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## **Globalization, the State, and the Creation of Flexible Indigenous Workers: Mixtec Farmworkers in Oregon<sup>1</sup>**

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Migration patterns from Mexico to the United States have changed significantly in the past two decades. In 2001 a heterogeneous population of migrants includes people with both documented and undocumented legal statuses; permanent and temporary patterns of residency; men, women, and children in families as well as alone; old and young; people from throughout Mexico; people from urban and rural backgrounds; and people of indigenous and mestizo descent. Migrants from Mexico no longer only settle in U.S. cities and regions which have long-established migrant communities such as Chicago, Los Angeles, and Houston but can now be found in many areas of the United States including the rural south and Alaska. Increasing economic stratification in both Mexico and the United States linked to the implementation of neo-liberal economic policy and continued globalization of labor markets and capital has resulted in increasing segmentation of the Mexican migrant population in the United States. Changing U.S. immigration and labor policy over the past two decades has also had a major impact on who comes from Mexico to the United States, when, where, and under what conditions.

This picture is often described as transnational labor and cultural flows that cut across conventional political and social boundaries creating new ethnic identities, transnational class sectors, and new definitions of community, nation, and culture (see Appadurai 1996, Kearney 1994). In an evaluation of the literature which discusses cultural globalization, Aiwa Ong (1999:11) suggests some important questions that concretely link questions of identity and culture to political economy. How independent from the "national, transnational, and

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political-economic structures that enable, channel, and control the flows of people, things, and ideas" are the social imaginations of those who are transnational subjects, citizens, and community members? How are nations and states which are still bound to one another reconfigured by capital mobility and migration? What are the processes that differentiate the mobility of various kinds of migrants and of non-migrants?

Ong develops the concept of flexible citizenship to explain how individuals as well as governments develop flexible notions of belonging, citizenship and sovereignty as strategies to accumulate capital and power. Flexible citizenship "refers to the cultural logic of capitalist accumulation, travel, and displacement that induce subjects to respond fluidly and opportunistically to changing political-economic conditions" (1999:6). While this concept helps to illuminate the situation of transnational Chinese men with multiple passports dropping their kids off in another country while on a trans-Pacific business commute, it is also useful to think with in terms of those who are using flexibility not as a way to accumulate capital, but as a way to survive, support their families, and often against great odds remain united as families. We might ask, how are those who have to sneak across borders in the dead of night on foot in extreme temperatures after paying the equivalent of a first-class plane ticket to a coyote affected by the logic of capitalist accumulation, travel, and displacement? And how do the logics of capitalist accumulation, bi-national trade agreements, and displacement affect gender and family dynamics?

While differences between Mexican migrant households have frequently been discussed in terms of income, race, place or origin, and patterns of migration, little work has focused on stratification within migrant households based on gender, legal status, and age. We cannot assume joint decision-making and internal democracy in the households of migrant laborers. If gender, age, and legal stratification affects the experience of migrants outside the household, why wouldn't it have an impact inside? In the discussion that follows, the experiences of Oaxacan Mixtecs in Baja California, California, and Oregon are explored to underline the heterogeneity of the migrant experience in the U.S. and to establish the importance of exploring

inequality within migrant households, particularly in relation to gender and the co-existence of different legal statuses within the same household. The case study of Mixtec migrants is also used to explore how the flexibility of capital is supported by states through free trade agreements and immigration and labor policies. These actions on the part of states continue to affect the cultural logic and construction of gender, ethnic, labor, and family relations--the contexts in which flexible citizens live.

### **Mixtecs in the Pacific Northwest**

The Pacific Northwest has a growing population of Mexican migrants who are increasingly from among the indigenous populations of Mexico. A primary source of indigenous migrant workers in the Pacific Northwest is the southern Mexican state of Oaxaca. The primary ethnic group which has migrated to work in agriculture in California and the Pacific Northwest are Mixtecs followed by Triquis, Zapotecs, and others (see Runsten and Kearney 1994; Zabin et al. 1993;). While some Mixtecs worked in the United States as Braceros, after 1965 this immigration did not continue. In the late 1960s and early 1970s, Mixtecs were recruited to Sinaloa and by the late 1970s to Baja California as agro-export production took hold in Northern Mexico. From there they moved into California and Oregon agriculture in the 1980s (see Zabin and Hughes 1995, Zabin et al. 1993: vii). As many as 124,000 Mexican farm workers now labor in Oregon during some part of each year harvesting strawberries, raspberries, cucumbers, hops, Christmas trees, broccoli, squash and other crops, according to the 1997 Census of Agriculture (cited in League of Women voters of Oregon 2000:4).

A study of Mixtec migrants suggests that by 1993 there were probably 50,000 Mixtec migrants in California, making up about 16.6 percent of the state's farm labor force (Zabin et al. 1993:vii). Many of these (up to 82 percent) also work outside of California traveling to Oregon, Washington, and Mexico. Informed estimates put the permanent Mixtec population in Oregon at

about 10,000 and the circulating population at between 20,000 and 30,000 (see de León for a historical discussion of Mixtecs and their life in Oregon).<sup>3</sup>

Indigenous farmworkers are an increasingly important component in the most labor intensive crops: strawberries, fresh tomatoes, grapes and citrus (Runsten and Kearney 1994:19). The farm labor market on the west coast has been undergoing a new cycle of ethnic replacement in which established farm laborers, primarily mestizos from central Mexico (Michoacan), are being replaced with cheaper indigenous workers from southern Mexico (Oaxaca and more recently Guerrero and Veracruz) (see Zabin et al. 1993, McWilliams 1979, see also Portes and Rumbaut 1991 on fragmentation of labor forces in the U.S).<sup>4</sup> Many mestizo farm workers who gained legal residence have left the farm labor force and moved into other sectors (see Duran and Massy 1992). This has also happened for some indigenous farmworkers who were legalized in the 1980s.

Changes in immigration laws during the past decade as well as the expansion of Mexican export agriculture and the integration of labor flows from Mexico and the U.S. have produced a Mexican migrant labor force in the Pacific Northwest which now juggles a multitude of national, ethnic, linguistic, cultural, and legal identities.<sup>5</sup> One family can include legalized male workers with permanent residence, illegal single or married females, and children who are citizens if all are in the United States. Parents may speak primarily an indigenous language (usually Mixtec,

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<sup>3</sup>These numbers were given by Santiago Ventura Morales, Mixtec leader of the Oaxaca Binational Indigenous Front in Oregon in an interview on August 6, 1997 in San Miguel Cuevas, Oaxaca and confirmed by Larry Kleinman, Secretary Treasurer of Pineros y Campesinos Unidos del Noroeste (PCUN) in an interview on August 25, 1997 in Woodburn, Oregon. PCUN is a farm worker community service and labor rights organization which has 4400 members. About 30-40 percent of their membership is Mixtec and more than one-third of the Board of Directors are

<sup>4</sup>Most research on Mexican farm workers has been on mestizos. While indigenous Mexican farm workers have been the subjects of study in California (Stuart and Kearney 1981; Zabin et al. 1993; Nagengast and Kearney 1990; Runsten and Kearney 1994; Zabin 1992) their increasing presence in the farm labor forces of the Pacific Northwest has only been documented journalistically (The Oregonian, The Statesmen) and in a few reports (Mason 1989, Mason, Cross, and Nuckton 1993, Dash 1995, Zabin and Oseki 1990).

<sup>5</sup>See Douglas Massey's article "March of Folly: U.S. Immigration Policy after NAFTA" in The American Prospect, no 37, March-april 1998 for an insightful discussion on the combination of factors which have served to increase and sustain Mexican immigration to the United States .

Tarasco or Zapotec) and some Spanish along with children who are bilingual in Spanish and English.

### **The Gendered Dynamics of Mixtec Migration and Economic Restructuring**

During the past two decades we can see two distinct patterns to the gendering of Mixtec migration related to changes in U.S. immigration policy in 1986 and in 1996. These two patterns are also linked to the expansion of export agriculture in Northern Mexico and the continued search for cheap, seasonal farm labor in the U.S. The first pattern is described here and the second in the following section. A survey conducted by Carol Zabin and others in the early 1990s in both the U.S. state of California and in the Mexican state of Baja California documents the way that Mixteco migrant families are caught in a labor market segmented by gender in which agro export-employment provides "stable employment, albeit low-wage employment, for some members of the family close to the border (especially women and children) while allowing other members of the family to assume the risks of U.S. immigration"--primarily men (Zabin and Hughes 1995:395). In a nutshell, families were divided.

The work environment on the west coast for farm laborers is significantly different than that in Baja. Zabin and Hughes found, for example, that 64 percent of Mixtec farmworkers in the U.S. are paid by piece rates compared to 2 percent in Baja. Work takes place at a much more rapid pace under a piece-work scheme (1994:190). Child labor laws are enforced in the United States, but in Mexico young children form a significant part of the labor force. Because there are often chronic labor shortages in Baja, workers do not lose their jobs if they miss a day or two of work. In California and often in Oregon where there is a surplus of workers but higher wages, growers operate under stricter standards and demand great efficiency from workers.

Because women remain the primary caregivers to children, employment conditions in Baja are often more conducive to women's dual role as wage earner and caregiver than in the United States. Frequent unemployment on the west coast in the U.S. means that growers have

their pick of workers. "Lone males provide a flexible workforce for growers because they are mobile, can work long hours when the harvest is ready, and are often willing to travel long distances" (Zabin and Hughes 1994:191).

### **U.S. Immigration and Border Policy: Creating a Hostage Population of Undocumented workers**

A second trend which I am in the process of documenting in the state of Oregon, suggests that undocumented women and children who followed men to that state between 1986 and 1998 remained a kind of "hostage" population—both in the sense that many remained undocumented in the United States and because it became increasingly difficult for all undocumented Mexicans to go back and forth to Mexico due to increased policing of the border in the mid-1990s. This pattern begins with the implementation of the 1986 Immigration Reform and Control Act (IRCA) and the accompanying Special Agricultural Worker Program (SAW). Under these two provisions, some Mixtec farm workers (primarily men) who became legal residents after 1986 encouraged their wives and children to join them. Some of these men who received legal residency in the 1980s legalized their wives and children by the early to mid-1990s, bringing them either from Oaxaca or from Mixtec ethnic enclaves in Sinaloa or Baja California. Others brought their wives and children, but never went through the process to legalize them. Those women who have continued to reside in the U.S. were trapped into undocumented status by deadlines from the 1996 Illegal Immigration Reform and Immigration Responsibility Act (IIRIRA).<sup>6</sup> While children are not subject to the provisions of the deadline

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<sup>6</sup>The 1996 Illegal Immigration Reform and Immigration Responsibility Act expanded the definition of deportation removals to include people who used to be excluded at the border as well as people deported from the interior of the United States. IIRIRA also made it more difficult for people to sponsor relatives to come to the United States by increasing income requirements from at or above 100 percent of the U.S. poverty level to at or above 125 percent of the U.S. poverty level. In 1998, this was close to \$20,000 for a family of four (See Capps 1999). In 1999 this is about \$24,000.

IIRIRA legislation also imposed a final deadline of January, 1998 for undocumented family members of a legal resident to gain legal residency in the U.S. As of January 14, 1998, all new applicants for residency had to get their documents in the consulate of their country of origin. By applying for residency in the United States prior to the January, 1998 deadline imposed by IIRARA, undocumented family members could avoid tripping a three-or ten-year bar on their immigration. In accordance with IIRIRA legislation, if a person was in the U.S. without documents for six months and they left after April 1, 1997, they tripped a three year bar on being able to apply to change their status in the United States. If a person was in the U.S. without appropriate documentation for a year after April 1, 1997 and they left then they tripped a 10 year bar to changing their



and according to INS officials can apply for residency from within the U.S. even if they have been here illegally, this is not widely known in the farmworker population.

Under IIRIRA, undocumented family members filing for residency in the United States after January of 1998, were punished if they tried to file while undocumented and living in the United States. They had to leave in order to file for residency, because they could no longer apply in the U.S. If they did leave, then they could trip a bar of up to ten years before they could apply to change their immigration status--if they had been in the United States illegally for more than a year since April of 1997 and there was evidence of that. If they were to be lawful, families had to divide and send undocumented family members secretly back to Mexico to apply from there. If families wanted to remain united, they had to take the risk of remaining undocumented in the U.S., thus replicating the pattern of families with multiple legal statuses among their members.

As he left office in late 2000, President Clinton extended a special "sunset provision" that gave another chance to all of those who missed the January, 1998 deadline to apply for legal residency if they already have a family member here. A small window of opportunity was created between the dates of December 21, 2000 and April 30, 2001 under the LIFE (Legal Immigration and Family Equity) Act that allowed a person who qualified for permanent residency, but was ineligible to adjust status in the United States because of an immigration status violation, to pay a \$1,000 penalty to continue processing in the United States. This made it possible for some of the "hostage" population of women and children to apply for legal residency. The high cost of the "fine," however, has inhibited some people from applying.

According to the National Agricultural Workers Survey of 1997-1998, about half of farmworkers

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status. Thus if a person was in the U.S. after April 1, 1997 without appropriate documentation and they stayed and changed their legal status from within the U.S. before January 14, 1998, they would not be subject to the three-year or ten year ban on attempting to change their status. If they did not make the January 14, 1998 final deadline, however, then in order to petition to gain legal status they would have to leave the country and apply from Mexico. If there was information which showed they had been in the United States illegally prior to that period (such as being registered at a Mexican port of entry) they would be subject to a three or ten year ban on applying to change their status.

earned less than \$7500 per year. Given this level of income for many farmworkers, the \$1000 fine plus legal costs for each person processed may make the opportunity unavailable to a significant number of people.

While it is unclear how many undocumented women and children in Oregon's farmworker population took advantage of the LIFE act, the enactment of this piece of legislation along with the 1986 IRCA legislation and the 1996 IIRARA legislation all demonstrate the power of the state in setting parameters for how individuals, families, and communities construct their identities and daily lives. U.S. immigration legislation and border enforcement policy has a real impact in the lives of Mexican migrant families—thus we cannot write the state out of formulations of the processes of globalization, particularly those that involve the mobility of people.

While temporary provisions such as the LIFE act may allow some individuals to change their legal status in the United States, another factor that has contributed to the “containment” of undocumented farmworkers in the United States and continues to do so is beefed-up policing of the U.S. border. Since the mid-1990s under President Clinton, border crossing areas that were once easily crossed, such as border areas near San Diego, have been reinforced by steel fencing and walls, stadium lights, motion-detecting sensors, infra-red night-vision equipment, new roads, and beefed up patrols. The result of this “hold the line” strategy has been to push border traffic out of urban corridors such as San Diego and El Paso and into remote mountain and desert areas. This policy has not only benefitted those in the human smuggling business as people no longer can take familiar routes (some of which were used by more than one generation within a family), but also in dramatic increases in the number of deaths on the border caused by exposure.

By the summer of 2000, the fee charged by coyotes (human smugglers) to cross the border ranged from U.S.\$800 - \$1,300 (Cornelius 2000:10). In Oregon fees could be as high as U.S. \$2000 to be delivered from southern Mexico to northern Oregon in the fall of 2001. The cost, however, pales in comparison to the other risks involved in crossing.

One team of academic researchers detected more than 1,600 possible migrant fatalities along the U.S.-Mexico border between 1993 and 1997 (Cornelius 2000:12). In 1998, according to the Immigration and Naturalization Service statistics, the number of migrant deaths along the southern border was 261. By 2000 this number had jumped to 369 (Zeller 2001:A14). A study carried out by the Center for Immigration Research at the University of Houston provides further documentation of this trend. The study finds that deaths from weather-related causes (hyperthermia and hypothermia) have risen dramatically since 1995. By 1998, deaths from these causes were nearly three times as common as they were when undocumented migration crested in the mid-1980s (report summary, Eschbach, Hagen, and Rodriguez 2001). In the January 1 - November 15, 2000 period, “at least 445 Mexicans (and an unknown number of Central and South Americans) perished during illegal entry attempts, according to the Mexican Ministry of Foreign Relations” (Cornelius 2000:12). Thus at precisely the same time that the deadline for applying for legal residency through the 1996 IIRARA legislation terminated (January, 1998), the border tightened, and the risk of death by exposure climbed significantly. These combined factors contributed to the continued presence of highly vulnerable, undocumented farmworkers.

### **Vulnerabilities of Undocumented Women**

Differences in male and female legal statuses within families of indigenous farmworkers have a number of implications both in terms of power relations within the home as well as in the workplace. In the workplace, undocumented women and other undocumented workers are more likely to accept substandard work conditions and wages in order to hold their jobs for fear of being reported to the INS. They are less likely to participate in union drives for fear of being reported to the INS.

The fact that virtually all but several dozen indigenous farmworkers in Oregon are not unionized sometimes results in salaries that are below minimum wage. One of the results of the low wages paid to workers is that until recently, small and even school-aged children often accompanied their parents--particularly their mothers-- to the fields, playing on the sides of berry fields or waiting in cars while their parents worked. As one Mixtec farmworker explained about working conditions when she first entered the farm labor workforce in the mid-1980s before receiving legal status and joining a union, "I brought my children with me to the fields. I couldn't do anything else. We didn't even earn minimum wage so how was I going to afford child care? I just brought them with me." Since she came to Oregon in time to qualify for legalization under the SAW program in 1986, she received residency and went on to become a leader in negotiating the first labor contract for farmworkers in the state. She now earns at least minimum wage and has some paid vacation and other benefits.

Most other Mixtec women are not as lucky. They remain undocumented and subject to intimidation by growers over their legal status. And ironically, stricter enforcement of child labor and pesticide application laws in Oregon has presented Mixtec farmworker women with a dilemma--since they can no longer bring their children to the fields with them, they must pay for childcare, not work, or take turns with other women taking care of children one day and working the next. The following conversation illustrates these dilemmas for Mixtec women. The conversation occurred in October, 2000. It is with Sofia Hernández. Sofia came to the United States in 1994. Her husband received residency in 1986 as a part of Special Agricultural Worker provision of the 1986 IRCA law. Her first job was working in the strawberry fields of central Oregon.

**Lynn:** When you started working in strawberries were there a lot of women?

**Sofia:** There were men, women, children, everyone. Everyone went to harvest. Because before there were a lot of children. Now they say that children can't come into the fields, but before they could.

**Lynn:** ...So did you bring your kids with you before?

**Sofia:** Yes, I brought my son and my daughter....but now they don't allow kids in the fields.

**Lynn:** But isn't this a problem now? Even though the kids aren't working, if their mother comes and has to work, what will she do with her kids?

**Sofia:** Yes, it's a problem....Before they used to let you bring your kids. You could sit them in their stroller and the mothers would go to work....So now, sometimes the women say that they can't go to work. They say, "no, well, if we go to work in the strawberries now, if we don't work really hard to earn some money we won't earn even enough to pay the person who is taking care of our kids. Because of this sometimes they take their kids with them and they try to hide them while they are working in the fields. But a lot of time the growers see and they tell them they can't bring their kids. But they can't leave their kids alone in the house either. So they have to pay someone to watch their kids ....They charge \$U.S.1.50 per hour per child..

If women have family members nearby who they can switch with--one sister working in the fields and watching children for another sister one day and vice versa the next, they may be able to keep working. If, however, they do not have a family support system and must pay for childcare for more than two children, they can actually lose money working if they need to pay for a ride to the fields, for lunch, and deductions from their hourly wages of \$6.50--if they are being paid the minimum. Some women prefer to remain in Baja with their children working in the more flexible system of production found there.

### **Proposed Guestworker Legislation: State-sponsored "Flexibility" for Mexican Workers**

During the past several years, the U.S. Congress has considered a variety of measures that seek to guarantee growers an ample population of agricultural workers. Most of these proposals have been based on the H-2 program. This program was founded in 1943 when the U.S. Sugar Corporation received approval to bring Caribbean workers to cut cane "following an indictment for peonage" (Goldstein 1998). During the Bracero program of 1942-1964, Mexican workers could not be H-2 workers. When the Bracero Program ended in 1964, the H-2 program was expanded under pressure from Western growers and their lobbyists. As part of the 1986 Immigration Reform and Control Act, the H-2 program became the H-2A program and labor standards for certification were strengthened. Mexican agricultural workers have become the largest group of H-2A workers since 1993 (Health, Education, and Human Services Division 1997).

Proposals to expand the H-2A program have come from congressional members from western states who argue that growers have reported potential impending labor shortages. A study done by the General Accounting Office in December of 1997, however, pointed out "high unemployment rates in agricultural areas, the persistent heavy unemployment of farmworkers, and declining real farm wages, both in hourly and piece rates, as evidence of a farm labor surplus" (Health, Education, and Human Services Division 1997). Grower predictions of worker shortages and lobbying for an expanded Guestworker bill also come at a time when organized farm labor has been winning contracts in California, Oregon, and Washington.

In 1999, Senator Gordon Smith from Oregon and his co-sponsor Senator Bob Graham from Florida introduced legislation (Senate Bill 1814 and Senate Bill 1815) which tied the possibility of legal permanent residency through amnesty to the expansion of the current guest

worker H-2A program. While the amnesty provision of this legislation has been widely publicized, its true intent is to allow growers and the U.S. government greater control over the farm labor force.

Critics of Senate Bills 1814 and 1815 pointed out that while the bills superficially appeared to favor the estimated one million undocumented farmworkers who already pick crops in the United States, all would have to continue to work at least six months annually for five to seven years before they could earn the right to apply for legal permanent resident status. In many areas, such as the Willamette Valley, the agricultural season is only three to four months. The farm labor force is also segmented by gender so that women have fewer months of work than men. They work primarily in berry harvests in June and July and sometimes in other crops for a few weeks. Women would have difficulty accumulating the required amount of agricultural work on an annual basis that will make them eligible to apply for residency. This would also be the case for many men as well because of the shortness of the agricultural season. Even if farmworkers did manage to find the requisite amount of agricultural work for five to seven years, they wouldn't have any guarantee that they will receive residency. Their names would have been added to a list of residency applicants who currently face a backlog of almost 15 years before their cases are even considered.

During the 106th Congress (1999-2000), coordinated opposition by hundreds of organizations supportive of farmworkers prevented the passage of Senate bills 1814 and 1815. At the end of the 2000 legislative session there were discussions of a potential compromise that involved both farmworker organizations (the United Farmworkers, UFW) and growers (The National Council of Agricultural Employers, the Western Growers Association, and the American Farm Bureau). Proposals involved creating a new legalization program for

undocumented farmworkers and revising the H-2A program. The compromise would have offered amnesty (legal residency) for many Mexican workers who are currently living undocumented in the U.S. The compromise was unsuccessful, but the effort indicates that farmworker advocates and growers do see some common ground for future proposals.

In the 107th Congress (2000-2001), two new guestworker bills have been circulating. One bill would require farmers to demonstrate a labor shortage before they can hire workers and would allow foreign workers who have been employed in agriculture for at least 360 days in the previous six years to qualify for legal residency. A competing legislative proposal would expand the use of foreign guestworkers in a varieties of industries, but wouldn't grant workers legal residency.

A clear result of any guestworker program would be to make it more difficult for farmworkers who are already here to unionize and improve their working conditions. A new guestworker program makes it difficult for farmworker advocates to fight for improvements in childcare, wages, and housing as growers are allowed to bypass workers already here in favor of a foreign labor market. Instead, employers could be made to compete in the domestic labor market so that improvements in wages and working conditions can become possible (Breir and Niles 1998:35).

In general, all of the guestworker program proposals are excellent examples of the influence of the globalization and mobility of capital on economic policies sponsored by states. The economic and immigration policies of states are key components of globalization and affect cultural and identity changes facilitated by the transnationalization of labor and communities. For Mixtec farmworker families currently in the United States, who continue to include



undocumented members, the final outcome of legislative debates about immigration and guestworkers will be fundamental in affecting the lived experience of their transnational lives.

## **Conclusions**

The current living and work conditions, economic positions, and possibilities for building family and community for many Oaxacan indigenous families are linked to U.S. immigration and labor policy. This in turn is driven by the dynamics of U.S.-Mexican integration as a part of the globalization of capitalism. Many Mixteco men were able to take advantage of the 1986 SAW program, but the other members of their families who arrived later were not. Some of these family members received legal residency before a 1998 deadline for petitioning from within the U.S. But many did not. Some may receive legalization under the LIFE Act, but others will be unable to afford it. And undocumented men, women, and children continue to come to the U.S., despite the difficulties in crossing the border. Today these families that include undocumented women and children as well as men who came later and are currently undocumented remain extremely vulnerable. Many of them remain a semi-hostage population due to financial and legal constraints as well as the clear risk of death in crossing the border to return to Mexico and then re-enter the U.S.

While the global circulation of capital, culture, information, goods, and services is analyzed in depth by many, the conditions that facilitate the global circulation of people are often not treated seriously in formal economic policy nor in cultural analyses of transnationalism. Understanding how global conditions of flexibility affect citizenship, strategies of survival, gender relations, and the construction of family and community requires re-examining the proposition that states are declining in significance in the global economy and that the global and

the national are increasingly disarticulated (Sassen 1998:195). We cannot jump from the local to the global without considering ways that states (particularly dominant states such as the U.S.) adapt to the hypermobility of capital and in fact facilitate it. As stated by Sassen, "The state remains as the ultimate guarantor of the 'rights' of global capital, that is, the protection of contracts and property rights" (1998:197). Bringing the state back in does not mean putting it center stage and ignoring the importance of human agency in manipulating the new sites and spaces created by processes of globalization. Rather it means looking at the interactions between local sites of daily living, identity and human relationship construction, and the changing networks of power linked to national and global sites of resource, governance, and information concentration. In the next century we will find more and more families like the Mixtec migrants who collectively represent those who live between and among nations, whose identities and lives span multiple ethnicities, national boundaries, and who live under the jurisdiction of multiple states. Within the space of one family are people who are crossing borders, merging identities, and occupying multiple territories. They are indeed examples of flexible citizens. Many are from communities who have lived this way for more than several decades, participating in family networks and in bi-national grassroots organizations spanning from Southern Mexico to California and the Pacific Northwest. In order to do justice to these families and others it is crucial that our analyses allow us to argue for why the rights of mobile humans should be equivalent to the rights of mobile capital.

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