



Migraciones Internacionales

ISSN: 1665-8906

miginter@colef.mx

El Colegio de la Frontera Norte, A.C.

México

Lestage, Françoise

Political Management of Migrants Suffering: New Practices by the Mexican State(s) with their
Emigrants

Migraciones Internacionales, vol. 7, núm. 1, 2013, pp. 9-35

El Colegio de la Frontera Norte, A.C.

Tijuana, México

Available in: <http://www.redalyc.org/articulo.oa?id=15129650001>

- How to cite
- Complete issue
- More information about this article
- Journal's homepage in redalyc.org

redalyc.org

Scientific Information System

Network of Scientific Journals from Latin America, the Caribbean, Spain and Portugal

Non-profit academic project, developed under the open access initiative

Political Management of Migrants Suffering: New Practices by the Mexican State(s) with their Emigrants*

Françoise Lestage
Université Paris VII-Diderot

ABSTRACT

Since the 1990s, the Mexican federal and state governments have been implementing policies offering financial and administrative aid to Mexican migrants in the United States, and their families, with the procedures involved in daily transnational life. The article argues that a significant portion of this aid forms a structured system of federal and state assistance that the author qualifies as “the political management of migrants suffering”. This system of assistance has specific functions, in particular that of maintaining migrants in the body politic of their home country, as well as effects on social life and on the concept of the nation, mainly because it offers a position for migrants as beneficiaries of public policies (and so as citizens), and simultaneously creates “privileges” by allocating specific forms of aid to them.

Keywords: 1. migrant suffering, 2. emigration policies, 3. public policies, 4. Mexican migrants, 5. citizenship.

Gestión política del sufrimiento migrante: Nuevas políticas de los estados mexicanos con sus migrantes

RESUMEN

Desde los años noventa del siglo xx, el Estado y los estados mexicanos han ido implementando nuevas políticas públicas dedicadas a los migrantes mexicanos en Estados Unidos y a sus familiares, para apoyarlos económica y administrativamente en sus prácticas cotidianas transnacionales. Este artículo pretende mostrar que una parte importante de esta ayuda pública forma un sistema estructurado que la autora califica como “gestión política del sufrimiento de los migrantes”. Este sistema tiene funciones específicas, en particular, la de mantener a los migrantes en el cuerpo político de su país de origen. También impacta la vida social y el concepto de nación, básicamente porque transforma a los migrantes en beneficiarios de políticas públicas (y así en ciudadanos) que reciben apoyo de formas muy específicas que pueden parecer “privilegios”.

Palabras clave: 1. sufrimiento de los migrantes, 2. políticas de emigración, 3. política pública, 4. migrantes mexicanos, 5. ciudadanía.

* Text originally written in French and translated to English by Hilary Sanders.

*Introduction*¹

Ningún otro país tiene una nación dentro de otra nación.²

Martha Elvia Rosas Rodríguez (2010)

As Waldinger and Fitzgerald have emphasized, “the politics conducted within the borders of sending countries shape the options for migrants when they are abroad” (Waldinger, and Fitzgerald, 2004). In other words, the governments of migrants’ country of origin continue to act upon their citizens when they cross national border, either because the policies that are implemented reach them wherever they are located (those linked to property within national borders for example), or because governments create programs aimed at influencing the movement of people and goods, but also the bodies and spirits of these emigrants, in particular by creating *ad hoc* institutions, in numerous sending countries and at different points in history.

In Europe, in the 1950s, this was the case of the governments of António de Oliveira Salazar in Portugal, then of Francisco Franco in Spain, confronted with massive emigrations: the former created the Junta da Emigração of the Ministério do Interior in 1947 (Pereira, 2007, 2008); the latter the Instituto Español de Emigración in 1956 (Fernández, 2004). Similarly, in 2003, the Mexican government created the Instituto de los Mexicanos en el Exterior which replaced the Programa para las Comunidades Mexicanas en el Exterior (PCME) implemented in 1990. In 2007, it was then the government of Mali that created the Cen-

¹ Thanks are due to the Vice-Consul of Mexico in San Diego, Martha Elvia Rosas, as well as the attorney Araceli López of the Instituto Oaxaqueño de Atención al Migrante, and Pedro Rubio of the Secretaría de Migración of the state of Michoacán in Morelos who kindly agreed to answer my questions during interviews conducted in March and April 2010. Thanks are also due to Rafael Alarcón, and Guillermo Yrizar for their bibliographical suggestions, while the comments offered by the participants of the Workshop, “Mobilities, Regulations and Citizenship”, that took place in Paris in September 2010 are much appreciated. Likewise, the suggestions by two anonymous readers proved invaluable.

² “No other country has a nation within another nation”.

tre d'Information et de Gestion des Migrations (Cigem) of the Ministère des Maliens de l'Extérieur et de l'Intégration Africaine.³

These programs have other functions besides the mere control of migrations; they also help government leaders to stake a position on the national or international map: in the national arena by responding to the demands of the powerful actors embodied by political associations and organizations, churches,⁴ NGOs or international organizations; in the international arena by projecting the image of a government that conforms to the rules and the ethics of international law, in particular that of human rights.

These programs are examples of public intervention, and, as such, their aim is not only to “solve problems” (here, those of emigrants and their families), but also to “create social order” by elaborating “interpretive frames of the world” (Muller, 2000). Thus, they imply diverse actors (politicians, public servants, interest groups) who “express a relationship to the world that corresponds to the way that they perceive reality, their place in the world and what the world should be” (Muller, 2000:195). In the case of the Mexican migratory policies that are examined in this article, we will see that they show a Mexican society that places value in the position of its emigrants by targeting them as a population benefitting from public intervention (Schneider, and Ingram, 1993).

It is also important to emphasize that the migratory policies of receiving countries have as great, or greater, impact on the behavior of migrants whose organizations have the principal aim of fighting anti-immigrant measures—for the United States, *SB1070* (State of Arizona Senate, 2010), in Arizona, for example—and supporting those that are positive for migrants—for the United

³ Financed by the European community, its declared objective is to “contribute to the definition and the implementation of a Malian emigration policy adapted to constantly evolving national, regional and international dynamics, emphasizing in particular *the ties between migration and development*” [author’s underlining] (Cigem, no date).

⁴ The government of Spain under Franco granted the demands of the Catholic Church, who called for family reunification policies for Spanish migrants, as well as religious assistance (Fernández, 2004).

States, “California Dream Act” (CSAC, 2012), for example—. For reasons of length and in order to keep the argument focused, this article will only address the policies of the sending country.

General Framework

Mexican Policies of Emigration

Although many governments with diverse ideologies implement similar policies towards their migrant citizens, Mexico remains a unique case for at least two reasons that have contributed to form the attitudes of its successive governments: on the one hand the proximity and the quasi-exclusivity of the country that attracts nearly all of its nationals; on the other, the long duration of this emigration that began at the end of the 19th century and continues to this day. Durand (1998, 2004) has identified five attitudes among national and sub-national states during the 20th century: dissuasion in the beginning, negotiation during and after the Second World War, “laissez-faire” in the 1970s and 1980s, “damage control” in the 1990s and “shared responsibility” in the 2000s. Attitudes that can be understood better by placing them in the national social and political context (of civil wars at the beginning of the 20th century, of recurrent economic problems throughout the last century, and major political change in the 21st), the binational context (changing immigration policies in the United States), and the international context (since the end of the previous century, the pressure of international organizations and NGOs that provide funding).

In Mexico, the presidency of Vicente Fox, which began in the year 2000, marked a radical turning point in the official relationship that the Mexican government maintained with its emigrants (Lozano, 2003). By channeling a part of the remittances sent back to Mexico, an act qualified by Vicente Fox as a “heroic effort” (Lozano, 2003), the government, through the voice of the president, wished to inaugurate a new contract with migrants, that of “shared responsibility” (Fitzgerald, 2009; Lozano, 2003).

Although the reality of this new contract was criticized and called into question by several scholars (Lozano, 2003; Calderón, 2010), the state rhetoric passed from a figure of the emigrant who is ignored, rejected, or considered a traitor, to one of a “hero of development”, a rhetoric that is not unique to Mexico,⁵ and it had concrete effects on the implementation of public policy, as it was accompanied by political and symbolic measures that were positive for Mexican emigrants, such as the possibility of obtaining dual nationality in 1998, or that of voting from the receiving country, which came into effect in 2006.

In collaboration with its regional states, several of which being pioneers on this issue, the Mexican government adopted economic measures that were intended to facilitate investment in Mexico, such as the programs 2x1 or 3x1 which were the follow-up to the program 1x1 that had been implemented on the regional level (García, 2003), as well as supportive measures for migrants in the search for temporary work (Yrizar, and Alarcón, 2010) or in the management of the administrative process relating to the transfer of the corpses of the deceased (Yrizar, and Alarcón, 2010; Félix, 2011).

A Proposition: The Governmental Management of Suffering in Migration

In this article, it is argued that the public policies of economic and/or administrative assistance to migrants and their families by several levels of government form a system and participate in the political and symbolic measures taken towards migrants, in the same respect as the recognition of dual nationality and the authorization to vote from abroad.

The goal of these forms of assistance is either the resolution of administrative and judicial problems specifically linked to migration to the United States (for example, obtaining a visa,

⁵ Examples can be found in other countries, as Castles (2006) points out, or as noted on the website of the Centre d'Information et de Gestion des Migrations of Mali, mentioned previously (Cigem, no date).

retirement benefits, etc.) or what are described as the governmental management of suffering during migration of migrants and of their families. This is defined as the facilitation of procedures and the acceptance of complete or partial financial responsibility for the expenses relating to any event that causes suffering—in particular sickness, imprisonment, disappearance, or death—and that is related to migration, either directly, for example disappearance, detention, or death during the border crossing, or indirectly, if the suffering at issue arises during the period of migration as a result of an accident, an illness, an imprisonment or a death.

This governmental management of suffering during migration corresponds to economic, political and symbolic goals and is part of the “pastoral power” of the State (Foucault, 2004; Fitzgerald, 2009), defined as a power exercised by the State that considers individuals as members of a “flock” that must be taken care of and that “demands obedience without discipline” (Taïeb, 2005:43). For Mexican public officials, at issue is, on the one hand, showing empathy for citizens affected by suffering undergone outside the borders of the country, and on the other, acting as defenders of the rights of Mexicans who are confronted with the United States judicial system. This is the only relationship available, absent an official agreement between the governments of Mexico and the United States for the reciprocity of circulation between the two countries.

Also at stake is the satisfaction of the demands of the migrant associations, federations and clubs that have become powerful actors in social and political life and that are capable of successfully lobbying government (Goldring, 2002; Schaffhauser, 2009). The maintenance of migrants’ interest and attachment to their home country is another consideration (Fitzgerald, 2009) in order to subtly encourage them to contribute to its “positive development” with their remittances. A final priority for the Mexican government is to project the image of a State that cares about human rights to its citizens as well as to the United States, NGOs, and Churches, and to the associations involved in the defense of Mexican migrants. It argued that this governmental management

of suffering during migration makes the migrant the object of a “privileged” protection of the federal and state governments from which those who remain in Mexico rarely benefit. However, this privilege is relative for two reasons: because non-migrants benefit from other public policies and because this protection compensates for the situation of vulnerability that Mexicans encounter during their migratory journey and once arrived in their destination in the United States.

This argument does not prejudice the efficacy of public intervention. In other words, the fact that public aid for migrants and their families exists does not indicate that it is effective in all contexts and in all cases. Similarly, it does not indicate that public aid for migrants is more or less effective than that reserved for non-migrants.⁶ Both kinds of aid can be hampered by the dysfunctions of public services, corruption, and vote-catching strategies.

The Data Collected During Fieldwork

The findings presented in this article, which are the basis for the hypotheses, were drawn from the data collected during several ethnographic studies that were conducted in Mexico from February to March 2006 and from February to April 2010 on the transfer of the corpses of deceased migrants from one country to the other. Starting from this first subject of study, The author became interested in the other activities of the department of “protection” in the Mexican consulates in the United States, or the “human rights” departments of the regional states. She thus became aware of the systemic aspect of the administrative and financial support offered to migrants and/or their families when the Mexican government tries to accompany and limit the suffering experienced during painful events related to emigration, which she has called the governmental management of suffering during migration.

⁶ A detailed study, conducted by someone other than the author, would be necessary in order to make a judgment.

As Yrizar, and Alarcón (2010) have pointed out, most of the Mexican states have developed policies for migrants (more or less recently according to their migratory history), but these policies cannot be taken into consideration in this article because the solitary nature of ethnographic work inevitably limits one's research. The author therefore chose to focus her inquiry on the states of Michoacán and Oaxaca because they are among the most organized states in the field of migrant aid.

These studies made it possible to conduct interviews with regional public servants of the Secretaría del Migrante of the state of Michoacán and the Instituto Oaxaqueño de Atención al Migrante in the state of Oaxaca, as well as informal interviews with the users of these services, encountered on the premises where the public servants work.⁷ It is important to emphasize that these two agencies do not present the same degree of institutionality, the Secretaría occupying a more elevated hierarchical position than the Instituto. Their public interventions do not dispose of the same economic and political means, and do not have the same impact or the same effectiveness: for example, the Secretaría del Migrante has satellite offices in the United States (California, Texas, Chicago) that allow it to have greater autonomy in regards to the Secretaría de Relaciones Exteriores (SRE) (Secretary of State) of the federal government, with which the Instituto Oaxaqueño de Atención al Migrante must collaborate in order to carry out the majority of its procedures.

These public servants provided me with statistics on the operations that had been implemented in their structure. Other sources of data were the Mexican consulates of San Diego in the United States, through interviews with several Consuls in February 2006 and in April 2010, and through observation in the department for the transfer of corpses in 2006. Moreover, interviews and periods

⁷ It should be emphasized that this study took place before the arrival of the new governor of the state of Oaxaca and of his administrative team on November 1, 2010, in particular the new director of the Instituto Oaxaqueño de Atención al Migrante, Rufino Domínguez Santos, a political leader who lived in the United States until his appointment to this position.

of observation within families of migrants who had deceased in the United States, within migrant associations, and within several funeral agencies in the cities of Oaxaca, Tijuana, San Diego, and in a rural town in Michoacán, Tangancícuaro, in February 2006, June 2007, April 2008 and from February to April 2010, form a counterweight to the discourse and point of view of the public servants who were questioned. First of all, the principal results of these studies on the politico-administrative system of assistance to migrants and their families who are confronted with suffering by listing the kinds of support provided are presented. This is followed by a discussion of these results in light of the work of researchers who have examined the issue of Mexican policies of emigration and that of the “new social contract” between Mexican migrants and their government.

Results: The Implementation of the Governmental Management of Suffering During Migration

Brief History of the Implementation of the System of Protection and of Human Rights

Starting in the 1990s, Mexican governments (federal and state) begin to demonstrate a desire to assist emigrants to the United States (Alarcón, 2006). This new orientation takes form with the creation, in 1990, of the Program for Mexican Communities Abroad by the Ministry of Foreign Relations—Programa para las Comunidades Mexicanas en el Exterior (PCME)—whose purpose was to protect and maintain Mexican culture in the United States by organizing public events meant to remind migrants of their ties to their country of origin. However, it was the passage of the Nationality Law (*Ley de Nacionalidad*) in 1997 (González, 1999), which allowed for the adoption of another nationality while preserving one’s Mexican citizenship, that marked the beginning of a series of favorable measures for Mexican migrants, among which the governmental management of suffering during migration. In 2004, the House of Representatives of the federal government

approved a supplementary budget of 120 million pesos, or around nine million dollars, in order to finance the procedures undertaken by migrants and/or their families during difficult situations such as the transfer of the deceased, legal aid for migrant prisoners, the repatriation of children, women, and vulnerable individuals (Alanís, 2008), the search for missing persons or the collection of child support payments from fathers (Rosas, interview, 2010). Let it be emphasized that by allocating a specific budget to these procedures, the federal government systemizes and formalizes forms of support that were formerly punctual and that responded to the requests of families, associations or political organizations in particular cases.

In parallel, as Yrizar, and Alarcón (2010) point out, certain state governments adopt measures in order to include migrants in local civic and economic life by according them the right to vote locally, for example in the elections of the governor of Michoacán in 1998, before this right was granted on the national level. These measures are meant to encourage migrants to invest in the regional states—in the state of Jalisco in 1998—or to help migrants obtain visas for temporary work there in 2001 (Yrizar, and Alarcón, 2010).

Beginning in 2000, these isolated initiatives become generalized, structured, and coordinated. On the federal level, the Secretaría de Relaciones Exteriores in Mexico city, its 43 regional delegations in Mexico and the fifty consulates dispersed throughout the United States offered Mexican migrants services of “protection” that were created and/or were reinforced during the last ten years.⁸ Even if this is not said quite as clearly by the civil servants, who speak, for their part, of “protecting rights”, these services involve situations in which migrants and their families are vulnerable, grieving or suffering.

The Mexican states have also opened and developed the same kind of services and work, moreover, in collaboration with the

⁸ They are under the control of the Dirección General de Protección a Mexicanos en el Extranjero.

Secretaría de Relaciones Exteriores, its delegations in the regional states, and the consulates, if only because the administrative documents are inevitably processed on the national level. According to Yrizar, and Alarcón (2010), a key date is that of the Declaration of Puebla, in 2000, when 11 states (Hidalgo, San Luis Potosí, Michoacán, Zacatecas, Puebla, Oaxaca, Sonora, Jalisco, Querétaro, Morelos, and Guerrero) sign a document that establishes the National Coordination of Migrant Aid Offices—*Coordinación Nacional de Oficinas de Atención a Migrantes (Conofam)*—. However, the creation, the history, the size, the activity and even the name of these offices vary from one state to the other, as explained by Yrizar, and Alarcón (2010), who speak, in their words, of “public agencies”, defined as follows: “A public agency for international emigrants is a specialized organization, at any level of government, designed to implement policies and operate programs for international migrants, their families and communities of origin, in order to address their problems, demands and needs” (Yrizar, and Alarcón, 2010:179).

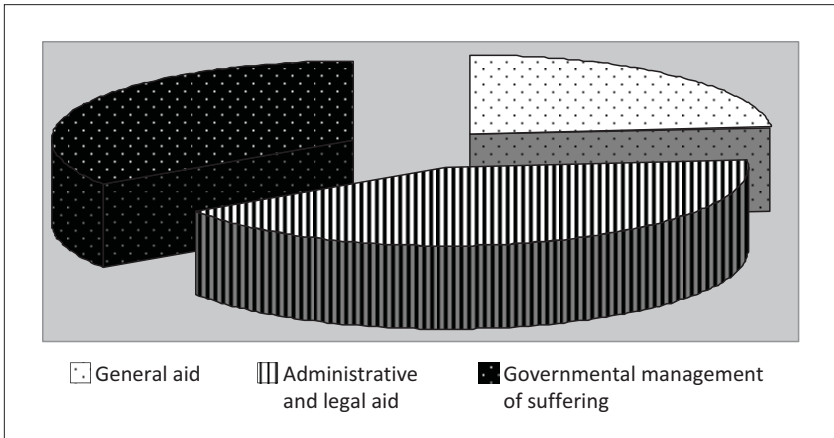
In 2009, for 32 states, Yrizar, and Alarcón (2010) count 24 “public agencies”, with different names, histories, and budgets. Coordination, Institute, Delegation or even Ministry, these “public agencies” were all created since the end of the 1990s in order to respond to the demands of migrant associations, and also, quite often, by these same migrants and with them, as related by Mauro Ruiz Saldierna, who lived in the United States when, in 1997, the state governor of San Luis Potosí, newly elected, himself the son of migrants, asked him to develop services for migrants (“desarrollar el área de los migrantes”), thus creating the “public agency” that would become in 2004 the *Instituto de Atención a Migrantes del Estado de San Luis Potosí* (Ruiz, 2008). Similarly, in the state of Oaxaca, since the election of the new governor in 2010, a migrant political leader who had been living in the United States for many years became the director of the *Instituto Oaxaqueño de Atención al Migrante*. These “public agencies” are gradually becoming established, according to local governments: the *Instituto Oaxaqueño de Atención al Migrante* followed, in

2004, then the Coordinación de Atención al Migrante, created in 1998. Only Michoacán, a very old migrant state that witnesses the largest flow of migration towards the United States (with Jalisco, Guanajuato, and Zacatecas) has had a Ministry for Migrants since 2008. It was also the first to have a “public agency” for migrants in 1992, the Dirección de Servicios de Apoyo Legal y Administrativo a Trabajadores Emigrantes, whose primary mission was the repatriation of the corpses of the deceased (Yrizar, and Alarcón, 2010). In order to respond to questions concerning migration, it is also the most organized state, in regards to institutions as well as associations: in Michoacán, numerous associations involved immigration can be found, whether aid associations for former *braceros* (Schaffhauser, 2009), or associations that take responsibility for the transfer of deceased migrants (Fernández, 2010).

*The Services Offered by the State “Public Agencies”
and by the Mexican Consulates*

According to Yrizar, and Alarcón (2010:183) these “public agencies” manage the programs created for migrants, the promotion of regional identity, and the advancement of the human rights and the civil rights of migrants abroad, but their primary activities are the transfer of the corpses of deceased migrants and “the management of temporary work for citizens abroad”. Indeed, in 2009 and 2010, the consulates and the regional state agencies in my study proposed multiple kinds of legal, administrative, financial or “humanitarian” aid, which were considered to be part of the routine consular or public agency activities, such as visits to prisoners by consular employees, or activities carried out upon the demand of the migrant or his/her family, like the search for a missing person or a convict. For the state of Michoacán, the governmental management of suffering during migration represents more than a third (34.5 %) of the aid provided to migrants and to their families in 2009, *i.e.* cases processed (see graph 1).

According to the records of the Secretaría del Migrante of the state of Michoacán, 1 176 cases of transfers of deceased migrants



Source: Drawn by the author using data from the Secretaría del Migrante (2009).

Graph 1. Aid to Migrants and their Families Provided by the Secretaría del Migrante, State of Michoacán in 2009

were processed in 2009 and 334 transfers were carried out by the Secretaría out of 11 286 acts of assistance provided in total. The 10 110 remaining acts of assistance involved the 21 categories enumerated in table 1.

Two Founding Activities of the Governmental Management of Suffering during Migration

Differences appear between the activities of the public agencies of Oaxaca and of Michoacán concerning the amount as well as the type of aid provided. However, their managers and/or their statistics, when they exist,⁹ coincide in regards to several kinds of aid: the localization of missing migrants (65 cases processed in 2009 for the state of Michoacán), the monitoring of the humanitarian visas (148 cases processed for the state of Michoacán in 2009), the recuperation of retirement benefits for the former *braceros*, the monitoring of the transfer of the deceased and the monitoring

⁹ The statistics that obtained from the Instituto de Atención al Migrante de Oaxaca do not only concern the transfers of the deceased and of prisoners. The other information was obtained during interviews and was not calculated.

Table 1. List of Types of Aid to Migrants and their Families in 2009:
Secretaría del Migrante, State of Michoacán

<i>Aid offered</i>	<i>Annual total</i>
<i>General assistance</i>	
General aid	1 910
Telephonic aid	312
Tourist visa information	121
Federal benefits	310
Data interpretation	4
Filling out forms	8
Specific administrative assistance	
Updating of unreceived checks	24
Obtention of retirement benefits from the U.S.	87
Permanent resident procedure in the U.S.	289
Requests for certificates and apostilles	2 093
Translation of documents	2 230
<i>Governmental management of suffering during migration</i>	
Search for absent fathers	5
Extradition of prisoners	7
Compensation for accidents	19
Localization of missing migrants	65
Localization of convicted migrants	277
Monitoring of death penalty	0
Monitoring of transfers of the deceased	1 176
Transfer of the deceased	334
Humanitarian visas	148
Monitoring of humanitarian visas	42
Border transfer of individuals	42
Bracero Program	1 783
<i>Total</i>	11 286

Note: The division into three types of aid is a typology of the author. However, the terms used to describe the kinds of aid are those of the annual report.

Source: Author's own tabulations with data from the Secretaría del Migrante (2009).

of migrant prisoners. These last two activities are considered of equal importance, as evidenced by the time dedicated to them by the managers of the departments of aid for migrants and in the statistics of the two public agencies studied, statistics as complete

and precise in regards to the prisoners as to the deceased in both cases (table 2).

These two kinds of assistance demand collaboration and often coordination between the different levels of government that the regional “public agencies” and consulates represent. For the transfers of the remains of deceased migrants from the United States towards Mexico, it is necessary to distinguish two scenarios that lead to the partial or total involvement of the federal and state governments. In the majority of cases, a migrant’s death is a result of sickness, old age, or homicide while residing in the United States, and family members residing in one or both countries make a demand for assistance in financing the transfer to the consular services or the “public agencies” of their state, generally through a funeral parlor. The regional “public agency” then takes responsibility for paying the local transportation from the airport to the family domicile.

Table 2. Assistance Provided to Migrants and their Families by the States of Michoacán and Oaxaca for the Transfer of the Deceased and for Prisoners in 2007-2009

<i>Type of Aid</i>	<i>Michoacán</i>	<i>Oaxaca</i>
<i>Transfer and monitoring of transfers of the remains of the deceased from the U.S. to Mexico</i>		
2007	310	218
2008	319	238
2009	334	206
<i>Monitoring of migrants incarcerated in the United States, from the respective state in Mexico</i>		
2007	313	209
2008	354	228
2009	277	120

Source: Author's own tabulations with data from the Secretaría del Migrante (2009) and Instituto Oaxaqueño de Atención al Migrante (2009).

The second scenario involves the death of migrants during the border crossing, in which case their family is unknown, or in circumstances that exacerbate Mexican nationalism, such as the

assassination of a migrant by a New York police officer in March 2010 which led to the mobilization of all levels of Mexican administration and government, from the consulate to the Secretaría de Relaciones Exteriores in Mexico City and the Instituto Oaxaqueño de Atención al Migrante de Oaxaca: it was then the consulate that coordinated the transfer and contacted the funeral parlors as well as the regional public agency, the Mexican government agreeing to meet the majority of the costs, the state paying for local transportation (Rosas, interview, 2010).

In regards to migrants incarcerated in the United States, these prisoners seek assistance from “public agencies”, consulate and SRE delegations. Here again, it is necessary to distinguish two kinds of prisons and inmates: common law prisoners or those jailed for immigration violations (undocumented), who are held in different kind of detention facilities and need different services. Although the consulates provide routine monitoring services in prisons, they intervene mainly upon the demand of the prisoners, the Mexican prison population in the United States being fairly substantial, especially in immigration detention facilities: for example, California City, an “immigration” prison (detention centers for illegal migrants), has more than 2 000 prisoners of whom nearly 90 percent are Mexican (Rosas, interview, 2010). As a result of the demands of migrants’ family members who live in either Mexico or in the United States, consulates and “public agencies” collaborate to search for the location of the prisoner or to find them legal and financial aid in the case of an extradition order or, more rarely, of the death penalty (Lestage, 2008, 2010a, 2010b).

As a result of the proximity of their missions, the exchanges between the regional public agencies and the consulates are constant. However, it is impossible to offer a diagram of these exchanges, since the various levels of government (consulates, SRE delegation and “public agencies”) work together differently according to the case and according to the organization of each agency. During the fieldwork (Lestage, 2010a, 2010b), it was observed that in the case of the death of a migrant in the United States, the consulate intervenes during the first administrative

procedures, and the “public agency” of the respective state takes over and acts as a mediator with local authorities and the family if necessary, to the extent that it is geographically, or often socially, closer to the families of migrants. For a migrant in prison, the opposite was observed: the “public agency” of the regional state was contacted by the family in Mexico who wanted to know more about the criminal charges, about the accuser, about the location of the prison or detention center, or about the release on bail of the incarcerated migrant, and the agency turned to the consulates of the zone where the prison was located for further information and aid (Lestage, 2010a, 2010b; Rosas, interview, 2010). Upon the demand of the family, the federal public agencies and the consulates collaborate in order to look for missing persons, using the consular network and modern techniques such as DNA evidence; a network that is also used to locate “absent fathers” and to recover child support payments that they owe to their spouse. In short, the activities that are pertinent to the governmental management of migrants’ suffering involve all levels of state and federal government, in Mexico as well as in the United States.

Discussion: The Migrant, a Privileged Citizen?

This article proposes that a significant portion of the aid provided by Mexican state and federal governments since the end of the 1990s forms a structured system of assistance described in this paper as the governmental management of suffering during migration, a system created progressively since the 1980s by the successive governments of Mexico—with a clear acceleration since the year 2000 and the presidency of Vicente Fox—with the support of migrants and migrant association. This article also proposes that this structured system of assistance has specific functions, in particular that of maintaining emigrants in the body politic of their home country, as well as effects on social life and on the concept of the nation, mainly because it offers a position for migrants as beneficiaries of public policies, and simultaneously creates “privileges” by allocating specific forms of aid to them.

Maintaining Migrants in the Nation

The governmental management of suffering during migration is clearly an example of the evolution of the new policy of “non-intervention” of Mexican governments towards their emigrants, which in twenty years went from a policy of distance with their emigrants and with the United States to a policy of inclusion of emigrants in the Mexican nation and in the United States (Délano, 2006; Fitzgerald, 2009). Indeed, this management of suffering during migration has the function of maintaining emigrants in the nation on the local level, through the actions of the “public agency” of the regional state, and on the national level, through the actions of consulates and the SRE, not with coercive means, but by attempting to convince migrants uniquely through its actions. This subtle form of influence on the part of the government fits into the kind of relations based on voluntary participation that the Mexican state has adopted with its emigrants, as shown by Fitzgerald (2009:13) who also highlighted that this new attitude led to “a radical revision of the contract between the nation state and its citizens abroad, from coercive membership to ties that are much more optional, based on rights over obligations” (Fitzgerald, 2009:5). The governmental management of suffering during migration represents one application of this model of relations, since the state and federal governments facilitate all kinds of procedures for migrants and their families in vulnerable situations, by asserting a right to be “protected”. For the idea of protection is at the foundation of consular services: the SRE has delegations in the Mexican states with “departments of protection”, noted the Vice-Consul of San Diego, who clarified that this was “work that consulates have always done”, at least since 1982 when she entered the consular service (Rosas, interview, 2010). Similarly, Yrizar, and Alarcón (2010) note that the “public agencies” of states, with the exception of three of them, emphasize the terms “help, aid, or protection” in their titles.

The notion of protection remains fairly vague however: the national development plan of 2007 to 2012 has two main objectives:

“to protect and actively promote the rights of Mexicans abroad” and “to create a culture of migration” (Presidencia de la República, 2007). On the one hand, the governmental management of suffering during migration does not appear explicitly and, on the other, these objectives go much further than the mere protection of the rights of Mexicans. The protection, aid, assistance, and support of migrants has become a right in Mexico, a right that migrants claim when they don’t obtain it, either through associations as in the case of the workers of the Bracero Program who demand the payment of their retirement benefits (Schaffhauser, 2009), or individually as in the case of families who demand that the government cover the expenses relating to the transfer from the United States of the bodies of deceased migrants (Lestage, 2006).

This right to protection, more and more often applied by state and federal government, sometimes enjoys the support of United States institutions, as is the case for the office of the consulate in charge of settling cases of humanitarian visas and of sending back minors or vulnerable individuals, an office that is housed at the border in Tijuana, in a U.S. immigration facility that functions in tandem with the Mexican consulate. However, more often, the “protection” implemented by Mexican state and federal governments is completely independent from United States decisions and institutions, and goes further. In the civil servants’ discourse, all Mexican migrants in situations of vulnerability are supposed to be protected and helped (but corruption and racket exist between civil servants too), whether this situation is directly linked to migration or not, as in the case of Mexican migrants who are found to be in violation of U.S. laws: in 2009, out of 277 prisoners assisted by the Secretaría del Migrante of the state of Michoacán, 109 were imprisoned for strictly immigration-related infractions; 133 for various offences (homicide, assault, drugs, automobile accidents, driving without a license, armed robbery, etc.). In these cases, 30 faced multiple charges for immigration related infractions and for another offence.

These reprehensible behaviors were not stigmatized by the civil servants with whom the autor spoke, as they showed a certain

understanding towards acts that are not condemned as strongly in Mexico as in the United States, such as driving under the influence of alcohol or marriage between minors, which is frequent among certain indigenous groups. The right to protection and to government assistance, for whatever reasons, is evidence of the good intentions of state and federal government for its citizens, for its concern for its emigrated nationals. It is, in itself, a way of maintaining ties, since the government shows its empathy for individuals who are suffering. Such acts influence emigrants to consider themselves Mexican, especially in cases of the transfer of the body of the deceased, which remains an ontologically significant event for the family, and also for the government since the supervision of death is one of the elements of government sovereignty (Lomnitz, 2006) and, in Mexico, death is one of the elements in the construction of national identity, as underlined by Lomnitz (2006). Repatriating the corpse is thus an act of reappropriation of the migrant by its family and by the government, as well.

Privilege or Compensation?

The governmental management of suffering during migration has another effect: that of privileging migrants and their families in certain areas of public intervention. For if all Mexicans can potentially benefit from this aid, this level of assistance does not exist for Mexicans outside the situation of migration to the United States, or it exists rarely and only in particular cases, especially in northern states that border the United States: for example, the “public agencies” take responsibility for the expenses involved in the transfer of the bodies of the deceased from the northern Mexican states to those of the South (Lestage, 2007, 2010a, 2010b).

Except in rare circumstances, the governmental management of suffering thus only applies to Mexicans in the United States and to their families in Mexico and in the United States. After having been considered “traitor to the nation” then “hero of development” to whom rights should be granted in order to convince

him to invest in his home country and to affirm his citizenship (Durand, 2004), the Mexican migrant became in the first decade of the 21st century a citizen who is assisted, in theory, by all levels of the Mexican government, benefitting from the same rights as non-migrants, but also from advantages to which other citizens do not have access.

This state of affairs would seem to make a distinction between two types of citizens whose suffering and needs are distinct. It should be emphasized that these are theoretical figures, and that no division of the population into two categories is implied, since each Mexican can be, at different points in life, a migrant, a non-migrant, or a family member of a migrant. By making migrants beneficiaries of public aid, the state and federal governments acknowledge them as citizens on the same basis as non-migrants, but as citizens of another kind that must be protected and assisted differently, in particular in specific situations of suffering that they encounter in the United States. The state and federal governments thus make the Mexican nation a country of non-migrants and of migrants, and they establish a new social contract between citizens and the federal government (Fitzgerald, 2009), and between citizens and state governments (Yrizar, and Alarcón, 2010).¹⁰

Can we truly speak of a privilege reserved for one category of citizens? In the author's view, it is more accurate to see a way of compensating for the aid reserved for non-migrants, on the one hand, and for the situation of vulnerability that Mexicans encounter during their migratory journey and in their destination in the United States, on the other.

The state and federal governments compensate migrants for the suffering they undergo in order to work in the United States by paying, often literally, for other situations of suffering that are part of life, like death, sickness, or imprisonment, but that are not

¹⁰ Other signs contribute to the idea of a new social contract between government and citizen, a contract whose referent would be the migrant, as in the movement to recover the retirement benefits of *braceros* employed in the United States between 1940 and 1962 and who never received the sums owed (Schaffhauser, 2009).

necessarily connected to migration to the United States. This suffering can also be directly linked to the act of migration itself, in particular when it involves a death during a border crossing from one country to another (expenses related to the transfer, administrative procedures in the United States and in Mexico) or an incarceration for migratory reasons.

However, if migrants suffer in the United States, it is, in the first place, because they have left Mexico, a country which did not provide them with the work opportunities or the security that they hoped for. This “privilege” must then be considered in light of the crucial act that a departure towards the United States represents, and which can be viewed as the consequence of a failure of government in Mexico (Calderón, 2009).

Conclusion

“Ningún otro país tiene una nación dentro de otra nación” (“No other country has a nation within another nation”) the San Diego Vice-Consul pointed out during our meeting in April 2010. Indeed, Mexican migrants in the United States form around 10 percent of the total population of their sending country. They are increasingly organized into associations and political organizations that play an active role in national policy, and their significant participation in the economy of their home country is endorsed by Mexican state and federal government. The implementation of public policies as well as investments in public organizations (consulates, delegations of the SRE, and “public agencies”), in personnel, and in economic capital to offer financial and administrative aid to Mexican migrants in the United States and their families (parents, children, spouses, brothers, and sisters, sometimes nephews, and nieces) in the procedures involved in daily transnational life (obtaining visas, permits, and retirement benefits) form a system of supervision and assistance that is offered *a posteriori* to migrants.

The governmental management of suffering is part of this system. It consists in helping, financially and administratively, mi-

grants and their families when they endure suffering after a death, an imprisonment, or sickness. Through this structured system, the Mexican state and federal governments pursue economic, political, and symbolic goals in collaboration with the migrants associations, which are powerful actors in Mexican economic and political affairs.

We have seen that the primary function of this governmental aid is to maintain migrants in the Mexican nation by subtly influencing their attachment to it, which contributes to the establishment of a “new social contract” between the migrant and government, as noted by other researchers (Fitzgerald, 2009; Yriazar, and Alarcón, 2010). Another related function is of projecting the image of a protective government that is attuned to human rights and that defends its citizens in their interactions with the United States.

We have also shown that the governmental management of suffering during migration makes the migrant—and his/her family—the “privileged” recipient of state protection from which those who remain in their country rarely benefit. Indeed, the latter do not receive financial assistance for the transfer of the bodies of the deceased within Mexico, or for the living conditions of prisoners in Mexican jails.

However, this “privilege” is very relative, since it only compensates for other public aid reserved for non-migrants, as well as for the suffering caused, in part, by the dependence of the Mexican government on the United States and its incapacity to reform the country so that its citizens no longer wish or need to leave in order to seek a better life.

References

- ALANIS ENCISO, Fernando Saúl, 2008, “El mapa de la migración potosina a Estados Unidos. Una aproximación al lugar de origen y de destino de la emigración del estado de San Luis Potosí”, in Fernando Saúl Alanis Enciso, dir., *¡Yo soy de San Luis Potosí!.. con un pie en Estados Unidos. Aspectos contemporáneos*

- de la migración potosina a Estados Unidos*, Mexico, El Colegio de San Luis/Miguel Ángel Porrúa/Secretaría de Gobernación/Consejo Potosino de Ciencia y Tecnología, pp. 53-74.
- ALARCÓN, Rafael, 2006, "Hacia la construcción de una política de emigración en México", in Carlos González Gutiérrez, ed., *Relaciones Estado-diáspora: Aproximaciones desde cuatro continentes*, Mexico, Miguel Ángel Porrúa/SRE/UAZ, pp. 157-179.
- CALDERÓN CHELIUS, Leticia, 2009, "Conférence d'inauguration de la deuxième Semaine Nationale de la Migration au Mexique", *Problèmes d'Amérique Latine*, no. 75, pp. 93-107.
- CALDERÓN CHELIUS, Leticia, 2010, "*Los superhéroes no existen*". *Los migrantes mexicanos ante las primeras elecciones en el exterior*, México, D. F., Instituto Mora.
- CALIFORNIA STUDENT AID COMMISSION (CSAC), 2012, "California Dream Act Application for AB 540 Eligible Students. July 1, 2012-June 30, 2013". Available at <http://www.csac.ca.gov/pubs/forms/grnt_frm/paper_dream_application.pdf> (last accessed on July 16, 2011).
- CASTLES, Stephen, 2006, "Una comparación de la experiencia de cinco importantes países de emigración", *Migración y Desarrollo*, 2nd semester, no. 7, pp. 170-200.
- CENTRE D'INFORMATION ET DE GESTION DES MIGRATIONS AU MALI (CIGEM), No date. Available at <http://www.cigem.org/index.php?option=com_content&view=article&id=123&Itemid=214> (last accessed on October, 2010).
- DÉLANO, Alexandra, 2006, "De la 'no-intervención' a la institucionalización: La evolución de las relaciones Estado-diáspora en el caso mexicano", in Carlos González Gutiérrez, coord., *Relaciones Estado-diáspora: Perspectivas de América Latina y el Caribe*, Mexico, D. F., Miguel Ángel Porrúa.
- DURAND, Jorge, 1998, *Política, modelos y patrón migratorios. El trabajo y los trabajadores mexicanos en Estados Unidos*, San Luis Potosí, Mexico, El Colegio de San Luis (Cuadernos del Centro).
- DURAND, Jorge, 2004, "From Traitors to Heroes: 100 Years of Mexican Migration Policies", *Migration Information Source*, Migration Policy Institute. Available at <<http://www.migration>

- information.org/Feature/display.cfm?ID=203> (last accessed on August 13, 2011).
- FÉLIX, Adrián, 2011, "Posthumous Transnationalism: Postmortem Repatriation from the United States to Mexico", *Latin American Research Review*, vol. 46, no. 3, pp. 157-178.
- FERNÁNDEZ, Guillermo, 2010, "Asociación mutualista de Tangancícuaro", unpublished.
- FERNÁNDEZ VICENTE, María-José [doctoral dissertation], 2004, "Émigrer sous Franco. Politiques publiques et stratégies individuelles dans l'émigration espagnole vers l'Argentine et vers la France (1945-1965)", Paris, Université Paris-VII Diderot.
- FITZGERALD, David, 2009, *A Nation of Emigrants. How Mexico Manages its Migration*, Berkeley/Los Angeles, University of California Press.
- FOUCAULT, Michel, 2004, *Naissance de la biopolitique: Cours au collège de France 1978-1979*, Paris, Gallimard-Seuil (Hautes Etudes).
- GARCÍA ZAMORA, Rafael [doctoral dissertation], 2003, "Migración, remesas y desarrollo local", Zacatecas, Mexico, Universidad de Zacatecas.
- GOLDRING, Luin, 2002, "The Mexican State and Transmigrant Organizations: Negotiating the Boundaries of Membership and Participation", *Latin American Research Review*, vol. 37, no. 3, pp. 55-99.
- GONZÁLEZ MARTÍN, Nuria, 1999, *Régimen jurídico de la nacionalidad en México*, Mexico, Instituto de Investigaciones Jurídicas-UNAM (Cuadernos Constitucionales México-Centroamérica, no. 33).
- INSTITUTO OAXAQUEÑO DE ATENCIÓN AL MIGRANTE, 2009, "Informe anual 2009", Oaxaca, Mexico, Instituto Oaxaqueño de Atención al Migrante.
- LESTAGE, Françoise [fieldwork], 2006, "Las políticas migratorias mexicanas", Mexico, D. F., Secretaría de Relaciones Exteriores/URMIS-Université Paris-VII Diderot.
- LESTAGE, Françoise [fieldwork], 2007, "Las transferencias de los migrantes muertos", Oaxaca, Mexico, URMIS-Université Paris-VII Diderot.

- LESTAGE, Françoise [fieldwork], 2008, "Las transferencias de los migrantes muertos", Oaxaca, Mexico, URMIS-Université Paris-VII Diderot.
- LESTAGE, Françoise [fieldwork], 2010a, "Las políticas migratorias mexicanas", Secretaría del Migrante, Morelos, Mexico, URMIS-Université Paris-VII Diderot.
- LESTAGE, Françoise [fieldwork], 2010b, "Las políticas migratorias mexicanas", Instituto Oaxaqueño de Atención al Migrante, Oaxaca, Mexico, URMIS-Université Paris-VII Diderot.
- LOMNITZ, Claudio, 2006, *Idea de la muerte en México*, Mexico, D. F., Fondo de Cultura Económica.
- LOZANO, Fernando, 2003, "Discurso oficial, remesas y desarrollo en México", *Migración y Desarrollo*, no. 1, October. Available at <<http://meme.phpwebhosting.com/~migracion/modules/ve1/FernandoLozano.pdf>> (last accessed on July 16, 2011).
- MULLER, Pierre, 2000, "L'analyse cognitive des politiques publiques: Vers une sociologie de l'action publique", *Revue Française de Science Politique*, vol. 50, no. 2, pp. 189-208.
- PEREIRA, Victor, 2007 [doctoral dissertation], *L'Etat portugais et les Portugais en France de 1957 à 1974*, Paris, Institut d'Etudes Politiques.
- PEREIRA, Victor, 2008, "La construction du 'problème' de l'émigration: L'élite étatique et l'émigration portugaise vers la France", *Agone*, Paris, no. 40, pp. 61-80.
- PRESIDENCIA DE LA REPÚBLICA, 2007, *Plan nacional de desarrollo 2007-2012*, México, D. F., Presidencia de la República. Available at <<http://pnd.calderon.presidencia.gob.mx/index.php?page=documentos-pdf>> (last accessed on September 3, 2011).
- ROSAS RODRÍGUEZ, Marta Elvia [interview], 2010, Mexican vice-consul in San Diego, by Françoise Lestage [fieldwork], "Las políticas migratorias mexicanas, Tijuana-San Diego", San Diego, URMIS-Université Paris-VII Diderot.
- RUIZ SALDIERNA, Mauro, 2008, "Memorias de un migrante. Antecedentes, iniciativas, satisfacciones y decepciones en la creación, organización y despegue de la oficina estatal de atención

- a migrantes del gobierno del estado de San Luis Potosí, 1997-2003”, in Fernando Saúl Alanis Enciso, dir., *¡Yo soy de San Luis Potosí!.. Con un pie en Estados Unidos. Aspectos contemporáneos de la migración potosina a Estados Unidos*, México, El Colegio de San Luis/Miguel Ángel Porrúa/Secretaría de Gobernación/Consejo Potosino de Ciencia y Tecnología, pp. 187-212 (Colección Desarrollo y Migración).
- SCHAFFHAUSER, Philippe, 2009, “L’or des migrants. Retraite et dignité pour les vétérans des accords Braceros (1942-1964)”, *Problèmes d’Amérique Latine*, no. 75, pp. 75-91.
- SCHNEIDER, Anne, and Helen INGRAM, 1993, “Social Construction of Target Populations: Implications for Politics and Policy”, *American Political Review*, vol. 87, no. 2, June.
- SECRETARÍA DEL MIGRANTE, 2009, “Informe general de actividades 2009”, Secretaría del Migrante-Gobierno del Estado de Michoacán.
- STATE OF ARIZONA SENATE, 2010, *Senate Bill 1070*, in *Arizona State Legislature*. Available at <http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/2r/bills/sb1070s.htm&Session_ID=93> (last accessed on July 16, 2011).
- TAÏEB, Emmanuel, 2005, “Individuation et pouvoir politique. Une lecture de Foucault et d’Elias”, in dossier “La biopolitique (d’)après Michel Foucault”, *Labyrinthe. Atelier Interdisciplinaire*, vol. 22, no. 3, pp. 37-46.
- WALDINGER, Roger, and David FITZGERALD, 2004, “Transnationalism in Question”, *American Journal of Sociology*, vol. 109, no. 5, pp. 1177-1195.
- YRIZAR BARBOSA, Guillermo, and Rafael ALARCÓN, 2010, “Emigration Policy and State Governments in Mexico”, *Migraciones Internacionales* 19, vol. 5, no. 4, pp. 165-198.

Date of receipt: July 25, 2012.

Date of acceptance: November 27, 2012.

