

Max Weber Revisited, the Verstehen of Migration through Qualitative Research

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ABSTRACT

This article begins with a reinterpretation of two basic concepts (*Gemeinten Sinn* and *Verstehen*) in Weber's theory of social relations. It defines international immigration as a social labor relation, characterized by an *asymmetry of power* between the principal actors, namely, migrant workers and their employers. It refers to Ernesto Galarza's book entitled *Merchants of Labor: The Mexican Bracero Story*. It proposes the use of a *participant observation* method in which the author poses as an undocumented/unauthorized Mexican immigrant, that is, as a subject in his own research. This research design corresponds to a qualitative approach not aimed at an empirical "test of hypotheses" but instead focused on a "deep understanding"—or what Max Weber understood by his methodological concept of *Verstehen*—of social phenomena. A reference to an encounter with a fellow inmate in a detention center led to an empirical foundation for the concept of *vulnerability* used in further explaining and measuring migrations.

Keywords: 1. social relation, 2. international migration, 3. vulnerability of immigrants, 4. participant observation, 5. qualitative research.

Retomando a Max Weber. Comprender la migración a través de la investigación cualitativa

RESUMEN

Se incluye 1) una reinterpretación de un par de conceptos básicos (*Gemeinten Sinn* y *Verstehen*) de Max Weber. Se define a la migración internacional (inmigración) como una relación social de carácter laboral. Se hace referencia al libro de Ernesto Galarza. La noción teórica de *Verstehen* entendida por Weber como un "entendimiento profundo" de un fenómeno social, da lugar a la narración que hace el autor, derivada del uso del 2) método de "observación participante" de una experiencia personal. De ésta se deriva el concepto de vulnerabilidad que implica una innovación a los enfoques teóricos de la migración. Lo anterior se encuadra en un enfoque metodológico de investigación cualitativa de la cual 3) no se desprenden "hallazgos" en su sentido empírico, sino explicaciones complementarias del "sentido" de los hechos relatados. 4) El encuentro del autor con un compañero migrante en el centro de detención, se presenta como el origen empírico del concepto de *vulnerabilidad*.

Palabras clave: 1. relación social, 2. migración internacional, 3. vulnerabilidad, 4. observación participante, 5. investigación cualitativa.

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Weber's Concept of Gemeinten Sinn

The concept of *Gemeinten Sinn* has been discussed elsewhere (Bustamante, 1997:154) and it was suggested that such an important Weberian concept was epistemologically distorted by Talcott Parsons who—in his otherwise seminal translation of Weber's *Economy and Society*—translated *Gemeinten Sinn* as “subjective meaning.” The author suggests that Talcott Parsons imposed his own theoretical inclination toward social psychology—as illustrated by one paragraph of Parsons' *Opus Maxima*, (Parsons, 1964:18)—by placing *Gemeinten Sinn's datum* inside the mind of an individual and turning it into a psychological concept. That interpretation appears to be in contrast with Weber's epistemological orientation, in which the *datum* of a particular *Gemeinten Sinn* is understood as a social act or gesture, or something *directly* observable, and thus measurable, from the *behavior* of the actors engaged in a social relation. Weber's *datum* is therefore observable behavior susceptible to direct empirical observation, and particularly important for scientific purposes, susceptible to being used as an input for mathematical constructions.

It is true that Max Weber implicitly recognized the elements of subjectivity inherent to what he meant by *culture* (a set of meanings for social actions shared by members of a *community*). However, he insisted upon a separation between Sociology and Psychology, particularly based on the objectivity/measurability of the sociological *datum* (act/behavior). This is precisely the origin of some concern regarding “an epistemological distortion” made by Talcott Parsons in his so widely disseminated translation of Weber's “fundamental” concept of *Gemeinten Sinn* as “subjective meaning.”

In contrast to Parson's translation is the suggestion that *Gemeinten Sinn* be understood as a behavioral expression, in which meaning is *culturally* understood, and thus culturally shared by the members of a *community*. Here the notion of “culturally shared” implies an observable *datum* such as a behavior or a body gesture, the meaning of which is commonly understood in the same way by the members of a community. This is apparent not only in Weber's own writings but also in those of his brother, Alfred Weber, who

succeeded him and consistently showed a high degree of respect for his brother's sociological ideas in his own writings. The same could be said about other contemporary social scientists frequently quoted by Weber, such as Ferdinand Tönnies, who, incidentally, used his basic concept of *Gemeinschaft* (Tönnies, 2002), which has the same root (*Gemein* as *community*) as Weber's basic concept of *Gemeinten Sinn*.

Such a notion of "culturally shared" should be understood in the theoretical-sociological meaning of culture that was shared by the Weber brothers, albeit independently, and by many others who shared the same understanding, namely, that a social relation implies an interaction between two or more actors whose behavior is oriented toward (an)other actor(s) with whom they have engaged in a process of social interactions through words, gestures, and even sounds understood as having the same meaning.

Along these lines, one could argue that there is a theoretical link between these ideas of culture and community, and Harold Garfinkel's construction of *ethnomethodology* (Garfinkel, 2002:6). In this sense, Weber's notion of "Sinn" (meaning) is what is *culturally* shared by the members of the community involved in the social context ("ethno") of a social action or social relation.

From Tönnies' perspective, a community does not have to be a large collectivity. What is important for an understanding of Tönnies' notion of community is that it involves the interaction of at least two actors whose actions are oriented toward each other, with meanings shared by the two actors, as well as the rest of the community members. According to Weber, the basic elements of a social relation are the following: *a*) the interaction between two or more "actors" (Parsons, 1966:58) whose behavior is oriented toward (an)other actor(s) with whom *b*) they have engaged in a social interaction through words, gestures, and even sounds, and which they understand have the same meaning and, *c*) their respective actions that Weber referred to as *zweckrational handeln*, or an action rationally oriented toward culturally-shared ends. Both *Weber* and *Tönnies* understood that community interactions led to shared meanings that resulted in cultural products. Such was the origin of language communications.

This introduction to Weberian concepts and his theory of social relations becomes particularly relevant when one observes social phenomena such as labor migration occurring at both micro and macro levels. At the micro level, it appears as a social relation between individual migrants and their employers, and at the macro level, we can observe international relations between two nation-states, namely the United States and Mexico. The theoretical link between these two levels lies in the *asymmetry of power*¹ characterizing the relation between the two parties at both levels. This asymmetry of power will be the focus of the rest of the discussion here.

There is a tendency to take for granted social phenomena about which there is public news almost every day, like international migrations. There is little awareness regarding the original interactions that led to the immigration of Mexican workers to the United States.

There is even less public awareness related to the human rights of Mexican immigrants in the United States, let alone the human rights context for Central American immigrants in Mexico. Max Weber's fundamental concepts of social relations referred to above are helpful in navigating through such social phenomena. Just imagine the initial interactions between an immigrant and a potential US employer. There were likely a good number of trial and error interactions until both, the first Mexican immigrant and the first American who gave him a job in the United States, arrived at a meeting of their minds, by finding a common understanding of what Weber called a *Zweckrational Handeln* (an action rationally oriented to culturally shared *ends*). Weber's theory of social relations assumes a sort of evolution from a simple action oriented toward another actor, to a response of the second actor confirming that they (both actors) share the same meaning attached to the initial action. Then, this initial confirmation evolves into a subsequent confirmation of what Weber calls an action rationally oriented toward *culturally* shared ends. This implies that the two or more actors involved in a social interaction are members of the same cultural community in which they share the same understanding of the *ends* to which their respective actions are rationally oriented. That first social interaction—rationally oriented

¹ The concept was originally introduced by Mario Ojeda in his article "The Structural Context of US-Mexico Relations" in 1982.

to mutually known ends—has the potential to evolve through practice into what Pitrim Sorokin called a *contractual type* (Sorokin, 1957:447-449) of social interaction. This in turn has the potential of evolving into what Talcott Parson called a *social system* (Parsons, 1964). Such evolution could not be found as such in the actual reality but it could certainly be found, and is entirely consistent, with Weber's sociological theory of social relations.

Returning to Weber, a simplified illustration of Weber's use of *Gemeinten Sinn* would be the collective expression of the fans of a soccer team through which they try to cheer up their team players during a game. Those unfamiliar to the particular way a collectivity of fans cheer up their team players during a soccer match may not understand the "cultural" meaning of such expressions (vocal or choral). These collective expressions may involve resounding roars or public gestures not a priori meaningful to a foreign audience. Here, an understanding of the *meaning* of such expressions is restricted to those who are members of that particular "community" of fans and who share the same culture, which is not commonly shared by those alien, or not belonging, to *that* "community." This illustration implies that the meaning of the "cheering-up" expressions is "culturally shared" by the fans (as members of a community). Such culturally-shared meaning is the *Gemeinten Sinn* of social relations between team players and their fans.

Closer to Parsons' social-psychological interpretation of the Weberian concept of *Gemeinten Sinn* is Alfred Schutz' understanding of the "cultural" meaning of a social action (Schutz, 1982:7) as the "inter-subjective" (Reich, 2010) understanding of an act or behavior that a member of a community directs toward another member, whose response is contingent with the meaning shared in the same way by both, and by the rest of the *their* community. Schutz points out that a social action is never isolated, that is, unrelated to any other action, or divorced from the rest of the world. Still, the main difference between Weber and Parsons is the epistemological nature of the *datum* for the sociological observation of a social action. Weber and Schultz focus on social behavior, whereas Parsons' social-psychology focus is on the individual's mind as the locus of

the “subjective meaning” of social relations. In Weber’s sense, we find the meaning of social actions, as expressed by objective behavior that can be directly measured. In Parsons’ mistranslation, the meaning is subjective in nature, and thus cannot be directly observed or measured.

In Weber’s sense, the notion of *Gemeintem Sinn* is much closer to an ethno-sociological (Garfinkel, 2012:1) approach to the *cultural* understanding of the meaning of social actions and social behavior. This is particularly relevant for a research design aimed at the study of social relations. In the case of the study of international labor migration from Mexico to the United States, labor *immigration* is understood as a social relation between a Mexican migrant and an American employer. This was the subject of a book entitled *Migración Internacional y Derechos Humanos* (Bustamante, 2002). Departing from the notion that labor migration is a social relation consisting of human behavior in social interaction, it becomes “social,”—following Weber—when certain behavior between two actors (a Mexican migrant and an American employer) can be found empirically, and its meaning understood by both is that the migrant is trying to obtain a job. Here, a history of subsequent steps can be found. To trace such steps, one could follow the seminal research of Dr. Ernesto Galarza (Galarza, 1964)²; specifying the following steps: 1) The *would-be migrant* assimilates some experiences of socialization with peer members. Subsequently, he/she decides to become a migrant himself/herself. Thus, emigration as a social action actually starts in the brain, where the idea of migration is first processed with the inputs of the experiences of others (most likely former migrants, members of the *would-be* migrant’s own community) and then enacted as empirical behavior, by leaving home and initiating a migratory journey and a new kind of relationship with the nation-state. In the Mexican case, his/her human rights are now covered by the First Article of the Mexican Constitution, and with the migration experience he/she then assumes a relationship with an American employer (the other actor), and this becomes

² Other highly recognized historical sources of Mexican immigration to the United States include: *North from Mexico, The Mexican American People* and *Beyond la Frontera: The History of Mexico-US Migration*.

in and of itself the basis for migrating. 2) The migrant is actually self-displaced from home, following the decision and subsequent action to migrate. 3) An internal migration (from home, toward the Mexican border and the United States). 4) Once in the United States, an encounter with an American employer takes place with a successful interaction (which Weber calls *zweckrational handeln*) or a rational action with a cultural “known end,” this being employment (Parsons, 1964).³ 5) There is a change in the global nature of the migrant’s relationship with the nation-state of his/her residence. While at home, prior to becoming a migrant, the accountability regarding the respect—or lack of it—of his/her human rights, lies in the state of the country of origin (Mexico). Once the migrant crosses the border to enter the United States, thus becoming an immigrant, the accountability regarding his/her human rights, lies now in the United States as a nation-state, in accordance with international law, *vis a vis* the United Nations.

Both the migrant and his/her interlocutor (the potential American employer) understand this social relation as a rational basis of their interaction derived from the same *Gemeintem Sinn* (cultural meaning), despite their ethnic differences. 6) An evolution of a pattern of social relations of migrations has begun.

One might assume that such a pattern would be followed by a series of encounters in which both the migrant and the *would-be* employer verified the *Gemeintem Sinn* of their respective behavior toward each other as corresponding to what both have learned through their respective experiences in a *labor relation* or a particular *type* of social relation (in a Weberian sense). Then, a series of similar interactions would take place, signifying an evolution of their initial understanding into one that contained an implicit common understanding of their respective “statuses” in the structure of labor-social relations. On the one hand there is the actor fulfilling the *role* of the employer, and on the other, there is the other

⁴ This should be understood in an historical sense, since its understanding by the actors involved assumes that both previously shared a history of common experiences with the same meaning. This includes an understanding not only of the meaning of *labor* as a type (in a Weberian sense) of a social relation, but as its *structural* composition into what Parsons defines as *roles* and *status*.

actor—the migrant—taking on the status of the farm worker in the United States. What comes next is that their *social* interaction, containing a commonly understood meaning, becomes a social labor relation. This common mutual understanding between the employer and the migrant implies that they have placed themselves within a rudimentary “social system” consisting of a typical social labor relation between a Mexican migrant and a US employer, taking place in the United States. This signifies that the US employer has repeatedly observed the same behavior by a Mexican migrant—as he or she comes from Mexico—until the US employer realizes that the meaning of the migrant’s behavior is not only the search for a job, but that such behavior is actually directed toward him. The repeated experience of a Mexican migrant’s crossing the US-Mexico border, is commonly a behavior oriented toward a potential US employer—this migrant knows about American employers’ hiring of migrants, from others’ experiences or from his own. At first, it might not have been intelligible for an American employer that a migrant repeatedly crossing the US-Mexico border meant that he or she was in search of a job. Rather, both came to *culturally* share the same expectation of becoming engaged in a *labor* relation. It happens, that after repeated encounters, the migrant and the American employer were able to reach a successful understanding or a “meeting of the minds,” in which the migrant was indeed seeking a job from the American employer, and in turn the latter was offering the migrant a job. The final step was—and continues to be—a *de facto* social relation (in the Weberian sense) between an American and a Mexican migrant. This assumes that both have learned respectively about the *type*—in a Weberian sense—of social labor relation, including the respective ascription of what Parson defined as *status* and *roles* (Parsons, 1964:25).

Up to this point, from what we know about the history of Mexican labor immigration to the United States—and what can be inferred from it—one could assume that there has been a pattern of mutually revising the meaning of each other’s respective behavior, Mexican immigrant on the one hand and his or her American employer on the other. This implies a mutual back-

ground of empirical actions in which both actors have established a correspondence of their respective roles in accordance with their respective expectations of each other's behavior. Over time, and after repeated successful (social) experiences of Mexican immigrants and American employers, their behavior evolved into a pattern of what Weber called a *typical* social labor relation and Parsons called a *social system*.

This understanding of Mexican immigration to the United States was later presented in a book (Bustamante, 2002:1-27). Most of its content comes from a long research experience by the author which began with his "participant observation" as an undocumented immigrant. The research that included the use of such a qualitative method was part of a doctoral dissertation project at the University of Notre Dame. The idea of using such a research method was, for the student-author, to immerse himself in the phenomenon of Mexican immigration to the United States, for which he posed as an undocumented migrant when he was in his early thirties. He dressed as a farmworker in order to pass as a regular migrant. This experience turned out to be the source for a number of sociological concepts that were presented later in scholarly conferences and books, including "commodity migrants," alluding to the trafficking of migrants and the social treatment of migrants as virtual deviants, as discussed in *The Wetback as Deviant* (Bustamante, 1978:183-203), as well as other concepts such as "circular migration" and "*vulnerability* of migrants" (Bustamante, 2016).

It is important to note that the goal of using such a qualitative research method was not to prove any hypothesis—even less so to make generalizations—but rather to understand, or to reach a *Verstehen* of what motivates a person to migrate to the United States, and of the person's feelings and reasoning of the experiences of his/her migratory journeys from Mexico to the United States.

The research design in which such *participant observation* was included, was heavily influenced and personally encouraged by Dr. Oscar Lewis who, incidentally, was lecturing at the University of Notre Dame a year after he had returned from his last field trip to Cuba. The author was a graduate student at the time and had read

Dr. Lewis' major published works. This influenced his resolve to prepare a research project based on what is understood in Sociology and Anthropology as "participant observation." Dr. Lewis was widely recognized at that time as the authority on the subject—with various *best sellers* such as *The Children of Sanchez*, *Five Families* and *Pedro Martinez*. The author showed Dr. Lewis a draft of his research project in which he would pose as an undocumented immigrant. His dissertation advisor, the late Dr. Julian Samora, had not approved the first draft, arguing ethical considerations having to do with what he saw as a high level of personal risk involved in the proposed *participant observation*. Following Dr. Lewis's written suggestions, the original proposal was modified and finally approved by Dr. Samora.

Following the path of other undocumented immigrants, the author went (hitchhiking) from central Mexico to the Mexican northern border (Reynosa, Tamaulipas), where he crossed into the United States (south from McAllen, Texas). He spent four weeks in the summer of 1969 working as an undocumented farmworker, picking onions, peppers, various kinds of citrus fruit (in the Lower Rio Grande area of Texas) and cotton (near Edinburg, Texas). The idea was to start at the city of Zamora in the state of Michoacán, which was, at the time, one of the main places with a large and old out-migration to the United States. The city of Zamora was known by the author because he had lived there as a child. His made-up story was inspired by what he had heard from several hundred personal interviews with migrants a year before. That story was that his family was originally from Zamora, where his mother was working as a domestic worker for a rich family, who paid for the author's early education, all the way up to high school. Then, the family for whom his mother worked, moved to Mexico City where the author went on to finish the last three years of high school. After high school graduation—as his made-up story went—he started working for a construction company. There, after several years, he learned to operate heavy machinery such as earthmoving tractors. After the company went bankrupt, he was unemployed, but he had heard from friends that there were construction jobs in the United

States. His made-up story was credible because it was common practice among would-be migrants. This had the big advantage of accounting for his Mexico City accent, which was different from the accent of most migrants, who were from the northern part of Mexico. He thought it would have been suspicious if he had tried to imitate their accent.

The first step in his *participant observation* was to test the feasibility of reaching the Mexican border, beginning in Mexico City, with only two hundred pesos in his pocket. He hitchhiked from Mexico City to Reynosa, Tamaulipas, known by people from central Mexico as the nearest border town between Mexico and the United States. The town was close to McAllen, Texas. Once in Reynosa, he went to the main square and looked around for people who seemed as though they were waiting to cross into the United States. He tried approaching people several times until he found Juan (not his real name). Juan had made plans to cross that evening with a friend named José (not his real name), and he told the author to meet them both at the Rio Grande south riverbank. With a single look when they first met, Jose made it very clear that he did not approve of the added company. He later mumbled to Juan that as a rule you never cross the border with newcomers. The three of them began walking westward for about five miles from Reynosa, until Juan gestured to the place where they should go across. It was at dusk, with some remaining daylight. They started to get undressed to get into the river. The author then followed Juan's lead. They put all of their clothes and shoes in plastic bags. The author did the same with the bag that Juan had brought for him. The author saw Juan and Jose entering the water and beginning to wade across the river, with the water up to their lower chests. For the author the water level reached his shoulders because he was a few inches shorter than they were. This meant he had to swim when the river became too deep for him to walk. Juan had warned to avoid splashing because that would make the crossing more visible to Border Patrol agents surveying the area through binoculars. The last twenty feet were the most difficult for the author as he got closer to the northern riverbank, where the current was stronger and the river was deeper. The author had never

been a good swimmer, and he almost drowned. He was exhausted when he reached the US side of the river. Once on the riverbank he saw Juan and José on their knees praying as if following a common ritual. Then, Juan began scolding the author to rush. Juan feared that the Border Patrol might have spotted them due to the author's splashing around while trying to survive just before reaching the US side. They rushed across a planted field, semi-crouched, until they reached a place where the trees could hide them. The author's background as a graduate student did not prepare him for the kind of physical demands that Juan was making. It was as if the entire US Border Patrol was chasing them.

By then, it was dark. They proceeded to walk northward along a dirt road. Juan had asked the author to carry two glass bottles of water that were making some noise. He was annoyed when he asked the author to stop making noise: "You are behaving as if you want to call the *migra*" (colloquial term used by US-Mexico border residents to refer to the US Border Patrol). Half an hour later, the lights and sound of an approaching car made Juan and José jump abruptly to hide in the bushes, and the author did the same. As it turned out, the car was not from the Border Patrol, but it showed the author what he had to do in case the real one showed up. And that is what happened about an hour later. They rushed to hide in the bushes, and from his hideout the author heard the Border Patrol car stopping and two agents getting out. One of them screamed: "We saw you! Come out right away with your hands up or we will come to get you. It will be worse for you, you hear?" Seconds later, the author heard the sound of bushes moving and the voice of an agent saying: "Here's one." Then he heard the agent asking José: "Where are the others?" The author heard the agent hitting José, after which he heard José say: "I don't know. I was walking by myself." Another blow was heard and then the agent ordered José to get in the patrol car. Before the Border Patrol agents left, they yelled: "We will find you... or maybe the rattlesnakes will take care of you." The author stood still until he heard Juan coming out from behind the bushes, saying: "Where are you?" It was pitch black by then so the author came out following Juan's voice.

After José was taken, the two left to continue walking a few miles, when they ran into a dead body. Juan saw the shock on the author's face and he said casually: "It was a rattlesnake... this might not be the only remains we will find along the way. It's not uncommon this time of the year." Even though the author had conducted several hundred interviews of undocumented immigrants from Mexico, that was the first time he had heard how common it was to find the remains of people (presumably of other Mexican immigrants) in that area of Texas, known as the "Lower Rio Grande." The two then walked along the side of dirt roads until they could see the outskirts of the city of McAllen. Once they reached the city, they went to an old small hotel where the author was able to take care of his badly wounded feet. They had walked close to twenty miles from the US-Mexico border. As had been agreed from the outset, Juan left the author in McAllen, and was never heard from again. From McAllen, the author was able to call his wife and Dr. Samora, his dissertation advisor, both of whom were in South Bend, Indiana. The author decided to mail them extensive notes of his field research thus far, which he wrote in the hotel out of fear he could forget the details and to avoid losing his writings during the following phases of the research.

Once the author recovered from the ordeal of crossing into the United States, he proceeded with the second part of his plan as a participant observer. This consisted of looking for a job, posing as a farmworker. Following the information he had gathered from many interviews with undocumented immigrants, he went to the street corners of several cities in the Texas Lower Rio Grande area, including McAllen, Mission, Pharr, Elsa, Harlingen, San Benito and Edinburg. He spent seven weeks posing as an undocumented farmworker "following the crops" and visiting migrants' homes in these cities, doing some ethnomethodological observations through interviews with migrants and their families. During this period he had a few experiences that were especially memorable. He was in the city of Mission, and as he did in other locations of the "El Valle," he went early in the morning to a street corner where he had learned that farmworkers gathered in order to be picked up by land owners

as day-laborers. Before too long, a pickup truck stopped by and, following a hand gesture by the driver, a group of about fifteen men including himself jumped on the pickup truck that took all of them to a ranch about ten miles outside of town. He then walked with the group of farmworkers to a place in the ranch where everyone had gotten off the truck. Then, the foreman who was driving the truck, spoke to the group in a loud but casual voice: “You are too many, who wants to work for a dollar an hour?”—Minimum wage at the time was less than 2 dollars an hour. Two thirds of the group raised their hands. The foreman spoke casually again: “No, no, you are still too many. Who wants to work for 75 cents an hour?” Only about half of the remaining group raised their hands. The foreman then said: “Those of you who don’t want to work should leave the ranch right away. You all know I’ll call the police to arrest you for trespassing if you don’t.” Those who had raised their hands indicating they would work for 75 cents an hour, moved quietly. They stood in a line formation in order to show their hands to the foreman. The foreman inspected each one with a condescending attitude. The author then got in line like the rest of the men just imitating them, showing the palms of his hands to the foreman. When the foreman looked at the author’s hands—those of a graduate student with no signs of having experienced hard manual labor, which is what the foreman was looking for—he said laconically: “Go with them,” pointing to the men who had decided not to work for such a low pay and were leaving the ranch.

As he was hurrying in order to catch up with this group of men, the author was trying to make sense of what he had just witnessed. He thought it looked like an “auction in reverse.” Namely, that those who had not raised their hands, were in a sense “bidding down” to the lowest pay in order to “win” a job. As he was trying to figure out conceptually what he had seen, he was reminded of some aspects of Marx’s theory of value. Although the author was not a Marxist, he could recognize the value of labor in a social context of exploitation. That was the case for those who tacitly accepted to work for less. They were forced to do so by sheer desperation, but the mechanism by which each actor (in a social relation *a la Weber*)

knew what to expect and what to do, reflecting a practice that was already in the *culture* of all the participants. It was not something that was invented by the foreman at the spur of the moment, but something that derived from a common understanding between all of the actors involved. As an observer *and* as a *participant*, it had appeared as if there had been a sort of previous agreement between the truck driver and the people (farmworkers waiting to be picked up). Obviously, there was not. What had actually happened was a culturally shared meaning of those involved out of previous experience of repetitive actions between the truck driver and the people waiting at the corner to be picked up. The realization of that understanding (Weber would have called *Verstehen*) was something that, very likely, the author could not have obtained through survey interviews. This “participant observation” certainly helped. Again, Weber’s notion of a *Gemeintem Sinn* explained how the apparent *social relation* between the foreman and the men waiting at the street corner, had come to integrate a common culture in which their respective behavior made rational sense and corresponded to their respective interest. The same could be said *sociologically* about the *auction in reverse* and the exchanges before and after. It was clear for an observer that behind that social correspondence of actions and responses, there was an empirical *déjà vu* that linked all the participants in a *cultural* understanding. The sequence of events involving the foreman and the day laborers in which the author took part as a participant-observer could be seen as an evolution of increasing levels of sophistication of *Gemeintem Sinn(s)*, or social meaning of labor, as *types of social relations a la Weber*. Viewed in a different way, it is a *system, a la Parsons* in which all of the “actors” seemed to know their *roles* and their *status* very well.

Once confronted with the empirical reality through his participant observation, the author became critical of techniques consisting of the use of questionnaires (not only in his own previous research, but in other academic publications). He was surprised at the fact that after more than a hundred personal interviews with undocumented immigrants from Mexico, conducted using questionnaires of his own design with a good number of open-ended questions, no one had mentioned encounters with the remains of

people, presumably victims of rattlesnake bites. All the migrants he had previously interviewed on the US side of the border were undocumented and therefore had ample experience in border crossings. It became clear that if the person designing a questionnaire is not sufficiently aware (as was his case) of all aspects of the reality he or she is investigating, it should not be surprising if some omissions appear in the questionnaire's scope.

Reflecting on methodology made the author feel very satisfied with his insistence on incorporating "participant observation" as part of his research project for his doctoral dissertation. This was not because his aim was to prove any hypothesis using such qualitative techniques. His main objective was to increase his own understanding (*Verstehen* in Weberian terms) of the phenomenon of Mexican undocumented immigration to the United States. As it turned out, this phenomenon was a fertile ground for many of his working hypotheses that guided his research on migration for many years. Whatever the relevance, this interpretation of Weber's theory of social relations was more a collective than a personal product. The use of *collective* here refers to the author's recollection of the meetings of a small group of graduate students that included some now famous sociologists, such as Dr. Heran Vera and Dr. Saskia Sassen, who should have some credit as participants in lively discussions in informal *tertulias*, or small circles of graduate students. This group of students met regularly for years to discuss various facets of the thinking developed by the founders of Sociology, over sips of good Brazilian coffee and with the guidance of Dr. Fabio da Silva, our Social Theory professor at the University of Notre Dame. The common meaning of *Verstehen* as a deep understanding of social phenomena, as used in this text, was born in such *tertulias*.

That early *Verstehen* objective of a deep understanding of Mexican undocumented immigration to the United States was certainly accomplished when the author complemented it with the reading of Ernesto Galarza's books on the subject. Later on, when he was writing his notes on his experience as a participant-observer at the US-Mexico border, his thoughts took him back to Marx and the notion of undocumented immigrants as "commodity migrants." He elaborated on this concept in his doctoral dissertation

and in one of his earliest sociological publications (Bustamante, 1978:183-225), referring more precisely to the migrant labor force as a “commodity” subject to the implicit exchange of “values”—a la Marx—(as in the alluded auction in reverse). Another concept that came from his experience as a participant-observer was that of the “vulnerability” of migrants as subjects of human rights. The notion of vulnerability initially arose from an encounter with an undocumented immigrant while both were in the US Border Patrol’s detention center located in Port Isabel, Texas at the time (1970). The immigrant will be referred to here as Miguel (not his real name). He began to attract the attention of the author through his persistent presence near him wherever he was moving about inside the detention center premises. When the author finally approached Miguel to ask him about this particular behavior, Miguel then responded with the following narrative: “I have been wondering if you could do me a favor. That is, if you could write a letter to my wife for me. By following you I observed that you have more education than the rest, particularly when you beat the Chilean guy playing chess”.

Miguel was referring to a chess match that had drawn the attention of the migrant crowd in the detention center, where it was very unusual to find a Chilean and even more so, to see him playing chess with a Mexican—seeing him as one of them—using a makeshift chessboard with chess pieces made of soap. This was not a familiar sight. After agreeing to write the letter, the author asked Miguel to elaborate on his relationship with his wife and what he wanted to say in the letter.

What follows is what the author recalls of Miguel’s words:

My wife was of a better class than me. She learned how to read and write as a child. She always repeated that she was grateful to me because I gave her a church wedding—for such occasion I sold a couple of burros which was what I had-. We had two children. One of them died in my arms while I was taking him to the hospital. He had an unstoppable diarrhea. He was dead when I arrived. My wife was work-

ing, washing and ironing clothes and cleaning houses, until she got a high fever and deep cough. The doctor said it was whooping cough because of malnutrition. I had no money to buy the medicines the doctor prescribed, so I decided to come to the United States to make some money, which I have with me now. Please tell her to hang in there. Tell her not to die. Tell her that I will bring her (and Lupita our little daughter) to the United States, where we both can work and have a happy life.

The author ended up in tears, and never learned more about Miguel, nor did he find his wife alive.

Later on, the author reflected on this encounter with Miguel as an illustration of an unjust social system in which the government had actually made up an illiterate man by depriving people like Miguel of his right to receive an education. The author felt very angry thinking of such a government not fulfilling such a basic obligation, making Miguel a victim of an act of power by omission. The outcome was a man not able to communicate his sentiments to his wife, by not having received the basic education that would have allowed him to read and write. Years later, the author recalled this encounter with Miguel and mentally reproduced his indignation with the government in his writings on migration. He then defined “vulnerability” as a condition of powerlessness imposed by the state on its immigrants in addition to some of its nationals including women, children, minorities and others who are victimized through discrimination.

It was during the time the author was invited to work at the United Nations as an “expert” on international migrations and human rights, when he then was tasked with designing and conducting a research project in order to find out the extent to which both governments and civil societies were actively protecting the human rights of migrants around the world. He found a relatively common colloquial use of the word “vulnerability,” at the same time that there was an absence of a formal definition for this term. So, he proceeded to propose a definition of “vulnerability” as a condition of powerlessness that is *de facto* ascribed to undocumented or irregular migrants by the state-government and/or by the society of the country of resi-

dence. That is, such a condition of vulnerability is not derived from individual characteristics—as in other definitions of immigrants’ vulnerability, like being disabled, or a minor, or a woman. It is derived from the kind of relation (such a social relation is at the root of vulnerability as a sociological term) that an immigrant has with the state-government, which in turn is derived from the constitutional distinction made in most political Constitutions by defining who is a national and who is not, and the rights and privileges granted to nationals and denied to foreigners, as not nationals. That *constitutional* distinction between nationals and foreigners-immigrants is the root of current discriminations against immigrants made by either the state-government and/or by members of the host society. It is understood here that vulnerability is rooted in the relation between the migrant and the State and/or members of the host society. This is what gives a sociological nature to the concept of vulnerability. Such a relation between the state-government and the immigrants is of a political nature, whereas the relation between the immigrants and the members of the host society is of a social nature. In the case of the former, discrimination tends to be what it is understood as “institutional discrimination,” whereas in the case of the latter, discriminations are of a behavioral nature, that is, committed by individuals of the host society, both, against immigrants. Such a sociological definition of vulnerability was approved by the “group of experts” formed by the United Nations for which the author was elected chairperson. This definition of vulnerability was then used when the United Nations decided to include international migrants in its official list of “vulnerable groups.”

After a while, the author elaborated on such a definition of vulnerability by adding—albeit from the same source—a conceptual distinction between “structural” and “cultural” vulnerability. Understanding the dynamic of a feedback effect, where cultural vulnerability feeds the structural, which in turn reinforces the cultural. Here, what is meant by structural is: the actual-objective-living conditions of immigrants resulting from discrimination. Correspondingly, cultural vulnerability is understood as the scheme of anti-immigrants arguments, stereotypes and prejudices that one could encapsulate in a definition of anti-immigrant ideologies.

This cultural vulnerability is then used to justify structural vulnerability, very often summarized into the impunity to discriminate against immigrants.

The above definitions of structural and cultural vulnerability were inspired in the encounter with Miguel. His condition of illiteracy was not thought of as emerging in a vacuum. It was a condition imposed on him by default as an act of power by a social system in which he was born and had lived. It was thus an act of power at the origin of Miguel's condition as powerless and as illiterate, hence, his (*structural*) vulnerability.

The idea of *cultural* vulnerability came after the author was asking himself how there was not some sort of a sanction against those responsible for the act of power at the origin of the condition of structural vulnerability imposed on Miguel as a subject of human rights. Then, what came to mind were all the ideologies that tend to justify the set of discriminations that resulted in the impunity after the imposition on Miguel (and all those like him) of such a condition of structural vulnerability.

Having posed as an undocumented immigrant, in spite of the time that has passed since then, continues to be the source of the author's *Verstehen* (deep understanding) of the migration phenomena. More recently, when the author was appointed to serve as the doctoral dissertation advisor for Chantal Vargas at El Colegio de la Frontera Norte, he read in her proposal the use of the concept of *resilience*, for the first time applied to the phenomenon of migration. With her permission, the author redefined this term to make it fit into his previously published theoretical frame of a *dialectical analysis of vulnerability* (Bustamante; 2007). In fact, it gave him the certainty he needed for every subsequent research idea on migration he had henceforth. The author then defined *resilience* as a capability of a migrant to survive against any attack or threat against him/her. That is, as a capability inversely proportional to the growth of vulnerability. Or, like on a virtual mirror effect, the bigger the vulnerability, the bigger the resilience in an opposite sense. Such capability is viewed theoretically as an inherent power of human beings to resist against death. First, granted by nature ever since birth, and later, rooted in the exercise of self defense based on his/

her human rights. Within the above theoretical coverage, it can be understood that ever since the first human outmigration, probably out of Africa, the phenomenon of migration has been behaviorally a social act (*a la Weber*) of resilience.

The author's dealing (through research and theory) with the migration phenomenon took him from the participant observation experience to theory construction, quantitative measurement, scientific testing of hypotheses, to the study of culture on both sides of the US-Mexico border, to the study of Central American immigration to Mexico and the United States, to the study of the relation between international migrations and human rights. It could be said that his experience as a *participant observer*, which was part of a scientific endeavor—namely to complete his doctoral dissertation—gave him more than a sociological understanding. Such an experience brought an additional benefit for him that was totally outside of science and not necessarily governed by rationality. Some people call it conviction. It could be called personal commitment. Without any previous notion of what it would mean, his research experience as a participant-observer had uncovered something unexpected. It was too personal to fit into the rules of a scientific endeavor and it could not be included as such in his dissertation. It was a deep personal commitment to dedicate himself to the defense of migrants' human rights. His commitment to denounce and work against migrants' human rights violations has been constantly re-invigorated and reinforced, starting with that "auction in reverse" that he witnessed back in Texas, together with every bit of news regarding the low wages and deplorable working conditions of migrants, as well as homicides, kidnappings and torture, among other types of abuses against Central American migrants while crossing Mexican territory on their way to the United States.

After he completed his doctoral dissertation and it was approved, he found the writings of Harold Garfinkel and identified with them, particularly his editor's introduction in which he says: "Ethno-methodologists generally use methods that require immersion in the situation being studied. They hold it as an ideal that they learn to be competent practitioners of whatever social

phenomena they are studying. This ideal is referred to by Garfinkel as “unique adequacy” (Garfinkel, 2002).

The author found Garfinkel’s approach to qualitative research to fit perfectly into his understanding of doing research, namely, to immerse him into the life of undocumented immigrants. That was precisely what he had tried to do in his doctoral dissertation, in which he had followed his interpretation of the Weberian concept of *Verstehen*. He then guessed he had become an ethnomethodologist before he even knew it. From the viewpoint of a sociological observer, such a respective behavior of both the migrant’s and his or her US employer, and the mutual understanding of the respective *Gemeinten Sinn* implied in their interactions was something that would have been difficult to achieve through any other method than the qualitative ethnomethodological approach of a participant observation. The author has no doubt that the particular understanding, or what Weber calls *Verstehen*, of what it was behind the cultural nuances of what was earlier referred to as *an auction in reverse*, would have been very difficult to grasp through any other approach than the qualitative ethnomethodological approach that was followed.

The time span of the social process through which an American employer, in a different country than the migrant’s, reached a *cultural* understanding of the migrant’s behavior, was probably quite lengthy. A repeated practice of the same behavior evolved into a *typical* experience *a la Weber*, and subsequently into a *typical* social relation, always involving a Mexican migrant entering the United States clandestinely to later be hired by an American employer. This social relation has implied that both the migrant and the employer have learned through their respective life experience about the *cultural* meaning of a *labor market* and the *roles* of a *job seeker* and that of an employer or *patron*. That is to say, the learned notion of a labor market by both the migrant worker and his or her American employer becomes for both, a *commonsensical Gemeinten Sinn* of their social relation.

The above interpretation of the Weberian concept of *Gemeinten Sinn* implicitly suggests that in Max Weber’s *Economy and Society*, the first chapter’s section on methodological concepts for the

study of social relations—where the concepts of *Gemeintem Sinn* and *Verstehen* are introduced—preceded the authors dealing with Ethnomethodology, particularly when Weber called those concepts “methodological” for the study of social relations. Pursuing the same objectives of *Verstehen* à la Weber, and influenced by the example of Oscar Lewis in *Pedro Martínez*, the author wrote a *life history* of a migrant.⁴ It should be noted that at the time (1968 to 1975) all graduate students who were pursuing a doctoral program in Sociology at Notre Dame were required to take one third of the total coursework in the area of Anthropology. Thus, the ethnomethodological approach followed in the fieldwork for the author’s research on immigration from Mexico was heavily influenced by anthropology. And consequently, the idea of using participant observation and *life history* methods, very much à la Oscar Lewis, made enough sense to be approved by the advisor for the author’s doctoral dissertation.

Since the studies by Manuel Gamio, and later Mario Ojeda’s thesis, which covered two decades from the 1930s to the 1950s, little has been written about the conditions in Mexico before the Mexican Revolution (1910-1940) from the perspective of the migrants themselves. Oscar Lewis’ book *Pedro Martínez* (first published in 1967) was not actually about an emigrant to the United States but about the social, economic and political conditions in Mexico from 1928 to 1963. Mario Ojeda’s research for his thesis covered the decades from the 1940s to the 1960s in the 20th century. His thesis—which has been re-published recently by El Colegio de la Frontera Norte—was about a time of transition in Mexico, from rural to urban life. The work of these scholars is indispensable for anyone engaged in a serious study of the early Mexican immigration to the United States phenomenon.

Don Chano, an autobiography of a Mexican immigrant in the early 20th century by Jorge A. Bustamante, would have been called a “case study” if written by Oscar Lewis, since he used that term to cover his in-depth conversations that gave rise to his book entitled *Pedro Martínez: A Mexican peasant and his family*. Even though Bustamante meant to follow Lewis’ model when he wrote “Don

⁴ See Chapter five of the doctoral dissertation of J. A. Bustamante, *Mexican Immigration and the Social Relations of Capitalism*.

Chano,” he found it more appropriate to call it an “autobiography,” because it was mostly an actual recording of Don Chano’s own words with minimal participation (which was described in Bustamante’s dissertation in a methodological note).

Current Mexican immigration to the United States has certainly changed quite significantly from what it was at the beginning of the 20th century. However, not much has changed in the structural characteristics of what Mario Ojeda called the “asymmetry of power” between a Mexican migrant farmworker and his or her employer. Professor Mario Ojeda introduced the concept of “asymmetry of power” in his book *Alcances y Límites de la política exterior de México*. At both micro and macro-levels, such asymmetry of power between migrants and their employers, as well between the United States and Mexico, has not changed either.

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