

Corruption at the Border: Intersections between US Labour Demands, Border Control, and Human Smuggling Economies

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Abstract: Based on a qualitative methodology that includes in-depth interviews conducted between 2008 and 2017 with 180 migrant smugglers from Mexico, the objective of this paper is to analyse the way US employers' interest in having access to cheap labour feeds migrant smuggling, and is connected to corruption in US border enforcement. We conclude that corruption on the US side of the border could be systematic and not a matter of a few bad apples. Corruption is manifested in selective enforcement, which is a pragmatic practice that justifies enhanced immigration enforcement, and benefits US immigration agents, US employers and Mexican smugglers, while undocumented border crossers suffer the monstrous effects of militarised border enforcement.

Resumen: Este artículo, sustentado en una metodología cualitativa que incluye entrevistas en profundidad realizadas entre 2008 y 2017 a 180 traficantes de migrantes mexicanos, tiene como objetivo analizar cómo el interés de los empleadores estadounidenses en acceder a mano de obra barata alimenta el tráfico de migrantes, y está conectado a la corrupción en el control fronterizo. Se concluye que la corrupción en el lado estadounidense de la frontera podría ser sistemática y no un asunto de unas pocas manzanas podridas. La corrupción se manifiesta en una aplicación selectiva de la ley migratoria, que es una práctica pragmática que justifica un incremento de recursos destinados al control migratorio, y beneficia a los agentes migratorios estadounidenses, a los empleadores de Estados Unidos y a los traficantes mexicanos, mientras que los migrantes indocumentados sufren los efectos monstruosos de la militarización de la frontera.

Keywords: US employers, migrant smugglers, labour demand, United States, corruption

Introduction

Until the 1970s there was a tendency to understand immigration as dependent on the forces of attraction. However, during the last decades mainstream immigration theory focus has slipped from employers' demand to kinship relations and individual or family decisions, and the central immigration problem appears to be an excess supply of "illegal" workers (Champlin 2010:305). Accordingly, mainstream theory has legitimised supply-side immigration policies to stop the arrival of unwanted labour (Krissman 2005:36), and has fuelled the war on immigrants, characterised by the expansion of a low-intensity warfare

with a massive investment in manpower and technology (Dunn 1996; Rosas 2012:8).

While 1965 US immigration law reforms paid little attention to illegality, from 1976 illegal migration became the problem targeted by immigration policy (De Genova 2014:47). From the 1990s border control strategies were organised around the “prevention through deterrence” regime that funnelled undocumented border crossers into treacherous geographies where they suffered death and deprivation (De Leon 2012; Rosas 2012). According to many scholars, the 1996 immigration laws (the Antiterrorism and Effective Penalty Act and the Illegal Immigration Reform and Immigrant Responsibility Act) securitised migration and along with “prevention through deterrence” augmented the need for migrant smugglers (Andreas 2009:95; Cornelius and Salehyan 2007:143; Rosenblum and Hipsman 2016:14; Spener 2009:116). A decade later, new strategies were organised around an “enforcement with consequences” regime aimed at disrupting migrants’ social networks. Intensification of border enforcement and escalation of the war against migrants conducted to a snowballed subjection of migrants (Rosas 2012:137). These regimes exacerbated a longstanding political violence against undocumented border crossers and those who appear like them, fabricating a crisis of “immigrant illegality” through a rhetoric intended to justify enhanced immigration enforcement (De Leon 2015; Nevins 2002:9; Rosas 2012). This delegitimising category has dehumanised undocumented immigrants, who are perceived as “outsiders”, not deserving the same labour rights as legal workers. From 2002 unauthorised workers’ protections guaranteed under the 1938 Fair Labour Standards Act (FLSA) and the 1983 Migrant and Seasonal Agricultural Worker Protection Act (MSPA) have been challenged in courts. Illegalisation has created a conflict between US labour laws and policies under US immigration laws. The Supreme Court and other federal courts’ new approach on unauthorised worker labour protections is embedded in the idea that their wages are not lawfully earned and their jobs are obtained by criminal fraud (Champlin 2010:307; USDL 2008). The result is an exploitability effect (Heyman 2014:117), US employers profiting from a porous border (Izcara-Palacios 2017a:25).

The US–Mexican border has been described as a legal fiction, a “revolving door” intended to favour US employers’ vested interest in ensuring an easily importable and deportable legally vulnerable workforce of illegal aliens (Cockcroft 1986; De Genova 2004:177; Dunn 1996; Krissman 1995:22). As De Genova (2002:439) explained, “some are deported in order that most may remain (undeported) as workers”. The revolving door was engineered to maintain exploitative labour practices to satisfy, as Loza (2016:6) points out, “capitalist desires for a flexible, deportable workforce with little change to the current labour conditions”. It is well documented that prior to 1965 the Border Patrol did open and close the border at specific times according to the needs of US employers; although there is not enough research to identify such phenomena since that era (Heyman 2014:116). De Genova (2002, 2004, 2014) has pointed out that the border enforcement system was never designed to close off the labour supply. It hides a double agenda. The visible agenda is aimed at reducing the supply of

labour through greater enforcement. The hidden agenda is aimed at producing an optimally sized exploitable, disciplined and subjugated labour force under the stigma of illegality (De Genova 2014:58; Heyman 2014:116). The double agenda couples a militarised spectacle of apprehensions and deportations, intended to calm public anxieties about US loss of control of its borders, with a continued flow of vulnerable migrant labour that never cease to succeed to find their way through the militarised border (Cockcroft 1986; De Genova 2002:437). As some authors have pointed out, the border is porous because US employers want it that way (Cockcroft 1986; De Genova 2014:58). This explains why some migrant smugglers never get caught (Spener 2009:132). As De Genova (2004:177) has pointed out, “stories of great hardship are often followed by accounts of quite easy passage”, the last meaning that smugglers have bribed officials (Triandafyllidou and Maroukis 2012:100).

The objective of this article is to analyse the way US employers’ interest in having access to cheap labour feeds migrant smuggling, and is connected to corruption in US border enforcement. The paper proceeds as follows. I first provide a description of the methodology. Next, the literature on border enforcement and corruption is reviewed. Finally, I go on to examine the permeability of the border, and why so few migrant smugglers are apprehended.

Methodology and Sample Description

Mainstream migration theory, based principally on quantitative data with immigrants, has not been able to unveil the role of US employers and the way the demand of undocumented labour is connected to corruption in US border enforcement. By contrast, research based on qualitative data with migrant smugglers contributes better to understanding how corruption works. Smugglers’ understanding of the dynamics of the border is much richer than immigrants’ knowledge. The latter are not able to see what is going on under their nose, because they just follow the former. They do what smugglers ask them to do. On the contrary, smugglers have to use multiple resources and connections to accomplish their job. As Bruno (Interview, 2012) pointed out, “I am responsible for them, because they go to the unknown, because they do not know, for me they are like children” (see the Appendix).

This research is based on a qualitative methodology. Qualitative interviews were conducted with a guide. The questions and topics included in the guide were open-ended. However, closed questions, in order to capture elements susceptible to statistical analysis, were also included. All interviews were recorded and transcribed literally. Social networking was used as a tool to select the interviewees and conduct the interviews.

During a period of a decade, between 2008 and 2017, 180 migrant smugglers from Mexico were interviewed in different municipalities of Tamaulipas, Nuevo Leon, San Luis Potosí, Veracruz, Mexico City, the State of Mexico and Chiapas. Interviewees were between 21 and 49 years old. They started working as migrant smugglers between the ages of 16 and 41 years old, and dedicated to this activity 9.6 years on average (see Table 1).

Table 1: Characteristics of Migrant Smugglers Interviewed

	Average	Min	Max
Age	36.9	21	49
Number of years dedicated to migrant smuggling	9.6	1	31
Age when they started working as migrant smugglers	26.9	16	41

Source: Compiled by the author from data recorded in the interviews (n=180).

Interviewees were informed about the institution conducting the research and about the objectives of the study. Those who agreed to participate in the study were informed of the confidentiality and anonymity of the data collected.

This study is biased in different ways. First, data from migrant smugglers were not triangulated with data from US employers. Second, the sample is not random. In addition, as shown in Tables 2 and 3, more than half of the interviewees came from Tamaulipas and 60% of them transported migrants to Texas. However, interviewees originated from almost half of Mexico's states and brought migrants to more than half of US states.

Literature Review

It appears to be obvious that migrant smugglers require the involvement of immigration, customs and law enforcement officials to smuggle migrants across international borders. Migrant smuggling needs the complicity of corrupt officials in source, transit and destination countries, which makes the job of smugglers easier and less risky. Although there is a widespread belief of corruption playing a major role in migrant smuggling, there is a lack of scholarly research to corroborate this assumption (Gallagher and David 2014:521; Richards 2004:148), because corruption is manifested in private between consenting parties. Therefore, it does not produce victims interested in blowing the whistle (Blundo 2007:31).

As more government resources are devoted to immigration control, migrant smugglers respond by devoting more resources to offer bribes to those doing the enforcing (Andreas 2009:99). Therefore, corruption should be higher in destination countries. By contrast, corruption is mainly seen in official reports and

Table 2: Place of Origin of Migrant Smugglers Interviewed

	n	%		n	%
Tamaulipas	96	53.3	Tabasco	3	1.7
Veracruz	16	8.9	Estado de México	2	1.1
San Luís Potosí	13	7.2	Guanajuato	2	1.1
Nuevo León	12	6.7	Oaxaca	2	1.1
Mexico City	12	6.7	Sonora	2	1.1
Chiapas	10	5.6	Chihuahua	1	0.6
Puebla	4	2.2	Guerrero	1	0.6
Coahuila	3	1.7	Texas	1	0.6

Source: Compiled by the author from data recorded in the interviews (n = 180).

Table 3: Place in the US where Migrants were Transported

	n	%		n	%
Texas	108	60.0	Mississippi	3	1.7
Florida	21	11.7	Tennessee	3	1.7
North Carolina	15	8.3	Alabama	2	1.1
California	14	7.8	Arkansas	2	1.1
Virginia	12	6.7	Georgia	2	1.1
Louisiana	11	6.1	Kansas	2	1.1
Oklahoma	6	3.3	Minnesota	2	1.1
South Carolina	6	3.3	Idaho	1	0.6
Arizona	4	2.2	Iowa	1	0.6
Missouri	4	2.2	Michigan	1	0.6
New Mexico	4	2.2	Montana	1	0.6
Oregon	4	2.2	Nevada	1	0.6
Colorado	3	1.7	New Orleans	1	0.6
Illinois	3	1.7	New York	1	0.6

Source: Compiled by the author from data recorded in the interviews. The sum of "n" is higher than 180 because some of the interviewees brought migrants to different states in the US.

academic literature as a problem of source and transit countries that are poor, vulnerable and politically weak, or are home to mafias or drug cartels (Perrin 2010:22). According to the 2004 UN Convention Against Corruption, this phenomenon is found in all countries; however only in developing countries and countries with economies in transition are its effects most destructive, the word "developing countries" being repeated ten times (UNODC 2004). In the "Trafficking in Persons Report", poor countries are generally depicted as spaces where corruption is endemic, widespread and pervasive within some state agencies, smugglers operating with the assistance of corrupt government officials who accept bribes to allow undocumented border crossings. On the contrary, there is not a single word about corruption in Tier 1 developed countries (USDS 2018). Academic literature depicts corruption as rampant across governmental institutions in Latin America, Africa, Eurasia, and most countries of Asia and the Middle East, where poorly paid civil servants (border guards, the police and customs officials) take bribes to make a living (Shelley 2010:47; Tverdova 2011:334). In developing countries rent-seeking behaviour of government officials is depicted as systematic at every step of the migration journey (Silvey 2007:274), while in developed countries it appears to be exceptional; probably because scholars unconsciously may not want to see corruption in countries where law enforcement agencies are supposed to be clean (Blundo 2007:38).

Academic literature on migrant smuggling in the United States reflects an asymmetrical pattern of official corruption between source and transit countries, and the destination country. Studies on migrant smuggling from China to the United States consider corrupt Chinese officials among the many players assisting the smuggling process, either accepting bribes to turn a blind eye or being actively involved. These studies conclude that in origin and transit countries corrupt practices directed at migrants influence every aspect of the migration process; however, they did not find any evidence about corruption in the United States

(Chin 2011:195; Liang and Ye 2011:219). In a study of 129 migrant smugglers, Zhang (2008:120) pointed out that more than half had some contacts with Chinese law enforcement officials, and more than one third received some assistance from Chinese officials. On the contrary, none of the interviewees spoke about corruption of US immigration officials (Zhang 2008:123). In the case of Mexico, corruption among government agencies involved in border enforcement has been described as endemic and extensive, having money to pay bribes being a requisite for a successful passage across Mexico (Ogren 2007:221). The standard view is that Mexico is the source of illegality and corruption, while the US is clean (Heyman and Campbell 2007:191).

In a study of the 2003 Victoria migrant smuggling tragedy where 19 people died of asphyxiation trapped inside a trailer truck, Ramos (2005:53) pointed out that there was some kind of collusion between smugglers and the Immigration Service inspectors; although their involvement in this incident was never proved. The invisibility of corruption at the US border has been explained as a result of the insulation of US officials by multiple tiers of operatives in smuggling operations (Zhang 2008:123), or as a consequence of selective enforcement (Andreas 2009:63).

Heyman and Campbell (2007:193) concluded that “corruption on the US side of the border is systematic”. Spener (2009:130) used the word “migra-coyotaje” to define Border Patrol complicity in migrant smuggling, and described it as a “fairly common practice”. Likewise, Andreas (2009:99) has pointed out that as border controls have increased in the United States, the incentive for smugglers to pay off those doing the controlling has also increased. Therefore, it is noticeable that the study of corrupt practices directed at migrants is missing in scholarly research in the United States. Cases of corruption have been reported in the news media. A 1994 *Dallas Morning News* article described the INS as the US government agency most vulnerable to corruption (Andreas 2009:99). Two decades later, a review of thousands of documents by the *New York Times* revealed that between 2005 and 2015 almost 200 employees of the Department of Homeland Security took nearly 15 million dollars in bribes (Nixon 2016). Official discourse has understood corruption as an unintended by-product of enhanced border enforcement; massive law enforcement hirings being accompanied by increased corruption. According to the US Senate (2010a), the number of corruption investigations within the Customs and Border Protection agency (CBP) has increased in recent years as Mexican drug cartels have targeted US law enforcement personnel with bribes. In 2009 alone there were 576 allegations of corruption (US Senate 2010a:2). Likewise, in a hearing before the Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration, it was concluded that most of those persons hired during CBP’s hiring initiatives were not suitable for the job (US Senate 2010b:8).

While endemic corruption and complicity of government employees on the Mexican side of the border is believed to inhibit law enforcement action (USDS 2018:301), corruption on the US side is perceived as an isolated and isolable action, not as a process. By privileging its synchronic dimension, corruption is depicted as the aberrant behaviour of a few individuals, or a matter of a few bad

apples that can easily be removed from the basket (Heyman and Campbell 2007:193). However, corruption is mainly manifest in a diachronic dimension, in a collective context (Blundo 2007:33). On the other hand, corruption has been explained as the result of the influence of Mexican culture across the border (Heyman and Campbell 2007:207). Corruption has been associated with the ethnic makeup of the Border Patrol, kinship ties across the border serving as a starting point for collusion with smugglers (Shelley 2010:127; Spener 2009:133). However, proven cases of corruption have involved Anglos, Hispanics and African-Americans alike (Heyman and Campbell 2007:208).

A Permeable Border: Why Migrant Smugglers are Not Apprehended

Scholars agree that after IRCA's passage the probability of being apprehended on any given crossing decreased, but after the mid-1990s it climbed to pre-IRCA's level, migrants being caught about a third of the time. During the period 1965–1989 the apprehension rate fluctuated from 0.2 to 0.4 and averaged around 0.33 (Massey and Singer 1995:211). Between 1986 and 1995 the likelihood of apprehension per attempted crossing fluctuated from 0.2 to 0.3 and averaged around 0.26; and from 1996 to 2010 the probability of apprehension returned to pre-IRCA's level, averaging around 0.36 (Seghetti 2014:25).

Defenceless smugglers and the migrants they guide often walk on their bare feet until they can no longer walk (De Leon 2012:488); on the contrary, heavily armed CBP agents rely on state of the art surveillance technology (Cornelius and Salehyan 2007:142). Therefore, it is surprising that the risk of being detected did not increase in half a century. Folklore has depicted migrant smugglers as superhumans that can assume the powers or access the abilities of animals that leave no trace behind (Gathmann 2008:1936). O'Leary (2009:33) explains that migrant smugglers, like the four-footed desert creature, can disappear into the environment frustrating officials' efforts to prosecute them. As Silverio (Interview, 2015) pointed out, "I have not been caught. I'm always good at hiding; so, nobody sees me". Scholars have noted that migrant smugglers have better information about the routes and have more access to false documents than self-smuggled migrants (Gathmann 2008). Therefore, as more migrants hired smugglers, the probability of apprehension did not climb. Scholars also pointed out that smuggling methods became more sophisticated (Rosenblum and Hipsman 2016:7). Furthermore, new evasion strategies, like changes in smuggling routes to less patrolled areas, lowered apprehension rates (Cornelius and Salehyan 2007:143).

Respondents had guided migrants to the United States over 9.6 years on average, crossing the US border from 43 to 54 times on average, within a minimum range of four and a maximum of 728 times. However, respondents had only been apprehended 0.67 times on average (see Table 4).

Interviewees reported having conducted a minimum of 6799 and a maximum of 8536 crossings throughout their life. However, they had only been apprehended 106 times and imprisoned four times, the probability of apprehension being within a range of 0.0156 and 0.0124. Only 38.1% of respondents

Table 4: Years of Experience in Migrant Smuggling, Number of Crossings and Apprehensions

	Average	Mode	Median	Min	Max	Standard deviation
Years of experience	9.6	7	9	1	31	4.44
Minimum of operations per year	4.9	1	3	0	52	6.98
Maximum of operations per year	6.4	2	3	1	104	10.33
Minimum of crossings	43	16	21	4	728	82.45
Maximum of crossings	54	24	24	4	728	95.09
Apprehensions	0.67	0	0	0	6	1.12

Source: Compiled by the author from data recorded in the interviews.

indicated that they had been apprehended on one or more occasions, while 61.9% were never apprehended (see Table 5).

Migrant smugglers' apprehension rates displayed in Table 5 are suspiciously low. Apprehensions could be underreported; interviewees could lie or did not report how many times they were detained. One possible explanation for respondents' underreporting could be to interviewees' pretence to portray themselves as very reliable. Immigrants have become increasingly suspicious and scrutinise smugglers more deeply than in the past (Izcarra Palacios 2015a:61, 2017b:83). Immigrants only hire smugglers that can give them some guarantees of not being detained at the border, and having been apprehended show a lack of credibility (Izcarra Palacios 2017b:91). Therefore, smugglers tend to present themselves as savvy connoisseurs who are never caught. On the other hand, this investigation presents principally cases of smugglers who use the passage between Tamaulipas and Texas. The state of Texas accounts for almost a third of the cases of corruption committed by Customs and Border Protection agents (see Table 6). Some interviewees indicated that they used a location between Tamaulipas and Texas to cross the border because in this area it was easier to bribe border agents; even they feared this route due to drug cartels' violence. Smugglers pointed out that the greater risk of crossing through Tamaulipas was compensated by a greater facility to bribe authorities located on both sides of the border.

For Tamaulipas, even if it is more violent, it is also more corrupt, because with money everything is arranged. (Abel, Interview, 2011)

Table 5: Number of Crossings and Apprehensions Suffered by the Interviewees

Minimum of crossings	6799
Maximum of crossings	8536
Apprehensions	106
Imprisoned for the felony of migrant smuggling	4
Probability of apprehension (maximum)	0.0156
Probability of apprehension (minimum)	0.0124
Percentage of migrant smugglers never apprehended	61.9
Percentage of migrant smugglers apprehended one or more times	38.1
n (total)	180
n (valid cases)	160

Source: Compiled by the author from data recorded in the interviews.

Table 6: Cases of Corruption of Customs and Border Protection Agents and Officers (2005–2013)

State	n	%
Texas	48	31.4
California	29	19.0
Arizona	24	15.7
Florida	10	6.5
New York	8	5.2
Other States	34	22.2
Total	153	100

Source: The Center for Investigative Reporting (2014).

I'm afraid of passing through Tamaulipas. But, it is part of my trip to go there; because, yes, it is true, it is dangerous; but also, what is Tamaulipas and Texas, it is easier to cross. It is better to go in danger than to do badly with the migra [immigration agents] in another place. (Sergio, Interview, 2015)

Migrant smugglers reported some contradictory data. Many interviewees pointed out that the lack of apprehensions was due to their skills, their knowledge of the border geography, or God's help. As Miguel (Interview, 2013) pointed out, "I have not been detained by the migras [immigration agents] because God helps me, and because I take great care when I go there". They claimed that they were not apprehended because they were sneaky and smart, more than Border Patrol agents. The former anticipated the movements of the latter in order to avoid being detained.

They have not caught me, they have been close, but they have not caught me, because I have found them, but I have managed to hide so that we were not deported. I know many paths to reach the other side. (Francisco, Interview, 2012)

I have never been caught, I am very intelligent and I know a lot about this job. (Gabriel, Interview, 2013)

In different times I was about to be grabbed by them [CBP agents]; but they did not stop me because I hid or ran, and they did not reach me. (Oliver, Interview, 2014)

There [in the United States] I did not have problems with the migra [immigration officials]. I always took good care of myself. (Paolo, Interview, 2014)

I have to be smart and look how to go without being tracked and followed. (Roberto, Interview, 2014)

Respondents feared being detained by immigration agents, as they would be blacklisted, their data entering the Department of Homeland Security's database. Thereafter they would be at greater risk in case of being caught in US territory. As Sergio (Interview, 2015) said, "I'm taking care that they will not stop me because if you are detained by the migra [immigration agents] it is a problem, because you are blacklisted and all that, and they have you in their files". Some interviewees who were apprehended stopped crossing the US border for fear of being

imprisoned. They continued working for the same migrant smuggling networks, but their activity was limited to recruiting and leading migrants within Mexican territory. As Inocencio (Interview, 2013) pointed out, "I stopped going [to the US] because the migra [immigration officials] caught me ... I only work here in Mexico".

These statements contrasted with other expressions in which interviewees pointed out that US immigration agents allowed them to move forward after being apprehended. Some interviewees did not understand why they were not apprehended, and thought they were lucky. As Urbano (Interview, 2016) said, "I have not been stopped by the migra [immigration agents], they had the opportunity but they didn't, I do not know if it's my luck or what". Santiago (Interview, 2015) offered the following explanation: CBP agents "...are good because out of compassion let illegals go ahead when we are in the other side; this is because we give them pity after having crossed the desert". The following expressions reflect that some migrant smugglers were detained by immigration authorities, but they were allowed to continue their way.

Once they stopped me, and there were more people, but I had no problems, we were on the road, they just stopped us but we were allowed to continue walking. (Rogelio, Interview, 2014)

They have stopped me, but they have not detained me. They have stopped me on the way, but they let me keep walking. (Toribio, Interview, 2015)

Interviewees who said they were apprehended and released, generally pointed out that US authorities received a bribe. This was reflected in expressions such as:

They took me, but I didn't get to the prison because I fixed it before. I paid for it to be fixed, that's why I'm here, they didn't take my data. (Abelardo, Interview, 2011)

I have been arrested three times, but I have not been deported because I have paid what I was asked. (Alejandro, Interview, 2012)

They caught me, but they have not deported me, and I didn't get any further in trouble. This is because they are paid and we don't have any more problems. They have been paid when they have kept me. They are paid because it is not convenient for us to return the merchandise [immigrants] back. (Leonel, Interview, 2013)

I have been detained, but they let me go and they didn't take me with them because they were paid. (Eusebio, Interview, 2012)

I have been deported once, but the migra [immigration officials] have stopped me several times and I have not been deported because I pay them. (Camilo, Interview, 2012)

Three out of four interviewees (77.2%) indicated that some US immigration agents were corrupt as they accepted bribes to allow undocumented border crossings (see Table 7).

That there is corruption, there is, because that's why thousands of people pass through every day. (Aurelio, Interview, 2012)

Table 7: Migrant Smugglers Statements about US Immigration Agents

		1	2	3	4	5	6	7	8	9	10	11	Total
2008	n	5	14	1	0	1	1	1	1	1	0	0	19
	%	26.3	73.7	5.3	0.0	5.3	5.3	5.3	5.3	5.3	0.0	0.0	10.6
2009	n	3	15	0	0	0	3	0	1	0	0	0	18
	%	16.7	83.3	0.0	0.0	0.0	16.7	0.0	5.6	0.0	0.0	0.0	10.0
2010	n	0	3	0	0	0	0	0	0	0	0	0	3
	%	0.0	100	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.7
2011	n	24	5	7	4	0	2	1	0	3	2	1	29
	%	82.8	17.2	24.1	13.8	0.0	6.9	3.4	0	10.3	6.9	3.4	16.1
2012	n	46	0	23	8	0	5	0	0	2	6	3	46
	%	100	0.0	50.0	17.4	0.0	10.9	0.0	0.0	4.3	13.0	6.5	25.6
2013	n	33	3	12	4	0	1	0	0	1	4	2	36
	%	91.7	8.3	33.3	11.1	0.0	2.8	0.0	0.0	2.8	11.1	5.6	20.0
2014	n	13	1	9	0	0	0	0	1	2	1	2	14
	%	92.9	7.1	64.3	0.0	0.0	0.0	0.0	7.1	14.3	7.1	14.3	7.8
2015	n	9	0	6	2	0	0	0	0	1	1	0	9
	%	100	0.0	66.7	22.2	0.0	0.0	0.0	0.0	11.1	11.1	0.0	5.0
2016	n	4	0	2	1	0	0	0	0	0	2	0	4
	%	100	0.0	50.0	25.0	0.0	0.0	0.0	0.0	0.0	50.0	0.0	2.2
2017	n	2	0	0	0	0	1	0	0	0	0	0	2
	%	100	0.0	0.0	0.0	0.0	100.0	0.0	0.0	0.0	0.0	0.0	1.1
Total	n	138	41	60	19	1	13	2	3	10	16	8	180
	%	77.2	22.8	33.3	10.6	0.6	7.2	1.1	1.7	5.6	8.9	4.4	100

Source: Compiled by the author from data recorded in the interviews (n = 180).

1. Respondent stated that US immigration authorities were corrupt.
2. Respondent did not mention that US immigration authorities were corrupt.
3. Respondent spoke of US employers, foremen, employers' associations or bosses who had some kind of monetary agreement with immigration authorities to allow undocumented migrants to cross the border and/or to employ them.
4. Respondent said he paid CBP agents to let him cross the border carrying undocumented migrants.
5. Respondent spoke about arrangements between employers and county sheriffs in order to employ undocumented immigrants.
6. Respondent knew US employers who had arrangements with immigration agents; but he didn't specify the nature of these arrangements.
7. Respondent said he had not been detained by US immigration authorities; but he didn't explain why.
8. Respondent stated that Mexican immigration agents told him about the surveillance on the other side of the border, and when to cross.
9. Respondent said that there were good immigration agents who let them go ahead because they felt sorry for them.
10. Respondent mentioned a person who had agreements with US authorities to allow him to cross the border; but he didn't specify the nature of the activity performed by this person.
11. Respondent said that some US immigration agents apprehended immigrants in order to sell them to US employers, or to employ them.

There is corruption, the authorities there [in the US] keep on saying that there isn't corruption; but it does happen. So, how would you explain that there are many illegals there; how they got on the other side? (Orencio, Interview, 2014)

During the harvest period, if you could see the people passing through, a lot of people cross; even the migra [immigration officials] allow them to go to work, that's the way immigration agents work. (Paulino, Interview, 2014)

The migras [immigration officials] are good because they don't do the job well, and let you cross to the United States. (Sergio, Interview, 2015)

There is corruption. It is a bad thing for me to say that; but there are immigration agents that abuse, and their abuse helps me and the illegals that are going to cross to the US. You pay them and they allow you to cross. (Valerio, Interview, 2016)

There is corruption everywhere. The salary of an immigration agent in the US is low because the cost of living is expensive in the US; therefore, if someone offers to pay them it is good for the migra [immigration officials]. (Vicente, Interview, 2017)

Some interviewees mentioned deaths and apprehensions statistics to prove that there was corruption. Two interviewees said that the number of migrant deaths due to drowning, dehydration or insolation had decreased. The reasoning was as follows: as authorities did not harass migrants like in the past, and some turned a blind eye when migrants crossed the border, risks were lower, and there were fewer deaths. However, this argument contradicts official statistics. The number of deaths not only did not decline, but the probability of dying crossing the border has increased substantially (see Table 8).

You can say that you suffer less because now you pay. Before, you didn't pay and you suffered more because you had to hide from the migra [immigration agents], and when they caught you, they deported you, and you were left some days in jail. Before, it was more difficult to cross the border, and there were more people dead and drowned. Before, drowned people were found every day, and now there aren't. Yes, there are, but they are fewer, and the ones who die by drowning it is because they want to cross on their own to the other side. (Camilo, Interview, 2012)

The United States' migra [immigration officers] have always made us believe that they are very stringent, when they really aren't, and there is corruption, because they stop those who don't pay to let them pass. You have already realised that there are no more dead, drowned, or dehydrated on the road. There aren't deaths by sunstroke because there is money involved, migrants are no longer harassed as much as in the past. (Hugo, Interview, 2013)

Another interviewee indicated that the fall in the number of apprehensions reflected that there were no longer so many migrants detained when crossing the American border. When asked how long ago bribes had been paid to US immigration officials, he said that in order to know that, we had to study the statistics on apprehensions to realise when they began to decline. Many of the interviewees pointed out that from 2007 and 2008 migrant smugglers started to pay bribes to US immigration agents. This period coincides with a substantial drop in the number of apprehensions. However, for this argument to be credible there should have been an increase in the number of undocumented migrants in the United States. However, available statistical data show the opposite (see Table 8).

Table 8: Border Deaths, Returns and Number of Illegal Immigrants in the US

Year	Border deaths (Southwest)		Removals		Returns		BP Apprehensions (Southwest)		Deaths/BP Apprehensions		Illegal immigrants	
	n	l	n	l	n	l	N	l	Apprehensions	10 ⁶	l	
1998	263	100.0	174,813	100.0	1,570,127	100.0	1,516,680	100.0	0.00017			
1999	249	94.7	183,114	104.7	1,574,863	100.3	1,537,000	101.3	0.00016			
2000	380	144.5	188,467	107.8	1,675,876	106.7	1,643,679	108.4	0.00023	8.6	100.0	100.0
2001	340	129.3	189,026	108.1	1,349,371	85.9	1,235,718	81.5	0.00028	9.4	109.3	109.3
2002	320	121.7	165,168	94.5	1,012,116	64.5	929,809	61.3	0.00034	9.4	109.3	109.3
2003	338	128.5	211,098	120.8	945,294	60.2	905,065	59.7	0.00037	10.1	117.4	117.4
2004	328	124.7	240,665	137.7	1,166,576	74.3	1,139,282	75.1	0.00029	10.1	117.4	117.4
2005	492	187.1	246,431	141.0	1,096,920	69.9	1,171,428	77.2	0.00042	10.5	122.1	122.1
2006	454	172.6	280,974	160.7	1,043,381	66.5	1,071,972	70.7	0.00042	11.1	129.1	129.1
2007	398	151.3	319,382	182.7	891,390	56.8	858,638	56.6	0.00046	12.2	141.9	141.9
2008	385	146.4	359,795	205.8	811,263	51.7	705,005	46.5	0.00055			
2009	420	159.7	391,341	223.9	582,596	37.1	540,865	35.7	0.00078	11.3	131.4	131.4
2010	365	138.8	381,738	218.4	474,195	30.2	447,731	29.5	0.00082	11.8	137.2	137.2
2011	375	142.6	386,020	220.8	322,098	20.5	327,577	21.6	0.00114	11.5	133.7	133.7
2012	471	179.1	416,324	238.2	230,360	14.7	356,873	23.5	0.00132	11.4	132.6	132.6
2013	451	171.5	434,015	248.3	178,691	11.4	414,397	27.3	0.00109	11.2	130.2	130.2
2014	313	119.0	407,075	232.9	163,245	10.4	479,371	31.6	0.00065	11.1	129.1	129.1
2015	251	95.4	333,341	190.7	129,122	8.2	331,333	21.8	0.00076	11.0	127.9	127.9
2016	322	122.4								11.3	131.4	131.4

Source: USDHS (2016); USBP (2016); Passel and Cohn (2017); Martin (2016:163).

Some time ago we didn't pay, and that's why there were more deportees. But when we began to pay them, they stopped deporting us. It would be a matter of checking how many deportees are in order to know since when they are paid. (Florencio, Interview, 2012)

These explanations undermine interviewees' credibility because available statistics contradict smugglers' explanations. Another element that challenges the credibility of respondents is that only one in ten interviewees (10.6%) admitted having paid themselves a bribe to US immigration agents (see Table 7). Just a few interviewees could give a figure of the amounts being paid, since nine in ten (89.4%) apparently had never paid bribes or talked to US immigration agents. Many interviewees assured that CBP agents received a bribe to look to the other side, but most of them could not prove that as they did not know how it was done. As Natalio (Interview, 2014) pointed out: "with the migras [immigration agents] over there, from the United States, it is not easy to speak to them. But it is true that there is a payment for them to let you through". When speaking about the payment of bribes most of them mentioned that it was arranged by other people: their patrons (bosses). This was reflected in expressions such as:

The patron [boss] is responsible for paying them. He pays up to seven thousand dollars. That's only for not stopping us, to look the other side. (Sergio, Interview, 2015)

They have stopped me, but they already know me and they know what I do. They also know who my patron [boss] is, and they have an economic understanding with him. (Braulio, Interview, 2012)

I have only been told to take care of myself the next time, that I have to be careful because if they grab me is going to be bad. But they have not taken me to prison, and it is because the patron [boss] is well connected with them. (Lucio, Interview, 2013)

Respondents pointed out that the smuggling business changed in the last two decades in response to a growing demand for cheap labour. They used the words "before", when there were plenty of migrants, and "now", when migrant labour became a scarce commodity (Izcarra Palacios and Yamamoto 2017:1317). As can be seen from Table 9, the unauthorised immigrant workforce was smaller in 2014 than at the beginning of the recession in 2008. According to interviewees, two decades ago migrants came on their own to the United States in search of employment, and US employers had plenty of labour. However, from the beginning of the 21st century illegal immigration decreased, an "employer-bribery-smuggling operation" being created to solve this problem. According to respondents, US employers built alliances with Mexican migrant smugglers and US immigration authorities to recruit migrant labour on a regular basis. This was done towards selective enforcement. Immigration agents performed their job arresting both smugglers with no connections and self-smuggled migrants. On the contrary, migrant smugglers connected to US employers were allowed to cross the border.

Before, at that time [1996], people left because they wanted to leave ... But, over the years things changed, and as many people were deported and others saw them, they

Table 9: Unauthorised Immigrants in the US Labour Force

Year	2000	2005	2007	2008	2009	2012	2014
Number of unauthorised immigrants (millions)	5.6	7.3	8.2	8.3	8.1	8.1	8.0

Source: Passel and Cohn (2016).

no longer wanted to leave, and there [in the United States] had needs for labour, and that's why migrant smugglers took people to work ... Since like nine years ago [2003], which it is the time I've been working as migrant smuggler, I have been working this way, taking people because they [US employers] need them [immigrants] there. (Alfredo, Interview, 2012)

Since about eight years [in 2004] things have changed, and the patrons [employers] ask for people from here, from Mexico and from Central America, so they work there. Before, one was the one who went by himself, and even struggled to find work there [in the United States] because they did not want to give you work, and they paid less money. But things changed, and then they [US employers] asked for people. (Camilo, Interview, 2012)

The patrons [employers] have chosen to own migrant smugglers who recruit workers. Migrant smugglers had always worked. But, now we work with a patron [employer]. From around the year 2000 we work together migrant smugglers and patrons [employers] to bring illegals; so, we work better. (Santiago, Interview, 2015)

Just a few interviewees, 32 out of 180, worked on their own; that is, all their payments came from the fees paid by immigrants. Most of them (82.2%) received at least a part of their income from other person, who was called "patron" (boss). Melchor (Interview, 2013) said that migrant smugglers could not pay these bribes, because otherwise they could not get any profit from their work: "the patron [boss] is the one who makes the payments. I don't make enough money. I wouldn't agree to pay. Then, what would be my profit". Some respondents said that US immigration agents knew them and allowed them to cross the border; however, the former had never communicated with the latter, nor did they make any payments to CBP agents. As Toribio (Interview, 2015) pointed out, "My patron [boss] is the one who pays the migra [immigration agents]. I do not pay them, they know me, they know when I am going to cross; but, I do not pay them". Or as Silverio (Interview, 2015) said, "some migras [immigration officers] know who I am working for, and they don't tell me anything because they respect my patron [boss] a lot". The payment of bribes made by their employers was conducted so secretly that interviewees did not know how it was done. Respondents attributed a decline in their earnings over the last few years to paying bribes (Izcarra Palacios 2014:94); but they did not know how much these payments were. Interviewees inferred that the payments should be large because their remuneration had decreased. Some tried to ask their employers what the amount was in order to know if they were deceived by them; but, they did not obtain any answers. As Roberto (Interview, 2014) pointed out, "The

patron [boss] is the one who pays, and doesn't say how much he pays. I've been trying to ask him to do the math, but he doesn't tell me anything, he changes the conversation".

Both the media (Nixon 2016) and official discourse (USCBP 2015; US Senate 2010a, 2010b) have stressed the risk that immigration agents could be bribed by drug cartels. The results of this research indicate that those bribing US immigration agents are mainly US employers. When asked about who were their bosses, one third of those interviewed (33.3%) indicated that their bosses were employers, foremen, or associations of producers in the US, who employed undocumented migrants in activities such as agriculture, construction, services or adult entertainment. On the other hand, one in ten (8.9%) did not mention what was the activity of their bosses (see Table 7). However, none of the bosses mentioned by the respondents appeared to be members of drug cartels, as interviewees expressed very negative opinions about these organisations. Some migrant smugglers considered US immigration agents as part of their organisations because the latter helped the former to cross the border. Aaron (Interview, 2009) pointed out that his migrant smuggling network was constituted by ten people, among them four CBP agents: "We are ten in total, counting the agents at the customs and the migras [immigration agents], they are four". Likewise, Gabriel (Interview, 2013) said: "I think the migra [immigration agents] are part of the polleros [migrant smugglers] because they make easier to enter the United States". However, when speaking about drug cartels they never recognised these organisations being part of the migrant smuggling business. Drug cartels charged migrant smuggling networks a fee to pass through their territories in Mexico, but they did not help them to cross the border (Izcarra Palacios 2015b:333).

Border surveillance has been strengthened with more agents, more walls and fences built along the border, and the acquisition of technologies and equipment designated for military purposes (magnetic foot detectors, infrared night-vision scopes, photo identification systems, and so on). Many interviewees differentiated between the past, when the border was less protected and they could dodge the Border Patrol, and the present, when they had to pay a bribe to bring undocumented migrants to the United States. As Marcelo (Interview, 2013) pointed out: "Before, you couldn't make deals with the migras [immigration agents], and now you can because of corruption, you know when you can cross and when you cannot pass". Jacinto (Interview, 2013), who spent five years in prison (from 2000 to 2005) for the crime of migrant smuggling, pointed out that when he came out of jail the situation of the border had changed. It was safer to cross the border because US immigration agents could be bribed. Therefore, he decided to continue working as a migrant smuggler. Some interviewees thought that it was not possible to cross the border without being detected. Only by bribing the US agents could smugglers do their job. According to interviewees, those who paid bribes could cross the border, while those who did not pay, were apprehended. As Ignacio (Interview, 2013) pointed out:

If you go and cross alone, you are going to be caught for sure because there is no one who has paid to pass. So it is now, you just cannot go, you have to go with a

migrant smuggler. This is for you to pay the migra [immigration officials], which is the same if you cross by land, by air; even, you can cross through the bridge, but you have to pay a little more money.

According to interviewees the militarisation of the border and the acquisition of new technologies, which clashed with employers' desire to hire undocumented workers for jobs that American citizens were not willing to take, increased official corruption. Jorge (Interview, 2013) expressed the connection between the acquisition of new technologies and corruption as follows:

When they put more infrared security cameras, it is when corruption among the migra [immigration officials] grew more. This is because as we were unable to pass through the river, we asked them to help us, and that is when they earn more money by permitting illegal immigrants to cross. Some are allowed to cross through the river, others across the bridge, still others through tunnels, depending on where you cross to the other side.

The following fragments describe the border as a space that cannot be crossed undetected, where migrant smugglers must obtain permission from US immigration agents to bring irregular labour to their employers. In some interviews the border is described as an orderly place where migrant smugglers must wait to be told by US agents where and when to pass through.

There is a lot of technology and many cameras by the border; more in the river, there are infrared cameras surveilling the passage of illegal immigrants. When the migra [immigration officials] see you they let you go because the patron [boss] has already had an arrangement with them ... If they see you, they behave as if they don't see you, or they themselves warn you at what time you can cross. (Ignacio, Interview, 2013)

There is [corruption] because despite the fact that there is a lot of surveillance at the border, illegal immigrants can cross to the United States, and at the border there are immigration agents with infrared binoculars that detect the migrants as they go by. (Francisco, Interview, 2012)

However, paying a bribe does not guarantee a successful crossing. As Silverio (Interview, 2015) pointed out:

I personally have had to pay up to five thousand dollars. It is what you pay to cross, that's only in order to let you pass by there, and that the migra [immigration officials] don't stop you at that time, because if you are caught later it's not their problem.

Conclusion

This investigation concludes that US labour demands are connected with border control and migrant smuggling economies. The US border enforcement system is a filter that allows a continued flow of undocumented migrant workers, and produces an optimally sized labour force. However, this hypothesis requires more research. Results from this investigation should be treated with caution because it only represents migrant smugglers' views. Interviewees' responses were not triangulated with US employers' opinions. Smugglers' discourse probably does not

accurately reflect the reality of the border. Interviewees held a grudge against US immigration agents and used pejorative language when talking about them. Therefore, they tend to generalise behaviours that are particular.

According to interviewees, corruption at the border serves the needs of US employers. Two thirds of respondents claimed that some US immigration officers were corrupt and received bribes to allow migrants to pass through certain places at specific times. However, only one in ten said they had paid bribes, while nine in ten had never witnessed this type of practice and did not know how the deals were made. Also their discourse had many contradictions. According to official discourse the main concern is the ability of drug cartels to bribe immigration agents. However, results from this investigation indicate that US employers are responsible for the bribes, not the drug cartels. Most interviewees thought that only US employers could reach deals with US border officials.

The consistency in smugglers' responses gives us some indication that corruption on the US side of the border could be systematic and not a matter of a few bad apples. From interviewees' discourse it can be inferred that enforcement is selective. Selective enforcement is a pragmatic practice that justifies enhanced immigration enforcement, and benefits US immigration agents, US employers and Mexican smugglers. By contrast, undocumented border crossers suffer the monstrous effects of militarised border enforcement.

Acknowledgements

This article presents results from Research Project 155901 "Coyotaje y migración indocumentada en Tamaulipas", financed by the National Council of Science and Technology (SEP/CONACYT).

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Appendix

Interviews Quoted in the Manuscript

AARON	Migrant smuggler from Tamaulipas interviewed in 2009
ABEL	Migrant smuggler from Veracruz interviewed in 2011
ABELARDO	Migrant smuggler from Tamaulipas interviewed in 2011
ALEJANDRO	Migrant smuggler from Nuevo Leon interviewed in 2012
ALFREDO	Migrant smuggler from Tamaulipas interviewed in 2012
AURELIO	Migrant smuggler from Tamaulipas interviewed in 2012
BRAULIO	Migrant smuggler from Mexico City interviewed in 2012
BRUNO	Migrant smuggler from Mexico City interviewed in 2012
CAMILO	Migrant smuggler from Mexico City interviewed in 2012
EUSEBIO	Migrant smuggler from Puebla interviewed in 2012
FLORENCIO	Migrant smuggler from San Luis Potosi interviewed in 2012
FRANCISCO	Migrant smuggler from Tamaulipas interviewed in 2012
GABRIEL	Migrant smuggler from San Luis Potosi interviewed in 2013
HUGO	Migrant smuggler from Mexico City interviewed in 2013
IGNACIO	Migrant smuggler from Tamaulipas interviewed in 2013
INOCENCIO	Migrant smuggler from Veracruz interviewed in 2013
JACINTO	Migrant smuggler from Chihuahua interviewed in 2013
JORGE	Migrant smuggler from Tamaulipas interviewed in 2013
LEONEL	Migrant smuggler from Veracruz interviewed in 2013
LUCIO	Migrant smuggler from Veracruz interviewed in 2013
MARCELO	Migrant smuggler from Veracruz interviewed in 2013
MELCHOR	Migrant smuggler from San Luis Potosi interviewed in 2013
MIGUEL	Migrant smuggler from Tamaulipas interviewed in 2013
NATALIO	Migrant smuggler from Tamaulipas interviewed in 2014
OLIVER	Migrant smuggler from Tamaulipas interviewed in 2014
ORENCIO	Migrant smuggler from Sonora interviewed in 2014
PAOLO	Migrant smuggler from Tamaulipas interviewed in 2014
PAULINO	Migrant smuggler from Tamaulipas interviewed in 2014
ROBERTO	Migrant smuggler from San Luis Potosi interviewed in 2014
ROGELIO	Migrant smuggler from Tamaulipas interviewed in 2014
SANTIAGO	Migrant smuggler from Sonora interviewed in 2015
SERGIO	Migrant smuggler from Nuevo Leon interviewed in 2015
SILVERIO	Migrant smuggler from Chiapas interviewed in 2015
TORIBIO	Migrant smuggler from Nuevo Leon interviewed in 2015
URBANO	Migrant smuggler from Guanajuato interviewed in 2016
VALERIO	Migrant smuggler from Tabasco interviewed in 2016
VICENTE	Migrant smuggler from Oaxaca interviewed in 2017

All names are pseudonyms.