AgJOBS: A Voice for the Unheard
by Rohaid Ali

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In 1787, as part of a speech to the United States Constitutional Convention, James Madison declared, “America was indebted to immigration for her settlement and prosperity” (“James”). It is clear that sentiments toward immigrants have changed since one of our country’s most influential founding fathers expressed these words. The attacks on September 11, 2001, a profoundly failed war on drugs, and fears about job security during the worst economic crisis since the Great Depression have all led to a spike in the culture of discontent toward illegal immigrants in the United States. These events have undeniably dealt a damaging blow to America’s dominance, but the response to them has been far from level-headed. We now have armed vigilantes patrolling the border, and states like Arizona are passing historic and discriminatory laws targeted at both legal and non-legal residents. Unsurprisingly, these expressions of hatred have put many innocent migrants in harm’s way and have distorted the debate on good economic policy. Perhaps most irrationally, our heated national discourse about immigration has caused us to overlook the AgJOBS bill, which would benefit both farmers and migrant workers. If President Obama wishes to save a downward spiraling American farming industry while simultaneously addressing the plight of migrant workers, he could do no better than to push the AgJOBS bill through Congress.

An AgJOBS law would reform the failed H-2A Temporary Foreign Agricultural Worker Program. With the current H-2A, migrant workers are only allowed to work on our nation’s farms for a period of ten months, which creates an unstable workforce that farm owners must fire, hire, and retrain every year. Furthermore, there are very few regulations in place to prevent the abuse of migrant workers by their employers. AgJOBS is a current proposal to the 111th Congress that has two core elements designed to fix these problems. The first allows for an “earned legalization” program for migrant workers in which they must have three to five years of unbroken residency to eventually apply for citizenship. This reduces training and retraining costs for farm owners. Also, AgJOBS offers avenues that would protect the well-being of the migrant workers: “H-2A workers would have the right to file a federal lawsuit to enforce their wages, housing benefits, transportation cost reimbursements, minimum-work guarantee, motor vehicle safety protections, and the other terms of the written H-2A job offer” (“Summary”). An AgJOBS bill
signed into law would provide a stable workforce for farm owners and an extension of human rights to migrant workers.

But sadly, stigmatizing myths about immigrants prevent legislative gems like AgJOBS from passing. Our contemporary myths about immigrants reconstruct a people external to our society in a vicious way, for they operate on the predetermined notion that immigrants represent a threat. We do not have positive myths of the immigrant, but we do have myths of the dangerous immigrant, such as a member of a drug cartel, a terrorist, or a job stealer. This overall negative view of immigrants, coupled with a distrust of government that runs deep in many conservative circles, creates the perfect birthplace for the idea that vigilantism can solve “the problem.”

Take, for example, Jim Gilchrist, the founder of the Minuteman Project (MP). The MP made headlines in 2005 when it held a three-month rally on the U.S.-Mexico border where hundreds of Americans set up camp each night, watching for immigrants. Though some watchers were videotaped with guns, Gilchrist has stated that the purpose of his movement is to raise awareness about illegal immigration as a political issue, not to inflict harm on illegal immigrants. He says that the attacks of 9/11 were his inspiration to start the movement because they signified a failure of the federal government to apprehend illegally immigrated terrorists (Rights on the Line). In 2008, Chris Burgard’s movie Border covered several other motives for armed vigilantism on the border. The movie discusses human trafficking and drugs as two independent reasons why vigilante groups should continue their campaign against illegal immigration. Burgard claims that human traffickers often rape the migrants they help guide into the U.S., hanging the women’s underwear on trees the Americans call “rape trees.” Border also shows extensive footage of what Burgard claims are drug traffickers. At one point, Burgard shares night-vision footage of a group of migrants whom he says might be carrying close to 100 million dollars worth of heroin. In Border, the Minutemen are proudly displayed as beacons of justice on the “lawless” border between Mexico and the United States.

However, reality has contradicted the Minutemen Project’s positive light. In 2006, a group of Minutemen filmed a fake video of them murdering two illegal immigrants and posted it on YouTube. The Southern Poverty Law Center, famous for strategically gutting the Ku Klux Klan of its assets, immediately jumped to sue, thinking that the video was real. In response to a growing national outcry, the makers of the video admitted that they had pulled a sham and that no one was actually hurt. However, the damage was already done, and Gilchrist soon distanced himself from the video’s makers (“Nativists”). Furthermore, in 2009, Gilchrist was scheduled to speak at Harvard, but his speech was cancelled because “Shawna Forde, who calls herself a ‘tactical Minuteman,’ was arrested in Arizona for ordering the murder of a nine-year-old-girl and her family, whom she and her associates suspected of drug smuggling” (Thomas). These are two documented instances in which the MP has shown a potential for violence toward immigrants that is truly horrifying.

However, even in light of these dangerous actions by the Minutemen and others patrolling the U.S.-Mexico border, negative myths about immigrants continue to halt the passage of the AgJOBS bill. In particular, the myth of the “job stealing immigrant” unfairly disadvantages AgJOBS. On September 24, 2010, Arturo Rodriguez, president of the United Farm Workers (UFW) of America and advocate of AgJOBS, said that from his in-depth personal experience in the farm industry, he thinks undocumented workers make up about 70 to 75 percent of the labor force for farm work. The reason for such a high proportion, according to Rodriguez, is the fact that Americans would rather let migrant workers have farm jobs than work on farms themselves (“House”). Rodriguez has a personal study to back up this
claim, one that has been strongly debated for decades. Recently, the UFW initiated a “Take Our Jobs” campaign in which it offered a farm job to any American who would agree to do backbreaking labor on our nation’s farms (“House”). From June to late September of 2010, the UFW’s website had over three million hits, according to Rodriguez. Of those three million hits, about 8600 people inquired about the Take Our Jobs offer. Of those 8600 people, only seven American citizens were farm workers as of the date of Rodriguez’ testimony — .008 percent of initial inquirers chose to accept the job (“House”). If even the Great Recession couldn’t lure our nation’s unemployed into these hot, difficult farm jobs, then from whom are immigrants stealing the jobs?

While Rodriguez is a staunch advocate for the AgJOBS bill, Representative Steve King of the 5th Congressional district in Iowa believes AgJOBS is unfair to American workers because it depresses wages. To him, the solution is to simply increase wages in order to attract Americans to do farm labor. During the same Congressional meeting Rodriguez attended, King stated that soldiers, oil rig workers, and people who work in sewers are all examples of Americans working difficult and dangerous jobs. King brought forth his own experience as a construction worker to support his testimony. All of these jobs, King says, offer a fair wage, but farm work does not. According to him, Americans will not work on farms simply because wages for these jobs are inadequate. Furthermore, King cited the research of Philip Martin, a professor of agriculture and resource economics at UC Davis, who claims that if the wages of farm workers were increased by forty percent, the average American family could expect to see an increase of only eight dollars per year in their fruit and vegetable purchases (“House”). The tradeoff, King argues, is worth it: why wouldn’t Americans pay a little extra for their fruits and veggies if it means fellow citizens will not have their jobs “stolen” by immigrants?

Important people in the political sphere and farming industry believe, however, that wage increases may severely hurt U.S. farming competitiveness. For example, Phil Glaize, a third-generation apple farmer and representative of the U.S. Apple Association and the Agriculture Coalition for Immigration Reform, strongly disagrees with Rep. King. In the following testimony before Congress, Glaize defends AgJOBS because he believes that the bill is necessary to challenge the decline that Americans farms are experiencing in the global market:

The threat is not hypothetical, it is real, and worsening in the face of Congressional inaction. In the 1950’s, colleagues tell me there was a thriving greenhouse vegetable industry southwest of Toledo, Ohio. It is gone, largely to Canada. Colleagues in the West report that at least 80,000 acres of high-value vegetable production has left southern Arizona and California for Mexico. Florida tomatoes and citrus are leaving for Mexico and Brazil. In 2008, Texas A&M University noted that 77% of Texas vegetable producers surveyed had reduced the size or scope of their business due to lack of employees. One quarter reported moving some of their operations out of the U.S. Another third were considering such a move. China has requested access to our market for fresh apples and they are the world’s largest producer. If the U.S. apple industry were to go out of business, the Chinese are ready to step in and supply our apples. (United States)

In a globally competitive market, every cent in the price of fruits and vegetables counts. Agriculture is a renewable asset for the United States; currently we are a net exporter of fruits and vegetables. But it is people with first-hand experience like Phil Glaize who question the solvency of the American agricultural economy in the aftermath of a forty percent increase in the wages of American workers. If these wage increases were to occur, there would likely be no or very few agricul-
tural jobs, as American farms would be wiped out by global competition.

And what happens when these farms are gone? Representative Zoe Lofgren of the 12th district in California said at the same hearing that the outflow of jobs would have a crippling ripple effect on the nation’s economy, noting that “upstream and downstream” jobs are affected when a farm closes. Advertisers, managers, accountants, retailers, and truck drivers are some of the people who depend on the presence of the farm worker. Lofgren testified that according to economists, for every one farm job that is lost, 3.1 other jobs disappear. Furthermore, if American farms shut down, the joblessness will be compounded with mounting trade debt, as we will depend on other nations to supply our food (“House”). If the UFW’s “Take Our Jobs” campaign revealed American apathy toward farm labor, then modern economic analysis of American agriculture demonstrates the upside of this apathy: by supplying nearly three-fourths of our farm workers, a cheap migrant labor force keeps our agricultural industry afloat and creates jobs in other sectors of the economy where Americans are more likely to seek employment.

By increasing the length of stay and offering a path to citizenship for migrant workers, the AgJOBS bill can attract more workers and stabilize America’s farming labor force. As the world struggles through a historic recession, bills like AgJOBS become the sort of economic streamlining that can give America an upper hand.

Granted, AgJOBS will receive harsh criticism from the left because it is not a complete reform of the failed immigration system, but AgJOBS is exactly what is needed: a realistic remedy to the issues that affect migrant workers and our nation’s economy. The status quo, marked by an extremely polarized political climate, dictates that comprehensive immigration reform is unlikely. In 2010, there sprang a heated legal battle between the United States federal government and the State of Arizona concerning the Support Our Law Enforcement and Safe Neighborhoods Act, commonly known before passage as Arizona SB 1070. The Arizona law empowers police officials to ask for identification from any suspected undocumented immigrant, and if a person fails to produce any identification, she or he may be detained until authorities determine his or her legal status (“Fact”). But the federal government holds that it is not in the power of the states to enforce federal immigration law, and as a consequence, the courts should strike down the Arizona law. Not willing to give up, Governor of Arizona Jan Brewer made an appearance in court the day before the 2010 midterm elections to testify as an advocate for the law. Brewer, anticipating her win the Arizona governor’s race against the following day, seemingly spoke for Arizonans, claiming that the law was enacted to fill a void left by years of dithering on the part of the federal government (Hing).

But given Brewer’s previous claims about immigration, the courts would do well to take her testimony with a fair bit of skepticism. Governor Brewer signed SB 1070 into law on April 23, 2010. The argument for passing the bill, some Arizonan politicians claim, is that the violence of the drug war in Mexico has spread into Arizona, and they need to show Arizonans that they are doing some-
thing to address the issue. For example, shortly after the passage of 1070, 2008 Republican presidential candidate and Arizona Senator John McCain said on the floor of the Senate that a porous border between Mexico and the United States “had led to violence — the worst I have ever seen” (Wagner). But the claim that Mexican drug violence has spread to the US is a myth with no basis in fact. According to an article by Dennis Wagner in The Arizona Republic, even though the war on drugs was escalating in Mexico, violent crime was down in Arizona when McCain made that claim. According to Wagner, “Arizona’s violent-crime rate dropped from 512 incidents per 100,000 residents in 2005 to 447 incidents in 2008, the most recent year for which data is available” (Wagner). Considering 2007 was the peak year for illegal immigration, it appears that there is a stronger correlation between increasing immigration rates and decreasing rates of violence in Arizona. Additionally, Gov. Brewer claimed in June of 2010 that “law enforcement agencies have found bodies in the desert either buried or just lying out there that have been beheaded” (Montopoli). Once again, this is a myth with no basis in reality. The Arizona Guardian did some investigating following Brewer’s comments and found there was no evidence to support her statement that beheadings were occurring in the desert (Montopoli). Like McCain, Brewer was spreading lies in order to garner support for 1070; the argument that the Arizona Immigration law is necessary due to increased border violence is simply unfounded.

Arguments based in myth, like the two just mentioned, can spell real trouble for immigrants who have no voice in the national debate. Immigrants have been hauntingly abused in the past due to extreme hatred. One case in particular that is extremely difficult to rip from local memory occurred in 1976 in Cochise County, Arizona. Two brothers, Patrick and Tom, and their father, George Hanigan, detained three Mexican nationals on their way up from the border. The Hani- gans burned the Mexicans’ clothing and food and cut their hair off. Then, as Southern Poverty Law Center’s Bob Moser writes:

One of the Hanigan boys pulled a long iron out of the fire and dangled its hot end over the naked men’s bodies. The other young Hanigan allegedly took it from him and touched it to one of the men’s feet, again and again, until the stink of burning flesh mingled with the mesquite. The old man grabbed a knife and threatened to cut off one of the men’s testicles. One of the men had a rope tied around his neck and was dragged through the scorching desert sand. “When they’d had their fun,” recalls long-time community activist Mac Torres, “they cut them free one at a time, pointing them to Mexico and opening fire with birdshot.” One of the men ended up with a back full of 47 pellets; another had 125.

Imagine the horror of finally crossing the border into the United States and nearly losing your life to a couple of out-of-control vigilantes with superhero dreams. Amazingly, these men lived to tell their tale, but in Cochise County, Arizona, an all-White jury exonerated the Hanigans (Moser).

We are more than thirty years past the Hanigan incident, but many Americans today are not too far removed from the attitudes that motivated and excused this violence. In our national debates, fidelity toward truthfulness and respect for human dignity are deteriorating. I agree with Jim Gilchrist’s claim that a porous border means weaker national security. I also agree with Gov. Brewer’s and Sen. McCain’s claims that the federal government should do more to crack down on drug cartels. And I agree with Burgard’s claims in Border that we have an ethical obligation to stop human trafficking. These are all real issues that our country should be rallying against, but instead we have clouded our judgment with the distorting myths of immigrants. As a result, some Congresspersons have blocked movement for the AgJOBS bill, and we have passively accepted a reality in which a loose cluster of dangerous vigilantes roam the border, looking to victimize any
immigrant who might cross. Uncontrolled immigration is a gargantuan national concern, but our handling of it thus far reeks of bad political and economic stewardship as well as unfair and inhumane treatment of migrant workers.

AgJOBS can extend human rights to these migrant workers and potentially reenergize a declining farming industry, but it may have an even greater role in influencing the future. A passed AgJOBS bill carries within it the potential to open a new era of healthy national discourse concerning immigration. The current guest worker program allows abuses toward migrants to run unchecked, and it denies a stable workforce for farm owners. By reasonably debating the merits of AgJOBS, Congress may, at the very least, begin considering new ideas to infuse greater competitiveness into our nation’s farming industry. More importantly, the process of passing AgJOBS will force Congress to finally confront the harsh realities that migrant workers in this country face. Passage of AgJOBS would be an undeniable leap forward for human rights. From vigilantes on the border to exploitative agricultural employers to discriminatory laws in Arizona, the migrant worker who picks our fruits and veggies — and saves our farming industry — is abused from the moment he or she enters this country. It is time to remember the famed words of James Madison and pass AgJOBS so that both the prosperous future of America and its immigrants can be ensured.

Works Cited


