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Immigration and the Transformation of American Unionism

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Does immigration hamper union organizing in the United States? The prevailing literature strongly suggests that it does and for two reasons: first, immigrants increase the labor pool and diminish union influence over the labor market. And second, immigrants may be harder to organize than native workers. In this dominant view, unions are well served to restrict immigration and have always done so. But how, then, to explain the fact that American labor has long been deeply divided over the response to immigration? Drawing on new archival research and interviews, this paper uncovers a neglected side of American labor history in which many union leaders have extended solidarity to immigrants and sought to organize them. Moreover, analysis of time series data on immigration and union density corroborates the implicit theory of this alternate account of labor history: immigration has, in fact, no statistically significant effect – either positive or negative – on union density over time. Depending on specific conditions and strategies, unions can and have been successful in organizing during periods of high immigration.

Immigration has always vexed the U.S. labor movement. Fear of immigrant workers undercutting labor standards is common across most national labor movements (Watts, 2002). Such worries have especially confounded a country that has depended upon immigrants for industrial labor over generations and that also has been locked in pitched battles over the ethnic, racial, and religious diversity that these newcomers intro-

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duce. The United States is a nation built upon immigration, but also one with strong nativist traditions. Within this contest, American labor's struggle to address immigration defies easy classification. Moreover, the nature of the immigrant challenge and the labor movement's response to it often has varied significantly depending upon the economic sector a union has occupied.

Much previous scholarship on immigration and American unions advances two major claims: (1) that the American labor movement has, until relatively recently, held a uniformly and consistently restrictionist position; and (2) that the labor movement only gains ground during periods of restrictionism. Based on fresh archival research and new quantitative analysis, we demonstrate that a more accurate longitudinal portrait is that American labor has struggled mightily both within and between labor federations to define its response to new immigration. In some contexts, the labor movement has viewed new immigrant workers as a threat, while in others labor has seen them as an opportunity for union growth. Our account explains how this variation reflects the way in which immigration trends and the state's disposition towards organized labor provide unions either a secure or insecure environment within which to respond to newcomers. It also underscores the importance of how dominant modes of unionism within the movement interact with these external forces to shape its perception of "new" immigrants in restrictive or solidaristic terms.[1] Contrary to scholarly assumptions that membership in unions has increased when the foreign born as a percentage of the population decreased, and vice versa, we find that when other factors are taken into account, immigration has had no significant effect on American union density over time.

RESTRICTIONISM AND SOLIDARITY: AN UNRESOLVED PUZZLE IN AMERICAN LABOR HISTORY

The most prominent academic work on the relationship between immigration and U.S. organized labor was done by labor economist Vernon Briggs, whose *Immigration and American Unionism* remains the most sweeping and frequently cited study on this topic. Briggs finds that interactions between immigration and unions have been fundamentally adver-

[1]For an extensive account of these two themes in the context of changes in levels and types of xenophobia, *see* Fine and Tichenor (2009).

sarial throughout U.S. history. ''From the outset, these two forces came into conflict and have remained at odds ever since,'' he notes (2001:2) As we will demonstrate, this one-sided view of immigration and American unionism over time significantly understates competing, pro-immigration traditions within the U.S. labor movement from its earliest days.

Focusing on national labor federations and their long-term responses to immigration, we locate our work in the broader context of scholars of particular cities, sectors and unions who have challenged Briggs' assertions. Milkman's (2006) account of unionism in Los Angeles traces the expansion of the ILGWU, Teamsters, Carpenters and other construction unions as well as the Building Services Employees Industrial Union (BSEIU, precursor to the SEIU) from the 1930s through the contemporary period. Milkman demonstrates that from the earliest periods of union organizing in Los Angeles, Mexican workers (male and female) were a key constituency in L.A. union organizing for a diverse set of occupational (largely AFL) unions. Milkman also periodizes L.A.'s deunionization and subsequent industrial restructuring that transformed trucking, residential construction, building services and the garment industry showing that, despite the claims of some Los Angeles union leaders at the time, it actually preceded the influx of a new wave of foreign-born workers. Sanchez's (1993) study of Chicano Los Angeles offers compelling evidence of how CIO locals appealed in ethnic terms to Mexican Americans during the first four decades of the 20th century. His research highlights the emergence of influential Latino labor leaders and the role that union activity played in reshaping the political perspectives of Mexican Americans in the city overall.

Equally powerful insights from research on unions and immigrants come from other cities. Studying New York, Waldinger explains how immigrants assumed particular occupational niches in the post-industrial economy as whites deserted them in their ''move up the occupational pecking order'' (1999:3); Ness (2005) illuminates the city's changing social geography of work to understand the presence and *absence* of unions over time. Cohen's (1990) account of the 1919–1939 rise of Chicago's industrial workforce underscores how second generation ethnics and the homogenizing culture made broad-based working class organization possible. Gerstle's (2002) work on the Independent Textile Union (ITU) of Woonsocket, Rhode Island captures how the intersection of distinctive immigrant traditions placed the ITU at the vanguard of labor militancy in New England's textile industry. Each of these accounts

reminds us not only that the United States is a nation built upon immigration, but that immigrants and the second generation have been major players in American unionization over time.

When one looks beyond Briggs' analysis to other scholarship on *national* labor federations and the larger movement have responded to immigration, two features are quite striking. First, earlier research on the subject generally has been rooted in one of two historical periods: the late 19th and early 20th centuries or the contemporary period of recent decades. Second, depending upon the period studied, this literature provides remarkably different portraits of how U.S. organized labor reacted to immigration and influenced national policy. Lane (1987) and Mink (1990) capture the power of ethnic and racial stratification and the limits of working-class solidarity. Their accounts depict the American labor movement as unhinged by major economic and demographic changes of the Gilded Age and Progressive Era, and eager to champion draconian and nativist restrictions on what they saw as ''servile'' and ''unassimilable'' immigration. A decade later, Haus (2002) and Watts (2002) shifted attention to how contemporary labor unions in the United States (and other rich democracies) addressed immigration. They offered a completely different story of the relationship of American labor toward new immigrants, one in which labor leaders viewed mass immigration as an inevitable outcome of globalization and joined forces with groups seeking to advance immigrant rights and promote realistic and expansive legal immigration.

As a collection, these four significant works serve as bookends on the topic, but they ultimately leave us with rival views of a nativist and restrictionist labor movement, on the one side, and of an increasingly inclusive and pro-immigration one, on the other. Yet period-specific historical and contemporary research tells us little about why organized labor formulated such contrasting approaches to immigration despite enormous internal conflict in nearly every period. They offer even fewer clues about how the movement *traveled from one pole to the other on new immigrants*, a subject that demands broad time horizons. This is especially the case here, we shall argue, because the transformation of American labor's response to immigration emerged during the 1930s, 1940s, 1950s, and 1960s – crucial decades in which the labor movement organized unskilled industrial workers at unprecedented levels, won more support from the national state than ever before, and gradually rejected restrictive immigration policies it championed so vociferously in the Progressive Era. Our *longue duree* approach to the relationship of the American labor move-

ment toward immigration underscores the formative character of the mid-century decades sandwiched between the early and late focus of Lane, Mink, Haus, and Watts. To understand how and why something unusual occurred in these years, knowledge of the distinctive environments in which organized labor has responded to immigration in U.S. history is required.

While several factors – a number of which are included in the quantitative analysis to follow – arguably mediate union orientations towards immigrants, our initial narrative highlights two critical sources of security or insecurity for the labor movement over time. First, the number of foreign workers entering the country clearly influences the movement's strategy to organize and promote its goals. While mass immigration and guestworker programs have the potential to undermine union power, lower levels of immigration may be much less threatening to unions and even offer them new organizing possibilities. Second, the disposition of the American state (the executive branch, Congress and the courts) toward the labor movement clearly has shaped its relative security or insecurity. During the 19th and early 20th centuries, for instance, government repression or indifference created a tenuous situation for unions. In the New Deal years and its aftermath, the national state became a more trusted and reliable ally of the labor movement until the Reagan era when state support waned dramatically.

The labor movement has been neither uniformly restrictionist towards immigrants nor uniformly solidaristic with them. Rather, we identify historical moments when organized labor pushed vigorously for sweeping restrictions, moments when solidarity[2] was the order of the day, and still other moments when labor embraced policy positions that were a combination of the two. Moreover, whereas Briggs asserts uniformity, we find heterogeneity among labor leaders who held divergent points of view both within a single union and within federations of labor. Whereas Briggs asserts that labor's restrictionist stance led to victory, we see decidedly checkered outcomes.

[2]Strictly speaking, one might propose "expansionism" as a conceptual opposite to "restrictivism." Though we write of "expansion" when that is an aim in itself, more often American labor has found itself divided over how to respond to labor market changes it does not control. Thus, "solidarity" – in either the material and/or ethnic senses already described – is the primary strategic alternative to restricting entry to the nation and/or the labor market. Our analytical choice is thus consistent with our efforts to foreground union *strategy* in our analysis.

Briggs' broad brushstrokes are especially problematic when he characterizes the labor movement as unwaveringly supportive of immigration restriction until the late 1980s. "At every juncture prior to the 1980s," he writes, "the union movement either directly instigated or strongly supported every legislative initiative enacted by Congress to restrict immigration and to enforce its policy terms" (2001:3–4). This is misleading, for it is equally true that at every juncture before and after the 1980s, organized labor has "directly instigated or strongly supported" many national legislative initiatives designed to *expand* immigrant admissions and rights. That is, the labor movement has been instrumental in the passage of both restrictive and expansive immigration reforms. By attributing uniformly restrictionist positions to organized labor until the late 1980s, one loses both the lively debates within the movement *at particular times* as well as dramatic transformations in its immigration attitudes and formal policy positions *over time*.

To illuminate the struggles caused by immigration within the labor movement and its concomitant variation in position both within and across periods, the next section provides qualitative evidence of these historical patterns. In particular, it focuses on labor's conflicts and ultimate policy activism in four historical periods in order to highlight the enduring presence of pro-immigration and restrictionist positions both within and between unions and federations over time. We demonstrate that the solidaristic position seen in much of organized labor today has a much longer lineage and developmental process than previous scholarship credits. We find that today, just as in the past, there continues to be major debate and contention, and that contemporary pro-immigration positions trace their origins to Cold War era transformations.

The next empirical section employs quantitative analysis to expose problems in common conceptions of how immigration influences union density. In particular, we take a new look at how immigration inflows have affected U.S. union density over time, focusing on yearly time-series data on immigration and union density between 1880 and 2006. Descriptive comparison of the trends suggests – consistent with Briggs – that the relationship between union density and mass immigration may be generally negative. But such a general picture is inconsistent with particular trends central in union development, such as major spurts in union organizing in the 19th and early 20th centuries. In any event, we press the analysis further with an estimate of the over-time relationship between immigration and union density, taking account of inertia in the time-

series and the role of other factors that can obscure that relationship. Upon doing so, the analysis shows clearly that immigration has typically had no significant effect on union density over time in the United States, and that this ''non-effect'' is robust to various measures of immigration patterns, to various time periods, and to lags in the possible effects of immigration. Before turning to quantitative findings on immigration and union density, however, we present fresh archival and interview research that recasts familiar understandings of the character and evolution of the labor movement's relationship toward U.S. immigration policy and politics.

IMMIGRATION AND THE U.S. LABOR MOVEMENT: BUILDING A NEW HISTORICAL NARRATIVE

Our research underscores a crucial and enduring tension between two contrasting perceptions of newcomers among American unions. One is the great hope of incorporating fresh waves of workers, while the other is the great dread that capitalists will import servile laborers often viewed as ethnic and racial inferiors. We thus encapsulate labor's enduring dilemma over immigration as one of ''solidarity'' versus ''restriction.'' A strictly materialist reading of labor's competing imperatives could lead us to conclude that restriction was a defensible strategy in its day. But more than material considerations were at work. Prominent labor leaders such as Samuel Gompers and Terence Powderly often employed starkly racist and xenophobic arguments that clarify that labor's restrictive arguments were hardly color blind. We thus emphasize ''two restrictionisms'' that have animated the labor movement on questions of immigration – restriction on the basis of defending labor standards and restriction on the basis of racial and ethnic hierarchies. But we also stress ''two solidarities'' – solidarity on the basis of defending labor standards and solidarity on the basis of unifying diverse races and ethnicities within one labor movement.

We train a spotlight on four periods that capture the internal struggles and evolving activism of the labor movement. In keeping with our focus on politics – rather than mechanical necessities dictated by raw market forces – we bound each period with major shifts in public policy and union organizational structure. First, we begin by examining the American Federation of Labor (AFL) campaign for immigration restriction in the late 19th and early 20th centuries, up to the onset of the Great

Depression and the substantial policy shift it brings. Second, we look at the divergent immigration paths taken by the AFL and CIO during the New Deal, World War II, and early Cold War eras up to the AFL–CIO merger in 1955. Third, we then provide evidence of renewed tolerance and support of robust legal immigration and broad immigrant rights (culminating in the demise of national origins quotas in 1965) between the AFL–CIO merger and labor's ill-fated struggle to discourage illegal immigration through employer sanctions during the 1970s and 1980s. Finally, we take the story to the present, beginning with the AFL–CIO reversal of policy on employer sanctions in 1999, examining disagreements specific to certain sectors within the AFL–CIO over its embrace of a solidaristic position, and exploring the split between the AFL–CIO and the breakaway unions of Change to Win over the "amnesty for guestworker" trade-off. In each phase, we necessarily focus the analysis on key union responses to immigration, necessarily side-stepping other important union developments.

The AFL and Immigration Restriction: Constructing a Literacy Test and National Origins Quotas (1890–1929)

European immigration intensified and changed character around the turn of the 20th century – doubling in size and originating from southern and eastern Europe rather than traditional northern and western sources. At the same time, organized labor reached a partial rapprochement with the American state. Broadly, this rapprochement included a willingness to exploit openings offered by restriction-minded immigration committees in Congress and, after WWI, also a positive relationship with the executive branch, which strongly facilitated the growth of craft unionism. Later, in exchange for full cooperation with the war effort in WWI and a no-strike pledge, the Wilson administration granted AFL labor unions organizing and collective bargaining rights. As a result, between 1917 and 1920 membership grew from 2 million to 4 million, notwithstanding continuing growth in immigration (Balliet, 1981:30).

As the nation's most important labor group of the 1890s, the young AFL was deeply divided about European immigration.[3] During this decade, the Immigration Restriction League (IRL) worked vigorously to draw

[3]For the earlier labor debates over immigration, *see* Mink (1986), Lane (1987) and Fine and Tichenor (2009).

labor unions into the restrictionist camp.[4] While organized labor passionately advocated Chinese exclusion and bans on contract labor immigration, it remained torn on whether voluntary European immigration should be constrained. At early AFL national conventions, immigration restriction so polarized union representatives that their leaders chose to table the issue. AFL President Samuel Gompers observed that "the labor movement approached the problem of immigration restriction reluctantly," largely because foreign-born members like himself had "mixed feelings" about denying entry to those they had left behind (Gompers, 1937:153–154, 158).

Yet Gompers ultimately embraced literacy tests for immigrants because he believed large-scale immigration was fundamentally corrosive to the economic security of American workers. In particular, his restrictionist stance also was deeply influenced by what he perceived as a troubling "drift" in U.S. immigration to "unskilled" laborers who "were largely undisciplined in trade union policies" (Gompers, 1937:157–158). While AFL unionism celebrated traditional craft principles, most southern and eastern European immigrants occupied new semiskilled industrial jobs that were unorganized by AFL member unions (Mink, 1986:165–166). For Gompers, new immigrant workers enabled industrial monopolists to undermine the independence of American laborers, "to substitute machine work in the place of previously indispensable craft skill" (Mink, 1986:158).

Contrary to Briggs' account, however, Gompers' views on European immigration were initially resisted by many AFL member unions, and his efforts to win support for the IRL's literacy test proposal failed at early AFL national conventions. David Black of the Iron Molders' Union explained the "storm of opposition" to the literacy test and restrictive legislation at the 1896 AFL convention as driven by a cosmopolitan notion of solidarity among all of "the oppressed" seeking labor rights (*Iron Molders' Journal*, January 1897). Despite potent resistance, Gompers persuaded AFL delegates to empower his Executive Council to study the impacts of new European immigration on American laborers and to recommend an

[4]In its Annual Report of 1897, the IRL Executive Committee notes that numerous contacts were made with "the various bodies composing the American Federation of Labor, calling their attention to the advantages of the illiteracy test." Annual Report of the Executive Committee of the Immigration Restriction League of 1897, January 10, 1898, IRL Papers, Prescott Hall Collection, Houghton Library, Harvard University.

official position. Not surprisingly, Gompers' Executive Council endorsed strict limits on southern and eastern European immigration. After heated debate and "sharply divided" votes among the AFL's membership, the AFL officially endorsed immigration restriction at the start of a new century (*Immigration Referred*, 1897:257; Gompers, 1937:159–160).

Throughout the Progressive Era, the AFL made immigration restriction in the form of literacy tests a centerpiece of its legislative agenda.[5] Although Gompers and the AFL claimed that they did not endorse ethnic and racial hierarchies, they also regularly promoted Dillingham Commission studies on the purported inferiority of southern and eastern European immigrants (Gompers, 1911:17–21). Using eugenicist findings favoring a literacy test and quotas, the AFL's instrumental arguments for restriction were fortified by racist and essentialist ones.

With the AFL's strong support, the Immigration Act of 1924 ultimately erected formidable barriers to southern and eastern Europeans and reinforced Asian exclusion. Yet while the AFL favored strict limitations on Latin and South American migration, the Act imposed few limits on Canadian and Mexican admissions. In 1928, Congress reaffirmed a bifurcated system imposing draconian restrictions on European and Asian immigration while remaining open and flexible toward labor inflows from Mexico and other Western Hemisphere countries. Thus, while restrictivism undeniably gained the upper hand in this period – both within the union movement and, through its connection to the state, in public policy – Mexican immigration was an exception that soon brought old dilemmas to the fore.

AFL and CIO Divisions over Immigration: Jewish Refugees, Undocumented Aliens, and the Bracero Program (1929–1955)

The collapse in output after 1929 represented an existential challenge to organized labor, though legal barriers and lower GDP limited immigration pressures on unions. The decade that followed saw sweeping measures taken by an activist state to raise employment and output, the rise of industrial unionism and the establishment of a labor relations regime that accorded unprecedented rights and recognition to labor unions. All

[5]For example, *see* Legislative Record of James Michael Curley on Measures of Interest to Labor, AFL, AFL–CIO Department of Legislative Papers, Box 67, File 2: James Michael Curley.

this occurred during a sharp decline in immigration (from more than 600,000 annually from 1901 to 1920 to roughly 100,000 annually from 1921 to 1950). In the post-World War II years, immigration remained low but the relationship of unions to the state took a turn for the worse.

Significantly, the creation of the Congress of Industrial Organizations (CIO) introduced a powerful pro-immigration force within the labor movement during the New Deal and World War II. With the CIO constructing what Cohen has called a "culture of unity" (1990:324), a great divide formed between it and the AFL over refugee relief and immigration reform in the decades preceding their 1955 merger. This important shift has been obscured in the historical accounts of Briggs and others.

During the early 1930s, the AFL denounced the Nazi regime for its persecution of Jews and labor unionists, and it joined Jewish organizations in boycotting German goods (Wise, 1949:239). But at its 1933 convention, AFL members still rejected special admissions for German refugees (AFL, 1933:103). In ensuing years, efforts to rescue European Jewry were led by a core of Jewish advocacy groups, Protestant and Catholic organizations, the ACLU, social workers and liberal academics. After *Kristalnacht* in 1938, new support came from prominent artists, entertainers, academics, politicians, the NAACP, and a young CIO.

In 1938, the Labor League for Human Rights was created to support the rescue of those persecuted by the Nazi regime. AFL president William Green agreed to serve as an honorary chair and AFL secretary George Meany as an honorary secretary. But Green and the AFL remained opposed to refugee admissions beyond quota limits. In the late 1930s, however, the CIO joined a coalition of progressive groups in advocating special legislation, the Wagner-Rogers bill, to grant emergency visas to 20,000 refugee children (Divine, 1957:101). The AFL was among opponents, asserting that "the quotas should not be enlarged nor should unused quotas of other countries be used." The AFL's Washington office argued that "whatever immigrants should come here should come as immigrants and not as refugees" (Roberts, 1938).

Thus, whereas the AFL remained supportive of national origins quotas, the more racially progressive CIO denounced the country's immigration policy. James B. Carey, the CIO's national secretary, told a 1940 conference of the American Council for the Protection of the Foreign Born that American labor needed to recognize that Congressional restrictionists were hostile to the needs of U.S. workers. "The propagandists who preach today that [immigrants] aggravate our unemployment prob-

lem,'' he declared, ''are the very persons who never intended and who do not now intend to do anything about our own, American unemployment'' (Annual Committee for Protection of the Foreign Born, 1940:14–17). The labor balance between restrictionism and solidarity was clearly in flux.

In the war's waning stages, the AFL leadership urged members to ''wage an unrelenting struggle against groups … spreading the poison of anti-Catholicism, anti-Protestantism, anti-Semitism, and anti-Negroism and other forms of racial prejudice'' (AFL, 1946:598). However, the AFL was not yet willing to sacrifice national origins quotas, resolving that ''any lowering of the immigration bars be opposed, and … all phases of traditional immigration policy be maintained'' (AFL, 1946:250). It was more open when it came to special refugee admissions *after* the war. To aid European Jews and other Displaced Persons who crowded into Allied-controlled zones in 1946, American Jewish groups spearheaded the creation of a nonsectarian and bipartisan Citizens Committee on Displaced Persons (CCDP) comprised of the AFL and the CIO, as well as Catholic and Protestant leaders, captains of industry, social workers, public officials, and academics. To gain AFL support, the CCDP separated the plight of displaced persons from broader immigration reform efforts. The strategy proved successful, as delegates at the 1946 AFL convention endorsed ''the immediate entry of immigrants composed of displaced persons in Europe of whom the Jews are a large number,'' while opposing omnibus immigration reform.

Of course, Europe was not the only source of immigration. At the start of WWII, Southwestern growers and other business interests, joined by their legislative champions, complained to executive branch officials that war-induced labor shortages necessitated a new Mexican temporary worker program. In response, an interagency committee was formed to facilitate the importation of Mexican guestworkers. In 1942, the State Department negotiated a special agreement with Mexico establishing the Bracero Program that Congress swiftly approved.

From the start, organized labor fervently opposed the Bracero Program as both exploitive of Mexican guestworkers and detrimental to domestic labor standards. The AFL questioned the motives of employers clamoring for cheap Mexican labor. ''The same elements that have always exploited illiterate Mexican labor have used the war emergency as a special plea to waive restrictive immigration laws,'' it warned (AFL, 1942). The CIO worried about ''the vicious exploitation and discrimination directed

against the Mexican workers'' and, in contrast to the AFL, at least rhetorically welcomed them ''into the ranks of organized labor in the United States for the improvement of their conditions'' (Congress of Industrial Organizations, 1939).

In terms of public policy, the AFL backed postwar efforts by restrictionists in Congress to keep stringent limits on Asian, African, and southern and eastern European immigration. The McCarren-Walter bill promised to maintain the national origins quota system. As in the past, the AFL pledged support for national origins quotas, but it joined other labor organizations in expressing alarm that Mexican braceros and unauthorized migrants had ''depressed wages and destroyed working conditions.'' But many restrictionist legislators were responsive to agricultural growers and other business interests who relied upon easy access to cheap Mexican guestworkers. These lawmakers shepherded reauthorization of the Bracero Program in 1951, claiming that termination would be ''unfair to the farmer and the Mexican involved'' (Reimers, 1992:54).

The AFL's failure to curb Mexican temporary worker programs had no bearing on their support of the McCarren-Walter bill. Indeed, AFL lobbyist Walter Mason denounced an expansive Humphrey-Lehman-Roosevelt bill because it promised to undermine ''the spirit of the Quota Act of 1924'' and ''disturb the ethnic equilibrium of this country'' (American Federation of Labor Legislative Department, 1952).

After failing to terminate legal guestworker programs, organized labor and the Truman administration urged Congress to impose legal sanctions on those who illegally smuggled aliens into the country and on employers who knowingly hired undocumented aliens. Labor supported an unsuccessful employer-sanctions amendment to ''reduce the volume of…illegal entries by imposing penalties upon those who knowingly employ illegal entrants'' (American Federation of Labor Legislative Department, 1952). The final legislation made it unlawful to transport or harbor undocumented aliens but clarified that ''harboring'' did not include their employment. This ''Texas proviso'' highlighted the lengths to which congressional champions of national origins quotas were willing to go to preserve Mexican labor immigration, both legal and illegal. Despite this bitter pill, the AFL endorsed the legislation because it sustained restrictive quotas. Delegates at AFL conventions as early as 1950 endorsed ''the immediate enactment of legislation to bar the illegal entries of aliens and…provide a criminal penalty for employers who hire such labor'' (AFL, 1950). In 1954, a frustrated AFL Executive Council resolved

to give "unceasing publicity" to the "wetback problem" (American Federation of Labor Executive Council, 1954).

By contrast, the CIO opposed the racist quota system and temporary Mexican labor, while expressing solidarity with Mexican workers.[6] As in the 1940s, the CIO joined ethnic associations, religious groups, and other immigration reformers in denouncing the quotas and calling for a more open and just preference system. Yet the Bracero Program endured for almost two decades after the war ended. Guarded by agribusinesses, Southern and Western congressional committee barons, and a lax immigration bureaucracy, roughly 4.2 million Mexican workers were imported under the Bracero Program, even as further unauthorized flows across the southern border continued apace.

The AFL–CIO Merger and Pro-Immigration Reform: Drawing Distinctions Between Legal and Illegal Immigration (1955–1999)

The Cold War introduced fresh political, economic, and migratory challenges for organized labor. The Taft-Hartley Act in 1947 symbolized a major shift by the state, from a regulatory position that protected and promoted unions to one that restrained them (although by requiring union members to sign non-Communist affidavits in NLRB elections, Taft Hartley advantaged the more politically conservative AFL over the CIO). Later, industrial unions and labor liberals failed in efforts to deal with growing industrial automation through Keynesian macroeconomic policies and efforts to forge new corporatist arrangements (Lichtenstein, 2002:133–136. Henceforth labor would be cast not as a central player in the economy but as one interest group among many advancing particular economic interests not on behalf of its members. Mass immigration was resurgent in the 1970s and reached new heights in subsequent decades. For the first time in the nation's history, the overwhelming majority of newcomers came from Latin America and Asia. Unprecedented levels of undocumented immigration matched these record legal flows.

Essentially neglected by Briggs, the 1955 merger of the AFL and CIO brought about a momentous and enduring shift in the national labor federation's role in federal politics. Even before its merger with the CIO,

[6]Ngai (2004:163) notes that the CIO unsuccessfully petitioned the Department of Labor in 1955 to serve as an official watchdog over the Bracero Program "on the grounds that it had a 'third party interest' in the proper enforcement of the Migrant Labor Agreement."

key factions within the AFL embraced a liberalization of immigration policy. During the early 1950s, state-level Federations of Labor in Massachusetts, Minnesota, and other Northern states challenged the AFL's position on immigration policy. The ascendance of George Meany to the presidency of the AFL in these years, a labor leader who favored both the AFL–CIO merger and liberal immigration reform, was also significant. Meany assumed the helm of the newly merged labor organization in 1955 and promptly purged the AFL's director of legislative affairs, who was a long-time defender of immigration restriction.

The AFL–CIO soon worked closely with other liberal groups in championing expansive immigration reform, including an increase in annual admissions to 250,000 and abolition of national origins quotas. In contrast to labor activists of earlier decades, AFL–CIO leaders assailed the intellectual underpinnings of the existing policy structure. "It is a philosophy which condemns *groups* of people, a philosophy which ranks people as inferior or superior to one another," declared AFL–CIO lobbyist Hyman Bookbinder. "It runs contrary to the democratic philosophy that people ought to be judged as *individuals*" (emphasis in original) (Bookbinder, 1958).

During the Kennedy years, organized labor finally got its wish to see the Bracero Program terminated. Federal standards for Bracero wages and working conditions were routinely disregarded by employers, they complained. Worse yet, these violations often occurred with the full knowledge of INS, Labor Department, and other government officials, thereby creating a system that reformers described as a "broken down … state of corruption" (Mitchell and Galarzo, 1958). After the 1960 election, the AFL–CIO lobbied Congress heavily for the program's termination. The administration and Democratic leaders in Congress lent their support to the effort.

Joining a variety of pro-immigrant lobbies, the AFL–CIO and its member unions also worked closely with the Johnson White House and reformers in Congress to dismantle the national origins quota system in 1965. "[T]he true image of America is … a mosaic of human beings that is always changing but encased in a basic framework of freedom, of brotherhood, of tolerance, of creativity," the AFL–CIO's Bookbinder told lawmakers. "The national origins quota system has no place on the American statute books" (Bookbinder, 1960). It was a clear renunciation of organized labor's earlier endorsement of restriction on the basis of race. Sweeping immigration reform in 1965 dismantled national origins quotas

in favor of a new preference system that emphasized family-based immigration, but it also placed a 120,000 annual ceiling on Western Hemisphere visas (Calavita, 1992:163–169; Gonzalez, 1996).

The end of the Bracero Program did not, of course, stem Mexican labor recruitment. Instead, the program's demise combined with new limits on Western Hemisphere immigration sent Mexican labor flows largely underground, where they soon thrived and expanded. The issue of illegal immigration inspired more media attention, public concern, and remedial proposals by policymakers than did any other migratory issue of the 1970s and for organized labor, achieving some form of employer sanctions became a top priority. But whereas previous eras saw large portions of the labor movement vilifying the exploited worker as well as the employer, the 1970s marked the beginning of a shift – now a number of national unions (although not the building and construction trades unions) largely castigated the employer and began moving in the direction of supporting amnesty for the undocumented.

During the 1970s, the AFL–CIO's Legislative Department lobbied the House for employer sanctions legislation. Employer sanctions appealed to many liberal Democrats because they promised to discourage illegal entries by targeting unscrupulous employers rather than pursuing mass deportation tactics that threatened the civil liberties of Latino citizens and legal permanent residents. With strong labor movement support, California took the lead in enacting employer sanctions legislation in 1971 that was upheld by the Supreme Court in 1976. The AFL–CIO worked closely with pro-labor Democrats in the House on employer sanctions legislation, but over time resistance emerged from fellow Democrats who warned that the measure would lead to job discrimination against Latinos, Asians, and anyone who looked or sounded foreign. (Congressional Record, 1972:30164, 30182–83).

Meanwhile, several unions promoted broader solidarity with immigrants. In 1975, the United Farm Workers (UFW) were persuaded by Latino groups to oppose only undocumented aliens who engaged in strike-breaking activities.[7] The UFW, which also had an active Filipino worker base, further announced new support for a generous amnesty program. The same year, the International Ladies Garment Workers Union

[7]During the 1970s, new Latino and Hispanic lobbies vigorously opposed employer sanctions.

(ILGWU) campaigned to unionize undocumented aliens because of their enduring presence in the garment industry. ILGWU officials explained that their new policy reflected an inability on the part of the federal government ''to do anything about illegal immigrants'' (*Los Angeles Times*, January 30, 1975). Among prominent Latino labor groups, only the AFL–CIO's Labor Council for Latin American Advancement remained stridently opposed to illegal immigration. The construction unions, whose craft union model had always been premised on strictly controlling entry into the occupation and traditionally functioned to exclude African-American and Latino workers from membership, continued to embrace restrictionism through the 1970s and 1980s. While backing employer sanctions, they opposed amnesty and continued to hold undocumented immigrant workers responsible for lower wages and higher unemployment (Haus, 2002:89–95).

In the late 1970s, Senator Alan Simpson (R-WY), and Representative Romano Mazzoli (D-KY) took the lead in pressing for immigration reform. Early in 1982, the pair introduced omnibus legislation on illegal and legal immigration, including enforcement measures, employer sanctions, a temporary worker program, and limited amnesty. The measure met fierce resistance from a broad coalition of business interests, ethnic and civil rights groups, the ACLU, religious lobbies, and a new immigrant rights organization, the National Immigration Forum.

Opposition to the Simpson-Mazzoli initiative came from both Right and Left. The Reagan administration saw employer sanctions and ''national identification cards'' working at cross-purposes with its regulatory relief agenda, while House Democrats led by the Hispanic and Black Caucuses, assailed potentially discriminatory impacts of employer sanctions. Three more years of wrangling resulted in the Immigration Reform and Control Act of 1986 (IRCA), a compromise package of watered-down employer sanctions provisions, legalization for undocumented aliens living in the country since 1982, and a new Seasonal Agricultural Worker program to appease grower interests that also included a path to legalization. The measure proved highly successful in granting legal status to nearly three million undocumented aliens, but the AFL–CIO's long-standing policy goal – employer sanctions – proved to be a ''toothless tiger'' (Tichenor, 2002).

Rather than preventing employers from hiring the undocumented, sanctions actually gave them cover since the law did not require employers to verify the authenticity of workers' documents. Employers could follow

the letter of the law while still hiring large numbers of undocumented workers. Moreover, some employers followed a strategy of selective verification as a tool for foiling union organizing drives (Chishti, 2000:71–76). Thus, several unions most involved in organizing low wage immigrant workers – including the ILGWU, the Amalgamated Clothing and Textile Workers Union (ACTWU), the Hotel Employees and Restaurant Employees (HERE) and the Service Employees International Union (SEIU) – moved from supporting employer sanctions to passing resolutions calling for repeal as early as 1992 (Haus, 1995:299–304).

By the late 1980s, it was clear that the IRCA had done virtually nothing to discourage illegal immigration. But legislators were eager to shift their attention to the politically painless task of expanding legal immigration. Despite efforts by restriction-minded lawmakers and lobbies to reduce legal immigration, the Immigration Act of 1990 unified ethnic groups, humanitarian organizations, labor unions and the AFL–CIO, business groups, and free market conservatives behind a 40% increase in annual visa allocations that protected most family-based visa categories and expanded employment-based immigration (Tichenor, 2002:ch.9). Tellingly, the same year, the AFL–CIO, long the most strident advocate of employer sanctions, made little effort to press for stronger enforcement. Instead, AFL–CIO President Lane Kirkland joined fellow members of the Leadership Conference on Civil Rights in lobbying for stronger enforcement of job antidiscrimination protections for Latinos, Asians, and legal aliens (Kirkland, 1989). The balance between restrictivism and solidarity in American labor was swinging decisively toward the latter.

Championing Foreign-Born Workers: America's Divided Labor Movement (1999–present)

Between 1990 and 2000, more immigrants arrived in the United States than during any period in American history, rising from 19.8 million to 31.1 million (Schmidley, 2001). By 2005, foreign-born workers accounted for 14% of the civilian labor force – 7.2 million of these were undocumented immigrants (5% of the labor force). Most came from Mexico and other countries of Central America. Amidst globalization, offshoring and unchecked corporate power, industrial unions took an extraordinary beating. The American labor movement continued a steady decline from representing about one in three private sector workers outside the South in

the Cold War decades to one in seven by 2000 and one in 12 by 2005. Labor's perception of the state as unsupportive was reinforced by the 1994 passage of NAFTA, new union-busting efforts that resulted in the firing of tens of thousands of workers seeking to organize unions, and numerous NLRB decisions deleterious to organizing.

Yet the profound labor market dislocations dealt to unions by lean production and globalization, the entrenched anti-union stance of the national state, and even the large in-flows of undocumented workers led not to a policy of renewed restrictionism, as one might have expected based upon the conventional explanation. Rather, it led to strong union support of amnesty for illegal immigrants, coupled with at least a rhetorical commitment to organize the millions of unskilled immigrants, including the undocumented. Why? Having shifted once with the organization of vast numbers of immigrant workers by the CIO (as well as the CIO's emphatic embrace of refugee relief and rejection of national origins quotas), and having shifted again with the campaign to overturn national origins quotas by the AFL–CIO in the 1960s, labor leadership had a durable new set-point on immigration policy. This position reflected the growing political reality that, given immigration trajectories, labor was paying all of the costs of a restrictionist policy (particularly in alienating immigrant workers) but reaping none of its benefits (since employers could so easily skirt state sanctions). These realities spoke against restrictionist positions of the past and in fact helped to propel labor further into the expansionist camp.

A critical moment in this recent transition came in 1999, when the AFL–CIO reversed course and called for the repeal of the employer sanctions provision it had strongly supported as part of the IRCA. Moreover, the same Executive Council resolution that now forswore opposition to employer sanctions also called for expanding the organizing rights of immigrant workers, a broad amnesty for the undocumented, and immigrant admissions based upon family reunification. It was the culmination of a shift in the Federation's strategy on illegal immigration that had begun in the late 1970s when the AFL–CIO first came out in support of amnesty, and a longer shift to pro-immigration positions that began with the CIO during World War II.

The Federation's new position captured union activism on behalf of an expansive immigration policy, but there would be tremendous division within the House of Labor over specifics. In 2005, five AFL–CIO member unions accounting for more than a third of union membership left

the Federation and formed a new coalition, Change To Win (CTW).[8] The split was about political control of the Federation, but it reflected impatience over the pace of organizing and the AFL–CIO's unwillingness or inability to hold affiliates accountable for making it their top priority.

Immigration was not the main cause of the rift, but a vibrant subplot. Four of the five founding CTW unions had the largest numbers of foreign born workers in their membership and ambitions to organize millions more.[9] The SEIU signature campaign was Justice for Janitors, which focused on organizing low wage Latino janitors. In 2006, UNITE-HERE, the merged union of hotel and garment workers, launched the Hotel Workers Rising campaign and organized Latino maids and other ''back of the house'' workers. Unlike construction and manufacturing unions, these unions focused on the newer, historically less organized sectors of the economy, and their memberships included many new immigrants. Weeks prior to the split, HERE President John Wilhelm resigned as chair of the AFL–CIO Committee on Immigration, having concluded that the Federation's opposition to a guestworker program kept it from forging a workable policy compromise with business. AFL–CIO President John Sweeney then charged Wilhelm with having ''acquiesced to the corporate demands of the Republican sponsors of the bill'' (Pollack, 2005).

Following their rift, the AFL–CIO, HERE and SEIU all deepened their immigration work. AFL–CIO strategies included lobbying for comprehensive immigration reform, working with affiliates to strengthen local union representation of immigrant members, and building partnerships with grassroots community-based immigrant worker organizations. In 2006, the AFL–CIO partnered with the National Day Laborer Organizing Network (NDLON), an umbrella organization of day laborer ''worker centers'' that sometimes was viewed as competition by building trades unions (Fine, 2006).

This worker center alliance represented another significant step toward solidarity with immigrant workers. Yet the alliance was fraught with danger. Some building trades unions strongly opposed the NDLON

[8]The unions were: SEIU, UNITE-HERE, the Laborers International Union, the United Food and Commercial Workers (UFCW) and the Teamsters. They were joined by another AFL–CIO union, the UFW as well as the Carpenters, which left the Federation in 2003.

[9]Using occupation-level data, Burgoon and Jacoby (2006:30, Figure 7) estimate the foreign born proportions of the core occupations of the different Change to Win unions: 24% for cleaning and building services (SEIU, HERE), 16% for health services (SEIU), 23% for construction labor (LIUNA).

agreement, and white collar unions typically opposed any bill that included expansion of guestworker programs. Concerned about white collar immigrant workers being brought in by corporate America through the H1B/L-1 temporary worker program, the AFL–CIO's Department for Professional Employees (DPE) unfavorably contrasted the AFL–CIO's strong activism on behalf of immigrant workers with its quiescence on the outsourcing of white collar jobs. The AFL–CIO's Building and Construction Trades developed its own comprehensive statement on immigration reform, for the first time endorsing earned legal status for undocumented workers and, like the white collar DPE, taking a strong position opposing an expanded temporary worker program.

Meanwhile, SEIU and HERE went in a decidedly different direction by aligning with the Essential Worker Immigration Coalition (EWIC), an alliance of immigrant-dependent industry associations headed by the U.S. Chamber of Commerce. SEIU and HERE concluded that politically viable immigration legislation would require some form of a temporary worker program. They accepted this trade-off in exchange for some form of legalization for the 12 million undocumented workers in the U.S. SEIU and HERE differed with the Federation by conceding that the annual number of worker visas would have to be much higher and that handling all future flow by increasing the number of green cards was politically unfeasible.

Legislative politics provided a brief respite from this tension. In 2005, a punitive bill focused on border enforcement passed the Republican-controlled House. It proposed to make illegal presence in the United States a felony and made it a crime to lend support to undocumented immigrants. From March to May 2006, demonstrations against the bill by largely Latino immigrants and their supporters, unprecedented in number and size, took place across the U.S. (Hing and Johnson, 2007; Narro, Wong, and Sahdduck-Hernandez, 2007:49–56). SEIU, HERE and other unions provided crucial financial support and troops, and the AFL–CIO worked closely with NDLON to oppose the bill. During that spring, opposition to the punitive House plan offered a divided labor movement an opportunity to stand united, but new fractures emerged when SEIU and HERE backed two moderate Senate immigration bills opposed by the AFL–CIO.[10]

[10]Other CTW unions, including the Laborers and UFCW, also objected to the guestworker provisions in the bills and, like the AFL–CIO, refused to support them.

After Democrats gained control of Congress in 2007, President Bush urged ''a bipartisan effort'' on immigration reform. By April of 2007, Senator Edward Kennedy (D-MA) resubmitted the only bill to pass the Senate in 2006 as a starting point for discussion in the Senate, while Representative Luis Gutierrez of (D-IL) submitted his own immigration bill in the House. Both were liberal Democrats, and Kennedy had long been labor's leading ally in the Senate, yet despite AFL–CIO opposition and Democratic control of Congress, both men incorporated expanded temporary worker programs in their proposals. The Gutierrez bill included earned legalization for the 12 million undocumented as well as a large new temporary worker program, but one which included visa portability, the right to travel back and forth, an option to apply for permanent resident status and a ''pathway to citizenship.'' It was embraced as a starting point by SEIU, HERE, and other pro-immigration groups.

By May, a bipartisan Senate coalition put forward the Border Security and Immigration Act of 2007, a ''grand bargain'' that had the support of President Bush and became the focus of all meaningful subsequent discussion (*New York Times*, May 18, 2007). The bill beefed up border security and interior enforcement, imposed criminal penalties for illegal entry, and created a new point system for legal admissions. The bill provided a new Z visa for undocumented immigrants to earn permanent residency, and also proposed a temporary Y worker program admitting 200,000 workers on a two-year basis with options for reeligibility. Incorporating a White House proposal, the bill contained strict border control triggers to be met before the Z or Y visas could begin.

Labor's divisions shone brightly. The AFL–CIO opposed the bill, especially its guestworker program, while expressing strong support for generous amnesty, increases in green cards, and broader rights for immigrant workers to organize. The Building and Construction Trades Department vehemently opposed the legislation and played a prominent role in its Senate demise. Three CTW unions, the Laborers, Teamsters and UFCW ultimately joined the Federation also ultimately rejected the bill Meanwhile, the SEIU, HERE and UFW joined business organizations and the White House trying to save the bill.

In June 2007, the grand bargain was defeated for a second and final time. To be clear: the defeat largely came at the hands of a powerful grassroots anti-immigration mobilization that ultimately blocked the business lobbies from being able to mobilize the necessary Republican votes to pass the bill. However, the 2007 debate represented a unique moment

in the American labor movement's struggles over immigration. Rather than a clear-cut division between "restriction" versus "solidarity" within organized labor, both sides in this debate pursued solidarity and championed immigrant rights. The differences within the movement centered upon whether to accept guestworkers in exchange for legalization. This amnesty for guestworker tradeoff, although bitter, captured a labor movement still wrestling over the best strategy to defend labor standards – yet *both sides welcomed new immigrant workers* as among the best chances for a revitalized labor movement.

To summarize, our archival and interview research illuminates several points that substantially revise the received wisdom of previous scholarship while filling important chronological gaps. We found that, in keeping with the conventional wisdom, labor initially did push the American state to restrict immigration and that, as labor arranged a series of accommodations with the state, it increased the organization of American workers. That said, we also find that this restrictionist policy was fiercely contested and ambivalent even in its early days and that the divisions within labor over immigration did not disappear. Inside the movement, unskilled workers, many first or second generation Americans from southern and eastern Europe once deemed unassimilable by many union leaders, became targets for unprecedented levels of union recruitment. Moreover, the low levels of immigration mandated by the national origins quota acts – the major policy legacy of labor's virulently restrictionist period in the early 1900s – helped facilitate labor's enduring reorientation toward solidarity. Significantly, we show that the New Deal period and its aftermath saw the CIO and its allies break with the AFL by first embracing refugee relief and then rejecting national origins quotas. By the time to the AFL–CIO merger in 1955, the gradual reorientation of organized labor toward solidaristic views of European immigration and the need to dismantle restrictive quotas was complete.[11]

As supportive state conditions gave way in the 1950s to a growing divide between labor and the state and as immigration took off again in the 1960s, the tensions within the labor movement re-emerged. But while

[11]Our account of gradual transformation in labor's response to immigration, in contrast to Briggs' conception of an abrupt "historic turnaround" in 1999, is resonant with Kathleen Thelen's work (2004) on modes of gradual institutional change, as well as the mechanisms of incremental change in Streeck and Thelen (2005).

the old arguments for restriction were pushed alongside increasingly prominent ones for solidarity with immigrants, the movement increasingly came to see the benefits of restriction as low, since the state would not or could not diminish the inflow of foreign workers. In considering whether to move further towards solidarity, the movement might also have asked whether the costs of immigration for union organizing were as high as the restrictionists imagined. It is to this critical question that we turn next, and once again, we will see that the conventional wisdom requires important modification.

DOES IMMIGRATION LOWER UNION DENSITY?

Clearly, American labor has been and continues to be deeply divided over its strategic approach to immigration. If empirical evidence showed an unambiguous relationship between immigration and labor strength, this enduring strategic divide would be hard to explain indeed. Presumably, at some point, such clear facts would win out. To be sure, this is essentially the position Briggs stakes out: immigration undermines union bargaining power and membership numbers. Left to explain the AFL–CIO shift in the face of these apparent material facts, Briggs stresses unions "trying to endear themselves to immigrant causes" (1991:177). But where he characterizes this move as hopelessly misguided, we root the strategic divide in a much less clear empirical relationship between immigration and labor success. Demonstrating this empirical ambiguity is the burden of our final section.

As noted at the outset, immigration can be expected to have offsetting implications for union organizing – on the one hand increasing labor supply and on the other hand constituting new potential organizing pools for unions. Which effect dominates for a particular sector, or for a given union at a specific time, partly depends on union strategies towards immigrants – strategies that, consistent with the above patterns, vary substantially over time and space. Such varying strategies should, we expect, alter any general positive or negative relationship between patterns of immigration and union density.

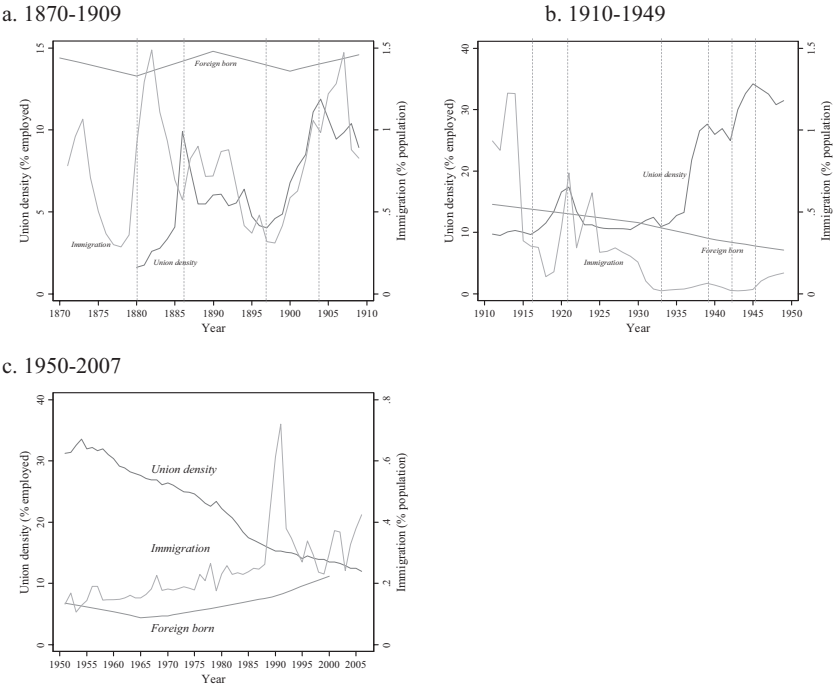
Although such an expectation finds conceptual resonance in some studies of union organization, it is clearly at odds with those expecting tension between immigration and union power. The large literature seeking to explain U.S. union rise and decline has generally ignored or dismissed the role of immigration, seeing the main culprit of U.S. labor's

decline since the 1950s lying not in immigration but in weak labor laws, employer power, and a range of other economic conditions like the decline of manufacturing sectors relative to services (Freeman, 1998; Bernstein, 2001). Such a position is certainly compatible with our own. But those scholars most explicitly focused on immigration and union density take a quite different position, expecting and finding a negative association between immigration and union density. Briggs' strong version of the claim is that " … unions thrive (membership grows) when immigration is low or levels are contracting; unions falter (membership declines) during periods when immigration is high or levels are increasing" (2001:3). This judgment follows the logic that immigration increases labor supply and brings a less integrated, economically vulnerable and docile labor pool, thus complicating organizing efforts and weakening the power of workers relative to employers. Although often stated less starkly than Briggs' formulation, such a view has other adherents in the policy-making community and broader political economy literature (Beck, 2001; Lee, 2005).

Empirical information to adjudicate these views could focus on immigration and union organization over time, but could also focus on such characteristics across countries, and/or regions, and/or sectors within the U.S. Although Lee (2005) focuses on a short time-series cross-section of OECD countries and Burgoon and Jacoby (2002) consider state-level cross-sections, the main evidence so far involves U.S. time-series on density and immigration. Such time-series are highly relevant, given the country-specific nature of immigration and industrial relations in the U.S., and given widely shared interest in broad tendencies at the U.S. national level and in trends in the plight of organized labor.

Such time-series provide plenty of fodder for claims that immigration is bad news for unions, where there appears to be a negative relationship between trends in foreign-born population or immigration flows and union density (Beck, 2001; Briggs, 2001). For instance the golden age of American unions began only after onset of the immigration-curtailing Immigration Acts of 1921 and 1924. And the post 1950s decline in the fortunes of organized labor coincide roughly with the upward turn in immigration flows following the less restrictive 1965 Immigration Act. Others, however, have highlighted specific exceptions to this pattern, such as how the post-1950 peak of U.S. union density began its steady decline well before the less restrictive 1965 Act (Bernstein, 2001:14; Palley, 2001:10).

Figure I. **Trends in Union Density, Immigration and Foreign-born Population*, 1870–2007. (a) 1870–1909, (b) 1910–1949, (c) 1950–2007.**



*Foreign-born percentage of population measured on scale of the left-hand *y*-axis

The disagreement justifies another look at such time-series evidence to understand how immigration trends relate to union density. Figure I below paints a descriptive picture of trends in immigration and union density between 1870 and 2006. For measures of union density, we rely on the annual measures of employed union members as a share of all employed wage and salary workers, developed by Richard Freeman, based on a range of data sources, and we extend the measure to 2006 using the ''Unionstats'' database based on Current Population Survey (CPS) data (Freeman, 1998; Hirsch and Macpherson, 2003; U.S. Bureau of Census, 2008). For measures of immigration inflows, we focus on the number of persons receiving legal permanent-residence status as a percentage of the population (Department of Homeland Security, 2007: Table 1).[12] Related

[12]For two comprehensive surveys of studies of immigration effects on U.S. wages, *see* Murray, Batalova, and Fix (2006); Howell (2007).

measures are strongly correlated with this, such as naturalization rates and foreign born shares. As a check, we also consider the trends in ''foreign born'' as a percentage of the population, though the data here is only available on a decennial basis and is shown with between-decade values interpolated on a linear basis. The foreign-born values in Figure I are measured on the scale of the left-hand, ''union-density'' *y*-axis. In order to make the relationships between trends and immigration and union density more visible, the Figure is broken-up into three time periods, from 1870 to 1910, from 1910 to 1950, and from 1950 to 2007.

Figure I shows clearly why many observers might see a negative relationship between immigration and union density. Except for the first panel (a), for years 1870–1909, one can see significant periods of sharply rising union density coinciding with falling immigration or dropping density coinciding with rising immigration. The latter trend is particularly true in the most recent period since the 1950s (panel c), where declining union density tends to coincide with a trend in rising immigration and rising foreign born shares.

Yet there are good theoretical reasons to interpret such trends with care. For example, political dynamics might make apparently hydraulic trends in union density rather non-linear and episodic. Freeman (1998) argues that union-organizing spurts reflect how organizing can have increasing returns and how employer opposition might be particularly strong in low- or non-union settings and softening above saturation points. Looking closer, we see that the trends indeed do paint a more mixed picture. For instance, the first panel captures two such spurts in organizing, 1880–1886 and 1897–1904. Coinciding with the first spurt, immigration flows rose first very sharply (having begun a sharp spike in 1877) and then after 1882 fell almost as sharply. And if one considers a one-year lag (or more) in how immigration flows might affect industrial relations, then we can see that this first spurt in union organizing and density coincides with a spurt in immigration as measured by foreign-born shares. The second spurt between 1897 and 1904 is more obviously correlated with generally increasing immigration flows, though this time less consistently so if one considers lags or the foreign-born shares as measures of immigration. Panel b in Figure I also shows two spurts in union organization, the first of which (1916–1921) overlaps a period of declining and then more sharply rising immigration flows and rather flat foreign-born shares. And the second unionizing spurt from 1934 to 1939 coincides with weakly rising immigration flows. Focusing on the organiz-

ing spurts, thus, suggests that rising union organization coincides with widely varying and often positive shifts in immigration.

More generally, many other features of the descriptive tracking of immigration and density trends belie the idea of a simple negative relationship. Considering the many moments of declining union density throughout the 110-year period and not just the last 40 years, the relationship between immigration and density is less obviously negative. Marked drops in density between 1893 and 1897 and between 1920 and 1923 coincide with discernible drops in immigration flows and foreign-born trends. Furthermore, the decline in density begins most strongly in the early 1950s when immigration flows are generally flat and foreign-born shares are declining. And if one compares *rates* of growth or decline with *rates* of rising or declining immigration, the trends harbor plenty of periods where a drop in the rate of decline in union density coincides with rises in the rate of increase in immigration. The early 1990s are a recent and important case in point (Bernstein, 2001:14).

All these trends suggest an ambiguous picture of the relationship between immigration and union density. This is important to realize, even before taking into account the possibility that any apparent correlation between immigration and union-density trends might be misleading. Most obviously, any correlation between immigration and density might be the result of factors affecting both trends, such as business cycles, making any correlation spurious. Most scholars discussing time-series information on immigration and union density acknowledge this – including Briggs in his judgment that apparently positive relationships between immigration and union organization might reflect macroeconomic developments.[13]

Most fundamental, however, is that any apparent correlations between immigration and density may express time dynamics in the data, such as how union density (or immigration) in one year might have strong implications for density (or immigration) in another year – something much literature expects given how past organizing successes or failures have strong implications for future ones (Freeman, 1998). Such dynamics are common in any time-series data and are as important to address as are possible "omitted variables" in revealing the "real" relationships in Figure I. Although time-series analyses of union density in other

[13]For example, Briggs argues that the simultaneous growth in union density and immigration between 1897 and 1905 was caused by particularly rapid industrialization and recovery from prolonged depression (2001:170).

countries have addressed such dynamics, the literature on U.S. union organization has to our knowledge not done so (Carruth and Schnabel, 1990; Johnson, 2002).

To statistically analyze the same annual time-series measures of immigration and union density from 1880 to 2006 shown in Figure I, we fit a range of models of union density. We do so not to develop a complete model of such density, something beyond the scope of this study, but instead to identify and redress time-dynamics in the data and the role of key factors other than immigration (*see* Appendix 1 for summary statistics). We use controls that theory and existing studies suggest ought to influence both immigration and union density in the United States context: manufacturing employment as a proportion of total employment (inverse of deindustrialization), which eases organization of collective representation (Bernstein, 2001; Lee, 2005); growth in per-capita GDP captures macroeconomic upturns that plausibly diminish worker demand for organization (Checchi and Visser, 2005); and population level (logged) that captures the size of economies that should be directly proportional to the ease of organizing and hence level of union density.[14]

The time dynamics we consider include possible *serial correlation* (correlation among the errors of adjacent observations in the time-series); possible *non-stationarity* (where the values of union density and/or immigration do not vary around fixed long-run means); *possible lags* in how measures of immigration affect union density; and possible year-to-year *volatility or shocks* in the trends. These features of the data could generate bias and obscure the actual relationship between immigration and density. A useful estimation procedure to redress these potential features of time-series data involves Auto-Regressive Integrated Moving Average models (ARIMA) (Box and Jenkins, 1976; Harvey, 1981; Ostrom, 1990). We experimented with a range of ARIMA models by adjusting several parameters and considering different lags and moving averages of the key parameters and possible controls – to yield the statistically best-performing model of how immigration influences union density.

[14]All these data come from the Statistical Abstract and Historical Statistics and the Bureau of Labor Studies (various). Other alternatives, such as unemployment rates, urbanization, and agricultural employment, total government spending are either are not significant in bivariate or multivariate relationships with immigration and/or union density, or tend significantly to reduce available years in the time-series. Their inclusion does not, in any event, change the reported results for the effects of immigration.

The first five columns of Table 1 summarize the results of our identification of the basic model without controls but focused on addressing how immigration patterns play out in light of potential autocorrelation, non-stationarity, shocks in shaping union density, and lags and/or volatility in the effect of immigration on such density. To facilitate comparison of models in light of such characteristics, we rely on diagnostic statistics that identify the above characteristics (*e.g.* Durbin-Watson d-statistics to judge presence of serial correlation, and Augmented Dickey-Fuller statistics to measure non-stationarity in union density) and to allow judgment of which model best fits the data (*e.g.* Akaike information criterion, AIC, for overall goodness-of-fit). All the estimations are maximum likelihood and require post-estimation to gauge the size of the modeled effects of immigration. But the size and sign of coefficients relative to standard errors allow us to judge whether immigration trends tend to have positive, negative or no significant effects on trends in union density.

The first three columns show results for union density regressed on one-year lagged levels of immigration. Their comparison reveals that especially first-order autocorrelation and perhaps also first-order shocks in trends in union density are present, and therefore that regressions not modeling and correcting for such serial correlation or shocks are unreliable, yielding coefficients for immigration whose standard errors are downwardly biased.

The first column shows the results for the simplest estimation, without taking account of any correlation. It identifies a strong and statistically significant *negative* relationship: based on the fitted values from the maximum likelihood estimation, moving from the 5th to the 95th percentile in the sample distribution of immigration rates over time (from roughly 0.38 percent to roughly 1.2 percent of the population) yields a decrease in union density from 19 to 4 percent (equivalent to moving from the 63rd to the 5th percentile in the sample distribution of union density). But such a result is clearly an artifact of very strong first-order autocorrelation, something that is partly captured by the very low Durbin-Watson d-statistic of 0.211 (values below 1 are strong signals of the presence of autocorrelation).[15] Model 1 may be also problematic because all tests

[15]Other tests for autocorrelation (*e.g.* Breusch-Godfrey test, Durbin's alternative test) reveal the same strong evidence of first-order correlation. Mapping residuals reveals autocorrelation function (ACF) spikes strongly suggesting first-order autocorrelation, not second- or higher-order correlation.

TABLE 1
ARIMA ESTIMATION OF UNION DENSITY

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Immigration	−1705.9*** (190.6)	6.66 (91.28)	−173.0 (244.3)	−154.1 (232.7)	17.09 (96.70)	6.674 (91.39)		
Naturalization							0.364 (0.557)	
Foreign-born (interpolated)								−108.95 (147.71)
Manufacturing employment						59.75*** (13.21)	51.56*** (13.38)	59.76*** (13.13)
Growth						−41.97** (20.09)	−39.81* (20.37)	−43.97** (20.25)
Population						−33.64 (25.38)	−81.93 (65.43)	−31.32 (40.98)
AR(1)		0.99*** (0.016)	0.98*** (0.019)	0.189 (0.45)	0.27*** (0.06)	0.11* (0.064)	0.17* (0.096)	0.08 (0.07)
MA(1)			0.258*** (0.0579)	0.086 (0.438)				
Constant	23.60*** (0.858)	11.22 (8.175)	12.89* (6.752)	0.08 (0.269)	0.08 (0.237)	0.674 (0.437)	1.173 (0.797)	0.62 (0.74)
Observations	127	127	127	126	126	124	96	121
Sigma σ	7.041*** (0.632)	1.483*** (0.0433)	1.424*** (0.0385)	1.427*** (0.0453)	1.430*** (0.0467)	1.330*** (0.0455)	1.25*** (0.065)	1.33*** (0.045)
Log-likelihood	−428.08	−232.12	−226.99	−223.61	−223.87	−211.3	−157.68	−206.48
Arima(p,d,q)	Arima(0,0,0)	Arima(1,0,0)	Arima(1,0,1)	Arima(1,1,1)	Arima(1,1,0)	Arima(1,1,0)	Arima(1,1,0)	Arima(1,1,0)
Durbin-Watson d-stat	0.211	1.33	1.67	1.99	1.97	2.01	2.03	2.01
Augmented Dickey-Fuller (t-stat)	−1.585	−1.585	−1.585	−8.37***	−8.37***	−8.37***	−6.86***	−8.21***
AIC	862.2	472.24	463.97	457.22	455.75	436.6	329.35	426.95

ARIMA maximum likelihood estimates (standard errors in parentheses).
(1) to (3) all parameters measured in levels; (4) through (8) all parameters measured in first-differences.
See text for definitions of variables, parameters, and test statistics.
***p < 0.01, **p < 0.05, *p < 0.10.

reveal union density to be non-stationary. One example of such a test is the Augmented Dickey-Fuller test, whose t-stat value of −1.5 strongly suggests non-stationarity (being well below the cut-off for even a 10-percent rejection of the null hypothesis of a unit root is −2.578). Further, goodness-of-fit problems are signaled by a high AIC of 862. The autocorrelation and non-stationarity likely reflect real and not just measurement issues, since union-organizing successes and failures can strongly influence future efforts, such that union density in one year strongly affects density in another. What Model 1 captures, hence, is not the effect of immigration so much as the effect of past union density. In short, Model 1, which supports the central intuition in the dominant literature, is a very unreliable estimator of how immigration affects union density.

Columns 2 and 3 consider two alternative estimators to address the problem of autocorrelation. Column 2 is a simple autoregressive model (AR-model) that takes account of how past values of union density affect present values through an AR(1) process. This procedure significantly reduces the level of serial correlation. The presence of an AR(1) process can be seen by the highly significant coefficients for the AR(1) parameter, and the significantly lower AIC statistic shown in Table 1 suggests a better model than that in column 1.[16] For the purposes of divining the effect of immigration on union density, the coefficient for immigration is positive and insignificant in this better-fitting model, suggesting that immigration tends to have no effect on union density.

Column 3, meanwhile, is an ARMA model, considering the simultaneous presence of an AR(1) process and a MA(1) process, the latter reflecting potential shocks in one-year lags.[17] We see again the significant presence of the modeled serial correlation (highly significant AR(1) parameter in Column 3, and also the presence of shocks in the moving average (the highly significant MA(1) parameter). And with the addition of the MA(1) parameter, the lower AIC statistic suggests an improved model over the simple AR(1) model in column 2. Most importantly, this ARMA model suggests that immigration has no significant effect on union density.

[16]That the modeling of that process removes extant serial correlation can be seen by the much higher Durbin-Watson d-statistic of 1.33 (versus 0.211).

[17]Here we also consider a 5-year moving average of immigration (with a one-year lag) to address the possibility that immigration follows a volatile process that will distort estimation of its effects.

Columns 4 and 5 show the results of specifications that achieve stationarity and improve validity of the estimations. Column 4 considers a "mixed" ARIMA model [arima(1,1,1)]. Here, the estimation is of the first-difference of union density (density at t minus density at t−1) regressed on the (lagged) first-difference of the 5-year moving average of immigration levels, in addition to modeling of an autoregressive process and the presence of shocks in with an MA(1) component. The estimation lowers the extant serial correlation, even compared to the ARMA model. And it also significantly redresses the problem of non-stationarity; tests for unit-roots suggest that the first-differences of union density, unlike levels of union density, are stationary. Such mixed models, however, often overfit the data.

In any event, it appears that the best fitting model is a first-difference autoregressive model shown in Column 5 [arima(1,1,0)], where the model is in first differences of union density and lagged immigration and includes an autoregressive component but not an MA(1) component. Here, there is no sign of extant serial correlation or of nonstationarity, and the general goodness-of-fit is better than the mixed model in Column 4. Hence, we take the results in Column 5 to be the best bivariate estimates of over-time effects of immigration for union density. And the results clearly suggest again that immigration has no effect on such density once one accounts for serial correlation and non-stationarity in the time series.[18] To help visualize such patterns, Appendix 2 shows two scatterplots of union density and immigration, taking levels (basis for Models 1–3) as opposed to first-differences (basis for Models 4 and 5).

The remaining columns capture how the inclusion of various controls and estimation of other measures of immigration yield very similar results to this benchmark. Column 6 shows the results of running the same estimator as in Column 5 [arima(1,1,0)] but with the inclusion of manufacturing employment shares, growth, and population (logged) as controls. The estimation performs similarly in terms of modeling of autoregressive processes, and shows no sign of extant autocorrelation and, not surprisingly, fits the data better than the bivariate models. The controls perform broadly in line with expectation: economic growth is, as

[18]This model also performs better than alternative ARIMA models, for instance arima(1,0,1) or models with higher-order AR- or MA-processes or differencing. But the (non)results for immigration are similar. The same is true for levels-models with a lagged dependent variable and error-correction models.

expected, significantly negative, showing a countercyclical effect on union density; manufacturing employment is strongly positive, consistent with findings that deindustrialization lowers union density; and population is negative, as expected, but insignificant. The key, however, is that immigration remains statistically insignificant in its correlation with union density, a result that does not change if we drop any of the controls or consider each separately.

Finally, columns 7 and 8 consider the same ARIMA models as that in Column 6, but consider the effects of naturalization rates (column 7) (Department of Homeland Security, 2007) and foreign-born shares (column 8) (U.S. Bureau of Census, 2008), respectively, to consider whether the results are robust to alternative immigration measures. As can be seen by the highlighted results, neither is significantly related to union density, a result that holds up regardless of controls and in all of the various ARIMA specifications in Columns 2–5. In addition to these reported tests, we considered a range of alternative estimators, controls, lags, moving averages, yet-other measures of immigration, and various (sub-)time periods. Our goal in all these tests was not so much to fully specify a model of immigration as to consider the sensitivity of the putatively negative relationship between immigration and union density to the most obvious and crucial obstacles to understanding over-time relationships. And very significant in that light, all of the alternative specifications addressing such obstacles yielded the same broad ''non-result,'' that immigration has no substantively or statistically significant effect on union density.

In sum, analysis of national union density over time, sensitive to the role of third factors and to time-dependence in time-series estimation strongly supports what the above analysis of the descriptive trends implied – that immigration trends tend to have no significant effect on union density trends. As a purely empirical matter, this is not surprising, given the role other factors play and the widely varying kinds of immigration and economic conditions characterizing U.S. industrial relations since the 19th-century. Theoretically, it is consistent with our own sense that union strategies towards the organizing of immigrants and the treatment of the immigration have differed substantially across time, sector and space enough that we expect immigration to have neutral effects for density in the net. But the finding certainly goes against the attractive intuition that immigration means bad news, plain-and-simple, for union density.

CONCLUSION

Our empirical evidence from fresh archival work, elite interviews, and quantitative analysis offers an understanding of American labor's relationship with immigration that is decidedly different from the familiar one advanced by Vernon Briggs in his salutary research on the subject and widely promoted by many pundits and scholars. Our archival investigation of the evolution of this relationship (examining frequently neglected collections and episodes in U.S. labor history) captures a labor movement often riven by potent internal conflicts over national immigration policy and new immigrant membership. Our historical account of organized labor and immigration also illuminates far more variation in the official positions and lobbying efforts ultimately pursued by the major labor federations during periods others have portrayed as simply restrictionist. Our archival findings for periods such as the post-World War II era and its frequently competing AFL and CIO voices on immigration powerfully belie this received wisdom. Likewise, our elite interview and documentary research of immigration and unionism today captures an American labor movement that remains deeply conflicted. Organized labor in the United States is as fraught in its pro-immigration efforts today as it was in its promotion of immigration restriction at the turn of the century and after World War.

As much as our findings offer insights about the labor movement's relationship toward immigration over time that contradict the historical narrative advanced by Briggs and others, we also demonstrate significant oversimplification in received wisdom about immigration and union density. Put simply, there appears to be no statistically significant relationship, positive or negative, between immigration and union density once one takes into account trends and the role of other factors in historical data. These cast serious doubt that descriptive trends suggesting a (negative) relationship between the two capture anything close to the actual situation.

To be sure, there are other potential dependent variables relevant to industrial relations and unions, and other modeling techniques or further controls than the many we have considered. And with respect to both our quantitative study and historical narrative, there are important, as yet unanswered questions, about the many possible conditions shaping the diversity of and struggles over union responses to immigration. But for now, there should be substantial skepticism towards the view that

immigration has a directly negative effect on union density and towards the view that American unions believe that it must.

We began this article by positing labor's enduring dilemma over immigration as one of solidarity *versus* restriction but perhaps a more apt description of the positions labor has adopted over the long arc of history is really solidarity *and* restriction. In truth, labor's positions are often an amalgam of solidarity for some and restriction for others. Over time, there has been an expansion by fits and starts of who labor believes it can and should include. When this occurs we observe the cognitive migration of certain categories of the previously excluded, such as unskilled workers and southern and eastern European workers in the 1930s, from labor's restriction column – where the strategy is chiefly one of attempting to keep people out – to the solidarity column – where the strategy shifts to policies that facilitate organizing them into the movement.

However, migration to the solidarity column as we have seen towards Asians and Latinos has always been strongly conditioned by perceptions of racial and ethnic difference. For many unions, extension of solidarity to the previously excluded begins not as a normative shift but as a pragmatic one – when restriction failed, as it did for clothing, textile, and farm-workers in the 1970s and 1980s, and for hotel, restaurant, and building services workers in the 1990s. There was first a pragmatic shift to a solidarity strategy – one in which Latino workers eventually go from being derided as wetbacks to embraced as righteous descendents of an unfinished civil rights movement, as they were during the Immigrant Workers Freedom Ride. This striking amalgam of restrictionist and solidaristic positions was certainly on display during the latest round of immigration reform. Given its very long pedigree, as demonstrated above, there is no reason to believe that it will disappear anytime soon.

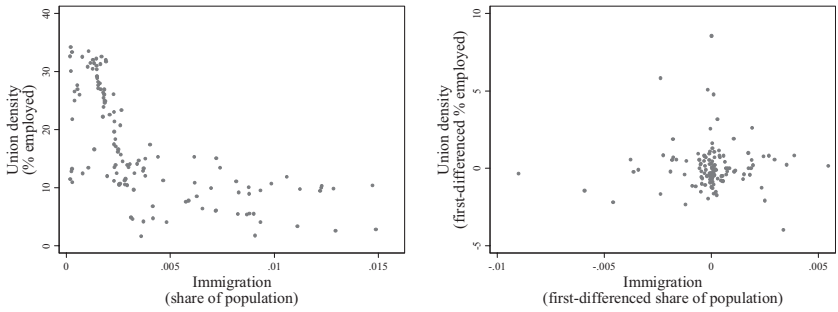
APPENDIX 1

Summary Statistics

Variable	Observations	Mean	SD	Min	Max
Union density	127	16.896	9.287	1.610	34.230
Immigration	127	0.004	0.004	0.00017	0.015
Foreign-born (interpolated)	121	0.100	0.036	0.044	0.148
Naturalization	100	1.286	0.871	0.242	5.176
Manufacturing employment	127	0.297	0.078	0.104	0.415
Growth	124	0.002	0.006	−0.026	0.019
Population	127	11.835	0.500	10.829	12.606

APPENDIX 2

Union density and lagged immigration (as levels and as first-differences)



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