# Contents

<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Editors' Introduction</td>
<td>1</td>
</tr>
<tr>
<td>Keynote Address, 2011 BJS Annual Conference: “Cosmopolitization” of the Nation and Citizen: European Dilemmas</td>
<td>4</td>
</tr>
<tr>
<td>Yasemin Nuhoglu Soysal</td>
<td></td>
</tr>
<tr>
<td>Responses to Yasemin Soysal</td>
<td>14</td>
</tr>
<tr>
<td><em>Sarah Song</em></td>
<td></td>
</tr>
<tr>
<td><em>Irene Bloemraad</em></td>
<td>17</td>
</tr>
<tr>
<td>Geographies of Expectation and Contestation: Stories of Wixárika University Students and Professionals in Guadalajara and Tepic, Mexico</td>
<td>21</td>
</tr>
<tr>
<td><em>Diana Negrín da Silva</em></td>
<td></td>
</tr>
<tr>
<td>NAFTA and Gatekeeper: A Theoretical Assessment of Border Enforcement in the Era of the Neoliberal State</td>
<td>40</td>
</tr>
<tr>
<td><em>Edwin Ackerman</em></td>
<td></td>
</tr>
<tr>
<td>Borders and Exploitation: Migrant Labor Systems in California and South Africa</td>
<td>57</td>
</tr>
<tr>
<td><em>Marcel Paret</em></td>
<td></td>
</tr>
<tr>
<td>Ethnic Brother or Artificial Namesake? The Construction of Tajik Identity in Afghanistan and Tajikistan</td>
<td>97</td>
</tr>
<tr>
<td><em>Ryan Brasher</em></td>
<td></td>
</tr>
<tr>
<td>Book Review: Citizenship and Immigration</td>
<td>121</td>
</tr>
<tr>
<td><em>Sara Hall</em></td>
<td></td>
</tr>
<tr>
<td>Notes on Contributors</td>
<td>124</td>
</tr>
<tr>
<td>Guide for Contributors</td>
<td>126</td>
</tr>
<tr>
<td>Back Issues</td>
<td>127</td>
</tr>
</tbody>
</table>
Borders and Exploitation: Migrant Labor Systems in California and South Africa

Marcel Paret

Abstract

Using a critique of Burawoy's (1976) comparison of migrant labor in South Africa and California as a point of departure, this paper develops a theory of migrant labor and the state. The central idea is the concept of a migrant labor system, a specific configuration of the state with its own logic and coherence. This theoretical framework emphasizes a close connection between the way the state constitutes and polices its borders and how it manages the relationship between migrant workers and employers. Revisiting the South Africa—California comparison, the empirical analysis reveals a parallel transition in both places from a system based on exclusion through legalization (LET) to a system based on inclusion through legalization (ITL). The parallel shifts, however, take place at different points in time, exposing a fundamental similarity between contemporary California and Apartheid South Africa. Both are shown to be instances of ITL. The concluding discussion addresses the implications of this parallel and what it means for the future of California.

Political-economic perspectives are rare in the immigration literature. Politics and economics are often treated separately, and research tends to emphasize individual outcomes and processes of assimilation rather than systemic conditions and processes of domination. Current theorizing of migration has moved away from the insights of an earlier wave of scholarship, which emphasized capital accumulation and the political domination of workers (e.g. Burawoy 1976; Bach 1978; Sassen-Koo 1960; Portes and Wilson 1981; Thomas 1985). This has created a gap in studies of migrant labor. Conditions such as flexibility, cheapness, and docility are not inherent to migrant labor but must be produced and reproduced. The exploitation of migrant workers thus hinges on their constitution as political subjects. Key to this process is the differentiation of sending and receiving societies through the constitution and policing of borders.

One study that begins to explore these themes is Burawoy's (1976) comparison of migrant labor in California and South Africa. This study stands out because it shows in detail how the state organizes an economy

1 I am grateful for the critical analysis and support of my dissertation group, whose devotion and sharpness helped me find clarity and coherence; for the guidance and commitment of Michael Burawoy, who continues to be an amazing mentor; and for the many conversations with Jessie Mandle that allowed the ideas presented here to come to life. Funding from the Berkeley Sociology Department and Berkeley Center for African Studies was invaluable. Please direct correspondence to Marcel Paret, Department of Sociology, University of California, Berkeley, 410 Barrows Hall, Berkeley, CA 94720, or via email to mparet@berkeley.edu.
around migrant labor. Such an approach emphasizes the operation of migrant labor systems instead of the more common focus on individual or group processes of movement and assimilation:

The issues are not ones of assimilation and acculturation but of enforced segregation...the flow of labor is directed by supramarket institutions beyond the control of an individual or even a group of migrants...the analysis of such systems of migrant labor requires a different perspective: one focusing on the nature of external coercive institutions and their mode of organization (1051).

While this article is frequently cited, it has not been foundational in the immigration literature. The goal here is to rescue its insights and reassert their importance for immigration research.

Burawoy provides an excellent foundation for theorizing migrant labor and the state, but he does not go far enough. For Burawoy, a migrant labor system is defined by the geographic and political separation of jobs and families, and the oscillation of migrant workers between the two. This definition is too narrow and privileges the economic over the political, wreaking havoc on his analysis. Burawoy's descriptions of California and South Africa both downplay important historical variation — particularly with respect to the role of borders that separate sending and receiving societies — and lead him to mischaracterize the contrast between the two places. Burawoy's analysis therefore deserves close attention, but it requires reconstruction.²

In this article I use a critique of Burawoy to develop the concept of a migrant labor system. A migrant labor system is a specific configuration of the state defined by three functions: the constitution and policing of borders, the use and domination of migrant labor in the process of production, and the reproduction of migrant workers and their families.³ Whereas Burawoy (1976) envisioned only one type of system, I focus here on two types. The first, which I call exclusion through legalization (ETL), is based on the legal implementation of physical isolation, economic confinement and circulating movement. The second, which I call inclusion through legalization (ITL), is based on the constitution of migrant workers as "illegal" subjects, social and economic diffusion, and permanent settlement.⁴

² Reconstructing theory is of course a project that Burawoy himself takes very seriously and has promoted through his own research (Burawoy 2009) as well as theorizing on social science methodology (Burawoy 1990, 1996).
³ In this paper I use the concept of reproduction in two different senses. The concept of the reproducing state refers to the reproduction of a migrant labor system. This is distinct from the reproduction of individuals and families, which is just one component of a migrant labor system.
⁴ The phrase "inclusion through legalization" is borrowed from Nicholas De Genova (2004, 2005), whose work has greatly influenced the current study and is discussed more thoroughly below.
basis must be organized and reproduced by the state through three mechanisms: the regulation of movement, which maintains the separation of maintenance and renewal; restrictions on occupational mobility, which keep workers out of higher skilled jobs that are inconsistent with high turnover and thus temporary labor; and enforced powerlessness, which prevents migrant workers from challenging the system and changing the institutions that hold it together. This basic system is essentially the same in both places but the “two systems were chosen not for their similarity but for their contrast.” The variation stems from the different way in which the state carries out its three functions in each place in order to maintain the separation of maintenance and renewal (1053–54).

This argument makes two particularly important contributions. First, it highlights the crucial issue of labor force reproduction and its centrality to the status of migrant workers as “cheap labor.” Here Burawoy raises important questions about the nature of “cheapness” and the costs of labor force reproduction, emphasizing the need to consider exactly who the labor is cheap for (e.g., employers in which industry?) as well as both economic and political costs (1055–57). Second, and perhaps more importantly, Burawoy highlights the central role of the state in creating and reproducing the conditions under which migrant labor is made cheap. This paves the way for an analysis of the relationship between the economic situation of migrant workers and state policies and practices. In order to further develop this approach, we must begin by wrestling with its shortcomings.

Burawoy’s analysis suffers from two overarching problems. The first is strict adherence to a single model of migrant labor. He posits the separation of maintenance and renewal as an “invariant structure” of all migrant labor systems, and thus the driving question is how this separation is reproduced in a given political economy (1052–53, 1077). His main conclusion follows from this assumption: “In other words the marked dissimilarity of the systems of migrant labor in South Africa and the United States may be attributed to the differing political, ideological, and economic situations in which the separation of maintenance and renewal processes is organized” (1077). There are a number of problems with this approach, such as the inaccurate assumption that maintenance and renewal are always separate for migrant workers (even in Burawoy’s own cases), and the privileging of reproduction over other important features of migrant labor. I deal with these in more detail below. For now I want to highlight a general inattention to issues of timing. Burawoy’s analysis covers more than three quarters of a century, from roughly the 1890s to the early 1970s, during which time both societies underwent major political and economic changes. He is largely insensitive to these changes. Most notable here is the rise of the Apartheid regime in South Africa, which Burawoy essentially ignores. Instead he chooses to pull together events and practices from different periods of time and treat them as if they comprised a coherent whole. Because he only conceives of a single model, he is forced to collapse historical variation into a static, unchanging migrant labor system.

The second major problem is Burawoy’s privileging of the economic sphere and thus underdeveloped analysis of political factors and the state. In his formulation, a migrant labor system is defined by its economic features: the separation of maintenance and renewal processes, the twin dependence of the sending and receiving economies, and the existence of cheap labor. The state is important, but it is viewed only in relation to the economic functions of migrant labor. As a result, he glosses over the extent to which the state functions as a coherent whole with its own logic, even if there are internal contradictions. This is most evident in his discussion of the three functions of the state: regulating movement, restricting occupational mobility, and ensuring worker powerless. They are each presented separately, viewed in relation to the economic base. Their relationships to each other are not addressed. For example, in California he ignores the connection between the restrictions on movement enforced by the border patrol, and restricted occupational mobility due to exclusion from high-wage non-agricultural sectors of employment. In South Africa, Burawoy ignores the extent to which the police state and political exclusion mutually reinforce pass laws and the occupational color bars. As a result, he is unable to fully appreciate the systemic nature of migrant labor and the logic of the state.

Failure to appreciate the political and its relationship to the economic also leads him to overemphasize the contrast between his two cases. Burawoy’s main conclusion is that the state plays a larger role in reproducing the migrant labor system in South Africa, whereas in California the system stems from opportunistic agricultural capital exploiting a foreign labor market (1075–77). Here he understates the role of capital in South Africa and the role of the state in California. For example, the analysis of California emphasizes the power of the grower class. “Unilateral wage fixing, monopolistic recruitment, militant antiunionism, and powerful lobbies in central government imply an inordinate concentration of power” (1073). This is meant to contrast with the South African system, which hinges not upon the strength of capital, but rather the ability of white labor to maintain the racial structure of the state (1071). But this accords too much power to white workers, downplays the interest of mining capital in maintaining color bars and other racialized features of the state, and most importantly undermines the thorough organization and power of the mining companies (Johnstone 1976). Conversely, the overemphasis on grower power in California suggests that the U.S. state is merely a passive bystander, prompting Burawoy to consider that it might be inappropriate to even consider California migration systemic at all (1080). But this downplays the key functions of the state in California,
such as constituting workers as exploitable subjects, funneling them to employers, and organizing their movement between work and home.

These overarching concerns manifest themselves in three more specific problems in the analysis of the two cases. The first problem pertains to Burawoy’s analysis of borders and policing. The analysis of immigration enforcement at the Mexico-California border emphasizes “border patrol attempts to restrict illegal immigration into the United States,” thus ignoring key points during the Bracero program at which the border patrol allowed and even encouraged illegal entry of Mexican farm workers (e.g. Calavita 1992). Unfortunately, writing in the early 1970s Burawoy did not have the comparative example of the massive U.S.-Mexico border to highlight the meager border patrol of the Bracero period. He has very little to say about borders in South Africa, failing to mention the important Land Act of 1913 or the later forced removals of people to the supposedly self-governing Bantustans. These were important moments in the separation of rural and urban, and thus central to the system that he presents. Burawoy certainly captures some of the effects of these policies, but in failing to interrogate them in detail he glosses over important changes in the urban–rural divide over time. More generally, he ignores the policing of urban areas in both places, leading him to false conclusions about the nature of migrant labor. For example, his argument for South Africa rests on the assumption that “pass laws preclude the development of a labor reservoir within the urban areas” (1062), but this was far from the case beginning in the late 1920s when black urbanization increased rapidly.

Burawoy’s flawed treatment of borders and policing extends into his examination of ideology, which also reveals inattention to variation over time. Here he contrasts the ideology of white supremacy in South Africa with the more liberal “notions of ‘equality,’ ‘justice,’ and ‘citizenship’” in California (1061–62, 1074–75). This may be accurate to some extent, but it is also misleading. The period of concern in California is largely associated with America’s most restrictive immigration regime, known for its policies of racialized exclusion and hostility (e.g. Ngai 2004). Racial domination was in turn crucial to the coercive nature of the Bracero program. It is therefore somewhat inappropriate to emphasize notions of “equality” and “citizenship.” Although white supremacy was certainly a feature of South Africa’s pre-Apartheid regime, its use to justify specific policies and practices increased significantly after 1948. Burawoy ignores this shift. Indeed, white nationalism was to some extent a response to the breakdown of the system that Burawoy describes. This breakdown becomes clear in the other two critiques.

The second specific flaw is Burawoy’s analysis of production. At issue here is both the industry in which workers are placed and their relationship to employers. In terms of the former, Burawoy only deals with one fraction of capital in each place, focusing exclusively on mining in South Africa and agriculture in California. Once again timing is crucial. Burawoy’s choice of industries makes sense because they represent the entry point for migrant labor in each place. But over time, migrant workers would begin to infiltrate other sectors, most notably manufacturing and services, to the point where the original sector of employment (mining or agricultural) was no longer primary. In this respect his focus on a single industry is both cause and consequence of his strict adherence to a single model of migrant labor. In focusing narrowly on a single industry Burawoy is unable to account for changes occurring within the larger social formation. He does begin to address the issue of other industries toward the end of the article. But even here, his discussion is brief and largely ignores the role of other industries in South Africa; furthermore, he bases his conclusions on industries beyond mining and agriculture that are not in fact examined in the analysis (1075–77).

The narrow industry-level focus is in turn related to a neglect of actual production processes. As noted above his definition of a migrant labor system privileges the process of reproduction, or the maintenance and renewal of the workforce. The result is that he fails to appreciate the labor process as a site of exploitation. Reducing the costs of reproduction is one way of “cheapening” labor, as Burawoy shows in great detail, but an equally important factor is how much value workers produce. Finding a worker who can be paid half as much is of little use to capital if the worker only works half as long or half as fast. Burawoy thus ignores a key feature of migrant labor systems: how migrant workers are dominated and controlled inside the workplace. This is related to the above critique because the mode of domination and control is likely to vary depending on the industry. Here again we see another reason that Burawoy is wedded to a single, static model of migrant labor: in this case because, as he explains, “[i]n my examples of migrant labor...the jobs performed remained the same over time” (1077).

The third specific flaw pertains to his analysis of reproduction. The assumption that migrant workers will always oscillate between their jobs and their families—that is, that the processes of maintenance and renewal will always be separated—is false, and does not hold true even for Burawoy’s cases. In both places, he ignores the decline of oscillating movement and increasing patterns of settlement. In the South Africa case this oversight is related to his narrow focus on mining, which maintained the temporary labor system much longer than other industries due to its heavy investment in foreign recruiting infrastructure (Tudelman and Jeeves 1986). But even so, he ignores the emergence of a stable population of urban families in the 1930s and 1940s, and more importantly its sanction by the Apartheid state in the 1950s (e.g. Bonner 1990, 1995). Similarly for California, he downplays the termination of the
Bracero temporary labor program in 1964 and falsely suggests that the pattern of oscillation remained strong in the mid-1970s. Migrant workers were beginning to stay for longer periods of time in the 1970s and patterns of settlement eventually became dominant (e.g., Hondagneu-Sotelo 1994), though admittedly not until after Burawoy had published his article. Migrant workers did not continue to circulate, nor would it be appropriate to recategorize them as “domestic” workers. They still migrated from other places, and more importantly were still treated as non-citizen outsiders.

Migrant Labor Systems

This review and critique provides a foundation upon which to build a new theory of migrant labor systems. Instead of asking how the separation of maintenance and renewal is reproduced, I ask a slightly more general question: how does the state produce and reproduce cheap labor? This shift accomplishes two things. First, rather than assuming the separation of maintenance and renewal, it leaves open the possibility that there are multiple ways of organizing labor force reproduction so as to reduce the costs to employers and the state. Second, it reduces the centrality of labor force reproduction and thrusts the state to the center of the analysis. The analysis is now driven by a need to understand the logic and coherence of the state, and in particular how it reproduces political subjects. Burawoy’s analysis suggests that migrant workers are inherently exploitable because they are based in a separate economy, even if the state serves to reinforce this condition. My approach here aims to make the political explicit by highlighting how the state constitutes migrant workers as vulnerable outsiders with limited rights, ripe for exploitation. Following the above critique, I focus on the role of the state as it relates to the border, production, and reproduction.

Moving the state to the center of the analysis means privileging the political subjectivity of the migrant worker, which is contingent on the division between sending society and receiving society. This division is to some extent captured in Burawoy’s analysis, but he focuses on the economic moment (the separation of maintenance and renewal) rather than the political moment. To fully capture the political moment requires an elaboration of the border that politically encapsulates the receiving society. How is the border constituted? How is it policed so

6 Here I am drawing on his analysis of the early 1970s, in which he suggests two patterns of continuation of the existing migrant labor system through the use of oscillating Mexican farm workers (1973), but the declining significance of the system due to increasing use of domestic farm labor (1967). Neither pattern held true. While evidence suggests that the importation of temporary farm workers from Mexico continued via border patrol innovations after Bracero ended in 1964, it also suggests that these avenues had but cut off by the early 1970s (Calavita 1992). But neither was agriculture turning to domestic labor. Indeed, the proportion of foreign-born workers in California agriculture, and Mexicans in particular, skyrocketed after 1970 (Palerm 1991).

as to reinforce the division between migrants and non-migrants? Here we can envision two alternate configurations: one in which the border is relatively undeveloped and physically obscure, and a second in which the border is comparatively more developed and physically visible. In the first instance, the division between migrants and non-migrants is less apparent because the political differentiation of the two societies is weak. The political marginality of migrant workers must therefore be produced through physical separation within the host society, and reproduced through the policing of the “internal border” that creates this separation. In the second instance, the division between migrants and non-migrants is readily apparent for all to see. Here, physical separation is no longer necessary because the political marginality of migrant workers is produced through their symbolic attachment to the sending society. The very act of being on the “wrong side” of a heightened border makes one politically marginal. This condition is reproduced through the policing of the border around the receiving society, which constantly renews migrant workers that they do not belong and may be removed at any moment.

Burawoy does not address these dynamics. He takes the border as given, ignoring its production, reproduction, transformation, and political effects. I argue instead that the border is the most crucial component of any migrant labor system, revealing the logic of the state and laying the foundation upon which the economic features of the system are built. Whereas Burawoy envisions a single, static system, I envision two different types of systems associated with the two configurations of the border elaborated above. I refer to the system based on a physically undeveloped border as exclusion through legalization (ETL), because the physical confinement of migrant workers within the receiving society is secured through their legal importation. In contrast, I refer to the system based on a physically developed border as inclusion through legalization (ITL), because the relative physical mobility and diffusion of migrant workers within the host society is contingent upon their treatment as “illegal” second-class citizens.

Borders lay the foundation for a system of migrant labor, but they do not reveal much about the nature of labor, or, more specifically, its “cheapness.” Here we must ask, what makes labor cheap? There are two ways to increase profits and facilitate capital accumulation: lower wages or increase the value of goods produced. Burawoy’s analysis focuses on the first strategy. Wages are proportional to the cost of reproducing workers and their families, and thus by externalizing some of these costs and in a sense “eliminating” them, capital is able to lower wages. He pays less attention to the other strategy, which is to increase the fruits of production without altering wages. Both strategies increase the rate of exploitation, or the amount of profit relative to wages. Rather than focus

7 This breakdown is based on Marx’s discussion of surplus value in Capital, Volume I and the concept of exploitation. In this formulation, wages (w) are equivalent to the cost of reproducing the worker (maintenance and renewal), and profit or surplus value (s) is equiva-
exclusively on the costs of reproduction, then, I treat production and reproduction as the other two components of a migrant labor system.

Burawoy largely neglected the process of production, choosing to address it only in reference to the process of reproduction. A thorough treatment must instead address two issues: the location of migrant workers within the division of labor, and control over the labor process. In terms of the former, it is important to identify both the industries in which migrant workers are employed and their positioning within these industries (as Burawoy is careful to do for a single industry in each place). Over time the presence of migrant workers in a given industry may become more or less significant. Workers may be confined to a single industry or diffused throughout the economy.

As suggested above, the industrial distribution of migrant workers is related to how employers extract surplus value to make a profit. Here we must be concerned with the vulnerability and powerlessness of workers — themes that Burawoy points us to but does not explicitly link to production (1061–63, 1071–75) — which in turn coerce them to work hard, faster, and longer. The basis of this powerlessness is likely to change depending on the broader division of labor. When migrant workers are confined to a single industry their vulnerability will be in relation to that specific faction of capital (e.g., mining or agriculture): its organization and political power, recruiting mechanisms, and structuring of employment contracts. Such factors are always important, but when workers are diffused throughout the economy we must turn to factors that are relevant across industries. In this situation, the outsider status of migrant workers plays a larger role.

This brings us to the issue of reproduction. Here, Burawoy’s analysis is solid and thorough, but it is limited because he assumes that families will remain in the sending society and that workers will periodically return to them. As noted above, this is not always the case, raising the question of how migrant labor is "cheapened" when migrant workers settle down in the host society and bring their families. In Burawoy’s terms, how can capital and the state reduce the costs of reproduction when labor force renewal is no longer externalized and must therefore be organized internally? He does not consider this within the context of a migrant labor system, but he does suggest two possibilities. First, in drawing out the implications of his study, he suggests that reproduction costs may be reduced through "the allocation of the renewal processes to areas where renewal costs are low" (1083). This may be done within the receiving society by relegating migrant workers to low-cost areas or

lent to the value of goods or services produced beyond the wages paid and the value of the capital that is "consumed" during the production process. The rate of exploitation is the ratio of surplus value to wages, or s/w. The rate of exploitation may be increased by increasing the surplus (s) or by reducing the wages (w). While the former is achieved during the production process, the latter is achieved in the realm of reproduction. See Marx (1867) and Burawoy (1976:1056, note 6).

justifying their subjection to a lower standard of living. A second strategy is suggested in his discussion of domestic farm workers in California, whose wages are reduced through the "exploitation of family labor," or wage spreading. In this strategy, the wages of individuals may be reduced because the costs of reproducing a family are spread across multiple family members/workers (Burawoy 1976:1066–67). As the pattern of movement shifts from single migration to family migration, reducing reproduction costs through wage spreading becomes a possibility. The task for an analysis of migrant labor systems is to show the coherence of these three components. Above I proposed two different systems corresponding to different manifestations of the border. Wherein the ETL configuration the political domination of migrant workers depends on their legalized exclusion, in the ITI configuration it depends on their inclusion as "illegal" subjects. Each system is consistent with different modes of production and reproduction. The physical confinement of migrant workers under the ETL system is most consistent with their placement in a single industry that does not require a stable workforce, such as mining or agriculture. Migrant workers are easier to separate physically if they remain in a single industry, do not bring their families, and return home after a given period of time. In contrast, the diffusion and symbolic domination of migrant workers under the ITI system is more consistent with their spreading throughout all sectors of the economy and their entry into industries that require a stable workforce, such as manufacturing. This much larger system, which includes patterns of family settlement, requires a more flexible and far-reaching mode of control and domination, and therefore depends on the symbolic marginalization of migrant workers instead of their physical confinement. The two systems, ETL and ITI, can therefore be associated with specific techniques of exploitation.

It is now possible to define what is meant by a migrant labor system and a migrant worker. A migrant labor system is a specific configuration of the state that constitutes migrant workers as cheap labor through the policing of the border and the organization of productive and reproductive activities. A migrant worker is one for whom the value of labor power is shaped by their association with an alternate society and thus by their marginalization as a political outsider. It follows that migrant workers are most typically those who were born in an alternate society and crossed a border to get to their workplace; and especially those who crossed without legal permission and thus are most likely to be marginalized. But neither condition is necessary. I have left the definition purposely broad to emphasize the potential incorporation into a given migrant labor system of legal migrants and even those who were born in the receiving society. As I will show, such incorporation often crystalizes around racial categories that are rooted in the process of border crossing but are not limited to individuals who actually cross the border.
The remainder of the paper is devoted to a re-analysis of migrant labor in California and South Africa using this theoretical framework. Burawoy's analysis downplayed variation over time, homogenizing history and treating migrant labor in each place as a static system. I instead emphasize variation over time, demonstrating a qualitative shift between two different systems in each place. Burawoy's analysis and theorizing most closely resembles the ETL system, which was prevalent in South Africa from the 1890s to the early 1930s, and in California from the early 1940s to the late 1960s. But in both places this system broke down and gave way to an ITI system, which was prevalent in South Africa from the late 1940s to the late 1970s, and in California from the mid-1980s to the present. The two systems are summarized below.

<table>
<thead>
<tr>
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<th>Exclusion through legalization</th>
<th>Inclusion through illegalization</th>
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</thead>
<tbody>
<tr>
<td><strong>Border</strong></td>
<td>Weak undeveloped border → internal physical separation</td>
<td>Strong developed border → internal symbolic separation</td>
</tr>
<tr>
<td><strong>Production</strong></td>
<td>Domination through contracts (single industry)</td>
<td>Domination through status (all industries)</td>
</tr>
<tr>
<td><strong>Reproduction</strong></td>
<td>Externalization (circulating movement)</td>
<td>Low standards/wage spreading (family settlement)</td>
</tr>
<tr>
<td><strong>South Africa</strong></td>
<td>1886–early 1930s</td>
<td>1948–late 1970s</td>
</tr>
<tr>
<td><strong>California</strong></td>
<td>1942–late 1960s</td>
<td>1986–present</td>
</tr>
</tbody>
</table>

Table 1: Migrant labor Systems: ETL vs. ITI.

The analysis below emphasizes the importance of national borders. While the approach taken here is intended to contribute to border studies more generally, and will hopefully open new avenues for research on many different types of borders, given the central role of nation states in the current global political economy, national borders are most crucial. This raises two obvious challenges to the California–South Africa comparison. First, California is a subnational entity whereas South Africa is a nation state. Here we might consider California to be an "exceptional representative" of the United States. As the gateway state for the "new immigration" and the primary destination for international migrants in the second half of the twentieth century, California is exceptional. But scholars have begun to show that it in fact represents in extreme form larger migration-related trends that are now becoming clear across the country (Myers 2007; Milkman 2006). Additionally, California has been a central player in national immigration policymaking and debates (Nevins 2002). It thus represents an appropriate case for studying the national border. California is also more comparable to South Africa in terms of population size and land area than is the entire United States.

The second challenge is that migration in South Africa has typically been understood as "internal migration" within a single country, whereas in California I am primarily concerned with international migration. This distinction, however, is misleading. At a preliminary level, it is worth noting that the supposed internal migration has always been complemented by migration from other countries, such as Mozambique and Lesotho. But more importantly, the state in South Africa treated rural black communities as if their residents belonged to separate nations. A major component of the Apartheid project was thus to constitute these communities as independent states, with blacks treated as non-citizen outsiders. Characterizing black movement as internal migration thus misses the central dynamic, which is the increasing fortification of the explicitly racialized national border around "white South Africa." As I will show, this process is remarkably similar to developments at the U.S.–Mexico border.

South Africa's Migrant Labor System and the Rise of Apartheid

For each case I begin by reinterpreting Burawoy's migrant labor system as an instance of ETL. This requires cleaning up his analysis by clarifying the role of the state as it relates to the border, production, and reproduction. From here, I demonstrate the transformation of each component over time to reveal a shift to an ITI system. These transformations mark the major oversight in Burawoy's analysis. I begin with South Africa and follow with California.

ETL in the Mining Industry (1886–1930s)

South Africa's infamous migrant labor system emerged after the discovery of gold on the Witwatersrand in 1886, which gave rise to a thriving mining industry dominated by foreign capital (Davies et al. 1976; Legassick 1974:260). South Africa had become the world's largest gold producer by 1900 (Marks and Trapido 1979:58), and by 1910 accounted for roughly a third of world gold production. Yet the decision to mine low-grade ore, combined with the fixed international price of gold and high overhead and development costs, meant that companies were required to minimize costs and maximize output in order to make a profit (Johnstone 1976:17–20; see also Jeeves 1975:5–7). Due to these requirements, the success of the industry was highly dependent on its ability to secure a large supply of ultra-cheap labor (Crush, Jeeves, Yudelman
that workers who showed up to the mines voluntarily without a pass were given a temporary pass, typically lasting about six days, during which time they were required to find employment in order to secure a regular pass (Johnstone 1976:38; Hindson 1987:23). In other words, the state was less concerned with migrant workers crossing the border into the urban, and more concerned with keeping them confined within the mining compounds.

Production

This analysis of borders suggests that the pass laws were crucial for mining production, but to understand the connection we need an analysis of the mining industry and its employment mechanisms. Mining capital was highly organized into decision-making associations and service organizations, most notably the Chamber of Mines (established in 1887) and its associated labor recruitment organizations (Johnstone 1976:13-17). It also maintained significant influence over the state, which became much more attentive to mining needs after the Boer War of 1899-1902 (Jeeves 1975; Marks and Trapido 1979). With the help of the state the mining industry was able to develop an elaborate recruiting infrastructure in the rural areas, essentially turning the entire region of southern Africa into a labor reservoir for the South African mines (Crush, Jeeves, and Yudelman 1991; Burawoy 1981:296; Jeeves 1975:18). Recruited workers were issued long term labor contracts, which typically lasted between six and twelve months.

This system significantly restricted the freedom and mobility of migrant workers, and thus their ability to gain control over wages and the labor process. By coordinating their recruiting efforts, the mining companies were able to standardize low wages (Johnstone 1976:29-32), and once migrant workers signed a contract, they were stuck with a single employer and the conditions that employer provided. The mining

11 Before the war the colonial state was rooted in pre-industrial Afrikaner society and thus unable and unwilling to serve the interests of British finance capital, which ran the mining industry. The British victory in the Boer War, however, led to the installment of a more bureaucratic British colonial state. The new administration proved to be more responsive to the mining industry and more capable of serving its needs, most importantly by securing a supply of low-wage black labor (Marks and Trapido 1979; Jeeves 1975:13-14).

12 The proportion of mineworkers recruited from abroad varied over time, but for the first three quarters of the century it was generally between 40 percent and 60 percent of the workforce, with periods of higher non-native employment at the very beginning of the century and then again in the early 1970s (e.g., Jeeves 1985; Yudelman and Jeeves 1986). Most of the foreign recruits were from surrounding black territories in southern Africa such as Mozambique, Malawi, Swaziland, Zambia, Zimbabwe, Botswana, and Lesotho, though from 1904 to 1906 the mines did recruit workers from China.

13 During its formative years the quickly expanding industry had trouble meeting labor demands, thus opening up room for competition between labor recruiters. However, employers were eventually able to achieve centralized coordination of the recruiting process through the Native Recruiting Corporation (NRC) and the Witwatersrand Native Labor Association (WNLA) (Jeeves 1985). Both connected to the Chamber of Mines, the NRC primarily organized recruiting within South Africa, whereas the WNLA brought in labor
industry turned to the state to enforce this system, which it accomplished through the pass laws. Passes allowing residence outside of the reserves were connected to mining labor contracts, and thus enforcement of the pass laws became the primary tool for preventing workers from deserting contracts and moving between employers or into other industries (Hudson 1987:23–25; Johnstone 1976:35–37; Jeeves 1975:11–12). Master and Servant Laws likewise made breach of contract a criminal offense for black migrant workers. The domination of migrant workers by mining capital was therefore secured by the contract system and its enforcement by the state through the pass laws, enabling despotic control and harsh working conditions. Strike actions were also illegal for black migrant workers, and the mining compound, which kept workers under the watchful eye of employers and the state, proved to be a useful tool for containing and overcoming collective resistance (Johnstone 1976:168–183; Jeeves 1975:15–16). Migrant workers were captive and relatively powerless.

Coercive control of black migrant workers was reinforced by the "color bar." First established in 1893 and later consolidated by the Mines and Works Act of 1911, which "reserved" 32 skilled job positions for white workers, the color bar restricted black workers to unskilled positions (Bendix 1996:78–79; Johnstone 1976:66–69). Migrant workers were thus easy to replace, preventing them from gaining any control over the labor process. In contrast, white workers gained leverage through their skills and were not subject to the pass laws or the mining compounds (Johnstone 1976:55–56, 81–82; Lewis 1984:14). Indeed, the compounds were crucial for preventing cross-racial class solidarity by keeping black migrant workers physically separate from militant white workers who were well organized into trade unions. The color bar did raise the total wage bill by forcing employers to hire expensive white workers. But employers accepted the color bar because it maintained a division between white and black workers and rationalized racial despotism, thus enabling the hyper-exploitation of black migrants (Johnstone 1976:81–82; Burawoy 1981:303–5).

Reproduction

This discussion reveals that the "cheapness" of migrant labor in mining was to a large extent rooted in coercive employment relations and the process of production. Also important was the low cost of reproducing black workers. If the "cheapness" of black workers relative to white workers in the realm of production stemmed from their restricted mobility and confinement in the mining compounds, in the realm of reproduction this "cheapness" stemmed from their circulation and connection to an alternate economy. After the period of employment migrant workers returned to the rural areas, which bore the burden of caring for unemployed persons, including women, children, the elderly, and male workers whose contracts had expired. This "externalization" of labor force renewal costs enabled the low wages provided by mining employers (Wolpe 1972). It is therefore not surprising that the mining industry actively defended the migrant labor system (Burawoy 1981:294–95) and explicitly rejected a system based on stabilization and family settlement (Jeeves 1985:31–32).

A key difference between black and white mineworkers was thus their level of proletarianization: whereas white workers lived in the towns and were fully dependent on wages, black workers maintained a base in the rural areas and partially depended on the pre-capitalist economy for providing goods and services (Davies 1976:48–51). The state actively maintained this arrangement. In addition to preventing desertion from the compounds, the pass laws pushed workers back to the rural areas once their contract had expired. A bigger issue during this period, however, was coercing workers off the land (Jeeves 1975, 1985). Here we see the state playing a seemingly contradictory role. On the one hand, it sought to free up labor, which it accomplished through expropriating land, taxation, loan inducements, restrictions on participation in commodity markets, and raw coercion (Burawoy 1976:1058; Johnstone 1976:24, 27–29; Jeeves 1975:19). On the other hand, it sought to protect some black land from white expropriation, and prevent concentrated ownership within it, ensuring that rural communities could continue to play a reproductive role (Wolpe 1972:436–39). The state's inability to maintain this delicate balance eventually facilitated the demise of the system.


To recap, I have argued that the early mining labor system was defined by a weak border yet physical separation in the mining compounds, the coercive domination of workers through contracts, and the externalization of labor-force–reproduction costs through the circulation of workers between the compounds and the rural areas. I refer to this system as exclusion through legalization because the exclusion of workers from full participation in white society — confinement in compounds and repatriation to the rural areas — was achieved through their legal attachment to work contracts and passes. In contrast, the migrant labor system that emerged under Apartheid after 1948 is better characterized

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14 Most black families lived in the reserves, but a smaller proportion lived as labor tenants on white farms (Morris 1976: 294, 302–07). In effect labor tenancy served the same economic function for the mines as did the reserves, providing temporary labor and subsidizing low wages by shifting the costs of reproduction to an alternate economy (Morris 1976: 316–18, 325–29).

15 It is also worth noting that the compound system, which housed workers in harsh conditions and kept daily reproduction costs low (Johnstone 1976:38–39; Jeeves 1985:21–25), allowed employers to cut costs on maintenance as well as renewal.
as inclusion through legalization. Here, workers were allowed to penetrate white society but the legality of their presence was always under question. To understand the shift we must examine the transformation of our three components, beginning with the crucial policing of borders.

Border

The project of Apartheid was based on deepening the separation of “white South Africa” from “black South Africa,” and this required a bolstering of the border between the black rural areas and the white urban areas. Under Apartheid the state moved to turn the black reserves into independent, self-governing states — referred to as “Bantustans” or more generally “homelands” — associated with specific black ethnic groups (Neocosmos 2006). This program of “separate development” sought to solidify the political exclusion of black workers by making them citizens of other countries. The most visible part of this program was the forced removal and relocation of entire black communities from white-designated areas in the 1960s and 1970s (SEP 1985). Urban communities were removed to the Bantustans and to the urban periphery, and “black spots” in white rural areas were cleared, increasing the proportion of blacks living in the “homelands” from 40 percent to 54 percent between 1960 and 1980.

This program was a response to a variety of problems faced by the South African state from the late 1920s, but most notably the emergence of a substantial black population in the towns and increasing unrest (e.g., Posel 1991:32–38). If the construction of self-governing Bantustans was to be the basis for reversing the urbanization process, the “modernization” of pass laws (Wolpe 1972:447) was to reinforce the stoppage. Before Apartheid the burden of urban regulation was placed on the local state, allowing for weaker control and regional variation. After 1948, the state moved to centralize bureaucratic power, bolster its security resources (army and police), and tighten its control and surveillance of the urban population (Maylam 1980:58, 67–69, 74–76; Wolpe 1988:68–69; Mamdani 1996:230–231; Christopher 1994:50). A swath of legislation was passed to enable this control. A new pass-book system was introduced, and urban residents were racially separated so as to facilitate surveillance. But most important was Section 10 of the Native Laws Amendment Bill, passed in 1952, which gave migrant workers 72 hours to find employment in an urban area before they could be forcibly removed (Posel 1991:102–03).

16 The 1951 Bantu Authorities Act established ten Bantustans or “homelands,” each one associated with a different black ethnic group, and the Bantu Self-Government Act of 1959 officially inscribed the policy of “separate development” into law. The Black Homelands Citizenship Act of 1970 officially stripped blacks of their South African citizenship and made them citizens of one of the homelands.

17 The Natives (Abolition of Passes and Coordination of Documents) Act, which introduced the new “reference book” system, was passed in 1952. The Group Areas Act, which divided urban areas into different sections for different racial groups, was passed in 1950.

There is little evidence, however, that heightened “influx control” stopped black urbanization, even if the forced removals did slow the process down some (Posel 1991:252–255). The revamped pass system was connected to a newly established network of labor bureaus, charged with the task of coordinating urban (and rural) labor markets and ensuring that the number of migrant workers did not exceed the number of available positions. But in practice the state’s grand plan to control the distribution and flow of labor met with little success (Posel 1991; Hindson 1987:63). Not only did the labor bureau authorize more workers than were necessary, but many work-seekers without appropriate documentation fled to the towns illegally and employers encountered limited obstacles in hiring them (Posel 1991:182–200). The black urban population grew by 4.5 percent annually in the 1950s and by 2.5 percent annually in the 1960s, quadrupling in size between 1946 and 1980 (Hindson 1987:67, 71; Savage 1986:190).

Heightened surveillance and police presence nonetheless transformed life for black migrants living in white South Africa, who at any moment could be asked to produce their reference book and prove their legality (Posel 1991:123–24). Resting on centralized control of the labor market, the modernization of the pass system gave the state “exceptionally wide powers to order Africans out of one area and into another” (Wolpe 1972:447). As Evans (1997) puts it: “In the 1950s, South Africa’s law enforcement agencies were given a virtual carte blanche to transform labor controls into a generalized mechanism of terror” (87–88). Enforcement personnel were greatly expanded, subjecting migrant workers to increased surveillance, harassment, and even mass arrests (Evans 1997:115–16). The number of prosecutions for pass law violations or “illegal” urban presence jumped dramatically under Apartheid, increasing from 280,200 in 1951 to 631,300 in 1970 (Savage 1986:190). Marking a sharp distinction with the earlier migrant labor system, the daily average number of prosecutions was nearly 20 times greater between 1965 and 1970 (1,703 per day) than it was between 1916 and 1920 (89 per day).

The rise of the Apartheid state was thus defined by the transformation of the border and how it was policed. Physical reinforcement of the border dividing the white/urban from the black/rural diminished

18 Some with minor violations were allowed to remain in urban areas, but those with more serious violations could be sentenced to perform hard labor on the farms (Evans 1997:109–114; Hindson 1987:66) or “endorsed out” to live in poverty in the rural areas. Given the poverty and unemployment in the rural areas and low wages in white capitalist agriculture, such repression was still not a deterrent to illegal entry to the towns. Citining another study, Seidman (1984:88) writes: “By the mid 1970s, rural unemployment was so severe that one study found that Africans from some areas who lacked passes to work legally in white-designated areas could improve their income by as much as 700 percent by working illegally for nine months and spending three months in prison.”

19 This increase reflects both the growth of the urban black population, which increased by 6.6 times between 1921 and 1970, and the growing rate of prosecution, which increased from 1.2 percent of the population to 4.1 percent of the population during the same period (Savage 1986:190).
the necessity of physically separating black migrant workers within the urban. No longer confined to mining compounds, blacks now lived in townships on the urban periphery, which were much bigger and allowed for greater movement throughout the urban. Perhaps most important, unlike the compounds the townships were not physically connected to places of employment, and in a sense enforced mobility because migrants had to get to work. Border policing under Apartheid was therefore less concerned with physical separation within the urban than it was with reinforcing the urban–rural divide. As police surveillance and pass law controls increased, the central dynamic of the Apartheid period became that of the "rural in the urban" (Mamdani 1996), and the simultaneous presence and "illegality" of migrant workers. To be sure, political attachment to the rural areas and thus urban "illegality" varied among black workers, and there was even a small group who were able to obtain permanent urban-residence rights. But all blacks were subject to the surveillance of the state and treated as migrant workers whose true home was in the Bantustans: "The practice of influx control gave a social subordination of African labor under Apartheid an immediate daily experience of every African worker, legal or illegal" (Posel 1991:123). In other words, the physical separation of urban and rural reinforced the symbolic differentiation and political marginalization of black migrant workers.

Production

The shifting nature and policing of the border was connected to the shifting location of black migrant workers within the division of labor. The crucial context underlying this shift was the growth and transformation of the manufacturing sector, from a small collection of craft industries dominated by skilled white workers to a wide variety of mass-producing industries dominated by semi-skilled and unskilled black workers (e.g. Webster 1985; Lewis 1984; Bozzoli 1975). This transformation began in the 1920s, took off in the 1930s, and boomed in the 1940s with the assistance of World War II. By the time the National Party came to power in 1948 the manufacturing sector had surpassed mining in its contribution to national income (Davies et al. 1976:21–22; Legassick 1974:264, 269). Manufacturing employment continued to increase during the Apartheid period, especially during the 1960s when jobs increased by 63 percent (Wolpe 1988:68). Black migrant workers flooded the major industrial centers: Cape Town, Durban, Port Elizabeth, and most importantly the urban concentration around Johannesburg, which accounted for just under half of all manufacturing employment in 1965 (Seidman 1994:87–88).

As during the earlier period, there was a strict racial division of la-

20 Even those with permanent residence rights were not entirely immune from repression, and could be "endorsed out" if they were found to be "idle and undesirable" (Posel 1991:219).

bor. In 1950, black workers held only 16 percent of skilled but 66 percent of semi-skilled and 98 percent of unskilled manufacturing jobs (Lewis 1984:134). The Industrial Conciliation Act of 1956 made the racial divisions official by extending the color bar and excluding black workers from the industrial relations machinery (Bendix 1996:87). Meanwhile the movement of white workers into supervisory and administrative positions continued to free up jobs for black workers, particularly in semi-skilled positions, and employers increasingly found ways around the color bars (Seidman 1994:84–86; Wolpe 1988:71; Roux 1964:374; Lewis 1984:133). But this did not disrupt the racial hierarchy that defined the Apartheid workplace, characterized by one South African sociologist as a "white man's factory in a white man's country" (von Holdt 2003:27).

As in the previous system, labor control rested on racial despotism. But instead of being rooted in the confinement of migrant workers, this racial despoticism rested on a culture of fear (von Holdt 2003:27–60).

Reproduction

The basis of labor force reproduction was also being transformed. Urbanization and family settlement in the 1930s and 1940s marked a shift away from the pattern of circulation, and in the 1950s the Apartheid workplace regime," which is defined by four features: a racial division of labor, racial segregation of facilities, a racial power structure, and differentiation of migrant and urban workers (von Holdt 2003:27–60).
state reinforced both processes (Bonner 1995). It took two key actions. First was the provision of permanent urban residence under Section 10 of the 1952 Native Laws Amendment Bill.22 Section 10 rights were immediately extended to large numbers of current urban residents, and though interpretation of the law was tightened over time, legal avenues to urban residence remained (Posel 1991:217–21). Tightened influx controls also meant that many workers settled down in urban areas illegally instead of risking the chance of making it back (225).

The second major action was the construction of well-planned urban townships for black migrant workers, “strategically sited giant locations designed to service the labor needs of the entire metropolitan area” (Evans 1997:150). The most important part of construction was the building of new houses for permanent urban residents, marking an important shift from single-sex hostels to family housing (Bonner 1995:119–22). Between 1950 and 1970, the proportion of urban blacks living in settled housing situations increased from just under half (45 percent) to three quarters (76 percent) of the population (Hindson 1987:67, 71). Accompanying the transition to family settlement was an increasing proportion of black women among the urban population (Posel 1991:144–46, 170–76; Hindson 1987:67), though many men and women arrived individually and either formed new partnerships or resumed old ones (e.g. Bonner 1995). Of course, only a portion of the population was eligible for legal permanent residence and state-subsidized housing, but as Posel points out, “many male and female ‘illegals’ were de facto permanent urban residents” (1991:147), following the dominant pattern that the state had set.

These actions suggest that by the 1950s the state was no longer concerned with preserving the separation of maintenance and renewal processes. Maintenance and renewal were being fused together and the state now had to organize the reproduction of migrant workers and their families within the urban areas. In order to keep costs low the state went to great lengths to ensure that the building process was as inexpensive as possible (Evans 1997:124-43; Hindson 1987:68), and the standard of living in the townships was undoubtedly lower than for workers living in white urban areas. Despite the building efforts there were severe housing shortages as the urban population grew (Hindson 1987:67–68; Posel 1991:189). The state retreat from housing in the 1960s led to the re-emergence of squatter camps, which had been prevalent in the 1930s and 1940s (Bonner 1990:90, 111). Workers were thus forced to rely on their families and the wages of multiple workers to make ends meet.

From Bracero to Contemporary Apartheid in the American Migration State

Having laid out the dynamics of migrant labor and the state in South Africa, I now turn to the case of California. Burawoy’s analysis of California centered on the immediate post–World War II period and the migrant labor system defined by the Bracero program. I begin by re-analyzing the Bracero system as an instance of ETL, and then show that California made a transition to ITI that is remarkably similar to the rise of the Apartheid system in South Africa.

ETL: Bracero and Operation Wetback (1942–late 1960s)

Bracero was a program for temporary Mexican farm workers established and administered by the U.S. state.24 Whereas Burawoy (1976) emphasizes the contrast between South Africa and California, I show that there is a strong parallel between the mine-labor system in the former and the farm-worker system in the latter. To see the similarities, we must begin with the border.

Border

As in South Africa, the first function of the state was to create a border. The main act here was the creation of the Border Patrol in 1924, which was one constitutive element of a restrictive immigration regime installed in the 1920s (Ngai 2004). Cutting off the influx from Asia and Europe almost entirely, the new policy regime emphasized the national boundary and “rearticulated the U.S.–Mexico border as a cultural and racial boundary” (Ngai 2004:67). Yet if the institution of the Border Patrol marked the separation of California and Mexico, it was still a mealy operation with a limited crew of enforcement officers (Andreas 2000:50). Political marginalization of migrant workers therefore rested on their physical separation within California. Agricultural labor camps were functionally equivalent to South African mining compounds, and ranged from barns and tents to former internment camps to temporary barracks and schools (Mize 2006:106). These camps and the Bracero program more generally were designed to maintain the physical separation of migrant workers from the rest of society (Massey et al. 2002:39; Ngai 2004:128). If early migrant workers in South Africa were trapped in mining compounds, early migrant workers in California were trapped in rural agriculture.

The policing of the border was also similar to South Africa’s min-

22 Section 10 stipulated that blacks were eligible for permanent urban residence rights if they a) were born and had lived continuously in an urban area, b) had worked continuously for a single employer for 10 years or multiple employers for 15 years, or c) were the wife or child of somebody who met the conditions of (b) or (c) (Posel 1991:102-03).

23 Hostel-style accommodation was also built under Apartheid, but on a much smaller scale than the provision of family-style accommodation (e.g. Hindson 1987:67).

24 The program was most often backed by an inter-state agreement between the United States and Mexico, but the United States remained committed to recruiting “braceros” regardless of Mexican cooperation. This was demonstrated by examples of unilateral recruitment during periods in which the inter-state agreement was under negotiation (e.g. Garcia 1980: 83–84).
ing system. The Border Patrol essentially sanctioned undocumented border-crossing: a “reluctance to detain illegal farm workers...seems to have been the official policy through much of the 1940s and early 1950s” (Calavita 1992:33; see also Galarza 1964:61–62).24 The de-facto open border policy was reinforced by the “Texas Proviso” of the 1952 McCarran-Walter Act, which essentially sanctioned undocumented entry by making it impossible to prosecute employers for hiring undocumented workers. Undocumented migration took off in the 1940s as the Bracero program settled in (Calavita 1992:32–33; Massey et al. 2002:36–38), and it was common to find “braceros” and undocumented migrants working side by side on the same farms (Ngai 2004:149–52; Galarza 1964:64–65).

The Immigration and Naturalization Service (INS) was, however, concerned with keeping migrant workers confined in rural agriculture and ensuring that growers had an adequate supply of labor (Calavita 1992). To achieve this, the state attempted to legalize undocumented “wetbacks” by turning them into “braceros,” giving rise to the phrase “drying out the wetbacks” (Calavita 1992:28; Ngai 2004:153–55; Galarza 1964:63–64, 66–67).25 Many “braceros” were in fact legalized “wetbacks,” undocumented migrants who were apprehended and then given Bracero contracts (Garcia 1980:235). Once they had been hired, the state then worked to make sure that migrant workers did not slip out on their contracts (Calavita 1992:74–95).

The Operation Wetback initiative demonstrated this strategy on a large scale. In the early 1950s, public outrage erupted over undocumented migration (Massey et al. 2002; Calavita 1992:47–50). A specific issue of growing concern for the public and the state was the presence of undocumented workers in urban industrial and service jobs (Calavita 1992:48–49; Garcia 1980:56, 162; see also Ngai 2004:150). Implemented in 1954, Operation Wetback aimed to correct this problem by “rounding up” undocumented workers and returning them to Mexico. Clearing undocumented workers out of urban industry was a focal point of the roundup, though nonagricultural apprehensions accounted for a somewhat small proportion of the total (Garcia 1980:175, 189–92). Despite the official rhetoric, though, the action had more to do with legalization than it did expulsion. Some apprehended workers were brought directly to recruitment centers and issued a Bracero contract (Massey et al. 2002:37). But the process is best viewed in the aggregate, which reveals an extension of the Bracero program and a decline in apprehensions (Calavita 1992:55; Massey et al 2002:37–38). The number of apprehensions peaked

24 Powerful interests stood behind this policy. Not only did agricultural employers forcefully express their discontent with any efforts to cut off the undocumented labor supply, but Congress also sent a message — through direct verbal communication inside and outside of public hearings, as well as reductions in the INS budget — that agricultural labor flows should not be disrupted (Calavita 1992:33–38).

25 The word “bracero” can be loosely translated as “hired hand” or “farm hand.” The term “wetback” is a derogatory label referring to the fact that many illegal border-crossers actually had to cross over bodies of water.

in 1954 and then dropped substantially until the end of the Bracero program. Meanwhile, Bracero contracts nearly doubled between 1953 and 1955, reaching a height of almost 450,000 in 1956 and remaining above 400,000 for the remainder of the decade (Massey et al. 2002:37). Rather than eliminate undocumented migrant workers, the function of the operation was to keep them confined in rural agriculture through a process of legalization.

Production

Regulation of the border was closely connected with postwar production. War-induced state investments stimulated manufacturing growth and employment in urban areas (e.g. Teitz and Shapiro 1989; Walker 1995; Scott 1996), but these jobs were dominated by native born whites. Migrant workers were largely absent from the major cities (e.g. Waldinger 2001; Walker 1996; Sabagh and Bozorgmehr 1996). The Bracero program ensured that migrants would be restricted to farm labor, where Mexican workers steadily replaced domestic workers and eventually came to dominate many segments of California agriculture (Galarza 1964:87–97). One study suggests that 80 percent of Mexican migrants worked in agriculture (Cornelius 1978), and others show that the workforce harvesting a wide variety of crops was at least 75 percent “braceros” (Galarza 1964:156–58; Runsten and Levene 1981:70).

The domination of migrant farm workers in California operated similarly to the domination of miners in South Africa. The Bracero program reflected the organizational power of a different fraction of capital, the agricultural or “grower” class (Walker 2004). The state first instituted the program in 1942 as a temporary wartime measure to please the grower lobby, but legislative and administrate actions kept it alive for another 22 years (Calavita 1992). Migrant workers were typically contracted with grower associations comprised of individual employers, and these associations typically decided the terms of the contract and the size of the labor pool with little interference from the state (Galarza 1964:28–28,171–76). Indeed, the growing size of the program, despite increasing mechanization and decreasing labor demand, confirmed that Bracero was less about correcting labor shortages than it was about giving growers a steady source of “labor at wages and under conditions of their choosing” (Calavita 1992; see also Ngai 2004).

As in South Africa, workers were issued temporary labor contracts through recruitment centers in the sending society (Mexico) and then distributed to workplaces (farms) (Galarza 1964:81–86).27 The Bracero contract tied workers to rural agriculture, preventing them from moving

27 The location of the recruitment centers was a point of struggle (Garcia 1980:39). The Mexican state wanted them to be on the interior because this would reduce competition with Mexican border farms, reduce undocumented border crossings, and sustain high demand for Bracero workers. Interests on the United States side wanted recruiting stations on the border because this would reduce the transportation costs that were covered initially by the state and later employers.
into other sectors or even between employers. Undocumented workers had slightly more mobility because they were not tied to contracts, but they were also more vulnerable because they were in the country illegally. Once the labor pool had been created, the grower associations treated workers as a malleable and fluid body of labor power, which could be moved around to meet their needs (Galarza 1964:179-82). Employers routinely ignored the terms of contracts, paying workers below agreed upon wages and housing them in substandard living conditions (e.g. Mize 2006:106-110; Galarza 1964; Garcia 1980; Calavita 1992; Ngai 2004). Tied to contracts and trapped in the agricultural labor camps, workers had little leverage against their employers. The state reinforced labor control by capturing workers who attempted to “skip” their contracts and removing labor agitators (Calavita 1992:74-95). As with their mining counterparts, the domination of migrant farm workers rested on their capitulation and confinement.

Another similarity with South Africa was the racialization of the system. By confining migrant workers to rural agriculture and making them the target of immigration enforcement activities, the state constituted Mexicans as the prototypical racial outsiders (e.g. Ngai 2004; De Genova 2004). Not only was this congruent with the exclusion of Mexican migrants from desirable unionized jobs in urban areas, but also it facilitated a racial division of labor within agriculture that was functionally equivalent to the South African color bar. The terms of the Bracero program stipulated that employers could only use migrant workers for low-level “stoop” labor, saving the best jobs for domestic workers. Despite their general defeat at the hands of the powerful growers, this was a small victory for organized domestic farm workers, and resembles the ability of domestic workers in South Africa to maintain the color bar.

Reproduction

Consistent with this racial dynamic, the political feasibility of Bracero rested on the fact that workers would only stay temporarily, addressing fears of racial mixing that lay beneath the restrictive immigration regime (Tichenor 2002: ch. 6). “Braceros” would work for an allotted period of time, and once the work was done they were brought back to Mexico. In addition to administering the program, the state actively prevented agricultural workers from obtaining visas for permanent residence to increase the pool of temporary workers (Calavita 1992:74-95). The temporary nature of the contract meshed perfectly with the seasonal demands of agricultural employers, who needed workers during harvest season but did not want to have to pay them during the offseason. Over time the length of the contracts was gradually shortened, with the minimum length shrinking from four months to four weeks by 1960, allowing employers to keep workers only as long as they were needed (Galarza 1964:178). The repatriation of workers to Mexico after the contract period

in turn subsidized employers (and the state) by externalizing reproduction costs.

ITT: The Border Spectacle and Migrant Diffusion (1986-present)

These conditions did not hold. During the 1970s and 1980s, state regulation of the border, production, and reproduction was transformed. The post-Bracero shift is remarkably similar to the rise of Apartheid in South Africa. The key legislative action was the Immigration Reform and Control Act (IRCA) of 1986, though many of the shifts began earlier.

Border

The security buildup at the U.S.-Mexico border in the 1980s and 1990s arguably represents the most profound shift in terms of how the state organizes migrant labor. The logic is simple: people from less developed countries want to come to the United States, and the way to prevent them from coming illegally is to enhance enforcement at the border (Andreas 2000). The border strategy emerged as early as 1977 but did not take off until the Reagan administration took over in 1981, and IRCA’s authorization of additional border patrol funds in 1986 sparked an unprecedented escalation of enforcement resources (Dunn 1996; Nevins 2002). The INS and Border Patrol budgets both doubled between 1986 and 1992 (Massey et al. 2002:97). Not only were additional resources allocated to police the border (ranging from fences to high-tech sensors and lighting systems to additional border personnel), but there was a marked increase in coordination between state agencies around the goal of border security, and increased military involvement in border law enforcement (Dunn 1996; Andreas 2000).

The state’s response to undocumented workers is revealing. Here we can contrast the earlier Operation Wetback (1954) with the more recent Operation Gatekeeper (1994). Whereas the previous strategy was to “round up” and legalize undocumented workers, Gatekeeper sought to create a blockade that would prevent and deter. The blockade included fences, motion detectors and infrared scopes, floodlights, and additional personnel (Massey et al. 2002:94). The operation continued through 1997 (Nevins 2002:125-26) and the reach of the blockade was extended in 1996 (Massey et al. 2002:95). Rather than physically relocating migrant workers, as in Operation Wetback, in the 1990s the state focused on “prevention through deterrence” (Andreas 2000:89-93).

Despite the deployment of enormous resources, however, the evidence suggests that Gatekeeper and border enforcement more generally did little to deter or eliminate undocumented entry (e.g. Massey et al. 2002; Cornelius et al. 2004; Cornelius 2005; Andreas 2000; Massey 1999; on Gatekeeper see Nevins 2002: 125-30,144-46). Between 1990 and 2004 the number of undocumented migrants in California increased by 66
percent (Fortuny et al. 2007). This ineffectiveness suggests the need to consider the border’s more indirect or symbolic effects. Border security has not stopped undocumented entry but the highly visible and publicized show of force has nonetheless been effective at turning the border into a spectacle. This spectacle affirms the unity and coherence of the U.S. nation state, separate and distinct from a prototypically Mexican “other” (Nevins 2002).

The process of securing the nation from intruders constructs these intruders as “illegal” subjects, people undeserving of citizenship and the benefits of American society (Nevins 2002; Bosniak 1988). De Genova (2002, 2004) has argued that American immigration laws and practices create a realm of “illegality,” a “space of forced invisibility, exclusion, subjugation, and repression” that follows undocumented migrants wherever they go. The experience of “illegality” is lived through a “palpable sense of deportability,” which renders undocumented migrants as outsiders who are disposable at the whim of the state. The primary function of the state is therefore not the physical removal of “illegal” migrants — indeed, most undocumented migrants are not actually deported — but rather the constitution of “illegal” migrant subjects who are physically present but ideologically marginalized as outsiders.

Rather than serving as an actual deterrent or blockade, then, the militarization of the border promotes the specter of “deportability,” which in turn creates a division between “legal” natives and “illegal” foreigners (De Genova 2004; Nevins 2002:139–42). In this sense, the true function of the border spectacle is to inscribe the idea of the border onto undocumented migrants, marking them as “illegal” (De Genova 2004:161, 178). The condition of “illegality” is in turn reinforced by “everyday forms of surveillance and repression,” from workplace raids to police stops to the mere presence of immigration officials in migrant worker communities (De Genova 2004:178; Zolinski 2006). As in Apartheid South Africa, migrant workers inhabit a constant outsider status, and may be asked to prove their legal right to belong at any moment.

Although the American state does not share the Apartheid state’s penchant for explicit racial policy, the process of “illegalization” is also highly racialized. State efforts at controlling undocumented migration have targeted Mexicans, constituting them as the prototypical “illegal aliens” or outsiders (e.g. De Genova 2002, 2004; Arnold 2007). But the key to the process is the reference point: white Americans (De Genova 2005). This general reference makes the process of “illegalization” extremely flexible because many groups can be constructed as outsiders in comparison. It is easiest to see how the specter of “illegality” might extend to other Latino migrants who occupy a similar racialized social space to Mexicans in the American context. But such racialized “illegality” is also applicable to Asians, who have long been treated as outsiders (e.g. Ngai 2004). In this sense we may view the contemporary process of

“illegalization” as constituting a new racial subject — the “illegal alien” — who is prototypically Mexican but also Salvadoran, Vietnamese, Cambodian, Chinese, or Guatemalan. The realm of “illegality” is not even necessarily reserved for undocumented migrants. Because “illegalization” is an ideological or symbolic process of marking rather than a process of physical removal, it is just as applicable to legal migrants or even U.S. citizens — anybody who could potentially be viewed as undocumented may become a subject. Such a flexible system has major economic consequences.

Production

If the earlier period was characterized by the confinement of migrant workers in rural agriculture, the contemporary period is characterized by the diffusion of migrant workers throughout all industries. By 2000, migrant workers born in either Asia or Latin America accounted for a whopping 62 percent of workers in agriculture, 40 percent in manufacturing, 26 percent in construction, and 22 percent in services. Among the 153 more detailed industry categories counted by the U.S. Census, workers from these regions accounted for at least a quarter of the workforce in 77 and more than half of the workforce in 21 industries.

California’s postindustrial economy is extremely polarized between high- and low-paying jobs and migrant workers have played an important role at both ends (e.g. Milkman and Dwyer 2002). But migrant labor is most prominent at the bottom end: 67 percent of California workers without a high school diploma in 2004 were born outside the country (Peri 2007:5). Migrant workers are concentrated in industries characterized by low-paying jobs, and regardless of industry they are disproportionately represented in occupations that are dirty and dangerous (Lopez and Feliciano 2000; Loh and Richardson 2004). By the 1990s, the California economy was characterized by a “structural embeddedness of demand” for migrant labor, in which capital had become “not just immigrant dependent” but in fact “totally reliant on this labor source” (Cornelius 1998:118).

One feature of this dependence is reliance on migrant social networks for hiring, which reduces recruiting costs and effort and is believed by employers to bring in better applicants (Waldinger and Lichter 2003:103–106). It also gives leverage to insider groups and thus facilitates ethnoracial concentration (Waldinger and Lichter 2003:108–114), giving rise to a division of labor organized around ethnoracial niches of migrant labor (Walker 1996:164). Employer hiring practices reflect and reproduce labor control: already-employed network sponsors set expectations and facilitate control after hiring (Waldinger and Lichter 2003:107), and employers prefer migrant workers over domestic workers because they believe migrants have a better work ethic, will accept lower wages, and do

28 These figures are based on original calculations for the 2000 Census using the IPUMS database. All analyses were run using person-level weights.

The state enables labor discipline by reinforcing these expectations. The process of “illegalization” produces docile workers who are either unable or unwilling to resist low wages and poor working conditions. Much like in the Apartheid workplace, migrant workers are disciplined by a culture of fear. The potential for expulsion (from the job and possibly even the country) encourages migrants to work hard and fast, not complain or resist, and accept the reality of precarious low-wage employment (Heyman 1998, 2001; Zolninski 2006). This condition is reinforced by the state, most notably through sanctions designed to penalize employers who hire undocumented workers. Employer sanctions were the bedrock of IRCA but enforcement efforts have been weak, giving employers little incentive to abide by the law (Brownell 2005; see also Andreas 2000; Cornelius 2005). This shifts substantial leverage to the employer, who is not held responsible but instead is in effect “deputized” as an agent of the state (Nessel 2001:348, 379). The lasting effect of employer sanctions has thus been to provide employers with a tool that they can use to discipline their workforce (Nessel 2001:350, 360–63). Employers can call on the state — or more likely, threaten to do so — if they need to inhibit resistance, or even just to lower costs by creating turnover (Wishnie 2004:503; Zolninski 2003).

Official labor protections have proven to be thin for migrant workers. Despite protection under American labor laws regardless of their legal status, a fear of deportation and state repression discourages migrant workers from making claims (Gleeson 2010). Evidence shows that immigration authorities have often been involved in labor disputes, blantly undermining labor rights by aiding employers in retaliation efforts (Nessel 2001:371–78). Courts have reinforced these patterns by privileging immigration laws over labor laws, and worker violations over employer violations, leaving workers vulnerable and unable to access basic workplace protections (Wishnie 2004:506–07; Bosniak 1988). The record on labor violations reveals the effects of this vulnerability: foreign-born workers in low-wage industries, and undocumented workers in particular, are more likely than their native-born counterparts to experience violations associated with minimum wages, overtime pay, off-the-clock work, and meal breaks (Bernhardt et al. 2009).

Reproduction

The diffusion of migrant workers throughout the economy was associated with shifting patterns of movement. By the late 1980s and 1990s, the circulation of single workers between sending and receiving societies had been replaced with family settlement (e.g. Portes 2007; Hondagneu-Sotelo 1994; Marcelli and Cornelius 2001; Massey et al. 2002). This was consistent with the shift of workers from seasonal agricultural jobs to non-seasonal jobs requiring a more stable workforce (Marcelli and Cornelius 2001; Cornelius 2005:788). But settlement was also encouraged by the state, most notably through the amnesty programs legislated by IRCA. Much like the provision of Section 10 urban-residence rights in South Africa, the amnesty extended permanent residence rights to approximately 3 million undocumented workers, of whom 70 percent were from Mexico (Massey et al. 2002:90). The state has also continued to provide legal pathways to permanent residence through increased overall quotas and continued quota exemptions for immediate family members (Reimers 1998:27; Tichenor 2002:267–74). Finally, one of the most direct effects of border militarization was to encourage longer stays and settlement by making border crossings costly and dangerous (Massey et al. 2002; Cornelius 2005; Portes and DeWind 2007; Nevins 2002:125–30).

With migrant families settling down in California, employers can no longer rely on the externalization of labor-force renewal to lower labor costs. Reproduction of the family must now be arranged within the country. Drawing from the border spectacle, this process is organized around “illegalization.” Having constituted migrants as undeserving outsiders, the thrust of American social policy in the 1990s was to exclude (documented and undocumented) migrants from public services, most notably through the 1996 welfare and immigration reforms (Wilson 2000, 2006; Massey et al. 2002:96). This would seem to place the burden on employers, yet the “illegalization” of migrant workers justifies their relegation to low-wage employment, and in many cases contingent (e.g. temporary, part-time, or subcontracted) or informal-sector jobs without benefits (e.g. Zolninski 2003, 2006). How do workers in this situation make ends meet? First, as migrant women are further incorporated into the workforce (e.g. Fernandez-Kelly and Sassen 1995; Hossfeld 1994; Hondagneu-Sotelo 2001) the “family wage” is spread across multiple family members. Instead of providing a single wage that sustains the family, employers can provide wages below family-subsistence levels that must be combined to secure familial reproduction. Second, the necessary “family wage” is further reduced by the fact that migrants are pushed into enclaves in which conditions are harsh and the costs of reproduction (e.g. food, housing) are substantially lower (e.g. Zolninski 2006).29 In sum, “illegalization” is crucial for internal reproduction because it justifies and facilitates the retreat of employers and the state on one hand, and the relegation of workers to low-wage employment and substandard living conditions on the other.

29 In some cases, workers will also subsidize formal sector wages through informal sector employment, such as providing services within the community or street vending operations (Zolninski 2006).
Conclusion

This analysis reveals two types of migrant labor systems: one based on exclusion through legalization (ETL), the other based on inclusion through illegalization (ITI). Each system reflects a different form of domination. Whereas ETL maintains a high degree of physical separation between the sending and receiving societies, securing domination of workers through confinement, ITI brings the two societies closer together while sharpening their distinction, securing domination through a policy of Apartheid. Each produces a different type of racialized subject. Whereas ETL constitutes migrant workers as temporary contract workers, ITI constitutes migrant workers as “illegal” subjects. These models stand in contrast to typical assimilation models in which immigrants gradually become integrated into the host society and their migrant status fades away. Such models presume a process of legal inclusion, even if migrant workers are downwardly mobile, as in models of segmented assimilation. In contrast, the analysis here illuminates a situation in which migrant status is produced and continually reproduced by the state, either through confinement or illegalization. This status in turn becomes the basis for exploitation.

This analysis begs the question of transition: how do we get from one migration system to the next? What causes the demise of one system and the rise of another? The parallel shift from ETL to ITI in both South Africa and California suggests that certain types of migrant labor systems have their own internal dynamics which remain constant across time and space. An analysis of transitions must therefore be concerned with the forms of resistance that each type of migration system creates. Such analysis must begin to appreciate the state not only as an institution that reproduces different forms of capitalism (i.e. migrant labor systems), but also a terrain of struggle (Poulantzas 1980; Wright 1978). How do struggles both inside and outside of the state lead to the transformation of state structures and policies? One task for future research will be to ask this question for the periods of transition — the 1930s and 1940s in South Africa, and the 1970s and early 1980s in California — to understand why ETL gives rise to ITI in both places. But there are also important lessons to be learned from later transitions, and in particular the anti-Apartheid struggle. If California today resembles South Africa forty years ago, as I have argued, then tracing the demise of Apartheid is likely to provide some insight into both California’s future and the challenges of the current period.

The Apartheid regime began to wobble in the 1970s as manufacturing demand for skilled black workers combined with increasing resistance in the form of industrial action, beginning with the Durban strikes in 1972–73. Entry into skilled and semi-skilled positions between 1950 and 1970 gave black workers leverage for resistance, but rather than focusing on individual employers, they sought to challenge the roots of their exploitation: the repressive Apartheid state and its explicit form of racial rule. This provided the basis for a vibrant “social-movement unionism” that linked workplace struggles with community struggles in the townships (Seidman 1994:227–252). As this anti-Apartheid struggle blossomed in the 1980s, racial restrictions in the labor market were lifted and in 1986 the pass laws were abolished. This landed the country in yet another transition period, complete with political struggles over the future of the “new” South Africa. Marked by the first fully democratic elections in 1994, the South African state is committed to democratic non-racialism and nation-building. This process has meant both the full extension of political rights to black South Africans and a reworking of the boundaries of inclusion and exclusion. The postcolonial nation-building project has drawn a sharp distinction between South Africans and non-nationals, casting the growing number of African migrants as second-class citizens (Croucher 1998; Neoconsos 2002; Peberdy 2001). This status was exposed by the xenophobic attacks against African migrants in May 2008, and later by the wave of xenophobic threats and violence that spread across the country around the 2010 World Cup.

South African blacks have thus experienced a process of inclusion through legaliziation (ITL), similar to assimilation models in which migrant status fades away. For many, though, it is a bittersweet transition marked by either insecure employment or unemployment. Non-citizen African migrants, however, continue to be treated as illegal outsiders and are pushed to the economic periphery, excluded from core jobs and postcolonial reconstruction agendas. This is a process of exclusion through illegalization (ETI).

This brief analysis suggests that there are three potential futures for low-wage migrant workers in California. First, they may be removed from core sectors of the economy but remain “illegal” subjects in an ETI system. Current economic dependence on migrant labor in California and many other states makes the ETI route unlikely for more than a small subset of migrant workers. Second, they may be confined in a new temporary labor program, resurrecting the ETL system. During its time in office, the Bush administration pushed for a Mexican “guest worker” program reminiscent of Bracero. These efforts revived an option that had largely been off the table since the early 1980s, but federal immigration reform has remained elusive. Third, migrant workers may remain diffused throughout the economy but included as political equals in an ITI system. In this vein, the combination of economic inclusion and political marginalization that proved to be so explosive in South Africa is having similar effects in California and throughout the United States. There are signs of social-movement unionism linking workplaces and Latino communities around the idea of immigrant rights, and the nationwide flurry of immigrant-rights protests in spring 2006 provided a hint of the move-
ment’s potential (Milkman 2006, forthcoming). We might draw a parallel between these protests and the Durban strikes in 1972–73, which hinted at the emergence of the anti-Apartheid struggle.

If the immigrant-rights struggle continues, the major question will be: who is included in the definition of an “immigrant” deserving of legalization? Regardless of whether legalization comes in the form of temporary labor access or full permanent residence, if it is only extended to Mexican or Latino migrants, we may see a transition that mirrors the post-Apartheid split. This suggests the emergence of an ITL system for Mexicans or Latinos, who are included as full citizens, and an ETI system for non-Mexican or non-Latino migrants, who remain “illegal” outsiders while being pushed to the economic periphery. Whether this split can be avoided will depend on the nature of the coalition that leads the legalization struggle.

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Ethnic Brother or Artificial Namesake? The Construction of Tajik Identity in Afghanistan and Tajikistan

Ryan Brasher

Abstract

The dispersion of ethnic groups across two or more states has been of particular interest in the social sciences following the end of the Cold War and the disintegration of multinational Communist polities. To what extent, however, can one speak of a coherent ethnic group when very different political institutions shape ethnic identification over long periods of time? In this paper, I focus on the historical construction of Tajik identity in Tajikistan and Afghanistan. Do Tajiks in these two countries belong to one coherent and historically continuous group? The evidence suggests that Tajik ethnic identification in Tajikistan today does not equal its counterpart in Afghanistan, notwithstanding the broadly similar pre-Soviet cultural and linguistic heritage on both sides of the border. Ethno-national identity in Tajikistan was engineered from above and institutionalized across decades, but local boundary formation has remained the dominant mode of identity construction in Afghanistan. Furthermore, despite sharing a common ethnic marker and language, there has been no concerted drive to establish a pan-Tajik movement in the region.

Ethnicity and ethnic politics have garnered increasing interest in the social sciences in the two decades following the end of the Cold War and the disintegration of multinational “empires” such as the Soviet Union and Yugoslavia. The incongruity between the modern state and its component nations or ethnic groups is regarded by many as the major cause of instability in the world today. Political scientists argue that multiethnic states cannot easily establish stable and representative institutions because of the lack of an overarching supportive culture (Linz and Stepan 1997:23, 24; Dahl 1998:149ff.; Easterly et al. 2006). Concurrently, multinational societies are also said to be particularly prone to internal conflict during times of state weakness, owing to the lack of trust and mediation between clearly bounded and internally cohesive ethnic groups (Posen 1993; Fearon 1998). Brubaker’s concept of the “triadic nexus” elucidates the dynamics of irredentist politics: the nationalist sentiments and policies of an ethnic minority, of the “other-dominated” state it lives in, and of its external homeland combine to create a politically combustible situation. Interaction between the Krajina Serbs and the Croatian and Serbian states in the early 1990s provides a diagnostic example (Brubaker 1996).