

THE EMERGENCE OF THE “TEMPORARY MEXICAN”

American Agriculture, the US Congress,
and the 1920 Hearings on the Temporary
Admission of Illiterate Mexican Laborers

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Abstract: Drawing on the literature on the social construction of public policy, this article pinpoints the emergence of the trope of the “temporary Mexican,” that is, the migrant farm laborer, to the 1920 congressional hearings on the “admission of illiterate Mexican laborers.” I argue that this construction was the brainchild of southwestern agriculture and its congressional supporters who sought to conceive of the Mexican laborer in terms consistent with the eugenic, liberal, and socially conservative sensibilities of the time. What resulted from this strategic creative process was the temporary Mexican, a new breed of peon who had free will and was biologically destined to return to Mexico. This temporariness, which was what made this social construction most palatable in the 1920s, has stayed with Mexicans (and Latinos generally) to the modern day, turning them into an in-between group whose membership is always suspect.

Social categories and tropes are the result of an iterative process that involves a society and its governing elites. Categorization is part of human experience and an essential element of the way people understand, give meaning to, and value the world around them (Lakoff 1996; Yanow 2003). Political and other elites, through public policies, laws, and bureaucratic rulings, institutionalize, legitimize, reinforce, or change the way individuals and groups are perceived (Edelman 1988; Schneider and Ingram 1997; Stone 2012). When it comes to noncitizens, public policy shapes the context within which they are received (Portes and Rumbaut 2001; Filindra, Blanding, and García Coll 2011) and as a result it can have a pervasive effect in shaping individual and group identities (Smith 2011).

Immigration policies, and the related systems of immigrant selection that they have instituted, played an important role in the construction, legitimation, and eventual contestation, change, and restructuring of racial tropes and the attendant creation of racial identities (King 2002; Nobles 2000; Smith 1997; Zolberg 2006). The construction of the “temporary Mexican” in government discourse and public policy dates back to the period between 1910 and 1920. This trope took shape in the hearings over immigration that sought to untie the Gordian knot that resulted from maintaining the myth of racial purity through Asian exclusion and

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strict restrictions on immigration from southern and eastern Europe while at the same time serving the cheap labor needs of agriculture, railroads, and mining.

This article uses the transcripts from the 1920 congressional hearings to show how the political and economic exigencies of the time met to design the strange persona of the “temporary Mexican,” a creature whose only constant feature was his biologically and politically rooted temporariness. Unlike his Asian counterpart of the period, the Mexican was constructed as nonthreatening: his temporary presence in the land precluded the possibility of permanent membership and thus the threat of racial mixing. At the same time, an implied, often dismissed threat remained. That same temporariness, if violated, had the potential to transform the Mexican into a social and political deviant, the criminal alien of the latter part of the twentieth century and the first two decades of the twenty-first. This is thus the genesis of a binary that plagues Mexicans and Latinos today: in the public imaginary, they are either temporary, and thus not members, or illegitimate and criminal. As is the case for many tropes, the origins of this one have been lost to time for most members of contemporary American society; however, its progeny have stayed with us in the form of the “wetback” of the 1940s and 1950s and the “criminal alien” of contemporary policy and discourse. The temporary status of the Mexican laborer of 1920 has transformed the social and political experience of modern-day Mexican immigrants and Mexican Americans alike, relegating them to a place of permanent in-betweenness, never full members of society but never complete social outcasts either.

I first discuss theories of social construction in the domain of public policy, and the role of public policy and political discourse in the creation, maintenance, and change of social tropes. I then turn to the hearings of 1920 to analyze the birth of the trope of the temporary Mexican. Finally, I conclude with some of the links between the temporary-Mexican construction and contemporary American political culture and policy practice.

PUBLIC POLICY AND THE CONSTRUCTION OF SOCIAL CATEGORIES

Human history cannot be conceived independently of categories. Humans use categorization as a way to make sense of their experience, and as such, categorization is essential to human cognition (Lakoff 1996; Yanow 2003). When people categorize and name objects they make claims about the nature and identity of these objects as well as their social significance (Taylor 1989; Yanow 2003). Categories are not natural; they are products of human agency and imagination. At the group level, categories help societies to “create and institutionalize public memory” (Yanow 2003, 185). These social constructions include images, symbols, beliefs, and values related to a given social group (Edelman 1988; Schneider and Ingram 1997). Social groups can be constructed as (among many other things) skilled or unskilled, deserving or undeserving, hard working or lazy, moral or deviant. Our understanding of our collective history and identity is thus conditioned by the categories that serve as the foundation of these collective processes.

Elite discourses and public policy rules and practices play an important role in the creation, valuation, and persistence of such categories (Schneider and Ingram 2005; Yanow 2003). Public policies are "collective narratives" (Yanow 2003) or "causal stories" (Stone 2012) that act as avenues for the polity to publicly express its identity and its values. Through public policy, government is implicated in the creation of social constructions, and it is able to breathe into them the authority and legitimacy that come with state approval. Thus law and policy legitimize stereotypes and elevate and formally sanction discriminatory social practices.

The origin of the category or the historical process that created a trope is often eclipsed from human memory and the recording of history, but the category itself remains fixed and unchanged in time, treated as a real object, a representation of nature, as the way things have always been (Yanow 2003). Certain constructions stay with us for many decades because they are reinforced by the authority of the state. These "sticky" social constructions become central to how the state views and values various social groups and whether it uses its authority to enable them or to coerce them. These constructions, as created and sustained in official discourses, are in essence the way the state "sees" its society and allocates power to social groups. Positively constructed groups tend to have significant political power. Their positive construction makes them deserving of greater access to state and societal resources. On the other hand, groups that carry a negative construction tend to be shut off from political power and viewed by both the state and society as undeserving, dangerous, and perpetually suspect (Schneider and Ingram 1997; Schneider and Ingram 2005).

The social construction of groups is consequential both because of its effects on the allocation of power and resources in society and because it influences group identities and the internal dynamics of social groups (Junn 2007; Brown 2000). "Imagined communities," to use Benedict Anderson's (1983) phrasing, require positive social glue that encourages potential members to seek membership. Membership in a social group is sought when individuals derive material and psychic benefits from participation, or when such participation is meaningful in a positive way. A hostile context of reception can influence identity construction in such a way that individuals may seek to disassociate themselves from the group because they perceive group membership as a political and social disadvantage. This may inhibit their chances of inclusion and full membership and further marginalize the group (Chavez 1994). For example, American citizenship laws that tied membership to whiteness forced Mexican immigrants and Mexican Americans to strategically pursue an unsuccessful and divisive strategy seeking to be incorporated into the large and diffuse class of white "ethnics" identified as Spanish Americans (San Miguel 2000; Hernández 2010). At the same time, the political and economic exigencies of the early twentieth century gave rise to a new political construction, the myth of the temporary Mexican, which helped allay whites' social and economic concerns about Mexican migration. The temporary-Mexican trope was carefully crafted to meet the needs of American agriculture and its political supporters in Congress while at the same time assuaging the fears of eugenicists.

SETTING THE STAGE FOR THE TEMPORARY MEXICAN:
THE CONTEXT PRIOR TO THE 1920 HEARINGS

The derogatory term *wetback* is often associated with the temporary Mexican. It refers to the seasonal Mexican migrant regardless of his or her actual citizenship or immigration status. The word seems to have entered the congressional record and the national political lexicon for the first time in 1920, when Representative Claude Hudspeth (D-TX) introduced a resolution to allow illiterate Mexican laborers to be temporarily admitted (*Galveston Daily News* 1920; US Congress, House 1920). Prior to 1920, Mexican migration was a low priority in a country focused on preventing the entry of Asians and eastern or southern Europeans. Efforts to exclude “uncitizenable” Asians had begun in the 1870s, when the arrival of large numbers of Chinese to California and the West Coast coincided with an economic recession and the completion of the transcontinental railroad (Tichenor 2002). The movement concluded successfully in 1917 with the enactment of the Asiatic Barred Zone Act (Immigration Act of 1917). At the same time, immigration restrictionists used the thirty-five volumes of the Dillingham Commission report as ammunition to get congressional support for severe restrictions on European immigration.

During the first two decades of the twentieth century, Congress and the public obsessed over Asians and Europeans; little attention was paid to Mexican migrants who crossed the unguarded southern border to work in the fields and mines of the Southwest. The Dillingham Commission report paid scant attention to Mexican migrants, and a study of this group was cancelled due to funding limitations. Several explanations have been offered for this absence of Mexicans from American official statistics. First, the number of Mexican migrants was small. Some estimates indicate that about 450,000 Mexicans entered the United States between 1899 and 1924, but since the entry record system was established at land borders only in 1907, these figures probably undercount the number of Mexican immigrants (Benton-Cohen 2011). Second, Mexican immigration was viewed as a regional issue for the Southwest, an area that US officials viewed more as a colony than a part of the United States. Mexico, too, was seen through colonial eyes as more a parallel to Puerto Rico and insular possessions than a sovereign state. In this sense, Mexican immigration was categorized as a domestic or local issue, not a national policy concern, and Mexican migrants were viewed as seasonal labor, not as permanent settlers (Aguila 2007; Benton-Cohen 2011; Barrera 1979). Third, southwestern agriculture and the railroad companies maintained that cheap labor was essential for their success and that only with flexible Mexican migrant labor could they meet seasonal needs and absorb economic shocks. This put significant pressure on Congress to exempt Mexicans from quotas and other restrictions (Gutiérrez 1995; Barrera 1979). Even labor unions consented to exemptions of Mexicans from immigration restrictions because they believed that Mexican laborers were confined to the Southwest and easily deportable, and thus not a threat to American workers (Sheridan 2002).

The strictly enforced exclusion of Asian laborers introduced significant problems for agriculture and labor-intensive industries that relied on cheap immigrant

labor. The new laws not only cut off the supply of Chinese workers but threatened to close the door on Mexican labor as well. The Immigration Act of 1917, which had barred the admission of all Asians, had also imposed the choice of a literacy test or an eight-dollar head tax for all others seeking to enter the United States. Earlier laws had prohibited the use of contract labor, a common practice among European and Chinese immigrants, making it difficult for American labor recruiters and employers to directly recruit farm labor in Mexico. In addition, new public health rules introduced in 1916 required Mexican migrants to endure physical inspections, public bathing, chemical fumigations, and branding with permanent ink by the US Public Health Service. These practices at ports of entry humiliated, offended, and outraged migrants, especially commuters who were subjected to these intrusive inspections on multiple occasions (Stern 2005).

The new restrictions, which took place at a time when the United States had yet to institute a border enforcement program, encouraged Mexican migrants to enter without inspection. Many opted to avoid the inspection by bypassing the ports of entry altogether: they crossed through unguarded portions of the border or came across the Rio Grande. The slur *wetback* emerged when Texas farming and rancher communities reported rumors that Mexican laborers arrived at farmers' doorsteps with their clothes still wet from the river. Although pressure from farmers resulted in special ad hoc administrative arrangements to be made for Mexican laborers, which included the suspension of the provisions of the 1917 law (US Congress, House 1920), these arrangements proved insufficient to channel Mexican migrant movement back to the official channels.

Concerned about new patterns of Mexican migration that fell outside of the state's control, and under pressure from agricultural interests to provide a solution to agriculture's need for cheap, seasonal labor, Congress initiated hearings on the Hudspeth resolution against a backdrop of a sharp deflationary recession, troops returning home to find no jobs, the "Red Scare," and intense nativism targeting Europeans and Asians. The stated purpose of the hearings was to determine whether the economic benefits that agriculture claimed would emerge from farmers in the Southwest having access to a reliable source of seasonal labor could exceed the social costs (especially the risk of racial intermixing and contamination), the political costs associated with the possibility of importing enemies of the state, and the economic costs to the state itself of having to identify, round up, and deport Mexican laborers who did not follow the rules of the game.

The year 1920 started with the nation facing an economic depression. The American economy experienced a substantial contraction followed by extreme deflation, a 60 percent decline in industrial production, dramatic decline in the stock market, and an increase in unemployment from 5.2 percent to 8.7 percent within months (Romer 1988). The end of World War I contributed to the recession both because of the decline in the need for army supplies and because thousands of returning soldiers were seeking work.

The recession was coupled with widespread hysteria concerning the likely effects of mass migration on the racial purity of Anglo-American society. In a popular book, Madison Grant had warned Anglo-Americans that the "great race" was approaching its end as millions of immigrants entered the country and

altered its racial composition. According to Grant ([1916] 1922, 5), "From a racial point of view, it will inevitably increase the preponderance of the lower types and cause a corresponding loss of efficiency in the community as a whole." The problem of intermixing was not just cultural: inferior races could not be educated or adapt to democratic norms, thus the very future of the American system of government was at stake (Wilson 2002). Government officials and many scientists and academics of the era believed that Mexicans were biologically inferior to Anglo-Americans and the interaction between the two populations could lead to the spread of contagious diseases, in the short term, and racial degeneracy in the longer term (Stern 2005). Mexicans were not only "eugenically, as low powered as the Negro" but also a public health "menace" that clung to superstitions and traditions and ignored good hygiene rules (Goethe 1929, 7). The eugenic threat from Mexicans became a concern for the public, academics, and politicians, with calls from all sides to ban Mexican immigration to save the nation's biological and racial integrity (Gutiérrez 1995). The terms of the debate were quickly set around race. The labor needs of agriculture were well understood, but national leaders faced a dilemma over the effects that the free or less restricted admission of Mexicans would have on the racial composition of the Southwest. As one commentator put it, the choice was "whether we shall preserve the Southwest as a future home for millions of the white race or permit [it] . . . to be used . . . as the dumping ground for the human hordes of poverty stricken peon Indians of Mexico" (Gutiérrez 1995, 55).

The racial fears of the 1920s were complemented by ideological ones as socialist and anarchist ideas found their way to America. Fear of radicalism became the second axis along which the immigration debate was structured. The Russian Revolution, the Great War in Europe, and the arrival of European radicals in the United States were molded into the "Red Scare," raising concerns about the future of American democracy (Zolberg 2006). Attorney General A. Mitchell Palmer initiated raids meant to identify and expel from the country traitors, saboteurs, and antigovernment activists. Congress sanctioned Palmer's actions and passed legislation facilitating the deportation of aliens suspected of antigovernment activities (Tichenor 2002). Although Mexicans were not generally implicated in the Red Scare, the Mexican Revolution only ten years earlier had rattled Americans.

The Mexican temporary laborer on American southwestern farms as constructed during the 1920 hearings was quite a curious character, amalgamated from a variety of tropes, stereotypes, stories, and narratives. Debaters on both sides grounded their social and economic arguments in biology (Sheridan 2002). The various elements of the Mexican laborer's persona were strategically assembled in a way meant to assuage the fears of both the eugenicists and the ideological conservatives in Congress who feared the effects of non-Anglo immigration on the fabric of American society. Since immigration policy attracted strange bedfellows from the political Left and Right (Tichenor 2002), the policy on the temporary Mexican had to contain elements that would please both camps. The Mexican had to be a vital economic necessity worthy of impossible exemptions from the country's stringent immigration regime but could not be a racial, social, ideological, or economic threat to any legitimate group within the United States.

Furthermore, the temporary Mexican could not be a slave or present the appearance of slavery. The lessons of the Civil War were still raw in American politics in 1920, and the charge of establishing institutions that resembled chattel slavery in the American South was taken very seriously, especially by northern liberals. Therefore, the temporary Mexican had to be a peon, but a new type of peon with free will and liberty, not one kept in place by the force of law the way black slaves used to be.

A TROPE EMERGES: THE CONSTRUCTION OF THE TEMPORARY MEXICAN IN THE 1920 CONGRESSIONAL HEARINGS

The House Committee on Immigration and Naturalization’s hearings on House Joint Resolution 271, relating to the “temporary admission of illiterate Mexican laborers,” started on January 27, 1920, and concluded on February 2 of the same year (US Congress, House 1920). At exactly the same time the Senate was holding hearings on Senate Joint Resolution 66, relating to “suspending temporarily certain provisions of the immigration act relating to contract laborers and illiterate aliens” (US Congress, Senate 1920). In the House, Representative Albert Johnson (R-WA), a strong supporter of the eugenics movement, chaired the fifteen-member committee. The Senate Committee was chaired by Senator LeBaron Colt (R-RI), a liberal Republican who did not share eugenicists’ and conservatives’ position on restriction. In both hearings, the witnesses were representatives of growers’ organizations in Texas and the Southwest, while congressmen from the region also testified to the benefits of Mexican labor.

Supporters of the temporary Mexican labor program set out to create their prototypical temporary Mexican laborer quite carefully and methodically, using biology and economics to ground most of their arguments. First they tackled Southwest agriculture’s need for the program, explaining that market changes had created a substantial labor shortage. They attributed the labor shortage to two key factors: many African Americans had left the Southwest for northern cities, where wages and conditions were better, while whites were preferred for supervisory positions on farms but were not willing or suited to perform manual labor. In other words, Americans were neither able nor willing to fill these jobs in agriculture, an argument that persists today (Bruno 2012; Georgia Department of Agriculture 2012).¹ The war and participation in the army had altered the expectations of white unskilled laborers. As one witness noted in the 1920 hearings, “The war, for some unaccountable reason, has raised the dignity of the laborer to such an extent the man does not feel he ought longer to indulge in manual labor” (US Congress, House 1920, 27).

The temporary Mexican was presented as the optimal solution to the problem of agricultural labor shortages. Supporters of the program turned to biology and to the period’s understanding of the relationship between race, physicality, and

1. See also Senate Judiciary Committee, Subcommittee on Immigration, Refugees and Border Security, “Hearings on America’s Agricultural Labor Crisis: Enacting a Practical Solution,” October 4, 2011, testimony by Tom Nassif, president and CEO, Western Growers Association.

ability to justify their preference for Mexican laborers. In order to allay fears from different political and ideological camps, the temporary Mexican presented much of a procrustean puzzle: elements of the human Mexican had to be stretched, contorted, or waved aside in order for the temporary-Mexican trope to fit the right boxes. The Mexican was “a superior laborer when it comes to grubbing land,” according to Representative John Garner (D-TX). Representative Carlos Bee (D-TX) further explained that this superiority was the result of biology and nature, as “the Mexican is adapted for that special character of labor . . . [and] specially fitted for the burdensome task of bending his back to pick the cotton and the burdensome task of grubbing the fields . . . whether in the providence of God he has been so constituted I won’t say” (US Congress, House 1920, 19). In short, the Mexican was biologically or naturally destined to perform heavy manual labor that other races (including African Americans) were unfit to perform. In a modern-day echo of this discourse, the president of the Western Growers Association testified in Congress in October 2011 about the results of a pilot program designed and conducted in cooperation between California’s state and county social services agencies and the state’s growers associations. The program involved more than 100,000 “welfare-to-work” program participants, but only three individuals were successfully placed in agriculture jobs, prompting growers to conclude that “seasonal agriculture was ‘not a fit’ for these individuals.”²

Biology explained another aspect of the temporary-Mexican persona: his docility and pliability. As Representative Bee noted, Mexican labor is “docile, peaceable, inoffensive, has never interfered with our institutions, not interfering with the legitimate employment of our own citizens, but doing a class of work that our own citizens will not do” (US Congress, House 1920, 19). Mr. Davis, a Texas farmer, concurred that the Mexican “is the best workman and the most docile citizen that has ever been in our country” (US Congress, House 1920, 86). The Senate heard the same message from witnesses who argued that “we want the Mexican laborer, because we are used to him. We know the Mexican and he knows us. We are not afraid of him. There never was a more docile animal in the world than the Mexican” (US Congress, Senate 1920, 4).

Docility and respect for authority were key traits of the temporary Mexican because they signaled that Mexican laborers would follow the law and return to their country when their visa expired, and no institutions even faintly reminiscent of chattel slavery would be necessary to contain them in the Southwest. Unlike the Chinese and southern European “coolies” and “contract laborers,” who were clearly settlers and intent on living in the United States permanently, Mexicans were free men who respected the law, came when work was available, and left when it ended. As such, they presented no threat to the rest of the American labor force and certainly no threat to the polity. As Representative Hudspeth put it, Mexicans would not remain in the United States permanently because “the Mexicans are afraid of the laws of the United States” (US Congress, House 1920, 17).

2. Senate Judiciary Committee, Subcommittee on Immigration, Refugees and Border Security, “Hearings on America’s Agricultural Labor Crisis: Enacting a Practical Solution,” October 4, 2011, testimony by Tom Nassif, president and CEO, Western Growers Association, p. 3.

The law-abiding nature of the Mexican and the temporary nature of the program served to make the argument that Mexican workers would not encounter conditions of peonage or slavery. Labor conditions in the Southwest notwithstanding (Gutiérrez 1995; Reisler 1976), supporters of the program insisted that the Mexican was biologically and intellectually inferior but had free will. If a laborer's expectations in terms of wages and labor conditions were not met, he could choose not to participate in the seasonal program and not to offer his services to American employers. "Mexicans have always come voluntarily across the river; they have come of their own free will," insisted Representative Hudspeth (US Congress, House 1920, 166), while Mr. Knox, a representative of Arizona growers, noted that "these people were perfectly free to go to town and come back home, or to return to Mexico any time they wanted to. They came in here of their own free will and accord. They did not have to come if they did not want to" (US Congress, House 1920, 185). The free will of the temporary Mexican was asserted at the same time as Texas congressmen explained that abject poverty and desperation, needing "something to eat," brought the Mexican to the United States. Instead of viewing this as a contradiction that undermined the free will argument, supporters of the program positioned Mexican poverty as not only compatible with a liberal contract theory but as perfectly aligned with farmers' interests. The assertion that the Mexican's sole desire was "to get something to eat" (US Congress, House 1920, 17)—that he was seeking survival, not economic prosperity and progress—allowed for a clear compatibility of interests: farmers would provide the temporary Mexican with "something to eat" and no more, and he was perfectly willing and free to accept the terms of that contract.

Therefore temporary Mexicans were not peons in a conventional way. The idea of reintroducing slavery was especially distasteful to liberal Republicans of the era and was a convenient, moralistic ploy for eugenicists, who argued that the arrival of biologically inferior people into the country would essentially lead to the reintroduction of slavery, maybe not in an institutional sense but certainly in terms of economic and cultural practices. As a result, supporters of the temporary labor program had to counter the charge that the admission of "temporary illiterate Mexican laborers" was tantamount to introducing a new form of slavery in the Southwest. Thus a new form of peon had to be created; one that met the sensibilities of the times. The temporary Mexicans were peons in the sense of being pliant, docile, and amenable to the demands of life as a farmhand, but this was peonage in a biological or cultural rather than an institutional sense. This peonage was driven by innate character, not by legal institutions. Mr. Knox assured the Senate (US Congress, Senate 1920, 23): "They are children. We handle them as children. . . . This is not peonage, you understand. . . . The average laboring Mexican . . . develops mentally to about a 12 or 14 year old child. Their mental development does not pass that stage." As Representative Bee explained, "We have not any peonage in the accepted sense in our country; there is no such thing as peonage in our country. . . . Texas has never yet violated any American institution and never yet violated any American principle" (US Congress, House 1920, 17). Mexicans were peons by their nature, which could not change. Their unalterable nature made them at once inassimilable to American society and a

perpetually reliable source of cheap, temporary labor: "The Mexicans have been living on the ground floor," stated Bee; they will never become Americans and demand "porcelain bathtubs" (US Congress, House 1920, 37). The notion of the free will of the temporary laborer was of course only superficial and extended to accepting or rejecting the opportunity to work in the United States. However, this understanding of contractual liberty was quite acceptable at a time when unionization and collective bargaining were seen as interference with the free market. Supreme Court rulings had implied that wage contracts between employers and employees could not tolerate state regulation (McCloskey 1994). A contract was made between two individuals, and the power differential between the two was of no legal or normative significance.

Yet, it did not escape program opponents' notice that this difference in power between the temporary laborer and his employer, especially when combined with the threat of deportation, could be a powerful force in shaping the interactions between the temporary Mexican and the American employer. In fact, this power differential could bring the relationship perilously close to peonage. As the committee chairman and notable eugenicist Albert Johnson observed, laborers did not have the freedom to vacate their contracts, nor were they free to stay in the United States: "If a man changed his mind and said, I have a little ahead now, and I am going into Phoenix and live there and work my garden, or milk some cows, he would be violating that bond and agreement" (US Congress, House 1920, 185). This violation of the contract would make the laborer a fugitive and a criminal. As much as the requirement to follow the contract did not make the temporary Mexican a slave but rather a free man, violation of the contract made him a criminal liable to sanctions. Thus in the docile and pliant temporary Mexican laborer lurked the lawbreaker and the criminal, and the existence of a contract with few options had the hint of slavery.

This complex trope of the temporary Mexican laborer as contrasted to the slave or peon constructed by the House Committee on Immigration and Naturalization in 1920 had long-lasting political and policy implications. In the 1940s and 1950s, the lines between the temporary Mexican and the illegal or criminal wetback were redrawn in the conflict between southwestern farmers and the US Border Patrol, which reshaped these tropes, gave them new life, and made them central to immigration and deportation policy making and administrative practices and rule making (Hernández 2010).

The 1920 hearings also presage the later debate, during the *bracero* years, over the role of the US government in enabling southern farmers to abdicate their moral and economic responsibility toward Mexican laborers. Not only did the temporary Mexican have free will, asserted supporters of the program, but no whiff of slavery could be charged because in the case of this program, the laborer would not be entering into any contracts with individual employers. The contract to which Mexican laborers would agree was between them and the American government. The American government had plenary powers to determine the criteria and terms of admission for any individual or group. Representative Carl Hayden (D-AZ) forcefully explained that charges of suborning slavery are false:

There is no element of slavery in the agreement between the Mexican and his employer in this country. . . . There is no contract between the individuals. It is the Government of the United States which says to the Mexican, "You desire to enter the United States to benefit yourself in an economic way. . . . You may come into this country if you will agree to engage only in a certain line of endeavor such as agriculture. That is the only permission which we will give to you. You may come in if you will agree to remain here for a limited time and then return to Mexico." (US Congress, House 1920, 260)

This "take it or leave it" situation was not coterminous with slavery in the view of southern politicians. The temporary Mexican continued to have free will and a choice.

[This program] does not place the Mexican in slavery. He may say, "I will not leave my own country under those conditions," but when the Mexican says, "I will enter the United States with the clear understanding that I will engage in nothing but agriculture, and I agree not to remain more than one year and I will then go home," that certainly does not make a slave out of him. He is deprived of nothing but the right to violate a voluntary agreement. . . . He is merely confined to the one industry where his services are needed. I cannot for the life of me see how that puts a chain around his neck or makes a slave out of him. (US Congress, House 1920, 266)

The same biologically based argument about intellectual inferiority and docility was used to explain why the temporary Mexican could never be a political threat. Congress was keenly aware of the violence and unease taking place south of the border. The Mexican Revolution had brought restlessness and refugees into the United States. If Mexicans could be violent in Mexico, why wouldn't they bring that same violence to the United States? As Representative Benjamin Welty (D-OH) put it: "If the Mexican is such a docile citizen, why is he constantly fighting below the border?" The underlying question that concerned committee members, of course, was not the political activism of Mexicans in Mexico but rather how likely they were to join unions and leftist organizations in the United States. The Red Scare had sensitized American elites to the political dangers of immigration, and suspicion of radicalism attached to any immigrant community. If Mexicans were willing to support antigovernment forces in Mexico, why wouldn't they become union members, communists, and anarchists in the United States?

The answer, once again, rested on biology and economics. The political involvement of Mexican laborers in Mexico was not ideologically motivated, the supporters of the program assured the committee. The temporary Mexican did not have agency, and certainly he did not have the intellectual depth to understand the political dimensions of the conflict in his country. The reason working-class Mexicans joined the fight was simple: "to get something to eat," declared one witness. Poverty, famine, and desperation motivated their involvement in the conflict, not politics. The Mexican has "absolutely nothing. . . . For instance, they will start for this country from Mexico with a burro, a two-wheel cart . . . probably not a dollar or more than 10 or 15 cents in their possession," Representative Garner noted (US Congress, House 1920, 16). Mexican peons did not have revolutionary or anticapitalist urges, as "95 percent of [Mexican labor] is what is known as peon labor. . . . [I]t is a class of labor that knows nothing about the question of

money [capitalism] other than to get enough to live. . . . [T]hey do not know anything about government." A representative of southwestern growers expressed a commonly held belief when he testified in the Senate that "the trouble with Mexico is that the people are hungry, and they will follow this leader, or that leader, or any other leader who will offer to feed them and give them clothes; and they know absolutely nothing about the cause that he represents" (US Congress, Senate 1920, 16). The Mexican "cares nothing about government in his primitive state; government means to him nothing at all except something to eat and a place to sleep," testified Representative Bee. Ignoring the obvious reality that the elites who instigated the conflict in Mexico were Mexican nationals, Bee argued, "I defy this record to show a Bolshevik, a Mexican radical, or a Mexican in any class who has ever endangered the institutions of our Government" (US Congress, House 1920, 18). Representative Hudspeth was the third member of the Texas delegation to concur with this assessment of the apolitical "temporary Mexican." "I don't know of any Mexicans . . . fomenting revolution. I never knew of any Bolsheviks in Mexicans of that class; I have never known any of them raising his voice against government" (US Congress, House 1920, 13). In Representative Hudspeth's view, Mexicans did not have a biological disposition that would permit them to be politically involved in antigovernment activism. "They are an ignorant class that come over here to work at the labor they are used to. . . . these Mexicans are an inferior race of people," he concluded. And it was exactly this inferiority that made them trustworthy and not a threat to American institutions.

Exoticism, another biological theory of behavior, explained why Mexicans could be fully trusted to return home to Mexico rather than follow the path of African Americans and European immigrants into better-paying jobs in northern cities. If Mexican laborers could leave the Southwest, this would mean that the racial makeup of the entire country and the eugenicists' Americanization project would be in peril. If they were prohibited from leaving the Southwest by decree or forceful practice, they would be peons, no different than the slaves the United States did its best to keep in the past. What would make Mexican laborers stay on to fill the needs of Southwest agriculture without becoming peons or being tempted to move north? After all, if hunger pushed them out of Mexico and a return there would not secure their future, why would Mexican laborers opt to return home when their visa expired rather than stay in the United States permanently? Unlike blacks or whites, Mexicans' biology kept them hostage in warmer climates, supporters of the program explained.

The temporary Mexican could not survive in the cold cities of the north, nor would he want to. "Let me say to you that you leave the Mexican to himself and he is a hot-weather plant; he does not like this cold business. . . . He does not want to go into a cold climate; he lives in a tropical climate, and he is willing to live in Texas in the summertime, because we have a tropical climate, but he goes back when he gets through his labor and has enough money to go back," testified Representative Bee (US Congress, House 1920, 17). The biological constitution of the Mexican did not permit him to survive in a cold climate: unlike the hardy white man, the Mexican was susceptible to disease in cold climates. "[His] is a tropical citizenship that does not flourish in cold weather; they die of consumption; they

are subject to pneumonia. They have none of the facilities of the white man for taking care of himself" (US Congress, House 1920, 20).

Mexican immigrants, however, had already developed small communities in the upper Midwest, lured there by jobs in industry (Rodriguez 2011). The 1920 Census showed 3,854 Mexicans in the Chicago area, and the region's popularity among Mexican immigrants continued to grow through the 1920s (Jones 1928; McWilliams 1949; Taylor 1932; Reisler 1976). The nationwide steelworkers' strike of 1919 incentivized factories to bring in Mexicans as strikebreakers. Steel mills sent agents to Mexico and the US borderlands to advertise jobs in the industry to Mexican workers. The Inland Steel Company of East Chicago alone employed almost 1,000 Mexican workers in 1919, almost 18 percent of its total workforce (Taylor 1932). Despite such evidence, Congress chose to ignore demographic reality in favor of the myth of the exotic Mexican. Not only was the cold incompatible with Mexican biology, the myth implied, but the jobs available in Chicago and Milwaukee were permanent jobs and Mexicans were not interested in permanent settlement because seasonal return to Mexico was their primary goal.

The temporary Mexican was unquestionably male. The program specifically targeted male laborers, ignoring the reality that men brought women and families across the border. In later years, when *braceros* became the quintessential temporary Mexicans of the 1940s and 1950s, the rules of the *bracero* program categorically excluded women. These exclusions had the unintended consequence of a clear gender gap in the undocumented population: *bracero* family members and Mexican women who worked in the United States as domestics had no legal way to enter the country (Hernández 2010). In the 1920 hearings, the gendered dimension of seasonal labor was quite clear to supporters and opponents alike. Equally clear were the implications of Mexicans bearing children on American soil who would then be US citizens on the basis of *jus soli*. However, the focus on men and the certainty that seasonal work involved only men brushed gendered concerns to the side.

Texas farmers reported to the committee that "about 30 percent of our importation has been in families," meaning that one in three Mexican laborers brought along a wife and children. In fact, the dominant stereotype put forth by Representative Garner was that of a family of five. In defining "peon labor in Mexico," Garner offered that "it is a family composed, we will say, of five persons — a man, his wife, and three children" (US Congress, House 1920, 4). Family members worked alongside the male patriarch, and the farmer paid the head of the family for the labor of the other members. However, even though family members also worked the fields, only the male counted because he was the one who had the free will to sign the labor contract. Family members did not appear on these contracts, only the head of household did. Thus as far as the farmer and the state were concerned, this work was performed by a single individual.

The presence of Mexican families in Texas fields presented numerous difficulties for the supporters of the program. If Mexicans came with their families, why would they return to Mexico at the end of the season? As discussed earlier, two arguments rooted in biology provided the explanation: the Mexican was exotic

and could not tolerate the cold, and the Mexican was intellectually inferior and was seeking survival not prosperity. By putting these two constructions together, supporters were able to argue that the Mexican would always be temporary and available. He would return (with his equally exotic family) to Mexico at the end of the season, survive on the savings he made during the harvest, and come back for the next season. The “temporary Mexican,” Representative Bee explained, would “hibernate in the winter and just as soon as the winter breaks they come back again to make some more money. . . . The Mexican question . . . is [one] of frioles and tortillas—something to eat. They are starving to death and when the spring of the year comes they are leaving their homes to hunt for work” (US Congress, House 1920, 16–17).

The construction of the “hibernating” Mexican resolved the social problem introduced by the presence of women and families in the fields, but not the legal one. Echoing twenty-first-century debates on “anchor babies” (Coulter 2010; Holding 2011; Hornick 2011), the committee considered the issue of the citizenship of any children born to temporary Mexicans on American soil. Would these children be American citizens, the chairman asked, and thus entitled to the benefits of citizenship such as permanent residency? Program supporters had to concede the legal point, accepting that these children would indeed be American citizens. However, they would also carry their parents’ Mexican citizenship and have the right to choose between the two. Mexican children, exotic “hot weather plant[s],” would never choose to settle in northern cities because of their biological disposition, and thus, this program would not affect the racial makeup of the United States by “bring[ing] into the country citizens who are likely to deteriorate the average of the country” (US Congress, House 1920, 6).

Hidden in this construction was a second, far more sinister trope, that of the illegal and criminal alien. The issue of criminality and potential of illegality appeared in two forms in the hearings. There was the emerging problem of the wetback, the unauthorized immigrant who breaks the law simply by swimming the river, and there was the possibility of the legally admitted temporary Mexican who would defy the terms of his contract and stay in the Southwest without permission, or even worse, push north to the great cities. Representative Hudspeth was keenly aware that a normative distinction between the wetback and the authorized Mexican laborer was possible when he used the word “surreptitiously.” But he immediately rushed to note that this distinction was false: “You can talk about men coming into this country and violating the law; well possibly they have, in times gone by. . . . I don’t know.”

However, biology served to assuage fears of criminality and law breaking. The inferior temporary Mexican was fearful and respectful of authority, specifically the authority of the state. In his personal interactions as a laborer, he was a free man rather than slave to the farmer and contract holder. But in his relationship to state authority, his biological inferiority made it impossible for him to defy the law. “I have never heard of a Mexican—and I was born and raised in that section—committing a depredation or crime against the Government. And that is why I am here,” asserted Representative Hudspeth (US Congress, House 1920,

150) in his defense of the program. Temporary Mexicans and the equally temporary wetbacks, in Representative Hudspeth's view, were not criminals. They were poor laborers, intent on survival: "They come over here and the only ambition they have is to fill their stomachs when they come here" (US Congress, House 1920, 154). These early statements in Congress contain the seeds of the later development of American immigration law and administrative practice at the southern border, the uneasily interacting discourses of the peon/slave wetback and the criminal alien which have been part of the relationship between Mexican immigrants, Mexican Americans, and the American state.

CONCLUSION

Government elites and policy discourses within government are intimately implicated in the construction of social tropes and stereotypes (Schneider and Ingram 1997; Schneider and Ingram 2005; Yanow 2003). Policy both creates these categories and imbues them with significance and meaning. Although the point of origin of many social constructions is lost to time, their political legitimization through public policy makes them sticky and long lasting, and it also makes contestation a difficult enterprising.

As these tropes survive over decades, if not centuries, they can affect the identities, choices, and strategies of implicated groups (Filindra and Junn 2012; Junn 2007). Most importantly, tropes such as the temporary Mexican can influence the Latino community's claims on citizenship and full membership in the United States. Not only do others perceive Latinos through the lens of temporariness, thus casting doubt on their claims to citizenship, but Latino immigrants internalize the notion of being temporary with possible implications for their willingness to naturalize and set roots (Chavez 1994). The temporary Mexican is perpetually an outsider, someone who does not belong and can never belong because his status as temporary precludes any meaningful and long-lasting contribution and investment in the national community.

Current policy no longer talks about the biological fitness of the Mexican to agriculture. However, traces of both the biologic and the economic discourse remain in modern-day congressional testimonies (as in the comment cited above that agricultural work is not "a fit" for welfare recipients). What is more, the establishment of the H-2A program under the Immigration Reform and Control Act of 1986, which brings into the United States more than 30,000 temporary agricultural workers every year, most of them from Mexico, the Caribbean, and Central America, has served to reinforce and perpetuate the notion that Latinos are unskilled agricultural workers and, most importantly, temporary laborers without rights to stay in the country over the long term.

Scholars in social science and Latino studies need to investigate further the link between policy making and bureaucratic practice and the social construction of the community over time. This type of inquiry could provide important insights into questions of identity construction, intergroup relations, and policy making in the context of American society and institutions.

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