

## Justice Deported

Tuesday's immigration raids on meatpacking plants weren't about curbing identity theft, they were about union-busting.

By [David Bacon](#)

Web Exclusive: 12.14.06

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In 1947, Woody Guthrie wrote a song about the crash of a plane carrying Mexican immigrant farm workers back to the border. In haunting lyrics he describes how it caught fire as it flew low over Los Gatos Canyon, near Coalinga at the edge of California's San Joaquin Valley. Observers below saw people and belongings flung out of the aircraft before it hit the ground, falling like leaves, he wrote.

No record was kept of the workers' identities. They were simply listed as "deportee," and that became the name of the song. Far from being recognized as workers or even human beings, Guthrie lamented, the dead were treated as criminals. "They chase us like outlaws, like rustlers, like thieves."

Some things haven't changed much. When agents of Immigration and Customs Enforcement (ICE) arrested over a thousand workers in six Swift and Company meatpacking plants on Tuesday, they too were called criminals. In Greeley, Colorado, agents dressed in SWAT uniforms even carried a hundred handcuffs with them into the plant.

The workers, they said, were identity thieves. Barbara Gonzalez, an ICE spokesperson, told reporters outside the slaughterhouse there that "we have been investigating a large identity theft scheme that has victimized many U.S. citizens and lawful residents." ICE head Julie Myers told other reporters in Washington, D.C. that "those who steal identities of U.S. citizens will not escape enforcement."

Not everyone fell into the ICE chorus.

In Grand Island, Nebraska, site of another Swift plant, police chief Steve Lamken refused to help agents drag workers from the slaughterhouse. "When this is all over, we're still here," he told the local paper, "and if I have a significant part of my population that's fearful and won't call us, then that's not good for our community." In Greeley, hundreds of people, accompanied by the local priest, lined the street as their family members were brought out, shouting that they'd been guilty of nothing more than hard work.

ICE rhetoric would have you believe these deportees had been planning to apply for credit cards and charge expensive stereos or trips to the spa. The reality is that these meatpacking laborers had done what millions of people in this country do every year. They gave a Social Security number to their employer that either didn't belong to them, or that didn't exist. And they did it for a simple reason: to get a job in one of the dirtiest, hardest, most dangerous workplaces in America. Mostly, these borrowed numbers probably belong to other immigrants who've managed to get green cards. But regardless of who they are, the real owners of the Social Security numbers will benefit, not suffer.

Swift paid thousands of extra dollars into their Social Security accounts. The undocumented immigrants using the numbers will never be able to collect a dime in retirement pay for all their years of work on the killing floor. If anyone was cheated here, they were. But when ICE agents are calling the victims criminals in order to make their immigration raid sound like an action on behalf of upright citizens.

ICE has not, of course, accused the immigrant workers of the real crime for which they were arrested. That's the crime of working.

Since passage of the Immigration Reform and Control Act of 1986, hiring an undocumented worker has been a violation of federal law. Don't expect Swift executives to go to jail, however, or even to pay a fine. The real targets of this law are workers themselves, who become violators the minute they take a job.

Arresting people for holding a job, however, sounds a little inconsistent with the traditional values of hard work supported so strongly by the Bush administration. It makes better PR to accuse workers of a crime that sends shivers down the spines of middle-class newspaper readers, already maxing out their credit cards in the holiday rush.

The real motivation for these immigration raids is more cynical. The Swift action follows months of ICE pressuring employers to fire workers whose Social Security numbers don't match the agency's database. These no-match actions have been concentrated in

workplaces where immigrants are organizing unions or standing up for their rights.

At the Cintas laundry chain, over 400 workers were terminated in November alone, as a result of no-match letters. Cintas is the target of the national organizing drive by UNITE HERE, the hotel and garment workers union.

In November also, hundreds walked out of the huge Smithfield pork processing plant in Tarheel, North Carolina, after the company fired 60 workers for Social Security discrepancies. That non-union plant is not just the national organizing target for the United Food and Commercial Workers Union. Smithfield has also been found guilty repeatedly of firing its employees for union activity, and threatening to use their immigration status against them. When workers at Emeryville, California's Woodfin Suites tried to enforce the city's new living wage law, Measure C, they too were suddenly hit with a no-match check.

It's no accident that workers belong to unions in five of the six Swift meatpacking plants where this week's raids took place. ICE's pressure campaign recalls the history of immigration enforcement during previous periods when anti-immigration bills were debated the U.S. Congress, as they were this year.

Before 1986, the then-Immigration and Naturalization Service conducted months of high-profile workplace raids, called Operation Jobs. INS used the raids to produce public support for the employer sanctions provision later written into the 1986 immigration law.

In 1998, the INS mounted a huge enforcement action in Nebraska, also targeting meatpacking workers, called Operation Vanguard. Mark Reed, then INS District Director in Dallas, was open about its purpose -- to get industry and Congress to support new *bracero*-type contract labor programs. "That's where we're going," he said in an interview at the time. "We depend on foreign labor. If we don't have illegal immigration anymore, we'll have the political support for guest workers."

Today, ICE and the Bush administration also have an immigration program they want Congress to approve. Once again they want new guest-worker schemes, along with increased enforcement of employer sanctions.

This fall, appealing to right-wing Republicans, the administration proposed new regulations to require employers to fire workers listed in a no-match letter, who can't resolve the discrepancy in their Social Security numbers. Employers like Cintas and Smithfield now claim anti-union firings are simply an effort to comply with Bush's new regulation, although it hasn't yet been issued.

At Swift, the administration is sending a message to employers, and especially to unions: Support its program for immigration reform, or face a new wave of raids. "The significance is that we're serious about work site enforcement," threatened ICE chief Myers.

After six years in office, ICE's choice of this moment to begin their campaign is more than suspect. It is designed to force the new Democratic congressional majority to make a choice. The administration is confident that Democrats will endorse workplace raids in order to appear "tough on illegal immigration" in preparation for the 2008 presidential elections. In doing so, they will have to attack two of the major groups who produced the votes that changed Congress in November -- labor and Latinos.

Since 1999, however, the AFL-CIO has called for the repeal of employer sanctions, along with the legalization of the 12 million people living in the United States without documents. One reason is that sanctions are used to punish workers for speaking out for better wages and conditions. Unions serious about organizing immigrants (and that's a lot of unions nowadays) have seen sanctions used repeatedly to smash their campaigns.

But unions today also include many immigrant members. They want the organizations to which they pay their dues to stand up and fight when government agents bring handcuffs into the plant.

The United Food and Commercial Workers, which represents workers at Swift, did go into court on the day of the raid, asking for an injunction to stop the deportations and to guarantee workers their rights to habeas corpus and legal representation.

But labor will need to do more than that. Unions and immigrants both need a bill that would mandate what they've advocated since 1999 -- the repeal of employer sanctions. Workers without visas would still be subject to deportation, but enforcement wouldn't take place in the workplace, where sanctions deny basic labor rights to millions.

The administration and Republicans in Congress wouldn't like that, nor would conservative Democrats. Reps. Rahm Emmanuel and

Silvestre Reyes, even want sanctions beefed up. But Democrats and labor must make a choice. They can defend the workers, unions and immigrant families who gave them victory in November (voting Democratic 7 out of 10.) Or Democrats can, as they have so often done, turn their back in another triangulation sacrificing their base.

They can join the government's chorus calling these workers criminals. Or they can recognize them as the human beings they are.

*[David Bacon](#) is a California photojournalist. His latest book, *Communities Without Borders* (Cornell University Press, 2006) documents immigrant communities, including those employed in the Swift plant in Omaha.*

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