The UFW and the Undocumented

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It has become an embarrassment. *The American Conservative* crows, "Cesar Chávez, Minuteman," and the accompanying article delivers the news that the United Farm Workers was not only anti-immigrant but that it set up its own border patrol between Arizona and Mexico.[1] The magazine does not stand alone. Leaders of current right-wing vigilante groups claim Chávez's retroactive endorsement for their occasional attempts to close small sections of the border.[2] In response, Chávez's defenders contend that the UFW opposed the undocumented only when they broke strikes; and besides, that was long ago, and now the union is a strong defender of immigrant rights. Thus, UFW policy toward the undocumented—controversial in its own time—once again has become a subject of public debate, threatening to tarnish the name given to so many California streets, parks, schools, community centers, and even university departments.

My task in this short essay is to straighten this out, to describe and explain the UFW's policies toward undocumented immigrants. I chose this topic precisely because it is still a matter of public discussion and because so much of what is being said now is either wrong or so ripped out of its historical context as to be incomprehensible. The topic has its drawbacks. It leaves out too much that is crucial to UFW history: the early tactical genius of Cesar Chávez; the character of farm work; the enormous regional differences (geographic and demographic) between California's Central Valley and its coastal valleys; the different and, at times, opposing ideological predispositions of the UFW leadership and California farm workers; the autocratic structure of the UFW; an account of the politics of the times; and the deep biographies of most of the central players in this wild, inspiring, and tragic story. Nonetheless, the subject has its merits, as the UFW's policy toward the undocumented gives us a glimpse of an essential characteristic of the union, one that was not an insignificant factor in the ultimate defeat of the UFW in the California fields.

The main question in the current debate is this: Was the UFW against the undocumented only when they were breaking strikes, or was it against them in general, wanting all illegals[3] out of the California fields?

The answer, like so many answers to historical queries, depends on what years are in question. UFW policy, like most all policies, evolved and changed

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over time. In the years between 1962 and 1975, the UFW was for keeping all undocumented workers out of the California fields, whether they were breaking strikes or not. Between 1975 and 1993, the UFW continued to call on the Border Patrol to take strikebreaking illegals out of the fields, but didn't oppose their presence in California or in the union. Nevertheless, in this period, in some areas of California, the UFW continued to have a reputation as a "*pocho* union," that is, a union that represented the interests of resident, documented farm workers. In 1993, after Chávez's death, the policy changed again, and the union became an active advocate for Latino immigrants, leading the campaign against anti-immigrant Proposition 187. Currently, the UFW champions the rights of undocumented workers, which is why the union is today embarrassed by its historic anti-immigrant policy, and why it also denies that it ever was against the undocumented—except when they were used as strikebreakers.

But as clear as this description of UFW policy is, and as useful as it might be in contemporary polemics, it is nearly worthless for anything else unless the policies are understood within the context of the actual historical situations in which they were formulated and carried out. And that understanding requires a good measure of historical imagination, as the world has changed a lot in the last forty years, especially along the US/Mexico border and in the California fields.

The historical context begins, like so much else in UFW history, with the end of the Bracero Program in 1965. By that time, the Immigration and Naturalization Service (INS) and the California growers had known for a few years that the Bracero Program, which had begun in 1941, was doomed, and both parties were concerned. The growers were worried about who was going to pick the crops after the braceros were gone, and the INS was worried about how they were going to deal with all the people they figured would try to cross the border illegally once the legal program ended. Issuing more green cards was one solution. The INS reasoned that if enough farm workers were granted permanent immigrant status, they wouldn't have to cross the border as illegals, and therefore the agency's enforcement tasks would remain manageable. Thus, between 1961 and 1965, the number of green cards issued by the INS jumped significantly. In addition, as the Bracero Program ended, the INS established a new category of "green card commuters," which allowed people to work in the United States but continue to live in Mexico. According to Kitty Calavita's careful study, the INS did not keep an official count of these new legal commuters, but estimates run into the tens of thousands.[4]

Congress helped, too. It purposely underfunded the INS, which made it difficult for the agency to police the border and easy for undocumented farm workers to cross. This was no great secret. By 1980, the *New York Times*, called the INS "an agency almost programmed to fail."[5] Moreover, the border was very different from what it is today. There was no large wall running through the major border towns. In many places there was just a cyclone fence, and often on the outskirts of major cities there was either no fence at

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all or two strands of wire that people easily stepped through, with no army of agents on the US side waiting to stop them. Moreover, in the years right after the end of the Bracero Program there was no general fear of the undocumented. The economy was still expanding, people were not greatly concerned about unemployment, and there was, as yet, very little public anxiety about swarms of Spanish-speaking migrants somehow diluting the nation's linguistic and cultural identity.

For more than a decade after the end of the Bracero Program, the border patrol neither controlled the border, nor was it a serious threat to farm workers elsewhere in California. In Salinas, three agents were responsible for policing four counties where tens of thousands of farm workers lived and worked. In the Central Valley there were ten agents for six counties where hundreds of thousands of farm workers made their living. From Bakersfield to the Oregon border, no more than seventy-five people were employed by the INS.[6] These agents were able to remove only a small number of people to Mexico—most of whom came right back. While they posed a constant threat to the undocumented, they did not stop, or even seriously hinder, the large flow of illegals into California between 1965 and 1980.

As these undocumented workers streamed into the California fields, they found a population of farm workers quite different from that which labors there in the twenty-first century. Today, 90 percent of California farm workers were born outside of the United States, most of them in Mexico. In 1964, California farm workers were a diverse group, made up of significant numbers of braceros, Filipinos, whites, blacks, Texas migrants, Mexican migrants, Mexican-American migrants, and settled Mexican-Americans.[7] Most importantly for our story, working in the table grapes around Delano was an enclave of Mexican-Americans whose parents and grandparents had come to the United States in the first wave of Mexican immigration in the 1920s. It was among these Mexican-American table grape pickers that the National Farm Workers Association (which later became the UFW) began to organize. These first members of the UFW felt threatened by the open border and by the large number of green carders and illegals who lived in Mexicali and were beginning to work in the table grapes. Many felt they were going to be replaced by this new, cheap labor from Mexico. For many of them, the union served as protection against this new wave of immigration. Thus, in early issues of the UFW's newspaper, *El Malcriado*, there are letters to the editor complaining about "wetbacks," and during the 1965 table grape strike and the periodic unsuccessful little strikes that followed, people would say that by standing on the picket line with the UFW flag you proved to the INS that you were legal.[8]

But early UFW policy not only reflected the outlook of the Mexican-American table grape pickers who were worried about job competition from the new wave of immigration. Cesar Chávez, his wife Helen, Gilbert Padilla, and Dolores Huerta, the founders of the UFW, were also Mexican-Americans. Cesar's grandfather voted in a Texas election and homesteaded a farm in territorial Arizona. Helen started working in the vineyards

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around Delano when she was seven. Gilbert was born in a labor camp in Los Banos. Dolores was born in New Mexico. They all were bilingual, and they all had suffered the indignity of going to US schools. They called themselves Mexicans rather than Mexican-Americans, (this was before people called themselves Chicanos) but they were not recent immigrants from Mexico, and they were not prone to identify with those who were. Instead, they, too, worried that the open border and increased migration from Mexico would not only take Mexican-American jobs away, but also make it difficult to organize their young union.

The UFW founders, especially Chávez and Huerta, had been active in the struggle against the Bracero Program. In coalition with many American liberals, as well as the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), they had pressured the federal government to do away with the program, arguing that it took jobs away from domestic farm workers and held down farm wages. That fight, which took several years, was finally successful, but only after the cotton harvester reduced the need for bracero labor in Texas, and a series of strikes in California—some prompted by the presence of braceros in the fields, and others in which braceros themselves went on strike—made the program less attractive to the growers. Nevertheless, the liberal antibracero campaign had played its part, and the success of that fight had a large impact on the UFW leadership, making them optimistic about their ability to force the federal government to close the border. After all, the coalition that seemed to have ended the Bracero Program was not as large as the boycott coalition that the UFW was building in support of its grape strike, which included labor unions, students, religious activists, consumers, and the Kennedy wing of the Democratic Party. If a weaker coalition could force the Feds to end a program that had lasted for twenty-five years, why couldn't this stronger one get them to close the border to illegal entry?

The UFW leaders were encouraged in this view by their new friends in US labor. Until the 1965 grape strike, when the new organization was still called the National Farm Workers Association, Chávez and his cohorts did not intend to build a regular union, but rather a formation that was a cross between a union and a community organization. They were very clear about that: Their leaflets proclaimed "The Farm Workers Association is not a Union." But after the NFWA was drawn into the grape strike, and after the strike was defeated and the boycott got rolling and forced a few growers to sign contracts, the leadership accepted the fact that they were becoming a union, and in 1966 the NFWA became the United Farm Workers Organizing Committee, funded by and affiliated with the AFL-CIO. Becoming part of the official labor movement did nothing to ease Chávez's fear that this new wave of illegal immigration would cripple his attempts to build his union, as the labor movement had a long history, especially in California, of opposing immigration in hopes of securing high wages for domestic union workers. The UFW's anti-illegals policies therefore fit smoothly within what has been, until very recently, a standard organizing approach of much of US labor.

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Thus, the origins of the UFW's anti-illegals policy seem easy to understand. But in 1974, what had been just another tactic in the union's arsenal became the UFW's main activity, and the policy becomes much more difficult to explain. The basic facts are stunning. Starting in the spring of 1974, Chávez led an organized, systematic attack on undocumented workers, doing all that he could to throw the whole weight of his organization into what he called the "Campaign Against Illegals." The Campaign began with a petition, circulated by the union, calling on the Justice Department and the INS to enforce the immigration laws and to "remove the hundreds of thousands of illegal aliens now working in the fields." The petition explained that "these illegals are breaking farm worker strikes, displacing farm workers from their jobs in the US, and depressing agricultural wages."[9]

But the UFW did not stop with a petition. Throughout the Central Valley, in a campaign directed from La Paz, UFW volunteers tracked down illegals where they worked and lived, informed local INS officials, and, on forms provided by the UFW's central headquarters, documented the border patrol's typical refusal to take any action. By mid-summer, the union had reported more than 5,000 undocumented workers to the INS. The Selma field office, by itself, had reported 2,641 illegal aliens to the Fresno Border Patrol office, which, the union volunteers complained, resulted in the arrest and removal of only 195 people.[10]

Finally, the campaign culminated in the now-infamous Wet Line, where as many as 300 people wearing arm bands that read "UFW Border Patrol," hunted down illegals along the border near San Luis, Arizona. Living in tents near the border, they used cars, dune buggies, trucks, vans, and even an airplane to track and catch people trying to cross and then turned them back to Mexico. Led by Chávez's cousin, Manuel, and financed by UFW headquarters, the Wet Line lasted until early 1975 and went unchecked by any local, state, or federal police agencies. According to many reports, undocumented workers who fell into the hands of the UFW were often beaten, sometimes quite brutally.[11]

The Wet Line had been set up to prevent strike breakers from crossing the border to scab on a UFW lemon strike. But soon this UFW border patrol was stopping and turning back everyone they could find trying to cross, as by this time the UFW policy against all undocumented workers—strikebreakers or not—had been made very clear by Cesar Chávez, himself. The issue had come up at the beginning of the campaign in a memo from the director of the campaign who sent Chávez two leaflets to consider: "I want to know [she asked] what you think of them, particularly the stuff in the first leaflet about '*la union no está contra los ilegales si no trabajan donde hay huelga*' [the union isn't against illegals if they don't work where there is a strike] when in fact we are stating our opposition to illegals in general in the boycott campaign."

Chávez angrily rejected the proposed leaflets, explaining, "We're against illegals no matter where they work because if they are not breaking the strike they are taking our jobs."[12]

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Here, coupled with the language of the anti-illegals petition, is a clear refutation of any claim that the UFW was against illegals only when they were strikebreakers. Perhaps even more important to UFW history is Chávez's phrase, "taking our jobs," as it points to his identification, and the union's identification as late as 1974, with the Mexican-American grape pickers around Delano. This, despite the fact that by then the overwhelming majority of union members were not Delano grape pickers, but Salinas and Imperial Valley vegetable workers—transnational Mexicans—many of them green carders and undocumented workers.

What was going on here? Why did Chávez persist in a policy, whose origins might be easy to understand, but which doesn't seem reasonable given who the actual members of the union were? And it is even worse than that. It is not only that the policy didn't fit the reality of the UFW: It didn't fit the reality of the fields. By 1974, undocumented workers, taking advantage of an open border, had become a large and growing part of the California farm labor force while Mexican-Americans were a rapidly diminishing minority. That was no secret. In September 1973, the *Fresno Bee* estimated that there were between 40,000 and 50,000 illegals in the San Joaquin Valley. The *California Rural Manpower Report* estimated that about 120,000 undocumented workers did some farm labor in 1974.[13] Even the UFW's own petition referred to the "hundreds of thousands of illegal aliens now working in the fields." If all these figures are close to correct, then in the year that the Campaign Against Illegals became the UFW's number-one priority, about half the people working in the California fields were undocumented.

It doesn't seem to make sense. Why would Chávez have initiated and persisted in a campaign that divided farm workers, pitting one group against the other? Nor can it be said that this is but the retrospective question of a twenty-first century historian influenced by the contemporary politics of the nation's debate over the undocumented. Forty years ago plenty of people, inside and outside the union, criticized the Campaign Against Illegals even as Chávez put it into effect. The Lawyers Guild and CASA (Centro de Acción Social Autonoma) openly denounced the campaign, as did many independent leftists. Chávez dismissed them as traitors. UFW boycotters wrote letters of complaint to Chávez, arguing that the campaign reinforced differences among farm workers; that the call for increased Border Patrol raids seemed to ally the UFW with one of the government agencies most hated in the fields, even among legal workers; and that the campaign was politically and ethically reprehensible. Chávez fired some of these dissident staffers; all were ignored.

Why did Chávez, who in many respects had proven himself a brilliant, flexible organizer, prove so adamant on this issue? The answer requires a brief review of UFW history, especially the fate of the 1965 grape strike. That strike was lost. The grape contracts were won five years later only because of the power of the UFW boycott. Then in 1973, when the contracts expired, the growers brought in the Teamsters, and the UFW lost another, even larger strike. To Chávez, who entered the fields himself at the nadir of farm worker

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power in 1939, losing strikes seemed to be the rule. By 1974, he firmly believed that the power of the UFW resided in the boycott coalition and that farm workers were relatively powerless in any direct confrontation with their bosses. In 1974, Chávez was trying to rebuild the grape boycott. Boycotters were asking, he told the executive board in 1974, why couldn't the UFW hold on to the contracts it had won, and why was it losing all its strikes? The UFW needed some kind of explanation. "Illegals," he told the board, "is the iron-clad argument for the boycott."[14]

So there you have it. Chávez could persist in his Campaign Against Illegals because he wasn't thinking about its impact among farm workers in the fields, where the undocumented were a regular part of the labor force, no more responsible for breaking strikes than any other group. Chávez believed that blaming illegals for lost strikes would help him rebuild a boycott, which he considered the key to UFW power. He continued to believe in the central role of the boycott throughout his life, even after the union became mostly vegetable workers in the Salinas and Imperial Valleys, who, because of the character of their work, had considerable power in the fields and were able to win strikes. But Chávez never believed in that power, was always suspicious of it, and eventually crippled it. But that is another, even sadder, story.

The Campaign Against Illegals, the apex of the UFW's anti-immigrant policy, lasted for about nine months, and ended in early 1975. That very year, however, in response to pressure in the fields and after more than a decade of UFW activity, the California legislature passed, and Governor Jerry Brown signed, the California Agricultural Relations Act. The new law was silent on the question of illegals. That meant that undocumented workers could vote in the upcoming farm worker elections. And that, finally, prompted a change in policy. At the 1975 UFW convention a resolution was passed welcoming "*los visitantes*" to California and proclaiming that the undocumented were now welcome in the union. Henceforth—or at least until 1994—the UFW no longer opposed the undocumented as such but still called on the INS to intervene during UFW strikes.

It was too late. The UFW lost the vast majority of the elections that took place in the table grapes. According to UFW organizers, one of the reasons they lost was because of the divisions among farm workers, not only between Filipinos and Mexicans, but also between legals and illegals. It turned out that most people without papers voted against the union.

The line changed again after Chávez died in 1994. The new UFW leadership, armed with the support of John Sweeny's AFL-CIO, made a valiant effort to get back into the fields, after the general defeat and retreat of the mid-1980s. They knew that to reenter, they had to counteract the reputation of being a *pocho* union, against illegals. So they led the fight against Proposition 187, took the lead in other pro-immigrant campaigns, and have been strong advocates for the undocumented ever since. But success has eluded the UFW, in part because it has been unable to overcome this burdensome history. History has a way of being like that.

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NOTES

1. Steve Sailer, "Cesar Chávez, Minuteman," *The American Conservative*, February 27, 2006.

2. Roger Gitlin, "Cesar Chávez," Minuteman Project, www.minutemanproject.com.

3. I use the word "illegals" a lot in this essay. I understand that it is very strange to call a person "illegal," as it suggests that a person's very existence is against the law. The words "undocumented" and "undocumented worker" are much preferable. But the term "undocumented" was hardly used by anyone until the mid-1970s and didn't become generally used until the 1980s. Before that, many people, including all variety of progressives, used the terms "illegals" and "illegal aliens" without meaning to disparage the people they were talking about. That includes the UFW, whose press releases, newspaper, and conversations among themselves referred to the undocumented as illegals, illegal aliens, and even, on occasion, wetbacks. When someone reads that with twenty-first century eyes, they are misled by what it signified in the 1970s. Nevertheless, when I write here about the UFW's 1974 "Campaign Against Illegals," I do not change its name to the "Campaign Against the Undocumented" nor do I elsewhere clean up the UFW's language to make it suitable to our tastes. But the reader should be warned that the word "illegal" carried different freight in 1974 than it does in 2013.

4. Kitty Calavita, *Inside the State: Bracero Program, Immigration, and the I.N.S.* (New York, 1992), 218; Calavita, 152–4.

5. "Immigration Bureaucracy is Overwhelmed by Its Work," *New York Times*, January 17, 1980.

6. "Illegal Aliens: A Growing Labor Force, *Fresno Bee*, September 9, 1973.

7. California Assembly Committee on Agriculture, *The California Farm Workforce: A Profile* (California, 1969).

8. Jerald B. Brown, "The United Farm Workers Grape Strike and Boycott, 1965–1970" (PhD thesis, Cornell University, 1972), 264.

9. "Illegals Campaign," August 17, 1974, I&R, Box 38, Folder "Illegals" Walter P. Reuther Library, Wayne State University, Detroit, Mi.

10. "Illegals Campaign—Important," July 6, 1974, I&R, Box 38, Folder "Illegals" 1974 (2); "Fresno County Illegal Alien Documentation, n.d., UFWOP part 2, Box 17, Folder 19, "Illegal Alien Farm Labor," both at Wayne State.

11. For the full account, see Chapter 24, "The Wet Line" in my book, *Trampling Out the Vintage* (Verso, 2011).

12. "To Chávez from Liza" and "To Liza from Chávez," I&R, Box 41, Folder "Illegals," Wayne State.

13. California Employment Development Department, *California Rural Manpower Report, 1974* (Sacramento, 1976), 16.

14. "Minutes of NEB Meeting," June 13, 1974, UFWOP, part 2, Box 37, Folder 18, Reuther Library, Wayne State.

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