

Legacy of the Bracero Program: Shaping US-Mexico Relations and Labor Immigration Policies

*Szimonetta Tóth**

<https://doi.org/10.15170/PJIEL.2025.1.4>

CONTENTS

I.	INTRODUCTION	47
II.	HISTORY	49
III.	EFFECTS OF THE BRACERO PROGRAM	52
1.	<i>Wetbacks, and the problem of illegal immigration</i>	52
2.	<i>Domestic effects</i>	53
IV.	LEGISLATION CHANGES	54
1.	<i>Eras of the development of the migration system between Mexico and the USA, introducing a new era</i>	56
2.	<i>The second Trump administration's approach to agricultural labor</i>	58
3.	<i>Comparative analysis: Bracero Program vs. 2025 Trump administration policies</i>	61
3.1.	Common Approaches to Addressing Labor Shortages	61
3.2.	Differences in political philosophy and execution	61
4.	<i>Emigration as a key concept of Mexican Politics</i>	62
V.	CONCLUSION	63

* PhD Student, University of Szeged, Doctoral School of Law and Political Sciences

ABSTRACT

The Bracero Program, which ended over six decades ago, remains a defining era in the US- Mexico history. Not only did this bilateral labor agreement bring cooperation and conflict between the two states, but it influenced the modern labor legislation changes in the United States. This paper examines the legacy of the Bracero Program, its influence on the 21st century U.S. immigration policies, and its contribution to the discourse on labor rights. One of its key outcomes was the emergence of the H-2A visa program, which continues to be a focal point in immigration debates—particularly under the second Trump administration, which seeks to impose stricter immigration controls while simultaneously proposing limited exceptions for foreign-born agricultural workers. This paper seeks to reveal the differences in the practical applications of U.S. immigration and labor policies across two distinct eras. The paper also seeks to explore how the legacy of the Bracero Program influenced current U.S. immigration and labor policies, particularly when compared to the second Trump administration's strategies for addressing agricultural labor shortages.

Keywords: immigration legislation, USA-Mexico relations, bilateral agreement, labor policy changes, Trump

I. INTRODUCTION

During the early twentieth century, the United States and Mexico enjoyed relatively favorable diplomatic relations, facilitating cooperative initiatives such as the seemingly mutually beneficial Bracero Program. This collaboration arose during World War II, when the U.S. experienced a substantial agricultural labor deficit due to the military conscription of numerous American men. The labor shortage in the United States during the years of World War II coincided with high unemployment rates in Mexico, making the arrangement advantageous for both parties. As a result of bilateral discussions, the two governments signed the Emergency Farm Labor Agreement in 1942,¹ marking the official establishment of what came to be known as the Bracero Program. The term 'bracero' is originated from the Spanish word 'brazo,' meaning 'arm.' When combined with the suffix '-ero,' the term 'bracero' translates to 'he who works', emphasizing the physical labor provided by the workers. This initiative was created to attract Mexican laborers to the United States to fill the labor gap, initially focusing on

¹ Public Law 45, 78th Cong (1943).

agricultural work before expanding to include both agricultural and industrial employment. The Bracero Program officially came into effect in 1942, and by the following year, its scope had widened to encompass a broader range of occupations.

One notable aspect of the Bracero Program was the realization that a massive influx of laborers from Mexico might adversely affect the Mexican economy. The main goal of the program was to address labor shortages in the United States, but in the meantime it had to be carefully organized to ensure that Mexico's economic stability was not compromised. According to the terms of the bilateral agreement, the United States was responsible for informing Mexico of the expected workforce demands on a regular basis. In response, the Mexican government held the power to determine the number of workers it would send, with the stipulation that such decisions should not harm Mexico's economic well-being. This consideration reflected a delicate balance between fulfilling U.S. labor demands and safeguarding Mexican economic interests.²

During its twenty-two-year existence, the Bracero Program underwent various phases of expansion, interruption, renegotiation, and reinstatement. During this period, Mexican laborers were viewed as an important asset to the U.S. agricultural and industrial sectors. This perspective stood in contrast to contemporary concerns regarding border security and the potential negative impact of immigration on economic stability. In fact, many members of the U.S. Congress supported the unlimited entry of Mexican immigration for economic reasons, viewing the influx of labor as beneficial rather than detrimental. This favorable attitude was further reinforced by the fact that Mexicans were not subject to the restrictions of the National-Origin Immigration Act,³ which otherwise limited immigration based on national quotas.

The Bracero Program officially concluded in 1964, and the reasons for its discontinuation are still being questioned by historians and scholars. Over the course of the program, numerous Mexican laborers arrived in the United States, many of whom worked as seasonal or temporary employees, while others settled permanently. Mexican workers, like other minority group members, faced challenges such as discrimination and racism; however, public sentiment towards Mexican laborers was not consistently negative. Instead, their contribution to the agricultural and industrial productivity of the United States was appreciated and welcomed by many fellow Americans.

Although the Bracero Program ended sixty years ago, its legacy continues to

² Charles I Bevans, *Treaties and Other International Agreements of the United States of America, 1776–1949* (Department of State, US Government Printing Office 1968) 1074.

³ Immigration Act of 1924, Pub L 68-139, 43 Stat 153 (1924).

shape modern American immigration policy and labor relations, influencing the dynamics of cooperation and conflict between the United States and Mexico. The program's impact can be seen in current debates surrounding immigration reform, border security, and the role of foreign labor in the U.S. economy. An examination of the Bracero Program's history offers essential insights into the complexities of immigration and labor policies. Its contemporary relevance is underscored by the current Trump administration's proposed fundamental reforms to the U.S. immigration system, which directly impact the domestic labor market too. A comparative analysis of the current administration's executive actions and possible H-2A visa program modifications reveals both resemblances and distinctions with the historical Bracero Program. Despite the Bracero Program's cessation over six decades ago, issues of labor scarcity remain intricately linked with the challenge of unauthorized immigration.

II. HISTORY

In the early twentieth century, the end of the Mexican Revolution in 1920 marked a major turning point in Mexico's political, social, and economic landscape. The decade-long conflict caused millions of deaths, devastated infrastructure, and exacerbated economic challenges. This period of agrarian reform under President Lázaro Cárdenas also coincided with broader socio-economic challenges facing Mexico. After becoming president in 1934, Cárdenas sought to address social inequalities through implementing land reforms. He dismantled large haciendas and redistributed land to rural communities as ejidos—collectively owned farms. While this policy aimed to empower the rural poor, it also had unintended economic consequences. The fragmentation of land into smaller units led to reduced agricultural productivity, economic stagnation, and widespread underemployment in rural areas.⁴

The country was grappling with the need to transition from a predominantly agrarian economy to a more diversified one, in order to foster industrial growth and urban development. However, the diminished productivity of the agricultural sector, coupled with the scarcity of employment opportunities in rural areas, led to increased migration to urban centers, as well as emigration to the United States in search of better economic prospects. This rural-to-urban migration placed additional pressure on Mexico's urban infrastructure and labor market, creating new challenges for the nation as it sought to modernize and industrialize.

In examining the broader implications of Cárdenas' land reforms, it becomes clear that while the redistribution of land represented a significant achievement

⁴ Deborah Cohen, *Braceros, Migrant Citizens and Transnational Subjects in the Postwar United States and Mexico* (The University of North Carolina Press 2011) 71.

in terms of social justice, it also highlighted the complexities of balancing social equity with economic efficiency. The consequences of these reforms had a lasting impact on Mexico's agricultural productivity, rural development, and migration patterns, shaping the trajectory of the nation's economic and social evolution in the decades that followed.

Following the attack on Pearl Harbor on 7 December 1941, the United States entered World War II, prompting a dramatic shift in the nation's economic and social landscape. The mobilization of millions of American men into the armed forces, including over one million rural workers, led to severe labor shortages, particularly in agriculture. Many workers also migrated to urban areas to take advantage of industrial employment opportunities, further exacerbating the shortage of agricultural laborers, which threatened food production. Unemployment rates in 1942 were at 4.7 percent, leaving farmers facing harvest-time disasters without replacement workers.⁵

Bilateral talks between the United States and Mexico led to the signing of the Emergency Farm Labor Program in 1942, known as the Bracero Program. This agreement aimed to bring Mexican workers to the U.S. to fulfill the demand for agricultural labor and maintain essential food production levels. The measures taken to address wartime labor shortages had far-reaching implications for U.S.-Mexican relations, immigration policy, and labor dynamics, highlighting the complexities of balancing economic needs during times of global conflict.

During the war years (1942-1946) it was a government-to-government temporary guest worker program, which granted opportunities to young Mexican males to enter the USA and to work there for six months and to return in order to fulfill their contracts. As word spread in 1942, the influx of applicants was swift and massive. As mentioned, the agreement and the negotiations happened between the two countries, creating rights and obligations not just on a higher level, but on an employee and employer level too.

The first extension of the agreement happened in 1943 as the U.S. War Manpower Commission informed the State Department about the railroad industry's severe labor shortage.⁶ 1943 was not a year without suspension either, because in February bracero recruiting was stopped by Mexico because of poor treatment of previous workers. Negotiations had to restart, and eventually, new braceros arrived at the northern side of the border. New recruitment for railroad workers

⁵ Maria Elena Bickerton, 'Prospects for a Bilateral Immigration Agreement with Mexico: Lessons from the Bracero Program' (2001) 79 Texas Law Review 895.

⁶ 'Bracero Timeline' (The Dallas Morning News, 2002) <<https://www.latinamericanstudies.org/immigration/bracero-timeline.htm>> accessed 28 April 2025.

stopped in August 1945.⁷ Despite the end of the railroad contracts, a lot of railroad braceros did not return to Mexico as they were held at their camps where they worked without contracts for months. The last railroad braceros were repatriated in April 1946.

During the post-war years, in 1946 there was a will to end the agreement from the USA, but the pressure from the agricultural lobby made it possible to extend it until 1949. The contracts stayed the same, except for control. Between 1948 and 1951 the control shifted to the hands of the growers, and that is when the exploitation and the abuse of the guest workers started.⁸ The government had been responsible for recruiting and transportation “passed the burden, financial and otherwise, of recruiting and transporting the guest workers on to the growers”.⁹

In 1951, the United States Congress passed Public Law 78, commonly referred to as the Bracero Accord of 1951, which extended the Bracero Program until 1964. The passage of Public Law 78 institutionalized the Bracero Program, ensuring a continued supply of agricultural labor throughout the post-war period and into the early 1960s. Over the course of its existence, the Bracero Guest Worker Program facilitated the migration of more than two million Mexican workers,¹⁰ many of whom participated in multiple contracts, to work on American farms. This large-scale labor migration had significant social, economic, and political implications for both the United States and Mexico, contributing to the development of U.S. agricultural practices and shaping the discourse around labor rights, immigration, and bilateral relations between the two nations. The Bracero Program’s legacy remains a critical aspect of understanding mid-twentieth-century U.S. labor policies and their influence on subsequent immigration reforms.

⁷ *ibid.*

⁸ Bickerton (n 5) 897.

⁹ Aili Palmunen, ‘Learning from the Mistakes of the Past: An Analysis of Past and Current Temporary Workers Policies and Their Implications for a Twenty-First Century Guest-Worker Program’ (2005) 6 *Kennedy School Review* 47.

¹⁰ Kelly Lytle Hernández, ‘The Crimes and Consequences of Illegal Immigration: A Cross-Border Examination of Operation Wetback, 1943 to 1954’ (2006) 37(4) *Western Historical Q* 421, 426.

III. EFFECTS OF THE BRACERO PROGRAM

1. *Wetbacks, and the problem of illegal immigration*

As the Bracero Program gained popularity among Mexican workers, a significant number of individuals traveled to recruitment centers in the hopes of securing employment in the United States. However, many applicants were rejected based on criteria such as age, gender, or health status. Faced with rejection, rather than returning to their communities, some individuals chose to cross the U.S. border illegally, thereby becoming what were colloquially referred to as 'wetbacks.' This term specifically describes individuals who entered the United States without authorization by crossing the Rio Grande. The earliest unauthorized migrants under this category arrived in Texas, a state initially excluded from the Bracero Program due to concerns about its discriminatory practices towards Mexicans. As a result, the exclusion of Texas from the agreement, combined with the demand for labor, contributed to an influx of unauthorized migrant workers into the region.¹¹ Being classified as a 'wetback' signified a lack of contractual obligations, which, while providing certain freedoms, also resulted in the absence of protections typically afforded to laborers. Consequently, unauthorized migrants faced significant vulnerabilities, including the absence of guarantees related to wages, transportation, housing, and basic sustenance. Agricultural growers quickly capitalized on this lack of regulation, utilizing the labor of these unattached workers to their advantage. In response to their precarious circumstances, these laborers began to organize into what became known as 'mixed crews'. These mixed crews comprised braceros, 'wetbacks', and local American farmworkers, effectively blending different categories of laborers to meet the demands of agricultural production. This organization not only allowed for greater flexibility in labor management but also highlighted the complexities and challenges faced by workers within the agricultural sector during this period.

As Galarza says,¹² the 2000-mile-long border was understaffed, and no intention was shown by Congress to raise the finance that could lead to if not to stop but at least to lower the number of the incoming people. During the program's 22 yearlong existence, the negotiations between the two states were not always continuous thus during those times false news got out, that now on the northern side of the border 'wetbacks' were recruited and in need.¹³ Mexican officials had to warn their citizens not to be fooled. The Mexican government actively opposed the illegal immigration of its nationals to the U.S. and cooperated in

¹¹ Jorge Durand, 'The Bracero Program (1942–1964): A Critical Appraisal' (2007) 2 *Migración y Desarrollo* 25, 31.

¹² Ernesto Galarza, *Merchants of Labor: The Mexican Bracero Story: An Account of the Managed Migration of Mexican Farm Workers in California 1942-1960* (McNally & Loftin Publishers 1964) 61.

¹³ Cohen (n 4) 208.

border policing, driven by pressure from Mexican agribusiness in the northern region, which faced labor shortages.¹⁴ Meanwhile, the U.S. government faced criticism for its apparent double standards: it operated a lenient and underfunded Border Patrol that permitted thousands of undocumented migrants, mainly ‘wetbacks’, to enter and be subjected to exploitation by American farmers. At the same time, the government would deport these individuals, usually after the harvest period had ended.¹⁵

Even though the program provided a legal way of admission to the States, the discontinuation of the Bracero program in 1964 led to an upsurge in illegal immigration. During the Bracero Program, both legal and illegal immigration grew. During the program’s lifetime, there were frequently more illegal immigrants than braceros working in American agriculture.¹⁶

2. *Domestic effects*

When the program started, the United States had to reassure its citizens that having foreign workers would not affect their possibilities when it came to job opportunities or even wages. The biggest problem was that “Some employers favored Mexicans ...for their tractability, deportability and willingness to work for lower wages”.¹⁷ As the program was progressing, braceros and ‘wetbacks’ were dominating certain fields on the job market. As the agreement stated, farmers could only hire braceros if there was a labor shortage. To have proof of it, they were given a certificate, which made it possible to hire braceros. The question remains, why did they not hire domestic workers in the first place? The domestic workers wanted more money, thus they were not hired, especially when the grower had access to braceros or/and illegal workers.¹⁸ Hiring domestic workers had its own risks, as often times if they were not satisfied with the wages or working conditions, they just left, and the growers were left with not enough manpower for the harvesting. Farm Placement Service and media depict these workers as “unreliable, winos, incompetent, unstable or cantankerous”.¹⁹ In *Harvest of Loneliness*, Henry Anderson explains it as follows: “Growers were not going to go out and recruit domestic workers as long as they knew the government would provide [workers] at their doorstep”.

¹⁴ Hernández (n 10) 433-435.

¹⁵ Eric Schlosser, ‘In the Strawberry Fields’ (1993) 276 *Atlantic Monthly* 98-99.

¹⁶ *ibid.*

¹⁷ Lilia Fernández, ‘Of Immigrants and Migrants: Mexican and Puerto Rican Labor Migration in Comparative Perspective, 1942–1964’ (2010) 29 *Journal of American Ethnic History* 6, 23.

¹⁸ Don Mitchell, *They Saved the Crops* (The University of Georgia Press 2012) 90.

¹⁹ Cohen (n 4) 58.

The bilateral agreement clearly states that the braceros and domestic workers should earn the same wages in the same areas. This wage, agreed upon by the growers, was publicly announced and formed the basis of the bracero contracts. Notably, these wage determinations were made without the inclusion of any workers or worker organizations, effectively allowing the growers to set the wages themselves.²⁰ The availability of low-paying braceros or illegal immigrants led to a decline in agricultural earnings. During the war, manufacturing industries offered safer and more lucrative employment opportunities. The importation of braceros enabled agribusiness to maintain a surplus labor pool, with more workers than available positions.

The Bracero program affected unionization too. During the post-war period, the Wagner Act of 1935.²¹ Farmworker organizations became more significant after the dispute at the DiGiorgio Fruit Corporation in 1947. During the strike, braceros were used as strikebreakers, escorted by government authorities, to replace the striking domestic workers. The controversy was resolved after the harvest season, following several union protests and legal measures that resulted in the expulsion of the braceros.²² As the program ended, no contract was in force that could prevent Mexican workers from joining or forming unions. César Chavez took advantage of the end of the contracts and started successfully mobilizing farm workers. Later on, he became one of the leaders of the Chicano Movement.

IV. LEGISLATION CHANGES

By the 1960s, the demographic composition of immigrants entering the United States had shifted significantly, with the majority originating from the western hemisphere, predominantly from Latin America and Canada. This change reflected broader geopolitical trends and migration patterns during the post-World War II era. A pivotal moment in this transformation was the enactment of the Immigration and Nationality Act (INA) of 1965,²³ commonly referred to as the Hart-Celler Act, which fundamentally altered the framework of U.S. immigration policy.

More than four decades after the passage of the Reed-Johnson Act of 1924,²⁴ Congress enacted a system for immigration control that replaced the discriminatory national origins system. Each country was assigned the same annual cap

²⁰ Fernández (n 17) 13-14.

²¹ National Labor Relations Act, Pub L 74-197, 49 Stat 448 (1935).

²² Cohen (n 4) 58.

²³ Immigration and Nationality Act of 1965, Pub L 89-236, 79 Stat 911 (1965).

²⁴ Immigration Act of 1924, Pub L 68-139, 43 Stat 153 (1924).

of 20,000. This shift was particularly significant for countries in the Americas, which had previously been exempt from strict numerical restrictions.

While the law represented a progressive step toward inclusivity, it notably excluded provisions for the immigration of ‘unskilled’ laborers in sectors crucial to the economy, such as agriculture, construction, and domestic work. This omission inadvertently contributed to an increase in the population of undocumented immigrants who sought employment in these sectors, often without the necessary legal documentation to support their immigration status. As a result, the act facilitated a rise in the number of individuals engaged in wage-earning activities outside the legal framework of immigration.

Moreover, enacting the Immigration and Nationality Act of 1965 catalyzed a broader sociocultural shift in the United States, moving away from a nationalistic paradigm toward a more multicultural approach to identity politics. This transition marked a significant departure from the previous emphasis on national origins as a basis for immigration eligibility. New categories of immigration were established, allowing for the admission of skilled professionals and promoting family reunification, thereby enhancing the diversity of the immigrant population.

The implications of the 1965 Immigration and Nationality Act were profound and far-reaching, marking a critical juncture in the history of Latino immigration and establishing foundational principles that continue to influence contemporary U.S. immigration policy. This legislative transformation not only reshaped the landscape of immigration in the United States but also laid the groundwork for ongoing discussions and debates regarding the complexities of immigration reform, labor rights, and the role of immigrants in American society.

In response to the significant increase in illegal border crossings from Mexico into the United States, both President Ronald Reagan and Congress found themselves compelled to address this pressing issue. Growing public sentiment increasingly favored the notion that undocumented immigration needed to be effectively curtailed. With the support of President Reagan, Congress enacted the Immigration Reform and Control Act (IRCA) in 1986,²⁵ a comprehensive legislative measure aimed at enhancing border enforcement and reducing the influx of undocumented immigrants.

The IRCA introduced a series of sanctions, including monetary fines, against employers who engaged in the practice of hiring undocumented immigrants crossing the ‘green border’. In addition to these enforcement mechanisms, the legislation sought to regularize the status of numerous undocumented individ-

²⁵ Immigration Reform and Control Act, Pub L. 99-603, 100 Stat 3445 (1986).

uals residing within the United States. Beyond its primary objectives, the IRCA established a program for undocumented workers and provided a pathway to legal status for many individuals who had been living in the country illegally. One of the best criticisms directed at the IRCA is in Schlosser's article, where he states that the legislative act "has been called one of the greatest immigration frauds in American history",²⁶ due to the extensive use of falsified documents.

This legislative framework not only aimed to address immediate concerns regarding undocumented immigration but also laid the groundwork for subsequent discussions on immigration policy in the United States. By balancing enforcement measures with provisions for the regularization of undocumented individuals, the IRCA represented a significant attempt to navigate the complexities of immigration reform during a pivotal period in American history.

1. Eras of the development of the migration system between Mexico and the USA, introducing a new era

Martínez, Damián and Angeles Jiménez divided the history of the development of the migration system between Mexico and the United States into five distinct phases.²⁷ The first is the 'enganche' phase (1900-1920), the second is the 'deportation phase' (1920-1942), the third is the Bracero phase (1942-1964), the fourth is the 'era of the undocumented' (1965-1986), and the final is the 'contemporary phase', which has continued from 1987 to the present.

The 'enganche' phase is mainly characterized by the entry of the United States into World War I. Since the war prevented European migrants from coming into the USA, the country needed cheap workers from a neighboring country, Mexico. These years were described as the loss of control of the border; thus Congress had to act, and they opted for deportations. With the deportations, the second phase started, and it was mainly marked by the Great Depression and the acute economic crisis it caused in the United States. As the USA joined World War II, the country once again faced a need for cheap labor. This prompted renewed bilateral negotiations between the United States and Mexico to establish agreements that would address both nations' requirements effectively. The third phase is centered around the Bracero Program, which facilitated the entry of seasonal agricultural workers from Mexico. Their periodization underscores the importance of the Bracero program and its decisive role in shaping U.S. immigration legislation. The Bracero program marks the end of an era, the conclu-

²⁶ Schlosser (n 15) 103.

²⁷ Palma Martínez, Enrique Damián and Alex Ángeles Jiménez, 'Migración y Políticas Públicas: Una Aproximación al Estado de México' in Norma Baca Travira, Francisco Herrera Tapia and Rocío Gonzáles Orihuela (eds), *Migración, Democracia y Desarrollo: La Experiencia Mexiquense* (Instituto Electoral del Estado de México 2009) 103-121.

sion of which heralds a new chapter for Mexico as well.

During the era of the undocumented, for the first time in history, there was an attempt to limit the number of entrants from Mexico, and in response to the growing number of undocumented immigrants, the United States government strengthened border controls and began systematic deportations, of those lacking valid residency permits.

The contemporary phase encompasses the measures of the past nearly four decades. One of the most significant of these measures was 1996. Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA),²⁸ aimed at bolstering immigration control, with particular emphasis on the U.S.-Mexico border. IIRIRA expanded the powers of the Immigration and Naturalization Service (INS), aiming to deter illegal immigration through stricter enforcement of laws. Deportation policies played a prominent role, as the legislation made the deportation process more efficient. The Act also restricted immigrants' access to public services and introduced stricter criteria for eligibility for certain federal support programs.

A parallel can be drawn between the failed Proposition 187²⁹ of the 1994 midterm elections and the IIRIRA. Proposition 187 stipulated that undocumented workers should be ineligible for the following: social services, healthcare (except for emergency care), and public education. A key provision was the requirement for state and local agencies to report individuals suspected of being undocumented. It also criminalized the production, distribution, and sale of false documents (citizenship or residency documentation). The proposal generated both support and opposition, but most notably initiated an anti-Hispanic and anti-Mexican rhetoric. Although voters approved it, the courts nullified it for infringing on federal jurisdiction. Similarities include restricting federal benefits to undocumented immigrants, denying assistance such as Medicaid and social welfare, and setting penalties for the production or trade of forged documents. Furthermore, the legislation called for additional border patrol officers along the U.S.-Mexico border and mentioned the strengthening and expansion of border fencing in the San Diego area.

The contemporary phase can be further divided into subcategories based on the periods of individual U.S. presidencies. Among the five major phases of the migration system between Mexico and the United States, each encompasses approximately twenty years, except of the latest phase. While this most recent

²⁸ Illegal Immigration Reform and Immigrant Responsibility Act, Pub L 104-208, 110 Stat 2009 (1996).

²⁹ Proposition 187, Illegal Aliens. Ineligibility for Public Services. Verification and Reporting. Initiative Statute (1994).

phase can be subdivided based on the respective American administrations, it is essential to highlight the significant impact of the September 11, 2001, terrorist attacks, which stands out as a pivotal event in U.S. history. These attacks irreversibly shifted the focus of American politics, and thus, they can be considered a marker for the beginning of a sixth phase.

The September 11 attacks significantly influenced public perception regarding immigration. The attacks exposed long-standing deficiencies within the U.S. immigration system, particularly in the areas of visa management, internal enforcement, and information sharing. Consequently, since the late 1980s, shifts in immigration policy have ushered in a new era in the timeline of U.S. immigration history. The measures implemented during this period—characterized by increased surveillance, criminalization, and policies aimed at restricting or deporting immigrants—have been more stringent than ever before. These new conditions have also prompted changes in behavior among immigrants, with shifts in migration trends observed both within and outside the U.S. borders. The post-9/11 era was intended to mark a new phase in shaping the development of the migration system between Mexico and the United States.

2. *The second Trump administration's approach to agricultural labor*

During the Bracero Program it became apparent that the United States agricultural sector became reliant on the foreign-born workers. This dependence has persisted since the 20th century. Even though the Bracero Program was intended as a temporary measure, it remained in effect for two decades, and its termination in 1964 did not end the U.S. agricultural sector's reliance on immigrant labor. This temporary provision created a deep, structural dependence in the U.S. agriculture, as the program's discontinuation presented continuous labor challenges for farmers. Finding new labor became difficult, as domestic workers were unwilling to perform all the tasks previously conducted by guest workers. To bridge the labor shortage, efforts were made to mechanize and modernize the sector, thereby reducing the demand for manual labor.

In the 21st century, U.S. agriculture continues to depend on foreign-born labor. Data proves that at least 70% of crop harvesters³⁰ working in the U.S. are foreign-born, and nearly half of the country's approximately 2 million agricultural workers are without legal status in the country. These immigrant agricultural workers "play a critical role that many U.S.-born workers are either unable or unwilling to take on,"³¹ especially in physically demanding tasks.

³⁰ 'Farm Labor' (USDA ERS, 13 June 2025) <<https://www.ers.usda.gov/topics/farm-economy/farm-labor>> accessed 4 July 2025.

³¹ 'We'd starve in this country. What Trump's immigration policies mean for the Washington agriculture industry' (KING 5 News) <<https://www.king5.com/article/news/community/facing-race/washington-immigration/what-promise-mass-deportations-doing-immigrant-wor>

Despite agricultural employers facing labor shortages for the past 5 years, the majority of American workers are unwilling to fill these agricultural positions. Data shows that only 5% of H-2A job offers³² are accepted by Americans, and many of those who do accept either fail to report for work or quickly resign. From the perspective of the American economy and food supply, the agricultural industry is a multi-million-dollar sector that is extremely sensitive to the supply of immigrant labor. Experts warn that mass deportations could disrupt the food supply chain, leading to higher food prices and a decrease in the availability of certain labor-intensive crops. How do the legal and policy frameworks addressing agricultural labor shortages during the Bracero Program compared to those enacted during the second Trump administration?

Since taking office for the second time, Donald Trump has sought to fulfill his campaign promises regarding immigration policy, aiming, among other things, to strengthen border control and increase the number of deportations. Parallel to these policy objectives is the situation of domestic agriculture, which requires foreign labor. According to farmers, aggressive immigration enforcement directly impacts the supply of agricultural labor. Farmers insist that they cannot lose foreign labor, as it would lead to food shortages. The situation of agricultural stakeholders indicates that if the government wishes to pursue a purely enforcement-centric immigration policy, it must also create legal avenues that provide foreign labor to the market through legal means. As already mentioned, despite the rhetoric of mass deportations, the administration recognizes that the agricultural sector needs foreign labor. According to news from April 2025, the second Trump administration will consider expanding the H-2A visa program by the start of the harvest season to alleviate labor shortages.³³

Agricultural lobbying groups, such as the International Fresh Produce Association, have actively urged Trump to consider the expansion, and leading advisors have also discussed the possibility.³⁴ Reliance on the H-2A program has quadrupled in the last decade, with the number of certified positions increasing from 48,000 in 2005 to over 378,000 in 2023, and is expected to exceed 400,000

kforce-president-trump-ice/281-624dd7f8-8e23-4199-8f07-f738c883cd06> accessed 12 June 2025.

³² 'Farm Labor' (*USDA ERS*, 13 June 2025) <<https://www.ers.usda.gov/topics/farm-economy/farm-labor>> accessed 4 July 2025.

³³ Jeff Mason and Leah Douglas, 'Trump suggests farmers could petition to keep workers without legal status' (*Reuters*, 10 April 2025) <<https://www.reuters.com/world/us/trump-suggests-farmers-could-petition-keep-workers-without-legal-status-2025-04-10/>> accessed 15 June 2025.

³⁴ Jessica Levy, 'Protecting Vulnerable Workers: Why H-2A Visa Protections Fall Short' (*Food Tank*, 19 February 2025) <<https://foodtank.com/news/2025/02/protecting-vulnerable-workers-why-h-2a-visa-protections-fall-short/>> accessed 12 June 2025.

in 2025.³⁵ The H-2A visa is heavily criticized for its high costs and complicated process, despite providing a legal pathway for foreign-born workers seeking employment in agriculture. Employers must pay wages according to the Adverse Effect Wage Rate (AEWR)³⁶, which can be higher than the state minimum wage, and must also provide free housing and transportation. These costs can make the program unsustainable, especially for small and medium-sized farms. The anticipated decrease in the supply of undocumented labor is expected to incentivize the agricultural sector to push for legislation that simplifies the H-2A program, modifies AEWR calculations, and extends eligibility to year-round positions. The latest rules from the Department of Labor (DOL) strengthen H-2A worker protections, including expanding anti-retaliation protections, clarifying termination conditions, allowing workers to receive guests (such as lawyers) at employer-provided housing, prohibiting employers from withholding identification documents, and mandating seatbelts in employer-provided transportation.³⁷

As mentioned before, President Trump supported the possibility of a pathway to legal status for agricultural workers. For instance, at the Cabinet meeting back in April 2025, he suggested that certain agricultural workers “should be able to stay in for a while” and go through a “legal process” that would provide them with long-term stability.³⁸ Brooke Rollins, the U.S. Secretary of Agriculture, subsequently stated that the administration was looking into relaxing rules for non-citizen agricultural workers and would also support H-2A visa reforms.³⁹ At the same time, official proposals for these labor market reforms have not yet been put forward, and the administration’s main emphasis undoubtedly remains on enforcement and deportations.

The Trump administration’s approach to agricultural labor presents a seemingly contradictory dual strategy: simultaneously pushing for unprecedented mass deportations and strict border increasing enforcement, the administration gains

³⁵ Philip Martin and Zachariah Rutledge, ‘Trump 2.0 and Farm Labor’ (*Choices Magazine*) <<https://www.choicesmagazine.org/choices-magazine/submitted-articles/trump-20-and-farm-labor>> accessed 12 June 2025.

³⁶ ‘Adverse Effect Wage Rates’ (*US Department of Labor*, 30 December 2024) <<https://flag.dol.gov/wage-data/adverse-effect-wage-rates#current-aewrs>> accessed 15 June 2025.

³⁷ Jessica Levy, ‘Protecting Vulnerable Workers: Why H-2A Visa Protections Fall Short’ (*Food Tank*, 19 February 2025) <<https://foodtank.com/news/2025/02/protecting-vulnerable-workers-why-h-2a-visa-protections-fall-short/>> accessed 12 June 2025.

³⁸ Jeff Mason and Leah Douglas, ‘Trump suggests farmers could petition to keep workers without legal status’ (*Reuters*, 10 April 2025) <<https://www.reuters.com/world/us/trump-suggests-farmers-could-petition-keep-workers-without-legal-status-2025-04-10/>> accessed 15 June 2025.

³⁹ Joshua Baethge and Todd Fitchette, ‘Can Trump Solve the Farm Labor Crisis Before Harvest?’ (*FarmProgress*, 15 April 2025) <<https://www.farmprogress.com/farm-policy/trump-administration-plans-to-ease-immigration-rules-for-farm-workers-by-harvest-season>> accessed 12 June 2025.

leverage, potentially forcing the industry to rely more on controlled legal channels, while also reassuring influential agricultural lobbies. This dual strategy indicates a fundamental understanding of the agricultural sector's deep dependence on foreign labor, even alongside a broader anti-immigration political stance. The result could be a more tightly controlled and potentially less flexible agricultural labor market, where access to foreign labor is primarily managed through government-sanctioned guest worker programs, rather than informal or unauthorized channels.

3. *Comparative analysis: Bracero Program vs. 2025 Trump administration policies*

3.1. Common Approaches to Addressing Labor Shortages

Both periods show that the domestic labor supply was insufficient to fully meet agricultural tasks. Based on both the Bracero Program and the decisions of the second Trump administration to date, it can be stated that influential agricultural lobbies have played and continue to play a crucial role in shaping policies. With their significant economic influence, these agricultural lobbies ensure that their labor demands are always a primary consideration in policy debates. Yet, regardless of the different frameworks and protective provisions put in place, workers under both programs have been, or are expected to be, highly susceptible to exploitation, meager pay, and substandard work and living environments. Enforcement challenges and the inherent power imbalance between employers and temporary migrant workers continue to be a persistent problem. The most striking and perhaps most critical commonality between the Bracero era and the anticipated 2025 policies is the enduring structural dependence of U.S. agriculture on foreign labor. Even with evolving immigration policies and national priorities, the agricultural sector's dependence on foreign-born workers, firmly established by the Bracero Program, persists. Historically, braceros were subjected to widespread exploitation due to weak oversight and power disparities; similarly, modern H-2A workers, despite their documented safeguards, remain susceptible to harm.

3.2. Differences in political philosophy and execution

The Bracero Program operated as a formal agreement between the United States and Mexico to manage labor flow through cooperative measures. The 2025 Trump administration implements border control through unilateral measures and mass deportations as its main policy while using H-2A expansion as a controlled legal pathway for new workers. The Bracero Program established workers as contract employees who entered the country through a designated program. The Trump administration focuses on deporting undocumented workers who already reside in the United States while simultaneously expanding

the H-2A temporary visa program for new legal workers.

The Bracero program operated as a direct government system to facilitate labor through a wartime-style human resource mobilization. The Trump administration uses forceful border control measures to generate labor shortages and higher costs while promoting H-2A guest worker programs as a market-based solution which suggests long-term reliance on machines instead of human workers.

The Bracero Program and the 2025 Trump administration policies share a common goal to solve agricultural labor shortages, yet they differ fundamentally in their underlying philosophical approaches. The Bracero Program started as a mutually beneficial agreement and guest worker program despite its major flaws which presented a cooperative yet exploitative labor exchange. The 2025 Trump administration views immigration and agricultural labor through the lens of national security.

The border control measures, and deportation policies and detention facility expansion demonstrate that border control stands as the main objective. The H-2A legal labor pathway exists as a controlled economic necessity rather than a fundamental solution to labor supply needs. The program evolved from its original purpose of labor facilitation into a system that controls labor access even when this approach leads to increased costs and reduced domestic crop production. The availability of foreign labor would exist under strict management which would follow immigration enforcement priorities instead of economic requirements.

4. Emigration as a key concept of Mexican Politics

Throughout these phases, not only did migratory patterns undergo significant changes, but the characteristics of both sending and receiving countries also evolved. In the initial four phases, the profiles of Mexican emigrants exhibited a degree of homogeneity, predominantly consisting of young, uneducated men from rural areas with persistently high unemployment rates. However, during the contemporary phase, Mexico experienced various economic and geographical transformations that significantly altered the profile of the 'typical' Mexican immigrant. A Mexican immigrant may belong to either gender, can come from different educational backgrounds, and originate from either a traditionally migrant-sending region or an area where migration is a relatively new phenomenon. The spatial concentration has not changed; California and Texas continue to be among the primary destinations. It is also a common phenomenon for migrants to relocate to other states after leaving their initial entry areas. In terms of the current social status of Mexican migration, it primarily originates from the middle and lower middle classes. Therefore, according to Palma and Angeles, at

the beginning of the 21st century, migration has become a “survival strategy”⁴⁰ for the Mexican middle class.

It is essential to recognize that migration must also be examined from the perspective of the state’s role as a country of origin for migrants. By the turn of the millennium, it became clear to the Mexican political elite that a significant portion of the country’s population had emigrated, and this trend would continue as long as the economic situation in the sending country remained unchanged and income inequalities between the two countries did not begin to balance. Since this is a goal that can only be achieved in the long term, political attention has focused on strengthening ties with the diaspora and implementing measures to prevent emigration.

Mexico has instituted various courses of action aimed at supporting migrants and their families. The actions implemented by the federal government can be categorized into five areas: protection and information, education, health, promotion and dissemination, and retention.⁴¹ Just to mention a few programs from each category: Migrant Protection Beta Groups, United States-Mexico Binational Migrant Education Program, Vete Santo Regresa Sano, North American Agreement for Labor Cooperation (NAALC), 3x1 Initiative for Migrants and the Remittance Transfer Program.

V. CONCLUSION

The two decade long Bracero Program provides valuable insights into how the immigration and labor policies are intertwined, and how these policy changes can alter the relations between two nations. While addressing significant agricultural labor shortages in the United States, and providing Mexican laborers with better opportunities, the program also raised concerns about labor exploitation and regulatory oversight. The program’s flaws were meant to be alleviated and regulated by the H-2A visa program, however, many of the challenges faced by foreign born agricultural workers persist to this day.

The Bracero Program had a lasting impact on U.S. immigration legislation, eventually leading to the introduction of quotas that, for the first time, placed a cap on the number of Mexican immigrants. However, legislative changes alone were not sufficient; the American labor market, particularly the agricultural sector, continued to face structural challenges. To this day, it remains in need of comprehensive reform to meet the ongoing labor demands of farm owners while ensuring fair and ethical treatment of migrant workers.

⁴⁰ Martínez, Damián and Jiménez (n 27) 113.

⁴¹ *ibid* 114.

Since Donald Trump's second inauguration, a wave of unprecedented executive orders, policy shifts, and enforcement directives has signaled the second Trump administration's intent to enact a profound transformation of the U.S. immigration system. With the current administration's actions, and the comparative analysis of the Bracero Program and the H-2A visa program it is clear that the latter is an extremely regulated and costly process, putting emphasis on the necessity of following laws rather than trying to solve the labor market demands. This regulatory emphasis reflects a broader enforcement-driven approach, rather than a pragmatic response to agricultural labor shortages. However, a critical question arises: can this administration restructure immigration policy in accordance with its political vision without undermining the broader national interest—particularly in relation to food security and persistent agricultural labor shortages?