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Gendered Violence Along and At the U.S.-Mexico Border

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## **Abstract**

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## ***Introduction***

In search for economic prosperity or better living conditions, Mexican women often search for work in *maquiladoras* (factories) along the Mexico border or migrate across to the United States. During this pursuit, many are physically, emotionally, and psychologically violated by various actors and are criminalized for migrating. Considering this, I will provide an analysis that examines the North American Free Trade Agreement (NAFTA) and the responses from (or lack thereof) the U.S. and Mexico governments regarding the migration of Mexican immigrant women. It is evident that, through undocumented and underpaid labor that benefits the U.S., and remittances that can bolster Mexico's economy, both states directly benefit from migration—regardless of the immigrants being authorized or unauthorized by the state. Subsequently, this paper will examine how the U.S. and Mexico is complicit in the gendered violence along and at the U.S.-Mexico border. Using existing scholarship, I contribute to emerging immigration literature that examines gendered violence Mexican immigrant women experiences as a continuous cycle that extends throughout their entire journey, and often, continues once they are in the United States. Unlike past scholarship, I investigate women's migration through a holistic examination as they live and cross the borderlands, rather than as isolated incidents. I find that this phenomenon repeatedly occurs to Mexican immigrant women when working at *maquiladoras*, extending to their interactions at the actual border because the U.S. and Mexican governments fail to sufficiently redress the issue, thus their compliance in this violence.

### ***Push Factors that Affect Labor Migration from Mexico***

While some of the initial intentions of NAFTA were to open Mexico's doors to new markets and the liberalization of trade, the effects of these policies have proven ineffective for the

majority of Mexico's citizens for various reasons. The United States' push for neoliberal policies onto a less developed country like Mexico has

“...accelerated Mexico's transition to a liberalized economy without creating the necessary conditions for the public and private sectors to respond to the economic, social, and environmental shocks of trading with two of the biggest economies in the world” (Audley 7).

As a result, while there has been a growth in *maquiladoras* (a factory run by a U.S. company in Mexico to take advantage of cheap labor and lax regulation), they have created deteriorating effects to the environment that are “...greater than the economic gains from the growth of trade and of the economy as a whole” (Maquiladora Industry, Gonzalez 1, Audley 7). It is important to note that the employment in these factories is not the reason why NAFTA has not been effective, but rather the fact that employment there “doubled while employment in the rest of the country stagnated” (Faux 36). Although neoliberalism was projected to reduce the income gap within Mexico, Baylis et. al's research findings highlight that “NAFTA caused wealthy regions nearest to the border to grow faster than others, increasing regional disparity” (1). While U.S. employers' *maquiladoras* in Mexico immensely benefit from the plethora of cheap labor and high productivity that is generated, the country itself did not first address the already increasing issue of unemployment before joining NAFTA (Audley 7).

The implementation of NAFTA has resulted in stagnation, decreasing wages, and a deficit in the creation of jobs in Mexico, thus further demonstrating the negative results of NAFTA (Cypher 62). Provided that, this unsuccessful attempt to impose neoliberal policies on another country has contributed to the current inadequate working conditions that impede Mexican laborers from receiving a fair wage and safe environment. Due to the enactment of NAFTA, corporations have adapted race to the bottom tactics, which involve the decline of standards and

wages set by employers because of the influx of workers competing for few positions (Brookes, Lecture 1). In Mexico's case, the

“...Accelerated changes in commercial farming practices have put Mexico's diverse ecosystem at great risk of contamination from concentrations of nitrogen and other chemicals commonly used in modern farming” (Audley 7).

Consequently, Mexican laborers are forced to perform “3D” jobs (dirty, dangerous, difficult) for low wages, while devastating the land of subsistence farmers (Rodriguez 56, Audley 7). The effects from NAFTA demonstrate how the liberalization of markets has been detrimental to middle and lower class Mexican citizens. The implementation of *maquiladoras* has not only perpetuated a race to the bottom, but has also failed to address Mexico's problem of unemployment. Although Mexico's elites have tried to “demonstrate that Mexico is now a successful "middle-class" society...Sixty-six percent of Mexico's families endure some form of poverty” (Cypher 67). Mexico's economic issues are not rooted in “restricted export markets,” but rather, a substantial maldistribution of wealth and resources among its citizens (Faux 37). While it is evident that the wealthy class of Mexico has reaped many of the benefits from the agreement, the country has also experienced a “growth in foreign investment, high-tech manufacturing, and rising wages in the industrial north” from NAFTA (McBride, Sergie 1). Although there have been benefits from NAFTA, they have impacted a concentrated class and population of Mexico rather than its citizens as a whole. As a result, Mexican citizens seek these opportunities elsewhere, such as the U.S (Gonzalez, Fernandez 1).

While NAFTA has played a role in shaping the current state of Mexico, there are other significant factors that contribute to the migration to the United States. According to Gilbert Gonzalez and Raul Fernandez, the “...Push factors, such as low wages, unemployment, poverty,



and political oppression...” have all contributed to the current conditions that lead to the migration of Mexicans (25). Moreover, former President Calderon’s declaration of the “War on Drugs” on Mexico created violent conditions for the poor and women (Valencia 1). Through the 2007 Merida Initiative, Mexico received military grade equipment from the U.S. to combat drug cartels, specifically targeting its leaders (Valencia 1). This only resulted in more violence, particularly in poor communities (Valencia 1). According to Yolanda Valencia, the War on Drugs in Mexico has benefited capitalism in Mexico “through making land available for investment due to high displacement,” where U.S. corporations then take advantage of the immigrant women who are affected by this war (Valencia 1). While the gendered violence Mexican immigrant experience cannot solely be attributed to NAFTA or the War on Drugs, the two work in conjunction (alongside other factors) to take advantage of these women in need of economic security and safety. Given these circumstances, this has left the Mexican working and lower class women scarce opportunities, and many of them choose to migrate to the United States (Valencia 1).

### ***Mexican Migration to the U.S. Motivated by Economic Opportunities***

Considering the close proximity between Mexico and the United States, many Mexican nationals migrate to their neighboring country through authorized and unauthorized processes. The migration towards the north is not a new phenomenon and has been occurring since the inception of the U.S. through various institutional channels put in place by the United States, such as the Bracero program. Mexican citizens have not only migrated for various push and pull factors, but due to the United States and “their long-standing and intense demand for Mexican migrant labor” (Cornelius 68, Rodriguez, Vincent 1). When examining the history of the U.S., it is evident that migration has been continuously flowing since the “...United States railroads and agricultural employers began recruiting workers in Mexico in the mid-1880s...” (Cornelius 68). This migration

still persists today, as “There were 5.8 million Mexican unauthorized immigrants in the U.S. in 2014” and only 16% of the world’s population that apply and are granted legal permanent residency (LPR) are Mexican citizens (Krogstad, Passel, Cohn 1). Although a great number of Mexican citizens apply for LPR each year and attempt to go through the legal processes to migrate, it can be extremely long and challenging. According to Jessica Vaughan’s research, there are 1,323,978 people from Mexico on the waiting list for a green card, and “the wait for them is just over 18 years” (1). Considering Mexico’s waiting list of over a million people and substantial wait time, it is possible that a large number of Mexican migrants decide not to go through the process because of its longstanding impediments, and instead, come into the U.S. undocumented. Like many of the interviewees stated from Valencia’s study, “their experiences of violence were of such intensity that, although coded as deportable, felt safer in the United States” (1). These sentiments echo many of the reasons why Mexican immigrant women come undocumented; an 18 year-long wait for LPR could likely result in exposure to more violence or death.

Despite the fact Mexican migration to the U.S. has been normalized, the state of Mexico fails to address this development because they and the U.S. directly benefit from unsanctioned labor. On Mexico’s end, they are able to further improve their country by receiving remittances sent back from laborers in the United States. To be specific, 26 billion tax-free dollars were sent back to Mexico, making up 3% of Mexico’s GDP in 2008 (Remittances - a Massive Transfer of Wealth out of America). Given the history of Mexican migration to the U.S., the U.S. is already wholly aware of the profits they generate through unregulated labor and inadequate wages. By the same token, the U.S. not only benefits from unsanctioned labor, but the tax dollars paid by Mexican immigrants that boosts their economy (Soergel 1). Contrary to popular beliefs, undocumented immigrants “contribute an estimated \$11.74 billion to state and local coffers each year” and pay

8% of their incomes in taxes every year (Undocumented Immigrants' State & Local Tax Contributions). Thus, while the U.S. is perfectly capable of tightening their immigration and deportation laws, there is a possibility that they are not enacted because this would be harmful to their economy and the production of corporations. Considering NAFTA and its influence on Mexican labor migration, I will now shift my discussion to focus an intersectional analysis on the gendered violence that occurs along and at the U.S.-Mexico border to Mexican immigrant women.

### ***Gendered Division of Labor Among Mexican Men and Women in the U.S.***

Provided the background of Mexican laborers, I will analyze the ways in which Mexican men and women are perceived and treated differently because of their gender. Although Mexico does not formally promote or facilitate the exportation of gendered Mexican labor, a gender-segregated division of labor still remains (Rodriguez 93). For example,

“Mexican women are viewed as more docile employees, more amenable to taking direction and following instructions, and less likely to be potential union organizers” (Karjanen 57).

These women are characterized in ways that not only subjugate them to low wages and menial positions, but roles that reinforce femininity and domestication, such as household services (Zinn, Dill 76, Rodriguez 36). On the other hand, “Mexican men are often preferred because of the stereotypical “male bread winner ideal,” and are considered hard workers (Karjanen 58). As previously stated, U.S. employers expect Mexican immigrants to work in the agricultural sector, which has historical ties to the Bracero program. Moreover, Mexican men and women are inculcated with traditional values and follow their cultural norms that reinforce imbalanced power relationships between masculinity and domestication (Pike 1). Considering these circumstances,

this incentivizes U.S. employers to take advantage of the inexpensive, gender-segregated labor provided by Mexican immigrants.

### ***Gendered Violence Along the U.S.-Mexico Border***

In Richmond's article, "NAFTA and the Murders of Mexican Women along the Border" she argues that the execution of NAFTA generated a plethora of *maquiladoras* along the border, and has played a pivotal role in the atrocious murders of hundreds of women and girls in Ciudad, Juarez (1). Moreover, Richmond asserts various actors including "United States corporations and the United States and Mexican governments" are at fault for the numerous murders and human rights violations in the border town (1). These actors have negated the responsibility associated with these occurrences and the exploitation of their workers, yielding no viable solutions or support for women, children, and families affected. Since the signing of NAFTA, no source has been found responsible for the "recorded 1,481 feminicides from 1993 to 2012..." pointing to the lack of response from both the U.S. and Mexico (Meredith and Cortés 238). Although there was a consistent targeted pattern, neither state successfully intervened in the killings of women of color with a low socioeconomic status who worked in factories. Not only were these women targeted because of their location, but also because of their class as a laborer, sex and gender, and dark skin. As a result, the Mexican state becomes complicit in this violence. NAFTA, a neoliberal capitalist intervention accepted by Mexico has contributed to the exploitation and gendered violence of these laborers. The concentration of vulnerable and disposable women along the border became easy targets of violence because of the implementation of numerous *maquiladoras*, in conjunction with the already volatile conditions in the state from the War on Drugs. While the opportunity for economic and physical security was appealing to many of these women, migrating in masses along the border led to more violence. With the rise in corporations in Mexico because of NAFTA, the

influx of migration, violence, and lack of response from the state, led to innocent Mexican immigrant women's lives being sacrificed. As Richmond argues, the state fostered a climate that allows these murders to happen on a mass scale by insufficiently addressing the brutal gendered violence (1). This failure then makes the Mexican state largely complicit for these occurrences and showcases how the borderlands are an intense site of violence.

Rather than addressing and supporting the women workers in the *maquiladoras*, the U.S. and Mexico opted to uphold NAFTA because of its supposed economic benefits. On one hand, the U.S. and American corporations were “enticed by the prospect of cheaper labor costs and tariff exemptions,” while NAFTA promised Mexico the acceleration in wages and employment conditions (Richmond 1). Without any secure mode of transportation and immensely low wages provided by U.S. corporations and Mexico, many of these women were forced to walk home in threatening conditions, often vulnerable to assault, all forms of gendered violence supported by the state (Meredith and Cortés 239). Given that the government had little incentive to improve conditions for workers, *maquiladoras* became a source of labor rights violations, injury, and death (Flores 1). The government improving these conditions would result in a loss of manufacturing revenue, thus highlighting how the state values capitalism more than the workers themselves (Flores 1). As a result of the state and corporations' negligence, numerous women were kidnapped, tortured, dismembered, raped, or never found. Due to insufficient available data, it is not exactly clear what the conditions were like for women before the rise of *maquiladoras*. Considering these limitations, it is possible that these women migrated already aware of the violence they may encounter in the factories, but had accepted them because of the economic opportunities. Although the murders continued, the U.S. and Mexico remained indifferent and suggested its irrelevance to NAFTA or the *maquiladoras*. Neither state responded with solutions or support, despite this

violence rooting back to the ramifications of NAFTA. While productivity was high, the labor conditions women experienced were inhumane; instead, “conditions for these workers have actually worsened under the agreement” (Flores 1). With the state’s declaration of war on drug trafficking and the conditions for women in *maquiladoras*, gendered violence against poor, brown Mexican women has risen to 2,735 murders in 2017 (Flores 1).

Had these corporations and governments provided sufficient working conditions, living wages, and ensured safer environments, it is possible that these targeted murders could have been minimalized or avoided. However, more money and precautions were put into the importing and exporting of the goods (Richmond 1). Meanwhile, women in the *maquiladora* industry were forced to live in “shacks made of mud” or underdeveloped cities without water or electricity (Richmond 1). The lack of response and action by the U.S. and Mexico demonstrate their role as perpetrators of gendered violence because they not only took advantage of poor brown women who worked along the border for economic means, but were the source of the intensification of violence because of the war on drugs. With minimal regulations and cheap labor, the U.S. profited from this exploitation, while Mexico benefited from higher rates of employment. As a result, this left these women to work and travel in harsh conditions with scarce resources. Rather than responding with urgency and empathy, both states remained silent, negated the issue, or blamed the victims.

Richmond further highlights how gendered violence is not limited to the murders, but is also within the *maquiladoras* as women experience exploitation and sexual harassment (1). As numerous women migrated along the border in search of economic opportunity, they were “subjugated to sexual harassment by Mexican foremen in charge who report to foreign-born supervisors” of the factories (Richmond 1). They were further exploited by the “nonliving wages and frightening social conditions,” leaving these women in a cyclical pattern of violence

(Richmond 1). However, this has motivated women to resist and organize by creating transnational resistance groups (Richmond 1). Richmond's analysis points to the fact that NAFTA, U.S. corporations, and the U.S. and Mexican governments are responsible for the ongoing abuse occurring in these factories (1). Without any intervention from any of these institutions, they bear a great deal of culpability for these injustices.

Gendered violence was further perpetuated by the patriarchal and racialized systems embedded in Mexico that exploited impoverished brown women. Rosalinda Fregoso characterizes this epidemic as a "femicide" in her essay "Toward a Planetary Society" and argues that the massacre of these "poor and dark women... makes evident the reality of overlapping power relations on gendered and racialized bodies, similarly to violence against women as a method of social control," because of Mexico's system of patriarchy, authoritarianism, and discrimination towards dark-skinned women (130). The femicide of these brown workers points to the varying intersecting dimensions that contributed to the mass murders of women. Fregoso furthers her analysis and states the violence these women experienced was influenced by their intersecting identities (132). It is no coincidence that the hundreds of women that were targeted were all "members of the most vulnerable and oppressed group in Mexican society" that had very little power to resist these forms of violence (Fregoso 132). With patriarchy deeply embedded in Mexico's social, political, and cultural norms, it is no surprise they perpetuated femicide and allowed for these killings to continue. The Mexican state's lack of response and support further point to the fact that they were complicit in the merciless epidemic targeting poor dark women working in *maquiladoras*.

Given that this society is immensely entrenched with patriarchal values rooted in colorism, it is not shocking that the murders of these poor, brown, working-class women resulted in

insufficient action by the state. Had these women been of a higher class or represented a more valued image within their social hierarchy, it is probable to indicate that different action would have been taken. When Alejandro Martí's (an elite businessman in Mexico) son, Fernando Martí Haik, was kidnapped for ransom and eventually assassinated in 2008, the country responded in urgency (Lacey, Betancourt 1). Given Martí's wealthy class (net worth over \$9 million), the Mexico's government, social organizations, businesses, and the media worked in collaboration to organize anticrime marches and anti-kidnapping measures in response to Haik's assassination (Lacey, Betancourt 1). Moreover, President Calderón insisted on life in prison sentences for kidnappers rather than the current maximum of 70 years (Lacey, Betancourt 1). With a reputable and high socioeconomic status within Mexico, the Martí's were able to garner a great amount of support from the public and government; something that Mexican women working in *maquiladoras* could not gain because of the many intersections of their status. While the state created the illusion of promising economic stability, these workers fell into "myth of the third world disposable woman" and gradually became "a form of industrial waste" as their physical abilities to perform labor diminished (Wright 238). Moreover, the state acted as an oppressive force that justified the murders and disappearances of poor and dark women that worked along the border. At its core, Mexico benefited from the exploitation of these laborers and allowed for the exacerbation of gender-based violence because of the vulnerability of these women that stemmed from the intersections of their gender, race, color, and class.

In addition, Fregoso elucidates the Mexican state's two narrative forms of negation and disaggregation that further emphasizes their role in perpetuation of gendered violence along the border. The state's discourse related to femicide explicitly relies on negating the epidemic, denying that the killings were linked and intentional (Fregoso 3). Once they could no longer the



reality of femicide, it shifted to “discrediting the murdered women by emphasizing their alleged transgressive sexual behavior,” thus playing into a victim-blaming narrative (Fregoso 4). Instead of focusing on the murders and disappearances, the state shifted the focus on why these women were out so late or the physical appearance that “must have” called for their disappearance or harm. The state argued that these women’s nonnormative behaviors, lesbian life, or “doble vida” (double life) justified their killings (Fregoso 3). The police’s unjust statements to the National Human Rights Commission were used to justify the murders, and were found to have violated the victims’ rights (Fregoso 4). In order to legitimize the state’s negation, they found scientific experts to link transgressive sexual behavior to newfound independence, thus demonstrating how this led these women to danger (Fregoso 4). Moreover, even once the state accepted the validity of the murders, they used disaggregation to vilify “women’s rights and human rights activists by accusing them of politicizing the killings” (Fregoso 6). This time around, the state utilized techniques of science and forensic evidence to isolate each case to stray away from the idea that it was a systematic phenomenon (Fregoso 5). As Fregoso argues, these narratives are immensely influenced by gender inequality and patriarchy, which only serve to further exacerbate femicide. By enforcing these discourses, the Mexican government intentionally avoided responsibility and placed the blame on the victims by heavily relying on sexist tactics. As a result, their actions intensified and perpetuated gendered violence along the border.

### ***Gendered Violence at the U.S. Border***

In Sylvanna Falcón’s article ““National Security” and the Violation of Women: Militarized Border Rape at the U.S.-Mexico Border” she exposes how gendered violence continues to manifest once these women reach the crossing point of the border (119). Similarly to Richmond and Fregoso, Falcón examines gendered violence and the border as a unit of analysis, but shifts her

focus to the militarization of the U.S.-Mexico border and the ways Mexican women have been constructed as the “enemy” (120). In particular, Falcón asserts that “rape is routinely and systematically used by the state in militarization efforts...provoked by certain factors...such as the influence of military culture on Border Patrol agents” (127). The Border Patrol’s replication of the military’s structure and tactics also resulted in the intensification of sexual assault as a form of domination over women (Falcón 121). Rather than providing these immigrant women with the resources to cross the border (such as I-589 application for asylum), they instead further exacerbated the trauma some of these women may have already experienced in Mexico. Falcón documents how Border Patrol agents often took advantage of their institutional power and violated these women physically and psychologically (122). In Human Rights Watch’s report, it found, “60-70 percent of undocumented women migrants... experience sexual abuse” by Border Patrol agents, and many of these violations continue because they are not held accountable (Vera 1). This is a conspicuous demonstration of the U.S. failing to redress the issue of gendered violence, and showcases the way agents of the state maliciously take advantage of innocent immigrant women.

Falcón further argues that rape at the border is used intentionally and systematically as a form of warfare and domination. She analyzes three forms of rape theorized by Cynthia Enloe that are used by U.S. Border Patrol agents: recreational rape, national security rape, and systematic mass rape (121). The result of recreational rape is due to inadequately providing male soldiers with “accessible militarized prostitution,” therefore turning to sexually assault vulnerable immigrant women at the border (Falcón 121). Furthermore, national security rape can occur when the “absence of legal documents positions undocumented women as an “alien” or threatening,” thus the inclination to punish them with a form of sexual domination (Falcón 121). These various forms of rape are used “as an instrument of open warfare” with these “rapists capitalizing on their

institutional power over undocumented women” because of the disparate inequality heightened by authority (Falcón 122). These atrocious acts further contributed to the gendered violence Mexican immigrant women experience, showcasing how the psyche of these women are attacked. These Border Patrol workers who are agents of the U.S., used their stature to exploit vulnerable women trying to cross territories. In an attempt to “protect” their country, these agents of the U.S. state perpetuated the stigma that undocumented women are deserving of sexual violence and exemplified the actions of a perpetrator.

### *Conclusion*

The journey to the United States as an immigrant Mexican woman comes with many sacrifices and violence that often occurs in various forms. Through the implementation of NAFTA, these women have experienced the ramifications of neoliberalism and exploitation firsthand while they worked in *maquiladoras* and interacted with Border Patrol agents. Despite the targeted femicide of brown Mexican women along the U.S.-Mexico border and evident exploitation as they migrate, the U.S. and Mexico governments have both been complicit in perpetuating this violence. By this, both states have failed to sufficiently address the murders, violence, and injustice that occurs to Mexican women while they are in Mexico and as they migrate to the U.S. Using existing literature, I contribute to emerging immigration analyses that examines gendered violence Mexican immigrant women experiences as a continuous cycle throughout their migratory journey, rather than as distinct occurrences. Consequently, I have found that, this perpetuation of gendered violence is not limited to *maquiladoras*, but also continues when they reach the militant borders, which are a constellation site of immense violence. At each point of their journey, gendered violence continuously manifests; the hypermilitarization of borders and protection of capitalism have taken priority over innocent brown women’s lives.

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