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[WELLFLEET, MASSACHUSETTS]

In the sleepy beach resort town of Orleans in North America, Jamaican guest worker Lee was arrested for allegedly pulling a gun on his ex-wife during an argument. *Bing-bang-boom*, the cops came, and off he went to jail with little discussion even though no gun was ever found. That's how they do things on Cape Cod where he lives with expired H2-B guest worker papers, which means he is deemed an illegal immigrant. Some pundits say his arrest and jail time stinks of *systemic racism*, but is this also about the deepening class divide in the USA?

H2-B guest worker papers are temporary passes given to non-citizens to work the summer months, providing cheap labor in restaurants, hotels, and cleaning companies. When the population explodes with tourists, business owners claim they can't find enough locals to fill the jobs. But the dirty little secret is that Jamaican guest workers not only provide cheap labor, but they are willing to work long hours in sweltering kitchens while customers enjoy air-conditioned dining. And if they quit, they can't work legally without a new sponsor, which means months of applications that could be denied.

Since its inception in 1952, The Immigration and Nationality Act made it possible to import temporary workers a throwback to indentured servants and cheap labor. H-2B workers are often afraid to report abuses or exploitation for fear of losing their jobs and getting deported. Lee and his Jamaican friends were afraid to complain that their worker housing included ten men sharing bunk beds in a cramped tool shed with no running water. In American history, the impetus to have slaves, indentured servants, and H-2B guest workers boils down to the same thing cutting costs with cheap labor. Indentured servants often suffered abuse and substandard living conditions, but at least after they worked off their contract and transportation costs, they were given "freedom dues" a termination bonus, and more important, they were free to buy land. When the contract ends for H-2B workers, if they remain in the USA they become "illegal immigrants"<sup>3/4</sup>a gnarly limbo with almost no path to move up the socio-economic ladder.



This is Anthony Anglin's second summer working the fryers at Moby Dick's in Wellfleet. He was already in the U.S. when the new rules went into effect and had many seasonal job offers. (Jesse Costa/WBUR, 2017)

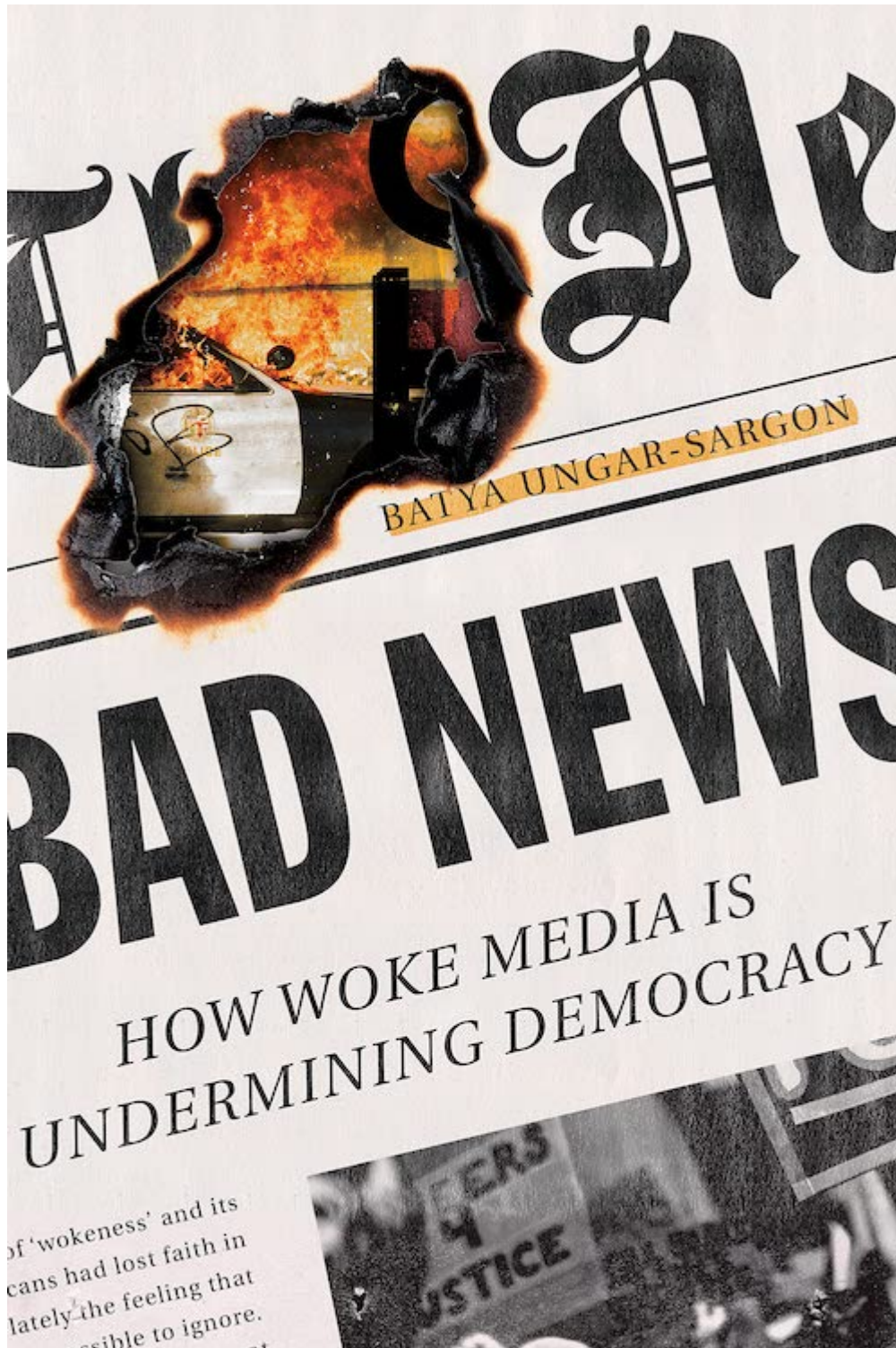
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Four years ago, when Lee's H-2B visa expired, he stayed in the U.S. and held out hope there were two paths to gain legal status. Option one was to hire a lawyer for exorbitant fees who would attempt to push his immigration papers through the system, claiming that his work expertise was rarified and could not be filled by a U.S. citizen. Lee did have specific expertise in oyster farming but a local immigration attorney said flat-out during the Trump administration, "Don't even try it now. This will only put you on the radar and increase your chances of being deported."

The second option was to marry an American citizen to gain legal status. Lee learned of a woman in Connecticut with four daughters who ran a marriage scheme where a daughter was willing to marry him for ten thousand dollars cash. For six months they would pretend to be newlyweds with joint bank accounts and intimate knowledge of each other in order to pass the written test of marital familiarity with immigration. Trick questions on the test like, "Does she like her eggs scrambled or fried? Does he have a scar on his thigh?" She and her sisters would later divorce and repeat the cycle year after year with new Jamaicans desperate for citizenship. But for Lee, this went from a scheme to a scam very fast. She kept his five thousand dollar cash deposit and disappeared.

From California farms to Cape Cod restaurants, there are countless women in this shady marrying business, and Lee was left with a joint bank account that was seized for back taxes his “wife” owed the IRS. Fortunately for him, Jamaicans created their own underground banking system completely separate from “white guy” banks, and that’s where Lee kept most of his money. All across America, “illegal immigrants” network through an underground economy, adapting to their non-status in order to make down payments on cars, send “barrels” of American goods back to Jamaica, and live cheaply in overcrowded rooms, all the while earning extra money working extra jobs for cash. With the so-called bankers, they can secure loans without piles of “white guy” paperwork. But what role does race play in the huge obstacles Lee faced when he was simply after a piece of the American dream?

In the olden days (ten years ago), it was easier to have an open discussion about *race* or *systemic racism*, and people listened to opinions contrary to their own. We could debate whether or not guest workers are a modern version of indentured servitude rooted in racism, without demonizing those in disagreement. But now, the terms racist and systemic racism have become weaponized to blunt reasonable discourse and worse, cancel the life of anyone simply by calling them a racist.



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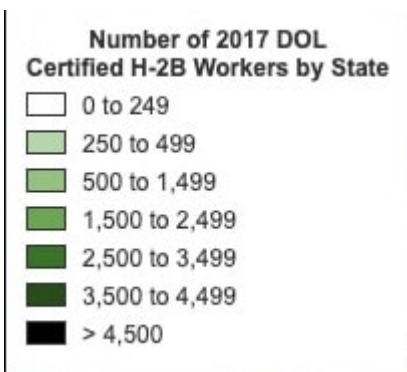
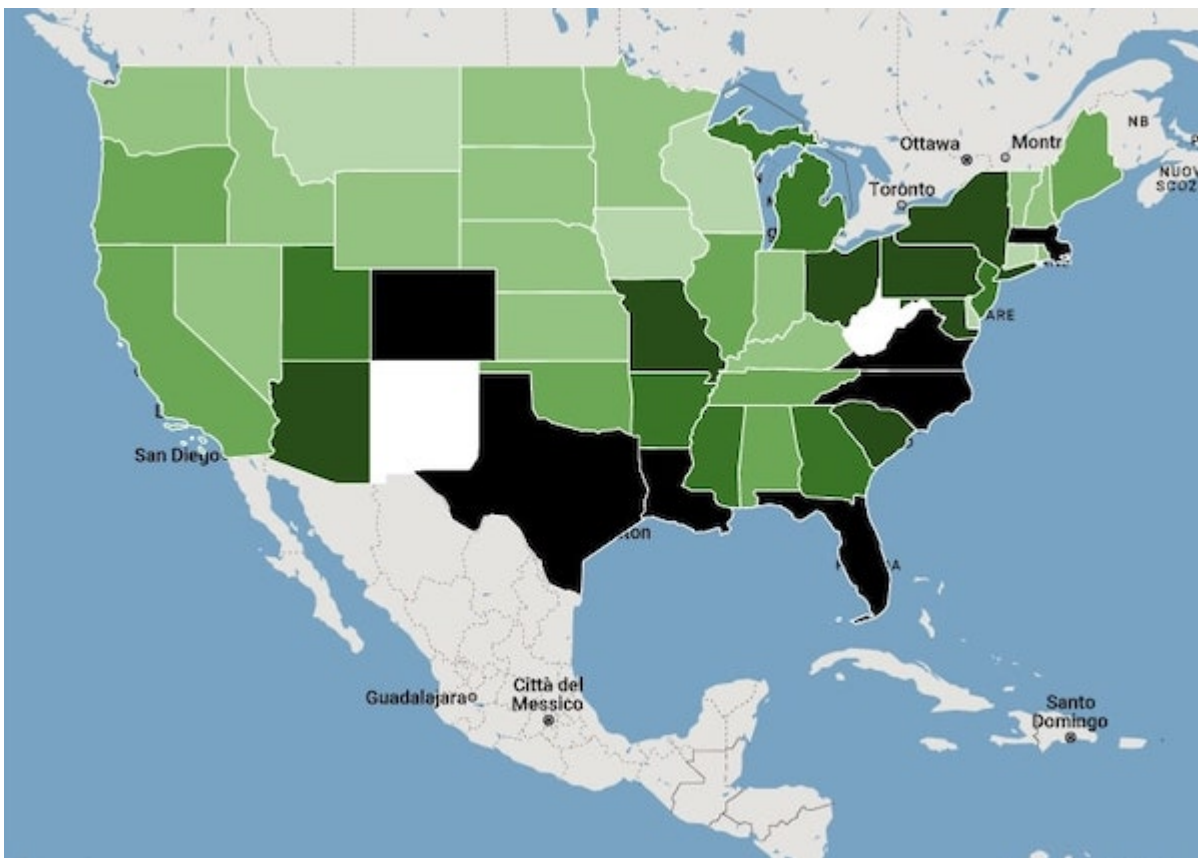
Race is definitely a factor, but as Batya Ungar-Sargon astutely argues in her book *Bad News* “Hidden behind a story that looks like it’s about race is a story about class – even caste.”

She goes on to say:



Despite, a no doubt well-intentioned desire to ameliorate racial inequality, the enthusiasm for the language of wokeness has allowed affluent white liberals to perpetuate and even excuse a deeply unequal economic status quo. . .

In other words, blaming the plight of guest workers on systemic racism in the USA is a *systemic deflection* from the broader problem, which is an economic hierarchy that creates a class divide all across America in order to exclude the working poor and the likes of Lee from upward mobility and full participation in the economy. For seventy years the H-2B program remains in effect with all its flaws because it benefits the bank accounts of the moneyed elite class. It's all about profit.



Center for Immigration Studies

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With the swell of refugees and migrants in Europe and North America, cheap labor is abundant once again. The hard fought labor laws don't apply to them, making it possible for profits to soar at the expense of people who live outside of the system. Circling back to Lee and the guest worker program on Cape Cod, it is true when the tourists leave Cape Cod after Labor Day, the need for extra labor shrinks, but that doesn't excuse overworking and underpaying H-2B guest workers. In the end, systemic racism and systemic classicism are married to each other in the USA. And after seventy years, it's about time that we stop pretending that the H-2B program is fair. The American guest worker program needs to be reinvented to provide decent wages and living conditions, and when the summer ends, a path toward legal status should be an option, so those who stay don't have to live in the shadows.