounters” is the number of apprehensions combined with removals and deportation data. Refugee and Asylum numbers have been combined together, again for visual clarity, even though there are important legal and political distinctions between them which will be explained later in the text. As shown, *refugee crisis* bottoms out by the late 2000s, other uses spike in 2014 and again in 2018, with a consistent upward trend that continues into 2023. Why?

What happened or is happening? Are other “receiving” countries following this same trend?

Research Methodology, Case Selection, and Data Collection

In the preceding ten pages or so I have attempted to illustrate the puzzle that motivates this research project; namely that despite dwindling encounters, the US border industrial complex has tripled in scale, with increasingly more “crisis” events and discourse. This section explains the methods used to collect, analyze, and organize data from diverse sources, including presidential archives, newspapers, and interdisciplinary secondary sources. Broadly speaking, this research contributes to the well-established tradition of *comparative historical analysis* in political science but marshals these methods toward a novel analysis of a contemporary social dilemma that will inevitably shape our collective futures.

The aim is to not explain *what* a migration crisis *is*, but rather to historicize *how* the politics and practices of “migration crises” are evidence of a particular and historically contingent kind of power exercised through the border-industrial complex that is an emergent property of the converging state (regulatory) and market (profit) incentive structures. This dynamic is long in the making but not deterministically—between deliberate action and random chance, history unfolds unpredictably. The following pages will often cut against the grain of the vibrant detail, with the intention of preserving key events that skip along peaks of icebergs, so to speak, to move the larger analysis along. Any depiction of determinism or macro-view generality is simply an artifact of the pursuit of parsimony, and a constant intellectual challenge for writing. The point here is to say there is not some totalizing force or cabal of elites that conspire across time and space to dominate, but rather that the incentive structures of liberal capitalism engender a particular set of relationships within the social and political development of the bordering apparatus of the state, particularly the United States, and that we’re currently experiencing a *crisis* of violence centuries in the making.

Effectively what I am thinking about here is a kind of violence that we might not even recognize as violence. Two key concepts inform my thinking about how violence is embedded in the history of migration crises. First, Rob Nixon explores the effects of “slow violence” in a study of environmental racism which he describes as “an attritional

violence that is typically not viewed as violence at all...it's calamitous repercussions playing out across a range of temporal scales.”⁸⁹ As the data will show, there are numerous instances of visceral violence that linger in the social, political, and economic communities for generations, shaping the present. What I mean by this is inspired by Patricia Hill Collins who writes about the “violence that did not disappear. Instead, it became embedded in the rules, and became even more routinized via a system of ostensibly non-discriminatory ideas and practices. State-sanctioned violence that is not defined as violence at all, yet that is essential in sustaining racial inequality persists, hidden in plain sight.”⁹⁰ Taken together, these two insights position the angle from which this study analyzes the history of the border and contemporary immigration politics.

In an effort to illuminate this intuition about the nature of migration crises being a kind of ‘focusing event’ in the more general process of capitalism’s ‘creative destruction’, this research draws upon an eclectic use of resources including a vast array of digital and internet accessible materials, along with extensive brick-and-mortar archives. Where possible, I sought original or “primary” source materials, such as government documents, personal testimonies, and statements by key figures. In analyzing these materials I draw upon the insights of “historical process tracing” to craft an account that is more than mere correlation, instead demonstrating discrete context and causal linkages toward compelling explanation.⁹¹ In terms of core primary research a considerable effort of both technological and organizational skill went into creating a digitized archive out of thousands of records in the Jimmy Carter Archive in Atlanta, and the film archives in College Park, which have still been unprocessed or not yet made available online in the digital collection. Due to the sheer volume of records I wanted to examine, there was little time available to analyze the documents at the archive if there was any hope of getting to it all. Therefore, I used an iPad to take photos and record videos of each relevant page or film. I organized folders digitally that mirrored the physical folders with

⁸⁹ Nixon. (2011). *Slow violence and the environmentalism of the poor*. Harvard University Press.

⁹⁰ Collins, P. (2017). On violence, intersectionality, and transversal politics. *Ethnic And Racial Studies*, 40(9), 1460-1473, p 1464.

⁹¹ George, A. L., & Bennett, A. (2005). *Case studies and theory development in the social sciences*. Cambridge, MA: MIT Press; Collier, D. (2011). Understanding process tracing. *Political Science & Politics*, 44(4), 823-830; Mahoney, J. (2012). The logic of process tracing tests in the social sciences. *Sociological Methods & Research*, 41(4), 570-597.

which I was working. In total the digital collection I created is over 3,000 pages and 2 hours' worth of material, much of which informs the analysis of the Mariel boat lift event central to chapter three.

Due to the continuously unfolding politics of more contemporary migration and border issues I also created a massive spreadsheet database which organizes a wide variety of digitally sourced materials, including newspapers, podcasts, and websites. This became a necessary task as I collected evidence for the more recent migration events, which increasingly became digital in nature to do the Covid-19 pandemic and the changes it caused for my plans to do ethnographic fieldwork along the US border. Moreover, my research utilized digital archives of Newspapers.com, a website that has an ever-growing catalogue of newspapers and magazines from local to national level publishing companies ranging from the colonial period up to the present. The ability to clip, save, and tag key articles is truly an impressive technology for both scholars and hobbyists alike. It is inconceivable to me how this project could have become what it is without these technologies available during prolonged lockdown and isolation.

However, there was plenty of old-fashioned book reading. The trove of secondary literature I collected over the years that feeds into my thinking, analyses, and evidence features incredibly rich and diverse books and articles from several disciplines of study beyond political science, including anthropology, geography, and philosophy.

As a concerned primarily with the American context this study necessarily eschews several possible other cases that might broadly fit some conceptual definitions of migration crisis. Recall that despite the US-Mexico being the busiest daily border, the actual volume of irregular migration, especially refugee and asylum claims is significantly less than in places like Syria, Turkey, and eastern Europe, considering the conflicts in the middle east and the Russia-Ukraine war.⁹² Moreover, the refugee flows across the Mediterranean Sea have continued to be a troubling and unresolved crisis in its own right, for the region. Instead of casting a wide net in contemporary politics, this research instead directs the study backward in time, choosing to historicize events more central to the Americas, and the United States specifically.

⁹² Batalova. (2022). Top Statistics on Global Migration and Migrants. Migration Policy Institute. <https://www.migrationpolicy.org/article/top-statistics-global-migration-migrants>

To that end, surveying the history of migration crises with regards to the US brings us back to the question of what exactly is a crisis? My working conceptualization makes the following assumptions: (1) a crisis must be ostensibly unexpected to the US, which in turn (2) compels ad hoc response efforts that expand and/or change existing policies and infrastructure, (3) has a relatively clear and relatively short duration, and finally (4) is referred to as a *crisis* by state and journalistic sources. This creates a set of cases where there may be instances of mass migrations, for example the Irish or Chinese mentioned earlier, but because most of it was done via official ports of entry and they were processed accordingly, it does not constitute a crisis. Similarly, there are examples of much smaller instances of daily migration that is just part of the expected irregular flow, which again does not constitute a crisis. With these considerations in mind, there are two significant examples that can be comparatively assessed, the Mariel Boat lift of 1980 and the Unaccompanied Minor crisis of 2014-15, with repetitious incidents each summer since.

One way to put these events into historical context is to look at refugee and asylum flows over time. Figure 5 depicts an approximate timeline of where refugee influxes since the 1940s.⁹³ Overall, refugee admissions have been steadily declining since the peak in 1980 which marks the Mariel Boatlift. The peak in the mid-1970s references arrivals from southeast Asia during “Orderly Departure” operations, and the peak in 1959 and 1960 represents the so-called “Freedom Flights” from Cuba in response to Fidel Castro and the communist revolution. The 1990s is characterized by refugee flows from Eastern European countries and the dissolution of the Soviet Union. The admissions throughout the 2000s and 2010s are from Africa and the Middle East.

However, this data seemed incongruent with my understanding of recent migrations, because absent from this chart is the migration flows involved in the 2014 and 2018 incidents, which were not considered refugees.⁹⁴ To account for this missing data, I reviewed CBP logs that track “encounters” at the border, which also has figures

⁹³ Official refugee and asylum data begins only with the Refugee Act of 1980. Figures for refugees prior to this are only approximated through other sources such as Loescher, Scanlan, J. A., & Scanlan, J. A. Calculated kindness: refugees and America’s half-open door, 1945 to the present. Free Press.

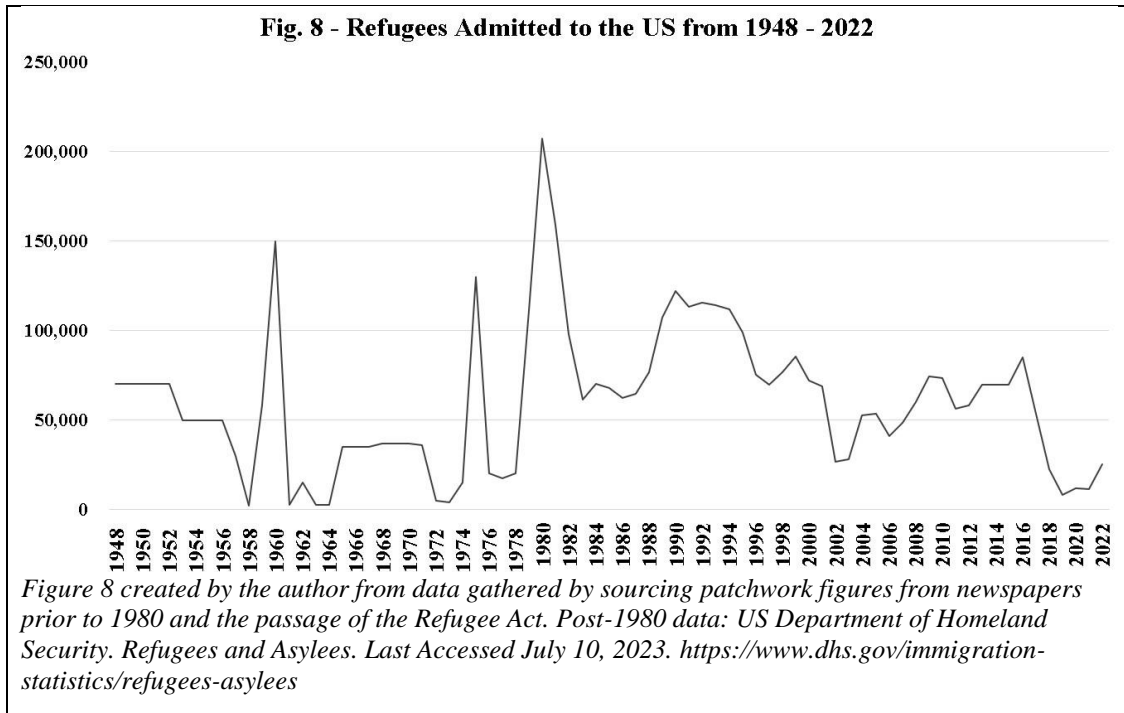
⁹⁴ Refugee is a political designation, not a forgone conclusion. As such, there have been alternative terms developed to capture irregular immigration, including asylum seekers, migrants, and unaccompanied alien children—and this is to say nothing of the “criminal” categories.

for country of origin. By isolating encounters from the Northern Triangle and combining that data with the refugee data, figure 8 offers a more comprehensive and historical glance at the set of possible “crisis” cases with relation to the US border.⁹⁵

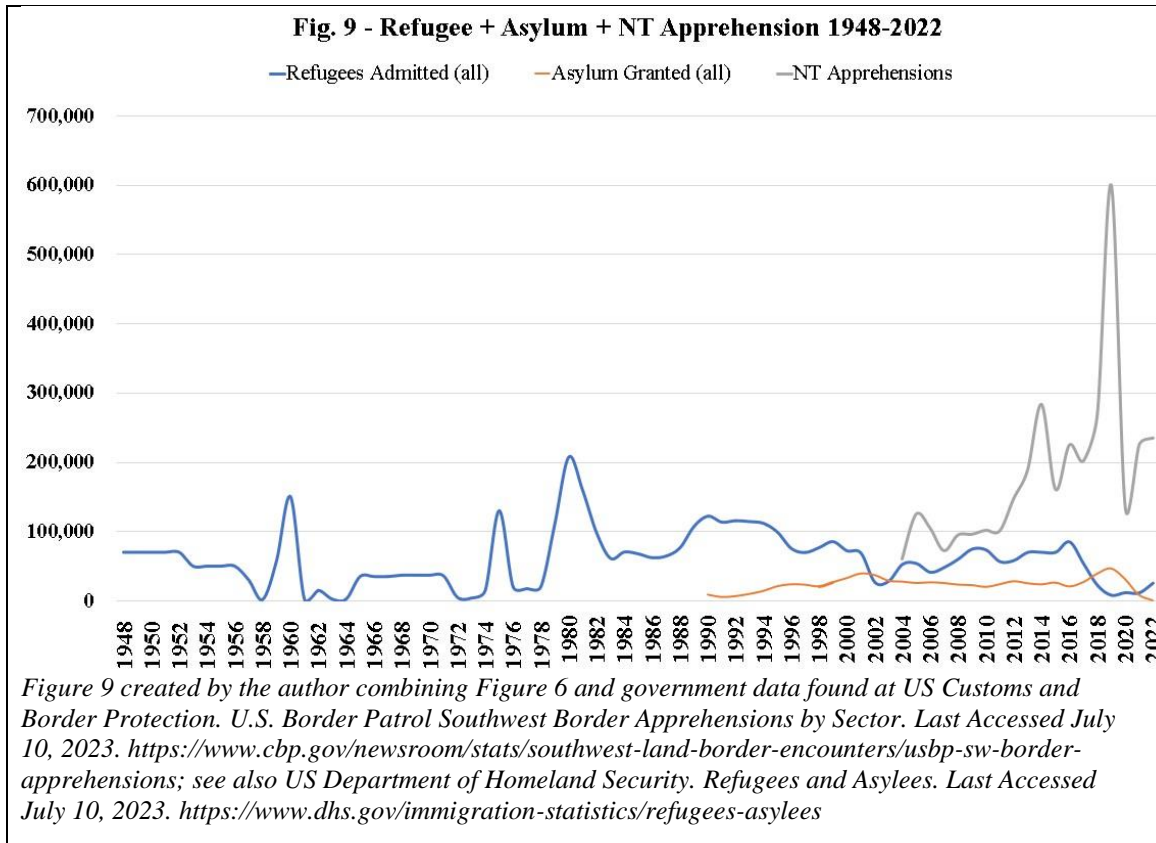
While the United States is a desirable country for resettlement, it has typically avoided being a country of first asylum, which is a function of both its geography and politics. Most refugee admissions to the US have been orchestrated deliberately in response to geopolitical affairs with formal processes and procedures to transport and relocate people to the United States.⁹⁶ However, there are two key cases when the US unexpectedly faced an influx of migrants that challenged existing systems, procedures, infrastructures, and narratives about what migration looked like and how the US could (or could not) respond. The first being the Mariel Boatlift of 1980, an event rich with primary and secondary literatures that offers a unique look at a period of significant change in the American political landscape and immigration politics particularly with respect to Cuba and Haiti. While the second involves the more recent movements from Central American countries, El Salvador, Honduras, and Guatemala, a case that highlights the shifting demographics of migration, yet reveal similar historical dynamics and sources of contemporary crisis.

⁹⁵ I included asylum only for the sake of thoroughness. There are very few asylum cases granted, and only a tiny percentage of those are awarded to people from Central American countries.

⁹⁶ For example, Operation New Life in 1975 involved relocating 130,000 Vietnamese refugees in the fallout of the Vietnam war. Another is Operation Peter Pan, a covert program coordinated by the U.S. government and the Catholic Church from 1960 to 1962. The operation airlifted over 14,000 Cuban children to the United States to escape the perceived threat of communist indoctrination under Fidel Castro's regime.



In practice this study compares five *sending* countries (Cuba, Mexico, El Salvador, Honduras, and Guatemala) relationship with the United States *and* each other, where relevant, across several hundred years at macro, meso, and micro levels. Analytically each instance of migration crisis has been historicized temporally, the pre-crisis history, the crisis event, and the ensuing years or decades of aftermath. I argue this historicization affords significant leverage on comprehending the weight of what *crisis* means within the context of contemporary migration flows. Moreover, such an approach reveals the *krises* extant in crisis. Finally, it allows for a more segmented and discrete analysis, which is good not only for readers but for critics and interlocutors. With that in mind, the remainder of this introduction expounds on the study organization and chapter summaries.



Organization of the Study and Chapter Summaries

This study unfolds in six substantive chapters such that each case has three chapters. Part one is centrally about Cuba, Haiti, and the Mariel Boat lift explored in chapters two, three, and four. Part two is about El Salvador, Honduras, and Guatemala covered in chapters five, six, and seven. In each part there is a periodization scheme that informs each chapter’s purpose that is meant to capture pre-crisis, crisis, and post-crisis events. Chapter eight concludes the study with a summary comparative analysis and forward-looking considerations.

Given the methodology of historicizing, this study begins with the vantage of *long durée* and reaches far back into the origins of the main countries implicated in our contemporary migration crises. At the risk of being cliché, “the past is never dead; it is not even past.”⁹⁷ Chapter two concerns the historical developments of Cuba and Haiti and how they came to be the primary countries involved in the Mariel Boatlift of 1980. Given

⁹⁷ Quote attributed to Faulkner. (1975). *Requiem for a nun*. Vintage Books.

that these are the deeply historical chapters, much of the research and data used here is densely interdisciplinary, drawing on extensive secondary and archival sources to articulate a compelling and concise historical account. In doing so, the aim is to demonstrate that there is no way to talk about or even imagine the social, political, and economic development of these nations that does not involve direct and significant involvement by forces of the United States, which in turn implicate crisis.

Chapter five repeats the method used in chapter two by exploring the “Northern Triangle” countries which include El Salvador, Honduras, and Guatemala. These countries are the primary sending nations involved in the more recent, and even on-going issues with mass arrivals of women and children, often unaccompanied by adults. This pattern came to a crisis during Obama’s presidency, but as we will see has deeper causes and remains unresolved.

Chapters three and six explore each crisis event in a more ground-level perspective, tracking how and where migration flows across land and sea, through checkpoints, into detention centers, resettled or repatriated. To begin, chapter three picks up where chapter two leaves off with events leading to the Mariel Boatlift. Similarly, chapter five picks up where chapter four ends with the UAC crisis of 2014. The methods and sources for these cases vary quite substantially given that the Mariel event happened over forty years ago and has an immense catalog of both academic and popular culture references, studies, and memoirs. On the other hand, the UAC crisis is so recent that much less (but still considerable amount) has been written. This is, perhaps, the most novel contribution, because to my knowledge there exists no study that has conceptualized crisis and case studies in this way nor offered this kind of comparative historical analysis.

Chapter three draws heavily on primary sources, including several archives, from online newspapers to brick-and-mortar government archives. I spent forty hours at the Jimmy Carter Archives in Atlanta taking hundreds of pictures and notes, and later at the National Archives in DC, which allowed me to explore aspects of the records not yet available online. I gained valuable insights into what *crisis* looked like in the time of Mariel, watching original film footage of the initial resettlement efforts at the College Park, MD national archives.

Chapter six also draws on a combination of state or government produced data and other primary sources including the memoirs, reactions, and testimonies of those who have participated in, witnessed, and survived the everyday aspects of these migration crises. Centering the voices of those closest to the events is crucial to a deeper understanding, and so even while I physically remained quite distant from many of the realities of precarious migrant life, my hope is that by drawing on the chorus of voices speaking up helps ground this study in real lives of right now. Putting these memoirs into context with the archives of state authorities, corporate talking points, and the history of US involvement with neighboring countries fosters compelling explanations for the migration events, crisis or not, of recent history and those surely coming soon if policies do not change.

Given the centrality of spatial and temporal considerations to my conceptualization of crisis, that is, as a historical event, it also is the case what happens *after* crisis is crucial, in terms of changing policies, structures, norms, and relationships between people, between countries. Specific and deliberate policies and practices have been carried out, and continue to be implemented, that sow the seeds of instability, precarity, and ultimately, crisis. In other words, *krisis* begets *crisis*. This is the inherent violence and unresolvable tension of a politics premised on sovereign nation states and exclusionary citizenship, buttressed by ideologies of liberal capitalism. These dynamics are what chapters four and seven aim to articulate more clearly. The political repercussions, institutional changes, and long-term consequences of migration crises on our collective social, political, and economic order. Chapter four picks up in the early 1980s with Reagan's administration and the fallout of Mariel, drawing upon archival research and expert secondary sources. Chapter seven is more complicated because much of the aftermath is so recent and in ongoing formation. Much of the data is excavated from primary resources like congressional subcommittee hearings, press releases, and publicly available interviews on one hand, with more testimonies, memoirs, and whistleblower accounts on the other. Again, there is always a deliberate effort to bring into relation these different vantages and sources of knowledge about the events.

This study concludes in the last chapter with a simplified comparative analysis of the entire manuscript. In doing so the aim is to offer the 'tree top view' of the whole

project such that readers could, and indeed may only, read this chapter to ascertain the what I think are significant take-aways, and then return to individual chapters to work from the ‘roots’ up should they choose. This metaphor of nature, growth, roots, is not merely word play. It should not be seen as a coincidence that more irregular migration is happening at a time when billionaires are expeditiously attempting to imagine and build worlds beyond our planet disrupted by the extractive forces of capital accumulation and technological innovation. Solutions to these dilemmas exist, but they are going to be pragmatic and therefore wrought with difficult compromise, high stakes, and likely a bit of ‘good trouble’ but none the less possible.⁹⁸ We are in a crisis: a crisis of our humanity, of our politics, and our planetary health. What I hope to offer here is not merely *history*, but rather to offer a diagnosis of our present condition, an explanation for migration crises past and future, and to raise the alarm about what is to come if we do not change course.

⁹⁸ Civil rights icon and former House Representative (D-GA) John Lewis is attributed to the phrase “get in good trouble” as a means of policy change.

CHAPTER II

HISTORICIZING THE MARIEL CRISIS: CUBA & HAITI

Introduction

The aim of this chapter is to historicize the social, political, and economic condition of Cuba and Haiti as they were in 1980, such that we can better understand how “push and pull” factors during that time were shaped by the gravitational forces of history. By most accounts, the Mariel boatlift depicts 125,000 or so Cubans as a “political ploy” by Castro to ease pressures on his failing communist project.⁹⁹ President Carter initially welcomed the incoming refugees as those seeking freedom from Communist rule, emphasizing U.S.'s position as a sanctuary. However, as Florida's resources became strained due to the influx, Carter's stance shifted, labeling the boatlift as a "national security threat," implying Castro was engaging in strategic destabilization. Public opinion in the U.S. was fragmented; initial empathy towards the refugees gradually turned into anxiety and resentment, fueled by crime reports and economic concerns linked to the new immigrants. Lesser known and acknowledged in this migration event are the 35,000 Haitians that also came during the same few months of the Mariel crisis, which it turns out become a central figure of anxiety for the then extremely nascent border industrial complex.

A Brief History of Cuba

Cuba's modern history begins with Christopher Columbus's arrival in 1492, followed by the establishment of the first Spanish settlements by Diego Velázquez de Cuéllar in 1511. The colonial period in Cuba was characterized by agricultural and economic development that heavily relied on plantation systems and forced labor.¹⁰⁰ Colonial Cuban society was highly stratified. At the top were the peninsulares, those born in Spain who held political and economic control. Below them were the criollos, individuals of Spanish descent but born in Cuba, who often held significant wealth but lacked political power. Further down were the mestizos and mulattos, individuals of

⁹⁹ Larzelere. (1988). *The 1980 Cuban boatlift*. National Defense University Press.

¹⁰⁰ Gott. (2004). *Cuba: a new history*. Yale University Press.

mixed European and Indigenous or African ancestry, respectively. African slaves and the remaining indigenous population made up the lowest rung of the social ladder.¹⁰¹

The decline of the indigenous Taíno population in Cuba was precipitous following the arrival of the Spanish. Initial attempts to use the indigenous people for labor were fraught with problems. Exposure to diseases such as smallpox and measles, for which the indigenous population had no immunity, resulted in catastrophic mortality rates. Additionally, harsh conditions, including forced labor and the disruption of their social structures, further decimated the Taíno people.¹⁰²

The dramatic loss of indigenous laborers led to an increased demand for a labor force, which the Spanish colonizers met through the importation of African slaves. This began in the early 16th century, but the scale of the African slave trade increased markedly in the 18th and 19th centuries when sugar and tobacco became the dominant crops of the island's economy. Cuba's fertile soil and tropical climate were ideal for these crops, which became a significant source of wealth for the colony and the Spanish Empire.

The Catholic Church exerted considerable influence in Cuba during the Spanish colonial period. It served as the primary religious institution and held a great deal of moral and social authority. Catholicism was the official religion, and Spanish colonizers sought to convert indigenous populations and African slaves to the faith. On one hand, the Church established missions, hospitals, and schools, on the other it maintained a significant role in administration and governance.¹⁰³

However, the influence of the Church was not unchallenged. Its efforts at conversion were met with varying degrees of resistance and adaptation. Among enslaved Africans, while there was superficial acceptance of Catholic practices, many managed to retain and adapt elements of their original religious beliefs and practices. This gave rise to syncretic religions, most notably Santería. An amalgamation that evolved as a religious practice, deeply influencing Cuban society and culture, Santeria rites and rituals, including music, dance, and animal sacrifice, became part of the cultural fabric of the

¹⁰¹ Thomas. (1971). *Cuba: the pursuit of freedom* Harper & Row; Pérez. (2006). *Cuba: between reform and revolution* (3rd ed.). Oxford University Press.

¹⁰² Zinn. (1980). *A people's history of the United States*. Harper & Row.

¹⁰³ Mann. (2005). *1491: new revelations of the Americas before Columbus*. Knopf.

island. Santería also played a role in social dynamics, establishing communities of practice and providing a source of communal support and resistance that will show up in refugee camps during the Mariel crisis.¹⁰⁴

Throughout the 18th century economic liberalization intensified inequalities in Cuban society. The ruling elites were primarily interested in maintaining the lucrative status quo, while elements within the criollo class began to develop a sense of distinct Cuban identity and resentment towards Spanish rule. By the mid-19th century, Cuba had become one of the leading sugar producers in the world, but the widening inequality between the farmers and Spanish taxation became untenable.¹⁰⁵

This brewing discontent with Spanish rule grew, particularly among the Criollo elite.¹⁰⁶ The criollos resented Spanish economic control and political dominance, leading to a series of independence movements. The struggles for independence in Cuba took place over several decades, from the late 19th century to the early 20th century. There were two main wars for independence in Cuba: The Ten Years' War (1868-1878) and the Little War (1879-1880). Despite initial successes, the rebellions were eventually crushed by Spanish forces, and many of the leaders of the rebellion were imprisoned or exiled. However, the United States became increasingly determined to enforce the Monroe Doctrine set forth decades prior, and the Cuban-Spanish conflicts were impeding those efforts.¹⁰⁷

Early U.S. interest in Cuba can be traced back to the administration of Thomas Jefferson, who suggested that Cuba's annexation could enhance American influence in the region. However, it was in the 19th century, during the era of Manifest Destiny, that U.S. interest in Cuba significantly intensified. Several American political figures and entrepreneurs saw Cuba as a potential territory for expansion or, at the very least, a

¹⁰⁴ Felipe García Villamil, in Bergey, & Pich, T. (2018). *Folk Masters: A Portrait of America*. Indiana University Press. Bergey. pp 108-110.

¹⁰⁵ Gott. (2004). *Cuba: a new history*. Yale University Press

¹⁰⁶ Criollo refers to people of pure or mostly Spanish descent who were born in the Americas during the colonial era. Peninsulares on the other hand were individuals born in Spain, and from indigenous, African, and mixed-race people in the colonies.

¹⁰⁷ McGillivray. (2009). *Blazing cane: sugar communities, class, and state formation in Cuba, 1868-1959*. Duke University Press.

critical trade partner. Cuba's thriving sugar industry was especially enticing for American business interests.¹⁰⁸

The United States, though, was not the only country with plans in mind for Cuba. Various European powers, particularly Britain and France, also showed interest in the island, raising alarm bells in Washington. The geopolitical chess game around Cuba culminated in the Ostend Manifesto in 1854, in which American diplomats argued that the U.S. should purchase Cuba from Spain or, if Spain refused, take it by force. However, the Ostend Manifesto sparked considerable controversy both domestically and internationally, and the plan was quickly abandoned.¹⁰⁹

The growing American interest in Cuba coincided with increasing tensions between the criollo elites and the Spanish colonial administration on the island. This discontent eventually led to the outbreak of the Ten Years' War in 1868, marking the beginning of Cuba's protracted fight for independence. During this period, there were factions within Cuba that saw potential U.S. intervention or even annexation to achieve independence from Spain. Enslaved Africans and Afro-Cubans took part in these conflicts, with leaders like Antonio Maceo, highlighting the racial dimensions of the independence movements. The abolition of slavery in 1886 further altered the social fabric of the island, providing newly freed Africans and Afro-Cubans a different, albeit limited, place in society.¹¹⁰

The turn of the 20th century marked a significant shift in Cuban political dynamics. The Spanish-American War of 1898, initiated following the sinking of the USS Maine, ended Spanish rule, and brought about American intervention. The U.S. military occupied Cuba from 1898 to 1902, during which they undertook a range of administrative and infrastructural projects. In 1901, the Platt Amendment was introduced, giving the U.S. the right to intervene in Cuban affairs and lease a naval base (Guantánamo Bay) – terms Cuba had to accept as a prerequisite for independence.

While Cuba was formally independent in 1902, the Platt Amendment significantly curtailed its sovereignty. The first president, Tomás Estrada Palma, an ally of the U.S.,

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Foner. (1977). Antonio Maceo: the “bronze titan” of Cuba’s struggle for independence. Monthly Review Press.

often faced opposition from the Liberals who were dissatisfied with U.S. influence on the island. Political tension escalated, resulting in the armed intervention by the U.S. in 1906 following Palma's attempt to manipulate the election. The U.S. occupation from 1906 to 1909 attempted to reform the Cuban administration, introducing changes to electoral law and public administration. The following years were marked by relative political stability under Presidents José Miguel Gómez (1909-1913) and Mario García Menocal (1913-1921). Yet, U.S. influence remained significant, and political corruption was common.¹¹¹

Instability reemerged in the 1920s, reaching a tipping point with the prolonged presidency of Gerardo Machado (1925-1933). Machado began his presidency with a progressive platform, but when he manipulated the constitution to remain in power, public opposition escalated into a revolutionary movement. By 1933 the “great depression” had rippled through the world economy, including Cuba. Son of Cuban independence leader and then President Carlos Manuel de Céspedes y Quesada, with the aid of FDR appointed US Ambassador Sumner Welles, had recently replaced Gerardo Machado y Morales and his authoritarian policies to turn Cuba’s economy around, which itself included halting immigration and deporting thousands of Haitians.¹¹² However, his administration did not make good on many promises and as a result an alliance of student activists and military leaders pressed a coup, known as the Revolt of the Sergeants, to oust Céspedes y Quesada from power.¹¹³

The Sergeants' Revolt in 1933, led by Sergeant Fulgencio Batista, ousted Machado and initiated a period of political uncertainty. A five-member executive committee, the Pentarchy of 1933, took control but only lasted for a few days. They were quickly replaced by a leftist government under Ramón Grau San Martín. Grau's government, known as the 100-day Government, introduced several populist policies, but it was not recognized by the U.S. and was internally opposed by Batista. Together, Bautista loyalists and US forces forced Grau out in a military coup during January of 1934.¹¹⁴

¹¹¹ Gott. (2004). *Cuba: a new history*. Yale University Press

¹¹² Casey, M. (2011). *New West Indian Guide. Haitians Labor and Leisure on Cuban Sugar Plantations: The Limits of Company Control*.

¹¹³ Argote-Freyre, F. (2006). *Fulgencio Batista: The Making of a Dictator*. Piscataway: Rutgers University Press.

¹¹⁴ *Ibid.*

A key figure to emerge as the de facto and later legally recognized leader of Cuba was army colonel Fulgencio Batista. Supported by the United States, Batista was able to transition from military commander to elected president of Cuba in 1940 and served until 1944. At the end of his first term Batista resigned and immigrated to the US, fathered American born children, but remained connected with Cuban social and political life. He would return to Cuba in 1952 a different kind of leader.¹¹⁵ Cuba at this time is characterized by historian Arthur Schlesinger Jr. as an “open invitation to revolution” due reports of police brutality and government indifference to the social and economic needs of Cuban people.¹¹⁶ Batista was quick to undermine the ostensibly democratic elections of 1952 which he had almost no chance at winning. Rather than losing, Batista rallied loyalists and forcibly took control of Cuba and nearly a decade of rampant corruption ensued, supported not least of all by US interests. In these years that followed Batista’s return, Havana would become something of an international hot spot for actors, dictators, cartels, and mafia members. At an Ohio Democratic dinner in 1959, President John F. Kennedy remarked that “United States companies owned about 40 percent of the Cuban sugar lands, almost all the cattle ranches, 90 percent of the mines and mineral concessions; eighty percent of the utilities, practically all the oil industry, and supplied two-thirds of Cuba's imports.”¹¹⁷

As early as 1953 internal dissenters began mobilizing against Batista’s new regime, most notably by a then little-known revolutionary named Fidel Castro. Having served a year in jail for his failed attacks on a small barracks Castro fled to Mexico and started what would become the revolutionary July 26th Movement, the date of his first failed attack which landed him in jail, with his brother Raul Castro and Ernesto “Che” Guevara. After months of guerilla warfare in the mountains of Cuba, Castro’s forces finally subverted and subdued Batista’s forces through a war of attrition and another Cuban revolution became reality. By 1965 Fidel brought together an anti-Batista coalition

¹¹⁵ Morales Domínguez, & Prevost, G. (2008). *United States-Cuban relations: a critical history*. Lexington Books.

¹¹⁶ Schlesinger, A., Dallek, Robert, LaFeber, Walter, & Burr, Robert N. (1973). *The dynamics of world power; a documentary history of United States foreign policy, 1945-1973*. New York: Chelsea House.

¹¹⁷ John F. Kennedy Presidential Library and Museum. (n.d.). Address of Senator John F. Kennedy, Cincinnati, Ohio, Democratic Dinner, October 6, 1960. Retrieved May 22, 2021, from <https://www.jfklibrary.org/archives/other-resources/john-f-kennedy-speeches/cincinnati-oh-19601006-democratic-dinner>

of farmers, students, urban workers, and minor political parties to form the Communist Party of Cuba.¹¹⁸

Castro and Communism

Initially, Castro's insurrection against Batista was seen as a positive development by US interests and even helped facilitate Batista's removal. However, Castro quickly moved to nationalize many of the industries previously described by JFK as owned and controlled by US corporations.¹¹⁹ In addition, Castro consolidated media firms and declared Cuba a one-party state guided by Leninist-Marxist doctrines. Alliances were made with Soviet Russia and other emerging socialist regimes in Latin America, such as Hugo Chavez's Venezuela, in what has been described as the "pink tide."¹²⁰

By 1961 such sweeping reforms have been argued to form the basis for the first large exodus of Cubans to the US. Different interpretations of the immigration data suggest anywhere from 150,000 to 250,000 mostly upper-class families were airlifted and resettled largely along the eastern seaboard of the US.¹²¹ This airlift was made possible by the 1952 Immigration and Nationality Act which contained a provision to waive visa requirements at the discretion of the US Attorney General and Secretary of State "on the basis of unforeseen emergency situations."¹²² This first wave of immigration has been described as largely a net-positive gain for both the United States and Cuba. For Castro's regime it "performed an important political function...in externalizing dissent, they effectively controlled it."¹²³ Simultaneously for the US, these fleeing Cubans signaled the virtues of liberal democratic capitalism by rejecting communism and fit a broader pattern of US refugee policy beginning with President Eisenhower and the airlift of

¹¹⁸ Coltman. (2003). *The real Fidel Castro*. Yale University Press.

¹¹⁹ Thomas, H. (1977). *The Cuban revolution*. New York: Harper & Row.

¹²⁰ Gonzalez, M. (2019). *The ebb of the pink tide: The decline of the left in Latin-America*. London: Pluto Press.

¹²¹ Pedraza, S. (2007). *Political disaffection in Cuba's revolution and exodus*. New York: Cambridge University Press.

¹²² Engstrom, D. (1997). *Presidential decision making adrift: The Carter administration and the Mariel boatlift*. Lanham, Md.: Rowman & Littlefield. p 16.

¹²³ Pedraza-Bailey, S. (1982). Cubans and Mexicans in the United States: The Functions of Political and Economic Migration. *Cuban Studies*, 11(2), 79-97.

approximately 40,000 Hungarian refugees from the eastern front and a creeping iron curtain.¹²⁴

The backdrop of these developments in Cuba is characterized as the Cold War, a broad term used to name the growing tensions between liberalism and US empire and the specter of encroaching Russian and communist influence after the defeat of fascist regimes in World War II. Cuba became a key battleground in this foreboding geopolitical clash. The proximity to US shores and major cities made it an ideal site for soviet intelligence and military weaponry in the same way that European locations became dotted by US military bases as part of the Marshall plan. This clash played out dramatically when the US attempted to overthrow Cuba in the now infamous “Bay of Pigs” invasion of 1963 which failed miserably. Embarrassed, Kennedy’s administration shifted strategy away from escalating kinetic warfare and instead moved to isolate Cuba through both economic and political embargos.¹²⁵

Kennedy’s imposition spurred domestic dissent in Cuba, and in response the US issued approximately 400,000 visa waivers to Cuban nationals between 1959, immediately after Castro’s ascension, through 1963 prior to the failed US invasion. According to Engstrom, US intelligence imagined many of these Cuban nationals would return after Castro’s regime was toppled.¹²⁶ However, both the failed invasion attempt and Cuban missile crisis all but ensured “these Cuban exiles would not disappear overnight.”¹²⁷ Indeed, the Cuban missile crisis of 1962 brought the world to the brink of catastrophe and stopped all but the most daring escapes by boat or other floatation devices in the mid-1960s, foreshadowing events to come.

A combination of embargos on Cuba’s economy and command-and control- leadership within Cuba over national direction in terms of production sent Cuba’s domestic situation into dire conditions by the mid-1960s.¹²⁸ A growing number of people

¹²⁴ Bradford, A. (2020). “With the Utmost Practical Speed”: Eisenhower, Hungarian Parolees, and the “Hidden Hand” Behind US Immigration and Refugee Policy, 1956–1957. *Journal of American Ethnic History*, 39(2), 5-35.

¹²⁵ Scanlan, J., & Loescher, G. (1983). U.S. Foreign Policy, 1959-80: Impact on Refugee Flow from Cuba. *The Annals of the American Academy of Political and Social Science*, 467(1), 116-137.

¹²⁶ Engstrom, D. (1997). *Presidential decision making adrift: The Carter administration and the Mariel boatlift*. Lanham, Md.: Rowman & Littlefield. p 17.

¹²⁷ Scanlan, J., & Loescher, G. (1983). U.S. Foreign Policy, 1959-80: Impact on Refugee Flow from Cuba. *The Annals of the American Academy of Political and Social Science*, 467(1), 116-137.

¹²⁸ Thomas, H. (1977). *The Cuban revolution*. New York: Harper & Row.

were eager to leave the island and reconnect with family members and friends who had departed years prior in the first wave of emigration. Again, facing internal dissent and economic woes, Castro proposed a plan that would allow defectors of the revolution to leave the island via boat lift, but the prospects of such a plan put the now Johnson administration in a political bind: *deny* the immigration and tarnish the policy of admitting refugees of communism, or *permit* an influx and make the US seem powerless to Castro's plans. Johnson's administration and an ad hoc interagency task force coordinated by the State Department's Office of Cuban Affairs (OCA) developed an alternative plan wherein both Cuba and the US would develop lists of acceptable refugees in the form of an 'orderly departure program' via an airlift, prioritizing family reunification and political prisoners.¹²⁹ President Johnson signed the Hart-Cellar amendments to the Immigration & Nationality Act in front of the Statue of Liberty on October 2, 1965 and during the ceremony said "I declare this afternoon to the people of Cuba that those who seek refuge here in America will find it. The dedication of American to our tradition as an asylum for the oppressed is going to be upheld."¹³⁰

Despite these plans and efforts, Cuban communities in Florida saw an opportunity to cross the sea to Cuba and retrieve family members directly. Castro had little reason to cooperate lest he be seen as bending to US orders. Throughout October into mid-November of 1965 approximately 160 boats retrieved nearly 3,000 Cubans from the port of Camarioca. The domestic situation in Cuba began escalating out of control as thousands of people were walking out of their jobs with no notice and camping out in the port waiting for boats to pick them up. Similarly, US law enforcement was not thrilled with the haphazard boatlift either. As such a "memorandum of understanding" between the Johnson administration and Castro's regime ended the boatlift and engaged in the originally proposed airlift deal which persisted from December of 1965 to April of 1973 wherein approximately 280,000 Cubans embarked on "freedom flights" to find refuge in

¹²⁹ Engstrom, D. (1997). Presidential decision making adrift: The Carter administration and the Mariel boatlift. Lanham, Md.: Rowman & Littlefield. pp 20-26.

¹³⁰ The American Presidency Project. (n.d.). Remarks at the Signing of the Immigration Bill, Liberty Island, New York. Retrieved May 29, 2021, from <https://www.presidency.ucsb.edu/documents/remarks-the-signing-the-immigration-bill-liberty-island-new-york>

the United States.¹³¹ Expanding on the Cuban Refugee Program (CRP) established under Kennedy, which provided aid in the form of education, job training, food stamps, and healthcare in cooperation with Voluntary Agencies (VOLAGS) to resettle Cubans across the country, Johnson's Administration signed the Cuban Adjustment Act (1966) to grant permanent residency to Cubans present in the US since 1959.¹³² Despite growing pressure on Nixon's administration to curb Cuban migration, it was Castro who made the decision to officially end the airlift program in 1973.¹³³

In addition to the dissidents of the economic reforms such as relocation camps, there were also military defectors, people who refused to take part in campaigns either in South America or Africa. Collectively, the dissenting people who spoke out against the spirit of revolution in Cuba were called antisocial worms, lumpens and other derogatory names.¹³⁴ Loyalist neighbors would ridicule skeptics and defectors, enacting so-called "repudiation rallies" which involved masses of citizens armed with banners and megaphones to harass those who expressed discontent or criticism of Castro's regime.¹³⁵ Many of these people were eventually jailed, some tortured, and worse. Between 1978 and 1980 over 350 dissidents of the Castro revolution were disappeared or executed according to the most comprehensive data on the matter.¹³⁶ Testimonies of those who escaped during this period mention being afraid of the "ojos" (eyes in Spanish) which were ever-watchful members of the communist regime. Listening to American music, being suspected of practicing Santería, or even congregating with large groups of friends were reasons enough for the police to interrogate and detain people. Moreover, despite speaking of racial and sexual equality, many defectors provide testimony that Castro's regime was in fact practicing its own forms of discrimination toward afro-Cubans and homosexual relations, which led some people to feign queer identities to hasten their departure from the Castro regime.¹³⁷ Taken together, these hardships compounded and

¹³¹ Engstrom, D. (1997). *Presidential decision making adrift: The Carter administration and the Mariel boatlift*. Lanham, Md.: Rowman & Littlefield. pp 25-31.

¹³² Cortés, C. (1980). *Cuban refugee programs*. New York: Arno Press.

¹³³ Engstrom, D. (1997). *Presidential decision making adrift: The Carter administration and the Mariel boatlift*. Lanham, Md.: Rowman & Littlefield. p 31.

¹³⁴ The term lumpen refers to someone uninterested or disconnected for revolutionary behaviors in a Marxist sense.

¹³⁵ Cleland, D. (2017). *The Power of Race in Cuba*. Oxford: Oxford University Press.

¹³⁶ Free Society Project. Cuba Archive. (n.d.) <https://cubaarchive.org/>

¹³⁷ Cleland, D. (2017). *The Power of Race in Cuba*. Oxford: Oxford University Press.

created an atmosphere of more pronounced doubt and dissent. Hundreds of thousands, if not millions, of Cubans became completely disaffected with the Communist regime. By 1979, anti-Castro leaflets began appearing in the streets. The regime's response was more crackdowns and imprisonment, which only further fueled dissident sentiments.¹³⁸

Unlike his predecessors, Carter attempted to rekindle diplomatic relations between the United States and Cuba. In 1977 Carter and Castro agreed to quasi embassy like structures to allow diplomats from their respective countries to engage in "dialogues" for the first time in nearly two decades. Cuban officials and prominent members of the exiled community negotiated the creation of a travel policy that allowed approximately 100,000 exiles living in the United States to visit Cuba for the first time since 1959.¹³⁹ Castro had envisioned the exchange would infuse the economy with goods and cash, not further inflame dissent.¹⁴⁰ Indeed, the mere presence of visiting exiled Cubans, having enjoyed many fruits and exploits of capitalism long banned or rationed in communist Cuba, exacerbated suspicions of Castro's regime and communist policies. This was sharpened by the fact that Castro's regime regularly released propaganda depicting the US fraught with deep inequalities and undesirable politics. However, these visiting American Cubans were proof of a more complicated and alluring story that afforded both material and political advantages the communist regime of Cuba could not, or would not, deliver.¹⁴¹ Emotional family reunification raised further questions if remaining loyal to Cuba was worth the broken bonds.¹⁴²

Unfortunately for Carter's administration, political pushback on the Cuban rapprochement agenda was quickly escalating, especially with a proxy war inflaming tensions between US backed Somalia and Soviet backed Ethiopia.¹⁴³ Indeed, the

¹³⁸ Hamm, M. (1995). *The abandoned ones: The imprisonment and uprising of the Mariel boat people*. Boston: Northeastern University Press. pp 49-50.

¹³⁹ Garcia. (2018). *Voices from Mariel: Oral Histories of the 1980 Cuban Boatlift*. University Press of Florida. pp 2-3.

¹⁴⁰ Engstrom, D. (1997). *Presidential decision making adrift: The Carter administration and the Mariel boatlift*. Lanham, Md.: Rowman & Littlefield. p 47.

¹⁴¹ Pedraza, S. (2007). *Political disaffection in Cuba's revolution and exodus (Cambridge studies in contentious politics)*. New York: Cambridge University Press. pp 151-155

¹⁴² Triay, V. (2019). *The Mariel Boatlift: A Cuban American Journey*. Gainesville: University Press of Florida. p 21.

¹⁴³ Woodrooffe. (2013). *Buried in the sands of the Ogaden: the United States, the Horn of Africa, and the demise of détente*. The Kent State University Press.

conditions of continuing US-Cuban diplomacy were contingent on Cuba withdrawing its military support and troops from Ethiopia, which did not happen, therefore created more domestic pressure on Cuba's already struggling social and economic situation in the late 1970s. By 1980, Cuba was facing both a housing and food shortage crisis.¹⁴⁴ As a result, Castro and his advisors were already planning another boatlift exodus operation to redress the housing and food shortage while also again dispensing with dissenters to his regime.¹⁴⁵

Despite a growing trend throughout the 1970s of Cuban citizens petitioning for asylum throughout Latin America and even hijacking boats to claim asylum on US shores, little was done by US law enforcement to dissuade or punish these violations of the 1973 Hijacking Treaty established between Cuba and the US. In February of 1980, Cuba's Vice President, angered by the lack of mutual respect of laws, threatened US Director of the Interest Sections arrangement in Havana that if the US would not uphold their laws, neither would Cuba re-open Camarioca to a boatlift as seen in 1965. This concern of another boatlift to decompress the situation in Cuba was also raised by CIA intelligence in January of 1980.¹⁴⁶ However, Castro framed the CIA as the main antagonists in this series of events in which relations between Cuba and other countries were undermined by intentional acts of sabotage.

“Why were these things happening precisely in the embassies of Venezuela and Peru? Of course, it is clear that behind all this--behind the Barbados [plane sabotage], behind the sunken ships in Peru, behind the cancellation of the fishing agreement, behind the unfulfilled contract for the construction of 20 tuna fishing boats, behind all this--is the CIA, the CIA is behind all these provocations.”¹⁴⁷

CIA involvement or not, Engstrom (1997) goes on to argue that Carter failed to learn from the past and essentially brought the events of Mariel upon himself and the

¹⁴⁴ Engstrom, D. (1997). *Presidential decision making adrift: The Carter administration and the Mariel boatlift*. Lanham, Md.: Rowman & Littlefield. p 45-46.

¹⁴⁵ Larzelere, A. (1988). *The 1980 Cuban boatlift*. Washington, D.C.: National Defense University Press. Pp 115-118.

¹⁴⁶ Engstrom, D. (1997). *Presidential decision making adrift: The Carter administration and the Mariel boatlift*. Lanham, Md.: Rowman & Littlefield. p 48-49.

¹⁴⁷ Castro (1980) at Jose Marti Revolution Square. Retrieved April 22, 2021, at <https://www.marxists.org/history/cuba/archive/castro/1980/05/01.htm>

nation by failing to adequately heed Castro’s warnings, “the Carter administration approached the forces and events behind the Mariel boatlift with its eyes closed. It did not learn from the Camarioca boatlift and apply that knowledge to the Cuban situation that confronted it.”¹⁴⁸

Cuba Conclusions

In essence, the political history of Cuba from colonization to the late 1800s is characterized by a struggle between a conservative, often foreign-born ruling coalition, and a series of emerging resistance factions largely stemming from the domestic-born population. These struggles were influenced and complicated by the economic realities of plantation agriculture and international geopolitical pressures. The early 20th century in Cuba concerned ongoing struggles for national sovereignty, democratic representation, and social justice, played out against the backdrop of U.S. intervention, fluctuating global sugar prices, and internal political machinations. The mid-20th century and beyond was a struggle between broad ideological forces of liberal capitalism against communism. Cuba’s role is a unique and interesting one, a tiny arena in which the “superpowers” like US, China, Russia, wage proxy conflicts. American subsidies continue to artificially support an economic arrangement which denies the *comparative advantage* of Cuban products. As a result, the people of Cuba and their economy will continue to suffer, and migration will continue. As of writing this in 2023, there are whispers of another mass exodus rippling through the Cuban American communities.¹⁴⁹ Will there be another Mariel? It’s not a matter of if, but when.

A Brief History of Haiti

Haiti, known as Saint-Domingue during its colonial period, was colonized by the Spanish following the arrival of Christopher Columbus in 1492. The western part of Hispaniola, however, was largely neglected by the Spanish, leading to French settlers gradually establishing a presence from the mid-17th century onward. In 1697, Spain

¹⁴⁸ Ibid., p 51.

¹⁴⁹ Augustin, E., & Robles, F. Cuba is Depopulating: Largest Exodus Yet Threatens Country’s Future. December 10, 2022. The New York Times. Last accessed July 21, 2023. <https://www.nytimes.com/2022/12/10/world/americas/cuba-us-migration.html>

formally ceded the western third of Hispaniola to France.¹⁵⁰ Under French rule, Saint-Domingue became one of the wealthiest colonies in the world, its prosperity built on the exploitation of enslaved Africans in sugar, coffee, and indigo plantations. The colony was governed by colonial administrators appointed by the French monarchy, who ruled over a population divided sharply along racial and class lines: white planters, free people of color, and enslaved Africans.

Throughout the 18th century, tensions between these classes continually simmered. The free people of color, despite often possessing significant wealth and property, were denied political rights, and faced social discrimination. Enslaved Africans, brutally exploited and far outnumbering their oppressors, were a constant source of fear for the ruling class, leading to the establishment of strict, violent codes to control them.¹⁵¹ These tensions erupted into open rebellion in 1791, ignited by the French Revolution's ideas of liberty, equality, and fraternity. Enslaved Africans, led by figures like Toussaint Louverture, Jean-Jacques Dessalines, and Henri Christophe, rose against their masters in a violent insurrection that evolved into a full-blown war of independence. The French authorities, torn by their own revolution and later embroiled in war with other European powers, struggled to suppress the rebellion.¹⁵²

By 1804, after years of brutal warfare and a failed attempt to reestablish slavery by Napoleon Bonaparte, Haiti declared independence under the leadership of Dessalines, who declared himself Emperor Jacques I. Haiti thus became the first independent nation in Latin America and the Caribbean, and the world's first Black-led republic. The early years of independence, however, were marked by political instability and economic struggles, exacerbated by diplomatic and economic isolation enforced by the European powers and the United States, fearful of the example Haiti set for their own enslaved populations. Moreover, former business and landowners forced Haiti into agreements to pay for the losses, cruelly called “reparations”, of property that amounts to 80% of the government's budget in the last 100 years.¹⁵³ Dessalines was assassinated in 1806,

¹⁵⁰ Coupeau. (2008). *The history of Haiti*. Greenwood Press.

¹⁵¹ Gonzalez. (2019). *Maroon nation: a history of revolutionary Haiti*. Yale University Press.

¹⁵² *Ibid.*

¹⁵³ Porter. (2022). *The Root of Haiti's Misery: Reparations to Enslavers*. *The New York Times*. Accessed at <https://www.nytimes.com/2022/05/20/world/americas/haiti-history-colonized-france.html>

leading to a split in the nation's leadership. The country was divided between President Alexandre Pétion in the South, who championed a republican model of government, and King Henri Christophe in the North, who established a monarchy. This division marked the beginning of a persistent trend of regionalism in Haitian politics, that still defines turmoil today.¹⁵⁴

Following Christophe's death in 1820 and Pétion's earlier passing in 1818, Jean-Pierre Boyer managed to reunite the country and also took control of the Spanish-speaking eastern part of the island in 1822. But his rule was marked by increasing authoritarianism and economic challenges. Boyer was overthrown in 1843, triggering a period of heightened political instability characterized by frequent changes of government and a series of conflicts over political ideology, economic policy, and control over regional power structures.¹⁵⁵

As President Lincoln's quest for emancipation took shape, the United States finally recognized Haiti as a sovereign nation in 1862. Between Lincoln and President Wilson, the US kept Haiti at a distance but the brewing storm of World War I prompted more involvement. In 1915 Wilson ordered the US to occupy Haiti with military presence under the guise to prevent German encroachment that threatened US political and economic interests. In practice it amounted to modern day slavery with hundreds of thousands of Haitians working in US controlled sugar plantations and mills not just in Haiti but in the Dominican Republic and Cuba as well. Between 1915 and 1935, US forces crushed multiple Haitian uprisings against the conditions, resulting in an estimated 15,000 people murdered by US marines.¹⁵⁶

In the years that followed the US withdrawal as part of President Franklin Roosevelt's "good neighbor" policy left Haiti in a period of internal political turbulence and economic stagnation, compounded by a series of environmental disasters. Then in the late 1930s, under the presidency of Sténio Vincent, Haiti faced significant socio-political issues, including a border dispute with the Dominican Republic. Dictator-President Rafael Trujillo, an ally to the US against communism, ordered soldiers to sweep the

¹⁵⁴ Gonzalez. (2019). *Maroon nation: a history of revolutionary Haiti*. Yale University Press.

¹⁵⁵ *Ibid.*

¹⁵⁶ Schmidt. (1995). *The United States occupation of Haiti, 1915-1934*. Rutgers University Press.

countryside that bordered Haiti, murdering an estimated 30,000 Haitian people found working and living in the Dominican Republic.¹⁵⁷

Vincent's successor, Élie Lescot, took power in 1941 and largely continued his predecessor's authoritarian policies. Lescot's rule was marked by strict censorship and suppression of political opposition. His government was heavily influenced by the United States, and he declared war on the Axis Powers during World War II at the behest of the U.S. government. However, a combination of factors, including allegations of corruption and the discontent over food shortages, led to widespread protests in 1946 and Lescot's eventual ousting.¹⁵⁸

Post-Lescot, Haiti experienced a brief period of liberalization, often referred to as the 'Revolution of 1946'. For the first time in decades, political parties were allowed to operate freely. Dumarsais Estimé, a black leader from the lower-middle class, was elected president. His tenure marked a departure from the dominance of the light-skinned elite and a move toward *Noirisme*.¹⁵⁹ He implemented social reforms and pursued policies aimed at reducing racial disparities and improving the conditions of the majority black population.

However, despite these strides, Estimé's presidency was plagued by economic difficulties and political opposition from the military and the elite. His attempt to extend his term in office in 1950 led to a military coup led by General Paul Magloire. Magloire's rule started promisingly, with economic improvements thanks to a rise in coffee prices, and the promotion of tourism. However, the decline in coffee prices and a devastating hurricane in 1954 worsened Haiti's economic situation, leading to strikes and protests that eventually forced Magloire to step down in 1956. These years set the stage for the rise of François Duvalier, who capitalized on the ongoing racial tensions and the desire for stability to ascend to the presidency in 1957, marking the onset of the notorious Duvalier dictatorship.¹⁶⁰

¹⁵⁷ Fatafski. (2013). The United States and the Fall of the Trujillo Regime. *Ad Americam*, 14(14), 7–18.

¹⁵⁸ Coupeau. (2008). *The history of Haiti*. Greenwood Press.

¹⁵⁹ *Noirism* (Haitian Creole: *Noirisme*) is one of the main political and cultural movements which developed in Haiti after the end of U.S occupation which aimed to center Haitian culture in social and political life.

¹⁶⁰ Belleau. (2021). Intimacy, hostility, and state politics: François Duvalier and his Inner-circle, 1931-1971. *History and Anthropology*, 32(5), 549–573.

Duvalier's Dictatorship

“Papa Doc” Duvalier came to power in 1958 with the use of hired mercenaries to disrupt voter registration and build alliances with military soldiers and officers. US Marines were brought in to train the Haitian military and outfit them with equipment and guns.¹⁶¹ In fact, it was the son of President Franklin D. Roosevelt who managed Haiti’s public relations, and by 1961 50% of Haiti’s government treasury was aid from the United States.¹⁶² However, after the election of 1961 in which Duvalier won by over 1,000,000 to 0 votes, the relationship between the US and Haiti became strained, barely salvaged only by Duvalier’s commitment to be an ally against communist Cuba.¹⁶³

Between 1957 and 1970 nearly 130,000 Haitians came to the US as tourists with the intent to overstay their visa because immigration policies had long denied them claims of asylum given that their government was not communist. In a random sample survey of Haitians who immigrated to South Florida through the late 1970s almost 75% had relatives awaiting them, 30% being an immediate family member.¹⁶⁴ Historian Carl Lindskoog notes that the death of Papa doc in 1971 ignited a new wave of Haitian immigration which was poorer than the Haitians arriving periodically in the 50s and 60s. Despite substantial evidence then many of those who fled Haiti had well founded fears of persecution The United States adopted a policy of denying asylum to Haitians, detaining them until their court cases could be adjudicated usually resulting in their deportation back to Haiti.¹⁶⁵ A Supreme Court case ruled in 1977 paroled many Haitians much to the chagrin of residents of South Florida. They worried that Haitians were spreading tuberculosis and other diseases in their communities and were resentful about decisions to grant Haitians the right to work. Haitians have been described as a “triple minority” that

¹⁶¹ Ferguson, J. (1987). *Papa Doc, Baby Doc: Haiti and the Duvaliers*. Oxford: Basil Blackwell.

¹⁶² Renda, M. A. (2001). *Taking Haiti: Military occupation and the culture of U.S. imperialism, 1915-1940*. Chapel Hill: University of North Carolina Press.

¹⁶³ Stepick, A., & Portes, A. (1986). Flight into Despair: A Profile of Recent Haitian Refugees in South Florida. *The International Migration Review*, 20(2), 329.

¹⁶⁴ Stepick, A., & Swartz, Dale Frederick. (1998). *Pride against prejudice: Haitians in the United States*. Boston: Allyn and Bacon. pp 16-17.

¹⁶⁵ Lindskoog, C. (2018). *Detain and Punish: Haitian Refugees and the Rise of the World's Largest Immigration Detention System*. Gainesville: University Press of Florida. p 14.

is not only were they foreigners, but they also spoke the unfamiliar Creole language and have black skin.¹⁶⁶

Less than a month after President Carter had signed the 1980 Refugee Act, more than a dozen congressmen sent letters to the president to draw his attention to the “Haitian refugees who are America's boat people” referencing the moniker used during the refugee crisis in Vietnam, Cambodia, and Laos in the 1970s. In the letter they plead the plight of the Haitians and “hope that the attorney general will exercise his parole authority one last time” for the Haitians currently in the United States. Their concerns about Haitian refugees was spurred by a marked uptick in 1972 as a response to the dictatorship of “Papa Doc” Duvalier passing to his nineteen year old son Jean-Claude Duvalier.¹⁶⁷ In a memo to Miami INS Director Sweeney from the Deputy Assistant Secretary for Refugee and Migration Affairs at the state Department says “Haiti has had a long and difficult history” and remarks on the “dense population and lack of natural resources which has not received significant foreign investment, technological assistance, or other forms of economic stimulus.” He then cites that in rising directly out of slavery in 1804 Haitians “have no tradition of self-government which is why they've had a turbulent and chaotic existence.”¹⁶⁸

Beyond the social and political unrest plaguing Haiti throughout the 19th and 20th century, the country is also environmentally unstable. Between widespread droughts, and frequent earthquakes, much of Haiti has struggled to maintain adequate infrastructure for water and electricity. Newspaper reports from the mid to late 1970s tell of multiple relief agencies, such as the Red Cross, coordinating to feed half a million Haitians “on the brink of starvation” in the wake of severe droughts in 1975 through 1977.¹⁶⁹ The drought was exacerbated by the fact that the new younger dictator Jean-Claude entered into agreements with US interests that displaced many Haitian peasants from lands they

¹⁶⁶ Stepick, A., & Swartz, Dale Frederick. (1998). *Pride against prejudice: Haitians in the United States*. Boston: Allyn and Bacon. p 4.

¹⁶⁷ Stepick, A., & Portes, A. (1986). Flight into Despair: A Profile of Recent Haitian Refugees in South Florida. *The International Migration Review*, 20(2), 329.

¹⁶⁸ James L. Carlin to Edward T. Sweeney, 19 April 1978, Box 23, “Refugees—Cubans & Haitians [10]” Folder, FW, Jimmy Carter Library.

¹⁶⁹ The Associated Press. Thousands of Haitians on Brink of Starvation. *Fort Lauderdale News*. May 19, 1977, page 32. Accessed in Newspapers.com archive.

traditionally farmed.¹⁷⁰ Simply put, there were multiple hardships facing the average Haitian, all but forcing many Haitians to seek more stable living conditions throughout the Caribbean, including Cuba, Jamaica, the Bahamas, and often to Florida.

Unlike the Cuban refugees, however, most Haitians came with nothing, not even document of identification. This presented the US government with an increasingly untenable problem: undocumented and “illegal” persons, who were also black and did not speak English or Spanish. In contrast to Cubans, designated as *political refugees* fleeing communism, Haitians were considered *economic refugees*—fleeing a friendly country, even if in disrepair—and that distinction had significant implications for how each group was treated by the US immigration system. Alex Stepick, probably the foremost expert on Haitian migration during this time, says “local political groups goaded national authorities into an unparalleled campaign to repress the flow of Haitians into Miami and to deport those Haitians already in Florida. Many residents of south Florida, and beyond, believed they were a “diseased...disruptive force, destroying the community and draining resources.”¹⁷¹ In another book Stepick notes that a leading 1977 congressman shouted and wagged his finger at INS staff “We don’t want any more goddamn black refugees in Florida!”¹⁷²

As the INS expanded efforts to detain and deport Haitians, a counter movement was coalescing between religious organizations like the National Council of Churches of Christ, the Haitian Refugee Center, and other Haitian-allied groups. Haitian refugees faced expulsion from neighboring countries too. For example, In July 1978, a cable from the American embassy in Nassau, Bahamas, to the US Secretary of State Cyrus Vance noted that the Bahamian government “is really interested in getting Haitians out of the Bahamas” While Bahamian officials were careful to deny allegations that they were encouraging a Haitian exodus, they did acknowledge that their policy of arresting these “illegal aliens” would likely result in their fleeing the Bahamas, and that a “logical

¹⁷⁰ Lindskoog, C. (2018). *Detain and Punish: Haitian Refugees and the Rise of the World's Largest Immigration Detention System*. Gainesville: University Press of Florida.

¹⁷¹ Grenier, G., & Stepick, Alex. (1992). *Miami now!: Immigration, ethnicity, and social change*. Gainesville: University Press of Florida. pp 58-62.

¹⁷² Stepick and Joubert. *We don’t want no goddamn black refugees! The politics of Haitian refugees in Florida in Light, & Isralowitz, R. E. (2018). Immigrant entrepreneurs and immigrant absorption in the United States and Israel*. Routledge, Taylor & Francis Group. pp 210-212.

destination is Florida.” The state department cable concluded that “underlying this is a deeply held Bahamian prejudice against Haitians in general, whom they perceive to be inferior.”¹⁷³

By 1978 a response was being concocted by heads of the INS and the State Department called The Haitian Program which stipulated that “All newly arriving Haitians...those in illegal status coming to the Services’ attention for the first time will be placed in detention. No work permits will be granted to any Haitians...”¹⁷⁴ Despite outcry by Haitians and pro-Haitian organizations that the new program violated constitutional rights and the values of refugee resettlement, both state and federal agencies worked together in apprehending Haitians already present in south Florida, denying asylum thousands of asylum claims, and bolstering coast guard patrols to stop and interdict incoming boats. It’s within this context that the United States re-instated its immigration detention regime that had been dormant since 1954 and the closing of Ellis Island.¹⁷⁵

Haiti Conclusions

So close, yet so far away, are the histories of Cuba and Haiti. From the moment the Spanish arrive to the 19th century, Haiti's political development was marked by the struggle against colonial oppression, the quest for independence and sovereignty, and the ongoing challenge of establishing stable, representative governance amid regional, racial, and class tensions. Between crushing debt imposed by the French, and US meddling, and devastating natural disasters, the people of Haiti are a symbol of surviving in a world not designed for them. Literally the descendants of the world’s first successful slave revolt, Haiti and the Haitian people have been denied at every possible turn the chance to thrive. Between international intervention or domestic turmoil, environmental disasters, and continued economic and political hardships the situation is dire. As of writing this in 2023, tens of thousands of Haitians have attempted entry to the US-Mexico border, often coming up through the same routes that people from the “northern triangle” have taken historically and continue to do so now. In this way then, time and place begin to collapse

¹⁷³ Lindskoog, C. (2018). *Detain and Punish: Haitian Refugees and the Rise of the World's Largest Immigration Detention System*. Gainesville: University Press of Florida. p 26.

¹⁷⁴ *Ibid.*, pp 26-27.

¹⁷⁵ *Ibid.*

on each other. Migration crises with seemingly disparate causes at different times in different places converge on the contemporary crisis paradigm as a function of how the US policies and patrols the waterways in response to Mariel and subsequent events.

Federal Emergency Management Agency and The Refugee Act of 1980

From the beginning of Carter's presidency his administration aimed to make government more responsive and responsible. One area of concern that Carter personally lamented was the lack of crisis preparedness programs. In 1977 Carter was also working on a comprehensive immigration reform bill that would feature many of the provisions later found in Reagan's iconic 1986 reforms, but it never came to fruition given all the other policy and political crises that plagued Carter's presidency.¹⁷⁶ By 1979, however, Carter achieved some bi-partisan success with the creation of the Federal Emergency Management Agency (FEMA), a new agency tasked with coordinating and managing the logistics of crises should they arise. Originally conceived as a way to respond to natural disasters FEMA would play an important role in the Mariel boat lift and future immigration related crises.¹⁷⁷

Carter's administration faced separate but converging streams of Caribbean immigration pressures in southern Florida by the late 1970s which was in addition to the 300,000 recent refugee admissions from the aftermath of Vietnam. By 1980 more than 750,000 Cubans had entered the US since Castro's takeover in 1959. Similarly, nearly 400,000 Haitians tried to enter the US since Duvalier's takeover in 1951. Where most Cubans benefited from the Cuban Adjustment Act of 1966 to gain residency, Haitians were more systematically denied benefits, detained, and deported. This presented the Carter administration with an increasingly difficult problem to reconcile considering that Carter put a lot of emphasis on human rights, emblemized in a new position called the Assistant Secretary of Humanitarian Affairs.

¹⁷⁶ Office of Congressional Liaison Bourdeaux. Remarks of the President on Reducing and regulating the Presence of Undocumented Aliens. Box 148, Undocumented Aliens, O/A 10550. Jimmy Carter Library and Archive.

¹⁷⁷ Roberts, P. (2013). *Disasters and the American state: How politicians, bureaucrats, and the public prepare for the unexpected*. Cambridge: Cambridge University Press.

The increase in migration to the US in all its forms became a point of contention between Congress and the Executive for years, with many members of Congress wondering about executive overreach given the ad hoc use of parole authority to admit refugees, which increasingly seemed to be ill-defined given the discrepancies highlighted between Cubans and Haitians. One leader for reform was Ted Kennedy, Chair of the Senate Judiciary, who argued that language from the 1951 and 1967 United Nations Protocols should be adopted to bring US domestic law into alignment with international agreements. These conditions set the stage for what Paul Wickham Schmidt, former general counsel to the INS, describes as an “optimism to create a piece of legislation that would do the world a lot of good.”¹⁷⁸

The 1980 Refugee Act was intended to address these discrepancies in the treatment of refugees and reassert some Congressional control into the refugee and asylum process. For the executive side of things, it was supposed to make it easier to plan for refugee admissions, secure funding, and formalize a proactive system rather than rely on reactive ad hoc processes. According to Schmidt, “the thinking at the time was that there needed to be more regularized admissions of refugees living in camps throughout southeast Asia” and to “lighten the load on countries of first asylum such as Thailand and Guam” which at the time was more pressing than the intermittent flows from the Caribbean.¹⁷⁹ In addition to normalizing admission flows, the Refugee Act of 1980 created new offices to administer a more formalized system, namely in the Office of Refugee Resettlement which would fund a US Coordinator for Refugee Affairs. Amongst the many provisions were better funding for resettlement, welfare assistance, and pathways to legal permanent residency after only one year of good probationary status.¹⁸⁰

The language of the Refugee Act brought US law into alignment with international treaties, particularly the UN Protocols of 1967. In this wording refugees took on a more universal definition “any person who is outside of any country of such person’s nationality...and is unable or unwilling to return to... that country because of

¹⁷⁸ Sharashenidze, M. American Immigration: From Mariel to Miller. (2020) The Refugee Act of 1980. Accessed 2021 on Spotify.

¹⁷⁹ Ibid.

¹⁸⁰ Tichenor, D. (2002). *Dividing lines: The politics of immigration control in America*. Princeton, N.J.: Princeton University Press. pp 246-247.

persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.” Despite being largely focused on overseas screening and orderly admissions, the Refugee Act of 1980 also created provisions for *asylum seekers* which meant people seeking refuge at the US border or port of entry as the country of first asylum rather than through mediating countries. One way that asylum seekers differ from refugees is the burden of proof in terms of proving their claim. In almost all instances asylum seekers face a higher burden of proof than refugees. Furthermore, there are *affirmative* and *defensive* tracks for seeking asylum. An example of the affirmative would be to formally approach an official port of entry and make one’s case. A defensive case would be to illegally enter the United States and then be apprehended by law enforcement as an “undocumented alien” and claim asylum in that interaction. Asylum seekers surged in the 1980s from both Haiti and central American civil wars in countries like Guatemala, Ecuador, and El Salvador.¹⁸¹ The power to review cases of asylum remained within the purview of the Attorney General and therefore the executive branch. Moreover, the Refugee Act of 1980 introduced the concept of *nonrefoulement* which would ostensibly prevent the return or deportation of refugees to the country which they were attempting to flee.¹⁸² As Daniel Tichenor highlights, this expansive piece of legislation passed with only narrow majorities but nonetheless “reflected increasing institutionalization of issue pluralism in national immigration politics in which different migratory streams—legal, illegal, and refugee—were being decoupled and compartmentalized from the policymaking process.”¹⁸³

In the wake of the national disgrace that was Nixon’s administration, President Ford and then Carter attempted to restore integrity and bring about a sense of national healing, with Ford declaring “our long national nightmare is over” in his speech upon taking the oath of office.¹⁸⁴ Foreshadowing Carter’s victory in ’76, Florida too had elected a “new south” Democrat, Reubin Askew, in 1971. Askew would go onto serve in

¹⁸¹ Garcia, M. (2006). Seeking refuge. Berkeley: University of California Press.

¹⁸² Loescher, G., & Scanlan, John A. (1986). Calculated kindness: Refugees and America's half-open door, 1945 to the present. New York: London: Free Press; Collier Macmillan. pp 155-156.

¹⁸³ Tichenor, D. (2002). Dividing lines: The politics of immigration control in America (Princeton studies in American politics). Princeton, N.J.: Princeton University Press. p 248.

¹⁸⁴ President Gerald Ford Library and Museum. Gerald R. Ford's Remarks Upon Taking the Oath of Office as President. Accessed at <https://www.fordlibrarymuseum.gov/library/speeches/740001.asp>

Carter's administration as a trade representative and be succeeded by another Democrat, Bob Graham. Carter's presidency, however, would become plagued by double digit unemployment, run-a-way inflation, the Iran Hostage Situation, and press Carter to deliver a speech intended to signal American resolve but became known mostly for identifying a "malaise" that for many reflected a faltering sense of leadership or "crisis of confidence" and US standing in the world.¹⁸⁵ It's within this context, then, with Florida under Graham's leadership, and the United States lead by Carter, when the Caribbean refugee situation would boil over in the crisis known as the Mariel Boatlift.

Conclusion

The 1980 Refugee Act came into play a few months after it was enacted when a mass migration event known as the Mariel Boatlift occurred. Fidel Castro, the leader of Cuba at the time, announced that Cubans who wanted to emigrate to the U.S. were free to board boats at the port of Mariel. This led to an influx of about 125,000 Cubans, and 35,000 Haitians, into the U.S. over a span of six months. The new Refugee Act provided a framework for the U.S. to accommodate this large number of people, even though there was considerable controversy over the status of these immigrants and whether they should be considered refugees or economic migrants. Ultimately the Refugee Act got around this problem by stating refugee status will henceforth be decided on an individual basis. However, the Cubans were received and considered differently in the eyes of law than the Haitians for many reasons, not least of all race and politics.

Over the years, many Haitians have sought to escape from poverty and political instability in their country by migrating to the U.S., often through perilous sea journeys. Before the Refugee Act of 1980, many Haitian asylum seekers were summarily deported, but the Act made it possible for more of them to apply for refugee status from within the U.S. However, the U.S. government often did not consider Haitians to be refugees in the same way it considered Cubans fleeing communism to be refugees, leading to criticism that U.S. refugee policy was biased. This created tension in U.S.-Haiti relations and sparked ongoing debates about immigration policy and racial equity.

¹⁸⁵ President Jimmy Carter Library and Museum. Energy and National Goals: Address to the Nation. July 15, 1979. Accessed at <https://www.jimmycarterlibrary.gov/assets/documents/speeches/energy-crisis.phtml>

In both cases, the Act didn't so much change relations directly as it provided a new legal context for ongoing migration events and debates, which had indirect impacts on relations with Cuba and Haiti. It's also worth noting that U.S. policy and attitudes towards Cuban and Haitian refugees have changed over time and have been influenced by many factors beyond the 1980 Refugee Act.

CHAPTER III

THE MARIEL CRISIS

“They are unwilling to adapt to the spirit of our revolution... we don’t want them...”¹⁸⁶ – Fidel Castro

“Ours is a country of refugees. We’ll continue to provide an open heart and open arms to refugees seeking freedom from Communist domination and from the economic deprivation brought about by Fidel Castro and his government.”¹⁸⁷ – President Jimmy Carter

Introduction

This chapter picks up where chapter two concludes, on the precipice of the events that would ignite a migration event that surpassed anything prior, known as the Mariel Boatlift. This chapter unfolds in three parts. Fold one, the *exodus* from domestic situations in Cuba and Haiti set the tone for the conditions in which the refugees are fleeing. It is from this vantage then also that the distinctions of “political” and “*economic*” refugees become a divisive way to address the *crisis* with *krisis*. The second fold concerns the *praxis* of crisis management which centers state and non-state actors involved in the coordination of implementing policies, including two selected sites of detention that serve as useful representations of where and how refugees were processed. Third-fold considerations are focused on the varying *reception* in terms of problem framing and also in terms of resettlement, incarceration, or deportation.¹⁸⁸

Fold One: Exodus

Cuba

According to a recently published memoir of the Mariel boat lift, author and survivor of the ordeal, Jose Garcia recounts the tale of an unsuspecting bus driver named Hector Sanyustiz. Disillusioned with the direction of Castro’s regime, Sanyustiz and five accomplices decided on the morning of April 1st, 1980, to seek asylum at the Peruvian

¹⁸⁶ De Palma, B. (Director). (1983). Scarface [Film]. Universal Pictures. These words are spoken by Castro in Spanish during a speech from Scarface intro which opens with the Mariel boat lift and is the origin of the Tony Montoya crime boss played by Al Pacino.

¹⁸⁷ Walsh. 1980. Us Will ‘Open Arms’ to Cuban Exile, Carter Says. The Washington Post. Accessed at <https://www.washingtonpost.com/archive/politics/1980/05/06/us-will-open-arms-to-cuban-exiles-carter-says/d607800c-8785-4420-b09a-e02ed6ac1ffe/>

¹⁸⁸ Rose, & Miller, P. (2010). Political power beyond the State: problematics of government. The British Journal of Sociology, 61(s1), 271–303.

embassy. The streets were blocked by boulders to prevent automobile traffic and Cuban guards would stop and question people that tried to get too close, therefore an impulsive and dramatic entrance ensued. Sanyustiz sped past the check point and slammed the bus into the fence. He and the others managed to escape the bus and shuffle through the intervening security forces from inside the embassy that were now engaging the Cuban guards chasing after them. In the intervening chaos, a brief shootout between the two security forces left one guard dead after a bullet ricocheted off the crashed bus. Sanyustiz and fellow rebels made it inside to claim asylum.¹⁸⁹

The news of this dramatic event spread quickly throughout Havana, and Cuban society more broadly.¹⁹⁰ Castro tried to compel the embassy to turn over the defectors for the murder of the guard, but the order was denied. Incensed, Castro withdrew his protection of the embassy hoping to force the embassy into compliance as more defectors trickled into claim asylum, warning that “In view of the regrettable death of a guard at the Peruvian embassy and the Peruvian government’s tolerant attitude toward such criminals... We cannot give protection to embassies that do not cooperate with that protection.”¹⁹¹ By midnight over 300 additional Cuban people had made their way to the embassy. Two days later the number of dissidents crowding the embassy reached an estimated 10,000 and as might be expected conditions deteriorated quickly.¹⁹² At the same time, regime loyalists began to crowd around the embassy, marching in the streets and chanting that defectors were worms and vermin.¹⁹³ With the situation spiraling out of control, Castro turned to a familiar strategy, export internal dissent onto his perceived enemy to the north, reportedly stating “I’m going to turn this shit against the United States.”¹⁹⁴

By April 8th Peru had begun negotiating resettlement efforts with several countries such as Bolivia, Colombia, Ecuador, and Venezuela. Departures began almost

¹⁸⁹ Manuel García. (2018). *Voices from Mariel*. Gainesville: University Press of Florida.

¹⁹⁰ Campisi, E. (2016). *Escape to Miami: An oral history of the Cuban rafter crisis*. New York, NY: Oxford University Press.

¹⁹¹ El Gallo. (1980). Gallo, El, 12(2), 1–16. <https://jstor.org/stable/10.2307/community.28456045>

¹⁹² Copeland, R. (1983). The Cuban Boatlift of 1980: Strategies in Federal Crisis Management. *The Annals of the American Academy of Political and Social Science*, 467(1), 138-150.

¹⁹³ Larzelere, A. (1988). *The 1980 Cuban boatlift*. Washington, D.C.: National Defense University Press. p 123.

¹⁹⁴ Triay, V. (2019). *The Mariel Boatlift: A Cuban American journey*. Gainesville: University of Florida Press. Quote also found in Quirk, R. (1993). *Fidel Castro*. New York: Norton.

immediately, but the numbers of defectors continued to rise with more people walking off their jobs hoping to escape Cuba. Less than a week later, President Jimmy Carter announced the US would take 3,500 refugees, but that they would need to be screened first in Costa Rica as an agreed staging area before being flown to the US.¹⁹⁵

As news of the chaos made its way through the Cuban community throughout Florida and spurred spontaneous organizational efforts by supporters to collect donations of cash, food, and clothing for the incoming refugees.¹⁹⁶ Victor Triay recalls walking home on his way on from school, noticing that in his borough of Miami he saw every driveway with a boat there were people packing supplies and preparing for what seemed like a hurried departure. The Cuban community in Miami is closely linked and significant portions of them are direct descendants or former exiles themselves from prior episodes of refugee flows during the mid-20th century. For many it was only a matter of time before a similar event like that of Camarioca happened again. As Victor walks in the door, he asks his mother, an exile herself of the first freedom flights, what is happening and she replies, “they’re going to Cuba.”¹⁹⁷

After nearly two weeks of ad hoc processing and departures from the embassy, Castro officially declared, on April 20th, the Port of Mariel open to people seeking to retrieve family from Cuba and return to the US.¹⁹⁸ People choosing to defect from Cuba were essentially abandoning their homes and belongings, then forced into staging camps which lasted days or up to weeks. One camp, known as Camp Mosquito, is described as a haphazardly constructed, poor quality, tent town “amid oppressive heat, soaking rains, squalor, unforgiving mosquitoes, aggression of the guards, horrid stench, and dangerously unsanitary conditions.” Triay recalls that all these people could do was wait for their names to be called over loudspeakers that signaled their transfer from Camp Mosquito to the Port of Mariel.¹⁹⁹

¹⁹⁵ Mott, G. (1980). Costa Rica Offers to Take Refugees. *Messenger-Inquirer*, April 21, 1980, p 12. Accessed via Newspapers.com database.

¹⁹⁶ Copeland, R. (1983). The Cuban Boatlift of 1980: Strategies in Federal Crisis Management. *The Annals of the American Academy of Political and Social Science*, 467(1), 138-150.

¹⁹⁷ *Ibid.*, p 27.

¹⁹⁸ Engstrom, D. (1997). *Presidential decision making adrift: The Carter administration and the Mariel boatlift*. Lanham, Md.: Rowman & Littlefield. p 62.

¹⁹⁹ Triay, V. (2019). *The Mariel Boatlift: A Cuban-American journey*. Gainesville: University of Florida. pp 24-25.

A recent publication reports that the initial arrival of two fishing boats from Cuba on April 21st, carrying a total of forty refugees, did not raise any alarm for the INS and Coast Guard agents on duty. This was largely due to the established US-Cuban immigration patterns. These first forty refugees were processed using "standard procedures," which included providing them with food and shelter through the Key West Chamber of Commerce and instructing them to report to the INS office in Miami the following day for official processing under the Cuban Adjustment Act.²⁰⁰

However, by the next day, as more boats started to arrive from Cuba, it was evident that the situation was unusual. Despite this, the INS and Coast Guard did not initially oppose the influx of boats. Instead, they even seemed to support the boatlift by advising outgoing boaters on safety procedures, passenger limits, and reminding them to prepare their documents for INS review upon return. This early reaction by frontline agents of these agencies quickly conflicted with decisions made by upper-level officials, leading to confusion and disagreement. The State Department and National Security Council (NSC), after consulting with the Coordinator for Cuban Affairs (CCA), decided on a strict oppositional stance, enforcing legal measures to deter incoming vessels. This included warning Cuban Americans leaving for Cuba that unlawfully bringing any alien into the United States was a felony. Violators could face a maximum prison sentence of five years and fines of up to \$2,000 for each undocumented alien they attempted to bring into the country.²⁰¹

Jose Garcia, fourteen at the time, recalls being at home when two soldiers came to his house to notify his father that his family had been authorized to leave for the US. This meant they had to leave everything behind except for the clothes on their backs. Families like his were processed through another camp known as Abreu Fontán, where Cuban guards confiscated extra items such as cash, jewelry, and other valuables or keepsakes people wanted to take with them to the United States.²⁰² As if this wasn't punitive enough, Castro had his own family separation policy in action. Triay recounts "the worst

²⁰⁰ Hawk, K., & Graham, Bob. (2014). *Florida and the Mariel Boatlift of 1980: The first twenty days*. Tuscaloosa, Alabama: The University of Alabama Press. p 22.

²⁰¹ Engstrom, D. (1997). *Presidential Decision Making Adrift: The Carter Administration and The Mariel Boatlift*. Lanham, Md.: Rowman & Littlefield. pp 65-68.

²⁰² García. (2018). *Voices from Mariel*. Gainesville: University Press of Florida. pp 24-25

horrors” were when some people would be denied permission to leave, while the rest of their family forced at gun point on to overcrowded boats. The people who were forced to remain behind faced unpleasant remainders of their lives, marked as traitors to Cuba.²⁰³

During these first days of the exodus, the Cuban military organized the processing at the port of Mariel. Patrol boats at the entrance of the harbor would escort boats to docks, soldiers would verify documents, inspect vessels, gathered paperwork from ship captains and issue temporary visas.²⁰⁴ However, this situation quickly deteriorated as more than 1,000 boats piled up in and outside the port. Many people ended up waiting days or weeks before receiving clearance for departure or return to the United States. Inclement weather would prevent departures for days at a time. Boredom and hunger “choked the life out of Mariel.”²⁰⁵ This escalating situation is vividly captured in the opening scenes for the blockbuster film *Scarface* featuring Al Pacino as a “Marielito” escaping to southern Florida to become a drug lord.

Despite the close distance, the seas could be harrowing at times, and the trip was exacerbated by Cuban guard’s disregard for capacity limits of ships and boats. One extreme example of the chaos is the *Atlantis*, a fishing vessel designed to carry eighty people but had 354 men women and children forced into it above deck and below. Another more tragic example is that of a pleasure craft suited for a hand full of people named *Sunshine* but had twenty-seven people stuffed into the below deck storage area and in the journey to Florida caused the death of three people by carbon monoxide poisoning and leaving many others ill. Such disregard for safety was common practice for the Cuban soldiers forcing people on to boats even at the protest of the captains.²⁰⁶ These examples, among many more, were in direct violation of the 1960 Safety of Life at Sea Act (SOLAS) that Cuba had signed in agreement with the United States two decades prior.²⁰⁷

²⁰³ Triay, V. (2019). *The Mariel Boatlift: A Cuban American journey*. Gainesville: University of Florida. pp 96-98

²⁰⁴ Larzelere, A. (1988). *The 1980 Cuban boatlift*. Washington, D.C.: National Defense University Press. p 133.

²⁰⁵ José Manuel García. (2018). *Voices from Mariel*. Gainesville: University Press of Florida. pp 26-27.

²⁰⁶ Coast Guard Personnel to Jack Watson, May 15, 1980, Cuban Haitian Refugee/Alien Situation [2], Box 317, “Carter Presidential Papers—Staff Offices: Cabinet Secretary & Intergovernmental Affairs Jack Watson’s O/A.” Jimmy Carter Library.

²⁰⁷ Ibid.

According to a recent book, the first two fishing boats to arrive back from April 21st from Cuba carried a total of forty refugees. There was no indication or concern expressed on part of the INS and Coast guard agents on duty because such arrivals were not uncommon given the previously discussed history of US-Cuban immigration patterns. In fact, these first forty refugees were dealt with via “standard procedures” which included releasing them to Key West Chamber of Commerce for that nights food and shelter, and asking them to self-report to the INS office in Miami the next day for official processing in accordance with the Cuban Adjustment Act.²⁰⁸ However, by the next day, more boats began arriving back to the US from Cuba and it was clear something was different. Despite this, the initial reaction was ordinary as neither the INS or Coast Guard issued any statement against the boatlift and in fact seemed to support it by offering guidance to departing boaters, reminding them to follow standard protocols for safety and passenger limits and to have documents ready for INS upon return.²⁰⁹

This decision by front-end agents of these bureaucracies came into quick conflict and contradiction which decisions being made higher up the chain, causing confusion and disagreement along the way. For example, the State Department and National Security Council (NSC) contacted the Coordinator for Cuban Affairs (CCA) and came to the decision that a hardline opposition must be taken and enforcement of legal measures must be imposed to dissuade incoming vessels.²¹⁰ This included warning Cuban Americans departing for Cuba that it is a “felony under U.S. law to bring into the United States any alien not duly admitted by and immigration officer”²¹¹ and that this conduct carried a maximum prison sentence of five years and \$2,000 in fines for *each* undocumented alien attempted to be brought into the US.²¹²

However, such threats of legal action did not stop the flows given that neither the State Department, INS, nor the Whitehouse produced statements that supported or

²⁰⁸ Hawk, K., & Graham, Bob. (2014). Florida and the Mariel Boatlift of 1980: The first twenty days. Tuscaloosa, Alabama: The University of Alabama Press. p 49.

²⁰⁹ Engstrom, D. (1997). Presidential decision making adrift: The Carter administration and the Mariel boatlift. Lanham, Md.: Rowman & Littlefield. p 65.

²¹⁰ Hawk, K., & Graham, Bob. (2014). Florida and the Mariel Boatlift of 1980: The first twenty days. Tuscaloosa, Alabama: The University of Alabama Press. p 51.

²¹¹ 8 U.S. Code § 1324 - Bringing in and harboring certain aliens.

²¹² Hawk, K., & Graham, Bob. (2014). Florida and the Mariel Boatlift of 1980: The first twenty days. Tuscaloosa, Alabama: The University of Alabama Press. p 51.

clarified the situation. Engstrom (1997) says much of the confusion came from the fact that Carter's administration on one hand did not want to "inflamm" Cuban-Americans, while on the other hand failed to take immediate centralized control of the situation, and instead left initial response efforts to individual agencies which did not properly communicate with one another about what should happen. Moreover, even if civil penalties were imposed, at either \$1,000 or \$2,000, this was a small price to pay for many looking to reunite family. Other reports indicate that for some ship captains this fine did not prove enough deterrence given that they could charge double or triple that to families with no personal boat transportation, and so profit was still possible.²¹³ A memorandum from Admiral John B Hayes of the US Coast Guard sent to Jack Watson at the white House warned that "if there is any reduction in enforcement measures...penalties and prosecutions...it will radically alter the perception of the risk associated with trips to Cuba" and goes on to recommend prompt and decisive "imposition and collection of civil penalties for those violations of the immigration laws which have already occurred."²¹⁴ Cuban-Haitian Task Force reports from November indicate that 124,779 Cubans were processed and "approximately 70% of the Cubans are male and 30% are female. About 18% of the total are under 18 years old... Cuban adults form the bulk of the arrivals... [82%]"²¹⁵

Haiti

The flow of Haitian arrivals did not begin with the opening of Mariel. Days prior to the opening of Mariel, over 1000 Haitians had arrived in Florida in the span of a week, and another approximate 3300 arrived between January and April 21 per a Cuban-Haitian task force analysis.²¹⁶ The Duvalier regime extracted heavy tolls on the Haitian people, with some estimates that 40% of all government revenue went to the Duvalier family coffers, which created two types of migrations. Much of the business and professional

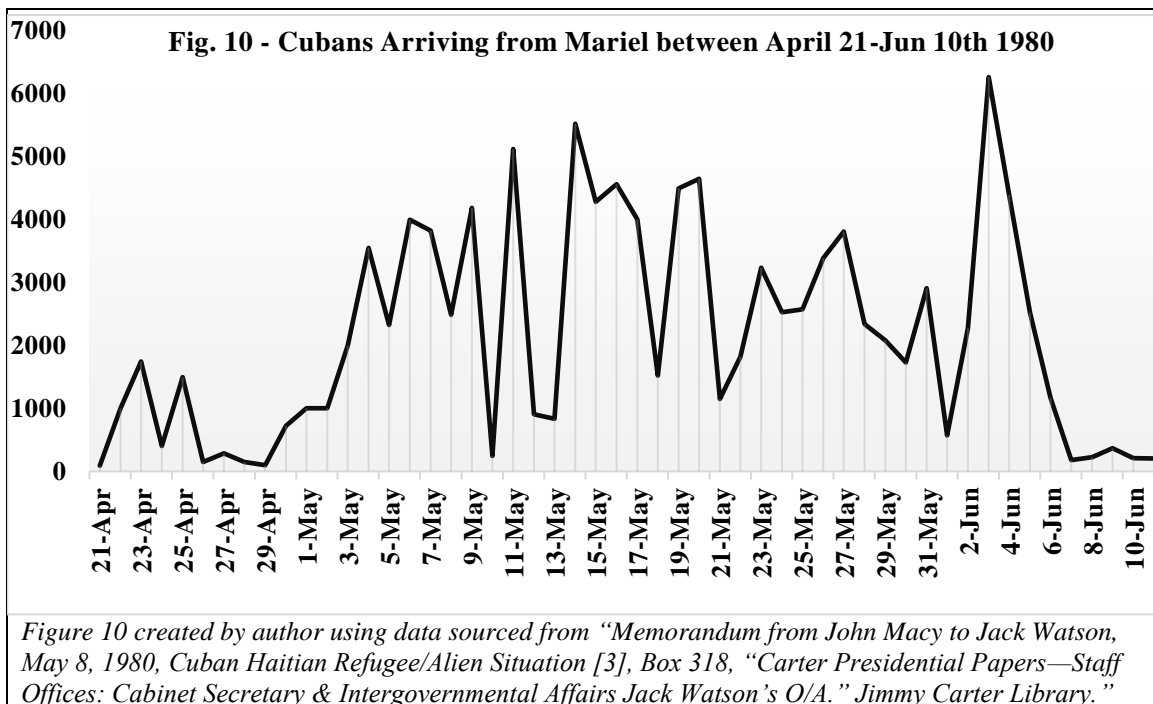
²¹³ Engstrom, D. (1997). *Presidential decision making adrift: The Carter administration and the Mariel boatlift*. Lanham, Md.: Rowman & Littlefield. pp 67-68; see endnote 29.

²¹⁴ Admiral John B. Hayes to Jack Watson, May 21, 1980, Cuban Haitian Refugee/Alien Situation [2], Box 317, "Carter Presidential Papers—Staff Offices: Cabinet Secretary & Intergovernmental Affairs Jack Watson's O/A." Jimmy Carter Library.

²¹⁵ Memorandum from Frederick Bohlen to Eugene Eidenberg, November 6, 1980, Data Processing, Box 2, "Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

²¹⁶ *ibid.*

class fled via legal routes typically ending up in New York. On the other hand, the poor and peasant class fled primarily to Florida, “illegally” both in terms of Duvalier’s regime which forbids exodus without consent, and because the US opposed unauthorized entry. By 1980 its estimated 600,000 or 12% of Haitians lived outside of Haiti and nearly two-thirds of them are in the United States, spread between major metropolitan centers like New York, Boston, D.C., and Chicago.²¹⁷



Miami became a destination because of the gulf stream that flows from Haiti, between Cuba and the Bahamas, and up into Florida Keys. Initial outward migration in the sixties and early seventies meant tens of thousands of Haitians resettled in the Bahamas, but by the mid-1970s immigration policies were changing and Bahamian government started a harsh denial and displacement campaign against Haitian refugees. In response these Haitians started trickling into Florida, mostly the Miami-Dade County area. Overtime the concentration of Haitians in Miami’s Edison-Little River district

²¹⁷ Boswell. (1983). In *The Eye of The Storm: The Context Of Haitian Migration To Miami, Florida*. *Southeastern Geographer*, 23(2), 57–77. see also Danticat. (1994). *Breath, eyes, memory*. Soho.

became known as “little Haiti.”²¹⁸ Between 1977 and 1981, more than 70,000 Haitians migrated to South Florida this way.

As Mariel unfolded newspapers were running headlines about how “Poverty Drives Haitian Boat People to Florida”²¹⁹ and that the “US wants to house Haitians at old Miramar missile base”²²⁰ and. The early detention state that emerges in relation to the “Haitian Problem” is well documented by historian Carl Lindskoog and Kristina Shull.²²¹ For my purposes here it is only to reiterate that The apparent contradiction of the United States welcoming Cubans - who initially claimed to be fleeing due to economic reasons, while refusing Haitians, who were allegedly leaving their country for the same reasons, did not go unnoticed by the U.S. media and public. The Carter administration's inconsistent and disorganized response to the Cuban crisis largely dominated media coverage, but certain Miami and national outlets highlighted the glaring disparities in the treatment of Haitian and Cuban migrants. Cubans were quickly registered, released, and designated as asylum seekers, while Haitians remained in a state of exclusion, not granted the same recognition. Furthermore, some Cuban refugees received monetary assistance from U.S. authorities, contrasting sharply with the Haitian immigrants, who found themselves detained in correctional facilities.

Haitians often arrived in more precarious conditions both physically and legally. Typically having few if any possessions and upwards of 60% have no identification at all, compared with 95% for the Cubans.²²² One way this stands out starkly comes from the daily processing logs in the Carter archives. According to a June 10th Key West status report, which was toward the end of the bulk of the Cuban flow, the cumulative “interceptions of meat and animal byproducts” was 11,062 lbs. and “interceptions of

²¹⁸ Ibid. p 62

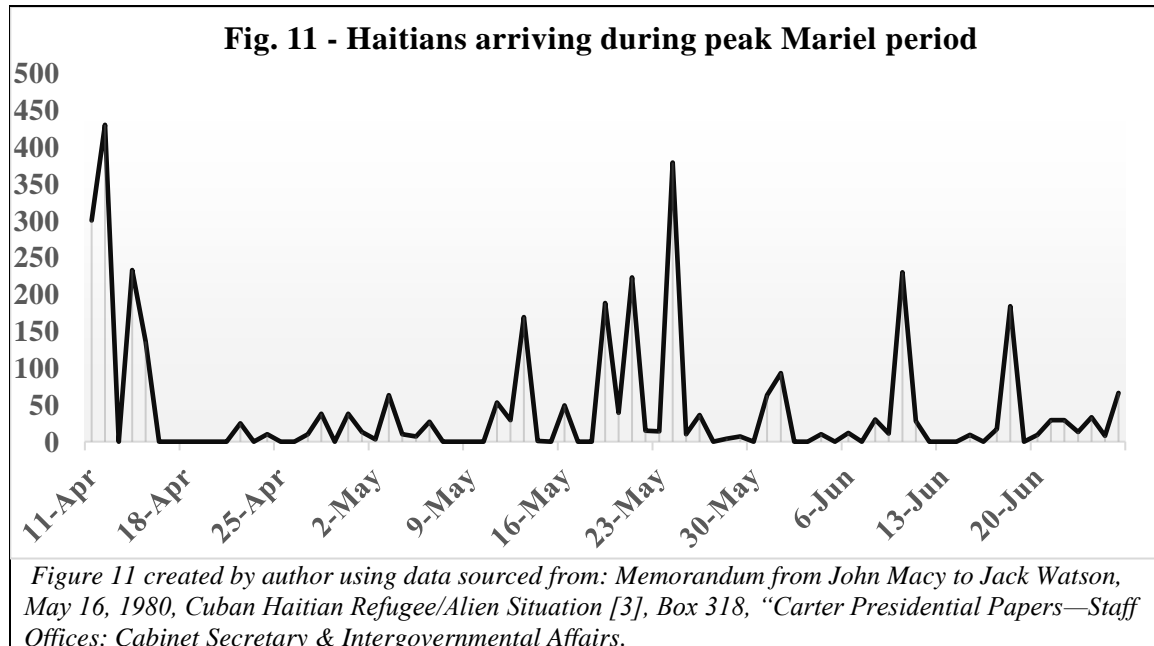
²¹⁹ Candell. (1980). Poverty Drives Haitian Boat People to Florida. April 16, 1980. Hattiesburg American. Accessed at Newspapers.com database.

²²⁰ Christensen. (1980). US Wants to House Haitians at Old Miramar Missile Base, April 15, 1980. Fort Lauderdale News. Accessed via Newspapers.com database.

²²¹ Lindskoog, C. (2018). Detain and Punish: Haitian Refugees and the Rise of the World's Largest Immigration Detention System. Gainesville: University Press of Florida; Shull. (2022). Detention empire: Reagan’s war on immigrants and the seeds of resistance. The University of North Carolina Press.

²²² Memorandum from Frederick Bohlen to Eugene Eidenberg, November 6, 1980, Data Processing, Box 2, “Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

fruits and vegetables” was 9,652 lbs.²²³ By contrast, there isn’t even a record of such things for the Haitian flows.



Demographically, Task Force archives indicate that as of October of 1980, Haitians arriving in Florida over the last 12 months “were 75% men, 22% women, and 3% children, and about 12% have relatives in Florida.”²²⁴ In terms of health and safety information, the same report indicates that while Cubans were “generally comparable to that in the US...patterns of mortality, morbidity, and life expectancy are similar” while it describes Haitians as “much poorer than that of the Cuban and US population... leading problems are malnutrition, intestinal parasitic disease, tuberculosis, teenage pregnancy, low birth weight infants...”²²⁵

²²³ P.R. “Bobby” Smith to Jack Watson, June 11, 1980, Cuban Haitian Refugee/Alien Situation [2], Box 317, “Carter Presidential Papers—Staff Offices: Cabinet Secretary & Intergovernmental Affairs Jack Watson’s O/A.” Jimmy Carter Library.

²²⁴ Memorandum from Frederick Bohlen to Eugene Eidenberg, November 6, 1980, Data Processing, Box 2, “Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

²²⁵ Report from Office of Refugee Health Affairs to Eugene Eidenberg, August 13, 1980, Data Processing, Box 2, Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

Fold Two: Praxis

The Logistics of Managing Crisis

On April 24th, Coast guard officials reported an estimated 1,000 seacraft were headed south. Several of President Carter's key advisors urged him to "exercise greater leadership and control of the Government's response to the situation."²²⁶ Differing opinions fractured between the domestic and foreign policy aspects of responding to the impending crisis. Each respective agency director believed the crisis to be beyond their control and in the purview of the other. This caused a stalemate in decision making on all fronts, which was compounded by the fact that there seemed to be no "institutional memory" with respect to Cuban migration flows.²²⁷

Carter was not ready, or willing, to enact a policy of interdiction at sea, despite at least one congressman proclaiming "The United States government can stop this. We can fire on these people. We can prevent them from coming in. We can do anything we want."²²⁸ Primarily because the legality of such a move was unclear at best, and both a humanitarian and foreign policy disaster waiting to happen at worst, given recent events with southeast Asian refugee resettlement, and the passage of the 1980 Refugee Act that was meant to prohibit refoolment. This all but forced Carter's hand in deciding to exercise as much safety precautions as possible in guiding boats back from Cuba to the US rather than try to stop the flows entirely. The logistics of this exodus were now squarely becoming a matter of US government processing and resettlement capacities.²²⁹

When LBJ faced a Cuban exodus, his administration had time to plan and get out ahead of the events, supported by a strong economy and other policy successes. Unfortunately for Carter, the domestic situation in terms of the economy, gas prices, unemployment, and ever torturous Iran Hostage Crisis meant the public and political actors were far less receptive to another crisis in the form of refugees reported to be "criminals" emptied out from Castro's jails. These circumstances in addition to the

²²⁶ Memorandum to President Carter, "Caribbean Refugee Issues" April 24, 1980, Cuban and Haitian Refugees [7], Jimmy Carter Library.

²²⁷ Engstrom, D. (1997). Presidential decision making adrift: The Carter administration and the Mariel boatlift. Lanham, Md.: Rowman & Littlefield. pp 68-70.

²²⁸ Hawk, Vilella, Leyva, and Cifers (2014). Florida and the Mariel Boatlift, page 197; see also Engstrom (1997) p 124.

²²⁹ Ibid.

increasingly belligerent Castro regime made the already unprecedented scale of the refugee situation more difficult and uncertain. Public opinion waned through the 1970s in terms of refugee and immigration, declining faster with the resettlement of Vietnamese a few years prior, and hit new lows as the Mariel crisis unfolded.²³⁰

The Mariel boat lift was FEMA's real first test when Carter ordered the new agency on April 27th to take control of the organizational response. However, because of its fledgling status, there were not enough people or resources to effectively take charge. The next day Florida Governor Bob Graham called a "state of emergency" and enlisted more aid from the INS, Customs, Florida Highway Patrol, Marine Patrol, National Guard, and the Public Health Service. The Federal Bureau of Investigation (FBI) was also brought in for the screening process to detect "spies" for Castro.²³¹ The next few weeks were beset by competing agency priorities and ambiguous organizational structures around who or what agency was technically in charge. Carter made a national emergency declaration on May 6th, elevating FEMA from cooperating agency to lead organizing agency.²³²

Fifteen miles out from Mariel an armada of USCG cutters formed a surveillance and patrol front. Upwards of a dozen cutters, measuring at least 65' long, were accompanied by smaller patrol boats and helicopters each day, and at night a designated "night barrier" was maintained by roving patrol boats, which extended from the buffer zone with Cuba up toward Key West, Florida.²³³ This was intended to make sure the exodus continued with as few casualties as possible per FEMA mission objectives.

²³⁰ Harwood. (1986). American Public Opinion and U. S. Immigration Policy. *The Annals of the American Academy of Political and Social Science*, 487, 201-212. See also <https://graphics.latimes.com/tent-city/>

²³¹ Triay, V. (2019). *The Mariel Boatlift: A Cuban-American journey*. Gainesville: University of Florida. p 120.

²³² Associated Press, 1980. Carter Declares Florida Disaster, May 6, 1980. *Press and Sun-Bulletin*. Accessed at Newspapers.com

²³³ Coast Guard Personnel to Jack Watson, May 29, 1980, Cuban Haitian Refugee/Alien Situation [2], Box 317, "Carter Presidential Papers—Staff Offices: Cabinet Secretary & Intergovernmental Affairs Jack Watson's O/A." Jimmy Carter Library.

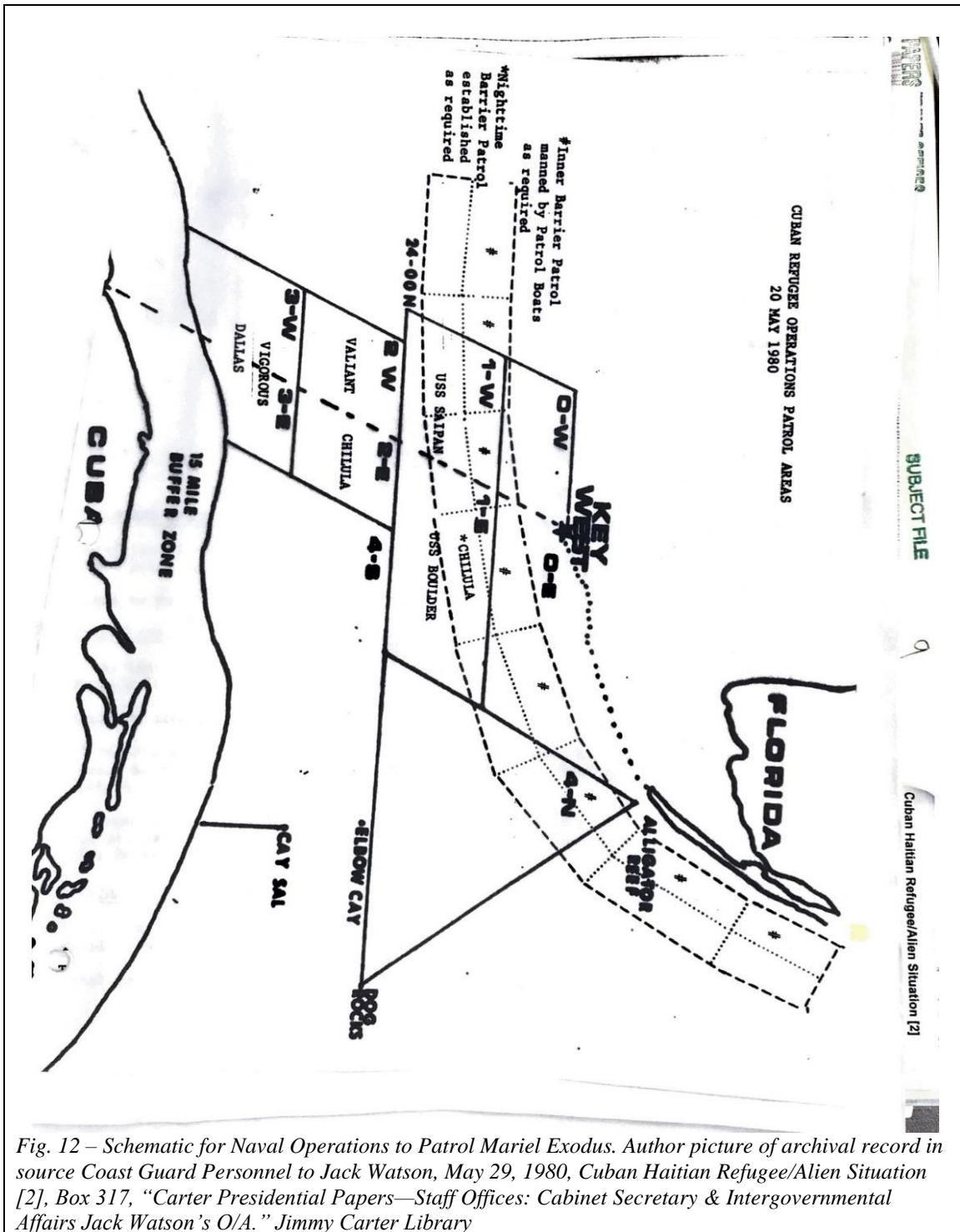


Fig. 12 – Schematic for Naval Operations to Patrol Mariel Exodus. Author picture of archival record in source Coast Guard Personnel to Jack Watson, May 29, 1980, Cuban Haitian Refugee/Alien Situation [2], Box 317, “Carter Presidential Papers—Staff Offices: Cabinet Secretary & Intergovernmental Affairs Jack Watson’s O/A.” Jimmy Carter Library

Despite the unprecedented deployment of available agencies and volunteers the flow of refugees continued to overwhelm the capacities of processing. Among the early dilemmas facing the Carter administration was determining a legal status for the Cuban

refugees. From the outset, both state agents and the press noticed that the Cubans were on average, “darker and harder” than previous years, “Mariel destroyed the image of Cubans in the United States and, in passing, destroyed the image of Miami itself for tourism. The *marielitos* are mostly Black and mulattoes of a color that I never saw or believed existed in Cuba. They don’t have social networks; they roam the streets desperate to return to Cuba.”²³⁴ Then allegations of Castro emptying the jails, psychiatric wards, and hospitals, into the Mariel flow put many on edge and some began using racial and eugenic talking points directed at immigrants, and fearmongering the ruin it would bring to the US.²³⁵ The White House even issued a statement saying “we will not permit our country to be used as a dumping ground for criminals who present a danger to society.”²³⁶

On May 2, 1980, FEMA converted Miami’s Orange Bowl stadium into a makeshift emergency shelter. The following day, the Eglin Air Force Base was designated as a “processing center” for incoming Cubans by the US military. In the following weeks, alternate sites were arranged on US military bases used during the Vietnamese refugee program 5 years earlier, such as Fort Chaffee in Arkansas, Fort Indiantown Gap in Pennsylvania, and Fort McCoy in Wisconsin, for housing and processing resettlement for Cubans.²³⁷ This confinement was met with resentment by the Cubans, as it contradicted the established policy under the 1966 Cuban Adjustment Act that had previously enabled undocumented Cubans to enter the United States relatively easily and obtain expedited permanent resident status. Throughout the summer, Cubans, caught in a legal and physical stalemate, staged multiple protests, riots, and acts of violence, and committed vandalism at all three military bases.

Initial procedures and centers became inundated, demonstrating the need to further increase processing capacities. A collaborative agreement between the US Public Health Service, the INS and the Bureau of Prisons (BOP) authorized the use of BOP

²³⁴ Portes, and Stepick. (1993) *City on the Edge: The Transformation of Miami*. University of California Press. p 21.

²³⁵ Sewell. (1980). *Navy Doctors Say Castro Sending Mental Patients, dying to US*. May 14, 1980. *The Missoulian*.

²³⁶ Hamm. (1995). *The abandoned ones: the imprisonment and uprising of the Mariel boat people*. Northeastern University Press. p 51.

²³⁷ Memorandum from Mario Rivera to Col. Arthur Brill, July 29, 1980, Description of processing of Cubans and Haitians in Miami, Box 5, “Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

facilities for the purposes of screening, processing and detaining refugees—mostly Cubans—and illegal immigrants—mostly Haitians.²³⁸ This included reopening and converting locations such as decommissioned prisons like the state penitentiaries in Atlanta, GA, Leavenworth, KS, Oakdale, LA, and a shuttered missile base in Florida created as a defense against possible soviet attacks from Cuba.²³⁹

Looking back at the archives, the optimism Carter’s administration had for being prepared is documented in a 1977 memorandum to the president which outlines the need for ‘crisis management’ and proffers how the White House should lead as “manger and emissary” in coordinating response efforts.²⁴⁰ Among the examples are “epidemics, civil disorders, natural disasters, power blackouts, etc.,” but what isn’t listed is telling, namely *immigration*. As Mariel was underway, this optimism is repeated by then Acting Commissioner of the INS in a “staffing model for Cuban processing camps” that is almost comical in hindsight; the plan imagined having a camp hold 10,000 people and with only 165 agents and being able to process up to 1,000 people per day.²⁴¹ Needless to say, that didn’t come to fruition.

Given the familiar yet unprecedented scale of the Mariel and Haitian migration into Florida, there were no existing processes or procedures to take on the logistical problems such movements impose on state control. Despite the recent passage of the Refugee Act, it was immediately declared not applicable to Mariel. President Carter chose to sidestep the Act by granting parole to the incoming Cubans and Haitians, allowing them entry into the United States under the direction of a novel policy response known as the Cuban-Haitian Task Force (CHTF). The CHTF was a collaborative endeavor involving multiple government agencies, notably the State Department, the

²³⁸ Phyllis Dichter to Syl Ligsukis, “Policy Issues for the Haitian Entrant Program,” August 1980, Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

²³⁹ Hamm. (1995). *The abandoned ones: the imprisonment and uprising of the Mariel boat people*. Northeastern University Press; Dow. (2004). *American Gulag: Inside US Immigration Prisons*. University of California Press; Lipman. (2013). *The Fish Trusts the Water, and It Is in the Water That It Is Cooked: The Caribbean Origins of the Krome Detention Center*. *Radical History Review*, 2013(115), 115–141.

²⁴⁰ Memorandum from Jack Watson to President Carter, July 13, 1977, Cuban Haitian Refugee/Alien Situation [2], Box 317, “Carter Presidential Papers—Staff Offices: Cabinet Secretary & Intergovernmental Affairs Jack Watson’s O/A.” Jimmy Carter Library.

²⁴¹ Memorandum from David Crosland to Robert Chasen, May 12, 1980, Cuban Haitian Refugee/Alien Situation [2], Box 317, “Carter Presidential Papers—Staff Offices: Cabinet Secretary & Intergovernmental Affairs Jack Watson’s O/A.” Jimmy Carter Library.

Immigration and Naturalization Service (INS), the Department of Health and Human Services (HHS), and the Federal Emergency Management Agency (FEMA). The Task Force's mission was to manage the refugee influx, establish procedures for processing asylum applications, and coordinate inter-agency efforts to provide humanitarian aid and resettlement services.

Indeed, US immigration policy had been designed such that refugees from *communist* countries were granted asylum automatically as *political* refugees. However, because Haitians were not from a communist country, they were considered *economic* refugees which came with different procedures and opportunities. With the passage of the 1980 Refugee Act this distinction became harder to enforce in broad strokes. A legal maneuver around Carter's own triumph was implemented in October of 1980, in which the administration created a special category of "Cuban-Haitian Entrants—Status Pending" to facilitate what would become a contentious and pivotal period in US immigration policy and politics.²⁴²

Despite this, from the beginning, US government officials were aware of the stark differences in sanitation conditions and the unequal treatment of Cubans and Haitians, particularly in Krome. Phyliss Dichter, a representative from the CHTF, acknowledged, "While we are attempting perhaps to equalize the treatment, there are still great discrepancies between the processing and services provided to Cubans and Haitians." Financial differences were also stark: voluntary organizations received \$300 for every Cuban migrant they resettled, whereas the agency responsible for Haitian resettlement was granted a mere \$27 per Haitian migrant, and Haitians were not eligible for the Red Cross care package.²⁴³ Representative Shirley Chisholm spoke at a House judiciary subcommittee to protest the differential treatment between Cuban and Haitian refugees, "The Administration has recently begun to spout off a lot of rhetoric about Cubans and

²⁴² Hamlin. (2021). *Crossing: how we label and react to people on the move*. Stanford University Press; Loescher, Scanlan, J. A., & Scanlan, J. (1986). *Calculated Kindness: Refugees And America's Half-Open Door, 1945 To the Present*. Free Press; Stepick. (1982). *Haitian Boat People: A Study in the Conflicting Forces Shaping U. S. Immigration Policy*. *Law and Contemporary Problems*, 45(2), 163–196.

²⁴³ Memorandum from Mario Rivera to Col. Arthur Brill, July 29, 1980, Description of processing of Cubans and Haitians in Miami, Box 5, "Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

Haitians receiving equal treatment...the facts are that this statement is a blatant lie.”²⁴⁴ At least one organization turned Carter’s words on their head, stating, “*Haitian refugees met with closed arms and closed hearts.*”²⁴⁵

Detention and Deportation

Due to the overwhelming quantity of people coming across from Mariel relative to the combined efforts of local, state, and federal actors the need to distribute people into manageable camps was the primary objective, and several camps were used, as described above. While most Cubans, about 99% of them in fact, were eventually paroled to families and sponsors, about 350 Cubans were found to have serious criminal backgrounds and further incarcerated.²⁴⁶ Meanwhile, Haitians were imprisoned for much longer and deported more frequently. Already well understood is that the discrepancies in treatment emerge on one hand as a function of the invented categories of “political” and “economic” refugees, and on the other the racialized or more precisely, anti-Black, sentiments common to the southern United States.

Considerable literature has explored different aspects of how Cubans and Haitians were detained across the country, and as such it is beyond the scope of this research to touch on them all. Rather, two specific sites have been selected to serve as representations on the spectrum of what detention and processing a “crisis” can look like. The first site, KROME detention center serves as a central example in thinking about the “polymorphic” nature of borders; that is, how the state repurposes and rearticulates existing spatial productions for novel purposes.²⁴⁷ The second case is Fort Chaffee, in Arkansas, that became the focal point of American politics and arguably is what catalyzed Bill Clinton’s “new democrat” approach to crime and immigration which in turn re-calibrated the spectrum of the American political imagination further to the right, in a conservative sense, than perhaps at any point in history.

²⁴⁴ Pear, R. (1980). Congressmen Say Haitian Refugees Still Face a ‘Dual Standard’ in US. *New York Times*, June 18, 1980.

²⁴⁵ Schey, P. 1980. Haitian refugees met with closed arms and closed hearts. *The Washington Post Co.* in *The Kansas City Times*, July 5, 1980, page 13. Accessed in *Newspapers.com* database.

²⁴⁶ Hamm, M. (1995). *The abandoned ones: The imprisonment and uprising of the Mariel boat people.* Boston: Northeastern University Press. pp 58-59.

²⁴⁷ Burrige, Gill, N., Kocher, A., & Martin, L. (2017). Polymorphic borders. *Territory, Politics, Governance*, 5(3), 239–251.

KROME

Scholars have traced the origins of immigration detention in the United States through the Krome detention site.²⁴⁸ Initially created as a missile base about 20 miles outside of Miami, the KROME detention center offers an instructive case in how crisis management has evolved from ad-hoc to permanent policy. Krome has its origins in the Cold War, created as part of a network of domestic missile defense bases. Situated about 20 miles outside of Miami on the edge of the Everglade swamp, it's been described as inhospitable by the service men who worked there from 1962, when it first opened, to 1974 when it was decommissioned. The officer overseeing facilities for housing refugees was surprised at the decision to use Krome, noting that "I told my Commanding Officer that the mosquitoes would be impossible to control ... This place sucked even for Army personnel. Mosquitoes kept on coming even in the sunlight."²⁴⁹ Despite these warnings, it was reopened precisely because it was remote and harkened to the "forgotten experiment of removing and detaining Haitian refugees on an isolated military base in Puerto Rico" in the 1970s.²⁵⁰

Organized into two sections, north and south, Krome base originally housed about 150 soldiers as part of its daily operations in the north. The south was not meant to be a living area. It was the old landing pad area for the missile launch devices and directly bordered the swamp with 12' fences topped with razor wire defining the perimeter.²⁵¹ However archival records indicate that by early May 1980 FEMA was granted a permit to start housing Haitians in the *south* part of the facility, and Cubans were held in the *north* facility.²⁵² This distinction between north and south facilities is significant because it highlights how the processing efforts were inherently racialized and racist. Multiple sources indicate that the southern part of Krome was undeveloped and not meant

²⁴⁸ Lindskoog, C. (2018). *Detain and Punish: Haitian Refugees and the Rise of the World's Largest Immigration Detention System*. Gainesville: University Press of Florida; Shull. (2022). *Detention empire: Reagan's war on immigrants and the seeds of resistance*. The University of North Carolina Press; Loyd, & Mountz, A. (2018). *Boats, borders, and bases: race, the Cold War, and the rise of migration detention in the United States*. University of California Press

²⁴⁹ The Fish Trusts the Water, and It Is in the Water That It Is Cooked: The Caribbean Origins of the Krome Detention Center. *Radical History Review*, 119.

²⁵⁰ *Ibid.*, p 188.

²⁵¹ *Ibid.* pp 189-190.

²⁵² Memorandum from William Swarm to John Cannon, February 19, 1981, Krome South, Box 5, "Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

habitation by anyone, let alone thousands of Haitians simultaneously.²⁵³ Archival documents indicate that the last date new Cubans arrived to Krome was September 19th, 1980, putting the Cuban north population at 414, and the Haitian south population at 1,277.²⁵⁴ In October of 1980 the CHTF authorized a 5 million dollar investment in Krome North, and millions more since.²⁵⁵ Cubans were eventually transferred out to other facilities are paroled to families. Haitians continued to be detained, even years after Mariel concluded, at Krome through the 1980s during Reagan's administration. Since 9/11, Krome has received millions of dollars in renovations to continue housing a more "diverse" population of about 600 male prisoners from all over the world.²⁵⁶

The Krome Detention center is now operated by a privately held transnational conglomerate in the "defense and space contracting" sector called AKIMA that operates a "a global enterprise powering some of the most critical, cutting-edge work in the federal government."²⁵⁷ The parent company is Alaska Native Corporation, which stems from reforms in the 1970s to assuage indigenous activism for more sovereignty over indigenous land and business. According to a report by ProPublica, "Congress has given ANCs contracting advantages that other minority businesses don't have" including "no limit [contracts] and often get no-bid contracts worth tens of millions of dollars.... While other companies must prove every year that they are economically and socially disadvantaged, ANCs are considered permanently disadvantaged and can stay in the program -- even those that are among the 100 biggest government contractors" and moreover "other companies have to be run by a minority, ANCs and their subsidiaries often have non-native managers."²⁵⁸ The current president of Akima is Lauren Mitchell, whom doesn't appear to have any indigenous connection, but she is a Black woman. It's beyond the scope of this work to probe the potential meanings and purposes of identity

²⁵³ Simon. (1998). Refugees in a Carceral Age: The Rebirth of Immigration Prisons in the United States. *Public Culture*, 10(3), 577–607.

²⁵⁴ Report from Larry Willets to Donna Elvarado, September 3, 1980, Data Processing, Box 2, "Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

²⁵⁵ Memorandum from William Swarm to John Cannon, February 19, 1981, Krome South, Box 5, "Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

²⁵⁶ TRAC Immigration. (n.d.). Transfers of ICE Detainees from the Krome/Miami Hub. Retrieved 3/10/2022. Access url: <https://trac.syr.edu/immigration/detention/201509/KRHUBFL/tran/>

²⁵⁷ Akima. (n.d.). Home Page. Retrieved [June 5, 2022], from <https://www.akima.com/>

²⁵⁸ LaFleur, J. and Grabell, M. (2010). What Are Alaska Native Corporations? Retrieved 4/1/2023. ProPublica. Access url: <https://www.propublica.org/article/what-are-alaska-native-corporations>

politics in (neo)liberal capitalism, but if there is any example worthy of noting, this must be among them.

According to a report by the Detention Watch Network, Akima has negotiated the “guaranteed minimum” inmate population to rise from 250 in 2008 to 450 in 2015.²⁵⁹ By comparison, the Geo Group manages over 4000 guaranteed minimum beds in its various facilities. The concept of “guaranteed minimums” were worked out by private contractors in order to make sure “profit margins” remained as the key incentive structure. Numerous reports by various organizations including the ACLU, Government Accountability Office (GAO), and Center for American Progress agree that because agencies like ICE do not want to appear incompetent, “these contracts create an incentive to detain as many people as possible in facilities with guaranteed minimums ... this perverse incentive [acts] as a mechanism through which other entities – mostly private prison companies – influence ICE’s decisions regarding how many people are detained, where they are detained, and how long they are kept in detention.”²⁶⁰ The general history of privatization is explored more in chapter six.

Fort Chaffee

In the aftermath of the Vietnam War, Fort Chaffee was one of four U.S. military installations selected to house refugees who were fleeing post-war conditions. This came after the fall of Saigon in April 1975. Over 50,000 Vietnamese and other Southeast Asian refugees were temporarily housed at Fort Chaffee, where they received medical examinations, cultural orientations, and English language instruction before being resettled elsewhere in the United States. Within that context, the turmoil and seismic shifts in politics that such a seemingly uncontroversial response created is surprising. One of Engstrom’s major critiques in his exegesis on the Mariel boat lift is that the Carter administration failed to learn from “institutional wisdom” and that it had no “institutional memory” and while perhaps accurate, we can also say that Carter leaned into institutional precedent particularly with the bases used just a few years prior for the Vietnamese.²⁶¹ In

²⁵⁹ Detention Watch Network. (2015). Banking On Detention Report: Local Lockup Quotas & the Immigrant Dragnet. Center For Constitutional Rights.

²⁶⁰ Ibid.

²⁶¹ Engstrom, D. (1997). Presidential decision making adrift: The Carter administration and the Mariel boatlift. Lanham, Md.: Rowman & Littlefield. pp 200-203.

other words, Carter was in a no-win situation, less because of his management style and more because of the broader structures his administration faced.

When I visited the National Archives in College Park, MD, there were dozens of 8mm film reels that captured the real-time processing logistics of refugees by the various agents and volunteer groups from all over the country. The footage was of the Eglin Air Force Base operation, aka Camp Liberty, and the series was titled “Exposed with Pride” intending to show the humane and orderly processing taking place. It featured soldiers of the 823rd Red Horse Squadron, in conjunction with Cuban volunteers that had skills such as “carpenters, plumbers, and electricians”²⁶² building living quarters made of wood and canvas, and from the aerial footage it spanned hundreds of yards with tents lined up in rows and Cuban refugees milling about, standing in line for water, food, etc.²⁶³ Doctors and nurses were examining the arriving Cubans, Customs & Border patrol agents processed paperwork, and generally seemed efficient for what resources were available.²⁶⁴ Fort Chaffee, however, was not a temporary site, rather it was re-using military housing, with actual two-story barracks that slept a dozen people at a time.²⁶⁵ Despite this ostensibly orderly operation, Air Force Maj. John Fergus is quoted as saying “We let them name it Camp Liberty because it sounded better than Camp Concentration” and officials admitted that instances of violence and rape had occurred.²⁶⁶

The first ‘Marielito’ arrivals at Chaffee were on May 8th, 1980. A May 7th memo from Crosland recommended “the ideal size of camps for the Cuban refugees is about 7,500. The Vietnamese camps were larger, but they were more manageable than Cubans.”²⁶⁷ It is difficult to know the exact peak population at Chaffee, but records show there through late May and June where the number is in excess of 10,000. Additional archive records indicate that the “Chaffee population is fairly representative of all the

²⁶² Hume. (May 24, 1980). Camp Liberty, I tried to talk to them...they seem scared. The Miami Herald. Newspapers.com archive. Retrieved Jun 2, 2023.

²⁶³ Department of Defense, May 3-9, 1980, Cuban Refugees Eglin Air Force Base, Record Group 342, National Archives Identifier: 62635. National Archives, College Park, MD.

²⁶⁴ Ibid.

²⁶⁵ Ibid.

²⁶⁶ Hume. (May 24, 1980). Camp Liberty, I tried to talk to them...they seem scared. The Miami Herald. Newspapers.com archive. Retrieved Jun 2, 2023.

²⁶⁷ Memorandum from John Macy to Jack Watson, May 8, 1980, Cuban Haitian Refugee/Alien Situation [3], Box 318, “Carter Presidential Papers—Staff Offices: Cabinet Secretary & Intergovernmental Affairs Jack Watson’s O/A.” Jimmy Carter Library

other camp populations. About 14% female, 86% male... a breakdown by education level at Chaffee revealed 23% 7 or 8 years of schooling, 16% had high school training, and 5.7% had some college level education.”²⁶⁸ Moreover, the camp the camp was divided into sections, for example “the gays” were kept separate from families.²⁶⁹ Eventually the close quarters, boredom, and overcrowded living situation turned Chaffee into a tinderbox that eventually led to the “Fort Chaffee Incident” in which a riot that lasted several days left dozens injured and arrested.²⁷⁰

It's difficult to say just how much money was spent on the entirety of the Cuban-Haitian entrant program across all the many bases and spaces used for detention and resettlement. However, archival records show that the HHS responded to a 1982 budget allowance stating “100 million dollars is not an adequate basis for administer the Cuban/Haitian entrant program or reimbursing states for costs incurred for assistance to the entrants.... In signing the Refugee Education Assistance Act of 1980, the President stated that the Federal Government would reimburse 100% of the state and local costs and pledged to seek additional funds as necessary...”²⁷¹ The records go onto estimate that the cost per day for each refugee was about \$15 (\$55 adjusted for inflation in 2023 dollars) which put the average monthly cost of Fort Chaffee around 9 million dollars (\$33 million adjusted for inflation to 2023).²⁷²

Camp consolidation efforts were starting to be planned by mid-August. President Carter issued a statement stating, “it is no longer reasonable or economically feasible to keep remaining individuals in four separate camps, each of which cost nearly five million a month (average) to operate.”²⁷³ Archives show the consolidation “must be planned on

²⁶⁸ Memorandum from Frederick Bohlen to Eugene Eidenberg, November 6, 1980, Data Processing, Box 2, “Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

²⁶⁹ For more on the queer experience see Capo. (2010). Queering Mariel: Mediating Cold War Foreign Policy and U.S. Citizenship among Cuba’s Homosexual Exile Community, 1978–1994. *Journal of American Ethnic History*, 29(4), 78–106.

²⁷⁰ Hamm, M. (1995). *The abandoned ones: The imprisonment and uprising of the Mariel boat people*. Boston: Northeastern University Press. pp 53-54.

²⁷¹ Report from Patricia Harris to John White, Bohlen Papers, Box 1, Records of the Cuban Haitian Task Force-RG 220, Jimmy Carter Library.

²⁷² *ibid.*

²⁷³ Statement from President Carter on Consolidation of Fort Chaffee, August 4, 1980, Memorandum from Sergio Pereira to Chris Holmes, August 20, 1980, Camp Consolidation, Box 1, Records of the Cuban Haitian Task Force-RG 220, Jimmy Carter Library. --- Also, 5 million in 1980 is about 18.5 million in 2023 adjusted for inflation.

two levels: physical and social.” Fort Chaffee was to be organized into six areas which, per the memorandum from Department of State Sergio Pereira to Chris Holmes outlined “Area I – legal families, single women of good character, persons over 60 years of age; Area II - couples with no children; Area III – homosexuals and prostitutes; area IV – single men of good character; Area V – increased security for offenders; Area VI – minors.”²⁷⁴ The report on consolidation goes onto state that the approximate population after consolidation will be about 10,000 people, 80% of whom are single adults, predominately male; 20% family and unaccompanied minors, and “significant potential will exist for civil disturbance within the enclave.”²⁷⁵

November 14, 1980, memo to Cuban-Haitian Task Force Director Bohen received a letter from Thomas Casey, a Federal Coordinating Officer, which inquired about “excessive” personnel and vehicles being used at Fort Chaffee. Casey goes on to say, “I have become gravely concerned over the spiraling increase in administrative costs to FEMA... Since July 15 the civilian staff is 2146 non-military personnel for a camp population slightly more than 7,000... 611 more on contract for feeding programs... at the time camp responsibilities were handed over to the State Department Task Force, the camp population was 7756 and non-military staff was 127... while I can appreciate possible need for additional personnel... I find it difficult to understand this significant increase...”²⁷⁶ After much political tumult during the 1980 gubernatorial race in Arkansas, Fort Chaffee finally closed in February of 1982, and 395 unsettled Cubans were transferred to the federal penitentiary in Atlanta, Georgia and other psychiatric wards.²⁷⁷ Casey’s concern, it turns out, foreshadowed the central problem that would come to animate questions this project and in thinking about *what is a migration crisis*.

²⁷⁴ Memorandum from Sergio Pereira to Chris Holmes, August 20, 1980, Camp Consolidation, Box 1, Records of the Cuban Haitian Task Force-RG 220, Jimmy Carter Library.

²⁷⁵ Ibid.

²⁷⁶ Letter from Thomas Casey to Frederick Bohen, November 14, 1980, Bohen Papers, Box 1, Records of the Cuban Haitian Task Force-RG 220, Jimmy Carter Library.

²⁷⁷ Hamm. (1995). *The Abandoned Ones: The Imprisonment and Uprising Of The Mariel Boat People*. Northeastern University Press

Fold Three: Receptions

Media Depictions and Political Discourse

It is well documented how the media narrative often portrayed Cuban immigrants as *political refugees*, fleeing the Castro regime's Communist oppression. This narrative was driven in part by Cold War ideologies prevalent at the time, with Cubans being seen as victims of Communism and therefore deserving of protection and support from the United States. These portrayals often emphasized the courage and resilience of Cuban immigrants, portraying them as seekers of freedom, contributors to American society, and ultimately, reuniting with family that previously escaped.

In contrast, Haitian immigrants were often depicted in the media as *economic migrants* rather than political refugees. This portrayal was rooted in prevalent stereotypes and misinformation about Haiti's political and economic conditions that have roots in policy from the 1950s.²⁷⁸ Moreover, the media narrative often associated Haitian immigrants with poverty, diseases, and social problems. All these depictions demonstrate the anti-Blackness and white supremacy that runs through immigration policy. Consequently, they were often seen as undeserving of refugee status, which profoundly affected their treatment by the immigration authorities.

Lobbying and protest efforts on part of religious and political defenders of civil rights and Haitian alliance groups made ground against the discrimination in the supreme court case *Haitian Refugee Center v. Civiletti* (1980). The ruling condemned INS practices and state the Haitian treatment was “impermissible discrimination based on national origin.” However, rather than alter course the Carter administration began using Fort Allen Army base in Puerto Rico as a processing site to circumvent increasing pressures to suspend detention and deportation.

Despite these clear discrepancies in treatment, the “Marielitos” also generally faced what has been called the “Mariel stigma” which shaped how this wave of Cubans were treated and assimilated into the US.²⁷⁹ There has also been recent work on the social

²⁷⁸ Laguerre. (1998). *Diasporic Citizenship: Haitian Americans in Transnational America*. New York: St. Martin's Press.

²⁷⁹ Aguirre, B. E. (1994). Cuban mass migration and the social construction of deviants. *Bulletin of Latin American Research*, 13, 155-183; Hufker, B., & Cavender, G. (1990). From freedom flotilla to America's burden: The social construction of the Mariel immigrants. *Sociological Quarterly*, 31, 321-335; Jacklin.

construction of gender and sexuality in which scholars document how “deviant women” or the “Mariel prostitute” and “homosexuals” were created through media tropes.²⁸⁰ All of these specific kinds of stigmatization feed into the broader practices and discourses of “crimmigration”—the so-called “illegal alien” and the idea that simply being undocumented is itself a crime against the state—that would become the defining discourse throughout the 1980s and into our present moment.²⁸¹

Another refrain in the discourse of anti-immigration sentiments in the US is the “moral turpitude” of immigrants, which is still lawful grounds for denying entry and issuing deportation orders. The courts have held that moral turpitude “refers generally to conduct that shocks the public conscience as being inherently base, vile, or depraved, contrary to the rules of morality and the duties owed between man and man, either one’s fellow man or society in general.”²⁸² This moral deficiency was not just a construction of US immigration policies, but rather began in Cuba as Castro and his supporters labeled the people fleeing as morally deficient. Moreover, because of the small yet highly publicized inclusion of criminals, mental patients, and otherwise difficult to resettle people. Aguirre and James argue that “the migratory behavior of the Cuban people did not change during the Mariel incident. What changed was moral entrepreneurs’ definition of their behavior. Government officials enforced new deviance-creating programs.”²⁸³

Despite all of this, President Carter often used the term “refugee” to describe the Cubans while other officials and legal definitions used “asylum applicant” or “entrant” which caused confusion about the *actual* legal status of the Cubans. Victor Palmeri, the lead coordinator for Refugee Affairs during Mariel, is quoted as saying Carter’s language was a “disaster because it showed how much confusion there was.”²⁸⁴ President Carter

(2018). Dangerous Marielitos: Wisconsin Newspapers and the Proliferation of a Negative Representation. *The International Journal of Cuban Studies*, 10(1), 30–52.

²⁸⁰ Hampton. (2017). Constructing the Deviant Woman: Gendered Stigma of the 1980 Cuban Mariel Migration. *The American Behavioral Scientist*, 61(10), 1086–1102; See also Luibhéid. (2002). *Entry denied* controlling sexuality at the border. University of Minnesota Press.

²⁸¹ García Hernández. (2015). *Crimmigration law*. American Bar Association.

²⁸² US Citizen & Immigration Services (n.d.) Chapter 5 - Conditional Bars for Acts in Statutory Period. Last Retrieved 5/2/2022. <https://www.uscis.gov/policy-manual/volume-12-part-f-chapter-5>

²⁸³ Aguirre, Saenz, R., & James, B. S. (1997). Marielitos Ten Years Later: The Scarface Legacy: Immigrants and Refugees. *Social Science Quarterly*, 78(2), 487–507, p 490.

²⁸⁴ Engstrom, D. (1997). *Presidential decision making adrift: The Carter administration and the Mariel boatlift*. Lanham, Md.: Rowman & Littlefield. p 87.

and the Cubans faced domestic pushback as well from groups like the Ku Klux Klan. Pictures show KKK members holding signs outside areas where Cubans were being processed saying “The KKK likes Cubans if they’re in Cuba” and “Castro sent the Cubans to Us. Let’s Send Carter to Castro.”²⁸⁵

By the time Fort Chaffee was a central node in the processing and resettlement logistics, it had become so contentious in Arkansas that it arguably changed the entire direction of the Democratic party. Republican candidate Frank White used Fort Chaffee against incumbent Bill Clinton, saying that Clinton failed to “stand up” to the White House and acquiesced to Carter’s request. White commissioned commercials featuring the infamous Fort Chaffee incident to stir up fear and anger, vowing to end the refugee base within a year. White won the race in a 52/48 split.²⁸⁶ White’s tenure as governor was short lived, as Clinton regained it in 1982, but analysts of the 1980 election concluded “Governor White was elected solely on the basis of this issue.”²⁸⁷ The New York Times, detailing the upcoming rematch of White and Clinton in 1982, also confirmed that Fort Chaffee was a central issue in the previous election by recalling that Clinton was “perceived as having allowed the state to be used as a dumping ground for Cuban refugees.”²⁸⁸

The Mariel boat lift was officially ended by the Cuban government on September 26, 1980. “Despite well publicized disturbances at various center...the American public responded generously in providing sponsorships, voluntary help, and financial assistance to the *Cubans*...”²⁸⁹ Victor H. Palmieri Jr. said, “it [Mariel] was a first-class domestic and international crisis. I think the job done in this short amount of time has been heroic and responsibly discharged. It has been a spectacular effort.”²⁹⁰

²⁸⁵ Loyd, & Mountz, A. (2018). *Boats, Borders, And Bases: Race, The Cold War, And The Rise Of Migration Detention In The United States*. University Of California Press. pp-58-59.

²⁸⁶ “Politics Key to the Fate of Camp’s Last Cubans,” New York Times, Jan. 4, 1982.

²⁸⁷ Shull. (2022). *Detention empire: Reagan’s war on immigrants and the seeds of resistance*. The University of North Carolina Press.

²⁸⁸ “Politics Key to the Fate of Camp’s Last Cubans, New York Times, Jan. 4, 1982.

²⁸⁹ Caribbean migration: oversight hearings before the Subcommittee on Immigration, Refugees, and International Law of the Committee on the Judiciary, House of Representatives, Ninety-sixth Congress, second session, on Caribbean migration, May 13, June 4, 17, 1980. (1981). U.S. G.P.O. page 289

²⁹⁰ *ibid*

Resettlement Patterns

Cubans were primarily resettled in a few key locations across the United States. Miami, Florida was the epicenter of Cuban resettlement due to its close geographical proximity and established Cuban-American community.²⁹¹ Archival records indicate that as of October 1, 1980, the top receiving states for Cubans were Illinois (1,730), California (4,850), New York (7,990), New Jersey (8,020), and Florida (94,720). Several states received 0, while many others received 200-300.²⁹² As the refugees were dispersed throughout the country, smaller communities of also formed in areas as diverse as Louisville, Kentucky and Kansas City, Missouri.²⁹³ Smaller numbers were resettled in other countries, such as Costa Rica.²⁹⁴

Two issues defined the resettlement debate: first, what techniques are appropriate to bring refugees to a point of “material self-sufficiency” and, second, how can “immersion” techniques be met with at the local level where there is high demand and limited available for such training? Multiple federal and local agencies played a pivotal role in the resettlement of the refugees. The United States Refugee Program, overseen by the State Department, was the primary federal agency tasked with managing the resettlement. This agency worked in concert with the Immigration and Naturalization Service (INS) and the Department of Health and Human Services (HHS) to coordinate efforts. This was particularly sensitive with minors, which “have not been granted refugee status... they are not eligible for care under authority of the Refugee Act of 1980. However, funds for their care have been made through Department of HHS by the Department of State, pending completion of congressional action on new legislation.”²⁹⁵ Voluntary Agencies (VOLAGS) Non-governmental organizations (NGOs) such as Catholic Charities, Christian World Services, Lutheran Immigration and Refugee Service,

²⁹¹ Garcia, M. (1996). *Havana USA: Cuban exiles and Cuban Americans in South Florida, 1959-1994*. University of California Press.

²⁹² Report from Daniel Levine to Richard Schweiker, March 9, 1981, Data Processing, Box 2, “Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

²⁹³ Boswell, & Curtis, J. R. (1984). *The Cuban American Experience. Culture, Images and Perspectives*. Rowman & Allanheld Publishers.

²⁹⁴ Fernandez, & Narvaez, L. (1987). Refugees and Human Rights in Costa Rica: The Mariel Cubans. *The International Migration Review*, 21(2), 406-.

²⁹⁵ Letter from Department of Health and Human Services to State Agencies Administering Refugee Assistance, July 22, 1980, Cuban Situation: Daily Reports-Miami, Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

and the International Rescue Committee also played vital roles. “The US catholic conference been responsible for the majority of VOLAG resettlements” about 30,000, and the Church World Services 9,000.²⁹⁶ In an update from John Macy, Jr. Director to Gene Eidenberg on the “Cuban Refugee Situation” dated June 10th reported that an analysis of 44,438 refugees resettled in the Dade County area through June 8th revealed the following composition per Figure 14: *Demographics of Mariel Arrivals*.²⁹⁷

a. Females 43.9%	Males 56.1%
b. Whites 92.4%	Blacks 7.6%
c. Under 1 yr. 1%, 1-4 yrs, 4.1%, 5-9 yrs, 8.9%, 10-14 yrs, 8.2%, 15-45 yrs, 55.8%, over 45 yrs, 19.7%	
d. Ex-prisoners 27.3%	

The resettlement efforts faced significant challenges. Firstly, the sheer volume and rapid influx of refugees overwhelmed the existing system for processing and resettling immigrants. Secondly, among the Cuban populations were individuals who were released from Cuban prisons or mental health facilities, posing unique issues for resettlement.²⁹⁸ This created a stereotype of *Marielito*’s as criminals or unstable, making it harder for them to find jobs and housing. Language barriers, lack of resources, and limited skills for employment in the U.S. job market also posed significant hurdles.²⁹⁹ Research on the matter is divided, with some scholars arguing the influx of Cubans had a negative or detrimental effect on the economy³⁰⁰ while other research refutes such a

²⁹⁶ Memorandum from Frederick Bohlen to Eugene Eidenberg, November 6, 1980, Data Processing, Box 2, “Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

²⁹⁷ This is the authors recreation of how the archive presented the information in source: Memorandum from Frederick Bohlen to Eugene Eidenberg, November 6, 1980, Data Processing, Box 2, “Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

²⁹⁸ Portes, And Stepick. (1993) *City on The Edge: The Transformation Of Miami*. University Of California Press.

²⁹⁹ Masud-Piloto, F. (1996). *From Welcomed Exiles to Illegal Immigrants: Cuban Migration to the U.S., 1959-1995*. Rowman & Littlefield.

³⁰⁰ Anastasopoulos, Borjas, G. J., Cook, G. G., & Lachanski, M. (2021). Job Vacancies and Immigration: Evidence from the Mariel Supply Shock. *Journal of Human Capital*, 15(1), 1–33.

conclusion.³⁰¹ In any case, there are numerous instances where the “bottleneck” problem for the resettlement process was a lack of sponsorship, that is, people or organizations willing to house and support a refugee for up to three months as they find their own employment and housing.³⁰²

Public reaction to the Mariel Boatlift and subsequent resettlement was mixed. Some Americans welcomed the refugees, recognizing their desire for freedom and viewing their arrival as a rebuke of Castro's regime. However, others were resentful, seeing the Marielitos as a burden on social services and a potential threat to job security, especially in a period of economic uncertainty. The notion that Castro had deliberately exported criminals and the mentally ill also fueled fear and prejudice, leading to social tensions and political backlash that fed into the broader discontent of post-civil rights America in the south, particularly in Florida.³⁰³ A study by Aguirre (1994) found a negative depiction of Mariel assimilation 10 years later, but says “...the effect of Mariel on the other predictors of institutionalization argue against the commonsense view that their higher rates of institutionalization are a function of their higher deviance and criminality. Instead, the moral epidemic created increased opportunities for Marielito's' detection and institutionalization by the social control apparatus of the American state.”³⁰⁴ In other words because they were already marked as outsiders, the systems and policies in place to regulate society predisposed them to situations deemed “criminal” or otherwise ‘deviant’ which is different than saying they *are* deviant as a natural state.

Conclusions

The long-term success of the Mariel Boatlift resettlement is a complex issue. Many Cubans successfully integrated into U.S. society, finding employment and contributing to their new communities. Over time, they and their descendants have made

³⁰¹ Card. (1990). The Impact of the Mariel Boatlift on the Miami Labor Market. *Industrial & Labor Relations Review*, 43(2), 245–.

³⁰² Memorandum from David Crosland to Charles Renfrew, May 15, 1980, Cuban Haitian Refugee/Alien Situation [2], Box 317, “Carter Presidential Papers—Staff Offices: Cabinet Secretary & Intergovernmental Affairs Jack Watson's O/A.” Jimmy Carter Library; see also Hume. (May 24, 1980). Camp Liberty, I tried to talk to them...they seem scared. *The Miami Herald*. Newspapers.com archive. Retrieved Jun 2, 2023.

³⁰³ Grenier, & Pérez, L. (2003). *The legacy of exile: Cubans in the United States*. Allyn and Bacon; see also Pedraza, S. (2007). *Political Disaffection in Cuba's Revolution and Exodus*. Cambridge University Press.

³⁰⁴ Aguirre, B. E. (1994). Cuban mass migration and the social construction of deviants. *Bulletin of Latin American Research*, 13, 155-183, p 505.

significant contributions to the cultural, economic, and political life of the United States. However, the challenges faced in the early years – social marginalization, economic hardship, language barriers – left a lasting imprint. The process of integration was slow and uneven, and many Marielito’s faced lasting stigma and disadvantages. The Mariel Boatlift exposed weaknesses in U.S. immigration policy and preparedness for large-scale refugee crises. On the other hand, the event demonstrated that American liberalism could be exceptional and policy responses could be remarkably nimble despite all odds. President Carter’s administration, the government and people of Florida and other communities deeply involved in resettlement provided refuge, even if imperfectly.

As authors Loyd & Mountz point out, in the wake of the boat lift a “Long Mariel Crisis” loomed large in American politics.³⁰⁵ Throughout the 1980s there was a chilling effect on US policy toward refugees and migration, especially as the skin color of those coming was darker, the Afro-Cubans and Haitians, “it was not the prostitutes and homosexuals that turned the tide—it was the young black ones.”³⁰⁶ These racial dynamics, combined with the stoked fears of criminality and insanity, reports of rioting and unrest directly informed policy choices by Reagan, Bush, and more centrally, Bill Clinton and New Democrats in the 1990s. The Mariel boat lift is an undeniable moment in American politics that initiated the most rapid expansion of state-market power in history, an outgrowth of the military industrial complex, this emerging *border industrial complex* fuels executive aggrandizement in both state and federal forms that was once the primary concern of early American politics.

³⁰⁵ Loyd, & Mountz, A. (2018). *Boats, Borders, And Bases: Race, The Cold War, And The Rise Of Migration Detention in The United States*. University Of California Press. pp 56-58

³⁰⁶ Hawk, K., & Graham, Bob. (2014). *Florida And The Mariel Boatlift Of 1980: The First Twenty Days*. Tuscaloosa, Alabama: The University of Alabama Press. p 188.

CHAPTER IV

FROM BELEAGURED TO BRAZEN: ENFORCEMENT POST MARIEL

Introduction

This chapter charts key developments in immigration and border politics because of the Mariel boat lift explained in chapter three. The chapter has two primary sections, the first tracks the buildup of “low intensity conflict” from the 1970s into the 2020s. The second section focuses on the other side of this border build up, namely the expansion and privatization of detention practices. Each of these sections is chronologically ordered by presidential administrations, beginning with Ronald Reagan and concluding with Barack Obama. Key political dynamics are highlighted to illustrate the slow strongarming by an aligned incentives between congress, lobbyists, and companies involved in the “border industrial complex” to pull presidents toward more enforcement, more borders, and more nationalist exclusionary policies masquerading as “a nation of laws” in the words of many presidents since.³⁰⁷ The central argument of this chapter is that while it is true the president has gained considerable power and leverage over the instruments of national security and by extension immigration and border policies, it is also true that presidents, over time, have typically been resistant to this but none-the-less have acquiesced such that in just four decades the patriachs of the Republican Party goes from being in full support of mass amnesty to someone that not only wants to build walls but also aims to end birthright citizenship entirely. Similarly, the patriachs of the democratic party have gone from the “open arms, open hearts” policy of Jimmy Carter to the “deporter-in-chief” of Obama and “Do not come” of Biden.

Low Intensity Conflict and Militarizing the Border

“There are three types of LIC that have merited top priority, (1) countering Marxists and other insurgents against governments friendly to the US (2) Assisting pro-western insurgencies against unfriendly or Marxist governments (3) negating threats of terrorism anywhere in the world...”³⁰⁸

Mariel was more than a refugee crisis, for many observers of more significance was the realization that US border security at both land and sea was far too porous and

³⁰⁷ Clinton said it first in 1994 SOTU; then Bush and Obama

³⁰⁸ Reed. (1986). *Low Intensity Conflict: A War for all Seasons*. *The Black Scholar*, 17(1), 14–22.

vulnerable. As policymakers debated the nuts and bolts of immigration reform in terms of pathways to citizenship and the status of children and families, other measures to enhance border security were underway.

Originally the US-Mexico border developed as a collaborative feat of river engineering projects that cultivated shared social and economic relations for people living on both sides.³⁰⁹ Only since the 1960s has the border become more fortified by both nations and increasingly framed and developed in line with *militarization*. Broadly construed, *militarization* refers to the “use of military rhetoric and ideology, as well as military tactics, strategy, technology, equipment, and forces.”³¹⁰ One key tactic of militarization is “low intensity conflict doctrine” (LIC) that gained significant traction on the US-Mexico border and in US involvement with Central America in the 1980s.³¹¹ LIC doctrine is distinct from “full scale” war efforts that characterize US involvement in Vietnam for example. LIC doctrine places emphasis on counterinsurgency efforts, controlling targeted civilian populations rather than territory, and conflation of police and military roles and tactics.³¹²

At the time of Mariel, the infrastructure of the border consisted of fencing and primitive motion sensors concentrated mostly around high-traffic areas such as El Paso, San Diego, Yuma, and Tucson. Just two helicopters and several small airplanes were used by Border Patrol in and around these areas. The overall budget for INS operations was estimated at 350 million and employed about 11,000 people total across all staff positions. Border Patrol had a budget of 80 million and employed just shy of 2,700 people across all positions.³¹³

However, by the mid-1980s, the scale and scope of border militarization had grown exponentially, justified by the catalyzing events of Mariel and subsequently increased concerns over illegal immigration and drug trafficking. The so-called “war on drugs” initiated by Reagan in 1981 stems fundamentally from linking concerns over

³⁰⁹ Alvarez, C. (2019). *Border land, border water: A history of construction on the U.S.-Mexico divide*. Austin, TX: University of Texas Press.

³¹⁰ Dunn, T. (1996). *The militarization of the U.S.-Mexico border, 1978-1992: Low-intensity conflict doctrine comes home*. Austin: CMAS Books, University of Texas at Austin. Pp 3-4.

³¹¹ Reed. (1986). *Low Intensity Conflict: A War for all Seasons*. *The Black Scholar*, 17(1), 14–22.

³¹² Dunn (1996), p 21.

³¹³ *Ibid.* pp 37-38.

illegal immigration to illegal drugs. Popular culture further exacerbated this connection, perhaps most notably dramatized in the film *Scarface* which is about a Marielito (the term applied to Cubans that came during the Mariel crisis) rising from the streets to become a kingpin of cocaine and gang violence in Miami.

By the end of Reagans administration, the INS budget grew 130% and staffing increased 41%, just over 800 million annually and over 15,000 respectively by 1988.³¹⁴ Over the same period Border Patrol budget and staffing jumped 90% and 149% respectively and half of those increases occurred after the passage of IRCA in 1986. In terms of equipment and technologies, border patrol acquired 22 helicopters for each sector, bringing the total to 198—a 9800% increase. Additionally, the number of planes doubled, more surveillance and monitoring devices were installed including infrared, night-vision, and ground disturbance motion sensors. Over twenty additional border patrol check points and stations were built to expand the monitoring of the previously mentioned locations without interruption day or night.³¹⁵

Alongside this transformation of the border was the increased use of Border Patrol and INS authority to effectively stop, question, and detain anyone they saw fit within their jurisdiction of the border. Unbeknownst to many is that the reach of border enforcement extends in all directions 100 miles from the border, encompassing nearly two-thirds of all people who live in the United States. By the early 1990s this was known as the “deconstitutionalized zone” in reference to racial profiling used by border enforcement authorities to stop people they suspected of being undocumented migrants.³¹⁶

The tensions between locals and border enforcement came to a head by 1992 in a lawsuit filed by the Bowie high school against the federal government by a coalition of students, parents, teachers, and civil rights groups, citing years of intimidation, both physical and verbal abuse, wrongful arrests, and detentions. Remarkably, the federal judge ruled against the Border Patrol, stating that the civil rights of students and staff

³¹⁴ Kanstroom, D. (2007). *Deportation Nation: Outsiders in American History*. Harvard University Press.

³¹⁵ Dunn (1996), p 42-49.

³¹⁶ Jones. (2022). *Nobody is protected: how the Border Patrol became the most dangerous police force in the United States*. Counterpoint Press.

were violated by unreasonable search and seizures.³¹⁷ In the wake of this ruling, Dunn (2009) argues that the Border Patrol initiated a “paradigm shift” in how they approached border enforcement, emblemized by *Operation Blockade*, which involved four hundred agents posted along the border between El Paso and Juarez in high visibility positions.³¹⁸ The intention of this strategic shift was to further seal the border, including repair several holes in fences, cover gaps in surveillance, lobby for more funding of agents, technology, and barriers, while also increase penalties for those caught illegally present in the United States. While the operation was met with much criticism and fueled protests by locals on both sides of the border, it received widespread praise by the US public and in the media and came to be a model for future border enforcement operations.³¹⁹

Expanding and Privatizing Immigration Detention

There is now extensive scholarship on the growth of immigration detention in the United States. Most accounts rightly trace much of the *privatization* to the period of Carter and the subsequent ‘Reagan Revolution’.³²⁰ These accounts have overlooked an interesting root that I argue makes the connections more obvious between Jim Crow America, the treatment of Haitians, and the broader carceral apparatus that is part of the border industrial complex. Moreover, this account draws connections between the specific political climates of Florida, a state that through Mariel to present day, leads a lot of the conversation on immigration policy in America.

During the mid-20th century “realignment” of American politics, there is a little-known account of how it changed Florida politics. While figures like Barry Goldwater, George Wallace, and Strom Thurmond are well known with respect to the “long southern strategy” I want to highlight two others.³²¹ In 1967 Florida elected its first Republican

³¹⁷ Dunn, T. (2009). *Blockading the border and human rights: The El Paso operation that remade immigration enforcement*. Austin: University of Texas Press.

³¹⁸ *Ibid.* p 51.

³¹⁹ *Ibid.* pp 64-69.

³²⁰ Shull. (2022). *Detention Empire: Reagan’s War on Immigrants And The Seeds Of Resistance*. The University Of North Carolina Press; Lindskoog, C. (2018). *Detain And Punish: Haitian Refugees and The Rise of The World’s Largest Immigration Detention System*. Gainesville: University Press of Florida; Loyd, & Mountz, A. (2018). *Boats, Borders, And Bases: Race, The Cold War, And The Rise Of Migration Detention In The United States*. University Of California Press.

³²¹ Maxwell, A., & Shields, Todd G. (2019). *The long southern strategy: How chasing white voters in the South changed American politics*. Oxford; New York, NY: Oxford University Press.

Governor, Claude Kirk, since reconstruction and would play an important role in not just southern realignment of the south, but immigration politics inside Florida more specifically, especially in the lead up to the 1980s. Kirk, like many “Dixiecrats” before him defected from the Democratic party into the Republican party and ran for office on a message of law and order. Like Nixon, Wallace, and Goldwater, Governor Kirk stressed urged appealed to voters through a “war on crime” in the peninsula state. Kirk used the powers of his office to fund a personal security apparatus loyal to him alone utilizing a then recent security firm started by half a dozen former FBI officials. George Wackenhut, a founding member of this firm, would eventually buy out his partners and rename the security firm Wackenhut Investigation Services.³²²

Kirk and Wackenhut had similar views on what the “war on crime” meant and who should be targeted, which included emerging civil-rights oriented Democrats and minorities, especially undocumented black folks like Haitian immigrants.³²³ In a historical review of the “police-industrial complex” the author finds that “many of Kirk’s political opponents charged that the ‘Wackencops’ were really the governors personal Gestapo.”³²⁴ Kirk served only one term, facing scandals and charges of abuse of power in his post, much like his federal counterpart President Nixon. However, Kirk’s impact was twofold. On one hand his partnership with Wackenhut would provide the financial and social groundwork for one of the most prolific private prison companies to take root. Wackenhut morphed into the GEO corporation and eventually was bought out by Group 4 Falck (G4S), a current global provider in private prisons and immigration detention. On the other hand, Kirk’s politics foreshadowed the direction that would shape how the sunshine state, and the nation, would respond to a coming influx of refugees and immigrants from the Caribbean and Central America over the next decades.

While the massive scale of immigration detention seems nearly ubiquitous today, its origins begin almost exclusively with the perceived dangers of Haitian immigration in the 1960s and 70s. By 1974 almost all Haitians that arrived in the US and were

³²² O’Toole, G. (1978). *The private sector: Private spies, rent-a-cops, and the police-industrial*. New York: Norton.

³²³ Kallina, E. (1993). *Claude Kirk and the politics of confrontation*. Gainesville: University Press of Florida.

³²⁴ O’Toole, G. (1978). *The private sector: Private spies, rent-a-cops, and the police-industrial*. New York: Norton. pp 61-62.

apprehended by INS agents found themselves in county jails, initially in Miami and other locations across Florida, but dozens were also transported to Texas and held in Port Isabelle and El Paso “alien detention” centers in Texas.³²⁵

In 1979 the “Haitian Problem” was discussed at a meeting in Washington D.C. Among the talking points were concerns raised by lawyers, labor unions, state governments, and concerned citizens. One such memo read “U.S. immigration has now taken away from the Haitians work authorization previously given them... I am opposed to federal aid being given to illegal aliens. My Haitian clients would prefer to work than to be forced on relief by US immigration.”³²⁶ This quote reflects the *free market* ideology of immigration, which favors increased immigration for economic reasons but restricted rights or entitlements for social-political reasons.³²⁷

The executive branch made enormous incursions into Congressional authority to regulate immigration throughout the mid-20th century. The legal means by which these refugee admissions were allowed has its origins with Eisenhower and continued through Carter under an obscure power of the Attorney General known as “parole authority.”³²⁸ In the aftermath of the disastrous Vietnam War, orderly departure airlifts were arranged between the US and affected southeast Asian countries such as Vietnam, Cambodia, and Laos under both Presidents Ford and Carter, which paroled an estimated 130,000 people mostly to the US. These refugee admissions largely dictated through executive branch actions for nearly 30 years were the impetus for the Refugee Act of 1980.³²⁹

In addition to the evolving politics of immigration captured in debates and disputes surrounding IRCA, militarization of the border, rhetoric aimed at linking and punishing illegal immigration and drug trafficking, there was also another way in which Reagan’s administration transformed immigration policies. In 1980, the INS had only four full-time detention centers located in El Centro, California; Port Isabel and El Paso,

³²⁵ Lindskoog, C. (2018). *Detain and Punish: Haitian Refugees and the Rise of the World's Largest Immigration Detention System*. Gainesville: University Press of Florida. p 18-24.

³²⁶ Carter Presidential Papers—Staff Offices: Cabinet Secretary & Intergovernmental Affairs. “Immigration” Box 35. Jimmy Carter Library.

³²⁷ Tichenor, D. (2002). *Dividing Lines: The Politics Of Immigration Control In America*. Princeton, N.J.: Princeton University Press.

³²⁸ Admiral John B. Hayes to Jack Watson, May 21, 1980, Cuban Haitian Refugee/Alien Situation [2], Box 317, Jimmy Carter Library.

³²⁹ Sharashenidze, M. *American Immigration: From Mariel to Miller*. (2020) *The Refugee Act Of 1980*. [Podcast]. Accessed 2021. Spotify.

Texas; and New York City, and the average length of detention was 2.5 days.³³⁰ However, many prisons and local jails had been contracted to detain both Cubans and Haitians that had arrived during the Mariel crisis. By the mid-1980s thousands of Haitians and Cubans remained detained in prisons across the country, most of whom had no record of criminal activity.³³¹

Reagan’s “war on drugs” caused a boom in prison populations across the country.³³² To meet the rapidly increasing demand for cells and beds, the government authorized the new construction and repurposing of facilities across several states. While most Cuban’s were processed and paroled through the temporary settlements established at three key military bases discussed in chapter 4, nearly 1,500 more continued to be shuffled around and held for much longer durations. Just 350 of the total number of people to arrive during Mariel were identified as “serious criminals” and sentenced to prison in Alabama.³³³

Two notable corporations that gain a significant foothold in the prison-industrial-complex during the Reagan era response to Mariel and immigration politics are Corporate Corrections of America (CCA)—now known as CoreCivic—and Wackenhut Industries—now known as the GEO Group or G4S Secure Solutions.³³⁴ CCA constructed a high-capacity detention center in Houston, TX, known as the Houston Processing Center, in 1984.³³⁵ Not long after, Wackenhut Industries opened their newly built detention center in Aurora, Colorado with initial contract offerings for 167 beds per year at 9 million dollars (about 25 million in 2023 dollars).³³⁶

³³⁰ Dunn, T. (1996). *The militarization of the U.S.-Mexico border, 1978-1992: Low-intensity conflict doctrine comes home*. Austin: CMAS Books, University of Texas at Austin. p 39.

³³¹ Hamm, M. (1995). *The abandoned ones: The imprisonment and uprising of the Mariel boat people*. Boston: Northeastern University Press. p 88.

³³² Alexander, M. (2010). *The new Jim Crow: Mass incarceration in the age of colorblindness*. New York: New Press.

³³³ Hamm, M. (1995). *The Abandoned Ones: The Imprisonment and Uprising Of The Mariel Boat People*. Boston: Northeastern University Press. p 58.

³³⁴ GEO Group. (n.d.) *GEO Group History Timeline*. Last accessed July 7, 2023. https://www.geogroup.com/history_timeline

³³⁵ CoreCivic. (n.d.) *Houston Processing Center*. Last accessed July 7, 2023. <https://www.corecivic.com/facilities/houston-processing-center>

³³⁶ *The Miami Herald*. (Dec 8, 1986). *Wackenhut to build a detention center*. Newspapers.com. Last accessed July 7, 2023.

The presidency of George Bush from 1988-1992 was for all intents and purposes a continuation of the trajectory that the “Reagan Revolution” had initiated, especially within the domain of immigration and border politics. Since 1980 the number of sites opened or contracted to detain immigrants in various locations exploded (see figure 1) along with the “average daily detention population” (ADP) (see figure 2). people and businesses actually profiting from privatization are acutely aware that their bottom line is directly tied to the number of bodies in their network of beds. Consider this remark from a 2010 CCA shareholder meeting,

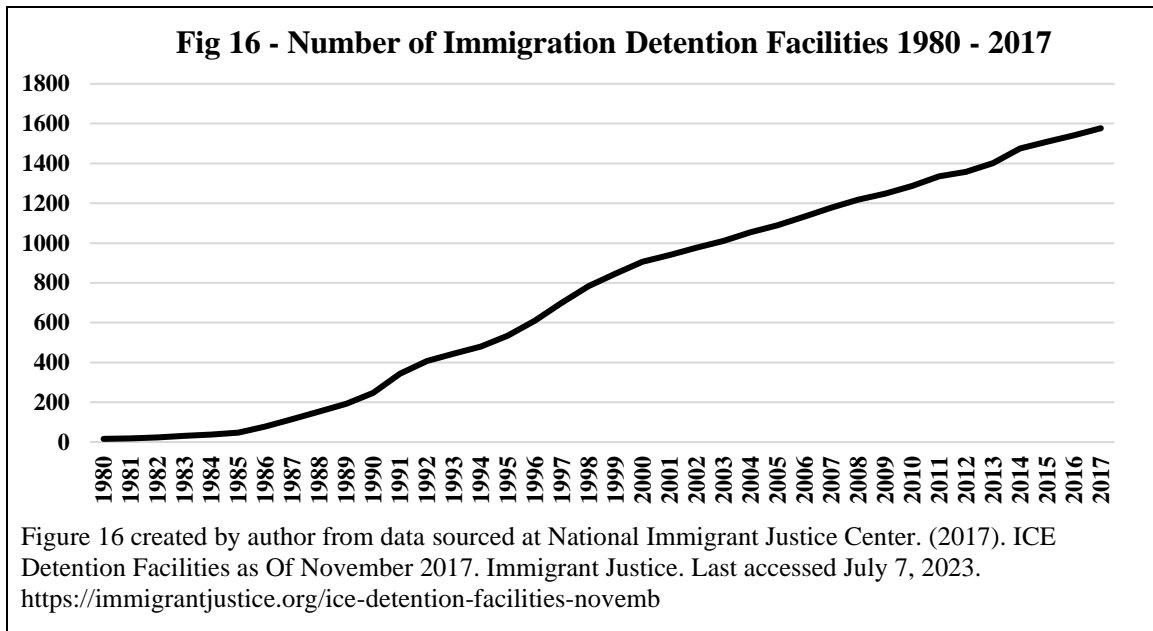
"The demand for our facilities and services could be adversely affected by the relaxation of enforcement efforts, leniency in conviction or parole standards and sentencing practices or through the decriminalization of certain activities that are currently proscribed by our criminal laws. For instance, any changes with respect to drugs and controlled substances or illegal immigration could affect the number of persons arrested, convicted, and sentenced thereby potentially reducing demand for correctional facilities to house them."³³⁷

Therefore, it makes perfect sense when corporations like CCA lobby for longer prison sentences.³³⁸ As facilities fill up in high density areas, the prisoners and detainees are transported out to other facilities in their network with open beds. Distribution and transportation are also techniques used by the facilities to prevent solidarity, as Dow notes in an interview that an employee of the Houston Processing Center said, “We move people around constantly. There’s always a flow...it’s not good to let them [detainees] stay in the same place together for long...they tend to want to get their heads together.” Therefore, transportation happens for at least logistical and safety reasons, which in any case are another line item for billing. Their status as commodities is evidenced further in this context. Consider this statement from a former director of operations for TransCorp

³³⁷ Walshe, S. (2012, September 27). How lawmakers and lobbyists keep a lock on the private prison business | Sadhbh Walshe. Retrieved April 05, 2019, from <https://www.theguardian.com/commentisfree/2012/sep/27/lawmakers-lobbyists-keep-lock-private-prison-business>

³³⁸ Donnelly, D. (2011, November 17). Private Prisons Industry: Increasing Incarcerations, Maximizing Profits and Corrupting Our Democracy. Retrieved April 05, 2019, from http://www.huffingtonpost.com/david-donnelly/private-prisons_b_1097667.html

America, a subsidiary of Corrections Corporation of America, “You route the prisoner like a package, but miss a single deadline, and you lose money.”³³⁹



The Reagan Revolution

“I believe in the idea of amnesty for those who have put down roots and have lived here even though some time back they may have entered illegally...but as long as they have an economy that leaves so many in dire poverty and unemployment, they are going to seek employment across our border.”³⁴⁰ – Ronald Reagan, 1980 presidential debate.

While the Carter administration had coordinated and oversaw the influx of migrants from Cuba and Haiti, processing and resettlement efforts continued into the Reagan administration by the early 1981. Carter’s presidency, described as “disjunction” of democratic liberal order was beset by several challenges in addition to the Mariel crisis.³⁴¹ High unemployment, inflation, the Iran hostage situation, a general “malaise”

³³⁹ Dow. (2004). *American Gulag: Inside US Immigration Prisons*. University Of California Press. p 96.

³⁴⁰ PBS NewsHour. (September 26, 2020). Reagan vs. Mondale: The Second 1984 Presidential Debate. YouTube. [video]. <https://www.youtube.com/watch?v=5SbsCaRYW6w>

³⁴¹ Skowronek. (1993). *The politics presidents make: leadership from John Adams to George Bush*. Belknap Press.

beset Carter's frugal and humble approach to the presidency.³⁴² With Carter's presidency in shambles, the ascendancy of Reagan was all but inevitable.

The "Reagan Revolution" as it has been called in Reagan's own words wasn't so much a *revolution* as it was a *rediscovery*, "a rediscovery of our values and our common sense."³⁴³ This was an important distinction for Reagan because his aim wasn't to overthrow existing order but rather to reassert what was already established but suppressed by what he perceived as failed experiments in alternative visions of American politics. The political slogan "Let's Make America Great Again" captures this succinctly and demonstrates that the power of modern conservatism is not only in its legacy of institutional change but also in its cultural and discursive construction of what counts as legitimate politics.³⁴⁴

In the years after Mariel, Reagan oversaw significant reforms to the immigration system. Reagan himself endorsed a free trade zone that would allow for workers to move freely between Mexico, the US, and Canada. Reagan subscribed to the neoliberal philosophy introduced into American politics and economics in the mid-20th century which favored the ideas of open borders and more competition in labor and goods. However, with in the context of immigration policy, the laissez-faire approach favored by neoliberals like Reagan was finding opposition from both more inclusionary reformers to its left and more exclusionary hardliners to its right.³⁴⁵

In 1981, The US Senate convened immigration subcommittee hearings titled *The United States as a Country of Mass First Asylum*. Their purpose was to grasp the growing backlash against refugees from the Mariel boatlift and with the issues of illegal immigration. The drama began with opening remarks from Senator Alan Simpson (R-WY), "seldom has the United States been galvanized into more active thinking on immigration issues as it was last year by the influx of Cubans and Haitians into South Florida...this was the initial time that the country was to find itself as a country of mass

³⁴² Milkis, & Tichenor, D. J. (2019). *Rivalry And Reform: Presidents, Social Movements, And The Transformation Of American Politics*. The University Of Chicago Press.

³⁴³ C-Span. (January 11, 1989). President Reagan's Farewell Address, 1989. [Video]. Last accessed July 8, 2023. <https://www.c-span.org/video/?5781-1/president-reagans-farewell-address>

³⁴⁴ Lowndes. (2008). *From the New Deal to the New Right: race and the southern origins of modern conservatism*. Yale University Press., p 155.

³⁴⁵ Tichenor. (2002). *Dividing Lines: The Politics of Immigration Control In America*. Princeton University Press. pp 255-256.

first asylum and it was soon evident that we had very little within our laws or within our administrative procedures or in our national preparedness plans to provide any clear direction on the handling of this extraordinary situation.”³⁴⁶ Acting INS commissioner Doris Meissner sought a two-pronged approach. On one hand, measures should be taken to “streamline asylum and exclusion procedures” which included additional resources for staff, technology, and detention facilities. While on the other hand, a bill should be passed to “vest the president with special authority in a declared immigration emergency” which would quell any question that the President should have, even if temporarily, absolute control over immigration policies.³⁴⁷

The suggestions proposed by Meissner were supported by other figures such as Senator Paula Hawkins (R-FL), Attorney General William French Smith, and Assistant Attorney Charles Renfrew. Hawkins played upon racist tropes familiar to immigration debates, namely linking perceptions of crime to influxes of immigration and recycling the tropes of diseased outsiders. She cited a false and misleading report suggesting Haitian refugees had a 90% infection rate of parasites and claimed to speak on behalf of all Floridians when she said that their “greatest concern is the increase in crime as a company the rival of Cubans and Haitians.”³⁴⁸ The consensus pointed toward the desire for construction of more detention space, with Renfrew stating that “for any exclusion program to have significant deterrent effect the illegal aliens must be held in custody during the exclusion process.”³⁴⁹

Another critique and proposal for immigration came in a short book length study titled *Immigration: The Beleaguered Bureaucracy*, by Milton Morris of the Brookings Institute.³⁵⁰ Morris expressed skepticism about the systems efficacy at the time and proffered several recommendations. Prescriptions included to “(1) drastically increase the size of the INS budget (2) speed up data management facilities and technologies for

³⁴⁶ Alan Simpson statement in United States as a country of mass first asylum: Hearing before the Subcommittee on Immigration and Refugee Policy of the Committee on the Judiciary, United States Senate, Ninety-seventh Congress, first session, oversight on the legal status of Cuba. (1982).

³⁴⁷ Ibid. Doris Meissner statement.

³⁴⁸ Lindskoog, C. (2018). *Detain and Punish: Haitian Refugees and the Rise of the World's Largest Immigration Detention System*. Gainesville: University Press of Florida. pp 52-53.

³⁴⁹ Loyd, & Mountz, A. (2018). *Boats, Borders, And Bases: Race, The Cold War, And the Rise Of Migration Detention In The United States*. University Of California Press. p 61.

³⁵⁰ Morris, M. (1985). *Immigration--the beleaguered bureaucracy*. Washington, D.C.: Brookings Institution.

processing (3) increase the presence of border patrol agents in both fixed and mobile stations along the border and (4) build community trust and public knowledge of immigration law.”³⁵¹ Morris had also imagined a “bold proposition considered only on the fringes” at the time which called for the creation of a DHS like entity that consolidated and centralized border and immigration into one cabinet level bureaucracy.³⁵² These voices, among others, comprised a growing chorus of security-oriented policies that gained momentum in this period, galvanized not just by Mariel, but the last two decades of increased refugee admissions of Southeast Asia and family reunification policies that seemed to favor Mexico rather than European countries as had been imagined with the Hart-Cellar Act of 1965.

Therefore, over the course of Reagan’s presidency, immigration reform came to include quite significant inclusionary measures, such as the amnesty and legalization of three million Mexicans. However, there was also an expansion of exclusionary measures, such as the enhanced militarization of the border and immigration detention practices. Moreover, the Supreme Court ruled in favor of unaccompanied and undocumented minors in *Plyer v. Doe* (1982) which said that local school districts and children could not be denied access to financial and educational support.³⁵³ Taken together, the legacies of Reagan’s time in office is characterized almost perfectly by the reigning neoliberal ideology of the time—an ideology that would morph into something quite different by the time Americans would be seduced by “Make America Great Again” once more.

Immigration and Reform Control Act

“We didn’t call it amnesty, we called it legalization, in order to escape the hammer blows from the left and the right and everybody else...” – Senator Alan Simpson (R-WY)³⁵⁴

The precarious path to successfully passing a bi-partisan immigration reform bill, with democratic representative Romano Mazzoli and Republican Senator Alan Simpson

³⁵¹ Ibid. pp 144-145.

³⁵² Ibid, p 141

³⁵³ United States Courts. (n.d.). Access to Education - Rule of Law. USCourts.gov.

<https://www.uscourts.gov/educational-resources/educational-activities/access-education-rule-law>

³⁵⁴ Senator Alan Simpson (R-WY) quoted in Larry G. Ronald Reagan - "I Believe in Amnesty for Illegal Aliens." Youtube. [video]. https://www.youtube.com/watch?v=Ednq_vKPdQE

leading the charge, is well documented.³⁵⁵ The basic premise of the debate which persisted for several years and came to unsuccessful votes on three occasions in the chambers of congress were essentially divisions over those who sought tougher sanctions on employers engaged in the illicit hiring of undocumented workers” and those who sought more protections and even pathways to legalization for those same undocumented workers.

The Immigration and Reform Control Act or IRCA as it would come to be called finally reached satisfactory bi-partisan support by mid-1986 when concessions were made by house Democrats concerning employer sanctions, and senate Republicans yielded to more generous amnesty provisions.³⁵⁶ Taken together, this bill was neither loved nor hated by most people across the political aisle, and at least demonstrated a policy victory for Reagan’s administration. Those who most upset with its passage were the more extreme exclusionary groups such as Federation for American Immigration Reform (FAIR) and Center for Immigration Studies (CIS), both of which viewed the bill as too weak on crime and too generous on amnesty. Many scholars and policymakers viewed amnesty as an important step toward reducing the perception of “illegal” immigration and providing pathways to democratic inclusion for millions of people.³⁵⁷ However, some also observe perverse implications with the amnesty program, pointing out that the amnesty measures came at the cost of making the border less porous which effectively trapped and cut off otherwise healthy circular migration patterns.³⁵⁸

IRCA contained no specific provisions for children or families, creating an issue of “split-eligibility” in affected families. In response, republican from Rhode Island Senator John Chafee attempted to amend the bill to include children of parents targeted by IRCA amnesty provisions. However, this bill was voted down. As a stopgap effort, Reagan directs the Immigration and Naturalization Service to defer deportations of children living in households with parents that would be affected by IRCA. This measure is continued throughout the remainder of Reagan’s presidency and George Bush

³⁵⁵ Morris, M. (1985). *Immigration--the beleaguered bureaucracy*. Washington, D.C.: Brookings Institution.

³⁵⁶ Tichenor, D. (2002). *Dividing Lines: The Politics of Immigration Control In America*. Princeton, N.J.: Princeton University Press. 255-268.

³⁵⁷ *Ibid.*

³⁵⁸ Massey, D., Durand, Jorge, & Malone, Nolan J. (2002). *Beyond smoke and mirrors: Mexican immigration in an era of economic integration*. New York: Russell Sage Foundation.

continues to uphold it, eventually codifying a version of it in the Immigration Act of 1990.³⁵⁹

Crisis Redux: Haiti, Cuba, and Guantanamo Bay Detention

As discussed in chapter 2, Haiti had long been under the control of the Duvalier dynasty for much of the 20th century. However, in 1985 a popular uprising finally ousted Papa Doc's son, but Duvalier's government held onto power until the 1990 elections. With overwhelming turnout in support of Jean-Bertrand Aristide, a popular priest, the presidential election of 1990 signaled revolution for most Haitians. However, in 1991, Haiti became embroiled in a coup against Aristide by former Duvalier loyalists that controlled the military. This in turn prompted widespread violence, including death squads carrying out extrajudicial killings, and created another refugee crisis.³⁶⁰

This time, however, Haitians were unable to reach the Florida shores due to a policy enacted via executive order by President Reagan a decade prior known as the "Alien Migrant Interdiction Operation" which tasked Coast Guard cutters with intercepting boats and other seacraft suspected of harboring unauthorized migrants, a practice used approximately 25,000 times between 1981 and 1991. However, considering the coup, political pressures mounted against the Bush administration for repatriating thousands of Haitians to the now coup-controlled Haiti. Opponents of repatriation like The Haitian Refugee Center appealed the decision, while restrictionist groups like FAIR wanted to set harsh examples that another Mariel would not be welcomed.³⁶¹

Meanwhile, Cuba faced its own repeat of domestic dissent in the 1990s. Much like the turmoil that sparked Mariel in 1980, the political, social, and economic conflict between pro-Castro factions and more liberal factions sent Castro on another tirade against dissenters, which caused riots in the streets. Between 1990 and 1994 another 37,000 Cubans had been intercepted by Coast Guard cutters at sea in what has been called the "Balsero crisis."³⁶² However, unlike Haitians during the same period, Cubans

³⁵⁹ American Immigration Council. (2014). Reagan-Bush Family Fairness: A Chronological History. <https://www.americanimmigrationcouncil.org/research/reagan-bush-family-fairness-chronological-history>

³⁶⁰ Lindskoog, C. (2018). *Detain And Punish: Haitian Refugees And The Rise Of The World's Largest Immigration Detention System*. Gainesville: University Press of Florida.100-102.

³⁶¹ Lindskoog pp 58-59; 100-106.

³⁶² Greenhill, K. (2016). The 1994 Cuban Balseros Crisis and Its Historical Antecedents. In *Weapons of Mass Migration* (pp. 75-130). Ithaca, NY: Cornell University Press.

tended not to be repatriated but rather were processed according to asylum procedures like that used in 1980. This of course fueled rhetoric that immigration policies were racist and targeted Haitians unfairly for exclusion. The arguments were so compelling that a court order ruled against the repatriation of Haitians and the Bush administration had to find alternative processes. No longer able to hold Haitians aboard Coast Guard vessels or return them to Haiti, the Bush administration opted to use the naval base at Guantanamo, Cuba, as a “temporary” processing center and detention site.

In 1902, during the American military occupation of Cuba, the island nation's constitution was modified to permit the United States to lease naval bases on its territory. The following year, the United States rented 117 square kilometers of Cuban land and water in the region of Guantanamo Bay for use as a coaling station and naval base, providing 2000 gold coins as compensation. In 1906, the terms of the lease were revised in Havana, switching the yearly lease payment to 2000 U.S. dollars in gold. The lease contract was reinforced and confirmed once more in 1934, establishing that any termination of the lease required the mutual agreement of both Cuba and the U.S. In 1959, when Fidel Castro seized power in Cuba, he did not acknowledge the American rights to the bay but also refrained from using military force to reclaim the area. Despite Castro's non-recognition, the U.S. government persists in issuing annual lease payments. However, of these payments, only the first check was ever cashed during Fidel Castro's tenure.³⁶³

In November 1991, due to a surge in asylum seekers from Haiti and an unwillingness to accommodate them on U.S. soil, the United States employed Guantanamo Bay as a so-called 'shelter' or 'safe haven' for those fleeing Haiti. In May 1992, President George H.W. Bush reacted to the crisis by instructing the Coast Guard to halt the transport of Haitians to Guantanamo Bay (GTMO). This directive resulted in the repatriation of all detainees back to Haiti, an action that faced backlash for purportedly contravening the Geneva Conventions' stipulations on refugee treatment. Fast forward to two months later, approximately 250 Haitians who were HIV-positive were still present. By resorting to hunger strikes and forming alliances with human rights advocates and

³⁶³ Dastyari, Azadeh. “Refugees on Guantanamo Bay: A Blue Print for Australia’s ‘Pacific Solution’?” AQ (Balmain, N.S.W.) 79.1 (2007): 4–8.

attorneys, these refugees secured their admission into the US and successfully advocated for the closure of Guantanamo in a 1993 lawsuit. Despite this, the U.S. government preserved its authority to indefinitely detain refugees at GTMO, leaving the door open for future utilization of the facility. Asylum interviews for Haitians were conducted at Guantanamo Bay, and those whose claims were unsuccessful were sent back to Haiti. Those who could substantiate a credible fear of persecution upon their return to Haiti were relocated to the United States.³⁶⁴

Out of the 7,315 Haitians aged 15 and above held at Guantanamo Bay, all were tested for HIV. However, unlike their HIV negative counterparts, those who tested positive and exhibited a credible fear of persecution were not granted entry into the United States. Instead, these individuals were detained in a separate section of Guantanamo Bay, known as Camp Bulkeley. The detainees in Guantanamo Bay were afforded limited medical support and lived in unsanitary conditions, leading to the spread of infections and diseases.³⁶⁵ Judge Johnson of the District court in New York described the living conditions of the HIV detainees in the following way: "They live in camps surrounded by razor barbed wire. They tie plastic garbage bags to the sides of the building to keep the rain out. They sleep on cots and hang sheets to create some semblance of privacy. They are guarded by the military and are not permitted to leave the camp, except under military escort. The Haitian detainees have been subjected to predawn military sweeps as they sleep by as many as 400 soldiers dressed in full riot gear. They are confined like prisoners and are subject to detention in the brig without a hearing for camp rule infractions...."³⁶⁶

Guantanamo was seen as a strategic victory both in terms as a central location to offshore the detention of unauthorized immigration but also to obscure political protest and investigative media attention. By May of 1992 nearly 18,000 Haitians were being detained in Guantanamo, and an estimated 12,000 more were paroled into the US.³⁶⁷

³⁶⁴Loyd, J., & Mountz, Alison. (2018). *Boats, borders, and bases: Race, the Cold War, and the rise of migration detention in the United States*. Oakland, California: University of California Press. pp 150-151

³⁶⁵ Dastyari, Azadeh. "Refugees on Guantanamo Bay: A Blue Print for Australia's 'Pacific Solution'?" *AQ* (Balmain, N.S.W.) 79.1 (2007): 4-8.

³⁶⁶ *Haitian Centers Council v. Sale* 823 F. Supp 1028 (E.D. N.Y. 1993)

³⁶⁷ Loyd, J., & Mountz, Alison. (2018). *Boats, borders, and bases: Race, the Cold War, and the rise of migration detention in the United States*. Oakland, California: University of California Press. p 203.

Moreover, it was seen as a key piece in the overall “deterrence strategy” imagined by border enforcement supporters. George Bush’s campaign and groups like FAIR warned that should Bush lose the election against Clinton the United States could expect to see an influx of 200,000-500,000 thousand Haitians arriving on the shores of Florida.³⁶⁸

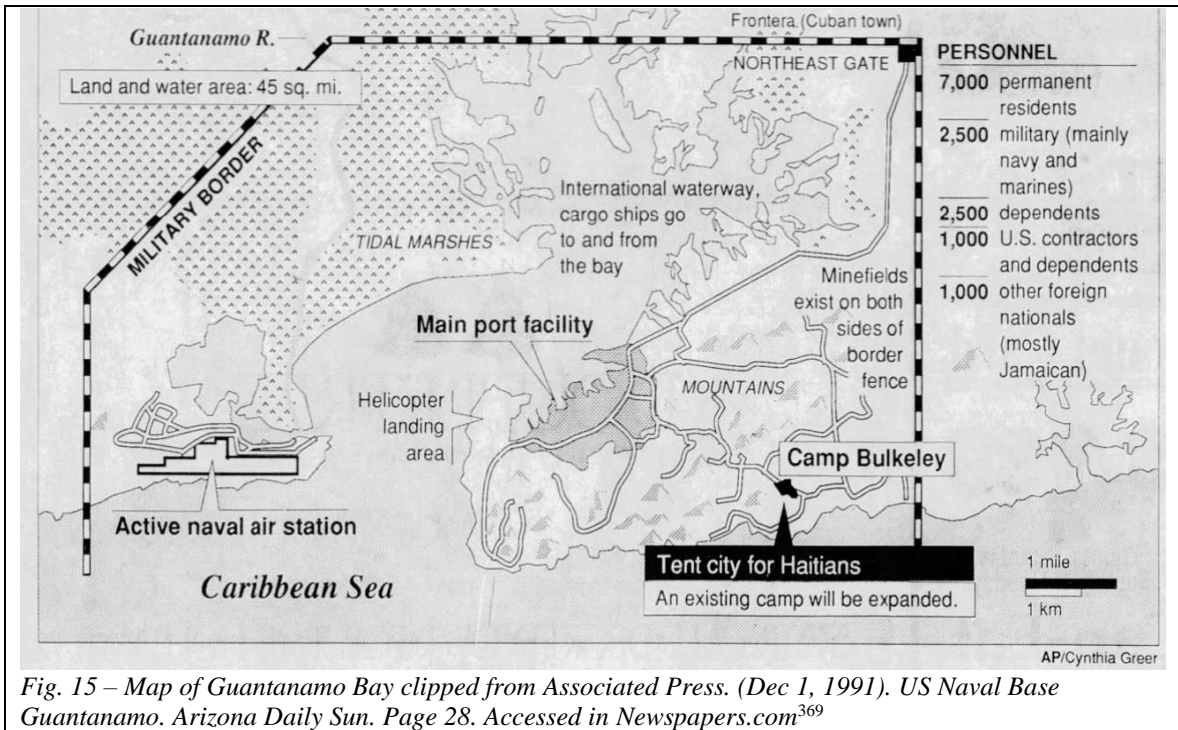


Fig. 15 – Map of Guantanamo Bay clipped from Associated Press. (Dec 1, 1991). US Naval Base Guantanamo. Arizona Daily Sun. Page 28. Accessed in Newspapers.com³⁶⁹

Bill Clinton, the New Democrats, and Law & Order

“Today, I have ordered that illegal refugees from Cuba will not be allowed to enter the United States. Refugees rescued at sea will be taken to our naval base at Guantánamo, while we explore the possibility of other safe havens within the region... The United States will detain, investigate and, if necessary, prosecute Americans who take to the sea to pick up Cubans. Vessels used in such activities will be seized.”³⁷⁰ – U.S. President Bill Clinton, August 19, 1994

³⁶⁸ Lindskoog, C. (2018). Detain And Punish: Haitian Refugees and The Rise of The World's Largest Immigration Detention System. Gainesville: University Press of Florida 117-119.

³⁶⁹ Associated Press. (Dec 1, 1991). US Naval Base Guantanamo. Arizona Daily Sun. Page 28. Accessed in Newspapers.com

³⁷⁰ Reuters. (1994). Excerpts From News Conference Announcing Policy on Refugees. The New York Times. Last accessed July 7, 2023. <https://www.nytimes.com/1994/08/20/us/excerpts-from-news-conference-announcing-policy-on-refugees.html>

President Bill Clinton's defeat over Reagan Successor George Bush Sr. was premised on a new vision of the Democratic party in American politics. Seeking to distance himself and the party from the legacies of Jimmy Carter, *New Democrats* aimed to promote ostensibly more equitable economic and social policy on one hand combined with a strong-handed commitment to "law and order" on the other. This 'third way' approach aimed to strike a balance and satisfy centrists in both the Republican and Democratic parties.³⁷¹ In 1991, at Clinton's campaign announcement he said, "I believe that together, we can make America great again"³⁷² and the strategy paid off, as Bill Clinton "became the first president since Franklin D. Roosevelt to win [an] election with a campaign focused almost exclusively on domestic problems."³⁷³

The opening quote of this section from Clinton regarding more Cuban's attempting to escape Castro's regime perfectly captures the rupture between the more liberal wing of Democrats and the *New Democrats*. Few politically powerful groups were interested in another Mariel event from the local politics of Florida to the national politics in DC. Clinton especially feared what another Mariel might do to his campaign for re-election in 1996.³⁷⁴ Rather than repeat mistakes that cost him the governorship of Arkansas stemming from his compliance with Carter's use of Fort Chaffee for Cuban refugees and the riots that ensued, Clinton chose to double down on policies introduced by Reagan and continued by Bush.³⁷⁵

Despite the brief closure of Guantanamo Bay in 1993, the combined influx of Cubans and Haitians in 1994 prompted Clinton to reopen the site and use it as a detention and processing center. By November of 1994, Guantanamo had over 14,000 detainees once again. Most of the Cubans were eventually processed and allowed to relocate into mainland United States, while the Haitians were mostly repatriated to Haiti after

³⁷¹ Giddens. (2000). *The third way and its critics*. Polity Press.

³⁷² C-SPAN. (October 3, 2019). Bill Clinton Announces 1992 Democratic Presidential Campaign. [Video]. <https://www.c-span.org/video/?c4820810/user-clip-bill-clinton-announces-1992-democratic-presidential-campaign>

³⁷³ Pika, Maltese, J. A., & Rudalevige, A. (2021). *The politics of the presidency* (Tenth edition.). CQ Press, An Imprint of SAGE Publications, Inc. p 450.

³⁷⁴ Zucker, N., & Zucker, Naomi Flink. (1996). *Desperate crossings: Seeking refuge in America*. Armonk, N.Y.: M.E. Sharpe.

³⁷⁵ Hamm. (1995). *The Abandoned Ones: The Imprisonment and Uprising Of The Mariel Boat People*. Northeastern University Press.

President Aristide was returned to power in 1995.³⁷⁶ Moreover, Clinton established "wet foot, dry foot" policy which essentially allowed any Cuban who reached U.S. soil ("dry foot") to stay in the country, potentially becoming eligible to adjust their status to become legal permanent residents after one year under the Cuban Adjustment Act of 1966. Meanwhile, any Cuban intercepted at sea ("wet foot") before reaching U.S. shores would typically be returned to Cuba or resettled in a third country. The policy represented a significant shift from the open-arms approach of the earlier Cuban Adjustment Act, which allowed all Cubans the ability to apply for residency, regardless of how they arrived. The policy was controversial, however, with critics arguing that it incentivized risky travel attempts and granted preferential treatment to Cuban immigrants over others.³⁷⁷

The key to bi-partisan state making and *third way* politics during Bill Clinton's administration centered on increasing both the scale and scope of punishment in the name of law and order. Clinton's legislative options were shaped on one hand by figures like Newt Gingrich, Georgia Congressman and Speaker of the House at the time, and the "Contract with America" which outlined Republican policy goals. On the other hand, a series of recommendations that influenced Clinton's administration came out of "Jordan Commission," formally known as the U.S. Commission on Immigration Reform, While the Jordan Commission itself did not result in immediate legislative changes, its recommendations shaped future changes to immigration law and bureaucracy.³⁷⁸

The criminalization of immigration began with Reagan era reforms and gained steam in Bush's 1990 reforms, particularly with the addition of "aggravated" felonies such as murder, drug related charges, and firearm trafficking that carried a mandatory minimum sentence of five years in prison. Clinton's electoral success was, in part,

³⁷⁶ Lindskoog, C. (2018). Detain And Punish: Haitian Refugees and The Rise Of The World's Largest Immigration Detention System. Gainesville: University Press of Florida., p 128-129.

³⁷⁷ Engstrom, D. (1997). Presidential Decision Making Adrift: The Carter Administration and The Mariel Boatlift. Lanham, Md.: Rowman & Littlefield.

³⁷⁸ Gimpel, & Edwards, J. R. (1999). The congressional politics of immigration reform. Allyn and Bacon; see also Martin (2018). Trump's Misuse of Barbara Jordan's Legacy on Immigration. Center for Migration Studies. <https://cmsny.org/publications/martin-barbara-jordan/>

premised on continuing this trend of law and order—the convergence of criminal law and immigration enforcement, or what is now known as *crimmigration*.³⁷⁹

The key suite of legislation introduced during Clinton’s second term is widely known as the “96” laws. The Illegal Immigration Reform and Responsibility Act (IIRAIRA) is widely regarded as the most punitive immigration bill with regards to specifying and expanding qualitative measures the state could take against unlawful immigration. Other bills passed in 1996, such as the Antiterrorism and Effective Death Penalty Act (AEDPA) and Personal Responsibility and Work Opportunity Act (PRWOA) placed considerable limitations and more stringent requirements for undocumented and legal permanent residents to access various forms of economic and social aid programs.³⁸⁰

In the lead up to the sweeping 1996 reforms, Clinton oversaw operations at the border like those in years prior. For example, *Operation Gatekeeper* carried out along the border between San Diego and Tijuana. At the time it was described as “the pinnacle of national strategy” as “prevention through deterrence” and “territorial denial” to thwart migrants from entering the United States.³⁸¹ Initiated in 1994, *Gatekeeper*, became a focal point for politicians, enforcement agencies, and activists in the struggle over the meaning and effects of “illegal immigration.” Shortly after, California voters overwhelmingly supported the controversial Proposition 187, which aimed to cut social, educational, and healthcare services to unauthorized immigrants. While the law was eventually ruled unconstitutional, it none the less reflects the broader climate of anti-immigration that Clinton’s administration both responded to and helped further cultivate, despite Clinton’s personal misgivings about the “harshness” by which the laws affected immigrants.³⁸²

³⁷⁹ Dowling, J., & Inda, Jonathan Xavier. (2013). *Governing Immigration Through Crime: A Reader*. Redwood City: Stanford University Press. p 62-63. See also García Hernández, C. (2021). *Crimmigration law*. Chicago, Illinois: American Bar Association.

³⁸⁰ *Ibid.* p 52

³⁸¹ Nevins, J. (2002). *Operation Gatekeeper: The rise of the "illegal alien" and the making of the U.S.-Mexico boundary*. New York: Routledge. p 2.

³⁸² Jacobson, R. (2008). *New Nativism: Proposition 187 and the Debate over Immigration*. Minneapolis: University of Minnesota Press; Tichenor. (2002). *Dividing Lines: The Politics of Immigration Control In America*. Princeton University Press. pp 275-285.

Two notable policies are the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), and the Personal Responsibility and Work Opportunity Act (PRWORA) both passed in 1996. IIRIRA created the most stringent criminal-alien provisions in history, which can be summarized as mandatory detention, for even minor or speculated infractions, and three-to-ten-year banishments for overstaying visits. Moreover, the IIRIRA was applied *retroactively* to persons who had committed a deportable offense, which effectively allowed a mass way of apprehension and detention. Dow notes that from 1996 to 2001 immigration detention populations tripled, leading one INS official to liken the INS to a ‘mini bureau of prisons’.³⁸³

While the PRWORA was largely targeted on domestic welfare reform, it did bar noncitizens from a broad set of federal benefit programs. Moreover, PRWORA was the product of a broader reform strategy made possible in part by a “politics of disgust” that centered on portraying both the poor, racial minorities, and immigrants as “an unruly, pathological minority underclass” that needed discipline and heavy-handed measures. After nearly two decades of increasingly punitive and exclusionary immigration policies implemented by both Republicans and Democrats, there was a brief period in the political discourse leading up to the 2000 presidential election where comprehensive immigration reform was once again on the table. Their visions ranged somewhere between substantial amnesty and “compassionate conservatism.”³⁸⁴ Gore was eager to court Hispanic voters and pushed Bush to support Democratic proposals to expand immigration rights for hundreds of thousands of Central Americans, Cubans, and even Haitians, relocated to the US since the 1990s.

Unfortunately for Gore, however, was the lingering fallout from the case of Elian Gonzalez. At just five years old, Elian and his family fled Cuba on a makeshift raft only to get caught in rough weather in which everyone drown except Elian. A fisherman found Elian alone on an inner tube three miles off the coast of Florida. After initial clearance, Elian is released to relatives in Miami, but the Cuban government and his father had requested his return. An ensuing custody battle erupts when then INS Commissioner,

³⁸³ Dow. (2004). *American Gulag: Inside US Immigration Prisons*. University Of California Press. p 9.

³⁸⁴ George W. Bush Institute. *President George W. Bush on Compassionate Conservatism*. *The Catalyst*, Fall 18(12). Last accessed July 6, 2023. <https://www.bushcenter.org/catalyst/opportunity-road/george-w-bush-on-compassionate-conservatism.html>

Doris Meissner, announces that Elian will be made to return Elian to Cuba by January 14. Candidate Gore supported allowing Elian to stay, but Attorney General Janet Reno says Elian will be returned. All hell broke loose, and it became a media sensation when US federal agents stormed the residence where Elian was staying, literally prying him from the arms of his uncle. Analysts speculate that this incident cost Gore the presidency as part of a *el voto castigo*, or "the punishment vote" by Cuban-Americans in Florida.³⁸⁵ Ultimately, Bush won the presidency in one of the closest elections in history on a technical ruling by the Supreme Court.³⁸⁶

George W. Bush, 9/11 and Changing Conservatism

Despite President Bush's "compassionate conservatism" and an attempt to honor his father's legacy of relatively sympathetic immigration views (by today's standards anyway), the tragedy of September 11th put into motion changes not seriously considered since Milton Morris proffered the idea in 1985. Before 9/11, the concept of national security was not tightly integrated with border security. Despite immigration trends discussed above, the connection between these two policy domains was relatively distant. However, given the circumstances of 9/11, which involved immigrants using the visa system to gain their foothold and ultimately hi-jack the planes used to attack the World Trade Center and Pentagon, a new emphasis came into play making border security and national security nearly synonymous.

This shift in policy and practice has had several cascading effects that empowered the executive branch and president on one hand, while further subjecting im/migrants to more pervasive and punitive forms of exclusion on the other.³⁸⁷ Immigration prior to 9/11 was often framed in terms of economic and social terms, even when speaking of criminalization. After 9/11, however, immigration was framed in terms of *security*, and this compelled even more innovation and expansion of technologies and practices that aimed to seal the border by all means necessary. Moreover, public attitudes toward

³⁸⁵ Scheider. (May 1, 2021). Elián González Defeated Al Gore. The Atlantic. Last Retrieved March 2, 2021. <https://www.theatlantic.com/politics/archive/2001/05/elian-gonzalez-defeated-al-gore/377714/>

³⁸⁶ Zelden. (2020). *Bush v. Gore: exposing the growing crisis in American democracy* (Third expanded edition.). University Press of Kansas.

³⁸⁷ Longo, M. (2018). *The politics of borders: Sovereignty, security, and the citizen after 9/11* (Problems of international politics). Cambridge, United Kingdom: Cambridge University Press. pp 2-5

immigration became more negative and pessimistic, with a renewed vision of American exceptionalism and the “silent majority” that would become the latest evolution in conservative politics with Trump as its standard bearer.

Three key pieces of legislation passed after 9/11—the USA Patriot Act, Enhanced Border Security Act, and Homeland Security Act of 2002. These acts are less about immigration and more about enhancing screening and monitoring of im/migrants, tighter security at ports of entry, stricter background checks on visa applicants, requirements for tamper-proof and machine-readable passports and visas, travel bans, and increased detention capabilities.³⁸⁸ Four new agencies emerged in this reorganization. US Citizen and Immigration Services (UCIS), Customs and Border Protection (CBP), Immigration & Customs Enforcement (ICE), and Transportation Security Administration (TSA). Collectively these agencies employ approximately 140,000 government employees.

The Homeland Security Act effectively fulfilled the vision of Morris in 1985 and Bush’s plans for the INS. Passed in 2003, this act remade and consolidated 22 agencies and bureaus into the Department of Homeland Security, with its primary task being “preventing and responding to natural and man-made disasters.”³⁸⁹ This institutional reconfiguration consolidated the authority structure of both immigration and national security agencies with the president, effectively streamlining presidential power. The theory of “unitary executive power” was now less a theory and more an institutional reality, which is particularly potent in the realm of immigration courts, as they are within the executive branch and not the judicial branch.³⁹⁰ With this concentration of power, however, comes more possibility for political discretion and perhaps turbulent policies from one president to the next, as recent years have demonstrated with executive orders to address immigration and border policies.

³⁸⁸ Roy, N. (2018). Immigration and Security-Post 9/11 United States. *Perspectives on Global Development and Technology*, 17(4), 451-472.

³⁸⁹ Homeland Security Governmental Affairs. (January 23, 2004). Homeland Security 2004 Top Ten To-Do List. <https://www.hsgac.senate.gov/issues/homeland-security>

³⁹⁰ Cox, & Rodríguez, C. M. (2020). *The president and immigration law*. Oxford University Press; Levinson, R., Cooke, K., Rosenberg, M. (2021). Special Report: How Trump administration left indelible mark on U.S. immigration courts. Last accessed July 6, 2023. <https://www.reuters.com/article/us-usa-immigration-trump-court-special-r/special-report-how-trump-administration-left-indelible-mark-on-u-s-immigration-courts-idUSKBN2B0179>

Immigration rights activists and allies mobilized in record numbers after the House passed HR 4437, which drew inspiration from then recently adopted Arizona’s SB 1070 Bill. One of the most controversial aspects of the bill was the provision to make unlawful presence in the U.S. a felony. Previously, being in the country without authorization was a civil offense. This change would have had significant legal implications for millions of undocumented immigrants. This, in addition to the obvious racial profiling and racist implementation of such bills, resulted in unprecedented social mobilization of immigrant rights groups as documented extensively by political ethnographer Zepeda-Milan.³⁹¹ The conservative backlash to this mobilization helped galvanize a nascent “Tea Party Movement” which gave fuel to Trump’s birtherism conspiracy against President Obama and effectively made Trump a visible figure for anti-immigration sentiments that served as the foundation of his campaign and presidency—and may yet again.

The 2007 Comprehensive Immigration Reform Act, strongly backed by then-President George W. Bush, aimed to resolve several longstanding issues related to illegal immigration in the United States. The bill included provisions for improving border security, creating a guest worker program, and offering a path to citizenship for the millions of illegal immigrants already in the country. The bill ultimately did not pass because it failed to gain enough votes in the Senate to end debate and move to a final vote. Only 33 Democrats, 12 Republicans and one independent voted to advance the bill, while 15 Democrats joined 37 Republicans and one independent to block it. Five of the six senators running for president voted in favor of the overhaul: Republican John McCain and Democrats Hillary Clinton, Barack Obama, Christopher Dodd and Joe Biden.³⁹² While the bill had significant support, the breadth and depth of the opposition, from multiple sides of the political spectrum, made it impossible to secure the supermajority needed to bring the bill to the floor for a final vote. As a result, the 2007 Comprehensive Immigration Reform Act died in the Senate, and the issues it sought to address have remained unresolved.

³⁹¹ Zepeda-Millán. (2017). *Latino mass mobilization: immigration, racialization, and activism*. Cambridge University Press.

³⁹² Smith. (2007). Senate kills Bush immigration reform bill. Reuters News. Last accessed July 5, 2023. <https://www.reuters.com/article/us-usa-immigration-idUSN2742643820070629>

Conclusion

This chapter set out to understand how the United States political apparatus adapted to the fallout of the Mariel boat lift. In doing so it tracked policy changes and presidential actions from Reagan to Obama. It turns out that the exodus of refugees from Cuba and Haiti persisted into the 1990s, but due to changing policies and narratives around deservingness we saw an increasingly hostile rejection of Haitians and a reluctant tolerance of Cubans. On the other hand, the mass deportation regime began to further derail already struggling social, political, and economic situations in Central America, effectively planting the seeds for the UAC crisis of 2014.

The ‘low intensity conflict’ doctrine that the CIA began implementing along the US-Mexico border during Carter’s administration quickly morphed into Reagan’s reluctant support of the bordering as part of the IRCA legislation and put a heavy path-dependent pressure on Clinton. The horrific events of 9/11 are well documented, even if contested, as having a significant impact on the national security apparatus and how that changed immigration policies. However, as I have tried to show, while 9/11 is certainly a “critical juncture” or “exogenous shock” I do not think we can reduce our contemporary immigration and border politics to 9/11 alone. Indeed, I would assert that 9/11 was not so much a sea-change event, but rather an accelerant on an already growing trend. The Clinton administration ushered in an era of ‘new democrats’ that pushed what could be considered ‘left wing’ politics to the center-right and forced Bush’s ‘compassionate conservatism’ out the window. The 2007 immigration reform bill was defeated by senate Democrats, which left Obama little room to do anything but executive actions. And what became of that was a fear-mongering racist idea that a Black man with a Muslim name was president and issue executive decrees to redefine America. By some accounts, 1 in 4 Americans according to the Guardian poll, literally believed Obama to be the anti-Christ incarnate.³⁹³ The great irony, of course, is that the Donald Trump would be the evangelical right’s “imperfect vessel” to do god’s will and serve *America First*.³⁹⁴

³⁹³ Harris. (2013). One in four Americans think Obama may be the antichrist, survey says.

<https://www.theguardian.com/world/2013/apr/02/americans-obama-anti-christ-conspiracy-theories>

³⁹⁴ America First of course having origins in the Eugenics, anti-communist, anti-civil rights movements of 20th century America. Later gets retooled as “make America great again” which presidents Bush, Reagan, Clinton, and Trump used in their speeches. See also Gabbatt. (2020). 'Unparalleled privilege': why white

CHAPTER V

HISTORICIZING THE UAC CRISIS & NORTHERN TRIANGLE

Introduction

The 2014 migration crisis involved an estimated 70,000 UAC, and thousands more consisting of families, often women and children, largely from the “northern triangle” region. The aim of this chapter is to historicize the social, political, and economic condition El Salvador, Honduras, and Guatemala in the lead up to this shift in migration. The chapter begins by first introducing broadly the colonial origins of Latin America and early moves by US political and economic elites to capture labor and resources, often at the expense of funding right-wing dictatorships to disrupt left-wing mobilization efforts. Then each country is explored in more depth independently, to trace the path to the UAC crisis that began under President Obama and has reoccurred a couple of times since under President Trump and President Biden. The chapter concludes by focusing on the origins of MS-13 and Barrio 18 as part of the broader deportation and border policies pursued by the United States beginning in the late 20th century.

The Colonial Origins of the “Northern Triangle”

There is no way to begin a historical examination of the Americas, broadly construed, without considering the significance of colonization that transformed the Caribbean and Central America. While not the only factor, surely the legacies of colonialism and extractive imperialism shape a country’s capacity and direction for development. Indeed, colonization isn’t so much an event as it is a process, one that develops, mutates, and expands even in this moment. It is this process of colonization where we find intersections of political, economic, social, and technological events that connect and entangle the development of Central America and the United States, among other countries. Centuries of Spanish empire, colonial extraction and African slavery, the formation of racialized hierarchies, indigenous displacement and genocide, dynamics of

evangelicals see Trump as their savior. Guardian News. Last accessed July 7, 2023.
<https://www.theguardian.com/us-news/2020/jan/11/donald-trump-evangelical-christians-cyrus-king>

central American problems and circumstances are much different but not separate from the generations of slavery and Jim Crow in the United States.³⁹⁵

Since the 19th century the United States government and Wall Street have been actively engaged in “building an empire” while deposing regimes, restricting progress, and orchestrating the domestic conditions that paved the way for revolutionary tumult in the latter 20th and early 21st century in central America.³⁹⁶ Crops consumers in the north take for granted, like coffee and bananas, have deeply contested and violent origins in countries to the south such as Guatemala, Honduras, and El Salvador.³⁹⁷ The extractive relations of power in these industries in terms of labor, land, and violence are not unlike the conditions that mass produced cotton, tobacco, and sugar cane throughout the southern United States and Caribbean islands in places like Cuba and Haiti.

With regards to Central America specifically, even thinking in terms of individual states like El Salvador, Guatemala, or Honduras, depends upon the histories of Spanish colonization and artificial division of lands for the purposes of controlling and exporting resources to the crown. Despite liberalizing reforms and independence movements in the 19th century that began to expel and modernize Spanish colonial rule, there hardly exists a cohesive ideology or identity, not all people even speak Spanish, which binds together the people who live in these areas.³⁹⁸ Instead, there is a long-enforced hierarchy that maims and erases indigenous people, suppresses descendants of slavery, tolerates “mestizo” or “mixed blood” people, and privileges Spanish heritage elites. Simply put, the complexities of race and belonging are at least as complicated and violent than the more well-known history of the United States.³⁹⁹ This is all to say then that a key aim of this chapter is to pull apart some of the reductionist and perhaps homogenizing

³⁹⁵ Marx. (1998). *Making race and nation: a comparison of South Africa, the United States, and Brazil*. Cambridge University Press.

³⁹⁶ Immerwahr. (2019). *How to hide an empire: a history of the greater United States*. Farrar, Straus and Giroux; Grandin, G. (2006). *Empire's Workshop: Latin America, the United States, and the Rise of the New Imperialism*. Metropolitan Books.

³⁹⁷ Striffler, S. (2002). *In the Shadows of State and Capital: The United Fruit Company, Popular Struggle, and Agrarian Restructuring in Ecuador, 1900-1995*. Duke University Press; Paige, J. M. (1997). *Coffee and Power: Revolution and the Rise of Democracy in Central America*. Harvard University Press.

³⁹⁸ Mahoney. (2010). *Colonialism and postcolonial development: Spanish America in comparative perspective*. Cambridge University Press; Centeno. (2002). *Blood and debt: war and the nation-state in Latin America*. Pennsylvania State University Press.

³⁹⁹ Chomsky, A. (2021). *Central America's forgotten history: Revolution, violence, and the roots of migration*. Boston, Massachusetts: Beacon Press. pp 2-19.

perceptions readers may have with regards to the histories and context which inform migration patterns overtime from this area of central America. Or rather, the argument is that in parsing their histories it will become clear why their futures converge on the material conditions of crisis in “the northern triangle” and stirs the discourse of crisis in the US.

Tracing the roots of northbound immigration from central American countries such as El Salvador, Honduras, and Guatemala, collectively known as the “northern triangle”, is shaped by the *Monroe Doctrine* set forth by then President Monroe in 1823. The declaration established that the “American continents are henceforth not to be considered as subjects for future colonization by any European powers” and that attempts to do so would be considered “dangerous to our peace and safety.”⁴⁰⁰ This doctrine served as the groundwork for *manifest destiny* and westward expansion of the United States throughout the 19th and 20th centuries.⁴⁰¹ Moreover, it justified economic imperialism—the ownership of industry, agriculture, and other exports—in the northern triangle, which also showed up in analyzing Cuba and Haiti.⁴⁰²

Indeed, by the turn of the 19th century, President Theodore Roosevelt, a worshipped hero of the Spanish-American war, doubled down on the Monroe doctrine with his corollary doctrine that not only kept central America off limits to European colonization, but justified and mandated US military intervention into the domestic affairs of central and south American countries should it concern US interests.⁴⁰³ Of course, by the time Roosevelt was president, US interests deep investments into extracting raw materials and importing exotic crops.⁴⁰⁴ These relations were euphemistically referred to as “dollar diplomacy” as coined by Roosevelt’s practically handpicked successor, President Taft, and subsequent presidents, both Democratic and Republican, entailing pervasive surveillance strategies to police trade and industry

⁴⁰⁰ Gilderhus, M. (2006). The Monroe Doctrine: Meanings and Implications. *Presidential Studies Quarterly*, 36(1), 5-16.

⁴⁰¹ Perkins, D. (1963). *The Monroe Doctrine, 1823–1826*. Harvard University Press; Sexton, J. (2011). *The Monroe Doctrine: Empire and Nation in Nineteenth-Century America*. Hill & Wang.

⁴⁰² Weeks, W. E. (1995). *John Quincy Adams and American Global Empire*. The University Press of Kentucky.

⁴⁰³ Nye, J. S. (2011). *The Future of Power*. Public Affairs.

⁴⁰⁴ Veesser. (2002). *A world safe for capitalism: dollar diplomacy and America’s rise to global power*. Columbia University Press.

practices throughout the Caribbean and central America.⁴⁰⁵ This relationship is perhaps no better characterized than in the 1933 speech and book by former US Marine major general Smedley Butler titled *War is a Racket* where he describes his tenure serving the US as a “gangster for capitalism...raping Central American republics for the benefits of Wall Street.”⁴⁰⁶ It’s in this context that the term “banana republic” becomes popularized not as the fashion brand, but as a way to describe the puppet governments backed by US interests for the purposes of exporting cheap commodities such as bananas and coffee.⁴⁰⁷

In 1933, as the great depression wreaked havoc economies across the world, newly elected president Franklin D. Roosevelt reconfigures foreign policy with respect to central America, initiating the “good neighbor policy.”⁴⁰⁸ This policy established on the one hand more independence for self-government throughout central America, but on the other had US intervention and funding contingent on cooperation in both trade and national security policies, particularly with respect to anti-communist efforts. Broadly conceived, being a “good neighbor” meant allowing US lending institutions, such as the newly created Export-Import-Bank to provided credit and loans that facilitated trade between US corporations, like the United Fruit Company, and compliant governments.⁴⁰⁹ Additionally, and perhaps more importantly, good neighbor countries were supplied with weaponry and training in the growing fight against communism.⁴¹⁰ Despite common understandings of the “Cold War” as between the United States and the USSR, all of the actual bloodshed and conflict took place in proxy locations, not least of all the Caribbean, Central America, and Southeast Asia. The Cold War context and mounting conflicts between state-corporate interests and pro-labor, anti-war, and student movements that reticulate historical inequalities roughly approximating the landed class against peasant and indigenous populations. Understandings this instability and turmoil is part of the

⁴⁰⁵ Chomsky, A. (2021). *Central America's forgotten history: Revolution, violence, and the roots of migration*. Boston, Massachusetts: Beacon Press. pp 30-35.

⁴⁰⁶ Butler, S. (1935). *War is a racket*. New York: Round table Press.

⁴⁰⁷ Acker. (1988). *Honduras: the making of a banana republic*. Between the Lines.

⁴⁰⁸ Wood. (1961). *The making of the good neighbor policy*. Columbia University Press.

⁴⁰⁹ Martin. (2018). *Banana cowboys: the United Fruit Company and the culture of corporate colonialism*. University of New Mexico Press; Striffler, S. (2002). *In the Shadows of State and Capital: The United Fruit Company,*

Popular Struggle, and Agrarian Restructuring in Ecuador, 1900-1995. Duke University Press.

⁴¹⁰ Dosal, P. (1993). *Doing business with the dictators: A political history of United Fruit in Guatemala, 1899-1944*. Wilmington, Del: SR Books. Pp 3-5.

context which structures the internal and international dynamics of contemporary refugee and migration flows from these areas of the world to the United States.

A Brief History of Guatemala

The political development of Guatemala begins with its colonization by the Spanish in 1524, led by Pedro de Alvarado. The diverse indigenous Mayan population exhibited various degrees of resistance and adaptation to Spanish rule. The Spanish implemented a system of forced labor known as 'encomiendas,' transforming the economic and social fabric of the region and establishing patterns of power and resistance that would endure throughout Guatemalan history, not least of all in the widely read accounts of Cortez and the conquest of "new Spain."⁴¹¹

The Spanish Crown controlled Guatemala through the Captaincy General of Guatemala, exerting influence via a mercantilist policy aimed at exploiting the region's resources. A local elite emerged from this arrangement, composed of Spanish officials, the clergy, and landowners who manipulated the colonial administration to their advantage, leading to growing resentment among the indigenous and mestizo populations. In Guatemala, like most of the region, there are distinctions between the indigenous people or *Indígena* and people who have descended from European lineage, known as *ladino*.⁴¹²

Guatemala proclaimed its independence from Spain in 1821, followed by a brief annexation to the Mexican Empire under Agustín de Iturbide. With the collapse of Iturbide's rule in 1823, Guatemala joined the United Provinces of Central America (UPCA), marking the beginning of a new political era. Two main ideological factions crystallized during this period: the conservatives, largely composed of the clergy and landowning elite, who favored a centralized government and the maintenance of colonial social structures, and the liberals, who sought a federal system, economic modernization, and secular reforms. These factions formed the backbone of Guatemalan politics for the coming decades.⁴¹³

⁴¹¹ Restall. (2003). *Seven myths of the Spanish conquest*. Oxford University Press; Díaz del Castillo, & Carrasco, D. (2008). *The history of the conquest of New Spain*. University of New Mexico Press.

⁴¹² Grandin. (2000). *The blood of Guatemala: a history of race and nation*. Duke University Press.

⁴¹³ Oss. (1986). *Catholic colonialism: a parish history of Guatemala, 1524-1821*. Cambridge University Press. pp 186-188.

With the dissolution of the UPCA in 1840, Rafael Carrera, a charismatic conservative leader, took control of Guatemala. Carrera established a centralized autocratic regime, reasserted the power of the Catholic Church, and pushed back against liberal reforms. Carrera's rule saw relative stability but also entrenched the power of the conservative elite and suppressed liberal ideologies. Under the conservative rule, Guatemala's economy remained largely agrarian with minimal modernization efforts. The landowning elite and Church held significant power, and indigenous communities were subjected to new labor laws aimed at securing cheap labor for estates.⁴¹⁴

The liberal revolution in 1871, led by Miguel García Granados and Justo Rufino Barrios, marked a significant shift in Guatemalan politics. Barrios, who became president in 1873, initiated sweeping reforms, including the secularization of the state, the introduction of civil marriage and divorce, and liberal economic policies to modernize the country and promote coffee exports. The liberal government expropriated lands from the Church and indigenous communities to establish coffee plantations, leading to the rise of a new elite class of coffee barons.⁴¹⁵ These reforms generated resistance, particularly from indigenous communities and conservative sectors, but the liberal control remained through repression and co-optation. Despite these dramatic transformations, political power remained concentrated in the hands of a few elites. The end of the 19th century saw an increasingly unequal society, as the new liberal elites solidified their economic power and manipulated state structures to their advantage.⁴¹⁶

In 1931, General Jorge Ubico won an uncontested election and served as Guatemala's "good neighbor" president for over a decade. Ubico's regime was friendly with US corporations which practically owned and operated the entire country. The United Fruit Company was the single largest landowner, International Railways of Central America controlled most of the train system (which was also owned largely by UFC), and American and Foreign Power controlled and operated Guatemala's power grid. To top it off, Ubico's capacities to suppress political dissidents, notably the Guatemalan communist party, and crush attempts at labor reforms were supported by US

⁴¹⁴ Ibid. pp 189-190.

⁴¹⁵ Grandin. (2000). *The blood of Guatemala: a history of race and nation*. Duke University Press. pp 125-127.

⁴¹⁶ Ibid.

ammunitions and military trainings.⁴¹⁷ By the 1970s, nearly seventy percent of Guatemalan exports, which included not just bananas and coffee but also sugar, lead, zinc, and chrome, went directly to the United States. Similarly, nearly the same percentage of imports into Guatemala came from the United States.⁴¹⁸ This of course was an unequal relationship, with Guatemala representing only a tiny fraction of trade for the US, but an overwhelming majority of trade for Guatemala.

This arrangement became strained in 1944 when dissenting and reform minded military members, backed by growing popular unrest throughout the country, overthrew Ubico in a coup that led to the first truly free elections since Guatemala's creation. The winner of this election was a schoolteacher named Juan Jose Arevalo and his tenure from 1944-1950 oversaw widespread social, economic, and political reforms such as minimum wage laws, health and safety regulations, and rights for labor unions. Arevalo's successor, Jacobo Arbenz, continued the reform agenda of Arevalo and went even further with land reforms that would challenge the established power of US corporate control over Guatemala. Arbenz's agenda was so successful with rural populations it escalated domestic tensions between the landowning class and displaced indigenous people working land they felt belonged to them. Interstate concerns were also brewing, with the US State Department officials warning that Guatemala's reforms and democracy could threaten similar "good neighbor" arrangements in El Salvador and Honduras.⁴¹⁹

It's within this context that President Eisenhower turned away from "containment" and "good neighbor" policy practiced by FDR and Truman. By 1954, President Eisenhower was being pressured to take a more hands-on approach to the situation in Guatemala by figures like the Secretary of State and Central Intelligence Agency (CIA) Director, whom were not only brothers, John Foster Dulles and Allan Dulles respectively, but also had significant connections and stakes in the United Fruit Company.⁴²⁰ With the help of CIA operatives, and backing US military, dissident right-

⁴¹⁷ Dosal, P. (1993). *Doing business with the dictators: A political history of United Fruit in Guatemala, 1899-1944*. Wilmington, Del: SR Books.

⁴¹⁸ Streeter, S. (2000). *Managing the counterrevolution: The United States and Guatemala, 1954-1961*. Athens: Ohio University Center for International Studies.

⁴¹⁹ *ibid*, pp 22-28.

⁴²⁰ Chomsky, A. (2021). *Central America's forgotten history: Revolution, violence, and the roots of migration*. Boston, Massachusetts: Beacon Press. pp 48-50.

wing military leader Lt. Colonel Castillo Armas organized a coup against Arbenz in May of 1954 and ushered in a brutal crackdown that resulted in thousands of suspected communists and Arbenz supporters being murdered and disappeared, while tens of thousands more were tortured and imprisoned.⁴²¹ Rather than condemn these acts of violence, the US Embassy approved of such measures as “an accepted means of restoring what owners and managers consider the necessary agricultural labor discipline.”⁴²²

Following the coup, a series of military and civilian governments, supported by the U.S., held power in Guatemala.⁴²³ These regimes dismantled the reforms implemented during the Ten Years of Spring and launched a brutal counterinsurgency campaign against leftist guerilla groups, culminating in the Guatemalan Civil War (1960-1996). This period was marked by widespread human rights violations, including forced disappearances, torture, and massacres of indigenous communities. The dominant coalition during this period consisted of the military, traditional economic elites, and emerging industrial and finance sectors. The state policies were characterized by an anti-communist stance, economic liberalization, and repression of dissent. Resistance factions included left-wing guerrilla groups, organized labor, student groups, and indigenous organizations.⁴²⁴

By the 1970s, Guatemala’s economy and export industry had been decimated in a two-part assault, one being the recession in the United States, and the other being natural disasters, notably a massive earthquake in 1976 that killed 20,000 and displaced over a million people into homelessness.⁴²⁵ The slow or altogether lacking response by state authorities propelled grassroots mobilization and organization into groups that were both humanitarian and military in nature. Mass protests in 1977 on international workers day estimated to be 150,000 – 200,000 people, which included indigenous people, students, agricultural workers, and other dispossessed people, descended on Guatemala City

⁴²¹ Ibid. p 52.

⁴²² Streeter, S. (2000). *Managing the counterrevolution: The United States and Guatemala, 1954-1961*. Athens: Ohio University Center for International Studies, pp 39-40.

⁴²³ Schlesinger, & Kinzer, S. (1999). *Bitter fruit: the story of the American coup in Guatemala*. Harvard University, David Rockefeller Center for Latin American Studies.

⁴²⁴ Manz. (2004). *Paradise in ashes: a Guatemalan journey of courage, terror, and hope*. University of California Press.

⁴²⁵ Smith, & Moors, M. M. (1990). *Guatemalan Indians and the state, 1540 to 198*. University of Texas Press. pp 233-235.

demanding better wages, living conditions, and an end to various forms of discrimination. Such efforts were only met with more repression and bloodshed, reaching gruesome lows in the early 1980s.⁴²⁶

In 1982, the men of Sepur Zarco, who were advocating for land rights, were disappeared by the military, under the accusation of cooperating with the guerilla forces. Following these forced disappearances, their wives, daughters, and sisters were subjected to sexual violence and slavery, serving as a grim example of how sexual violence was systematically used as a weapon of war during the Guatemalan Civil War. This era is often referred to as "scorched earth" policy under the direction of evangelical military leader General Jose Efraim Rios Montt. Installed as part of a coup, Montt's regime carried out a genocide against the Mayan people in the Guatemalan highlands that resulted in the extermination of nearly a quarter million people with another 1.5 million displaced, many fleeing north into Mexico and forming mass refugee camps.⁴²⁷ President Ronald Reagan not only refused to condemn Montt's reign of terror, but instead he visited Guatemala City at the end of 1983 and said that Montt was "totally dedicated to democracy in Guatemala."⁴²⁸

In 1986, Vinicio Cerezo, a civilian candidate from the Christian Democracy Party, was elected president, marking a transition towards democracy. Despite this, political violence and military influence persisted. Peace Accords were finally signed in 1996 under President Álvaro Arzú, formally ending the Civil War. The post-war period saw a series of unstable coalitions among various political parties. Despite formal democracy, corruption remained rife, and social inequality persisted. Indigenous groups, particularly the Maya, mobilized to demand recognition and rights, becoming a significant political force.

The 21st century has shaped up to be one of relative political stability, but growing social and economic inequality, exacerbated by growing *maras*.⁴²⁹ The country's human

⁴²⁶ Schirmer. (1998). The Guatemalan military project a violence called democracy. University of Pennsylvania Press.

⁴²⁷ Ibid. pp 92-94.

⁴²⁸ Sanford, V. (2004). Buried secrets: Truth and human rights in Guatemala. New York: Palgrave Macmillan. Pp 169-171.

⁴²⁹ Spanish for Gangs. The issue of gangs and their emergence in Latin America is explored at the end of the chapter.

development indicators remained among the lowest in the region.⁴³⁰ Guatemala became a significant transit point for narcotics, particularly under the Pérez Molina administration. State corruption and the inability of security forces to combat crime led to an atmosphere of lawlessness and insecurity. This environment, combined with poor socio-economic conditions, contributed to a significant rise in outward migration, particularly to the United States. Many Guatemalans sought to escape poverty, violence, and a lack of opportunities. Among these migrants were unaccompanied children, a trend that gained international attention during the Unaccompanied Alien Children (UAC) crisis of 2014/15.

A Brief History of El Salvador

El Salvador's complex political history began with the Spanish colonization in 1524, led by Pedro de Alvarado. The indigenous Pipil and Lenca populations resisted Spanish conquest and conversion to Christianity, resulting in armed conflicts and rebellions. The Spanish, however, gradually gained control, implementing the 'encomienda' system.⁴³¹ This socio-economic arrangement effectively subjugated indigenous groups and initiated an enduring pattern of political domination and resistance in Salvadoran history. The Spanish colonial administration, guided by a mercantilist ideology, pursued policies aimed at extracting wealth from the region. A mixed economy developed, combining encomienda-forced indigenous labor in agriculture, cattle ranching, and limited mining with trade. Spanish colonists established a local governing council or 'cabildo' that, though subordinate to the Viceroyalty of New Spain, provided a modicum of self-governance.⁴³²

The geography of El Salvador plays an important role in its relationship between land barons, controlled by only a handful of families, and the peasant class. Of all the Central American countries, El Salvador is the smallest and most densely populated. El

⁴³⁰ Human Development or HDI is “a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and having a decent standard of living. The HDI is the geometric mean of normalized indices for each of the three dimensions.” Human Development Reports. Human Development Index. Accessed at <https://hdr.undp.org/data-center/human-development-index#/indicies/HDI>

⁴³¹ a grant by the Spanish Crown to a colonist in America conferring the right to demand tribute and forced labor from the Indian inhabitants of an area.

⁴³² Restall. (2003). *Seven myths of the Spanish conquest*. Oxford University Press; Díaz del Castillo, & Carrasco, D. (2008). *The history of the conquest of New Spain*. University of New Mexico Press.

Salvador borders Honduras to the east and Guatemala to the north. The geography also meant that the two main crops to flourish in El Salvador are coffee and sugar. Unlike Honduras and Guatemala, which had massive foreign investors controlling much of the political and economic situation, El Salvador was relatively speaking more insulated from outside influence and control.⁴³³

However, such isolation perhaps only exacerbated the division between landowners and the peasants, which is dramatic throughout the history of El Salvador. The Spanish colonial administration, guided by a mercantilist ideology, pursued policies aimed at extracting wealth from the region. A mixed economy developed, combining forced indigenous labor in agriculture, cattle ranching, and limited mining with trade. Spanish colonists established a local governing council or 'cabildo' that, though subordinate to the Viceroyalty of New Spain, provided a modicum of self-governance.⁴³⁴

El Salvador declared independence from Spain in 1821 but was soon incorporated into the Mexican Empire under Agustín de Iturbide. However, Iturbide's regime was short-lived, and El Salvador, alongside other Central American provinces, formed the United Provinces of Central America (UPCA) in 1823. This period saw the emergence of two dominant political factions - the conservative 'clericals', who supported a centralized federation and the maintenance of church privileges, and the liberal 'progressives', who favored a federal system with enhanced autonomy for individual states. Both factions included powerful local elites, a trend that would echo through Salvadoran political history.⁴³⁵

Following the dissolution of the UPCA in 1839, El Salvador experienced a series of political shifts, coups, and civil wars as conservative and liberal factions struggled for control. The nation's economy evolved under these ruling coalitions, from a traditional, largely subsistence agrarian economy to a coffee-based export economy by the mid-19th century. This shift was driven by the liberal elites who, upon consolidating power, pursued aggressive policies to promote coffee production. The laws of the late 1840s and

⁴³³ Mahoney. (2010). *Colonialism and postcolonial development: Spanish America in comparative perspective*. Cambridge University Press.

⁴³⁴ Tilley. (2005). *Seeing Indians: a study of race, nation, and power in El Salvador*. University of New Mexico Press.

⁴³⁵ *Ibid.* see also Mahoney. (2010). *Colonialism and postcolonial development: Spanish America in comparative perspective*. Cambridge University Press.

1850s led to the dispossession of communal lands, which were sold or given to those capable of establishing coffee plantations. This period saw the formation of a coffee oligarchy, marking a crucial stage in El Salvador's political development, as a new powerful class with vested interests emerged.⁴³⁶

In 1871, a liberal revolution resulted in a complete political restructuring. The liberal government undertook significant reforms such as the secularization of education, disestablishment of the Catholic Church, and the introduction of civil marriage and divorce. These reforms met resistance from conservative sectors, who saw them as an encroachment on traditional privileges. Despite such opposition, the liberals maintained control, and under the presidencies of Santiago González (1871–1876) and Rafael Zaldívar (1876–1885), El Salvador developed infrastructure and public services, established diplomatic ties with European countries, and modernized its military. This period further strengthened the dominance of the coffee oligarchy, which solidified its political and economic influence.⁴³⁷

Nevertheless, the liberal era was not without contestation. The unequal distribution of wealth and resources created social tensions. The Indigenous communities, adversely impacted by the coffee economy's expansion and land expropriation, resisted through various forms. When peasants and indigenous people tried to organize and gain rights or land, they were met with violence and oppression, with the most violent example being known as “the massacre” that left thousands murdered and exiled for having affiliation with communism. Indeed, the expansion of coffee production over the last 100 years has displaced and rendered landless hundreds of thousands of people in El Salvador.⁴³⁸ The feudal style rule of oligarchs persisted throughout the 19th century and only morphed into a more explicit military dictatorship in the early 20th century funded by the conglomerate of oligarchical families known as “Catorce familias” or the fourteen families.⁴³⁹

⁴³⁶ Tilley. (2005). *Seeing Indians: a study of race, nation, and power in El Salvador*. University of New Mexico Press.

⁴³⁷ Paige. (1997). *Coffee and power: revolution and the rise of democracy in Central America*. Harvard University Press.

⁴³⁸ Lindo-Fuentes. (1990). *Weak Foundations: The Economy of El Salvador in the Nineteenth Century 1821–1898*. Berkeley: University of California Press.

⁴³⁹ Chomsky, A. (2021). *Central America's forgotten history: Revolution, violence, and the roots of migration*. Boston, Massachusetts: Beacon Press. pp 124-125.

Arturo Araujo, a wealthy coffee grower and engineer, was elected as President of El Salvador in January 1931, representing the Labor Party, which was largely seen as a moderate alternative to the dominant political factions of the era. Araujo's presidency was marked by economic hardship due to the collapse of coffee prices following the Great Depression. His administration tried to implement a series of reforms, such as labor protections and attempts to diversify the economy. However, these policies were resisted by both the traditional oligarchy, who saw their interests threatened, and radical leftist groups, who viewed the measures as insufficient.⁴⁴⁰

Araujo's presidency came to an end in December 1931, just 11 months after taking office, when he was ousted in a military coup led by young officers. The coup was largely bloodless and marked the beginning of a protracted period of military rule in El Salvador. General Maximiliano Hernández Martínez, who had served as Vice President under Araujo, assumed power and established a dictatorial regime, confirmed by the pageantry of democratic institutions, that lasted until 1944.⁴⁴¹ Examples of Martínez's brutality include suppressing the 1932 peasant uprising led by indigenous leader Feliciano Ama, a massacre known as "La Matanza," which resulted in the death of tens of thousands of indigenous people and the suppression of indigenous culture. The military governments that ruled in the subsequent decades were marked by repression, economic inequality, and the suppression of workers' rights. Despite socio-political tension, the ruling coalition consisted of the military, the coffee oligarchy, and a growing urban bourgeoisie that prospered through industrialization and import-substitution policies.⁴⁴²

In 1979, social and political discontent ignited a civil war between the military-led government and a coalition of guerilla groups united under the Farabundo Martí National Liberation Front (FMLN). The roots of the conflict were intertwined with social and economic inequalities, particularly the concentrated ownership of land, as well as political repression that had characterized El Salvador for decades. Most of the population, mainly the poor rural peasantry and the urban working class, were

⁴⁴⁰ Ibid pp 126-129.

⁴⁴¹ Williams, & Walter, K. (1997). Militarization and demilitarization in El Salvador's transition to democracy. University of Pittsburgh Press

⁴⁴² Ibid.

marginalized from political power, which remained in the hands of a wealthy oligarchy and the military.⁴⁴³

The war officially began in 1980 when several leftist and progressive groups merged to form the FMLN. They sought to overthrow the military-led government and install a socialist regime. On the other side was the government, dominated by the military and supported by economic elites. The government received significant military and economic aid from the United States, which viewed the conflict through the lens of the Cold War and feared the spread of communism in Central America.

The war was marked by intense violence and gross human rights violations on both sides. The government forces carried out systematic campaigns of repression, including forced disappearances, torture, and extrajudicial killings. Some of the most infamous events include the El Mozote massacre in 1981, in which about 800 civilians were killed by the Atlacatl Battalion, a U.S.-trained counterinsurgency force.⁴⁴⁴ The FMLN also carried out kidnappings, bombings, and targeted assassinations. However, the United Nations Truth Commission report on El Salvador concluded that the state and paramilitary groups were responsible for 85% of the human rights abuses during the war.⁴⁴⁵

International pressure, particularly from the United Nations, coupled with the exhaustion of both sides, led to the signing of the Chapultepec Peace Accords in Mexico City in 1992. The accords provided for a range of political, economic, and social reforms, including the demilitarization of the FMLN, reductions in the size of the military, human rights guarantee, and land reform. The FMLN transitioned into a political party, ending the long-standing rule of the Nationalist Republican Alliance (ARENA), a right-wing party founded in 1981 and strongly linked to the military and business elites.⁴⁴⁶

However, the post-war period was marked by significant challenges, including crime, corruption, and persistent economic inequality. In 2014 and 2015, there was a

⁴⁴³ Viterna. (2013). *Women in war: the micro-processes of mobilization in El Salvador*. Oxford University Press.

⁴⁴⁴ Danner, M. (1994). *The Massacre at El Mozote: A Parable of the Cold War*. Vintage.

⁴⁴⁵ United States Institute of Peace. (1993). *From Madness to Hope: the 12-year war in El Salvador: Report of the Commission on the Truth for El Salvador*. Last Accessed 8/1/2023. <https://www.usip.org/sites/default/files/file/ElSalvador-Report.pdf>

⁴⁴⁶ Williams, P. J. (2017). *Militarization and Demilitarization in El Salvador's Transition to Democracy*. University of Pittsburgh Press.

surge in the number of unaccompanied alien children (UAC) from El Salvador. They were often fleeing gang violence, including forced recruitment, and extreme poverty. The creation and effects of these gangs, such as Mara Salvatrucha (MS-13) and Barrio 18, which formed initially in the United States by Salvadoran immigrants, is historicized further below as part of the deeper history of the border-industrial complex and ‘chaotic deportation regime’ that characterizes the 21st century.⁴⁴⁷

A Brief History of Honduras

The history of Honduras as a political entity began with the arrival of Spanish conqueror Hernán Cortés in 1524. The native population, comprising various indigenous groups including the Maya and Lenca, resisted fiercely but was ultimately defeated and subdued by the Spanish forces. The Spanish introduced the *encomienda* system, a form of feudalism under which indigenous populations were effectively enslaved to work in gold and silver mines and on agricultural plantations. The Catholic Church also gained influence, working alongside colonial authorities to convert indigenous populations to Christianity. Over time, the decline of indigenous populations and the lack of precious metals resulted in the Spanish Crown paying less attention to the region. As a result, Honduras became a backwater of the Spanish Empire, contributing to a relative lack of political and economic development.⁴⁴⁸

Honduras gained independence from Spain in 1821 and initially joined the Mexican Empire, followed by the Federal Republic of Central America in 1823. The federation was a politically turbulent experiment and fell apart in 1838, after which Honduras became an independent sovereign state. The early years of Honduran independence were marked by political instability, with frequent changes in government and numerous conflicts with neighboring states. Two main political factions, Liberals and Conservatives, emerged, often clashing over issues such as the role of the Catholic Church, trade, and foreign policy.⁴⁴⁹

⁴⁴⁷ Hiemstra. (2019). *Detain and deport: the chaotic U.S. immigration enforcement regime*. The University of Georgia Press.

⁴⁴⁸ Mahoney. (2010). *Colonialism and postcolonial development: Spanish America in comparative perspective*. Cambridge University Press.

⁴⁴⁹ Langley, & Schoonover, T. D. (1995). *The banana men: American mercenaries and entrepreneurs in Central America, 1880-1930*. University Press of Kentucky; Acker. (1988). *Honduras: the making of a banana republic*. South End Press.

The late 19th century was characterized by the rise of the Liberal Party, which sought to modernize Honduras through economic reforms, including encouraging foreign investment. For example, by 1880 the first major US corporation to exercise influence over Honduran affairs was the New York and Honduras Rosario Mining company. Then Honduran President Marco Aurelio Soto enticed such developments with tax-free arrangements. Soon after most of Honduras land, water, and mineral deposits were controlled by foreign investment and development operations.⁴⁵⁰

By the 1920s these industrial interlopers, not least of all the United Fruit Company, had organized the once sparsely populated and abundant countryside of Honduras into plantations, strategic railways, ports, and in doing so captured not only most of the labor native to Honduras but relied on tens of thousands more “pulled” from neighboring El Salvador, and other Caribbean islands, to meet the growing demands of business.⁴⁵¹ As such, Honduras looked less like its neighbors in terms of domestic political and social control between a strong alliance of military forces, land barons, and government as seen in places like Mexico, Guatemala, or El Salvador. Instead, Honduras became known as a ‘banana republic’—a disparaging term for countries organized and controlled almost entirely for the purposes of exploiting and exporting natural resources—because of collaborating effort between US corporate investments and US military interventionism.⁴⁵²

The ostensible stability of Honduras faltered as the ramifications of the great depression swept the hemisphere, greatly diminishing exports and production. It was in this context that the first dictator of many would control Honduras throughout the 20th century. Tiburcio Carías Andino won the 1932 election by slim margins and would go on to rule for seventeen years, modifying the constitution to do so. During his tenure, Andino worked closely with US interests in modernizing the military, outlawing the emerging communist party, cracking down on labor activists, and had close relations with neighboring President Ubico. However, unrest brewed in Honduras as oppositional parties and factions decried corruption. Facing both domestic and international pressures

⁴⁵⁰ Lapper, & Painter, J. (1985). Honduras, state for sale. Latin America Bureau.

⁴⁵¹ Euraque, D. (1996). Reinterpreting the Banana Republic: Region and state in Honduras, 1870-1972. Chapel Hill: University of North Carolina Press.

⁴⁵² Ibid.

Andino relinquished formal power by hand picking his successor and former defense minister Juan Manuel Gálvez to run virtually unopposed in the 1948 election.⁴⁵³

By the 1950s and in the wake of World War II, Galvez continued and expanded policies of development and exporting goods. For example, the International Monetary Fund (IMF) set up a central bank and restricted the tax system while the United States created and formalized government bureaucracies to better coordinate control in Honduras. Infrastructure projects like the US sponsored highway system that connected not only Honduras, but many regions of Central America, to the Panama Canal—a significant component of US economic and military operations—exemplified the hegemony of US interests. However, labor organizers and democratic activists also continued mobilization efforts, culminating in a seventy-day strike of over 50,000 workers in 1954. This movement reached critical mass in 1955 when newly self-appointed chief of state, and former minister of finance to President Andino, Julio Diaz was ousted in a military coup led by liberal party aligned reformers and named liberal reformer Ramón Villeda Morales as the winner of the 1955 election.⁴⁵⁴

This period of reform was short lived. As the 1963 elections approached, conservative military members executed a coup against President Morales which put in power military General Oswaldo Lopez Arellano. Between 1963 and 1982 Honduras was ruled almost entirely by military figures and most spending went toward modernizing military and state capacities to not only control domestic politics but assert regional authority as well. These developments inflamed tensions between Honduras and El Salvador, which by this time had several disputes over land and borders, even resulting in a bloody four-day war between the two nations known as the “soccer war” because of fights breaking out during a national soccer game in 1969 between the two nations. However, the deeper context of this brief war is that the economic and social situation of El Salvador was rapidly deteriorating and an estimated 200,000 El Salvadorans crossed illegally into Honduras in years prior, which in turn fueled a kind of anti-immigration job

⁴⁵³ Portillo Villeda, S. (2021). *Roots of resistance: A story of gender, race, and labor on the North Coast of Honduras* (First ed.). Austin: University of Texas Press.

⁴⁵⁴ *Ibid.*

stealing rhetoric and deportation program not unlike in the US with regards to Mexican laborers or Chinese laborers in decades prior.

In 1982, For the first time since the great depression, the people of Honduras democratically elected Liberal Party candidate Roberto Suazo Córdova as a non-military leader for president. While his agenda did include some progressive measures such as land reforms, Córdova’s administration became even more entangled with US military interests.⁴⁵⁵ As it was during this period that civil wars broke out in Guatemala, Nicaragua, and El Salvador and the United States needed to not only ensure Honduras did not succumb to a similar outcome of ostensibly communist revolution but to have a staging ground for counterintelligence and containment strategies in these countries now seemingly out of US control. A research report by the Library of Congress estimates military aid to Honduras during the 1980s at nearly 2 billion dollars.⁴⁵⁶

In fact, Honduras had become so central to the US strategy of combating communism that scholars and pundits alike referred to Honduras as the USS Honduras, a nod to the sheer scale of involvement the US military had taken on.⁴⁵⁷ All of this of course came to a head with the “Iran-Contra Affair” which involved the Reagan administration circumventing the Democratically controlled congress seeking to restrain intervention in the region. Reagan likened the anti-Communist Contra fighters to the moral equivalent of the American founding fathers and therefore instructed his administration to find ways to support the Contra faction in any way possible even after the Boland Amendment of 1982 passed specifically meant to limit CIA and Department of Defense involvement in foreign countries.⁴⁵⁸

Despite US funded and trained death squads to terrorize and disappear dissenters within Honduras, social mobilization swelled to contest the Contra support and increased

⁴⁵⁵ Shepherd, P. (1984). The Tragic Course and Consequences of U.S. Policy in Honduras. *World Policy Journal*, 2(1), 109-154.

⁴⁵⁶ Merrill. (1993). Honduras: A Country Study. Federal Research Division, U.S. Library Of Congress, December 1993. Available At: <https://www.loc.gov/item/94043036>. Accessed: January 17, 2020.

⁴⁵⁷ Shepherd, P. (1984). The Tragic Course and Consequences of U.S. Policy in Honduras. *World Policy Journal*, 2(1), 109-154.

⁴⁵⁸ Boyd. (1985). Reagan Terms Nicaraguan Rebels 'Moral Equal' of Founding Fathers. *The New York Times*. Accessed at <https://www.nytimes.com/1985/03/02/world/reagan-terms-nicaraguan-rebels-moral-equal-of-founding-fathers.html>

US military presence in Honduras.⁴⁵⁹ By the time of revelations about the Iran-Contra scandal in 1986, the congress of Honduras stopped renewing arrangements with US military and by 1989 liberal reformers gained control of the government. However, with the apparent success of the “Reagan Doctrine” in combatting communism, exemplified by the breach of the Berlin Wall, Honduras became less important in the geopolitical struggle between US and Soviet power. Foreign aid dropped from hundreds of millions a year to just barely \$500,000 in 1994. Observers then and now question how such large amounts of aid seemed to have produced so little long-term stability. The most reasonable arguments are that on one hand most money was directed toward military training and equipment, which is of little practical use to most of the country, and that on the other hand government became reliant on US aid rather than develop effective social and economic programs to become self-sustaining.⁴⁶⁰

The already struggling conditions were exacerbated in 1998 when the most devastating hurricane ever recorded decimated Honduras. Hurricane Mitch left in its wake thousands dead and over a million homeless and displaced. An already impoverished country, Honduras slipped further into disrepair. Research shows how immediately in the aftermath hundreds of thousands of Hondurans attempted to flee north, many of them bound for the US expecting to seek refuge and reconnect with family already in places like Los Angeles and Miami. However, like writing on the wall for future events subject of the next chapter, many of these people, especially young men suspected of any criminal activity were refused or returned.⁴⁶¹

Despite being saddled with unforgiving and unpayable debts caused by the hurricane disaster, Honduran politics managed to continue peaceful transfers of power for another two election cycles until then President Manuel Zelaya faced sudden removal from office in 2009 because of his attempts to hold a popular referendum on allowing him to run for a second term of office. Curiously, the current president, Juan Orlando

⁴⁵⁹ Emmons. (2016). Death Squads Are Back in Honduras, Honduran Activists Tell Congress. The Intercept. Accessed at <https://theintercept.com/2016/04/12/death-squads-are-back-in-honduras-honduran-activists-tell-congress/>

⁴⁶⁰ America Shadowed by Death Squads. (1988, January 22). The New York Times. <https://www.nytimes.com/1988/01/22/opinion/america-shadowed-by-death-squads.html>

⁴⁶¹ Alaniz. (2017). From Strangers to Neighbors: Post-Disaster Resettlement and Community Building in Honduras. University of Texas Press. <https://doi.org/10.7560/313831>

Hernandez, managed to convince the courts that he was eligible for a second term and has been president since 2013 despite widespread accusations of fraud and narco-trafficking.⁴⁶² Transnational gangs that operate throughout central America, but particularly in the northern triangle, such as Mara Salvatrucha (MS-13) and the Eighteenth Street Gang (M-18), are in some sense a consequence of decades of instability and also a cause of continued instability and increased outward migration, particularly among women and children who face the brunt of the violence with impunity.⁴⁶³

Deportation Machine: The Origins of Transnational Gangs

The 'Maras' are street gangs that originated in the United States and spread to Central America during the 1980s and 1990s via what political scientists Adam Goodman has called “the deportation machine.”⁴⁶⁴ Mara Salvatrucha (MS-13) is one of the most notorious street gangs in the Americas, with their origins traced back to the streets of Los Angeles in the 1980s. Barrio-18 originated in Los Angeles, California, in the 1960s. It started as a Mexican American gang but soon became one of the first multiracial, multi-ethnic street gangs in the city, which came to include El Salvadorans.⁴⁶⁵ This distinctive feature set it apart from other gangs that typically formed along strict ethnic or racial lines. In both cases, however, their emergence and growth are linked to a complex set of factors, not least of all the ways in which society is stratified along race, sex, and location, leading to the reproduce conditions that compel “irregular” or “crisis” migration.⁴⁶⁶

Gangs in Los Angeles began forming in the early 20th century, primarily in response to racial segregation policies that led to the formation of ethnic enclaves. Post World War II, African American gangs began to form, including the Crips and the

⁴⁶² Anderson. (2021). Is the President of Honduras a Narco Trafficker? The New Yorker. Accessed at <https://www.newyorker.com/magazine/2021/11/15/is-the-president-of-honduras-a-narco-trafficker>

⁴⁶³ UNICEF. (2022). A Statistical Profile of Violence against Children in Latin America and the Caribbean. United Nations Children’s Fund. Last accessed 8/3/2023. <https://data.unicef.org/resources/a-statistical-profile-of-violence-against-children-in-latin-america-and-the-caribbean/>

⁴⁶⁴ Goodman. (2020). The Deportation Machine: America’s Long History of Expelling Immigrants. Princeton University Press

⁴⁶⁵ Wheeler. (2020). State of war: MS-13 and El Salvador’s world of violence. Columbia Global Reports.

⁴⁶⁶ Goodman. (2020). The deportation machine: America’s long history of expelling immigrants. Princeton University Press; Kanström. (2007). Deportation nation: outsiders in American history. Harvard University Press.

Bloods, initially as self-defense groups against white violence in a deeply segregated society. Given the well-documented anti-Blackness in housing, social services, policing, and so on, Black neighborhoods faced conditions that literally shaped by violence.⁴⁶⁷ Shifting demographics influenced by immigration across the US-Mexico border, and across the country during ‘the Great Migration’ of African Americans from the South, quickly transformed the ethnic composition of LA neighborhoods, and the kinds of gangs that would form.⁴⁶⁸

In the 1980s, a significant number of Salvadorans fled to the United States, particularly to Los Angeles, to escape the civil war in El Salvador. In Los Angeles, Salvadoran immigrants found themselves in a context marked by socio-economic marginalization and high levels of gang-related violence. MS-13 emerged on one hand as a protection measure and to form a counterweight against existing predominantly African American and Mexican American street gangs, but also to get resources in whatever way they could.⁴⁶⁹ MS-13 and M-18 recruit heavily from marginalized and impoverished communities, often targeting school-age youths, offering them a sense of belonging, protection, and economic opportunity.⁴⁷⁰ In the words of a former MS-13 member, “they went into a neighborhood, Pico-Union Korea town in Los Angeles, where there was already violence, gangs, drugs, and not a whole lot of opportunity for youth to survive all this going on...”⁴⁷¹

The exact number of MS-13 and M-18 members deported from the U.S. to Central American countries from the 1980s to the 2000s is difficult to pin down. Deportation data typically does not distinguish between gang affiliations. Moreover, some members may have been deported multiple times. However, U.S. Immigration and Customs Enforcement (ICE) data indicates that total deportations of ‘criminal aliens’ to Central America increased dramatically after the 1996 Illegal Immigration Reform and

⁴⁶⁷ Alexander, M. (2010). *The new Jim Crow: Mass incarceration in the age of colorblindness*. New York: New Press; Hinton. (2016). *From the war on poverty to the war on crime: the making of mass incarceration in America*. Harvard University Press.

⁴⁶⁸ Zilberg. (2011). *Space of detention: the making of a transnational gang crisis between Los Angeles and San Salvador*. Duke University Press

⁴⁶⁹ Ibid.

⁴⁷⁰ Zilberg. (2011). *Space of detention: the making of a transnational gang crisis between Los Angeles and San Salvador*. Duke University Press

⁴⁷¹ Vlad Tv. Former MS-13 Gang Member Gerardo Lopez Explains How MS-13 Started in Los Angeles. [Video] YouTube. Accessed at <https://www.youtube.com/watch?v=Xnz1at62VzY>

Immigrant Responsibility Act, a bi-partisan bill signed by President Clinton. By the early 2000s, the U.S. was deporting tens of thousands of ‘criminal aliens’ to Central America annually—with President Obama earning the title “deporter-in-chief.” The Obama administration's approach to immigration and deportation was often described as a “tough but fair” and focus on “felons not family.”⁴⁷² However, many immigrant advocates and critics argued that the policies went too far, leading to the deportation of individuals who had committed minor offenses or had strong family ties in the United States.⁴⁷³

In defending the policies, President Obama and his representatives often pointed to the need to enforce existing immigration laws while working to create a path to legal status for those who met certain criteria. They emphasized that the focus was on deporting “felons, not families,” and argued that the administration was working within the constraints of the laws passed by Congress. Furthermore, the Obama administration noted that the increase in deportations was partially the result of changes in how deportations were counted, with more emphasis on returns at or near the border—what Goodman documents as “voluntary departures.”⁴⁷⁴ This change, much like the more recent Title 42 expulsions in response to the Covid-19 pandemic during Trump’s presidency, creates inflated numbers of encounters and returns when compared with previous administrations.⁴⁷⁵

In any case, Obama’s targeting of “felons” included members of various gangs, anecdotal evidence and case studies suggest that a significant number of these deportees were affiliated with MS-13 and M-18.⁴⁷⁶ These deportations played a major role in *transnationalizing* these gangs, creating linkages from Los Angeles to Central America in

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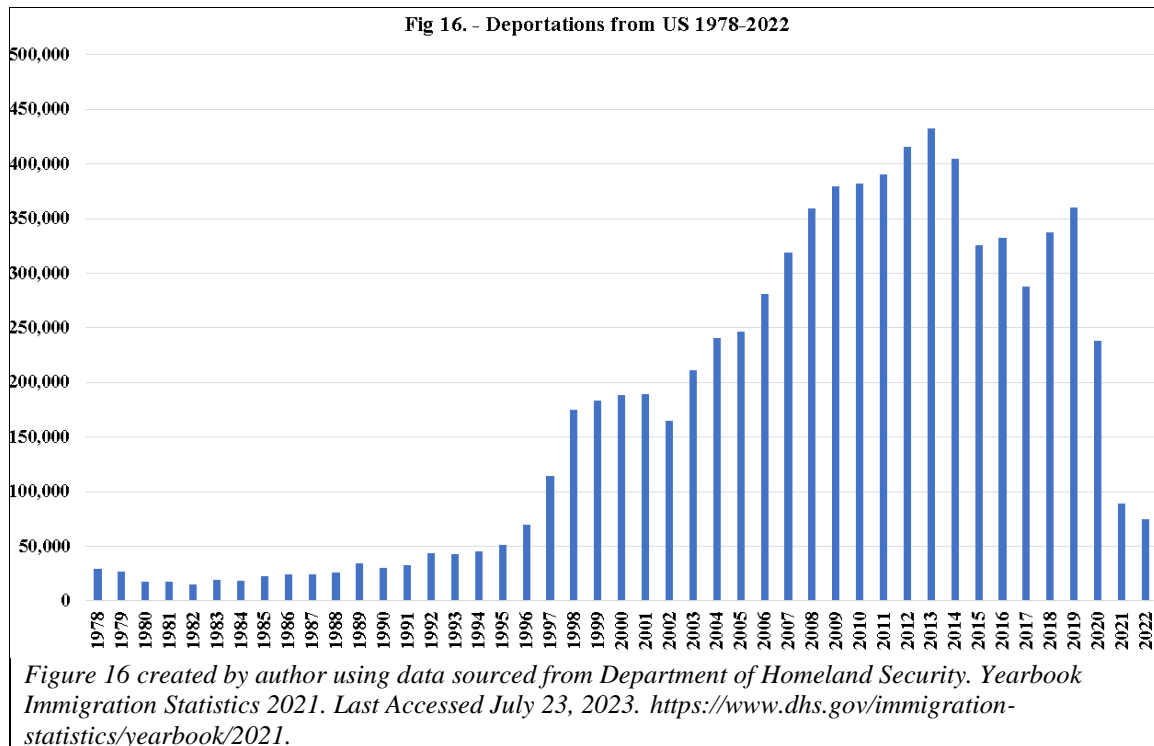
⁴⁷³ Min Kim, S. and Epstein, R. (2014). Obama Under Siege Over Deportations. Politico. Last accessed July 20, 2023. <https://www.politico.com/story/2014/03/barack-obama-deportations-immigration-104388>

⁴⁷⁴ Goodman. (2020). The Deportation Machine: America’s Long History of Expelling Immigrants. Princeton University Press

⁴⁷⁵ Owen, Q. (2022). Title 42 actually contributes to increased migration numbers, data suggests. ABC News. Last Accessed August 1, 2023. <https://abcnews.go.com/Politics/title-42-contributes-increased-migration-numbers-data-suggests/story?id=95616742>

⁴⁷⁶ Zilberg. (2011). Space of detention: the making of a transnational gang crisis between Los Angeles and San Salvador. Duke University Press.

what Nancy Hiemstra describes a massive system in which “chaos is spatialized and temporalized.”⁴⁷⁷



The mass deportation of immigrants, particularly those affiliated with gangs and of Central American origin further destabilized already fraught social, political, and economic conditions. Their territorial disputes continue in these countries, often rivaling state sanctioned authority. In response, each of the countries discussed in this chapter introduced “mano dura” (iron fist) policies meant to crackdown on gang activities and extend prison sentencing. The most extreme version of this has taken shape in the “Plan to Secure El Salvador” where President Nayib Bukele’s “war” on crime involves building “mega prisons” to accommodate more than 40,000 suspected gang members. However, many people, including citizens of El Salvador and organizations like Human Rights Watch have said Bukele’s declaration of emergency has gone too far.⁴⁷⁸ Proponents point to the planned investment in education, social programs, and economic opportunities in at-risk communities, alongside more traditional policing measures. A similar plan was

⁴⁷⁷ Hiemstra. (2019). *Detain And Deport: The Chaotic U.S. Immigration Enforcement Regime*. The University of Georgia Press;

⁴⁷⁸ Agren. (2022). El Salvador plans 40,000-inmate mega-prison in “war against gangs.” FT.com.

initiated by Guatemala in 2017 called the “holistic approach.” However, it will take years, decades of sustained investments in these areas to yield results.

However, is not merely the deportation regime that is to blame for the destabilization of Central America. Billions of dollars’ worth of drugs flow north from the jungle operations of cartels, while billions of dollars’ worth of guns and ammunition flow south into the hands of the very people deported and vilified by the US. Referred to as the “iron river” by analysts, its estimated more than half of “crime guns” recovered and traced in Central America are sourced from the United States, per the Alcohol Tobacco and Firearms Agency (ATF), “this level nears 70% for Mexico and is around 80% across the Caribbean.”⁴⁷⁹ These guns of course are what enables the gangs and cartels to rival local police forces, or overwhelm entirely, extort families, and murder those who get in the way. In other words, US gun and ammunition industries profit off of the carnage that ensues below the border, and then also profit on arming our own law enforcement to police the people fleeing the problems that are very much the doing of US actions.

Conclusion

This chapter laid out the colonial origins of the “northern triangle” at a general level vis-à-vis patterns of colonization and policies such as the Monroe doctrine. It then laid out the specific histories of Guatemala, El Salvador, and Honduras, highlighting key social, political, and economic dynamics that historicize much of the push and pull factors in contemporary immigration debates. When compared in this way, a clear pattern emerges that involves (1) neo-colonial extraction of resources such as coffee and sugar, (2) US backed coups against democratic and class structure reformers that would disrupt said extraction policies, and then (3) deport the survivors and refugees of the wars that said coups induce back to central America after years, decades, of being acclimated and conditioned to survive the gang culture in Los Angeles, which in turn (4) set the stage for mass emigration in the 21st century back to the US, given the instability caused by 1, 2, and 3. The issue now has coalesced into a vicious cycling between 3 and 4.

⁴⁷⁹ Slomanson. (2023). Iron River Case: Blueprint for Gun Trafficking Analytics. *Suffolk University Law Review*, 56(1), 1–.

CHAPTER VI

THE UAC CRISIS

Introduction

This chapter picks up where chapter three concludes, approximately in the middle part of Obama’s presidency and the “surge” of UAC in 2014. This chapter unfolds in three parts. Fold one, the *exodus* from domestic situations in El Salvador, Honduras, and Guatemala that set the tone for the conditions in which the migrants are fleeing. The second fold concerns the *praxis* of crisis management which centers state and non-state actors involved in the logistics of implementing policies, including two selected sites of detention that serve as useful representations of where and how these people were processed. Third-fold considerations are focused on the varying *reception* in terms of problem framing and in terms of resettlement, incarceration, or deportation.

Fold One: Exodus

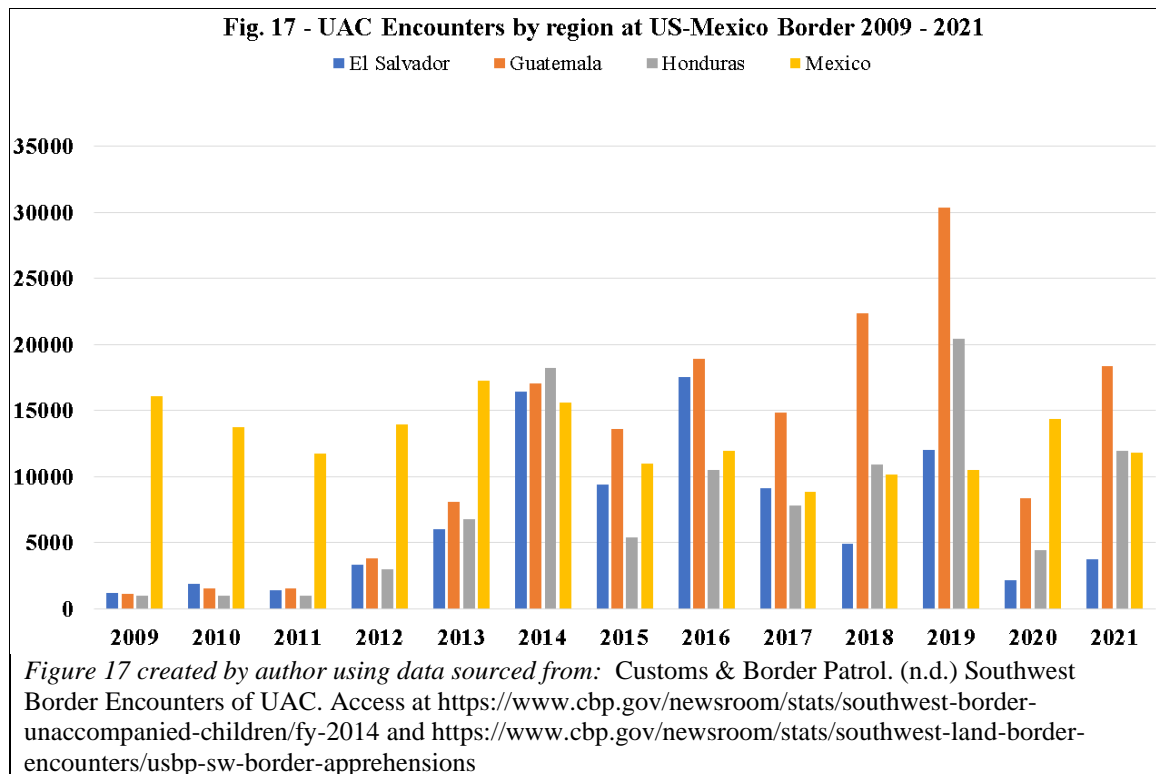
The quantity of unaccompanied alien children (also referred to as unaccompanied children or UAC) caught at the Southwest border between official U.S. entry points while trying to enter the country has seen a significant rise over the past decade. In the fiscal year 2011, the number of UAC apprehensions was 16,067, which soared to a then-record 68,541 by 2014. The numbers have since varied considerably, peaking at 76,020 in 2019, before dropping to 30,557 in 2020 due to the COVID-19 pandemic (see figure 1). However, in just the first 10 months of the fiscal year 2021, UAC apprehensions hit an unprecedented high of 112,192.⁴⁸⁰

It is difficult to know just how many children have crossed the US-Mexico border, but a recent report suggests the number is probably 1,000 per month on average.⁴⁸¹ It wasn’t until the total reorganization of government agencies--into the Department of Homeland Security--after 9/11 that more accounting measures have been taken. Approximately 85% of minors apprehended and placed with the Office of Refugee Resettlement (ORR) are from Honduras, Guatemala, and El Salvador (aka the Northern

⁴⁸⁰ Congressional Research Service. Unaccompanied Alien Children: An Overview. Last Retrieved September 2, 2021. Access at <https://crsreports.congress.gov/product/pdf/R/R43599/25>

⁴⁸¹ TRAC. (2022). Growing Numbers of Children Try to Enter the US. Last Accessed 8/10/2023. <https://trac.syr.edu/immigration/reports/687/>

Triangle). This is because children from Mexico and Canada, as contiguous countries, are subject to a different set of procedures regarding repatriation as part of the Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA). The TVPRA mandates a distinct approach for Mexican and Canadian UAC, who can be voluntarily returned, unlike children from all other nations who are accommodated in the United States and placed into official deportation proceedings, from detention to immigration courts. This shift in composition based on the country of origin has had implications on federal expenditure and the federal agencies tasked with managing unaccompanied children.⁴⁸² Figure 12 is a composite graph made that uses government sources to plot the approximate UAC apprehensions since 2009.⁴⁸³



⁴⁸² Ibid, p 4.

⁴⁸³ Figure 12 source: Customs & Border Patrol. (n.d.) Southwest Border Encounters of UAC. Access at <https://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children/fy-2014> and <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters/usbp-sw-border-apprehensions>

EL SALVADOR

By the time tens of thousands of people were fleeing El Salvador, again, in 2014, the small central American state was embroiled in a mess of social, political, and economic strife. El Salvador was divided along partisan lines with two main political parties, the left-wing FMLN and the right-wing Nationalist Republican Alliance (ARENA). The FMLN's candidate Salvador Sanchez Ceren narrowly won the presidential election in 2014, underscoring the country's political divisions. The government struggled with issues of corruption and institutional weakness, further complicating other dynamics of the social and economic conditions.⁴⁸⁴

Economically, El Salvador faced high levels of poverty and inequality, as well as low levels of economic growth. A significant portion of the country's economy was based on remittances from Salvadorans living abroad, primarily in the United States.⁴⁸⁵ Many Salvadorans struggled with lack of access to decent work opportunities, which contributed to social unrest and migration. The social unrest manifests as some of the highest crime rates in the world, primarily due to the activities of powerful gangs like MS-13 and Barrio 18. These gangs had a significant influence on Salvadoran society, from daily life to migration trends, as many Salvadorans fled the country due to the violence and instability caused by gang activity. The impact of this crime was most keenly felt by the youth and the poor, who were frequently targeted for recruitment or victimized by gang violence.⁴⁸⁶

Beyond the political problems El Salvador faces, it's one of the most environmentally precarious places in the hemisphere. According to the USAID site, nearly 400 million dollars have been invested in El Salvador over the last 30 years specifically to “rehabilitate and rebuild key infrastructure damaged by natural

⁴⁸⁴ Negoponte. (2014). Concerns for Democratic Institutions in El Salvador After FMLN First Round Win. Brookings Institute. Accessed September 1, 2021. Retrieved at <https://www.brookings.edu/articles/concerns-for-democratic-institutions-in-el-salvador-after-fmln-first-round-win/>

⁴⁸⁵ Desilver. (2018). Remittances from abroad are major economic assets for some developing countries. Pew Research Center. Retrieved September 1, 2022. Access at <https://www.pewresearch.org/short-reads/2018/01/29/remittances-from-abroad-are-major-economic-assets-for-some-developing-countries/>

⁴⁸⁶ McNamara. (2017). Political Refugees from El Salvador: Gang Politics, the State, and Asylum Claims. *Refugee Survey Quarterly*, 36(4), 1–24. <https://doi.org/10.1093/rsq/hdx011>

disasters.”⁴⁸⁷ The country has been identified as one of the most vulnerable in the world to climate change, due to its geographical location and environmental degradation. Deforestation, soil erosion, and water pollution are widespread, impacting agricultural productivity and threatening food security. The country's vulnerability to natural disasters, such as hurricanes and earthquakes, further exacerbated these environmental issues, and this is to say nothing of the many active and foreboding volcanoes.⁴⁸⁸

HONDURAS

In 2009, a political coup ousted then-President Manuel Zelaya.⁴⁸⁹ The National Party and the Liberal Party dominated politics, with the National Party's selected president, Juan Orlando Hernández, taking office in January 2014 amidst controversy and allegations of election fraud.⁴⁹⁰ Political polarization was a significant issue, with ongoing tension between supporters of the two major parties and new political groups like the Freedom and Refoundation Party (LIBRE), founded by Zelaya.⁴⁹¹ US Department of Justice found that between 2004, up to and including in or about 2022, Hernandez, allegedly participated in a drug-trafficking conspiracy to facilitate the importation of nearly a million kilograms of cocaine into the United States. A statement by U.S. Attorney Damian Williams said, “Juan Orlando Hernandez, the recent former President of Honduras, allegedly partnered with some of the world’s most prolific narcotics traffickers to build a corrupt and brutally violent empire based on the illegal trafficking cocaine to the United States. Hernandez is alleged to have used his vast political powers to protect and assist drug traffickers and cartel leaders by alerting them to possible interdictions, and sanctioning heavily-armed violence to support their drug

⁴⁸⁷ USAID. (n.d.). Disaster Response. Accessed at <https://www.usaid.gov/el-salvador/our-work/disaster-response>

⁴⁸⁸ Ibid.

⁴⁸⁹ Malkin. (2009). Honduran President is Ousted in Coup. June 28, 2009, The New York Times. Retrieved September 2, 2022. Access at <https://www.nytimes.com/2009/06/29/world/americas/29honduras.html>

⁴⁹⁰ Zovatto. (2017). Honduras: Reelection, institutional weakness, and threat to governability. Brookings Institute. Access at <https://www.brookings.edu/articles/honduras-reelection-institutional-weakness-and-threat-to-governability/>

⁴⁹¹ Ibid.

trade...”⁴⁹² Considerable evidence shows how migrants are used by cartels in the smuggling of drugs, firearms, and people--often children.⁴⁹³

Beyond this criminal enterprise, Honduras is a very conservative country politically, having total bans on abortion and limited access for women to health clinics and contraceptives. Homicide rates are among the highest anywhere in the world with 90 per 100,000.⁴⁹⁴ This is all exacerbated by the fact that gangs, drugs, and human trafficking plague most communities in Honduras. Children are conscripted into gangs such as MS-13 and Barrio 18 early on. Refusing to participate means risking life and limb of not just oneself, but family members as well.⁴⁹⁵

Poverty and relatively low standards of living affect at least 60% of Hondurans. Half of the children do not even attend school because of wildly unequal distribution of resources between rural and urban contexts.⁴⁹⁶ Government has failed to create a safe living environment for its citizens through both the direct infliction of violence by state actors, and systemic flaws that undermine efforts to curb violence committed by gangs. Portions of congress, public prosecutors, and police, among other sectors, are allegedly linked with organized crime and drug trafficking. As a result, Honduras has an estimated impunity rate of 95-98%.⁴⁹⁷ According to one Honduran official, “Corruption is not a scandal, but the result of the functioning of a system.”⁴⁹⁸

Similar to El Salvador, Honduras faces serious environmental challenges, including deforestation, soil erosion, and water pollution. These issues were exacerbated by the country's vulnerability to climate change, which threatened Honduras with more

⁴⁹² United States Attorney’s Office. (2022). Juan Orlando Hernandez, Former President of Honduras, Extradited To The United States On Drug-Trafficking And Firearms Charges. Accessed June 2, 2022 <https://www.justice.gov/usao-sdny/pr/juan-orlando-hernandez-former-president-honduras-extradited-united-states-drug#:~:text=From%20at%20least%20in%20or,cocaine%20into%20the%20United%20States>

⁴⁹³ Buffett, & Heitkamp. (2018). *Our 50-state border crisis: how the Mexican border fuels the drug epidemic across America*. Hachette Books.

⁴⁹⁴ Baranowski, Wang, E., D’Andrea, M. R., & Singer, E. K. (2019). Experiences of gender-based violence in women asylum seekers from Honduras, El Salvador and Guatemala. *Torture*, 29(3), 46–58.

⁴⁹⁵ 7 University of Washington (2017). *The Cycle of Violence: Migration from the Northern Triangle*. Henry M. Jackson School of International Relations. p 14.

⁴⁹⁶ World Food Programme. (2023). *Annual Country Reports – Honduras*. Access at <https://www.wfp.org/publications/annual-country-reports-honduras>

⁴⁹⁷ Chayes. (2017). *When Corruption Is the Operating System: The Case of Honduras*. Carnegie. Accessed August 3, 2022. Access at <https://carnegieendowment.org/2017/05/30/when-corruption-is-operating-system-case-of-honduras-pub-69999>

⁴⁹⁸ Ibid.

frequent and severe hurricanes, droughts, and floods. These conditions pose significant threats to the country's agriculture-based economy and food security, leaving millions in precarious conditions, and an estimated 23% of all children are stunted in growth.⁴⁹⁹

The trek from Honduras, or any part of the Northern Triangle, to the US-Mexico border is an unforgiving and arduous journey fraught with danger. One-way migrants overcome this problem is to join into “caravans” that migrate in the thousands at time.⁵⁰⁰ Until the summer of 2012, most Americans had no idea about the atrocities taking place in Honduras due what Frank (2018) calls a “media blackout.”⁵⁰¹ Suppression of the media and violence against journalists is a common tactic of authoritarian regimes that control Honduras. In the last decade more than eighty journalists have been murdered in Honduras alone, with dozens more documented in neighboring states.⁵⁰²

GUATEMALA

Guatemala’s political environment during this period was characterized by rampant corruption, which had significantly eroded public trust in institutional structures. While Otto Pérez Molina of the right-wing Patriotic Party was the president in 2014, his tenure was increasingly controversial due to allegations of corruption, which would eventually lead to his resignation and imprisonment in 2015.⁵⁰³ The sociopolitical volatility was further exacerbated by the ascendant influence of criminal gangs, leading to escalating levels of violence and insecurity. This is particularly true for women and girls, as the experience of violence against women has long been a strategy for enacting punishment and control since at least the conflicts beginning the 1960s. Despite reforms

⁴⁹⁹ World Food Programme. (2023). Annual Country Reports – Honduras. Access at <https://www.wfp.org/publications/annual-country-reports-honduras>

⁵⁰⁰ Kenix, & Lopez, J. B. (2021). Representations of refugees in their home countries and abroad: A content analysis of la caravana migrante/the migrant caravan in Central America and the United States. *Newspaper Research Journal*, 42(1), 48–73.

⁵⁰¹ Frank, D. (2018). *The long Honduran night: Resistance, terror, and the United States in the aftermath of the coup*. Chicago, Illinois: Haymarket Books. p 95

⁵⁰² Higuera. (2021). “Screaming in the Desert”: The Investigative Reporters Exposing the Killers of Journalists in Honduras. *Global Investigative Journalism Network*. Retrieved Feb 2, 2022. Access at <https://gijn.org/2021/01/25/screaming-in-the-desert-the-investigative-reporters-exposing-the-killers-of-journalists-in-honduras/#:~:text=In%20the%20last%20decade%2C%20more,hits%20aren't%20being%20prosecuted.>

⁵⁰³ Ahmed and Malkin. (2015). *Otto Pérez Molina of Guatemala Is Jailed Hours After Resigning Presidency*. *The New York Times*. Retrieved May 8, 2021. Access at <https://www.nytimes.com/2015/09/04/world/americas/otto-perez-molina-guatemalan-president-resigns-amid-scandal.html>

in 2008 to specifically address violence against women, the implementation and results have been uneven in their impact.⁵⁰⁴ The culmination of these factors was a coercive environment that compelled many inhabitants to vacate their homes in pursuit of stability and safety. Given Guatemala's border with Mexico to the north, and El Salvador and Honduras to its south, there are limited options for escape, and most of them point to the US-Mexico border.

Guatemala's economic landscape is no less distressing. Over half the populace subsisted beneath the national poverty line, with indigenous communities—representing most of the population—experiencing disproportionately high levels of economic deprivation.⁵⁰⁵ The economy, heavily reliant on the agricultural sector, has been beleaguered by inconsistent weather patterns and market volatility, intensifying the socioeconomic instability. Despite being the largest economy in Central America, economic growth was slow. The informal economy of remittances from Guatemalans living abroad were a crucial source of income for many families still in the country, with an estimated 15 billion sent there in 2021.⁵⁰⁶

Most people fleeing the northern triangle toward the US converge in southern Mexico along the border of Guatemala. According to a report by the Migration Policy Institute, people who can afford the smuggling fees pay coyotes (a term used for smugglers) connected to a sophisticated smuggling network to coordinate transportation across Mexico and to the US border over days or weeks by bus and van. Smugglers have been known to charge up to 10,000 dollars, which means tens of thousands of people go it alone or in caravans.⁵⁰⁷ For those unable to afford this ostensibly safer and more secretive smuggling operation a second option is to risk riding freight trains that traverse

⁵⁰⁴ Beck. (2021). The Uneven Impacts of Violence against Women Reform in Guatemala: Intersecting Inequalities and the Patchwork State. *Latin American Research Review*, 56(1), 20–35; see also Beck, and Mohamed. (2021). A Body Speaks: State, Media, and Public Responses to Femicide in Guatemala. *Laws*. 2021; 10(3):73.

⁵⁰⁵ Bermeo, S., Leblang, D. and Alverio, G. (2022). Rural poverty, climate change, and family migration from Guatemala. Brookings Institute. Access at <https://www.brookings.edu/articles/rural-poverty-climate-change-and-family-migration-from-guatemala/>

⁵⁰⁶ Abbot. (2022). Guatemala's economy buoyed by record \$15bn sent home from workers overseas. *The Guardian*. Retrieved April 5, 2022. Access at <https://www.theguardian.com/global-development/2022/jan/21/guatemala-remittances-15bn-buoy-up-economy>

⁵⁰⁷ Gilardi. (2020). Ally or Exploiter? The Smuggler-Migrant Relationship Is a Complex One. Migration Policy Institute. Retrieved July 20, 2022. Access at <https://www.migrationpolicy.org/article/ally-or-exploiter-smuggler-migrant-relationship-complex-one>

Mexico from north to south. These cargo trains have become the subject of numerous news and investigative documentaries known as *La Bestia* (the beast) or *the train of death*.⁵⁰⁸ When asked why it is called this, one man replied “What else would you call it? It is the devil incarnate. An iron monster that will crush you.”⁵⁰⁹ The macabre moniker comes from the migrants themselves, as numerous incidents of dismemberment and sometimes death have been documented as people are attempting to jump on or off the train.⁵¹⁰ Additionally, by some estimates, the cartels and coyotes or smugglers disappear 20,000 people, mostly children, each year as they attempt the journey through Mexico on the beast.⁵¹¹

Migrants that end up on the trains usually begin in one of two places near the Guatemala-Mexico border. To the south is Tapachula, Chiapas and further north is Tenosique, Tabasco. Both routes eventually converge to near Tierra Blanca, a small city in the southern part of the state of Veracruz which stops in Lecheria or Las Vias, a central hub for railways by Mexico City.⁵¹² From Las Vias, migrants typically diverge in one of three directions depending on where they intend to cross the US-Mexico border. Moving west to east, the first major crossing is Nogales, Sonora, a city that has a US counterpart in Arizona. Then comes the City of Juarez, Chihuahua, which borders El Paso, Texas. And much further southeast is Reynosa, Tamaulipas, which borders McAllen, Texas.⁵¹³

In addition to the dangers of traveling by trains, migrants face other challenges in the form of lack of food, water, medical attention, sexual and physical violence, kidnapping, theft, and gang related extortion which can also result in more injury or death for failure to pay “fees” that gangs impose along the way. According to studies by the United Nations Office on Drugs and Crime (UNODC), more gang activity has increased with the reopening of trains in Tapachula in May of 2014, which had been closed since

⁵⁰⁸ Documentary films that explore this in depth include, Cammisa. (2009). Which Way Home [Film]. Mr. Mudd; Ultreras. (2010) *La Bestia* [Film]. Venevision; Delaloye. (2014). *Riding the Beast* [Film]. JCDe Productions.

⁵⁰⁹ Quote from migrant riding the train of death in Ultreras. (2010) *La Bestia* [Film]. Venevision

⁵¹⁰ Ibid.

⁵¹¹ Martínez, Ó. (2013). *The Beast: Riding the Rails and Dodging Narcos on the Migrant Trail*. Verso.

⁵¹² Villegas. (2014). Central American Migrants and “La Bestia”: The Route, Dangers, and Government Responses. Migration Policy Institute. Retrieved July 10, 2022. Access at <https://www.migrationpolicy.org/article/central-american-migrants-la-bestia>

⁵¹³ Ibid.

2005.⁵¹⁴ Of course, the reopening of Tapachula is one factor in the overall calculation when it comes to understanding the overall crisis in terms of increased flow at the US-Mexico border.

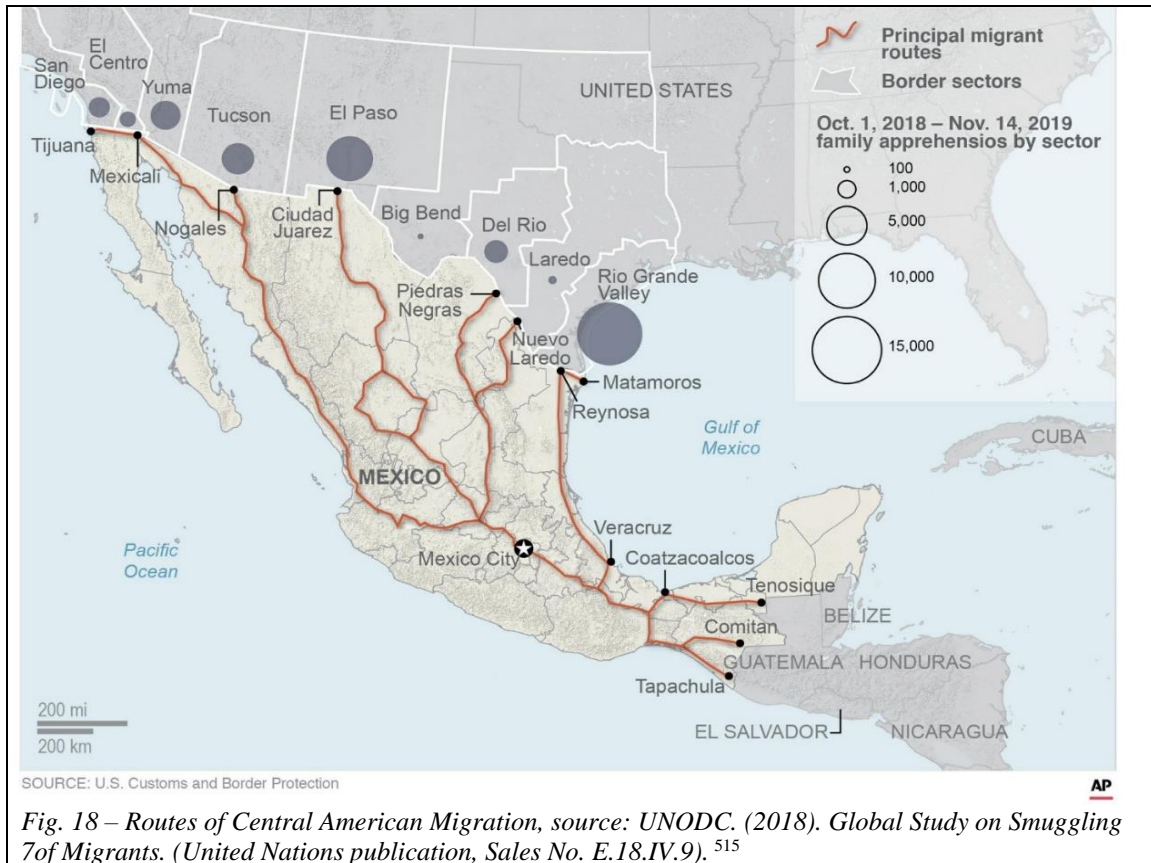


Fig. 18 – Routes of Central American Migration, source: UNODC. (2018). *Global Study on Smuggling of Migrants*. (United Nations publication, Sales No. E.18.IV.9).⁵¹⁵

Fold Two: Praxis

The Logistics of Managing Crisis

Customs and Border Patrol breaks up the overall border system into sectors, which are effectively federated sub-units of the overall jurisdiction of the CBP authority. The three main cities mentioned above serve as major crossing regions and align with discrete CBP jurisdictions. From west to east, Nogales is in the Tucson sector, El Paso is in the El Paso Sector, and McAllen is in the Rio Grande Valley sector. The Rio Grande

⁵¹⁴ UNODC. (2018). *Global Study on Smuggling of Migrants*. (United Nations publication, Sales No. E.18.IV.9).

⁵¹⁵ Long. (2019). What crackdown? Migrant smuggling business adapts, thrives. AP News. Last Accessed 7/5/2023 at <https://apnews.com/article/us-news-ap-top-news-international-news-az-state-wire-immigration-202a751ac3873a802b5da8c04c69f2fd>

Sector has the overall most foot traffic at the Matamoros crossing location, accounting for roughly 1/3rd of all US-Mexico UAC apprehensions.⁵¹⁶

Mexico was once the number one sending country for migrants of all kinds, including children. The social and political situation is by no means stable. Mexico grapples with high levels of violence and crime linked to drug trafficking and organized crime. The influence of powerful cartels like Sinaloa, Los Zetas, and Jalisco New Generation extend into many parts of the country, disrupting daily life and leading to a high rate of homicides, kidnappings, and extortion.⁵¹⁷ The problem of missing persons is significant, highlighted by the disappearance of 43 students in Iguala in 2014, an incident that sparked nationwide and international outrage, which unfortunately is a tiny percentage of the thousands of migrants reported missing each year.⁵¹⁸

Mexico was the second-largest economy in Latin America in 2014, second to Brazil, with significant strengths in sectors like manufacturing and oil. However, economic growth was slow, and income inequality remained high. More than 40% of the population lived in poverty, and informal employment was widespread.⁵¹⁹ Economic conditions were particularly challenging in southern states like Chiapas and Oaxaca. President Enrique Peña Nieto of the Institutional Revolutionary Party (PRI) was in power in 2014, but his administration faced numerous scandals, including the Iguala case and allegations of conflict of interest involving luxury homes bought from government contractors. These controversies led to significant public discontent and protests. While the PRI controlled Mexican politics for six decades and the cartels gained influence, there were indigenous freedom movements forming in the southern state of Mexico that borders Guatemala, Chiapas, most notably as the Zapatista Army of National Liberation (EZLN). This conflict between the government and indigenous rights is long in the

⁵¹⁶ United States Government Accountability Office. (2022). Southwest Border Cbp Should Improve Data Collection, Reporting, And Evaluation For The Missing Migrant Program. Report to Congressional Committees. Access at <https://www.gao.gov/assets/730/720137.pdf>

⁵¹⁷ UNODC. (2012). Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment. United Nations publication. Access at https://www.unodc.org/documents/data-and-analysis/Studies/TOC_Central_America_and_the_Caribbean_english.pdf

⁵¹⁸ Lopez. (2022). Mexico Says Disappearance of 43 Students Was a 'Crime of the State'. The New York Times. Retrieved January 23, 2023. Access at <https://www.nytimes.com/2022/08/18/world/americas/mexico-students-disappearance.html>

⁵¹⁹ Ibid.

making, but a “declaration of war” was made in response to Clinton’s administration and the passage of the North American Free Trade Agreement (NAFTA).⁵²⁰

In response to the 2014/15 migration crisis from the Northern the United States worked closely with Mexico on a range of initiatives designed to manage the influx of migrants and address the root causes of the crisis. One key initiative was the "Plan Frontera Sur" (Southern Border Plan) launched by Mexico in July 2014.⁵²¹ This program aimed to strengthen the security of Mexico's southern border, where many migrants cross into the country, and ostensibly protect migrants' human rights. It involved a significant increase in the presence of Mexico's National Institute of Migration and Federal Police in the southern border region, as well as a commitment to crack down on human smuggling networks. One newspaper editorial said, “Trump’s idea [of building a wall] is good, but rather than on the northern border of Mexico the wall should be built on the south-eastern border to slow the migration of Central Americans to both countries.”⁵²²

In addition to this, Mexico significantly ramped up its detention and deportation of migrants from the Northern Triangle. Mexican immigration authorities deported almost 175,000 Central American migrants in 2015, more than twice the number deported by the U.S. in the same year.⁵²³ This marked a significant shift in Mexico's immigration enforcement and was seen as a response to U.S. pressure to reduce the flow of migrants reaching the U.S.-Mexico border. Furthermore, the U.S. worked with the Mexican government on initiatives like the Mérida Initiative, a security cooperation agreement through which the U.S. has provided Mexico with funding, equipment, and training to combat organized crime and drug trafficking, indirectly addressing one of the push factors driving migration.⁵²⁴

⁵²⁰ Chomsky, & Dieterich, H. (1999). *Latin America: from colonization to globalization*. Ocean Press.

⁵²¹ Vega. (2016). *Mexico’s Not-so-comprehensive Southern Border Plan*. Baker Institute. Retrieved July 1, 2023. Access at <https://www.bakerinstitute.org/research/securing-mexicos-southern-border>

⁵²² “Si al muro fronterizo... pero en el sur de México”, *El Mañana de Reynosa*, 24 July 2016. Last Retrieved June 22, 2023. Access at <https://www.elmanana.com/opinion/editoriales/si-al-muro-fronterizo-pero-en-el-sur-de-mexico-3353418.html>

⁵²³ Bier. (2019). *Mexico Deported More Central Americans Than the U.S. in 2018*. Cato Institute. Retrieved July 1, 2022. Access at <https://www.cato.org/blog/mexico-deported-more-central-americans-us-did-2018>.

⁵²⁴ Seelke C. and Finklea, K. (2015). *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond* Congressional Research Service. Access at <https://www.wola.org/wp-content/uploads/2018/09/765713-1.pdf>

On the U.S. side, the Obama administration announced a range of measures in response to the crisis, including an increase in resources for border security and immigration courts, and programs to address the root causes of migration in the Northern Triangle, such as the U.S. Strategy for Engagement in Central America.⁵²⁵ This strategy aimed to promote prosperity, improve security, and strengthen governance in the region, with the goal of creating better living conditions that would reduce the need for people to migrate. Unfortunately, it is debatable how successful this policy program has been considering violence and kidnappings continue to plague Mexico, and Central America, and rollbacks on funding under the Trump administration.

The people in these migration flows have basically three options in terms of entry: (1) seek humanitarian parole by approaching immigration agents (2) get appointment at a border checkpoint or (3) cross illegally, which if caught can mean either “catch and release” or detain and deport. In most cases, the Department of Homeland Security (DHS), the Department of Health and Human Services (HHS), and the Department of Justice (DOJ) share responsibility for UAC processing, treatment, placement, and immigration case adjudication. CBP apprehends and detains UAC arrested at the border. DHS’s Immigration and Customs Enforcement (ICE) handles custody transfer and repatriation responsibilities, apprehends UAC in the interior of the country, and represents the government in removal proceedings. HHS’s Office of Refugee Resettlement (ORR) coordinates and implements the care and placement of UAC in appropriate custodial settings. DOJ’s Executive Office for Immigration Review (EOIR) adjudicates UAC removal cases.⁵²⁶

In the 1980s, accusations of maltreatment of unaccompanied alien children (UAC) by the now-defunct Immigration and Naturalization Service (INS) instigated a sequence of lawsuits against the U.S. government. This eventually culminated in a 1997 consent decree known as the Flores Settlement Agreement.⁵²⁷ This agreement instituted a

⁵²⁵ Congressional Research Service. (2019). U.S. Strategy for Engagement in Central America: Policy Issues for Congress. Last Retrieved July 5, 2023. Access at <https://crsreports.congress.gov/product/pdf/R/R44812>

⁵²⁶ Kandel. (2018). Unaccompanied alien children: an overview ([Library of Congress public edition]). Congressional Research Service.

⁵²⁷ *Flores v. Meese—Stipulated Settlement Agreement* (U.S. District Court, Central District of California, 1997). Many terms of the agreement have been codified at 8 C.F.R. §236.3, §1236.3.; See also Markham. (2017). *The far away brothers: two young migrants and the making of an American life*. Crown.

nationwide policy for the detention, treatment, and release of UAC, considering the unique vulnerabilities of minors who were detained without the presence of a parent or legal guardian. The agreement mandated that immigration officials offer essentials to detained minors including food and drinking water; emergency medical assistance; access to toilets and sinks; proper temperature control and ventilation; appropriate supervision to protect minors from harm; and, where possible, separation from unrelated adults. However, despite the establishment of the Flores Agreement, controversy persisted for several years regarding the INS's full implementation of the outlined regulations.⁵²⁸

The Homeland Security Act of 2002, enacted five years later, redistributed duties concerning the handling and treatment of unaccompanied alien children (UAC) between the newly formed Department of Homeland Security (DHS) and the Office of Refugee Resettlement (ORR). The act delegated the apprehension, transfer, and repatriation of UAC to the DHS, while the ORR was given the responsibility of coordinating and implementing the care and placement of UAC into appropriate custody, reuniting UAC with their parents overseas if suitable, maintaining and disseminating a list of legal services accessible to UAC, and gathering statistical data on UAC, among other tasks. The Act also legally defined UAC as unauthorized minors who are not in the company of a parent or legal guardian.

Detention and Deportation

From the outset, the Department of Defense took responsibility for organizing temporary shelters, a task later taken over by the Immigration and Customs Enforcement Agency. The latter organization termed these shelters as "processing centers," designed to provide a variety of services to the apprehended children, such as health checks, infectious disease screening, necessary treatment, and immunization, all under the auspices of the Department of Homeland Security.⁵²⁹ These facilities, however, have been marred by numerous allegations of abuse, unsanitary conditions, prolonged stays,

⁵²⁸ Welch. (2002). *Detained: immigration laws and the expanding I.N.S. jail complex*. Temple University Press; Ramos. (2018). *ICEBOX: The Logistics of Detention*. *Footprint: Delft School of Design Journal*, 12(23).

⁵²⁹ White House. *The Obama Administration's Government-Wide Response to Influx of Central American Migrants at the Southwest Border*. August 1, 2014.

and substandard medical care. Their characteristically chilly temperatures led to their colloquial designation as "hieleras," translating to iceboxes.⁵³⁰

By law, the Office of Refugee Resettlement is responsible for the care of these children, who are accommodated in detention centers until they can be reunited with family members during their pending immigration proceedings. These shelters function as group homes, typically accommodating no more than 50 children at a time, with average stays lasting around 35 days.⁵³¹ California, New York, Texas, and the Washington, D.C. region have received the highest number of these children. Most children are eventually placed with a sponsor, usually a family member, in the sponsor's home. However, the response to unaccompanied minors has varied greatly from state to state. While Connecticut declined federal requests to temporarily accommodate unaccompanied children, New York allocated funds to provide a variety of services to these children.⁵³²

As part of this response, President Obama declared a humanitarian crisis and designated the FEMA to coordinate the federal response.⁵³³ He requested \$3.7 billion from Congress for detention centers, improved border security and staffing, and immigration judges. This funding request quickly became ensnarled in the controversy surrounding immigration policies in the U.S., ultimately resulting in an initial appropriation of approximately \$650 million.⁵³⁴ Moreover, in the face of congressional deadlock on immigration reform since the Bush administration, President Obama issued a series of executive orders to on one hand reinforce border security and speed up deportations, while on the other providing some modicum of relief to the women, children, and families caught up in the migration crisis, stating on live television that "I'll

⁵³⁰ American Civil Liberties Union. Unaccompanied Immigrant Children Report Serious Abuse by U.S. Officials During Detention. June 11, 2014. Available at: <https://www.aclu.org/news/unaccompanied-immigrant-children-report-serious-abuse-us-officials-during-detention>; see also Ramos. (2018). ICEBOX: The Logistics of Detention. *Footprint : Delft School of Design Journal*, 12(23).

⁵³¹ Office of Refugee Settlement. (2021). Unaccompanied Children Frequently Asked Questions. Access at <https://www.acf.hhs.gov/orr/unaccompanied-children-frequently-asked-questions>

⁵³² Ibid.

⁵³³ White House. The Obama Administration's Government-Wide Response to Influx of Central American Migrants at the Southwest Border. August 1, 2014. Access at <https://obamawhitehouse.archives.gov/the-press-office/2014/08/01/obama-administration-s-government-wide-response-influx-central-american->

⁵³⁴ Shear M and Peters J. Obama Asks for \$3.7 Billion to Aid Border. *New York Times*. July 8, 2014. Access at <https://www.nytimes.com/2014/07/09/us/obama-seeks-billions-for-children-immigration-crisis.html>

make it easier and faster for high-skilled immigrants...to stay and contribute to our economy...even as we are a nation of immigrants, we are also a nation of laws...and I believe they must be held accountable...and that's why we're going to keep focusing on actual threats...felons not families, criminals not children, gang members not mothers.”⁵³⁵

Nogales Resettlement Center

In the popular and scholarly acclaimed book *Why Nations Fail*, the authors Acemoglu and Robinson claim “the focus of our book is on explaining world inequality” and on page one open their argument with a vignette situated at the US-Mexico border, to the south side of the border is Nogales, Sonora, while to the north is Nogales, Arizona.⁵³⁶ Their central thesis is that *political institutions* and not culture, race, nor geography, determine the economic and social success of a nation.⁵³⁷ Essentially, Acemoglu and Robinson organize empirical evidence that supports a more deeply held belief about democratization in political science, that *institutional development* leads to freedom.⁵³⁸ They go to great lengths, across centuries of time and traverse the globe far and wide to make their case. Convincing and persuasive as it may be, one cannot help problematize what they take for granted, namely *the border*, which is more than “a fence” – a point I suspect they would agree on. None the less, their work does not problematize *the border* as itself an extractive institution, instead accepting it as a sort of natural fact of, to use their phrase, “inclusive democratic institutions.” As if that isn’t concerning enough, their argument becomes more tenuous when they elevate US institutions as the drivers of democracy in social, political, and economic affluence without historicizing their existence, not least of all the border as a *thick institution*.⁵³⁹ By historization I mean,

⁵³⁵ White House. (2014). Remarks by the President in Address to the Nation on Immigration. Retrieved on May 22, 2023. <https://obamawhitehouse.archives.gov/the-press-office/2014/11/20/remarks-President-address-nation-immigration>

⁵³⁶ Acemoglu, & Robinson, J. A. (2012). *Why nations fail: the origins of power, prosperity, and poverty*. Crown Publishers.

⁵³⁷ Acemoglu & Robinson thesis challenge arguments in Diamond. (1997). *Guns, germs, and steel : The fates of human societies*. W. W. Norton & Company., Charles Mills, etc.

⁵³⁸ Sen. (1999). *Development as freedom* Knopf; Diamond, Linz, J. J., Lipset, S. M., & Linz, J. J. (1990). *Politics in developing countries: comparing experiences with democracy*. Lynne Rienner Publishers.

⁵³⁹ Longo. (2018). *The politics of borders: sovereignty, security, and the citizen after 9/11*. Cambridge University Press.

situating US institutional development *as freedom* in context with the *unfreedoms* imposed intentionally or as “externalities” of industrialization, capitalism, Monroe doctrine, and basically the entirety of what I am trying to do here in this study. Simply put, there is significant under appreciation for *freedoms* in the US as *contingent* on the historical domination of our nearest country neighbors, for a whole variety of circuitous reasons. Mapping some of these circuits with attempts to stay centered on immigration and border issues is a driving goal of this work.

Institutions and rules matter, but so does their histories, especially those histories which, as I’ve been piecing together over this entire study, are deeply extractive, disruptive, or to use another political science term “creative destruction.”⁵⁴⁰ Indeed, what I’m trying to argue is that the creative and destructive elements of capitalism are not *contained* by borders, but rather are enabled, mobilized, marshalled, and imposed via the border-industrial complex. This is probably no more apparent than in the towns of Florence and neighboring Eloy, Arizona, which “currently host one of the most significant agglomerations of carceral facilities in the contemporary landscape of the United States.”⁵⁴¹ Known as a “prison town” where thousands of inmates, citizens or not, are held across 13 different correctional facilities, among them the Nogales resettlement center; the center at which the “kids in cages” controversy originates. The controversy of course wasn’t just that kids were in cages, but that the Trump administration was to blame for it, which turned out to be a falsehood as the pictures that ignited the furor were from the 2014 UAC crisis under Obama’s administration.⁵⁴²

The Nogales establishment operated as a temporary shelter where the children were identified, assessed for health issues by the U.S. Public Health Service, vaccinated, and then relocated to other facilities in Texas, Oklahoma, and California. They remained there until they could be united with family members already residing in the country, all while awaiting their hearings in Immigration Court. The facility is a warehouse about

⁵⁴⁰ original quote from 1942 is “at the heart of capitalism is creative destruction” in Schumpeter. (1942). Updated version is Schumpeter. (2015). *Capitalism, Socialism and Democracy*. Routledge, Chapman & Hall, Incorporated.

⁵⁴¹ Loyd, & Mountz, A. (2018). *Boats, Borders, And Bases: Race, The Cold War, And The Rise Of Migration Detention In The United States*. University Of California Press. p 118.

⁵⁴² AP News. (2014) AP FACT CHECK: 2014 photo wrongly used to hit Trump policies. Access at <https://apnews.com/article/immigration-antonio-villaraigosa-north-america-jon-favreau-barack-obama-a98f26f7c9424b44b7fa927ea1acd4d4>

120,000 square feet in size. Chain link fences 18 feet high topped with razor wire create a perimeter that is further sub-divided according by age and gender, with designated areas for children 12 and under, separate sections for boys and girls aged 13 to 15, and additional sections for boys and girls aged 16 and 17. Nylon tarps, fastened to the fences, offer a slight degree of privacy amongst the different groups. The shared amenities include portable toilets, similar to those found at festivals and construction sites, which are positioned within the enclosed areas and equipped with ventilation systems akin to clothes dryer hoses. There is no real furnishings or other creature comforts, photos reveal kids sleeping on mattresses with foil blankets strewn about the floor.⁵⁴³

Berks County Residential Immigration Center

Located in the quant town of Leesport, Pennsylvania, a town of about 2,000 people is where an unassuming building, in the style of mid-20th century brick and mortar school buildings is the Berks County Residential Immigration Center (BRCR). The center is one (well, was, it closed in 2023) of three family detention centers in the United States used for the detention of parents and children who are seeking asylum or have entered the U.S. without documentation. The center is owned and operated by Berks County under an agreement with the U.S. Immigration and Customs Enforcement (ICE), making it the only publicly owned family detention center in the US at the time. According to contract details it earned the county about 1 million dollars a year, a sizeable amount for such a small community.⁵⁴⁴

The facility first opened in 2001 and has been in continuous operation since. Originally a nursing home, the facility was converted into a detention center with the capacity to hold up to around 96 individuals. From 2001 to 2023 it is estimated that 3,500 individuals passed through this part of the overall detention system. In the grand scheme of things, this facility is not all that significant in size or scope, but it does provide an example of an otherwise rare type, the family center. The changing demographics of

⁵⁴³ Kiefer. (2014). First peek: Immigrant children flood detention center. AZ Central. Last Retrieved July 5, 2023. Access at <https://www.azcentral.com/story/news/politics/immigration/2014/06/18/arizona-immigrant-children-holding-area-tour/10780449/>

⁵⁴⁴ Martinez. (2022). Controversial Berks County immigrant detention center to close. WESA (NPR Affiliate). Last retrieved July 5, 2023. Access at <https://www.wesa.fm/politics-government/2022-12-01/controversial-berks-county-immigrant-detention-center-to-close>

asylum seekers and refugees at the US-Mexico border in the last twenty years has driven the need for more family-oriented facilities, especially for children, but still the supply of such facilities is far below the need.

Berks also sheds light on how the politics of resistance at the local level happens across the country, and reveals why locations like Tornillo, Guantanamo, and the Florence/Eloy “prison towns” are becoming favored destinations for the border industrial complex.⁵⁴⁵ The Coalition to Close Down Berks, a collective of individuals and organizations pushing for the shutdown of BCRC, initiated their campaign in early 2015. This was a reaction to a horrifying incident where a 19-year-old mother detained at the center was sexually assaulted by a staff member. Other women at the facility bore witness to the incident, leading to the employee's conviction for "institutional sexual assault." In a perverse example of liberal justice, the perpetrator's prison sentence of four months was shorter than the period the victim had spent detained at Berks.⁵⁴⁶

The Shut Down Berks Coalition exerted significant pressure at the state level, specifically targeting the Pennsylvania Department of Human Services. This led to a decision in February 2016 to not renew the license of the detention center. Nonetheless, Berks County challenged this cancellation, a legal battle that lasted until 2021, and throughout which the detention facility continued to operate. Throughout this time, the Coalition persistently urged Governor Tom Wolf to tackle what they identified as the unlawful detention of families, as per Pennsylvania state law.⁵⁴⁷

Fold Three: Receptions

Media Depictions and Political Discourse

The arrival of unaccompanied minors, women, and family units in large numbers posed a number of challenges for both the praxis of immigration and border policies, but also a shift in how media news, both private and state, framed the events, diagnosed the problems, and what alternatives or solutions might exist. As mentioned in the introduction, this study discovered a scarcely discussed shift in the discourse concerning

⁵⁴⁵ Loyd, & Mountz, A. (2018). *Boats, Borders, and Bases*. University of California Press.

⁵⁴⁶ Paik, J. and Hinchman, A. (2023) *A Reverberating Victory: Shut Down Berks and the Fight for Immigrant Liberation*. Last accessed July 5, 2023. Access at <https://www.34st.com/article/2023/01/shut-down-berks-immigrant-prison-detention-center-coalition-migration-ice-facility>

⁵⁴⁷ *Ibid.*

immigration, particularly the concepts of refugee, asylee, and migrant. Another shift discovered is that historically UACs were called URM's, that is, unaccompanied refugee minors, but along with the vanishing term "refugee" is also this disappearing acronym of URM. More technically, The Office of Refugee Resettlement (ORR) serves unaccompanied children in two distinct programs: the Unaccompanied Refugee Minors Program (URM) and the Unaccompanied Children (UC) Program. The URM seems to be more limited in scope than the UC program.⁵⁴⁸ In any case, the most common terms are UAC or unaccompanied minor. This tendency toward generalized abstraction is a process of "homogenization within the news media" that create discourses which "dehumanize and dehistoricize" migrant life, their origins, stories, and identities.⁵⁴⁹

In assessing scholarly literature, political punditry, and formal policy debates, core framing devices emerge. In the most general theoretical sense people tend to think in terms of "push" and "pull" factors. Push factors are those which compel people to leave their home, such as violence, climate change, or lack of economic opportunities. Pull factors can be directly correlative of push factors, especially in the case of economic prospects, but also include factors such as family reunification, better life opportunities in terms of education, healthcare, and political or social freedoms that for example could involve religion, gender, race, or sexuality. More generally, an increasingly debated "pull factor" is the general attitude toward immigration in terms of current regime politics. In other words, how the current administration favors or disfavor immigration broadly speaking. This dynamic has become more central to the overall perception of immigration over the last several decades as presidents and the executive branch, or what I call *executive disposition*, more generally exercises increasing power and authority over immigration policy and framing.

On this point, a recent book by Rebecca Hamlin dives deep into the constructed binary between migrant and refugee. "Border crosser" is the term Hamlin opts to use

⁵⁴⁸ Office of Refugee Resettlement. (March 17, 2023). Unaccompanied Refugee Minors Program. Administration for Children and Families. Last accessed July 8, 2023. <https://www.acf.hhs.gov/orr/programs/refugees/urm#:~:text=The%20URM%20program%20serves%20some,program%20represent%20approximately%2050%20nationalities>.

⁵⁴⁹ Kenix, & Lopez, J. B. (2021). Representations of refugees in their home countries and abroad: A content analysis of la caravana migrante/the migrant caravan in Central America and the United States. *Newspaper Research Journal*, 42(1), 48–73.

instead of migrant or refugee, which is a fine alternative but no more precise, if for no other reason than it doesn't seem to me these children are *crossing* the border, but rather are becoming entangled in it, caught in its sticky overgrowth.⁵⁵⁰ My aim is not to parse the ethical or moral meanings of these words, only rather more simply to empirically demonstrate that their usage has shifted over time, which corroborates the argument that executive disposition matters and that the US is *less* liberal on immigration and refugee policies in the 21st century than it was in the mid-20th century.

The politicization of immigration has produced skewed framing and perspective on the otherwise complicated phenomenon that is transnational refugee migration. This is especially true during the 2014 crisis when Obama's administration is accused of "pulling" migrants with a 'relaxed and permissive attitude toward the border', but also branded the "deporter-in-chief" for record setting deportations of unauthorized immigrants. In his own words, "even as we are a nation of immigrants, we are also a nation of laws...and I believe they must be held accountable...and that's why we're going to keep focusing on actual threats...felons not families, criminals not children, gang members not mothers."⁵⁵¹

The analytical distinction between push and pull factors are more of a heuristic than explanation for individual cases. It is reasonable to assume that most people are simultaneously experiencing aspects of both push and pull factors which contributes to the overall decision-making process to migrate, even in the face of great adversity, danger, and even death. While the data is limited and difficult to assess entirely, there is evidence provided by the Department of Homeland Security (DHS) that the reasons for migration of children and women vary by region. For example, people from Guatemala are more likely to be *economic* refugees coming from rural economically depressed areas,

⁵⁵⁰ Hamlin. (2021). *Crossing : how we label and react to people on the move*. Stanford University Press. p 9.

⁵⁵¹ Office of the Press Secretary. (November, 20, 2014). Remarks by the President in Address to the Nation on Immigration. Obama White House Archive. Last accessed June 1, 2022. <https://obamawhitehouse.archives.gov/the-press-office/2014/11/20/remarks-President-address-nation-immigration>

while children from Honduras and El Salvador are more likely to be victims of violence and therefore seek to be classified more traditionally as an asylum seeker.⁵⁵²

One major distinction between the UAC event of 2014/15 and the Mariel boat lift is what I call the disappearing refugee. Recall this figure initially presented in the introduction that tracks frequency of key terms in the largest online newspaper archive. This would be representative of how *the media* frames the events, which comes with lots of editorial and other bias baggage. However, I was surprised to discover that from the vantage of Google usership, which is to say, ordinary people *searching* for news about events, we still see a significant usage of refugee crisis in 2014, per figure Y. By 2020 though the trend is almost entirely replaced by *border crisis* which I argue is indicative of the media framing and executive disposition of President Trump's administration. There is probably a lot more that could be said about these trends, but all I want to point out is that in both cases, *refugees are* disappearing from the discourse of an issue that cuts through the heart of our liberal democratic society. In its place is increasingly the language of *border crisis* which does little to address the problem but does effectively fearmonger and stoke pressures to double down on already existing strategies of deterrence, punishment, and profit.

Resettlement Patterns

Many of the UAC and families from Central America that arrived during this period were entitled to humanitarian protection per the non-refoulment policies of the TVPRA. Many children were placed with family members or sponsors already in the U.S., with the largest concentrations found in California (3,629), Texas (3,272), New York (2,630), Florida (2,908), and Virginia (1,694).⁵⁵³ These states already had significant Latino populations, providing the necessary cultural and social support for

⁵⁵² Homeland Intelligence Today. (May 27, 2014). Unaccompanied Alien Children (UACs) by Location of Origin for CY 2014: Honduras, El Salvador, and Guatemala. Last Retrieved July 8, 2023. <http://adamisacson.com/files/dhsuacmap.pdf>

⁵⁵³ U.S. Department of Health & Human Services. (2014). Office of Refugee Resettlement Annual Report to Congress. Last Accessed July 8, 2023. https://www.acf.hhs.gov/sites/default/files/documents/orr/orr_annual_report_to_congress_fy_2014_signed.pdf

these children.⁵⁵⁴ However, given unique policy and political challenges, and often compromises are made at the expense of effectiveness and compassion.⁵⁵⁵

Fig. 19 - Newspaper Frequency of Key Term Framing

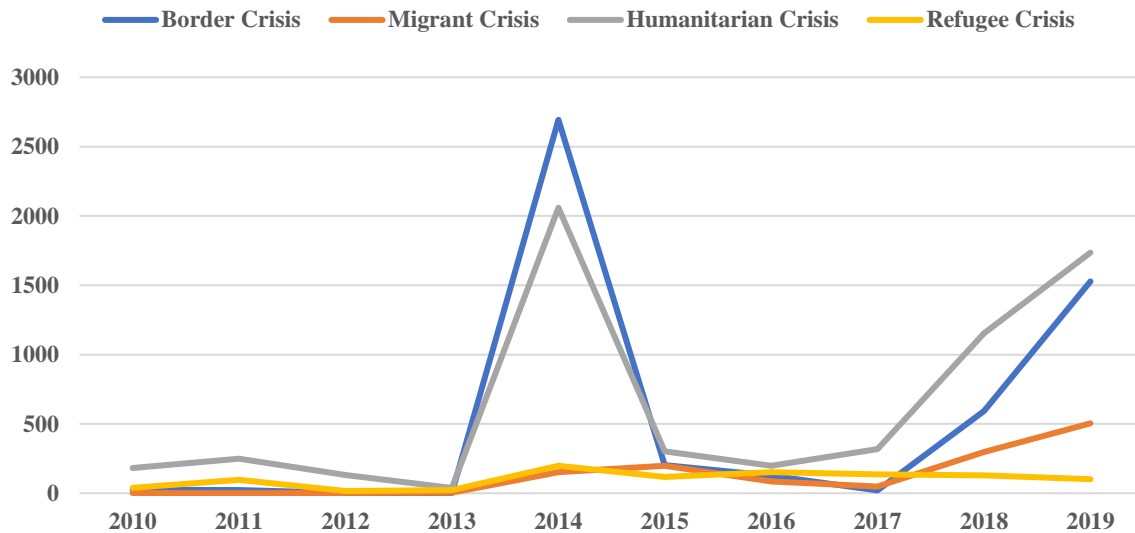


Figure 18 created by the author from data gathered Newspapers.com results to count by decade the frequency of the key terms. The encounters data is found at Customs and Border Patrol. (n.d.). Nationwide Encounters. <https://www.cbp.gov/newsroom/stats/nationwide-encounters>

The Office of Refugee Resettlement (ORR), a part of the Department of Health and Human Services (HHS), had the primary responsibility for the care and placement of unaccompanied children. They collaborated with the U.S. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) for processing and transporting the minors.⁵⁵⁶ The fiscal year 2015 budget for ORR was over \$1.5 billion, reflecting a significant increase in response to the crisis.⁵⁵⁷ There are however disturbing reports of

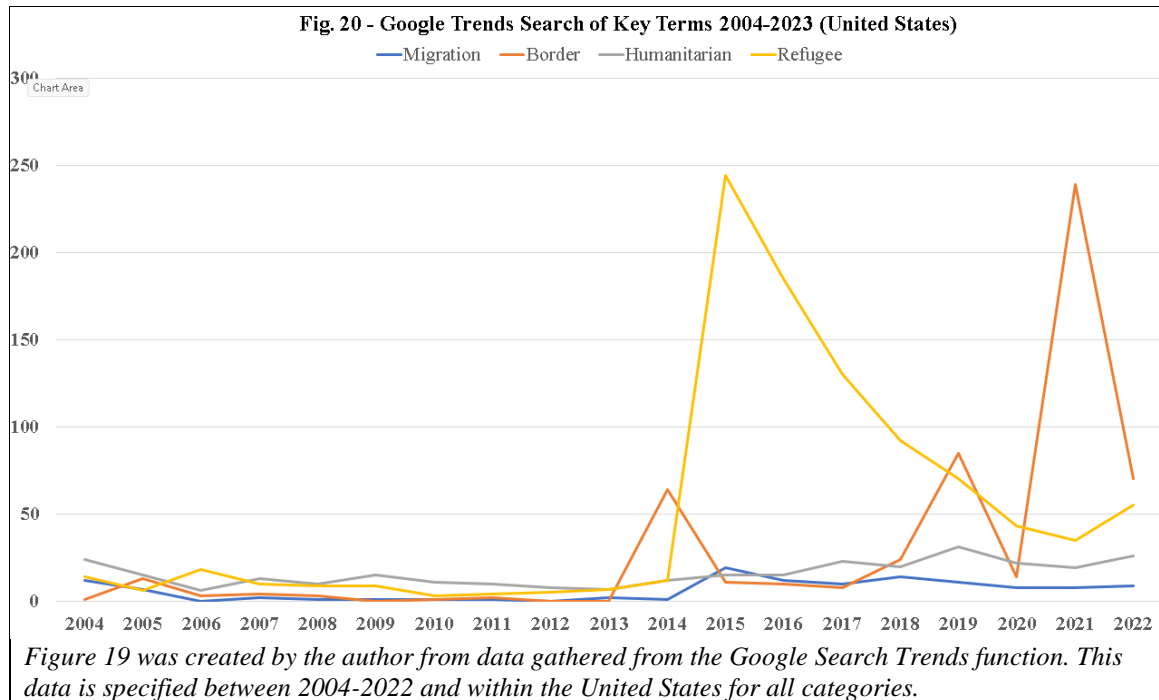
⁵⁵⁴ Terrio. (2015). *Whose Child Am I?: Unaccompanied, Undocumented Children in U.S. Immigration Custody*. University of California Press.

⁵⁵⁵ Zatz, M. S., & Rodriguez, N. (2015). *Dreams and Nightmares: Immigration Policy, Youth, and Families*. University of California Press.

⁵⁵⁶ U.S. Department of Health & Human Services. (2015). *Office of Refugee Resettlement Annual Report to Congress*. Last Accessed July 8, 2023. <https://www.acf.hhs.gov/orr/report/office-refugee-resettlement-annual-report-congress-2015>

⁵⁵⁷ U.S. Department of Homeland Security. (2014). *Budget-in-Brief, Fiscal Year 2015*. Last Accessed July 8, 2023. <https://www.dhs.gov/publication/fy-2015-budget-brief>

ICE using UACs to capture undocumented relatives, “effectively as fishing bait”, to put it crudely.⁵⁵⁸



The resettlement efforts faced numerous challenges. The sheer volume of arrivals, coupled with legal requirements for the treatment of unaccompanied minors, strained the resources of agencies like ORR. Finding appropriate sponsors or family members for children within the U.S. also posed a significant hurdle. Another challenge was addressing the varied needs of the minors, including education, mental health services, and legal representation, as they navigated immigration proceedings.⁵⁵⁹

The public's reactions to the crisis were mixed and often politically charged. While some Americans demonstrated empathy and support for the unaccompanied minors, seeing them as vulnerable individuals fleeing violence and poverty, others

⁵⁵⁸ Durkin, E. (2018, September 21). Ice arrests more than 40 people trying to sponsor migrant children. The Guardian News. Last Accessed July 8, 2023. <https://www.theguardian.com/us-news/2018/sep/21/ice-arrests-undocumented-immigrants-sponsoring-migrant-children>

⁵⁵⁹ Heidbrink, L. (2014). *Migrant Youth, Transnational Families, and the State: Care and Contested Interests*. University of Pennsylvania Press; Terrio. (2015). *Whose Child Am I?: Unaccompanied, Undocumented Children in U.S. Immigration Custody*. University of California Press.

viewed the influx as a threat to national security and economic stability. The crisis ignited a nationwide debate on immigration reform, border security, and the country's humanitarian obligations, with opinions increasingly diverging along partisan lines.⁵⁶⁰

The long-term outcomes of the resettlement of unaccompanied minors from the 2014/2015 surge are complex and varied. While some found stability and opportunities in the U.S., others face ongoing struggles.⁵⁶¹ Many grapple with trauma, acculturation challenges, and an uncertain immigration status, often hindering their educational attainment and economic advancement.⁵⁶² The response to the crisis shed light on the need for comprehensive immigration reform and the importance of adequate resources for supporting unaccompanied minors, which continue to come at record levels.

Conclusions

This chapter sets out to unpack the 2014 unaccompanied minor crisis. Through each of the three folds evidence reveals that like the Marielito's and Haitians, some discrepancies between how El Salvador and Guatemala emerge when compared with Hondurans. Even still, what the chapter finds is that even the concept of *refugee* is being actively purged from immigration and border discourse. The active efforts on part of both state and news media to frame children caught in the border industrial complex as a homogenous 'migrant crisis' is what activists, allies, and families across the country are trying to counter. Indeed, the other side of discourse is practice, and while only two locations were briefly explored, the Berks center and Nogales center, it contributes to a broader understanding in concerned literatures that the economics of "prison towns" and their remoteness is not accidental or happenstance.

⁵⁶⁰ Saad, L. (2022). U.S. Immigration Views Remain Mixed and Highly Partisan. Gallup. Last accessed 8/2/2023 <https://news.gallup.com/poll/395882/immigration-views-remain-mixed-highly-partisan.aspx>

⁵⁶¹ Zayas, L. H. (2015). *Forgotten Citizens: Deportation, Children, and the Making of American Exiles and Orphans*. Oxford University Press.

⁵⁶² Menjívar, C. (2016). *Temporary Protected Status in the United States: The Experiences of Honduran and Salvadoran Immigrants*. Center for Migration Research, University of Kansas.

CHAPTER VII

INSTRUMENTAL OR INCOMPETENT? UAC CRISIS REDUX

“For any immigration system to be functional and to work it has to be uniform across the board, one standard for everyone.”⁵⁶³ - Stephen Miller, August 2nd, 2017

“We will not rest until our border is secure, our citizens are safe, and we finally end the immigration crisis once and for all.”⁵⁶⁴ – President Trump, November 1st, 2018.

Introduction

This chapter explores the years following the 2014/15 UAC crisis, especially within the context of the Trump presidency. The chapter begins by contextualizing Trump’s ascendancy as somewhat unprecedented by a president in terms of the core issue being an anti-immigration rhetoric taken to its most extreme. Notable changes to immigration policy, as advocated by Trump and advisors like Stephen Miller are recounted as a reaction to both the Mariel Boat lift and the 2014/15 crisis. I then offer a detailed look at an important case study of Camp Tornillo which was open briefly compared to other sites, but far more costly. I argue it heralds a new trend in the state-market convergence of interests, a sort of high-tech and high-cost “turnkey” governance capacity to “meet the needs” of migration crises. The chapter concludes with a look at how Covid further changed immigration policies under Trump and how they shaped the beginning of President Biden’s administration.

A Crisis Unresolved and the Unlikely President Trump

The 2016 presidential cycle is perhaps one of the most tumultuous in the last century. Both major parties experienced considerable infighting and dissent over who would earn the parties’ national ticket. Ultimately, Hillary Clinton secured the Democratic nomination despite much uproar from an insurgent progressive caucus. Republicans on the other hand face their own transformative insurgency in the form of

⁵⁶³ C-Span. (2017). White House Daily Briefing. White House. Last Accessed July 7, 2023. [Video]. <https://www.c-span.org/video/?432080-1/white-house-daily-briefing> @ 22:40~

⁵⁶⁴ White House. (2018). Confronting the Urgent Crisis at Our Border. President Trump. <https://trumpwhitehouse.archives.gov/briefings-statements/confronting-urgent-crisis-border/>

Donald Trump, a political outsider, former Democrat, New York real estate billionaire with an extreme vision for transforming immigration and the border. Trump of course gained steam as a potential political figure in the early years of Obama's tenure as president as a prominent proponent of the "birtherism" theory that aimed to discredit Obama as a legitimate president by claiming he was born in a foreign country.⁵⁶⁵ Trump made the leap from birtherism conspiracy to a more general anti-immigration agenda as the influx of women and children capture the nation's attention in 2014. On June 15th, 2015, Trump descended on his golden escalator and declared his presidency in an infamous speech that among many insulting accusations said "When Mexico sends its people, they're not sending their best. They're not sending you [...] They're sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people."⁵⁶⁶

Such divisive rhetoric and brazen contempt for the political establishment simultaneously propelled Trump's meteoric rise and accelerated political polarization in a way that has transmogrified the Republican party into a personality cult.⁵⁶⁷ Trump's administration repackaged an "America First" policy agenda reminiscent of the US policy during Woodrow Wilson's presidency to avoid World War I and remain neutral in the interwar period.⁵⁶⁸ The phrase "America First" also traces usage to the Ku Klux Klan and anti-immigration policies throughout the 1920s and 30s.⁵⁶⁹ Trump's administration retooled these deep resentments into a 21st century critique of the neoliberalism that informs both Republican and Democratic policy agendas in the post-World War II paradigm. In terms of policy this meant criticizing or even withdrawing from things such

⁵⁶⁵ Serwer. (2020). Birtherism of a Nation. The Atlantic. Last Accessed July 6, 2023.

<https://www.theatlantic.com/ideas/archive/2020/05/birtherism-and-trump/610978/>

⁵⁶⁶ Phillips. (2017). 'They're Rapists' President Trump's Campaign Launch speech two year later, annotated. Washington Post. Accessed July 6, 2023. <https://www.washingtonpost.com/news/the-fix/wp/2017/06/16/theyre-rapists-presidents-trump-campaign-launch-speech-two-years-later-annotated/>

⁵⁶⁷ Hassan. (2019). The cult of Trump. Free Press.

⁵⁶⁸ White House. Foreign Policy. President Trump. Last accessed October 2, 2022.

<https://trumpwhitehouse.archives.gov/issues/foreign-policy/>

⁵⁶⁹ Simins. (2019). America First: The Ku Klux Klan Influence On Immigration Policy In The 1920s. Hoosier State Chronicles. Accessed July 5, 2023. <https://blog.newspapers.library.in.gov/america-first-the-ku-klux-klan-influence-on-immigration-policy-in-the-1920s/>

as the Trans-Pacific Partnership, NATO, NAFTA, the EU, and the Paris Climate Agreement.

However, the core of Trump's administration revolved around controversial immigration and border policies and the equally controversial advisors selected to oversee them. Characterized as a "white nationalist agenda" by investigative journalist Jean Guerrero, figures like Jeff Sessions, Steve Bannon, and Stephen Miller articulated America First in racialized terms that fueled a political movement known as the "alt-right" and energized latent anti-Semitic and xenophobic ideologies of white supremacy in America through conspiracies like "replacement theory" that echoed concerns of the 20th century eugenicists in works like *The Passing of the Great Race* and *The Bell Curve*.⁵⁷⁰ The effectiveness of Trump's entire persona is almost entirely supported by the appeals to Christian nationalism on one hand, and aggressive border and immigration policies on the other. This casts a wide net that pulls together its own kind of "strange bedfellow" coalition that consists of bi-partisan support for extreme conservative policies.

Immigration Related Policy Changes

Trump issued several executive orders concerning immigration policy in his first weeks as president. On January 27th, Trump signed executive order 13769 titled "Protecting the Nation from Terrorist Attacks by Foreign Nationals" which became known as the "Muslim ban" because it largely only targeted majority Muslim countries, including Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen. The order faced challenges both legally and socially. Federal authorities from the state of Washington, including Judge James Robart, and the State Attorney General, moved to declare it unconstitutional.⁵⁷¹ Simultaneously, thousands of people in major cities across the US descended on airports to protest the order.⁵⁷²

⁵⁷⁰ Guerrero. (2020). *Hatemonger: Stephen Miller, Donald Trump, and the white nationalist*. William Morrow, an imprint of Harper Collins Publishers; Rose. (2022). *A deadly ideology: how the 'great replacement theory' went mainstream*. Guardian News. Accessed July 4, 2023. <https://www.theguardian.com/world/2022/jun/08/a-deadly-ideology-how-the-great-replacement-theory-went-mainstream>

⁵⁷¹ Wadhia. (2019). *Banned: immigration enforcement in the time of Trump*. New York University Press.

⁵⁷² Doubek. (January 29, 2017). *PHOTOS: Thousands Protest At Airports Nationwide Against Trump's Immigration Order*. National Public Radio. Last Accessed July 7, 2023. <https://www.npr.org/sections/thetwo-way/2017/01/29/512250469/photos-thousands-protest-at-airports-nationwide-against-trumps-immigration-order>

Moreover, Trump directed DHS Secretary John Kelly ICE to modify prosecutorial discretion policies by removing exemptions from “classes or categories of removable aliens from potential enforcement.”⁵⁷³ This marks a shift away from the policies of Obama and George W. Bush, which were focused more on explicit criminality stemming from violence and drugs more than just being undocumented as such. Therefore, Trump’s policy change sent shockwaves throughout immigrant communities as it meant more people would be subject to detention and deportation procedures should they be caught by law enforcement agencies. One group Trump promised to exclude, to the dismay of immigration hardliners, were the DREAMERs as outlined by Obama’s DACA program.⁵⁷⁴

Another executive order, titled “Enhancing Public Safety in the Interior of the United States” set its sights on so-called “sanctuary cities” by hiring ten thousand additional immigration officers and threatened to withhold federal support grants to any city or locality that refused to cooperate with the new directives of ICE as previously stated by Secretary Kelly. Again, the Trump administration agenda faced legal challenges in the courts which resulted in a permanent injunction of the executive order in November of 2017 due to its unconstitutional violation of the separation of powers doctrine. In the ruling, Judge Orrick literally used Trump’s own words against him when Trump said he would use executive orders as a “weapon” against cities and states that disagreed with his policy.⁵⁷⁵

Trump’s most infamous immigration policy proposal of course is the “build the wall” campaign that practically defined his campaign and would be a source of constant refrain at his rallies even during his presidency. When he launched his campaign on June 16, 2015, just one year after the peak migration of women and children from Central America, Trump said “I would build a great wall, and nobody builds walls better than me, believe me, and I’ll build them very inexpensively. I will build a great great wall on

⁵⁷³ Wadhia. (2019). Banned: immigration enforcement in the time of Trump. New York University Press. pp 30-31.

⁵⁷⁴ Davis, J. and Steinhauer, J. (February, 26, 2017). Trump’s Soft Spot for Dreamers Alienates Immigration hard Liners. New York Times. Last accessed July 7, 2023. <https://www.nytimes.com/2017/02/26/us/politics/daca-dreamers-immigration-trump.html>

⁵⁷⁵ Visser. (November, 20 2017). Judge Permanently Blocks Trump's Executive Order On Sanctuary Cities. Huff Post. https://www.huffpost.com/entry/sanctuary-cities-executive-order-blocked_n_5a139666e4b0aa32975d6b3f

our southern border, and I'll have Mexico pay for that wall."⁵⁷⁶ In reality, much of the “wall” built under Trump’s administration only reinforced or replaced existing infrastructure. According to an analysis by WOLA, in only 16 miles of about 400 miles was Trump’s wall (a steel-slatted fence) built in areas previously without any former infrastructure. Moreover, “. . .not a dime of this has been paid by Mexico. . .nor is there any plan to recover the money, whether through tariffs, border-crossing fees, or any other mechanism. The U.S. taxpayer has built these 400 miles at a projected cost of \$20.4 million per mile. Even without cost overruns, that’s nearly \$70 from every U.S. household.”⁵⁷⁷ The exorbitant cost of course is only one aspect of the bigger problem the wall has brought. Many groups with diverse interests and policy goals have decried the concept of “border wall” as a source of possible state-market corruption⁵⁷⁸, detrimental to natural habitats for countless wildlife species⁵⁷⁹, infringes on private property rights⁵⁸⁰, harms Native American land and communities⁵⁸¹, and of course escalates the risk of death and dismemberment for migrants.⁵⁸²

Physical barriers are only one part of immigration policies. A second layer of barriers exists in the bureaucracy, paperwork, and waiting, or what some call “paper

⁵⁷⁶ C-Span. (June 16, 2016). Donald Trump Presidential Campaign Announcement. [Video]. Last accessed July 7, 2023. <https://www.c-span.org/video/?326473-1/donald-trump-presidential-campaign-announcement>

⁵⁷⁷ Isacson. (2020). 400 Miles of Harm: There is Nothing to Celebrate about Border Wall Construction. WOLA. Last accessed July 7, 2023. <https://www.wola.org/analysis/400-miles-of-harm-nothing-to-celebrate-about-border-wall-construction/>

⁵⁷⁸ Office Inspector General. (2020). CBP Has Not Demonstrated Acquisition Capabilities Needed to Secure the Southern Border. Department of Homeland Security. Last Accessed July 7, 2023.

<https://www.oig.dhs.gov/sites/default/files/assets/2020-07/OIG-20-52-Jul20.pdf>; see also Trevizo, P., and Schwartz, J. (2020). Records Show Trump’s Border Wall Is Costing Taxpayers Billions More Than Initial Contracts. ProPublica. Last accessed July 7, 2023. <https://www.propublica.org/article/records-show-trumps-border-wall-is-costing-taxpayers-billions-more-than-initial-contracts>

⁵⁷⁹ Barclay, E., Frostenson, S. (2019). The ecological disaster that is Trump’s border wall: a visual guide. Vox. Last Accessed July 7, 2023. <https://www.vox.com/energy-and-environment/2017/4/10/14471304/trump-border-wall-animals>

⁵⁸⁰ Zezima, K., and Berman, M. (2019). Trump’s Wall Needs Private Property. But Some Texans won’t give up their land without a fight. The Washington Post. Last Accessed July 7, 2023.

https://www.washingtonpost.com/national/trumps-border-wall-would-need-private-property-but-texas-landowners-plan-to-dig-in-for-lengthy-legal-fight/2019/01/10/d7e4cba8-1443-11e9-803c-4ef28312c8b9_story.html

⁵⁸¹ Eilperin, J., and Miroff, N. (2019). Border fence construction could destroy archaeological sites, National Park Service finds. The Washington Post. https://www.washingtonpost.com/immigration/border-fence-construction-could-destroy-archaeological-sites-national-park-service-finds/2019/09/17/35338b18-d64b-11e9-9343-40db57cf6abd_story.html

⁵⁸² Anguiano. (2022). Trump’s border wall has resulted in ‘unprecedented’ increase in migrant injuries and death. The Guardian News. <https://www.theguardian.com/world/2022/may/02/trump-border-wall-expansion-increase-injuries>

walls” per David Wyman’s book on the mass refusal of Jewish refugees by FDR during World War II.⁵⁸³ Despite most focus on US immigration politics being the “illegal alien” the reality is most immigration is legal and elusive to most people, even experts on the matter. There are dozens of visa-types, temporary and special waivers, green cards, and more, and thus beyond reasonable comprehension.

On August 2, 2017, Senior White House Advisor, Stephen Miller, announced the “most historic changes in immigration policy in 50 years” that targeted changing how “green cards” are awarded to immigrants each year. Establishing a broad context about the plight of blue collar workers, especially Black men and Hispanic workers, Miller lectured from the podium that the change would “reduce net migration over time” while also “protecting American workers” from surplus “low skill workers” and in turn prioritize “high wage earners at the back of the line, it makes no sense.”⁵⁸⁴ The tension in the room was palpable, and came to a head during the question and answer period. Glenn Thrush, of the New York Times, asked Miller to cite one or two studies with specific statistics that support the premise of these changes. Miller responded with the study by “Borjas and others” which claims that the Mariel boat lift had a negative long-term outcome on the labor market in Miami.⁵⁸⁵

On April 6th, 2018, then United States Attorney General Jeff Sessions ordered federal prosecutors and each US Attorney Office along the southwest border to develop and carry out “zero tolerance” policies under 8 U.S.C. § 1325(a).⁵⁸⁶ The order upgraded penalties for “improper time or place” of entry, “avoidance of examination or inspection” and “misrepresentation and concealment of facts” from a civil misdemeanor to a criminal offense. The former penalty involved a simple fine ranging from \$50 to \$250, the latter includes either immediate deportation or mandatory detention. This is a drastic shift in policy.

⁵⁸³ Wyman. (1985). Paper walls : America and the refugee crisis, 1938-1941 (First paperback edition). Pantheon Books. Wyman,

⁵⁸⁴ C-Span. (2017). White House Daily Briefing. White House. Last Accessed July 7, 2023. [Video]. <https://www.c-span.org/video/?432080-1/white-house-daily-briefing> @ 22:40~

⁵⁸⁵ Anastasopoulos, Borjas, G. J., Cook, G. G., & Lachanski, M. (2021). Job Vacancies and Immigration: Evidence from the Mariel Supply Shock. *Journal of Human Capital*, 15(1), 1–33; see also Chung, & Partridge, M. D. (2019). Are shocks to human capital composition permanent? Evidence from the Mariel boatlift. *The Annals of Regional Science*, 63(3), 461–515. <https://doi.org/10.1007/s00168-019-00938-7>.

⁵⁸⁶ Ibid.

The women and children, primarily from the northern triangle countries, arriving were being separated by the government without fully understanding or planning for the downstream consequences. For example, it is reported that Customs and Border Patrol (CBP) databases had categories for “*family units*, and *unaccompanied alien children* who arrive without parents” but did not account for children actually separated from their parents, so a new category “deleted family unit” was created. However, when databases from CBP were sent over to the HHS, which is tasked with reunification, these “deleted family units” did not transfer and effectively erased the electronic records of nearly 12,000 migrant children, forcing bureaucracy to do work by literal hand and paper.⁵⁸⁷ The pressure was so great that management even opened a disaster call center normally only used during major storms like Hurricane Katrina.⁵⁸⁸

Trump’s administration leaned into framing the UAC crisis and immigration during this period generally as an “national emergency” to legitimate enacting “zero tolerance” policies. Discursively linking immigration to national security and a state of emergency brings significant authority under the Executive branch. There are limits however, as Trump’s administration unsuccessfully attempted to end the Flores agreement, which would have meant effectively the mass detention of tens of thousands of children in high-cost facilities not unlike Camp Tornillo explored below.⁵⁸⁹

On the other side of government bureaucracy, courtrooms and judges have become actively political in the immigration debate as well. One vocal judge to emerge during this immigration crisis has been U.S. District Judge Sabraw of California. Describing problems with Trump’s separation policies as an effect of conflicting bureaucracy, he is quoted stating that the DHS, HHS, and ICE were each “like its own stovepipe. Each had its own boss, and they did not communicate.”⁵⁹⁰ In contrast, there have also been alarming accounts in which courtrooms handle “mass sentencing” of

⁵⁸⁷ Miroff, N., Goldstein, A., & Sacchetti, M. (2018, July 28). 'Deleted' families: What went wrong with Trump's family-separation effort. The Washington Post. https://www.washingtonpost.com/local/social-issues/deleted-families-what-went-wrong-with-trumps-family-separation-effort/2018/07/28/54bcdcc6-90cb-11e8-8322-b5482bf5e0f5_story.html

⁵⁸⁸ Wadhia. (2019). Banned: immigration enforcement in the time of Trump. New York University Press. pp 108-112.

⁵⁸⁹ Wadhia. (2019). Banned: immigration enforcement in the time of Trump. New York University Press.

⁵⁹⁰ Wadhia. (2019). Banned: immigration enforcement in the time of Trump. New York University Press. p 111.

immigrants lumped together and simultaneously judged in groups as large as 80 to 100 at a time.⁵⁹¹

Perhaps the most stomach wrenching scenes, however, are when lone children not more than a few years old and unable to speak English are brought before a judge. Often these children are represented by non-profits and activist groups. One lawyer described a scene where she was representing a 3-year-old in court recently separated from their parents. She said “and the child – in the middle of the hearing – started climbing up on the table [...] it really highlighted the absurdity of what we’re doing...”⁵⁹² Such absurd scenarios in the US legal system have not gone unnoticed, and the pressure for reform is mounting.

CAMP TORNILLO

“There’s no getting away from the fact that we’re taking people that are distinguished by [...] certain countries, of a certain race [...] and I can’t help but think about how people in the little town of Auschwitz had no idea what was going on [...] They saw people and trains going in, but had no idea what happened inside. Lots of people who come by here are surprised to find out a children’s prison sits over there, and it’s easy to not know. It doesn’t look like the operation it is, of the size it is...”

-Joshua Rubin, *Witness Tornillo*, January 1st 2019

To reach the camp one first must drive across an hour or so of open desert scenery. The road one takes is the same road thousands of Catholics traditionally take each year to experience some of the oldest mission sites in the US, such as San Elizario and Socorro. The port itself is named after Marcelino Serna, the most highly decorated Mexican born patriot for the US from World War I.⁵⁹³ Serna was an undocumented and therefore “illegal” immigrant to the US in 1916. The port was commemorated to Serna’s legacy in April 2017, the same month Attorney General Jeff Sessions declared the border

⁵⁹¹ Berman, R. (2018, June 20). 85 Immigrants Sentenced Together Before One Judge. The Atlantic. <https://www.theatlantic.com/politics/archive/2018/06/zero-tolerance-inside-a-south-texas-courtroom/563135/>

⁵⁹² Jewett, C., & Luthra, S. (2018, July 02). Immigrant toddlers ordered to appear in court alone. The Texas Tribune. <https://www.texastribune.org/2018/06/27/immigrant-toddlers-ordered-appear-court-alone/>

⁵⁹³ Iraheta, A. (2017, April 19). Tornillo Port of Entry officially renamed after local war hero Marcelino Serna. Retrieved July 7, 2023. Access at <https://kfoxtv.com/news/local/tornillo-port-of-entry-officially-renamed-after-local-war-hero-marcelino-serna>

a war zone due to the migration crisis.⁵⁹⁴ According to a memorial piece published on Rep. Hurd (R-TX, 23) website the port is named after him to “not only honor this extraordinary man’s service to our nation, it will serve as a reminder of the countless Mexican-American immigrants that have fought valiantly to keep our nation safe. Their contributions will not be ignored or forgotten.”⁵⁹⁵ One year later it became Camp Tornillo aka the Tornillo Tent City.

Geographically the port is comprised of 117 acres along the border about 40 miles east of Downtown El Paso, making it the largest border land port in the nation. It’s remote and largely inaccessible for the most part to anyone but those who actually work in the facility. Despite that record, it is one of the least used ports—so much so that crossing was toll free for all of 2016 to entice traffic.⁵⁹⁶ However, persistent low traffic and the fact of its large unused plot of federal land is likely part of the reasoning behind the Trump administration’s selection of the site to begin with as a detention camp. The camp is located on federal land (the port) and therefore is exempt from performance reviews and operating standards that other facilities are following.

In September of 2018 a freedom of information (FOIA) request revealed that on June 14th 2018 the director for the Administration for Children and Families (ACF)—which in turn reports to the Office of Refugee Resettlement (ORR), and Health and Human Services (HHS)—submitted a permit use claim to the General Services Administration (GSA) to use the Tornillo Land Port as a detention site until at least 2019. Initially, Camp Tornillo was contracted out by the HHS to Baptist Child & Family Services (BCFS), a non-profit religious organization. The terms were to manage a temporary shelter for UACs from April until June under zero tolerance policies. However, as it became clear the camp was not closing in June, but in fact was scaling up, BCFS changed some of the ‘everyday’ contracts or let them expire and refused a one billion dollar ‘no bid’ contract to continue through the end of 2018. A representative from BCFS is quoted as saying the whole “zero tolerance” policy was “a dumb, stupid decision

⁵⁹⁴ Borunda, D. (2017, April 21). U.S. attorney general calls border 'ground zero'. Retrieved April 1, 2022 at <https://www.elpasotimes.com/story/news/local/2017/04/20/us-attorney-general-calls-border-ground-zero/100702026/>

⁵⁹⁵ Hurd. (2016). Marcelino Serna, American Hero. May, 29, 2016. El Paso Times.

⁵⁹⁶ Flores, A. (2017, September 26). Free tolls at new port of entry for a year.

that should've never happened.”⁵⁹⁷ Furthermore, employees of the site expressed how much they “hated” the Tornillo assignment.⁵⁹⁸

By July of 2019 BCFS has done nearly 90 million dollars in government contracts, most of that being exactly over the duration of their time involved with camp Tornillo.⁵⁹⁹ However, while BCFS served as the site manager, the day to day operations had been taken over by Comprehensive Health Services (CHS), also specializing in “emergency and crisis management” services. CHS taking over the contract coincided with massive expansion as they sought to hire 5,000 employees to meet the increasing demand at the camp when it took over the main daily operations contract.⁶⁰⁰ CHS is in turn a subsidiary of Caliburn, which like BCFS is a “global provider in health and human services” which includes “immigrant shelter services.”⁶⁰¹

Ostensibly, the camp provides detained minors with their basic needs, such as food, water, and shelter. Such concessions are stipulated in the Flores Settlement Agreement (FSA), which requires the provision of resources and amenities that include “an individual bed; care and supervision; case management; counseling; access to legal services; medical care; three meals a day and snacks; recreation; soccer; basketball; movies; arts and crafts; board games; televised sports events; religious services; an on-site barber; and private showers” while minors at the site receive “educational services from teachers under the oversight of an experienced senior public school administrator using textbooks and workbooks.”⁶⁰² Orchestrating such amenities is not as simple, but the real surprise is how expensive it is compared to publicly ran facilities of similar standards.

⁵⁹⁷ Kates, G. (2018, September 26). Officials said "tent city" was temporary months after getting approval to keep it open through year's end.

⁵⁹⁸ Sherman, C., & Duara, N. (2018, June 25). "They hate this mission": Inside the tent camp for migrant children.

⁵⁹⁹ GOVTRIBE. (2019, May 4). Bcfs Health And Human Services. Last Accessed July 7, 2023.

<https://govtribe.com/award/federal-contract-award/delivery-order-75p00120d00010-75p00120f37001>

⁶⁰⁰ Saenz, S. (2018, August 10). Contractor: Facility for migrant children in Tornillo to expand; 5,000 positions need to be filled.

⁶⁰¹ Since beginning this project, Caliburn is now subsumed into Acuity International, an international conglomerate consisting of defense contractors and other things. <https://acuityinternational.com/>

⁶⁰²Department of Homeland Security. (2018, December 28). Fact Sheet: Unaccompanied Alien Children sheltered at Tornillo LPOE, Tornillo, Texas. <https://www.hhs.gov/sites/default/files/Unaccompanied-Alien-Children-Sheltered-at-Tornillo-LPOE-Fact-Sheet.pdf>

The detention of children aside, the most striking feature of Camp Tornillo is the “tent city” aesthetic. Lined up in uniform rows, the tents taken together in a single view makes the site appear more like a military installation, reminiscent of the footage from Afghanistan and Iraq during the war on terror. The tents are produced by a company called Western Shelter Systems (WSS) in Eugene Oregon. WSS has specialized in “building the toughest shelters and field support systems” since 1988.⁶⁰³ Their shelters used at Tornillo are made of high-quality vinyl capable of withstanding the harshest environments earth has to offer. This camp sits right on the US-Mexico border, where the weather is hot and sunny, temperatures average in the mid-90s from June until September, triple digit days are common. Fortunately for the teens, the tents are each equipped with high-powered air-conditioning units. At 20 feet long and 25 feet wide each tent houses approximately 20 persons that sleep in bunk beds lining each long side of the tent—including two adult supervisors. There are no windows, and there are no bathrooms. There are now about 190 tents with a total capacity of approximately 3,800 beds.⁶⁰⁴ As many as 1,200 of those “beds” as they are referred to in the lexicon of detention are reserved for potential swells or transfers. As far as documentation reveals, the female population was put into a single large tent, probably the recreational tent at the end of the main site. WSS is in turn owned by a private equity firm based in Portland, Oregon called Gorge Holdings. Like the other contracting firms discussed throughout, WSS has one primary client: the US government. Costing approximately \$20,000 dollars each, 2017 has been an excellent year for WSS. GovTribe, a website that tracks government contracts, shows that WSS did just over 14 million dollars in contracts in Q4 of 2017—a massive spike over previous quarters combined.⁶⁰⁵

Beyond the tents, other services for the site have literally been “trucked” in. Solar panels cover the roof of an administration building. Pristine sidewalks cut up the otherwise bleak desert ground, lining freshly carved roads that become interrupted by a perimeter wall-fence as they merge with US highway 10 in one direction, or US-Mexico

⁶⁰³ Western Shelter Services. (n.d.). About WSS. <https://westernshelter.com/>

⁶⁰⁴ Delgado, E. (2018, October 03). Texas detention camp swells fivefold with migrant children. The Guardian News. Las Accessed July 7, 2023. <https://www.theguardian.com/us-news/2018/oct/02/texas-detention-camp-swells-fivefold-with-migrant-children>

⁶⁰⁵ GOVTRIBE. (2019, May 4). WS Acquisition, LLC. Retrieved June 4, 2019, from <https://govtribe.com/vendors/ws-acquisition-llc-western-shelter-mobility-systems-067a4>

border to the other. Curiously, rows of trees have been planted, complete with fake grass lawns in an apparent effort to ‘liven’ the place up. Even food procurement, as one could imagine, is itself a feat of modern technology and logistical planning. All children, including the staff, all eat the same food provided by RK Emergency Management Support (RKEMS) with their website describing their services as,

“Turnkey emergency response and recovery support services that feed, shelter and sustain communities in need and the professionals helping them. We specialize in temporary food services, temporary structures and facility support services that aid response operations and community recovery following natural disasters and civil disruptions.”⁶⁰⁶

RKEMS is in the family of companies tasked with making Camp Tornillo an everyday production of “emergency management” or ‘crisis’ support. The technology services at Camp Tornillo, which include computer, internet access, data security and file management services are provided by General Dynamics Information Technology (GDIT), another conglomerate in the business of human services. In addition to “human services” these companies and others like them have found considerable profit in conflict and war as well. For example, GDIT is a subsidiary of General Dynamics Corporation, an “aerospace and defense company” that does billions of dollars a year in war operations related contracts with the US government.⁶⁰⁷

The nearest town shares the namesake of Camp Tornillo. It’s a small, quiet town with a population of approximately 1,600 people. However, Tornillo has become a lot more active since Trump took office. Not long after Camp Tornillo opened, hundreds of protestors descended on Father’s Day to show support and solidarity with the children and families that had been separated and detained all across the US. Celebrities brought extra special attention on social media outlets and many offered tens of thousands of

⁶⁰⁶ RKEMS. (n.d.). RK EMS - Services & Offerings. Retrieved June 4, 2019, from <https://www.rkemergencymanagement.com/>

⁶⁰⁷ Hartung, W. D. (2017, October 10). Here's Where Your Tax Dollars for 'Defense' Are Really Going. The Nation. <https://www.thenation.com/article/archive/heres-where-your-tax-dollars-for-defense-are-really-going/> ; see also Whitaker. (2023). Weapons contractors hitting Department of Defense with inflated prices for planes, submarines, missiles. CBS News & 60 Minutes. <https://www.cbsnews.com/news/weapons-contractors-price-gouging-pentagon-60-minutes-transcript-2023-05-21/>

dollars in matching fund donations to support organizations and families in service to immigrant rights and protections.

Generally, however, things are much quieter around Tornillo, with much of the activity being the constant inflow and outflow of vehicles, from large passenger buses to smaller vans. Every day, in twelve-hour shifts, hundreds of employees are bussed in and out of Camp Tornillo from El Paso. And each morning Josh Rubin, a former software developer and lone activist since mid-October from Brooklyn, steps out of his camper and holds up his “FREE THEM” sign as the bus-line moves by.⁶⁰⁸ Rubin’s “Witness Tornillo” campaign started on Facebook and gained followers. By mid-June a solidarity protest, consisting of doctors and nurses came together to protest the conditions, affects, and effects that immigration detention has on children and families.⁶⁰⁹ Medical health experts have long regarded the use of detention camps as reproducing the same trauma as orphanages once did. In addition to medical associations and individual activists, critiques of immigration policy come from other government agencies as well.

At the expected cost of one hundred million dollars a month Camp Tornillo is far more expensive than other means of incarceration in every respect except for Guantanamo Bay (\$900,000 a day).⁶¹⁰ For example, recently it has been written that California has the most expensive prison system in the US (and world), with the cost running about \$70,000 per inmate per year.⁶¹¹ Camp Tornillo, by comparison, would be approximately \$300,000 per child per year. The money to pay for it has come from

⁶⁰⁸ Dingler. (December, 24 2018). Outraged by Family Separations This man has held a Solitary Vigil in the Desert for two Months. The Washington Post. <https://www.washingtonpost.com/lifestyle/2018/12/22/outraged-by-family-separations-this-man-has-held-solitary-vigil-desert-two-months/>

⁶⁰⁹ Soboroff, J., Kube, C., Ainsley, J. (2018). Administration will house migrant kids in tents in Tornillo, Texas. <https://www.nbcnews.com/politics/immigration/trump-admin-will-house-migrant-kids-tents-tornillo-texas-n883281>

⁶¹⁰ The number has fluctuated. Early reports said 700~ dollars a night, and the most I’ve seen in 1,200. It’s impossible to know at this point, but my judgement says to error toward the middle average, or about 900.

⁶¹¹ Snibbe, K., & Southern California News Group. (2017, May 12). California has one of the most expensive prison systems in the world. The Orange County Register. <https://www.ocregister.com/2017/05/10/california-has-one-of-the-most-expensive-prison-systems-in-the-world/>

transferring nearly 200 million dollars from other agencies, such as the Federal Emergency Management Agency (FEMA), to DHS.⁶¹²

In December 2018, House Rep (D-Ca) Judy Chu and Senator Jeff Merkley (D-OR) introduced the Shut Down Child Prison Camps Act (SDCPCA).⁶¹³ The text of the bill is aimed at preventing the HHS from operating “unlicensed centers” for UAC’s, “including the existing shelters in Tornillo, Texas and Homestead, Florida.”⁶¹⁴ Since then, a number of protests erupted at Tornillo once again. “Christmas in Tornillo” was staged by one group of activists.⁶¹⁵ And a few days later more came for a New Years Eve standoff. According to reports, activists blocked and disrupted the usual busloads of employees by setting up dozens of gallon jugs of water and holding signs. One video recorded by an activist describes the water as symbolically tying the detention of children and immigrants to the broader assault on indigenous peoples, human rights, and access to sustainable and renewable living for all. Even as camp Tornillo began to scale down, more centers had been scheduled to open all over the country; this says nothing of at least 29 ICE facilities marked for “guaranteed minimum populations” which all but ensure more detention.⁶¹⁶

In a September senate hearing, ICE director Albence blames this conflict on the Flores Agreement (FSA). In 1997, the former Immigration and Naturalization Service (INS) entered into the FSA, which was intended to address the detention and release of unaccompanied minors. Specifically, it sets parameters and constraints on how long ‘families’ (typically defined as a woman and accompanying children, men/fathers are often excluded). For example, it requires DHS/ICE to transfer UACs to the care of HHS within 72 hours, and families cannot be detained for more than 20 days. However,

⁶¹² Kight. (2018, September 13). ICE received \$169 million from other agencies this year. Axios. Last Accessed July 7, 2023. <https://www.axios.com/2018/09/13/ice-money-funding-agencies-fema-dhs-immigration>.

⁶¹³ Democracy Now! (2019, January 4). Christmas in Tornillo: Activists, Lawmakers Demand Trump Shut Down Prison Camp for Migrant Children. Last Accessed July 7, 2023. https://www.democracynow.org/2019/1/4/meet_the_activists_lawmakers_fighting_to

⁶¹⁴ Chu, J. (2018, December 20). H.R.7360 - 115th Congress (2017-2018): Shut Down Child Prison Camps Act. <https://www.congress.gov/bill/116th-congress/senate-bill/397>

⁶¹⁵ Shields, S. (2018, December 25). Christmas in Tornillo: Group of people spend the holidays protesting. EL Paso News. Last Accessed July 7, 2023. <https://www.ksm.com/local/el-paso-news/christmas-in-tornillo-group-of-people-spend-the-holidays-protesting/>

⁶¹⁶ Camp Tornillo is not such a center. GM facilities are larger and usually for adults only.

Albence, says, “many fail to appear for court hearings and actively ignore lawful removal orders issued against them.”⁶¹⁷ This conflict captures a complicated reality of US federalist bureaucracy and politics in action.

Another form of bureaucratic oversight comes from the Government Accountability Office (GAO). It has published several scathing reports concerning ICE and HHS expenditures and practices concerning the detention of both adults and minors. One such report states that “a number of inconsistencies and errors in ICE’s calculations for its congressional budget justifications” had been discovered. For example, in a fiscal year 2015 budget request, “ICE made an error that resulted in an underestimation of \$129 million for immigration detention expenses.” Despite “review processes to ensure accuracy” ICE was not able to provide documentation of such reviews.⁶¹⁸ GAO was equally harsh on the HHS back in 2016 concerning their care of UAC’s.⁶¹⁹

Covid, Title 42, and “Remain in Mexico”

Covid took the world by storm, and its effects still linger. In terms of immigration, it provided an opportunity for an already anti-immigration president to take the authority of the executive to its logical and legal limits possible within a democracy. By March 22, 2020 the Centers for Disease Control and Prevention (CDC) had issued orders halting the entry of any individuals seeking asylum on the Canadian or Mexican borders, and from “countries where an outbreak of a communicable disease exists.”⁶²⁰ Then on April 22, 2020, President Trump issued an Executive Order suspending all immigration to the United States for a minimum of 60 days.⁶²¹

⁶¹⁷ Immigration Customs Enforcement. (2018, September 18). Statement of Matthew T. Albence. <https://www.ice.gov/sites/default/files/documents/Testimony/2018/AlbenceFLORES18SEPT18.pdf>

⁶¹⁸ Office, U. G. (2018, April 18). Immigration Detention: Opportunities Exist to Improve Cost Estimates. Retrieved June 1, 2019, from <https://www.gao.gov/products/GAO-18-343>

⁶¹⁹ Office, U. G. (2016, February 22). Unaccompanied Children: HHS Can Take Further Actions to Monitor Their Care. Retrieved June 1, 2019, from <https://www.gao.gov/products/GAO-16-180>

⁶²⁰ Redfield. (2020). Extension of Order Suspending Introduction of Certain Persons from Countries Where a Communicable Disease Exists. <https://www.cdc.gov/quarantine/order-suspending-introduction-certain-persons.html>. Accessed July 8, 2022.

⁶²¹ Trump White House. (April 22, 2020). Proclamation Suspending Entry of Immigrants Who Present Risk to the U.S. Labor Market During the Economic Recovery Following the COVID-19 Outbreak. <https://trumpwhitehouse.archives.gov/presidential-actions/proclamation-suspending-entry-immigrants-present-risk-u-s-labor-market-economic-recovery-following-covid-19-outbreak/>

Policing immigration via health and safety measures is not unprecedented in US history.⁶²² However, the border has never been so tightly shut in history. Title 42 is a section of the United States code that gives the government authority to prevent the entry of individuals who may pose a public health risk. During the COVID-19 pandemic, the Trump administration invoked Title 42 to effectively close the U.S.-Mexico border to asylum seekers and migrants, citing concerns about the spread of the virus. This policy resulted in the expulsion of thousands of people, including unaccompanied minors and families, back to Mexico or their countries of origin, often without due process or access to asylum procedures.⁶²³

These policies effectively ended refugee and asylum to the United States until President Biden took office, which raised the historically low refugee cap of 15,000 set by Trump, up to 62,500 by Biden—but in practice less than 12,000 were resettled in 2021.⁶²⁴ In addition to Title 42, the Trump administration enacted the Migrant Protection Protocols (MPP) also known as the "Remain in Mexico" policy. This policy required asylum seekers to wait in Mexico for their immigration proceedings in the U.S.⁶²⁵

One contingent response to the closure was Camp Matamoros. The camp's population fluctuated over time, with numbers reaching the thousands. The migrants at the camp were mostly from Central America and included families with children. The living conditions in the camp were dire, with residents living in tents and having limited access to necessities like clean water, sanitation facilities, and regular meals. Conditions were further exacerbated by the risk of crime and the exposure to harsh weather. Due to the camp's proximity to the U.S. border and the international attention it received, it was a focal point for humanitarian aid organizations and activists. While Mexican authorities

⁶²² Molina. (2011). Borders, laborers, and racialized medicalization Mexican immigration and US public health practices in the 20th century. *American Journal of Public Health* (1971), 101(6), 1024–1031. <https://doi.org/10.2105/AJPH.2010.300056>

⁶²³ Bolter, J., Israel, E. (2022). Four Years of Profound Change: Immigration Policy during the Trump Presidency. Migration Policy Institute. <https://www.migrationpolicy.org/research/four-years-change-immigration-trump>

⁶²⁴ Constantino. (October 8, 2021). Biden administration falls short of fiscal year 2021 U.S. refugee admissions cap. Retrieved September 29, 2022. <https://www.cnbc.com/2021/10/08/biden-administration-falls-short-of-fiscal-year-2021-us-refugee-admissions-cap-.html>

⁶²⁵ Bolter, J., Israel, E. (2022). Four Years of Profound Change: Immigration Policy during the Trump Presidency. Migration Policy Institute. <https://www.migrationpolicy.org/research/four-years-change-immigration-trump>

provided some assistance, the burden fell largely on non-governmental entities. Volunteers and non-profit organizations provided critical services, including legal aid, food, clothing, and medical care. Activists in both Mexico and the U.S. lobbied against the MPP and Title 42 policies, decrying them as inhumane and contrary to international asylum norms.⁶²⁶

Conclusions

Public reactions to President Trump's handling of the border during this period were deeply divided, mirroring the overall polarization of his presidency. Supporters of Trump often applauded his measures, viewing them as necessary to secure the U.S. borders and protect American jobs and public health amid the pandemic. Critics, on the other hand, saw these policies as overly harsh, potentially unlawful, and contrary to America's tradition as a refuge for those fleeing persecution. The treatment of migrants, particularly children, at the border received substantial media attention and public outcry, further fueling the debate over U.S. immigration policy.

Beyond the dramatic saga of another migration crisis and Trump's response are the lasting effects his administration had on the immigration and asylum system. Several policy changes and structural adjustments under the Trump administration have had lasting impacts beyond his tenure. The restructuring of immigration enforcement, through the bolstering of Immigration and Customs Enforcement (ICE) and the broadening of priorities for removal, has left a lasting footprint on the immigration system. Moreover, despite legal challenges and modifications, the essence of the travel ban remains intact. Finally, the overall decrease in legal immigration channels, through policy changes such as the "public charge" rule, which denies green cards to immigrants deemed likely to rely on public aid, have led to a reshaping of the demographics of immigrants to the U.S. The shifts in policy have provoked extensive legal battles and led to a reevaluation of the U.S. immigration system as a whole. However, unwinding these changes has proven to be a

⁶²⁶ HRW. (2021). Over 100 Groups Urge Biden to Fully Rescind Title 42 Expulsions. Human Rights Watch. <https://www.hrw.org/news/2021/06/30/over-100-groups-urge-biden-fully-rescind-title-42-expulsions>

complex task, and as a result, many of these policies and their impacts continue to influence the U.S. immigration landscape beyond the Trump presidency.⁶²⁷

⁶²⁷ Pierce, S., Bolter, J., & Selee, A. (2021). Dismantling and Reconstructing the U.S. Immigration System: A Catalog of Changes Under the Trump Presidency. Migration Policy Institute.

CHAPTER VIII

SUMMARY ANALYSIS AND CONCLUSIONS

Introduction

This chapter aims to summarize the key findings, insights, and data that the previous six chapters explored in organizing a comparative historical analysis to the question of *what is a migration crisis?* By defining two case studies of comparable qualities, the Mariel Boatlift in 1980, and the UAC crisis in 2015, this study periodizes a long *durée* account of how migration crises are both long in the making, but also contingent events with cascading consequences. In doing so, an account of institution building that moves beyond the traditional models of government made a case for thinking about US institutions, from the border to the president, as an ongoing iteration between state and market interests driving the institutionalization of the border-industrial complex.

While charting that map, additional insights into the externalities of the bordering processes became apparent. For example, the ‘border wall system’ harm extends beyond the human level; it is a kind of *slow* and *structural violence* with immeasurable consequences upon shared and interdependent ecosystems, flora and fauna, private property, and sacred indigenous land. Beyond the surprising capacity for destruction is also the wildly underappreciated capacity for extraction. Recent revelations on the scale of grifting taking place with the Pentagon isn’t a one-off scam run by corporate profiteering at the expense of the American taxpayer.⁶²⁸ The border industrial complex is rife with similarly exorbitant goods and services, but more disturbing is that it erodes at core freedoms of liberal democracy and re-introduces the “liberal paradox” yet again into the politics of organizing space, time, and the freedom to move.

Taken together, the institutionalization of bordering, which includes mass surveilling, detaining, and deporting human beings for things often totally normal if a citizen or closer to white than not, has been an unprecedented instrument to advance state power, especially the executive, on one hand, and private interests invested in the

⁶²⁸ 60 Minutes. (May 21, 2023). Military contract price gouging: Defense contractors overcharge Pentagon. [Video]. Last Accessed 8/5/2023. <https://www.cbsnews.com/video/price-gouging-pentagon-military-contracts-60-minutes-video-2023-05-21/>

“immigration industrial complex” on the other hand.⁶²⁹ As if this isn’t already alarming, I discovered a scantily discussed phenomenon of migration discourse: the disappearing use of *refugee* as a concept to even describe migration to the United States, especially as it concerns countries featured in the case studies examined here. Instead, as evidence shows, the concept of refugee has mostly been supplanted by border crisis, migrant crisis, and humanitarian crisis over the last decade.

To present key comparisons and insights from each *part* and *fold* of this study, the remainder of this chapter is structured to mirror the overall organization of the study in its three main parts: pre-crisis event, crisis event, and post-crisis event. In doing so the aim is to offer the ‘tree top view’ of the whole project such that readers could, and indeed may only, read this chapter to ascertain the what I think are significant take-aways, and then return to individual chapters to work from the ‘roots’ up should they choose.

Part One: The Histories of Migration Crises

The first part of this study focused on providing a historicized perspective on the “push and pull” factors that are often invoked in explaining contemporary immigration politics. Common to each case study are the legacies of colonialism, while leaving different impacts, none-the-less form the basis by which Central America, in this study El Salvador, Guatemala and Honduras, came to be entangled with US interests vis-à-vis the Monroe Doctrine, Good Neighbor Policy, Dollar Diplomacy, and interests of corporations like United Fruit Company, which were in turn supported by government agencies, like the CIA. Furthermore, attempts by land reformers and labor activists in each country were met with brutal military crackdowns often supported by the United States in the form of weapons, money, and training. Cuba and Haiti also shared colonial legacies but feature radically divergent trajectories. The slave revolt in Haiti was simultaneously its moment of freedom, and the birth of a new era of subjugation. Cuba’s quest for independence of US interventionism is also a tale of, on one hand a freedom movement by Castro, and on the other a series of malicious attempts by US forces to destroy it.

⁶²⁹ Trujillo-Pagán. (2014). Emphasizing the “Complex” in the “Immigration Industrial Complex.” *Critical Sociology*, 40(1), 29–46; Douglas, & Sáenz, R. (2013). The Criminalization of Immigrants & the Immigration-Industrial Complex. *Daedalus* (Cambridge, Mass.), 142(3), 199–227.

The cases all reveal a pattern of US foreign policy and commercial interests engaged in a global assault on democratic reformers, socialist movements, and communism. All three Central American cases suffered tremendous civil wars, which in turn created the first “migration crisis” in a sense to the US-Mexico border in the 1980s. The already struggling communities where these refugees settled became entangled with the harsh realities of gang culture that grew up out of the deeply racialized and carceral geographies of American cities like Los Angeles. A bipartisan consensus formulated around immigration and border reform by the 1980s resulting in the rapid expansion of border infrastructure, agents, technologies, and more facilities for immigration detention the mass deportation. The impact of these policies didn’t dissipate into the ether, but rather intensified already stressed regions and communities that would feed directly into the subsequent mass migrations, which manifested most starkly in 2014, and is reaching even more unprecedented levels as of writing this. As if these interwoven histories of conflict, strife, and US meddling are not already enough to compel mass emigration, it’s a most unfortunate reality that the changing environment, both its causes and effects, are compounded throughout Central American and Caribbean. The mass extraction of natural resources, over farming, land clearing combined with hurricanes, earthquakes, volcanoes, and floods that are inadequately resolved leave lasting wounds on the land and people who live in these regions. Table 1 summarizes some of these key elements as a snapshot of part one.

Table 1. Significant Forces on Social, Political, and Economic development

State	Extractive Colonial Legacies	US Backed Civil Wars	Democratic Elections ousted by Military Coup	US Backed Sanctions or embargos	US Corporations involved in controlling natural resources	Environmental Disasters w/ mass impact
Cuba	X			X	X	
Haiti	X		X	X	X	X
El Salvador	X	X	X		X	X
Honduras	X	X	X		X	X
Guatemala	X	X	X		X	X

Part Two: Caribbean & Central American Crises

In the second part of this study there was an effort to construct an account of each crisis event in terms of why it started, what happened, who was involved, how it was

managed, and ultimately resolved (or not). As discussed at the outset, I arrived at the Mariel Boat Lift and the UAC crisis of 2015 by looking historically at the ebb and flow of immigration *to* the United States that was “irregular” in some way. The Mariel Boatlift as it turns out remains one of the most extraordinary events of migration in the last fifty years but is scantily remembered negatively by anyone other than immigration hardliners. To be sure, the scholars of immigration and related concepts of democracy and liberalism have made it very clear all the ways Mariel could have been handled differently, but in the grand scheme of things, when compared with the UAC and other recent immigration events, Mariel barely registers on the radar. However, its precisely this difference that makes it an excellent case to juxtapose with the more recent events involving UAC, women, and family units.

The countries of El Salvador, Guatemala, and Honduras, collectively referred to as the “Northern Triangle” offered a perspective on immigration that put it more squarely within the larger cycles of US empire in both military and economic terms. The feedback loops between civil war displacement, migrant labor, deportation, and re-displacement, re-migration, and so on, lays bear the “liberal paradox” in a context that shapes not just the US, but the Americas more broadly. Table 2 offers a birds-eye view of this comparison.⁶³⁰

Table 2. Snapshot of Case Studies

State	Political System*	Periods of Increased Migration to the US	Case	Est. # of People	Est. # of Deportations
Cuba	Communist	1960s, 1980, 1990s, 2020s	Mariel	125,000~	3,500
Haiti	Dictatorship	1970s – 1990s, 2020s	Mariel	20,000~	100,000
El Salvador	Presidential	1980s, 2010s-2020s	UAC	16,000~	285,000
Guatemala	Presidential	1980s, 2010s-2020s	UAC	17,000~	500,000
Honduras	Presidential (coup)	1980s, 2010s-2020s	UAC	18,000~	400,000

⁶³⁰ Approximate numbers between 1980 and 2022 per DHS data. There are some technical nuances between returns, removals, but for simplicity I have collapsed them. For further reading see Kanstroom. (2007). *Deportation Nation : Outsiders In American History*. Harvard University Press;. and Goodman. (2020). *The Deportation Machine: America’s Long History Of Expelling Immigrants*. Princeton University Press; Golash-Boza. (2015). *Deported : immigrant policing, disposable labor, and global capitalism*. New York University Press.

Fold One: Exodus

Each case began first with considering the physical and material meaning of migration crisis. This is conceptually a matter of pragmatic understanding; migration necessarily takes place over space and time. It's a problem precisely because of the way liberalism organizes time and space, namely vis-à-vis a documents-based citizenship that is managed by the state. Therefore, it makes sense to understand *how* and *where* migration crises happen to assess if it has any impact on the overall framing and response. The evidence suggests that it does indeed matter in surprising ways.

Maritime migration, which was the primary mode for the Caribbean case motivated by political persecution and economic hardship in Cuba and Haiti, has historically elicited a humanitarian response, even if reluctantly. From Carter's "open arms, open heart" to the now-defunct "wet foot, dry foot" policy, the US had an exception for Cubans who reached U.S. soil to remain, reflecting an anti-communist political stance stemming from the Cold War era. However, as is well documented, Haitians often faced significant discrepancies in treatment, structured by both the history of anti-Blackness in American politics, but also by the classification of *economic* refugees as somehow less deserving than *political* refugees. Moreover, a direct policy response to Mariel was the increased use of "interdiction at sea" which allows US border forces to prevent would-be migrants from ever making it to land, compelling a "voluntary return" in the deportation machine.

In contrast, the U.S. approach to migration across the U.S.-Mexico border is primarily framed around concerns for national security, economic impacts, and legal adherence. Of course, the US-Mexico border is massive, sprawling thousands of miles, while the corridor of sea traffic is a couple hundred at most. Moreover, the land border sees substantial foot traffic, including both authorized and unauthorized crossings, and as such is an extensive legal and physical infrastructure, ranging from walls to increased border enforcement. Unlike the maritime routes, the emphasis here is less on humanitarian considerations and more on regulatory compliance and labor market considerations.

Perhaps the most important difference, though, is that the land border is persistently framed as under threat, porous, and weak. The different treatments of these

migration flows reveal underlying political calculations, strategic interests, and the ways in which migration policy is influenced not merely by geographic distinctions but by complex intersections of domestic policy objectives and international relations. The conclusions reached here are that policy makers are incentivized to appear effective, but never sufficiently, at securing the border. This means bi-partisan support, enticed with lobbying efforts, constantly returning to policies that put more agents in uniforms, erect barriers, and so on. Meanwhile, the government-contractors maintain lucrative minimum bed quotas, which further incentivize a punitive and carceral approach to managing migration, which essentially redoubles the aforementioned incentive structures.

The trek from central America to the US -Mexico border is on a whole other level in terms of distance, danger, and duration. Migrants traverse thousands of miles worth of jungle, gang territory, unforgiving trains, and precarious food and shelter arrangements over the course of weeks or months. The scale of violence is not comprehensible and yet tens of thousands make the trek time and time again, for reasons that are hard comprehend for most. It's difficult to appreciate in just a couple of small images, but figures 12 and 15 are reproduced here to offer a zoomed-out image of the basic geography and routes that were undertaken in each case. Figure 15 shows the routes between Central America and the US-Mexico border. Figure 12 is an archival image of how the US Coast Guard organized patrol and surveillance of the ocean between the Mariel port of Cuba and the shores of Key West Florida.

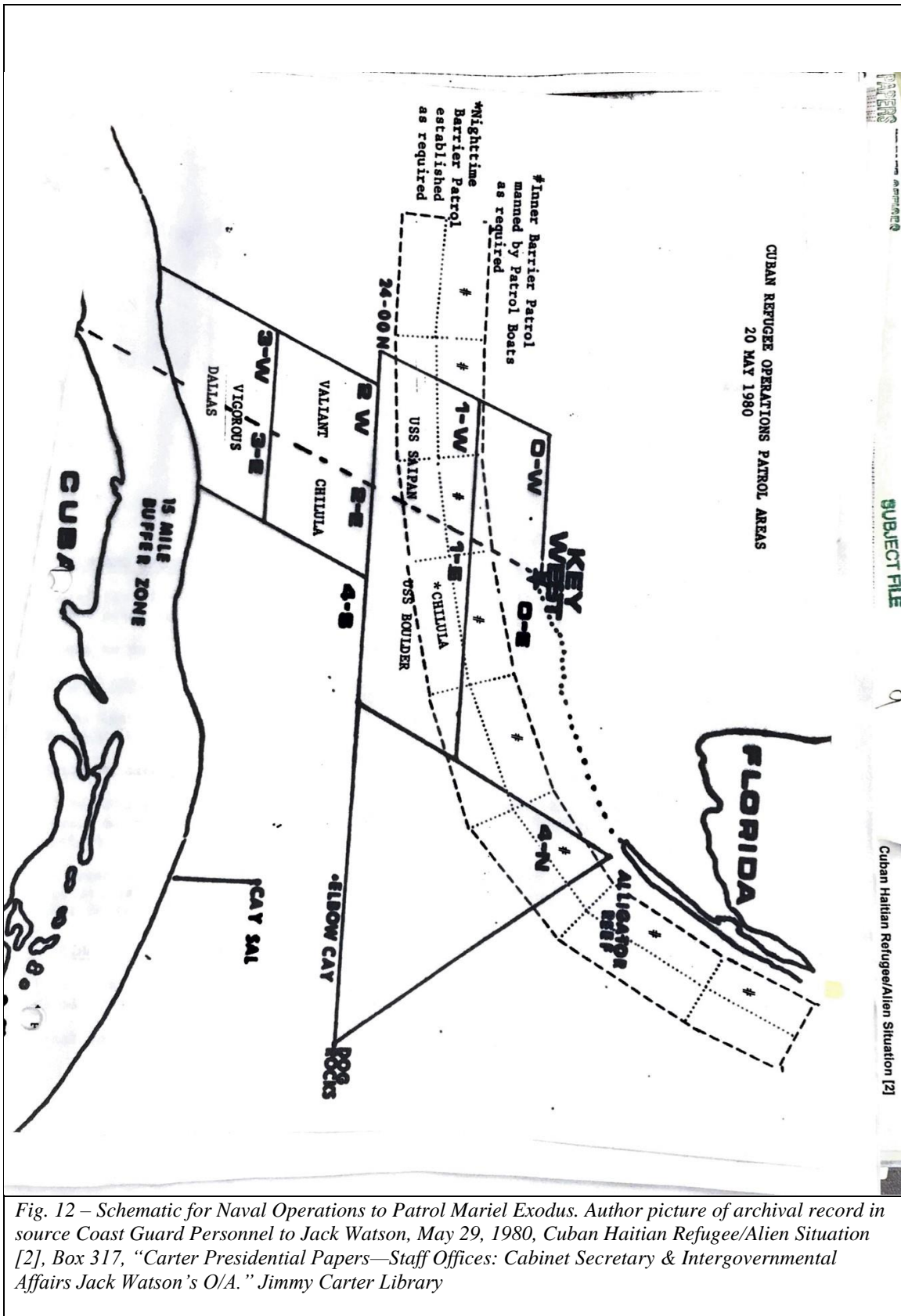


Fig. 12 – Schematic for Naval Operations to Patrol Mariel Exodus. Author picture of archival record in source Coast Guard Personnel to Jack Watson, May 29, 1980, Cuban Haitian Refugee/Alien Situation [2], Box 317, “Carter Presidential Papers—Staff Offices: Cabinet Secretary & Intergovernmental Affairs Jack Watson’s O/A.” Jimmy Carter Library



SOURCE: U.S. Customs and Border Protection

AP

Fig. 17 – Routes of Central American Migration, source: UNODC. (2018). *Global Study on Smuggling of Migrants*. (United Nations publication, Sales No. E.18.IV.9).⁶³¹

Fold Two: Praxis

In fold two of each case there was an attempt to plot the practical implementation of policies that shaped the response efforts during each event. Figure 21 features a typology by Silvia Pedraza which broadly captures the logic behind how both state and media tend to label people on the move, based on *why* they’re migrating and *what status* they should have in the US.⁶³² Given that the premise of a migration crisis is partly a function of the *quantity* of migrants overwhelming state capacities setup for “regular” migration, the use of ad-hoc ‘processing’ facilities are used to temporarily handle the situations. There are hundreds of spaces used then and now that come in all shapes and sizes.

⁶³¹ Long. (2019). What crackdown? Migrant smuggling business adapts, thrives. AP News. Last Accessed 7/5/2023 at <https://apnews.com/article/us-news-ap-top-news-international-news-az-state-wire-immigration-202a751ac3873a802b5da8c04c69f2fd>

⁶³² Pedraza, S. (2007). *Political Disaffection In Cuba's Revolution And Exodus*. Cambridge University Press.

Fig. 21 -- General typology of migration status in US Law ⁶³³		Political Status	
		Conferred	Not Conferred
Motivation for Immigration	Economic	Legal Immigrants	“Illegal alien” / undocumented
	Political	Legal Refugees	asylum seekers* Temporary Protected Status

This study only sampled six, but captured a diverse mix of settings, locations, costs, and capacities. The overall trend of increasing privatization of holding facilities is well documented, but what is less readily available are comparisons that put into context different modes of incarceration over time used to address migration crises broadly construed. A recent book by Stanford political scientist Tom Wong says *“despite its desirability as a clear unit of analysis, it is important to note that the immigration detention site is an incomplete measure [...] a more significant metric would involve data on who, why, costs, among other important factors.”*⁶³⁴ Part of my aim here is to offer one way we might address the concerns Wong raises, and Table 3 offers such a schematic to begin proffering a way to fill this gap by highlighting differences in terms of camp location, size, demographics, approximate daily cost, who operated it, and how long it was open for. The footnotes contain additional information.

Since its inception in 2002, Guantanamo Bay has housed a total of 779 detainees, of which merely eight have been officially convicted through the military tribunal, with seven presently on trial. Among these accused individuals, five were allegedly involved in orchestrating the September 11 attacks. Despite their arraignment spanning a grueling 13 hours over two years ago, their case remains in the pre-trial stage. The financial toll of

⁶³³ Pedraza, S. (2007). *Political Disaffection In Cuba's Revolution And Exodus*. Cambridge University Press.

⁶³⁴ Wong. (2015). *Rights, Deportation, and Detention in the Age of Immigration Control*. Stanford University Press.

maintaining Guantanamo Bay has been steep for American taxpayers, amounting to roughly \$6 billion since 2002. The annual expenditure for each detainee's incarceration approaches \$13 million, making it the most expensive carceral space on the planet.⁶³⁵ During Biden's administration Guantanamo has been considered as an option for the influx of Haitians arriving once again in large numbers during the 2022 summer months.⁶³⁶

While the Berks Family Residential center was recently closed as a response to a long-fought campaign by activists in the Pennsylvania area protesting its use for detaining families, more centers remain open and will need to be opened. Tornillo is probably the most extreme outlier in terms of its construction, operations, and costs. While an effective stop-gap solution, the profit-laden gift that took place in running this center is almost inconceivable. The core operation of Tornillo as a "turnkey" solution to crisis I think is an underappreciated and underexplored emerging phenomenon in the neoliberal state-market collaboration of policy and implementation. Of course, the origins of Krome as a missile base established as a defense against Cuban and Russian attacks to only become a refugee base for Cubans, and Haitians, *and* still operates to this day, makes it a compelling case to juxtapose with the other sites. Taken together, while a small sample of the 130+ centers in operation today it none-the-less captures a wide set of variables at play in the organization of detention and the border industrial complex. The landscape of carceral spaces is a testament to the capacities for exclusion that animate much of American history, and as should be apparent by now, will be the defining issue of the 21st century.

The other significant comparison to make here is the actual demographic composition of the people in each migration event. Mariel demographics are represented by Figure 14⁶³⁷ which was said to be representative of the overall flow. The major distinction then is precisely that the UAC crisis involves primarily *unaccompanied*

⁶³⁵ <https://bridge.georgetown.edu/research/factsheet-the-history-and-evolution-of-guantanamo-bay-detention-camp/>

⁶³⁶ <https://thehill.com/policy/international/3711407-white-house-weighs-holding-future-haitian-migrants-at-guantanamo-facility-report/>

⁶³⁷ This is the authors recreation of how the archive presented the information in source: Memorandum from Frederick Bohlen to Eugene Eidenberg, November 6, 1980, Data Processing, Box 2, "Records of the Cuban-Haitian Task Force-RG 220, Jimmy Carter Library.

children, with a majority of them being male (as the primary target for gang recruitments). Caring for children of course calls into question and consideration a different set of questions, response mechanisms, protocols, etc. Even as administrations “adapt” to the changing flows on paper, in practice the experience of the “processing” part of resettlement can look very similar, as depicted in the case studies. Since 2016, 60,000 Haitians have been denied entry or removed, with 20,000 of those just in the last year of Biden’s administration.⁶³⁸ In fact, as of 2022 its estimated that 35,000 Cubans have *final deportation* orders, and many of them are from the Mariel boat lift.⁶³⁹

The key variables in Table 3 highlight some of the key metrics by which the various sites of detention processing can be compared. For example, camp capacities vary greatly, with the largest camps housing up to 20,000 people, while smaller facilities are designed for only a few dozen, such as the Berks Family center.⁶⁴⁰ In terms of demographics, there has been attempts to segregate populations by age, gender, and country of origin. As private operators have become more prevalent in border and immigration services the costs of immigration have gone up, which runs contrary to the typical narrative that privatization keeps prices low. For example, the KROME detention center that opened under government control was intended to hold approximately 500 people but had daily averages over 1000 during Mariel. Today KROME is now operated by AGS (an AKIMA company) and has a daily population of about 700.⁶⁴¹ The data suggests that the most recent “turn key” operation of Tornillo was running over 1,000 dollars a day per child, adjusted for 2023 inflation.⁶⁴²

⁶³⁸ Isacson. (2022). A tragic milestone: 20,000th migrant deported to Haiti since Biden inauguration. WOLA. Retrieved July 9, 2023. <https://www.wola.org/analysis/a-tragic-milestone-20000th-migrant-deported-to-haiti-since-biden-inauguration/>

⁶³⁹ Montoya-Galvez. (April 25, 2023). U.S. resumes deportation flights to Cuba after 2-year pause. CBS News. Retrieved July 9, 2023. <https://www.cbsnews.com/news/us-deportation-flights-cuba-restarting/>

⁶⁴⁰ National Immigratr Justice Center. (2017). ICE Detention Facilities As Of November 2017. Immigrant Justice. Last accessed July 7, 2023. <https://immigrantjustice.org/ice-detention-facilities-november-2017>.

⁶⁴¹ Eady. (September 15, 1981). Krome Limit is Refused by Court. The Miami Herald Newspapers.com Archive.

⁶⁴²

Location	Capacity/ # of Migrants Processed	Demographics	Daily \$ per person (adjusted for 2023 inflation)	Private or State operated?	Duration, open date – close date (total days)
Fort Chaffee (AR)	19,000 / 25,000~	Mostly adult men, but also women/children	\$15 (\$55)/day	Federal / then state	May 8 th - Feb 3, 1982 (2 years 10 months) ⁶⁴³
KROME (FL)	524 / 4000~	Cubans in north, Haitians in south	\$16 (\$59) ⁶⁴⁴	Federal	1980 - present
Guantanamo (Cuba)	10,000 / 35,000	Haitians mostly, some Cubans	\$9 (\$20) ⁶⁴⁵	Federal	1990s ⁶⁴⁶ – present
Berks County Residential Center (PA)	96 / 3,500~ ⁶⁴⁷	Families then women only	\$220 (\$280) ⁶⁴⁸	County	2001-Jan 31, 2023 (22~ years)
Nogales (AZ)	5,500~	UAC	\$248 (\$316) ⁶⁴⁹	Federal	May 31-August 1 (62~ days)
Tornillo (TX)	3,800 / 6,200 ⁶⁵⁰	UAC	\$820 (\$1054)	Private	June 2018 – January 2019 (250 days~)

Fold Three: Receptions

In fold three the idea was to compare how people migrating in each crisis event were received in terms of media framing, executive disposition, and what it means for the broader policy agenda related to borders and immigration. From the outset I raised

⁶⁴³ UPI Archives. (1983). Last Cubans to leave Fort Chaffee. UPI.

<https://www.upi.com/Archives/1982/02/03/Last-Cubans-to-leave-Fort-Chaffee/9548381560400/>

⁶⁴⁴ Clary. (January 1, 1982). Activist Leads Rally at Krome. The Miami Herald. Newspapers.com Arhive.– figure comes from Director Cecilio Ruiz, said costs about 500,000 a month to house Haitians. I divided by 30 for an approximate daily cost, and by 1000, the average population.

⁶⁴⁵ This figure is based on a report stating Guantanamo’s budget was 30 million a year in 1991. I divided 30 million by 10,000 (for simplicity) and then by 365. I think this is probably very close because it would support the overall pattern of investing far less into Haitian care than other groups given the long history of anti-blackness. In the post 9/11 world Guantanamo has transformed into a much more expensive site, costing the US government 6 billion a year.

⁶⁴⁶ Guantanamo has been US property for a hundred years, but only as a detention center since the 1990s.

⁶⁴⁷ National Immigratr Justice Center. (2017). ICE Detention Facilities As Of November

2017. Immigrant Justice. Last accessed July 7, 2023. <https://immigrantjustice.org/ice-detention-facilities-november-2017>.

⁶⁴⁸ Ibid.

⁶⁴⁹ Government Accountability Office. (2015). Unaccompanied Alien Children Actions Needed to Ensure Children Receive Required Care in DHS Custody. <https://www.gao.gov/assets/gao-15-521.pdf>

⁶⁵⁰ Sacchetti. (January 11, 2019). Trump Administration Removes all migrant teens from Giant Tornillo Tent Camp. The Washington Post. Retrieved July 9, 2023.

questions about the counterintuitive trend in which border encounters were going down almost at the inverse rate that “crisis” framing was rising, as depicted in Figure 4, and further contextualized in figures 5 and 18.

Fig. 6 - Enforcement Actions by Decade in relation to Crisis Framing By Decade 1960-2019

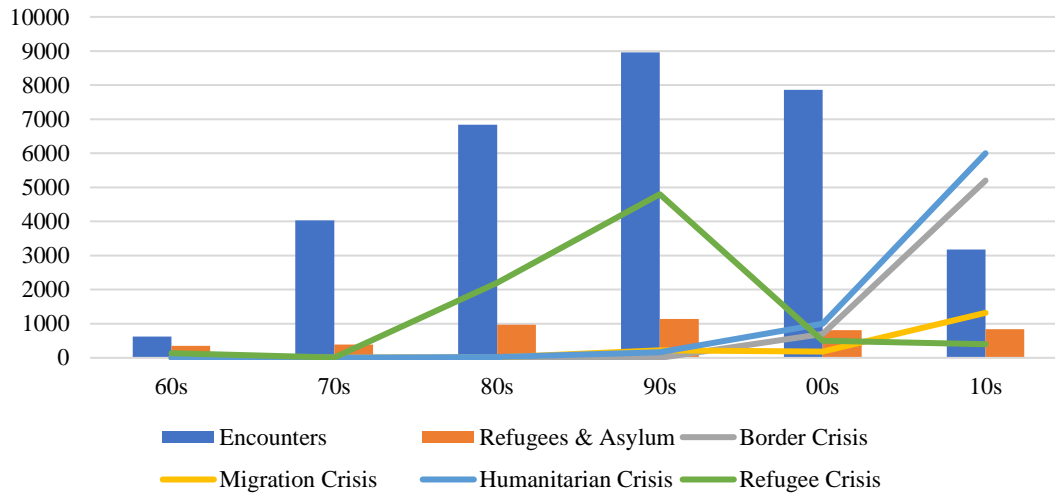


Figure 6 created by the author from data gathered using Newspapers.com results to count by decade the frequency of the key terms. The encounters data is found at Customs and Border Patrol. (n.d.). Nationwide Encounters. <https://www.cbp.gov/newsroom/stats/nationwide-encounters>. Data for the refugee and asylum figures can be found at U.S. Department of Homeland Security (DHS), Office of Immigration Statistics. 2022. Yearbook of Immigration Statistics 2021. Washington, DC: DHS, Office of Immigration Statistics.

Tables 4 captures a snapshot of the *framing* strategies used by Presidents to describe various periods of irregular and crisis level migrations, which reflect some ethos of their *personal* disposition, which their administration may have not totally aligned with. There are two important insights that I have learned from this analysis. First, the disposition of presidents, and their attitude toward immigration, has veered quite markedly into what Tichenor (2002) typology on political cleavages of immigration politics would classify as *nationalist egalitarians* and *classic exclusionary*.⁶⁵¹ The more common “free market” types have largely been subdued by the pressures of lobbying and

⁶⁵¹ Tichenor. (2002). *Dividing Lines: The Politics Of Immigration Control In America*. Princeton University Press.

national mood toward immigration and borders. President Trump’s anti-NAFTA campaign only further distanced the ideological divide between positions on immigration policies. In *Presidents & Immigration Law* (2020), Cox & Rodriguez, offer a compelling argument that presidents haven’t usurped congressional authority but rather changes in the bureaucracy (notably the post 9/11 reconfiguration) from local to federal levels combined with incentive structures on congress that favor detention and deportation mechanisms expanded through congress since the 1980s empower presidents and the executive branch more generally to wield more power over immigration. I think this is generally right, but it perhaps underplays the role of the president’s disposition in affecting the political imaginations of policy makers, voters, and everyone else. Table 5 offers a glimpse at the shifting disposition of executive views on immigration.

Fig. 7 - Newspaper Frequency of Key Term Framing

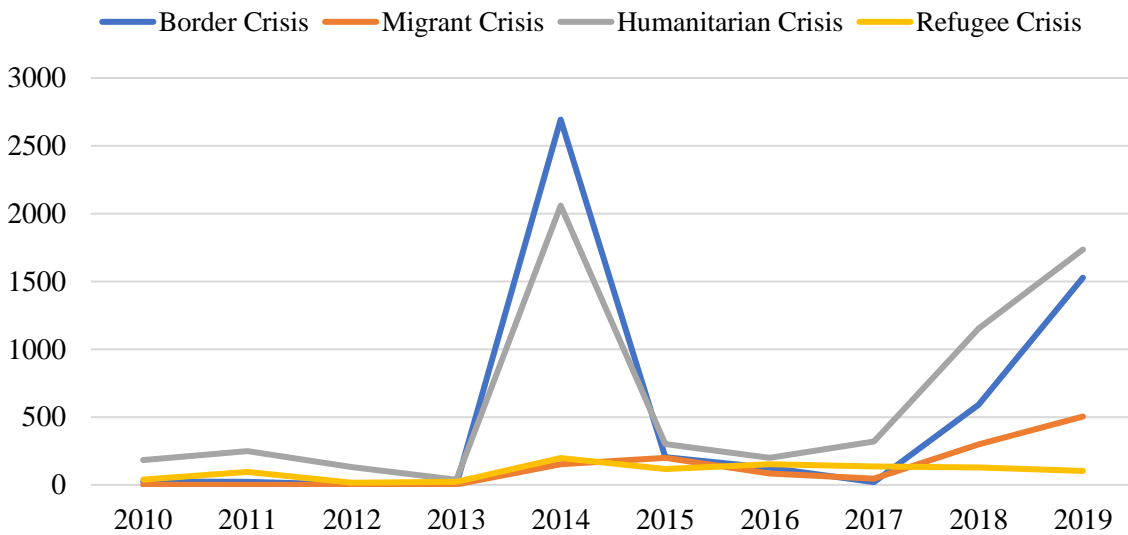


Figure 7 created by the author from data gathered Newspapers.com results to count by decade the frequency of the key terms. The encounters data is found at Customs and Border Patrol. (n.d.). *Nationwide Encounters*. <https://www.cbp.gov/newsroom/stats/nationwide-encounters>

Fig. 20 - Google Trends Search of Key Terms 2004-2023 (United States)

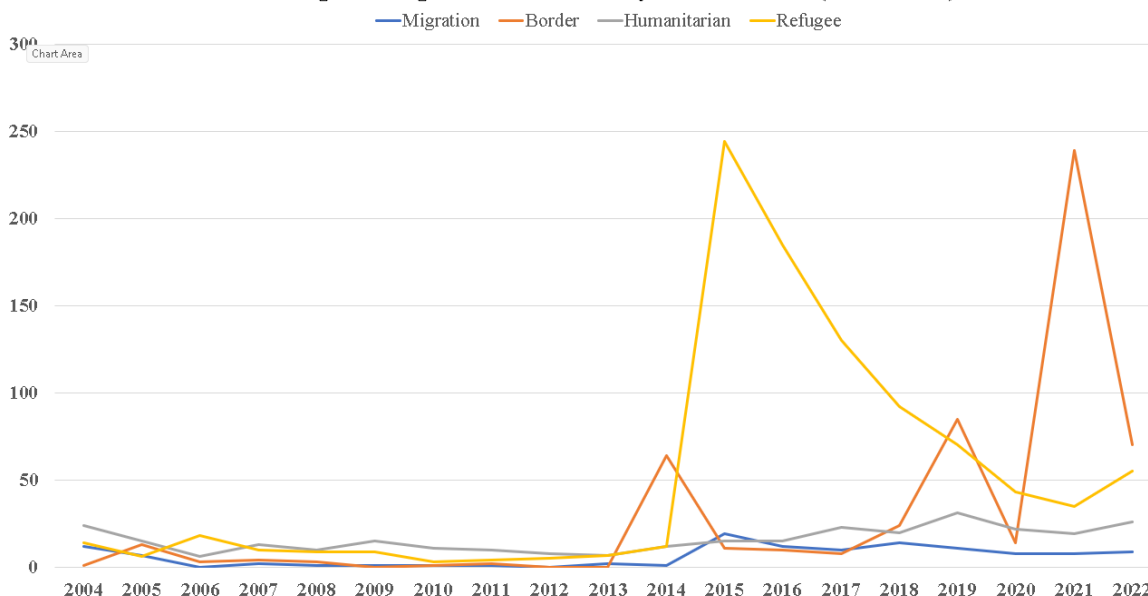


Figure 18 was created by the author from data gathered from the Google Search Trends function. This data is specified between 2004-2022 and within the United States for all categories.

The second major insight from this analysis is that the language and tone in which general discourse has evolved over the last forty years, which again reflects a hardening, distancing, and ambivalence at best or hostility at worst trend. The term “refugee” and “asylum seekers” has almost nearly vanished from the American political lexicon. Where Cubans and Haitians were constantly referred to as refugees, even when their legal classification was *entrant*, the more recent waves of arrivals are *illegals*, *migrants*, *unaccompanied alien minors*, *family units*. The “migrant/refugee” binary has recently been deeply examined by Rebecca Hamlin, in which she argues “like all legal fiction, the migrant/refugee binary endures because...legal fiction serves the purpose of depoliticizing the most difficult ethical decisions that receiving states must make about who protection should be prioritized...it’s power stems from its portrayal as objective, neutral, and apolitical...”⁶⁵² It’s also the case that even using the term “problem” has

⁶⁵² Hamlin. (2021). *Crossing : how we label and react to people on the move*. Stanford University Press. pp 4-5.

disappeared. Problems have solutions, but do crises? The “Cuban problem” the “Haitian Problem” are no more. Now phrases like “the migration crisis” the “border crisis” or “humanitarian crisis” are used and herald a counter-intuitive development in liberal capitalism: don’t solve problems, rather extend, and harness their potential, operationalize crisis management as the new normal and on one hand exert more unilateral control on “others” to society, while on the other hand extract maximum profits at every conceivable space and time. This phenomenon is not unique to immigration and border politics, as it seems everything is in crisis these days, housing, jobs, education, healthcare, even the very language we use to talk about ourselves is at record polarization, this is the *crisis paradigm* but many use the more euphemistic “Anthropocene.”⁶⁵³ The discourse of crisis creates an ambiguous and difficult to diagnose or resolve situation. Crisis discourse raises concern, conjures fear, and ultimately enables transgressions against democratic politics and humanity. The US government spends more money now than ever on immigration and border control, but it isn’t clear that any problems are being solved, in fact they seem to be getting more complicated, dire by some accounts.

⁶⁵³ The Anthropocene’ is a term used to define a new planetary epoch in which human activity is the dominant force shaping and destroying Earth’s biodiversity, climate, and terrestrial image.

Table 4. Presidents and their Political Disposition		
President (party)	Statements that reflect the general ethos of a president's views on immigration as an evolution of political thought	Notable Immigration/Border Executive Orders / Policies
Carter (D)	"...tens of thousands of Cubans are fleeing the Castro regime under perilous conditions...in keeping with the laws and traditions of our own country, the United States has provided a safe haven for many of these people...since the beginning of this crisis we've been operating under basic principles... treat the escaping Cubans with humanity and decency..." ¹	1980 Refugee Act Cuban-Haitian Entrant
Reagan (R)	"it is true our borders are out of control...[but] I believe in the idea of amnesty for those who have put down roots and lived here even though some time back they may have entered illegally..." ¹	IRCA Interdiction at Sea
Bush (R)	"I don't want to see six- and eight-year-old kids being made uneducated and made to feel they live outside the law... these are good people, strong people, part of my family is Mexican" ¹	TPS, 1992 Immigration Bill
Clinton (D)	"All Americans...are rightly disturbed by the large numbers of illegal aliens entering our country...the public service they use impose burdens on our taxpayers. That's why our administration has moved aggressively to secure our borders...we are a nation of immigrants, but we are also a nation of laws. It is wrong and ultimately self-defeating for a nation of immigrants to permit this abuse of our immigration laws..." ¹	94/96 Laws Wet-foot/dry-foot
W. Bush (R)	"If you're serious about securing our borders and bringing millions of illegal immigrants in our country out of the shadows, this immigration reform bill is our best chance...this bill does not grant amnesty. Amnesty is forgiveness without a penalty. Instead, this bill requires workers here illegally to acknowledge they broke the law...to remain employed and maintain a clean record..."	2007 Immigration Reform (failed) Secure Fence Act (2006) DHS—ICE/CBP
Obama (D)	"There are actions that I can take...the same kinds taken by republican and democratic presidents before me...first, we'll build on...additional resources to our border...to stem the flow of illegal crossings and speed the return of those who do cross... I'll make it easier and faster for high-skilled immigrants...to stay and contribute to our economy...even as we are a nation of immigrants, we are also a nation of laws...and I believe they must be held accountable...and that's why we're going to keep focusing on actual threats...felons not families, criminals not children, gang members not mothers."	DAPA/DACA Secure Communities
Trump (R)	"Sadly, the American dream is dead...when Mexico sends its people, they're not sending their best. They're not sending you...they're sending people that have lots of problems...they're bringing drugs, they're bringing crime, they're rapists, and some I assume are good people..."	Muslim Ban, Zero Tolerance, Title 42, Family Separation National Emergency at Border

Part Three: Crisis Aftermath

Immigration politics have evolved overtime as an uncertain dynamic between “interparty conflicts, elusive problem definition, difficult compromises, and unpopular outcomes” throughout the 18th, 19th, and 20th centuries.⁶⁵⁴ While these factors remain true, evidence suggests there is a more parsimonious explanation for the last two or three decades of border and immigration politics: *grifting* at unprecedented scales that is best understood as “issue networks” rather than traditional ‘iron triangles’ of governing. Over 105,000 contracts valued at \$55 billion have been awarded to various companies involved in the BIC. These contracts were given by CBP and ICE to private entities, including the likes of Northrop Grumman, General Atomics, G4S, AKIMA, and CoreCivic among others. These companies were tasked with expanding the border and immigration enforcement mechanism. Intriguingly, this sum surpasses the total combined value of border and immigration budgets from 1975 to 2003, a 28-year span totaling \$52 billion. These corporations make campaign contributions to influential politicians in both major political parties and lobby for more enforcement. This creates a cycle where a greater border crisis necessitates more border infrastructure, which in turn, generates more profit.⁶⁵⁵

Grifting is not a cause of the border-industrial complex, but rather the low-hanging fruit of incentive structures which operate with little accountability on the policy-making side, but with significant financial and ideological pressure on the social side to enact policies that are already vulnerable to exploitation. Moreover, it seems to me that grift is *racism* in action if we look at capital from an already racialized perspective. That is, what exactly is being grifted? An institutionalized apparatus premised on and emerging from colonization, slavery, indigenous genocide, mass displacement, tension, and deportation, not to mention a list of “paradoxes” that make the promise of liberalism seem more like a *transcendent* fantasy than anything pragmatically oriented toward human dignity.

⁶⁵⁴ Tichenor The Overwhelming Barriers to Successful Immigration Reform

⁶⁵⁵ More Than A Wall: Corporate Profiteering and the Militarization of US borders at <https://www.tni.org/en/publication/more-than-a-wall-0>

Conclusions: The Futures and Fictions of Migration and Crisis

“Do not come. Do not come.”⁶⁵⁶ – Vice President Kamala Harris
“Do not come...don’t leave your town or city or community...”⁶⁵⁷ – President Joe Biden

The future of immigration and border politics in the U.S. presents an intricate web of challenges that demand a multifaceted approach. At the core lie profound ethical considerations, where the balance between security interests and humanitarian obligations becomes paramount. Are we on a path toward recognizing the inherent humanity of migrants and refugees? Or will incentive structures of state and market power be re-entrenched by powerful appeals to security threats on one hand and dog whistles about national decay on the other? The implications are far reaching in economics, environments, cultures and the state system itself. Are there technologies that will somehow make radical shifts in how, why, where, when and if people will migrate? Or more likely, what technologies are yet to come that further improve upon the efficiencies of surveillance, apprehension, incarceration, and deportation? At what cost, to whom?

As a matter of *what* can be done, I think it helps to conceptualize how the landscape of options manifest from two basic questions. What is the problem? And What is the solution? In general terms, my contention is that depending on what one’s *preference* is for thinking about the nature of immigration will reveal the logical domain of policy options supporting it, and therefore a general categorical position in typology. I use the familiar dichotomy of Agency and Structure to explicitly identify how these concepts are at *interplay* with each other, as there is no real meaning but the relationships that animate them. The utility of such a typology is that it might help one hand identify the general directions policy options can move, and on the other hand illustrate what sorts of challenges are ahead if we’re to think pragmatically about policy-making and institutional change overtime. Of course, we may move in *all* directions simultaneously, but is that feasible or sustainable for the long *durée*? My contention is probably not. There are no quick solutions coming, which is why we must start thinking even more carefully about it now.

⁶⁵⁶ Guardian News. (June 7, 2021). Kamala Harris tells Migrants Do Not Come during talks in Guatemala. [Video]. Youtube. <https://www.youtube.com/watch?v=bpGitFIZamQ>

⁶⁵⁷ Today. (March 17, 2021). President Biden Tells Migrants: ‘Don’t Come’ To border. [Video] Youtube. <https://www.youtube.com/watch?v=Mo10ip4BdvI>

Fig. 22 -Typology of Immigration Policy Directions		The Solution is...	
		<i>Humanization (Agency)</i>	<i>Fortification (Structure)</i>
The Problem is...	<i>The Border & Facilities (Structure)</i>	Increase processing and resettlement capacities in the US. i.e., Refugee & Asylum programs – integration assistance, possibly Schengen like policies <i>(humanitarians)</i>	border security technologies, personnel, detention, and deportation capacities i.e., “Border wall system” ⁶⁵⁸ <i>(statists)</i>
	<i>Im/Migration (Agency)</i>	Foreign Aid / Direct Investment in sending countries. i.e., Biden & Harris “Root causes” strategy and refugee investment <i>(interventionists)</i>	Quantity and quality restriction policies i.e., “zero tolerance” “MPP” “Title 42” and quota laws <i>(nationalists)</i>

To conclude, this study began with a brief comparison of refugee and asylum admission rates and budgets between the US and European Union. I think it’s useful to return to this comparison if for no other reason than to proffer a thought experiment. Are the people of Europe, specifically the 27 countries in the Schengen area, speaking dozens of languages by over 400 million people—a policy of free movement between member states—really so exceptional that they managed to do the impossible? Or is it the case that *American Exceptionalism* is getting in the way of a world more connected? What would a border look like that facilitated high-speed rail transportation for goods *and* people? Can borders accelerate the rate of exchange, in cultural, economic, and political domains, rather than separate, sunder, and judge? What surprises, missteps, and other possibilities are just beyond the horizon of our political imaginations? I think we should go and see, get creative, experiment, after all, its *political science*.

⁶⁵⁸ Customs and Border Protection. (n.d.) Border Wall System. Last Retrieved July 7, 2023. Access https://www.cbp.gov/border-security/along-us-borders/border-wall-system?language_content_entity=en

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