

Conclusion

Whether through nascent or mature organizing, migrant communities are confronting migration as extraction with demands and efforts to make migration a choice. In particular, migrant communities are engaged in struggles to redirect resources, create local sustainable sources of income and employment, and repair relationships wrenched apart by migration. Embedded in these struggles are efforts to democratize local decision making and create egalitarian structures that increase the participation of women in particular in leadership positions. In their work, migrant communities have sought more resources from the Mexican state but have theorized the need to address larger dynamics of racial capitalist relations that locate decision-making power in multinational banks and corporations and their allies in the United States and Mexico that profit from the dynamics of migration as extraction. As Gaspar Rivera Salgado, FIOB cofounder, has argued, “People in communities of origin, not banks and corporations, should control the economic development choices.”¹ The people profiled in this book are seeking control of economic opportunities from a diverse array of perspectives, whether rooted in Mixtec *autoridades* and cooperatives, Nahuatl traditional knowledge, or non-Indigenous businesses. Similarly, migrant community organizing includes efforts to counteract economic extraction from their labor in the United States and repair the emotional extraction of family separation caused by U.S. immigration laws and border enforcement measures.

Migrant community organizing in Mexico understandably focuses its efforts on Mexican public and private institutions, with some attention to U.S.-based employer practices and U.S. immigration laws. However, as outlined in the previous chapters, the dislocation and displacement faced by these communities are constructed as much by U.S.-based actors as Mexican ones. As outlined in

chapter 1, U.S. and Mexican elites collaborated with international banks to implement policies that depressed the economies in migrant communities, including policies that divested from agricultural supports, education funding, and other social programs and intentionally suppressed wages. People dislocated from their homes by these policies were then driven into exploitative industries in the United States or used as the justification for ever greater expenditures by the U.S. state on immigration enforcement, as detailed in chapter 2. The very people who were dislocated and displaced into exploitative industries were then charged with the responsibility for improving economic conditions in their home communities, as evidenced by chapter 3's analysis of the remittances-to-development agenda. As shown in that chapter, the remittances-to-development agenda benefited U.S. and Mexican financial institutions and Mexican public coffers while entrenching migration as the only strategy available to families for "getting ahead." These intersecting dynamics of dislocation, displacement, and entrenchment, driven by both U.S. and Mexican actors, combined to produce migration as extraction.

Given the deep involvement of U.S. actors in the formation of migration as extraction, actualizing migrant communities' conceptualization of migration as choice will require radical changes to both Mexican and U.S. institutions and policies that facilitate "wealth concentration, dismantling of public services, and . . . manufacturing and disciplining of surplus populations" while simultaneously "consolidat[ing] . . . spatial carcerality through borders and prisons."² Specifically, migrant community narratives from Tlaxcaltec, Mixtec, and non-Indigenous communities point to the need to radically alter policies that divest from agricultural supports, education funding, and other social programs, as well as policies that shift responsibility for economic development from the Mexican state onto the backs of migrants and their families. They also point to the need to reconfigure an interrelated set of institutions that profit from migrant exploitation and "spatial carcerality," including U.S. employers who control methods of entering the United States and prefer unauthorized migrants and U.S. state and private institutions that profit from the criminalization of migration, militarized migration management, and detention and deportation.

Two frameworks—abolition and reparations—offer theoretical grounding for these expansive analytics and arguments. Though the migrant communities profiled have not explicitly called for abolition or reparations, these two frameworks are particularly useful for supporting their demands because they both seek to address structural harms and are broad enough to encompass the full scale of dynamics that make up migration as extraction. Particularly for the Indigenous migrant communities, which make up the majority of communities profiled, abolition and reparations offer a means to analyze centuries of extraction that predates but evolves into migration as extraction. Through these frameworks, this conclusion offers a vision for supporting and expanding migrant community efforts to make migration a choice, as well as examples of the kinds of redistributive shifts

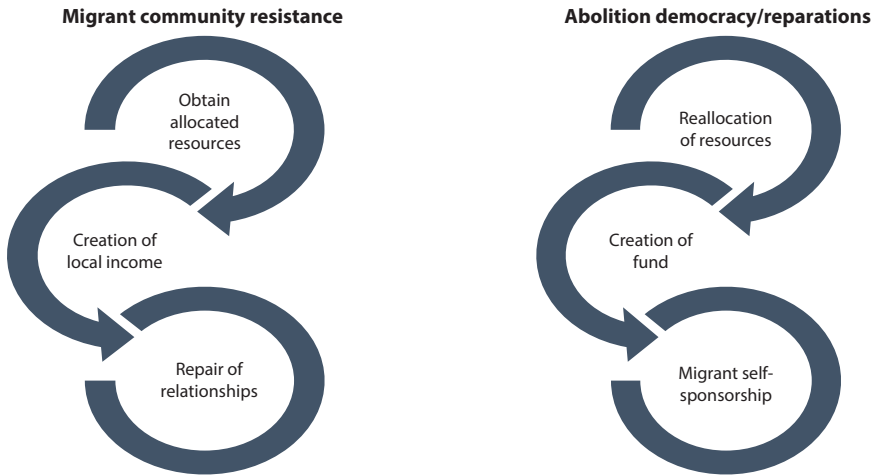


FIGURE 16. Migrant Community Resistance as Abolition Democracy/Reparations.

necessary to fully move from migration as extraction to migration as choice. In particular, it lays out two sets of resource distribution and decision-making shifts that could help fully realize the potential of the new institutions that migrant communities have built. The first set of shifts would require a reversal of extractive policies that underresource migrant communities and overresource the “homeland security state” by fundamentally redistributing resources from extractive policies toward beneficial ones. This redistribution would require increasing the decision-making power that migrant communities have, what levels of funding are necessary to improve material conditions, and how resources are allocated. The second set of changes would need to occur in U.S. migration policy, replacing the extractive policies of employer-controlled displacement of migrants into segregated and exploitative labor markets with a policy that gives potential migrants control over their own movements. This employee-initiated migration process would quite literally make migration more of a choice and contribute to the self-determination of migrant communities. As illustrated in figure 16, the specific policy changes required by each of these shifts are theoretically grounded in the frameworks of abolition and reparations.

MIGRATION AS CHOICE AS ABOLITION DEMOCRACY

Abolition offers a two-step understanding of the need to undo “inevitable and permanent feature[s] of our social lives”³ that cause harm and the need to replace those features with “new institutions, ideas, and strategies.”⁴ Migration scholars have recently drawn on abolitionist literature from the slavery, policing and prison contexts to problematize the “inevitable and permanent” militarization

of borders,⁵ criminalization of migration,⁶ detention of migrants,⁷ and deportation.⁸ While acknowledging that the “build[ing] up . . . of new institutions” is more fundamental to beneficial social change, this literature tends to focus on policies and practices to dismantle rather than alternative, beneficial institutions to support.⁹ Migrant community organizing efforts and vision, in contrast, offer concrete examples of what could be invested in both in terms of “re-imagining institutions, ideas, and strategies, and creating new institutions, ideas, and strategies” for replacing migration as extraction with migration as choice.¹⁰ It is these new institutions, ideas, and strategies that are analyzed here as abolitionist with attention to undoing extractive policies as a way to support these initiatives.

The work in migrant communities exemplifies abolition democracy. Coined by W. E. B. Du Bois in the context of the abolition of slavery and further explicated by the leading abolition scholar Angela Davis, “abolition democracy” is the understanding that true abolition of a harmful institution, like slavery, can only be accomplished with the creation of new institutions such as those that “provide [people] with the economic means for their subsistence[,] . . . educational access[,] . . . and political rights.”¹¹ It is no accident that the most robust new institutions, strategies, and ideas stem from Indigenous migrant communities, as those are the communities that feel the greatest impact from policies that have stripped local economies, barred education in local languages, and usurped political structures. Studies of migrant community organizing in Oaxaca have formulated the strategies of these groups as political but have not necessarily focused on the institutions being built through their work.¹² In terms of political rights, one example of the new institutions being built in migrant communities is the reclaiming of historical Mixtec *asambleas*, or direct democracy forms of governance, in Oaxaca that allow for broad participation by community members in decisions about development priorities. These *asambleas* have the potential to act as sovereigns, claiming self-determination rights and political power for the Indigenous Mixtec communities on par with what they consider colonial government structures at the national, state, and municipal levels in Mexico. Outside of alternative formal governing structures, Indigenous migrant communities in particular have also built nongovernmental organizations like FIOB and CAFAMI that exert political pressure. These nongovernmental organizations are structured around community-led decision making and have intentionally developed the leadership of women. In Oaxaca, FIOB works in conjunction with *asambleas* to set priorities and advocate for public resources. CAFAMI operates in areas of Tlaxcala and Puebla that do not have *asambleas* or other Indigenous sovereign structures but organizes around Nahuatl identity and membership in a migrant family to assert subtler forms of self-determination such as the recapture of language, culture, and resources.

One of the key ways that these institutions exert political pressure is to push for state resources. Efforts like FIOB’s to ensure the distribution of resources allocated under Mexico’s *Tres por Uno* (Three for One or 3x1) program or CAFAMI’s

demands for more state-funded job creation are rooted in migrant communities' understanding that they have rights to functional infrastructure; to accessible education, housing, and health care; and to earn a sustainable living. Even the less formally organized demands of returned migrants in Tabasco call on the Mexican state to invest in infrastructure to support community-run businesses. These demands, similar to demands from Oaxaca's *asambleas*, are assertions of self-determination, demanding a voice in decisions about how resources are allocated and what levels of funding are necessary to make migration a choice. And like the institutions formed by migrants in other states, migrant communities in Tabasco could benefit from contributions by both Mexican and U.S. actors implicated in their migration dynamics.

Through these new institutions, community members are also creating the "economic means for subsistence" from locally available materials that do not require migration. In Oaxaca, Tlaxcala, and Puebla, workers' cooperatives are creating economic opportunities rooted in Indigenous knowledge and practices and resisting both the racial capitalist wealth accumulation that harms all communities and the colonial domination of Indigenous peoples in particular. Agricultural cooperatives in Oaxaca are returning to Mixtec farming methods that are organic and sustainable and carving out new markets for these methods. In the same region, women's cooperatives are turning Triqui crafts into profit-sharing enterprises. In Tlaxcala, CAFAMI's notion of "creating an economy from the local," draws on Nahuatl knowledge of herbal medicines to build up local enterprises like *Herbalini*. In Tabasco, the efforts are still in formation and are not associated with particular Indigenous groups. But even in the absence of formal institutions or Indigenous identity, returned migrants here are seeking to recover the local fishing industry decimated by decades of environmental devastation. These projects are directly confronting migration as extraction with programs to allow community members to thrive economically at home.

Migrant communities are also building abolition democracy through the formulation of important new rights, such as the right not to migrate, which challenges the normalization of migration and exposes its constructed nature. In this discourse, the right not to migrate is *not* articulated as the elimination of migration; rather it calls for making migration a true choice, one that occurs in conditions of sufficiency rather than scarcity. Migrant communities understand that some migration may be necessary indefinitely. For this reason, they also challenge the exploitation made possible by employer control over their movement (if authorized) and working conditions (whether authorized or not). Finally, they challenge the harms of protracted family separation, which is created by laws illegalizing migration and requiring illicit, expensive, and dangerous journeys north. CAFAMI in particular has established a project that simultaneously allows its members to build community with each other, practice the Nahuatl language and culture, and mend familial relationships torn apart by migration. Together,

this formulation of rights, demands for state funding, and creation of alternative institutions and strategies for economic sustenance evidence a robust articulation of abolition democracy, even in the absence of explicit reference to this term. To support these efforts, the harmful institutions detailed in preceding chapters could be dismantled, allowing for a reallocation of resources and a shift to more worker-controlled migration options.

*Replacing Dislocation and Carceral Displacement
with an Abolitionist Redistribution of Resources*

The agricultural and craft cooperatives in Oaxaca, the herbal medicines enterprise in Tlaxcala, and the businesses in Tabasco are all examples of endeavors that have potential but whose potential is constrained by policies that make people in these communities “surplus” through reduced funding for social programs and abandonment of job creation and infrastructure and then “discipline” their labor as migrants through exploitation and incarceration. In order to fully realize the potential of the various efforts of migrant community organizing, these constraints—imposed by various policies assumed legitimate—must be examined and reversed.

As chapter 1 details, divestment from small farms, advocated by an interrelated set of U.S., Mexican, and international banking elites, dislocated people like Don Pablo, Don Santos, Elfego, Isaís, and Luna who could no longer earn a living from their own land and displaced them into low-paid, highly exploited farm labor. The maquilization of the Mexican economy, pushed by the same set of U.S., Mexican, and international actors, replaced local industries like the Tlaxcaltec textile industry with U.S.-owned maquiladoras, turning artisans like Irena and Efraím into low-paid assembly line workers with little job security. The maquiladora industry was so unstable that it eventually displaced people like Efraím into menial jobs in the United States necessary to the U.S. economy. And all over Mexico, cuts in social spending, including education and health care, displaced people like Isaís, Elfego, Don Santos, Serena, and Elias into U.S.-based agribusiness, food processing, and service work to pay for basic education for their children.

Even as the harms of this economic restructuring became evident to both Mexican and U.S. officials, both governments doubled down on neoliberalism, continuing to adhere to economic austerity and individual responsibility as a means for solving the crises these policies had created. Chapter 3 documents the various ways in which proposed solutions to the crises created by neoliberal economic restructuring were fashioned to entrench the economic abandonment of the state and shift responsibility for development onto marginalized communities. The cuts in education spending, for example, were entrenched by defederalizing education spending and incentivizing private education over the development of public schools. Migrants like Isaís, Rodolfo, Elfego, and Elias filled the gap in public education funding with their own funding from earnings in the United States.

This led to some socioeconomic mobility, as Isaís's, Rodolfo's, and Elias's children were able to make careers in Mexico. But as austerity measures were entrenched, even migrant earnings could not offset education gaps. Elfego's eldest son, Jaime, had to migrate after completing *secundaria*. Similarly, in Tlaxcala, where Isaís's and Rodolfo's children attended school, and Soyataco, Tabasco, where Elias's children graduated, education was not made more accessible to the community at large. Rather, education spending continued to be cut and new schools were structured as semiprivate, transferring education financing on already burdened families. Thus, out-migration continued to rise in efforts to offset the entrenchment of economic abandonment.

In agriculture, the withdrawal of public support was even more stark and affected Indigenous and non-Indigenous communities alike. Just a short time after the IMF required cuts to agricultural price supports and subsidies took hold, migrants like Don Remedio in Soyataco, Tabasco, and Don Santos in the Mixteca region of Oaxaca found it hard to profit from the land they managed to purchase with their U.S.-based earnings. By the 1990s, changes to soil, rainfall, and air quality brought on by pollution and climate change combined with the lack of state support for irrigation and soil enrichment made smallholder farming next to impossible. And by the time small farmers like Isaís sought to buy land in Sanctorum in the 2000s, price supports and subsidies had been eliminated and lines of credit privatized, resulting in high interest rates. This entrenched the need for some farmers, like Isaís, to continue to sell their labor in the U.S. and Canadian markets, both hungry for agricultural workers. Moreover, the Mexican government's 3x1 program required a large contribution from migrant "hometown associations," but the public matching funds for these contributions paled in comparison to migrant remittances. Though it is not possible to quantify all of the divestments and redistributions of resources, an analysis of public records shows that the equivalent of US\$38 billion was withdrawn from agricultural supports and education financing alone between 1980 and 2021.¹³

The enormous cuts in social spending are correlated with an enormous rise in public expenditures and private profits from U.S. border and interior immigration control measures, including militarized border infrastructures (walls, checkpoints, surveillance equipment, and detention facilities), border enforcement personnel, criminalization of unlawful entry, and detention and law enforcement resources directed at people in the interior of the country. This wide array of policies and practices are so enmeshed with U.S. state building that they have been dubbed the "homeland security state" by the political scientist Alfonso González.¹⁴ As shown in chapter 2, this homeland security state, ostensibly designed to prevent entry and compel expulsion, both facilitates the entry and discipline of migrant workers and aids in the wealth accumulation of industries that produce the infrastructure of immigration control. Private industries that build walls, detention centers, planes, cameras, drones, and other monitoring equipment join with public

agencies that exploit racialized depictions of Mexican and other migrants as criminals to inflate public budgets and assure private profit. These joint private-public efforts have resulted in a record-setting \$26 billion budget for Customs and Border Protection and \$8.3 billion for Immigration Customs and Enforcement in 2021,¹⁵ with about a fifth of these expenditures contributing to private profits for companies like Boeing, IBM, Lockheed Martin, and CoreCivic.¹⁶ Additional funds have been directed at co-opting large parts of the Mexican security apparatus to deter migrants from the rest of the western hemisphere from entering the United States. Under the auspices of *Plan Sur* and the Mérida Initiative, the United States has allocated close to \$5 billion to this “transnational migration deterrence,”¹⁷ bringing the total allocations for this combined Mexico-U.S. migration control regime to almost \$40 billion in 2021.¹⁸

In order to reverse the harms of militarized migration control and remove the constraints imposed on migrant community efforts to invest in sustainable development, the full homeland security state must be dismantled and the structural gaps that dislocate people from their homes must be filled. In other words, to fulfill migrant community efforts to make migration a choice, the harmful policies that fostered migration as extraction must be abolished and replaced with resources directed at institutions that can help build toward abolition democracy. Dismantling the U.S. homeland security state would potentially free up \$40 billion that could be invested in infrastructure, education, health care, and job creation. A shift in priorities of the Mexican government would potentially recoup another \$38 billion in social spending lost in the decades of policies of economic abandonment. These massive shifts may not be immediately politically feasible, but political realities can change as groups begin to uncover the ways in which the status quo normalizes the dismantling of public services and the manufacturing of surplus populations who are then used to justify excessive immigration controls and subjected to unchecked labor exploitation. The experiences in migrant communities bring the harms of these normalized policies into sharp relief and, if heard, may contribute to changing political winds that support rather than thwart their efforts at sustainable development and political freedom.

Once the conceptual shift is made toward investing in resources for endeavors grounded in improving local economies and keeping intact familial relationships, it becomes necessary to consider the actors that will best put these resources to use for migrant communities. Alongside the harms of policies of divestment and displacement are the harms embedded in state action itself, including the colonization of Indigenous peoples, the well-documented political corruption in Mexico,¹⁹ and the tendency to use available funds to bolster foreign investment rather than investment in communities.²⁰ U.S. actors have similarly misdirected efforts aimed at addressing the “root causes” of migration at law enforcement strategies rather than economic development projects. These programs do not send aid to Mexico but rather to Central America. From 2014 to 2016, the U.S. “root causes” strategy

distributed a total of \$1.5 billion to the governments of El Salvador, Guatemala, and Honduras. The majority of that funding goes to control narcotics trafficking and “regional security initiatives” such as support for the return of failed *mano dura* (iron fist) policies in El Salvador to crack down on transnational gangs. Given the unreliable actions of the U.S. and Mexican states, it is critical to ensure that alternative institutions, like *asambleas* or nongovernmental organizations, are able to access any funds redirected from migration deterrence and reinvested in social programs directly and independently of the Mexican government. It is equally important that the distribution of funds is controlled in a democratic manner.

One mechanism for redirecting some portion of the almost \$80 billion invested in the homeland security state and recouped from divested social programs is through a fund along the lines of the “loss and damage” fund recently established in the context of climate change to compensate nations facing the brunt of climate disasters with funds from nations that contributed most to climate changing emissions.²¹ Rather than set up the fund as a kind of foreign aid from the U.S. government that would be distributed to state actors in Mexico, this fund would require a trusted third party to hold and distribute contributions from both private and public actors and would need to allow direct democracy groups like the *asambleas* in Oaxaca or FIOB or CAFAMI to access these disbursements for projects that migrant communities have prioritized but not yet realized in their efforts to make migration a choice. A third party is critical to ensuring that Indigenous groups like the Mixtec and Tlaxcaltec are included in the process and do not face continued exclusion and discrimination from Mexican state actors. Migrant community-led institutions like FIOB and CAFAMI could then leverage the public and private funds redirected from extractive enforcement policies and refurbished from lost social spending to continue the work of repairing the damage wrought by decades of migration as extraction and more effectively build toward migration as choice.

Replacing Displacement into Exploitative Industries with Self-Determined Migration

Part of what is contemplated by migration as choice is the understanding that, even with appropriate support, migration itself will not totally cease to be a strategy. Thus, migration as choice is not a call for no migration but rather the ability of migrant community members to assert more control over whether to migrate at all, and if the migration option is exercised, control over the conditions of their movement north and their living conditions once in their now-chosen destinations. Increasing migrants’ self-determination over these conditions of migration is abolitionist in the sense that it would require fundamental reconfiguration of immigration laws that are currently structured to benefit U.S. employers and carceral actors. Under the existing immigration law system in the United States, lawfully migrating for the kinds of work done by people like Serena, Luna, Elias, and Efraím requires the sponsorship of an

employer in the United States.²² This places the control over who migrates and for what length of time in the hands of corporate actors. Employers, in turn, seek out Mexican and other immigrant workers, authorized and not, for their perceived subservience and vulnerability to deportation. Thus, it is not so much that migrants like Elfego, Efraím, and Serena are doing work that no U.S.-based workers will do. Rather, they are doing work that U.S. employers *prefer they do* in markets that have been structured, with the help of U.S. policy, to bring in a labor pool that can be underpaid and controlled by the threat of deportation or the inability to return as an authorized migrant. For authorized and unauthorized migrants alike, employer control over who migrates or who is hired facilitates abusive working conditions. It also leads to retaliation. Authorized workers who complain are not allowed to return, and unauthorized workers who complain are threatened with deportation. Moreover, where employers exercise a preference for unauthorized workers, those workers face surveillance, arrest, and even criminal penalties for violating laws barring entry without permission while employers face little to no consequence for their violation of workplace laws.

In order to shift from this extractive system to one that supports migration as choice, the laws privileging employer preference and structures of exclusion would need to be reformulated as laws that allow workers to control their movement through deregulated borders along the lines of what the legal scholar Jennifer Gordon conceptualized as “transnational labor citizenship.”²³ Under Gordon’s analysis, immigration status would be tied to “membership in organizations of transnational workers.”²⁴ This reformulation of migration would benefit some Indigenous migrant communities, like those in Oaxaca, that have organized transnationally for years. However, as the narratives from Tlaxcala, Puebla, and Tabasco illustrate, many migrants are not part of these organizations prior to migrating for the first time. Another, perhaps more inclusive way to accomplish worker control could be through a change in the law to allow migrant workers to sponsor themselves. Self-sponsorship is an existing mechanism under U.S. immigration laws but is reserved for workers who have “extraordinary ability” or “critical skills . . . which are not of a general nature.”²⁵ These categories privilege well-resourced workers in professionalized occupations, often from the capitalist elite classes in their home countries. Self-sponsorship reinforces the privilege these workers already have that allows them to move relatively freely to the United States and escape the many barriers to entry for other workers and even family members of U.S. citizens. Moreover, the ability to self-sponsor bypasses ostensible protections for U.S. workers, implying that these elites, and the skills that they bring, are inherently valuable.

In contrast, the so-called unskilled work of migrants like Elfego, Serena, and others is devalued by current immigration rules and placed under employer control. Unskilled work, according to U.S. immigration laws, includes agricultural, food processing, and service industry work,²⁶ exactly the work performed

by most of the migrants profiled. These workers must wait for employers in the United States to sponsor them for an H-2A, H-2B, or equivalent visa in order to enter the United States. In order to obtain permission from the U.S. government to sponsor individuals, employers must first attest that there are no workers in the United States who are “able, willing, qualified and available” for the same position.²⁷ However, these self-attestations are routinely approved without clear evidence that the employer sought out U.S. workers and are allowed at abusively low pay rates. Thus, the visa structure supports employers in the creation of what the workplace law scholar Leticia Saucedo has called “brown collar workplaces,” in which high numbers of authorized and unauthorized migrant workers are funneled into the least desirable and most exploitative work.²⁸ It is not accidental that the very labor markets for which H-2A and H-2B visas are allowed are dominated by unauthorized migrant labor. Moreover, the visas only allow for temporary entry, meaning employers are in control of not only the initial ability to enter but subsequent entries as well and can “blacklist” employees that advocate for better working conditions while in the United States.²⁹ This employer control over long-term worker mobility reinforces worker subordination in these industries.

Shifting from an employer-sponsored system to a migrant self-sponsorship system would both recognize the dependence of the U.S. industries on migrant labor and better position these workers to control and improve the conditions in which they move and labor. To further protect workers from employer abuse, the new visa holders must be given the power to change employers inside the United States. Known in immigration law as “portability,” the ability to change jobs within the same field is already a feature of visas allocated for work considered “professional.”³⁰ Though self-sponsorship and portability may not be able to reverse all of the extractive relationships giving rise to worker subordination, it would provide a foundation for undoing key aspects of that subordination that are facilitated by the law. In a self-sponsorship system that accompanies the deregulation of border crossing, migrants would no longer have to go into debt to pay coyotes and traverse dangerous territory to reach their places of work. They would instead be able to arrive directly at U.S. ports of entry with visas. They would also be able to travel back and forth, relieving the enormous bouts of family separation that they and their families must now endure. In the United States, they would also have more power to confront employers who were engaging in exploitative practices and improve working conditions alongside U.S.-based workers, perhaps creating conditions for a wider and more powerful transnational labor movement. Moreover, worker control would constrain the ability of employers to blacklist workers who advocate for better working conditions while in the United States.³¹ Extending portability to agricultural and other low-wage workers would place more power in the hands of workers to leave particularly exploitative employers and perhaps

facilitate industry-wide improvements in working conditions. Thus, migrant self-sponsorship could not only actualize migration as choice, but in combination with the dismantling of the homeland security state and a redistribution of funds, it could lead to improved conditions for migrant communities along the lines contemplated by abolition democracy.

MIGRATION AS CHOICE AS REPARATIONS

Another lens through which to view the reallocation of resources and control over movement is the framework of reparations. In his seminal work on the abolition of slavery, W. E. B. Du Bois connected the concepts of abolition democracy, which identified the institutions that needed to be built and invested in to completely abolish slavery, to reparation as one of the mechanisms through which to make communities whole by securing resources from institutions that have done harm.³² Reparation is distinguishable from abolition in its focus on compensating individuals or collectives of individuals rather than a focus on building and investing in particular kinds of alternative institutions. In the context of the migrant communities profiled, reparations could therefore theoretically offer redress for individuals like those in Tabasco who have not yet built alternative institutions, as well as offer resources for the institutions that have been built in Oaxaca, Puebla, and Tlaxcala.

Under international law, reparation is a set of legal remedies for past harms that includes restitution, compensation, and/or satisfaction awarded “singly or in combination.”³³ Restitution is designed to restore the situation that existed before the harm was inflicted and can include remedies such as “release of persons wrongly detained or the return of property wrongly seized.”³⁴ Compensation addresses financially assessable losses, “including loss of profits,” where restitution is inadequate or unavailable.³⁵ Finally, satisfaction consists of the culpable state’s “acknowledgement of the breach, an expression of regret, a formal apology or another appropriate modality.”³⁶ To be eligible for any of the reparations remedies, the harm faced by individuals must rise to the level of a “gross violation of international human rights” or a “serious violation of international humanitarian law.”³⁷ The threshold for these violations is high, making reparations claims in legal venues challenging.

Several claims have been made by Mexicans or Mexican Americans to seek redress for U.S. colonial exploits in Mexico, including for U.S. confiscation of land after the Spanish-American War,³⁸ U.S. and Mexican government failure to pay out a promised “savings plan” and indentured servitude of braceros,³⁹ the Trump-era U.S. family separation policy,⁴⁰ and the Mexican government’s killing of Mexican citizens.⁴¹ Legal scholars have also raised the possibility of bringing reparations claims for Mexican Americans whose land was expropriated when

they were wrongfully deported in the 1930s.⁴² None of these claims has resulted in a court ordering any of the reparations remedies to date, indicating that a formal legal claim by any of the migrant communities profiled may not result in restitution, compensation, or satisfaction. Even outside of formal legal claims, international actors have been reluctant to frame redistribution of resources as reparations. For example, the loss and damage fund established to distribute resources from the producers of climate change excludes liability or compensation that could be described as reparations.⁴³ However, even with these steep challenges, a legal claim could have important narrative implications that are part of a larger strategy to redistribute resources and support efforts to build abolition democracy.

*Compensating Migrant Communities
through a Reparations Framework*

Demands for compensation could be a useful way to identify particular institutions causing harm and argue that these institutions must compensate communities from whom they have extracted wealth. For example, in Chiltepec, Tabasco, multinational companies such as Halliburton, Shell, Exxon, and BP whose oil exploration and refinement decimated the local shrimp and oyster farms could be required to compensate communities that were dislocated by these practices and individuals like Serena. Similarly, the multinational clothing, automobile, and other companies that dislocated populations in Tlaxcala and other parts of Mexico could be required to compensate these communities for the loss of profits from local products such as Indigenous Tlaxcaltec textiles that resulted from policies that choked off investment to local industry in favor of foreign corporate investment. In the public sphere, FIOB's and CAFAMI's calls for the Mexican state to fully fund economic development projects and the health and education budgets could also be framed as claims for compensation of financially assessable resources (to the tune of at least \$38 billion) pulled out of migrant communities or restitution of public spending to levels prior to neoliberalization. Though beyond the theoretical frames discussed in this book, Indigenous migrant community claims for compensation could go beyond the harms from neoliberalization to claims stemming from Spanish and early Mexican rule.

The harms caused by exploitative employers and carceral immigration enforcement efforts could also potentially be styled as reparation claims for compensation or at the very least satisfaction. For example, requiring U.S. state support for CAFAMI's efforts to repair the emotional loss of family disintegration, akin to claims made against former president Trump's family separation policy, could be one way of compensating for the harms caused by illegalized migration. Other, more direct claims could be made by individuals who have been subjected to detention, deportation, or exploitative labor practices. Even if these claims do not result

in any of the legal remedies contemplated by reparation, they could help ground efforts to redistribute resources from corporate interests to community-based ones.

Self-Determined Migration as Reparations

Beyond financial compensation, the framework of reparations can be understood to include migration itself. Legal scholars have theorized that legalized migration for individuals can act as a form of reparation for harms they have faced from human-produced disasters such as “carbon capitalism,”⁴⁴ military invasion,⁴⁵ and other forms of destabilization.⁴⁶ Carmen Gonzalez has argued that migration as a form of reparation could be well suited to addressing the “the interrelated injustices of climate change and imperial intervention” including economic, political and military interventions that undermine the resilience of the Global South.”⁴⁷ Relatedly, the international law scholar Tendayi Achiume has argued that migration from former colonized states to the centers of colonial power should be regarded as the “personal pursuit of enhanced self-determination” and therefore beyond the reach of migration controls.⁴⁸

Migration as choice, in particular, its implementation as migrant self-sponsorship, could fit within these articulations of reparations. By moving away from the extractive privileging of employer preference and structures of exclusion which facilitate exploitation, migrant self-sponsorship could offer compensation in the form of stability and greater resources. Moreover, a program of self-sponsored migration could also provide satisfaction if accompanied by acknowledgment of the role played by U.S. policies in migrant dislocation and displacement into exploitative industries. Ultimately, migrant self-sponsorship would play a relatively small role in the larger picture of reparations or abolition democracy, which would require a more holistic redistribution of resources. However, this role could gain in importance as the realities of climate change affect a widening group of migrant communities.

REPLACING EXTRACTION WITH INVESTMENT

Whether through a lens of abolition democracy or reparations or both, migration as choice represents the ongoing work of migrant communities to move toward greater political and economic self-determination. Their work challenges understandings of economic growth, development politics, and the need for immigration enforcement. Making migration as choice a reality requires a radical transformation of the many interwoven policies and practices that make up migration as extraction, as that framework has been laid out in the preceding pages. Those include several existing configurations of both U.S. and Mexican policies that depress the economies in migrant communities, including policies that divest from agricultural supports, education funding, and other social programs and policies that shift responsibility for economic development from the Mexican state

onto the backs of migrants and their families. They also include an interrelated set of institutions that profit from migrant exploitation and/or imprisonment, including U.S. employers who control methods of entering the United States and prefer unauthorized migrants and U.S. state and private institutions that profit from a militarized border, the criminalization of unlawful entry, and arrest, detention, and deportation of people in/from the interior of the country.

While these shifts may seem too overwhelming at first glance, migrant community organizing has already contributed to political shifts in Mexico (and the United States) that have redistributed some resources on an impressive scale given the current political and economic constraints. Indigenous migrant communities in particular have built democratic institutions that can be directly supported instead of filtering resource distribution through often-corrupt state actors. And the articulation of migration as choice can be actualized in the form of greater control over the conditions under which individuals migrate, both in terms of control over their legal status and their workplace conditions. As FIOB coordinator, Bernardo Ramirez Bautista, explained, “The right not to migrate is about public policy[,] . . . [which includes] social security including health care, a just salary, and a dwelling. It is [about] vindicating the right to decide what to use [our] land for and to allow [us] to self-govern.” And while this is particularly poignant for Indigenous migrant communities who have long been denied self-governance, narratives from Tabasco, where Indigenous identity is not as strong, show that people are coming to the same conclusions about the need to organize at the local level to shift resources. The hard work of effecting public policy change through building institutions and experimenting with new strategies is already being done in migrant communities. What is left is for those efforts to be supported in ways that make migration as choice a reality.