Review of the book Undocumented: How Immigration Became Illegal
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Version: Post-Print/ Accepted Manuscript


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2015 is the year when Donald Trump, a leading Republican Presidential candidate, infamously calls Latinos “violent criminals”, “drug runners”, “rapists”, and diseased. He promises to build an impenetrable wall if elected to the U.S. presidency and as late as December 2015, seems to have won the approval of many American voters. Anti-immigrant and specifically anti-Latino sentiment is not only prevalent, but overt and vitriolic racism is a mainstay in U.S. media and politics. In the past decade, a growth of scholarship and immigrant rights activism in the United States has raised attention to systemic racism, harassment, and the specter of deportation that marks the daily lives of millions of undocumented immigrants. In this context, Chomsky’s book, offers a timely and comprehensive view into the economic and legal instruments that produce undocumented immigration in the United States.

Chomsky offers a broad perspective of the historical linkages between colonization, immigration, labour, and race-thinking in the United States. She presents this book as a counternarrative to deeply entrenched myths that characterize Mexican and Central American immigrants as “illegal” and thus outside the American story. The book effectively argues how “changes in the law deliberately created illegality and did so for the purpose of keeping Mexican workers available, cheap, and deportable” (p. 22). Chomsky poses the question, “Where did illegality come from?” to illustrate the role that race-thinking plays in the social construction of “illegality”, specifically with regard to U.S. dependence on migrant labour.

The book is divided into eight chapters, which address histories of migration to the United States, specifically from Mexico and countries in Central America. In her discussion of
“True Refugees of the Border Wars” (p. 3), Chomsky counters the anti-immigrant rhetoric in the United States, by showing how grassroots organizations on both sides of the US-Mexico border. Non-profit organizations, the Catholic Church and even the Mexican government offer basic necessities for survival for people who are deported by U.S. authorities. This section reveals the social costs of the deportation, which is often obscured by laws that construct people as illegal. The remainder of the introduction and chapter one address the role that immigrants have played in the creation of the United States as white settler nation. Chomsky argues that inclusion of migrants into the body politic produced a dual labour market linked to racial order. Industrialized labour, which involved immigrants from Western and Eastern Europe, enabled upward mobility, especially during the strengthening of labour organizing and unionized work forces in the early 20th century. In contrast, racialized labour has been organized through racial logics, justifying chattel slavery up until the mid-19th century, then Jim Crow laws across the American south and the influx of Mexican labourers through the Bracero program, through which Mexicans were permitted to work seasonally, but unable to become permanent residents of the United States. This dual labour market disenfranchises racialized workers and structures their labour through relations of inequality that undermine labour organizing for basic rights.

In Chapter two and three, Chomsky draws our attention to the legal instruments that render hundreds of thousands of migrants from Mexico and Central America as “illegal”, “criminal” and thus deportable. To illustrate, Chomsky revisits the impact of immigration policies in 1965, which marked the end of overt racial bias in immigration law and which is attributed to dramatically shifting the demographics of who could immigrate to the United States. Certainly, the removal of racial exclusions and introduction of a new
national quota system meant that new waves of immigrants from countries in Asia, Africa and South America would be permitted to immigrate to the United States in ways that was impossible before. The impact of national quotas for immigrants from Mexico coupled with the end of the Bracero Program, however, meant that thousands of Mexicans lost their legal right to work in the United States. The need for their labour, however, did not abate giving rise to a new era of “undocumented” work.

Chomsky compares the criminalization of immigrant with the role of Jim Crow laws in the America south, which enabled the state to maintain ruling relations over “freed” blacks post-emancipation. Chomsky aptly draws links with Michelle Alexander’s analysis of how criminalization follows black people into everyday life in similar ways as the spectre of deportation for undocumented immigrants (Michelle Alexander, The New Jim Crow: Mass Incarceration in the Age of Colorblindness, New York: New Press, 2010).

Chapters four, five and six look closely at the everyday living conditions of undocumented immigrants and migrants who have a precarious status. Chomsky illustrates how racial profiling, denial of services and exploitative work conditions blur lines between legal and undocumented status for people of Mexican and Central American origin. She also describes who benefits from the criminalization of immigrants, such that employing, policing, and detaining undocumented immigrants creates wealth for small communities and large corporations alike. Chomsky provides in-depth attention to major industries that rely disproportionately on undocumented labour—agriculture, housing, meat-packing, and food service. That multinational corporations actively lobby local governments to increase penalties on undocumented immigrants is well documented. More surprising is the accompanying economic surpluses and job growth for small towns in
southern states that have passed the most draconian anti-immigration laws (e.g. Arizona, Georgia). Despite anti-immigrant sentiment from public officials in these regions, the incarceration of undocumented immigrants (which requires them to be present) produces wealth for these same regions in troubling ways.

Chapter 7 illustrates the consequence on families, with some promising insights from undocumented youth who are mobilizing to advocate for their rights and challenging the public’s notion of who belongs.

In conclusion, this book offers a comprehensive view on social processes that construct states of “illegality”. The straightforward writing style and use of illustrative stories makes this book suitable to different types of audiences including the general public, upper-level high school and undergraduate students, and researchers. Chapters that include more technical legal information, however, may lose some readers. The book crosses disciplinary boundaries including history, political science, criminology, critical ethnic studies and social work. All in all, this book provides an adept critique of the “criminalization of migrants” and how, in Chomsky's words, the “complex, inconsistent, and sometimes perverse nature of US immigration law ... makes some people illegal” (p. x).