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### *Bracero Justice: The Legacies of Mexican Contract Labor*

Stephen Pitti, Yale University

Available online at [www.yale.edu/glc/justice/pitti.pdf](http://www.yale.edu/glc/justice/pitti.pdf)

“There’s not an inch of land I don’t know in these fields. But our money disappeared,  
and with it so did our dignity.”

-- Former bracero Jesus Espinosa, 22 August 2004<sup>1</sup>

Racial and labor relations became complex global processes in the 20th century, and this paper focuses attention on one international effort to repair the past, and to pay international workers wages that went unpaid a half century ago. The history here continues to unfold, and its cast of characters continues to change. Its central protagonists are ones not unknown to U.S. historians, but they remain players still rarely accorded center stage: Ethnic Mexican agricultural workers, a group long racialized in the United States, and a sector that has played important political and economic roles since World War II. Once transnational migrants who moved back and forth across the international boundary, often with the intent to settle for good in Mexico, many eventually became immigrants in the United States, exerting influence in communities as different as Los Angeles, Seattle, Salinas, and Philadelphia. Rural economic poverty and backbreaking work of course also defined the 20th century for many of them, and governmental

policies in both the United States and Mexico shaped their social positions and legal status. Those who remain alive in 2005 are now old, and many have passed away, documented in far too few published histories. As a political group, however, these Mexican agricultural workers have found new voice within formal governmental institutions, and within emerging immigrant rights and farmworker organizations, thanks to the reparations impulse.

The political dramas described here developed from the complex factors that defined ethnic Mexicans in the United States by the late-1990s. They emerged, quite clearly, within the context of changing debates about Mexican immigration in the last years of the Clinton and Zedillo administrations. They came about within the context of longer discussions of immigrant rights in the United States, particularly those encapsulated by the Immigration Reform and Control Act of 1986, federal legislation in the United States that further militarized the border, arranged for a new contract labor agreement that sent Mexican laborers into U.S. agriculture, and -- importantly -- offered amnesty and naturalization to millions of *mexicanos* who could provide evidence that they had long resided in the United States. In IRCA's aftermath, the movement around Bracero rights was also guided in part by younger Mexican American politicians -- often the children of immigrants -- who claimed some relationship to the Chicano movement that began during the 1960s, and it has drawn support, and taken its political cues, from a broader, global political context -- the one characterized by truth commissions, Holocaust litigation, and reparations campaigns. Finally, in more recent times, these developments certainly reflected upon the Bush and Fox presidencies, upon public promises made for a new era in U.S.-Mexico relations, upon critiques from the Left in both countries, and upon new concerns about the fate of Mexicans (as voters in both countries!) concerned about the history of inattention accorded farmworkers in both Mexico and the United States.

My topic today concerns the still unfolding legacies of the Bracero Program, a set of mid-century agreements between the United States and Mexico that sent farmworkers north from

1942 to 1964. Born in wartime, and dependent on Good Neighborliness and a stated commitment to fighting fascism, the Program made “war workers” out of the roughly 256,000 Mexican agriculturalists hired during World War II. In subsequent years, the two countries continued to arrange the transportation, labor, and payment of contracted workers, but power politics rather than either simple nationalism or the war effort shaped its later years: From 1947 to 1964, the agreement survived in its basic form largely thanks to the agribusiness lobby in the United States. The effects of this program were mighty. From 1942 to 1964, the two governments issued approximately 4.6 million contracts to some 2 million men. Braceros who returned to Mexico with their U.S. earnings helped reshape agriculture there over those two decades, and they proved critical players in local economies. The low wage labor of braceros and other Mexican workers in the West clearly subsidized low food prices for wartime and postwar consumers in the United States, even as it hindered unionization efforts and deepened the rural economic poverty of more settled rural communities in California and other parts of the country. The Program resulted in staggering demographic effects. Many braceros returned to the United States as undocumented or documented immigrants after their bracero work stints, and social scientists now commonly credit the Bracero Program with shaping the migration and settlement patterns that have defined ethnic Mexican communities in the United States over the last half century. While there’s no easy way to quantify such an assertion, it is clear that most Mexicans and Mexican Americans in the 21st century United States claim family members -- often several family members -- who first came to the United States as braceros from 1942 to 1964.

More than forty years after the Program’s conclusion, both the United States and Mexico have been forced into heated discussions about the meaning of that labor agreement by former contract workers and their families on both sides of the border. The concerns of ex-braceros to some extent emerged from current calls in both countries to revive that international arrangement, but they also have drawn from longer-term analyses within Mexican American

communities, and among scholars of Mexican migration, about the racialized nature of the migrant, agricultural labor system that continues to define much of the rural United States. Political activists have taken on the historical meaning of the Bracero Program with some form of reparations in mind -- by which most seem to mean both monetary repayment of aging Mexican workers, but also a formal acknowledgement of bracero contributions to both countries, and perhaps a recognition that both nations remain guilty of creating a migration system that has long been ripe with violations of basic civic and human rights.

The Bracero Justice Movement, as it has become known, claims deep roots in the efforts of the contracted Mexicans themselves during the 1940s and 1950s to earn higher wages and experience the protections and promises of their written contracts. It connects, to some extent, with both recent historiography emphasizing bracero “agency” in the workplace, and with the oral traditions of braceros who have long told stories of their own ingenuity in the face of the U.S. and Mexican bureaucracies that negotiated and monitored the Program from above. The Movement also echoes a commonly-heard refrain among labor and civil rights organizers in the United States over in recent decades: The important contributions made to particular local economies and communities by groups marginalized by domestic racism. Finally, and in a way that might seem to contradict claims based on “local” contributions, recent efforts by and for Braceros clearly reflect the maturation of transnational political linkages between Mexicans *en el extranjero* (outside their homeland) and the national political institutions, and the national media, of Mexico. The BJM grew on both sides of the international border, in fact, and its activities in the U.S. context drew heavily from organizations, individuals, and trends that extended their influence into Mexico itself.

What follows is, then, an account of a transnational movement, but it is also a history of two distinct nation-states, in so far as bracero demands have resonated, on the U.S. side, with internal domestic debates about post-9/11 immigration, and about the role of U.S. courts in

litigating cases related to international human rights; and insofar as bracero demands have resonated, on the Mexican side, with growing concerns about scandal and corruption within Mexico's governing party (the P.R.I.), with longstanding nationalist sentiment that rues U.S. hegemony in the hemisphere, and with persistent charges since the mid-19th century that the colossus of the north acts in racist ways towards its Mexican neighbors.

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Some of these factors were visible in the BJM's moment of genesis in 1998, when a widow of a former bracero living in Mexico asked her grandson if she might be entitled to Social Security benefits from the U.S. government. The grandson, a labor organizer in California's Coachella Valley named Ventura Gutiérrez, began to conduct his own research on the Program. He found a copy of an original bracero work contract on the internet, and when he read the fine print he discovered something that had escaped most historians of U.S.-Mexico relations: The strange history of the Bracero "savings plan." Beginning in 1942, he learned, Mexico and the United States had agreed to hold ten percent of each worker's earnings in individual savings accounts that would be paid upon their return to Mexico. Government officials hoped this provision would encourage workers to return to the *patria* and not "skip out" on their contracts and become "wetbacks" in the United States. Such a provision seemed crucial to policymakers on both sides of the line, if for different reasons. Negotiators of the agreement also hoped the savings plan might assure that a portion of Mexicans' earnings would be spent in their hometowns, and that contracted workers -- often considered peons -- would overcome their narrow, peasant perspectives and learn the importance of economic savings. Thus the savings plan connected with longstanding ideas about Mexican rural backwardness, and with the need to bring rural pueblos into the developed Mexican nation.

Braceros would, it was hoped, modernize Mexico with new money and new plans for “*mañana*.” The financial map would look like this: Beginning in World War II, ten percent of each paycheck was to be sent to the regional office of the War Manpower Service. U.S. officials would then transfer it to Mexican governmental accounts at the Wells Fargo Bank in San Francisco. Mexican officials would subsequently issue credits to two of its domestic financial institutions -- Banco Agrícola and Banco Nacional de Ahorra -- which were meant to distribute the funds to braceros upon their return to Mexico. A great deal of cash was at stake, despite the low wages paid contract workers. Scholars today estimate that between \$10 million and \$100 million dollars was removed from bracero paychecks and held in reserve.

Many contracted workers thus expressed great hope that they’d find a pot of gold on their return to the *patria*, but most never found their money. (Due in part to high rates of illiteracy among U.S.-bound campesinos, it seems also that many did not know about this provision in their written contracts. The fact that neither government agents nor agribusiness employers made this crystal clear would later enrage braceros and their families.) Those who inquired about their savings accounts during World War II most often had no access to that money upon their return to Mexico. Mexican government officials seem commonly to have told returning braceros that they needed to travel to Mexico City to access those funds. Of course many could not afford the trip, but those who made the effort were often told that their money was not yet ready... or that it had been lost or redirected. Recent research suggests that perhaps only 2% of braceros ever received their mandatory savings. Archival digging has also found evidence that contract Mexicans complained actively about this pattern of fraud, and that more than one tried to discover where the money had gone. (He was told that the cash might have been redirected to state agencies to purchase agricultural equipment and fund irrigation projects in rural Mexico.)

Ventura Gutiérrez stumbled upon this history in 1998, and he seems to have sensed immediately that the systematic violation of bracero contracts offered the possibility not only of

achieving redress for aging Mexican workers, but also the chance to bring former braceros and their families into the activist fold. He established an organization called Braceroproa that he hoped might engage many of the roughly 800,000 former braceros still alive in both countries. Basing his efforts in Southern California, Gutiérrez began organizing community meetings throughout California and adjacent states to tell elderly “grandfathers” that “Thanks to you, the men were able to go off to war in Europe and Asia. Thanks to you, Hitler was defeated.” The response among elderly workers was tremendous. “They were so happy to tell their stories,” Gutiérrez reported, “and happy someone finally understood what they were talking about.”<sup>2</sup> Perhaps due in part to the rhetorical power of references to the “good war,” but no doubt also thanks to growing interest in the late-1990s in Latino communities (remember that the year 1998 was the so-called “Year of the Latino”), journalists in California became interested in the story within several months. Braceroproa needed all the help it could get, since untangling the Bracero Program was a remarkably complicated task that required archival work in both countries, a familiarity with the overlapping national and state agencies involved in its administration, and some understanding of -- if not access to -- financial institutions in both countries.

In late-1999 Yvette Cabrera of the *Orange County Register* convinced archivists at Wells Fargo to release documents related to the Program that showed that the bank had in fact transferred bracero funds to the Banco Nacional de Mexico in 1944 and 1945. That evidence provided Mexican workers a new weapon in their dealings with the Mexican government and with Banrural, and in November 1999 that financial institution agreed to review paperwork submitted by former braceros with details of past wage deductions. The burden of proof remained on the braceros, of course, as Banrural officials claimed not to have found any evidence in its own archives confirming that the savings accounts had gone unpaid.<sup>3</sup> This burden of proof became one of the true sticking points for bracero justice activists who knew that many workers had long ago lost the *micas* (identification cards) and wage sheets given to each

contracted laborer in decades past. Organizers instead pursued a different strategy for repayment, calling Banrural's efforts "a sly trick to halt any collective demands."<sup>4</sup>

Gutiérrez and others involved in the campaign pushed the Mexican government to settle claims with all workers contracted under the Bracero Program, and to do so by providing standard payments rather than individualized amounts. In the process, activists hoped, their movement might change ongoing discussions about Mexican immigration, and any chance of developing a new bracero program for the 21st century. "We hope to first retrieve the monies that belong to the braceros and secondly let the public know in Mexico and the United States that there is a better way than a new bracero program to meet the demand for labor here," Gutiérrez argued.<sup>5</sup> In mid-1999 the California activist started a campaign in the traditional bracero-sending areas of central Mexico -- including the states of Guanajuato and Michoacán -- aimed at rallying former emigrants to demand restitution from the Mexican government. He and others also reached out to the Mexican Left, which had been newly energized in the 1990s, and which had expressed consistent interest over the course of that decade in extending its influence into California, Illinois, and throughout the Southwest. The cause of ex-braceros became, for opposition politicians in Mexico, one method of continuing to press the ruling P.R.I. on charges that it had a long and inglorious history of corruption. Emerging in the aftermath of revelations that a past president of Mexico had absconded with huge fortunes in public monies, the Bracero Justice Movement articulated dominant suspicions about national malfeasance and the maltreatment of the working poor.

Seeking influence in central Mexico as well as among mexicanos living abroad, members of the PRD (the Revolutionary Democratic Party) introduced a redress bill to the Mexican Congress in 1999. By mid-2001, members of the PRD would travel to California to meet with BJM activists, and Congressman Sergio Acosta would lead a national investigation into the bracero issue.<sup>6</sup> Mexican legislator Alfonso Nava told braceros gathered in Fresno last summer

that “Your blood helped to build this country, and you left your wives and your children at home to help stem economic crisis in Mexico. But the only thing we’ve done is extort when you come back home. Now it’s our turn to give back.”<sup>7</sup> As Mexican officials traveled to address braceros in the United States, former braceros still living in their home country directed significant animus towards the United States government, rallying with great frequency at the U.S. consulates in Monterey and elsewhere, but they more often skewered Mexican elected officials for failing to promote the values of the Mexican Revolution, and for compromising the provisions of Mexican national citizenship. Most BJM energy in Mexico thus focused on the apparent corruption of Mexican officials who stole bracero wages in past decades. By November 2004, the movement of ex-braceros had gathered signatures of solidarity from 100,000 Mexican supporters, including journalists, academics, and labor unionists. Buoyed by this attention, Gutiérrez continued to travel widely, enrolling some 20,000 former braceros into his new organization within the first year, and local groups emerged in both countries to gather bracero names on behalf of the BJM cause.<sup>8</sup>

As it made political noise in Mexico, Braceroproa also forged alliances with labor and civil rights organizations in the United States that were then expressing new interest in organizing Mexicans and Mexican Americans. The list of sponsors behind the Bracero Justice Movement soon read like a check-list of 21st-century Latino Left and liberal organizations on the West Coast: The United Farm Workers, the California State Federation of Labor, the National Hispanic Leadership Agenda, the National Council of La Raza, the United Food and Commercial Workers International Union, the Service Employees International Union, the National Labor Council for Latin American Advancement, the National Alliance of Farmworkers, and the U.S. Congressional Hispanic Caucus, among others. Eliseo Medina, an AFL-CIO executive vice president, past leader of the UFW, and later an architect of SEIU campaigns targeting Latino immigrants, made clear that members of the coalition wanted repayment of Mexican contract workers, but also greater acknowledgement of bracero contributions to the U.S., and a more

serious discussion of the current immigration “crisis.” “Before we do another program of this nature,” Medina stressed, “we must take care of the old braceros. It would be too easy to repeat the mistakes of the past, so we have to address those mistakes before we can move on.”<sup>9</sup>

In part the movement for bracero justice in both countries was thus aimed at combatting the perceived sale of low-wage Mexican labor to U.S. employers, the very essence of past and present contract labor programs, according to many critics. But as they pursued this line of action in the press, and with elected officials, Gutiérrez, Medina, and others involved in the campaign also began to develop a litigation strategy for the U.S. courts. Movement architects seem from the start to have avoided any serious engagement with the Mexican civil courts, perhaps in part because those institutions were deemed cumbersome and likely unwilling to handle a suit against the Mexican government. More importantly, Gutiérrez and others knew that the United States legal system did offer a promising forum for hearing the workers’ case, as recent Holocaust cases had made clear the system’s capacity for bringing foreign governments to U.S. court. Many braceros were U.S. citizens, furthermore, and all contracted workers had labored under contracts signed by United States officials. Not a bad case, many attorneys believed.

Working with a team of lawyers led by San Francisco firm of Lief, Cabraser, Heinmann and Bernstein, and including notables such as Bill Lee, a successful civil rights prosecutor in the Clinton administration, Braceroproa helped file *Ramírez, et. al. v. United States, et. al.* in the U.S. District court for the Northern District of California on March 1, 2001. They charged that their investigations in the U.S. National Archives, at the Library of Congress, and in Mexican National Archives showed that most money deposited in braceros’ names had gone unpaid. Lawyers released evidence that \$4 million in bracero wages collected from 1942 to 1947 was likely used to fund day-to-day operations of Banco Agrícola in Mexico, and they stressed the importance of remembering Mexican immigrant workers’ contributions to U.S. efforts during the

Second World War. Charging the U.S. and Mexican governments, and the three financial institutions involved, with malfeasance, bracero attorneys asked for a settlement of some \$500 million, and they did so through explicit references to more celebrated justice movements related to World War II. Chicago attorney Jonathan Rothstein connected the *Ramírez* case to Holocaust litigation, telling reporters that “In my view, the bracero workers are another set of victims of that war who have not yet received just compensation.”<sup>10</sup>

The movement suffered what seemed a major defeat -- perhaps its final legal defeat -- when Justice Charles Breyer struck down the case in 2002, claiming that the statute of limitations for addressing bracero demands had passed. He also threw the case against Wells Fargo out on the grounds that sufficient evidence showed that financial institution had consistently done the work of transferring workers’ wages to Mexican institutions. Despite these blows, Breyer did uphold the movement’s efforts in more than one critical sense, as he declared that the millions of dollars sent to the bracero savings fund had in fact vanished, and that the U.S. and Mexican governments had likely known about its disappearance. Furthermore, in eliminating the case on the basis of statutes of limitations, Breyer provided Braceroproa and other activist groups the opportunity to push for new legislation that would make new litigation possible.

Defeat at the hands of a California judge in fact refocused the leaders of the Bracero Justice campaigns to focus more clearly on state representatives in places like California and Illinois, and in the halls of the U.S. and Mexican Congresses. So, it seems, did 9/11 and new discussions between the Bush and Fox administrations about a new contract labor agreement. Several hundred former braceros in the town of Salinas, California were among those who urged elected representatives to act on their behalf. Organized in part by Paul Johnston -- Secretary-Treasurer of the Monterey County Labor Council, former activist with the United Farm Workers (UFW), and once assistant professor of Sociology at Yale -- some 500 local Mexicans brought Congressman Sam Farr to a local hearing on bracero demands in 2001; Farr soon agreed to

sponsor a Bracero Justice bill in the U.S. Congress that would eliminate the legal technicalities that had proven insurmountable in court. Local meetings in other states earned braceros greater public attention. Sensing a groundswell, more than twenty Congressional representatives co-signed the Bracero Justice Act (H.R. 4918) in June 2002 that established the rules by which bracero claims against the U.S., Mexico, and “certain financial institutions” could be heard in U.S. courts. The Act made clear that district courts hearing such claims would not be bound by a statute of limitations, and it waived both U.S. and Mexican sovereign immunity, taking as its model legislations that had extended the statute of limitation for Holocaust victims and Korean “comfort women” during World War II.<sup>11</sup>

Thrown to the Republican-dominated Judicial Committee, the national bill failed to become law. But the political currents seemed suddenly more favorable to the Bracero Justice Movement nonetheless, and the workers and family members involved in the movement took great pride in narrating their stories of migration and labor to newly-interested reporters and politicians. Former braceros told reporters and elected officials again and again about the discrimination they had endured as contract laborers in years past. Tales of the fumigation of workers at the border (meant to eliminate lice and disease), pesticides in California fields, the inattention of Mexican consular officials, and disrespect by American farmers ... these themes intermingled with braceros’ proud statements about their contributions to the economic development of the United States. It seemed a story of immigrant agency and structural racism, and the “grandfathers” interviewed by the U.S. press now inevitably participated in ongoing campaigns related to contemporary immigrant rights. In narrating history from their own perspectives, Braceroproa and other new organizations of ex-braceros came out against recent Bush and Fox policy proposals, criticizing the perceived need within the U.S. for low-wage *mexicano* workers, and calling attention to the value of emigrant remittances for the Mexican economy. They joined Latino politicians who had reminded policymakers for years about the rampant abuses evident in past contract labor agreements. Texas Representative Henry B.

González, a San Antonio Democrat notorious for his opposition to “Brown Power” in the late-1960s, had reminded Congress and his fellow Texans in 1998 that “I helped lead the fight to end the bracero program, because it led to deplorable conditions for farmworkers here,” a situation he likened to the “slavery ... in the onetime cotton empire of the Old South.”<sup>12</sup>

In the context of these debates, Salinas-area braceros paused in September 2001 and 2002 to focus attention on an episode that they believed told a more accurate story about the Program’s functioning, and about the ongoing hazards faced by Latino immigrants. At two large gatherings, those older men reminded the public about a tragic accident involving braceros at Chualar, California, not far from Salinas, where 31 contracted workers had been killed in September 1963 when a train struck their work bus. Those who remembered the dead farmworkers now emphasized the importance of “celebrat[ing] the historic contributions of the braceros to the war against fascism, to the development of our people, to the survival of our families, and to the character of our communities.” But their commemoration also emphasized the plight of Mexican immigrants arriving after the Bracero Program’s conclusion in 1964, members of a group who continued to hope in vain that they “would enjoy the protections that rightfully belong to working people everywhere.” In the aftermath of the court decision against the BJM, activists in Salinas and elsewhere now clearly used this and other opportunities to attack the contemporary policy debates about Latino immigration, noting at Chualar that “for many many years, our brothers and sisters have continued to cross the border for work without dignity, safety, or respect.”

BJM members soon persuaded the Salinas City Council to adopt a “Bracero Justice Resolution” in March 2002 that named September 29th “Bracero Day” in the city, but more importantly they followed other communities in crafting a statement that “No new guest worker program should be enacted until the claims of the ex-braceros have been addressed and resolved.” In similar activist organizations, including ones not dedicated exclusively to Bracero

justice, mid-century contract workers had begun to exert new influence as symbols of past injustices, and as figures for rallying broader campaigns related to immigrant rights. Stockton activist Cristina González therefore told the *Sacramento Bee* that “The story of the braceros has been like a big cycle with no end. Unless we can teach our children to help struggle for their grandfathers’ rights, the injustice just keeps on going.”<sup>13</sup> A commitment to addressing past and present discrimination was clear, as well, in the work of the San Joaquin Valley Coalition for Immigration Rights -- a group of churches, cultural institutions, and labor unions that committed themselves to working not only for the repayment of braceros’ lost wages, but also against collaboration between the INS and local police departments, in favor of a state bill granting undocumented students who claimed long-term residency the right to pay in-state tuition in the state university systems, and on behalf of efforts to allow all Californians the right to obtain a legal driver’s license regardless of citizenship status.

A measure of broader public recognition followed bracero activism in 2001 and 2002, as those concerned about immigrant rights in the aftermath of 9/11 attempted to highlight the United States’ longstanding debts to immigrant workers (particularly those deemed “non-white”). In the U.S. House, for example, 261 Representatives were persuaded to co-sponsor a Resolution on September 11, 2002 that “expressed gratitude” to braceros for their “heroic work” and “for the contribution the Braceros made to the war effort that defeated fascism in Europe and Asia.”<sup>14</sup> While it avoided any reference to repayment, the resolution noted that “more than 1,000,000 Braceros and their families or descendants are still United States residents or citizens,” and in so doing nodded toward the contemporary issues of interest to that community. On the Mexican side, pressure by activists associated with labor unions and the PRD convinced the Mexican Congress in 2003 to begin a registration drive to enroll the names of ex-braceros on government lists. The mechanics of this process, in typical fashion, seemed in the view of many observers to work against the interests of many older *mexicanos*: The enrollment remained open for only six months, and braceros had to prove their identities with original paperwork from the

1942 to 1964 period. Activists nonetheless did what they could within this framework, and Gutiérrez and others helped roughly 80,000 elderly contract workers join the government list. (It was but a fraction of the total number of surviving braceros, as members of Braceroproa and other organizations have since argued in efforts to continue the enrollment process.) Just as the Resolution in the U.S. House of Representatives buoyed the spirits of BJM participants, the enrollment process gave organizers new lists of names, and a greater sense of hope, in mobilizing the 900 registered ex-braceros in San Diego County, for example, and the 5,000 still living in Tijuana.<sup>15</sup>

As some dug in for local fights in Alta and Baja California, and as many no doubt cheered forward new bracero bills in the U.S. Congress, many former contract workers living in Mexico began to take more direct action to push their national government to recognize their complaints. Open protests became more animated in 2004 and 2005 as braceros and their supporters pushed Mexican officials to follow through with vague promises of bracero repayment. On February 7, 2004, for instance, a group of two thousand former braceros and their families arrived unannounced at President Vicente Fox's ranch in Guanajuato to demand their back pay. Led by Ventura Gutiérrez, the crowd first demanded a meeting with the President, and then jumped the fence when the guard refused to summon *el zorro*. When the mother of the President was rushed to the hospital when she fainted inside the ranch house, BJM activists reveled in the presence of national and international media. Responding to this incursion, Fox agreed in the following weeks to give former braceros health benefits under Mexican law, and by the end of the year the Mexican Congress would form a special commission to dispense \$10,000 checks to the angry *viejitos* and their kin.<sup>16</sup> Activists remained angry, however, particularly when Mexico City officials expressed doubt about bracero demands. In February 2004, to take one example, Mexico's Undersecretary of Government Ramón Martí Huerta declared that Mexico was in no way legally bound to begin the repayment process ... a statement that predictably infuriated the bracero faithful. Hundreds marched in Guadalajara two months

later to protest what they saw as (at best) government indifference, 800 others rallied in Tlaxcala in August, and more than a thousand protested on the streets of Mérida in early-October 2004.

There was also direct action on the U.S. side, where braceros took a page from the union playbook to announce a boycott of Wells Fargo, to picket the bank's San Francisco headquarters, and to publicize that institution's enormous importance to agribusiness operations -- discriminatory ones -- that had kept California's rural Mexican Americans in poverty for decades. Ex-braceros paid particular attention to Mexican consular offices in cities such as Los Angeles and San Diego, both sites of repayment protests in the summer of 2004, and again in January 2005.

Direct action on the Mexican and U.S. sides, politicking with sympathetic elected officials at both local and national levels, and hopes of a renewed legal strategy created a sense of cautious optimism about BJM activists over the last two years. New political strategists entered the fray, some of whom expressed frustration with what they took to be Ventura Gutiérrez's exceedingly patient style in building the movement. Baldomero Capiz, like Gutiérrez two generations younger than the braceros they represented, established a new group based in both Southern California and Central Mexico that split from Braceroproa and began to push Mexican officials to repay elderly workers some \$500 million, an amount that included steady interest from the 1940s forward.<sup>17</sup> Open feuding between Gutiérrez, Capiz, and other leaders of the "ex-bracero" cause have been evident throughout Mexico and the United States over the past two years, in the parks where elderly braceros gathered in Southern California, and in the pages of the Mexican and Mexican American press. Directing his comments to the roughly 6,000 ex-braceros still living in the state of Michoacán, for instance, Gutiérrez warned in mid-2005 against self-appointed representatives who were really "tranzas, ladrones, y engañadores" of the former contract workers.<sup>18</sup>

Capiz and others have worried that Gutiérrez will accept only partial repayment of bracero coffers, not the full \$500 million to \$1 billion they believe should be given elderly contract workers. In defense of their own approach, members of Braceroproa argue that it is far more important to begin some payment process, and that in so doing they will push forward a more honest historical reckoning with past contract labor, and a more critical account of the causes and consequences of contemporary Mexico-U.S. migration. Gutiérrez emphasized that “For us, the most important thing is that they start paying. Once they start paying one ex-bracero, they have to pay all of them.”<sup>19</sup> That approach may finally pay some dividends, if not sixty years of interest on lost bracero earnings. In December 2004, the Mexican government included in its 2005 fiscal budget a \$30 million fund to fund payments to braceros, covering some 9,000 former contract workers who labored in the U.S. between 1942 and 1946. Tempers have since flared as the Mexican government has seemed intentionally to delay the dispersal of those funds. In mid-August of this year, when California’s Ventura Gutiérrez led a rally in Mexico City to demand that the Mexican Interior Ministry begin disbursing checks, the assembled crowd of former braceros and their families threw rocks at the Ministry, broke a glass door, and crowded inside officials’ offices.<sup>20</sup> Others have since continued to press the cause of ex-bracero claims, and just within the last several weeks, the Mexican government announced that its first payments, in amounts apparently ranging from \$4,000 to \$6,000, will begin in November 2005.

Those who labored in the United States from 1942 to 1946 will be the first to receive those checks, only those who enrolled with the Mexican government in 2003 will be included at this stage, and BJM activists remain anxious about whether the tens of thousands of braceros not included in this year’s budget will receive their due. Although the Mexican government now seems ready to act, the process of negotiating repayment *and* respect for past bracero labors remains deeply transnational. Networks of aging contract workers connect distant parts of Mexico, cross into the *barrios* of Los Angeles and Chicago, and rely heavily on longstanding

labor groups, and on the immigrant organizations that have gathered U.S. residents together around social activities, and by home state, for decades. In Yucatán, therefore, the first payments to ex-braceros next month will be coordinated by Gladys Pinto Muñoz, president of the Yucatec Federation of California.<sup>21</sup> In Los Angeles, the city's vibrant federation of Mexicans from the state of Zacatecas has played an important role in organizing the most recent ex-bracero campaigns. Responding in part to bracero activism, the United States announced in April 2004 that Mexican workers eligible for U.S. Social Security benefits can now have those funds direct-deposited into Mexican bank accounts. And in the United States, groups of braceros continue to work with hired attorneys to reopen a class action lawsuit that would force both countries to pay all living braceros a far greater sum of money.

Such efforts have found considerable support among elected officials in California, Illinois, and other states over the last few years, and despite little recognition of the Bracero Justice Movement by some institutions within the United States (only two articles have appeared in the *New York Times* about this movement, for instance, with the most recent a 500-word account of Justice Breyer's decision in 2002) there are countless good reasons for thinking more carefully about this important feature of our recent past. In the first place, the cause of achieving repayment for Mexican contract laborers has become, for many Latinos in the U.S., emblematic of recent efforts to think transnationally about the meaning of racial and economic justice. In the second, this movement history might remind us that it's imperative to bring the Latino past history into national and international conversations about the legacies of patterns (or programs) defined by racial discrimination, particularly given the growing demographic and political importance of Latinos in all fifty states. And, finally, the bracero case insists that matters related to labor and work, and to legal status and claims to longtime residency, should complicate any easy formula for thinking about how justice might be accorded in the future.

I suspect that the Smithsonian Institution was thinking something of the sort when it began a project in 2004 to document the history of the Bracero Program in both Mexico and the United States. That effort has included a sustained oral history project based at the University of Texas at El Paso, and a series of community events throughout the United States in which former braceros have told their stories. In late-August 2005, Roberto Almaraz was just one of several dozen elderly mexicanos who visited the Mexican Fine Arts Center Museum in Pilsen, Illinois, to take part in the Smithsonian's efforts. He spoke with pride about his labor in California lemons, Colorado sugar beets, and Michigan cucumbers during the 1950s, but he made it clear that *mexicanos* had encountered clear racial discrimination, including fumigation at the border, and "No Mexicans" signs at local restaurants, as braceros.<sup>22</sup> We should keep Almaraz's experience in mind as we discuss race and reparations in the 21<sup>st</sup>-century United States, since those themes take on a different "cast," I suspect, from the standpoint of immigrants who, like the bracero Jesus Espinoza, have insisted that "There's not an inch of land I don't know in these [California] fields. But our money disappeared, and with it so did our dignity."

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<sup>1</sup>*Sacramento Bee*, 22 August 2004.

<sup>2</sup>Jennifer Hanrahan, "Braceros Seek Justice," *San Diego Union-Tribune*, 26 September 1999.

<sup>3</sup>Yvette Cabrera, "Bracero Savings Transfer Proved," *Orange County Registrar*, 17 November 1999.

<sup>4</sup>Ana Mendieta, "\$1 Billion in War Wages," *Chicago Sun-Times*, 4 February 2001.

<sup>5</sup>Jennifer Hanrahan, "Braceros Seek Justice," *San Diego Union-Tribune*, 26 September 1999.

<sup>6</sup>See also "Reunion Estatal del PRD en California," minutes of meeting of 24 March 2001 in Los Angeles.

<sup>7</sup>*Sacramento Bee*, 22 August 2004.

<sup>8</sup>Jesús Martínez, "Insult to Injury -- Abuses of the Bracero Program Continue 35 Years Later," *Pacific News Service*, 4 August 1999.

<sup>9</sup>Alfredo Corchado and Ricardo Sandoval, "Braceros Want an Old Promise Met," *Dallas Morning News*, 27 January 2002.

<sup>10</sup>Ana Mendieta, "\$1 Billion in War Wages," *Chicago Sun-Times*, 4 February 2001.

<sup>11</sup>Lieff, Cabraser, Heimann, and Bernstein, "Press release," 12 June 2002.

<sup>12</sup>Henry B. González, "New Bracero Program a Bad Idea," *La Prensa* (San Antonio), 22 February 1998.

<sup>13</sup>Garance Burke, "Labor's Lost Legacy," *Sacramento Bee*, 22 August 2004.

<sup>14</sup>2002 H. Res. 522; 107 H. Res. 522, introduced 11 September 2002.

<sup>15</sup>Hiram Soto, "Mexico Takes Step to Pay Former Bracero Workers," *San Diego Union-Tribune*, 29 January 2005.

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<sup>16</sup>“Two Thousand Ex-Braceros Take over Fox Ranch, Demand Pay,” *UE-FAT Mexican Labor News and Analysis*, February 2004.

<sup>17</sup>Juan José Arreola, “Depositó EU en BdeM mil mdd de los braceros,” *El Universal* (Mexico City), 19 March 2004.

<sup>18</sup>Oscar Villeda Esquivel, “Falso líderes buscan quedarse con recursos de ex-braceros,” *La Jornada Michoacán*, 6 Jun3 2005.

<sup>19</sup>“Mexico on Verge of Paying Braceros,” *San Bernardino Sun*, 4 December 2004.

<sup>20</sup>“Braceros Storm Interior Ministry,” *El Universal*, 18 August 2005.

<sup>21</sup>“En noviembre, un pago a los ex-braceros,” *El Diario de Yucatán*,” 22 October 2005.

<sup>22</sup>Andrew Herrmann, “Project Tells Braceros’ Tales of Trials, Toil,” *Chicago Sun-Times*, 4 September 2005.