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Conflict and local immigration policy making

How conflict over immigrant day laborers in the United States shapes local policy responses

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INTRODUCTION

The role of conflict in local immigration policy making in the United States

How conflicts over day laborers shape local policies

Several municipalities throughout the United States have experienced an increase in the population of immigrant day laborers within their communities since the 1990s (Crotty 2015; Esbenshade 2000). Latino immigrants make up an important share of this population and a significant part of these immigrants has an unauthorized immigration status (Valenzuela 1999; Valenzuela Jr., Kwachi and Marr 2002). The existence of an immigrant day laborer population poses a dilemma to local governments. Local governments are responsible for integrating immigrants into their communities, but the presumed unauthorized immigration status of many day laborers can be a lightning rod for anti-immigrant activists (Crotty 2017; Ellis 2006; Esbenshade 2000; Rodriguez 2008; Wells 2004). In addition, immigrant day laborers are highly visible in public, because day laborers solicit for jobs in public spaces (Crotty 2017; Varsanyi 2008; Visser and Simpson 2019). This can turn policy making to address the presence of day laborers in the community into a breeding ground for conflict. The following two examples illustrate how local conflict can shape day laborer policies.

In Baldwin Park, Los Angeles County, CA, day laborer policies were pushed and pulled between restrictive and accommodating due to prolonged conflict over the presence of day laborers near a Home Depot store within the city. Business-owners and residents claimed that day laborers scared away customers from shops surrounding the Home Depot store. In response the city council adopted a no solicitation ordinance after consultations with Home Depot were of no avail. Adoption of this ordinance provoked fierce resistance from day laborers and their advocates, resulting in a lawsuit that forced the Baldwin Park city council to repeal the ordinance. To address the complaints about day laborer activities, the city council voted to create a committee. The committee succeeded in creating a regulated hiring area.

In Mission Viejo, Orange County, CA, a restrictive day laborer policy was implemented in response to policy activity in a neighboring municipality and complaints by business-owners and activists. The day laborer population in Mission Viejo increased after the neighboring city of Lake Forest adopted a no trespassing ordinance. Business-owners and activists pushed the Mission Viejo city council to address the growing day laborer population, that would pose a threat to businesses and residents. In response, the Mission Viejo city council adopted a no trespassing ordinance resembling the one in Lake Forest.

The cases of Baldwin Park and Mission Viejo highlight that the marginalized and vulnerable position of day laborers plays an important role in local conflict and policy making. Immigrant day laborers work in informal labor markets that lack regulation, a significant share has an unauthorized immigration status meaning that they are unable to vote in elections, and deportation is an always present threat to those lacking a formal immigration status increasing the

risk of exploitation (Castaneda and Beck 2017; Coutin 2005; De Genova 2002; De Genova and Roy 2020). Due to their vulnerable and marginalized position, day laborers often lack political representation. In addition, day laborers are highly visible in a community, because they solicit for jobs in public spaces (Crotty 2017; Esbenschade 2000; Varsanyi 2008). The high visibility of a marginalized group can be a source of conflict. This was the case in Baldwin Park and Mission Viejo, where other community members considered day laborer activities to be an eyesore. Policies implemented to address local conflicts over marginalized groups can have a big impact on the daily lives of these groups – for day laborers searching for jobs in public space is a necessity to earn a living – while marginalized groups lack political resources to protect their interests. Thus, the vulnerable and marginalized position of immigrant day laborers creates distinctive dynamics when it comes to local conflict and policy making.

It is not surprising that the settlement of immigrant day laborers in the communities of Baldwin Park and Mission Viejo sparked conflict, as conflict is a key characteristic of social change. When newcomers move into an area, this generates changes in longstanding structures such as housing and labor markets, the demographic make-up of a community, and social networks (Rambotsham, Woodhouse and Miall 2011; Sandercock 2003). This reconfiguration is accompanied by conflict between newcomers and longtime community members, as they compete over the available resources to meet their varying needs and interests. So conflict is an inevitable part of immigrant settlement, but this is not to say that all conflicts develop in the same way and generate the same policy outcomes. On the contrary, the duration of a conflict, conflict intensity and characteristics of opposing actors involved in a conflict can vary widely. For instance, a conflict that endures for a long period of time may push local policymakers to implement policies to address the conflict, while a short-lived conflict may provide little incentive for policy responses. In the same sense, a highly intense conflict may spur the adoption of local policies, while a less intense conflict does not (Rambotsham, Woodhouse and Miall 2011; Schattschneider 1957). The characteristics of the involved parties can shape a conflict to an important extent as well. Actors with more financial and political resources can be expected to have a bigger influence on local policy making (Laschever and Meyer 2021). Thus, different elements of conflict may shape policy responses, and to determine how conflict impacts variation in local policy responses it is important to study the mechanism of conflict.

The examples of Baldwin Park and Mission Viejo illustrate that conflict is an important factor contributing to variation in local policy making. In both Baldwin Park and Mission Viejo, the presence of day laborers sparked conflict, but the conflict trajectories of both cities differed. For instance, in Baldwin Park the implementation of a no-solicitation ordinance intensified the conflict as more parties became involved and the city was sued over the ordinance. Different features of conflict – such as conflict intensity, duration, nearby conflict, and characteristics of involved parties – can shape policy responses in distinctive ways. Scholars who have explored the variation in local responses to immigrants in general, and day laborers in particular, have identified several factors – such as demographics and politics – that affect the direction of local responses to immigrants (Hopkins 2010; Huang and Liu 2018; Ramakrishnan and Wong 2010; Visser and Simpson 2019; Walker 2014, 2015; Walker and Leitner 2011). However, an important element that is missing in these studies is the mechanism of conflict. These studies suggest and assume that conflict is an important characteristic of local immigrant policy making, but conflict is not included as a variable into the models that examine variation in policy making. This means that

currently the mechanism of conflict remains understudied and consequently it is not possible to determine to what extent conflict affects variation in local policy responses.

To single out the effect of the mechanism of conflict it is important to measure conflict in a manner that allows to compare cases across space and time. Conflicts are dynamic and can change across space and time (Rambotsham, Woodhouse and Miall 2011), and the same can be said about local policy responses to immigrants (Daamen and Doomernik 2014). To grasp the effect of conflict on local responses it is necessary to examine multiple cases at multiple points in time. This means that conflict should be operationalized and measured in a manner that enables the comparison of instances of conflict. Scholars have explored instances of local conflict over immigration by means of case studies (see for instance Carpio, Irazabal and Pulido 2011; Hondagneu-Sotelo and Pastor 2021; Steil and Ridgley 2012). However, these studies do not provide a measure for conflict that allows to compare cases across space and time. This means that it remains unknown how conflict trajectories develop over time and how a conflict trajectory of one place may differ from another place and how this variation may have shaped local policy responses to immigration.

This research project aims to highlight the role of conflict in local immigration policy making, by elevating the variable of conflict to explore how conflict shapes local policy responses to immigrants. Currently local conflict over immigrants has not been operationalized in a manner that allows to compare conflict across space and time. This research project addresses that gap by deploying a large-scale dataset on a specific group of immigrants – immigrant day laborers – to examine local conflict trajectories and how variation in these trajectories has shaped local responses to immigration. Multiple case studies of conflict over day laborers exist (see for instance Castaneda and Beck 2017, Crotty and Bosco 2008), but these studies do not provide tools to compare conflict across space and time. The large-scale dataset on day laborers deployed in this research project, allows to develop measures to assess conflict over day laborers across time and space.

By focusing on immigrant day laborers this study provides insight into how conflicts over politically marginalized groups shape local policies that have a big impact on the daily lives of these marginalized groups. The vulnerability and visibility of immigrant day laborers and lack of political representation that they encounter, make day laborers a distinctive immigrant group. This means that the findings of this study are generalizable to groups that are marginalized, stigmatized and publicly visible. These may include refugee encampments, street vendors, sex workers, squatters and homeless. This also means that the results may not translate well to all immigrant groups. For instance, highly educated immigrants with jobs in the formal labor market and an authorized immigration status, find themselves in a very different position from immigrant day laborers, making the findings of this study less generalizable to this group of immigrants.

In sum, conflict is a key characteristic of the settlement of immigrants, and the particular dynamics and characteristics of a conflict can shape local policy responses to immigrants in important ways. However, the role of conflict in shaping local policy responses to immigrants has been understudied in the immigration literature. It remains unknown how conflict varies across time and space and how this variation may impact local policy responses to immigrants. This research project addresses that gap by exploring the mechanism of conflict in conflicts over immigrant day laborers. The main research question of this project is:

How does local conflict over day laborers in the United States vary across time and space and how does this variation shape local policy responses to day laborers?

To answer the main research question, five sub-research questions are examined:

- 1) *What factors affect the existence of local conflict over day laborers in localities in the United States?*
- 2) *How does the intensity of local conflicts over day laborers in the United States vary across space and time?*
- 3) *What factors shape local policy responses of mayors and city council members to day laborers in the United States?*
- 4) *How do ongoing debates about the legitimacy of immigrant day laborers to be present in the United States and the legitimacy of their claims to public resources affect local policy responses?*
- 5) *How does local activism impact local policy responses to unauthorized immigrants in the United States?*

The next sections of the introduction will discuss how local conflict over day laborers is linked to the debate on unauthorized immigration in the United States, how the puzzle of this project can be linked to the literature, the methodology of the research project, and an overview of the chapters that are covered by this dissertation.

Conflict over undocumented immigrants in the United States

Since the 1970s the immigrant population in the United States has grown, immigrants have increasingly spread throughout the country, and immigrant labor has become a growing part of the United States economy (Hirschman and Massey 2008). Immigrant labor fulfills an increasing demand for low-skilled, flexible labor that exists throughout the country. This demand is stemming both from businesses who want to limit their labor costs, as well as from consumers who request low prices for goods and services like gardening, childcare and food preparation (Hirschman and Massey 2008; Rodriguez 2008).

An important element that contributes to the availability of cheap immigrant labor in the United States is the existence of an unauthorized immigrant labor force. Unauthorized immigrants are vulnerable, because the threat of deportation is always looming over them. They are excluded from government services and formal labor and housing markets, which makes

unauthorized immigrants exploitable (De Genova 2002; De Genova and Roy 2020). Unauthorized immigrants lack formal options and are often unwilling to report bad working and housing conditions to authorities out of fear of immigration enforcement. The vulnerability of unauthorized immigrants undermines wages and working conditions, but allows for the existence of a cheap and flexible labor pool that fulfills economic demands (Coutin 2005; De Genova 2002; Massey, Durand and Pren 2016).

In the United States the federal government has the tendency to play both sides when it comes to unauthorized immigration. The federal government has the authority to decide who is allowed to reside within the United States, and the federal government has ramped up its militarization of the United States-Mexican border since the 1990s to show that the United States is tough on border enforcement (Varsanyi 2008a, 2011; Wells 2004). However, at the same time, the federal government for decades has been rather soft when it comes to internal immigration enforcement. For instance, employers have to verify if employees are eligible to work in the United States, but employers do not have to check the authenticity of the paperwork provided by employees. This has resulted in a large market of fraudulent documents used to bypass the required eligible to work check (De Genova 2002). It can be argued that the federal government tries to regulate unauthorized immigration instead of preventing it, as lax interior immigration enforcement has contributed to the creation of a cheap labor pool that caters to economic demands (Coutin 2005; De Genova 2002).

The inconsistency in terms of immigration enforcement at the federal level, creates space for conflict at lower levels of government. Local governments are responsible for the integration of newcomers, but lack the authority to discriminate based on immigration status (Ellis 2006; Rodriguez 2008; Wells 2004). This means that adversaries of immigration can argue that local governments should establish policies that limit the allocation of resources to unauthorized immigrants, because these immigrants have violated federal immigration law (De Genova 2002; Gilbert 2009). While, immigrant advocates often successfully challenge these policies that discriminate based on immigration status, because local authorities have to adhere to the notion of equal personhood which requires that all persons residing in the United States are treated the same, regardless of immigration status (Ellis 2006; Gilbert 2009; Rodriguez 2008; Varsanyi 2011; Walker 2014; Wells 2004). Thus, battles over the presence of unauthorized immigrants at the local level are to an important extent fueled by the contradictions at the federal level when it comes to enforcing immigration laws.

Local conflicts over unauthorized immigrants in the United States mainly revolve around access to rights. The essence of conflict is competition over resources, where two or more parties engage in all sorts of behavior to protect their interests (Bartos and Wehr 2002; Wallensteen 2019). Resources may consist of material affairs – such as land, housing, and money – but resources can also encompass impalpable matters such as power, status, and recognition of culture (Bartos and Wehr 2002; Wallensteen 2019). When it comes to unauthorized immigrants, adversaries try to cast doubt upon the extent to which unauthorized immigrants can access rights in the same manner that authorized residents do. Lacking proper immigration status is used as an argument to deny people access to resources, because those people have violated federal immigration laws and therefore are unlawfully present (De Genova 2002; Gilbert 2009; Wells 2004). On the other hand, advocates of unauthorized immigrants argue that the Constitution of the United States applies to everyone present in the country, regardless of immigration status. This means that unauthorized

immigrants have access to rights and accompanying resources in the same manner as citizens. In addition, another argument used to grant equal rights to unauthorized immigrants is that local governments lack the authority to distinguish based on immigration status (Ellis 2006; Gilbert 2009; Rodriguez 2008; Varsanyi 2011; Walker 2014; Wells 2004). So access to rights is oftentimes at stake when it comes to local battles over unauthorized immigrants.

Calling into question who has access to rights is an important element of local conflict over day laborers in communities throughout the United States. These battles over rights pertain to immigration status but also to the marginalized position of day laborers. First, the presumed unauthorized immigration status of a significant share of the day laborer population can give rise to conflict over access to rights. Opponents of day laborers may argue that immigrant day laborers have no access to rights and resources due to their unauthorized immigration status (Gilbert 2009; Rodriguez 2008; Wells 2004). While day laborer advocates may claim that local authorities have no authority to exclude day laborers from resources because local authorities are not allowed to discriminate based on immigration status (Rodriguez 2008; Varsanyi 2011; Wells 2004). Second, local conflicts over day laborers oftentimes also revolve around the rights of a marginalized population in public space. An often-heard argument in local conflicts over day laborers is that day laborers negatively impact the quality of life (Crotty 2017; Frasure and Jones-Correa 2010; Rodriguez 2008). It is difficult to define what quality of life entails as quality of life is subjective and variable. However, it can be said that quality of life generally reflects the interests and values of the dominant population in a community (Nemeth and Schmidt 2011; Philips and Budruk 2011). Populations that are marginalized and who display behavior in public spaces that is considered to be inappropriate by the dominant population are viewed as decreasing the quality of life (Rogers and Coaffee 2005; Nemeth and Schmidt 2011). For instance, day laborers engage in behavior in public spaces – such as solicitation and loitering – that is considered to be nuisance by many members of the dominant population. Day laborer activities are viewed as inappropriate use of public space. The incongruence between day laborer activities and the interests and values of the dominant population, can be used by opponents of day laborers as an argument to deny day laborers the right to use public space for hiring activities. However, day laborers and their advocates may argue that banning hiring activities in public space violates the First Amendment of the Constitution of the United States – which protects freedom of speech (Crotty 2017; Varsanyi 2008b). Thus, local conflicts over day laborers oftentimes signify competition between day laborer advocates and adversaries over access to rights – who has the right to be present and who may claim community resources.

The uncertain legitimacy of day laborers when it comes to their ‘right’ to be present in a community and to use public space to search for jobs, can push and pull local policy responses to day laborers between restrictive and accommodating. Some may benefit from the labor provided by day laborers or may feel sympathetic to the plight of day laborers, providing incentives to advocate in favor of inclusionary day laborer policies. Others may experience nuisance from day laborer activities or take offence at the presence of a (presumed unauthorized) immigrant population, and push for exclusionary policy responses. The lack of a clearcut legal frame – as unauthorized immigrants fall between federal immigration laws and the notion of equal personhood – provides actors with ample space to compete over local policy responses to immigration (Gilbert 2009; Wells 2004). So local conflict is an important mechanism affecting

local policy responses to immigration that deserves to be studied in detail to get a better understanding of the variation in local policy responses.

Previous case studies have explored local conflicts over immigrants in general (see for instance, Carpio, Irazabal and Pulido 2011; Hondagneu-Sotelo and Pastor 2021; Steil and Ridgley 2012) and day laborers in particular (see for instance, Castaneda and Beck 2017, Crotty and Bosco 2008), but these studies have not provided us with the tools necessary to assess variation in conflict across space and time. For instance, case studies have indicated that conflict impacted local policy responses in the places that were studied in the case studies. But to what extent have conflicts over immigration in other places affected local responses as well? And how did variation in local conflict impacted local responses to immigration? As local policy responses to immigration are subject to change, it is important to be able to examine these changes. This research suggests that the changing nature of local immigration responses is driven by local conflicts over immigration and that local conflict should be incorporated in the framework of already identified factors – such as demographics, politics, and saliency of immigration – that have found to be affecting local policy responses to immigration. As conflict is dynamic, conflict over immigration should be measured in a generalizable manner, to allow comparisons across time and space.

The first four chapters will focus on immigrant day laborers in California as a case of local conflict over unauthorized immigrants. The first chapter explores the existence of conflict over day laborers in municipalities in California in the period 1985-2020. Factors responsible for the existence of conflict are discussed. The second chapter addresses the issue of conflict intensity, and employs a measure to assess conflict intensity in municipalities in California that have day laborer hiring sites. The third chapter examines how institutional design, local conflict and other factors shape local responses to immigrant day laborers in places in California. The fourth chapter focuses on how ambivalent legitimacy of immigrant day laborers contributes to policies that move between restrictive and accommodating. Then, the fifth and sixth chapter go beyond conflict over immigrant day laborers by broadening the scope to immigrants in general to assess how local conflict can become a basis for collective action. The fifth chapter explores what actors engage in local mobilizations on immigration issues, and how variations in the configuration of actors on the pro- and anti-immigrant side affect local policy making. The sixth chapter assesses how the mobilization activities of actors involved in conflict over immigration are shaped in a multijurisdictional field.

Research methodology

The chapters of this dissertation are all part of the same research project, that focuses on variation in conflict over immigration and how this variation impacts local responses to immigration. However, the chapters have been devised as independent articles, which means that the chapters may slightly deviate from the theoretical framework and research sub-questions that have been discussed above. In addition, the methodological approaches and data sources are not similar for all chapters. Each chapter includes a detailed discussion of the methodologies and data sources used, so this section will focus on methodological aspects that have not been covered in the chapters.

Research method

For this research project both quantitative and qualitative methods have been deployed. The first and second chapter make use of a quantitative approach, as the data of a large-scale sample is analyzed by means of multilevel generalized linear models. These models account for the clusters and repeated measures that exist in the dataset (Finch et al. 2019). This approach allows to identify what factors impact the existence of conflict across space and time. Currently, case studies have provided detailed insight into cases of conflict, but little is known about the many instances in which conflict does not occur. In order to explore the role of conflict in a reliable manner, it is important not to overestimate the impact of conflict by solely focusing on instances in which conflict appeared (McAdam and Boudet 2012). By adopting a quantitative approach, it becomes possible to study a large sample that is not sampled on the dependent variable (existence of conflict) and examine when conflict does and does not occur. Conducting quantitative research on a large sample also allows to assess the intensity of conflicts in a generalizable manner. By quantifying intensity of conflict, it becomes possible to explore conflict intensity across place and time, and to identify what factors shape the intensity of a conflict.

For the third chapter a mixed methods approach was adopted. A mixed methods approach consists of integrating quantitative and qualitative methods in a research project (Bryman 2012). The chapter makes use of multilevel generalized linear models to assess how conflict and other factors shape local policy responses. The quantitative approach allows to identify factors that impact policy responses across municipalities. In addition to the quantitative analysis, three case studies are examined qualitatively. The qualitative analysis enriches the quantitative analysis, because the quantitative analysis shows which factors significantly impact local responses and the qualitative analysis is able to illustrate how these factors interact in shaping local responses to immigration.

The fourth, fifth and sixth chapter rely on qualitative research methods and descriptive statistics. Different datasets are deployed for each chapter. The fourth chapter explores thirty-two municipalities across the United States by means of descriptive statistics, and provides in-depth descriptions of battles over legitimacy in four municipalities. The fifth and sixth chapter deploy a dataset on Orange County, California, to examine in detail what actors are involved in local immigration battles in places in Orange County, and how the make-up of each side – pro- versus anti-immigrant – affects local policy responses. A qualitative approach is adopted because this allows to examine what actors are involved and how these actors are able to shape local immigration responses.

Data sources

There are four data sources employed for the chapters in this dissertation. The first data source consists of a large-scale dataset on day laborers in California in the period 1985-2020. This dataset was created to be able to assess conflict across time and space. The dataset contains large-scale quantitative data on day laborers in California and allows to explore the existence of conflict, conflict intensity, local policy responses to day laborers, presence of day laborer hiring sites, and other context variables such as demographics, political preferences and saliency of immigration. The dataset is deployed in chapter one, two, and three to conduct quantitative analyses and identify variables that affect the existence of conflict, the intensity of local conflict, and local policy responses.

The second data source includes case studies of municipalities in the United States that have experienced conflict over day laborers within their jurisdictions. Transcribed city council meetings of Baldwin Park, CA, Mission Viejo, CA, and Pasadena, CA, are deployed in chapter three to explore the role of local elected officials when it comes to local policy responses to day laborer issues. In chapter four, city council minutes of Costa Mesa, CA, Laguna Beach, CA, Gaithersburg MD, and Herndon, VA, are used for in-depth explorations of local responses to day laborers in these municipalities.

The third data source consists of a dataset on claims on day laborer issues in the United States between 1990 and 2016. The claims have been derived from newspaper articles and the analyses focus on thirty-two municipalities that have received substantial media attention. The dataset has been deployed in chapter four to examine local battles over the legitimacy of immigrant day laborers by means of descriptive statistics.

The fourth dataset consists of a dataset on municipalities in Orange County, CA in the period 2010-2018. The dataset contains claims derived from newspaper articles on local immigration issues in Orange County, information on the financial resources and organizational capabilities of organizations that mobilized on immigration issues in Orange County, and information on local policy decision regarding immigration. This dataset has been created as part of a different research project, but is deployed in chapter five and six to examine local mobilizations on immigration issues. The dataset does not focus on immigrant day laborers, but instead on local immigration issues in general.

Key concepts

This section discusses the definition of key terms that are used throughout the chapters. Terms that are specific to certain chapters are discussed in the chapter itself. This section aims to explain terms that recur in all chapters.

The term *day laborers* refers to workers who are employed in informal markets in a wide variety of jobs, but mostly in the construction and landscaping industries. It is important to note that in this research project the form of day labor where workers find employment through temporary employment agencies – such as Labor Ready – is not covered. Instead, this project focuses on day laborers who search for jobs by means of *day laborer hiring sites*. A day laborer hiring site refers to a location where day laborers gather to solicit for work (Crotty 2015). A large share of these hiring sites is unregulated and located in public spaces, such as on street-corners, in parking lots near businesses, and near busy thoroughfares (Valenzuela 1999; Valenzuela, Kwachi and Marr 2002). A smaller share of these hiring sites are regulated, and these sites have often been created in response to local conflict over unregulated hiring sites. Regulated sites are often operated by local community organizations and can provide services such as public restrooms, and language and skill classes (Rodriguez 2008; Visser et al. 2017).

The term *conflict* refers to situations in which two or more actors compete over incompatible goals (Bartos and Wehr 2002; Wallensteen 2019). The incompatibility of goals entails that the demands, interests or needs of the opposing parties cannot be met at the same time by the available resources (Wallensteen 2019). Conflict is about competition over resources and the involved actors in a conflict can engage in a wide variety of actions to safeguard their interests. Conflicts are dynamic and can vary in intensity. *Conflict intensity* refers to the number of actors that are involved in a conflict and the type of actions that involved parties engage in. For instance,

if a conflict consists of two actors who express their disagreement in public debate, the intensity of the conflict is low. Whereas, when multiple actors engage in activities such as demonstrations and rallies, a conflict is of higher intensity.

The term *local immigration policies* refers to policies initiated, adopted, and implemented by authorities that are below the federal level of government and that address immigration related issues. A distinction can be made between immigration policies that make distinctions based on immigration status and immigrant policies that address the integration of immigrants (Varsanyi 2011). However, in this research project the term local immigration policies is used for both instances where local authorities address the integration of immigrants and where local authorities distinguish based on immigration status.

The term *legitimacy* refers to the perception that the presence and actions of a certain group of actors is considered to be appropriate and desired according to the prevailing set of values, norms, beliefs and definitions (Walker and McCarthy 2010). This entails that legitimacy is situational, as it depends on the socially constructed system of norms, values, and beliefs, which may change across space and time (Gnes and Vermeulen 2018, 2019). In this research project, legitimacy mainly focuses on the rights of day laborers as unauthorized immigrants (are they allowed to reside in the United States) and as a marginalized population (are they allowed to claim community resources, such as public space).

The term *mobilization* refers to all forms of action by relevant actors, that aim to confront or resist a policy, action or claim. Actors may engage in individual activities – such as sending letters or attending city council meetings – or collective activities – such as demonstrations, rallies, and petitions among others (Verhoeven and Duyvendak 2017). In this research project, the term *activist* refers to dedicated actors who engage in mobilization activities. This means that actors who are affiliated with an organization – such as a non-profit organization, a religious organization, or a union, among others – are considered to be representatives of those organizations and not activists. In addition, actors who occasionally voice their opposition to a policy, action, or claim, but who are not deeply invested into the matter, are not considered to be activists either. Examples of such actors are residents and business-owners, who complain about day laborer activities but who do not actively engage in other mobilization activities.

The term *public space* refers to social environments that are publicly accessible to varying degrees (Nemeth and Smith 2011; Simpson 2011). Public spaces exist in a wide variety of forms, such as streets, sidewalks, squares, parks, parking lots, and shopping malls among others. A characteristic of public space is that it is publicly accessible, but that does not mean that all public spaces are free of restrictions. For instance, parking lots and shopping malls can oftentimes be considered as privatized public spaces, where the access of non-consumers is restricted (Simpson 2011). In local conflicts over day laborers the accessibility of public spaces – who has the right to use public space – is often at stake.

The term *unauthorized immigrant* refers to persons who are present within the United States, but who lack the legal documentation required by the federal authorities. The label ‘unauthorized’ is both a legal and a social construct, and may change across space and time (De Genova 2002; Flores and Schachter 2018). For instance, when federal immigration policies are implemented or repealed the juridical definition of ‘unauthorized’ may change. In addition, ‘unauthorized’ also has a social connotation in the sense that people assume that certain persons or groups are unauthorized immigrants based on other characteristics than legal documentation

(Flores and Schachter 2018). For instance, it is often presumed that all immigrant day laborers are unauthorized immigrants (Crotty 2017; Esbenshade 2000; Varsanyi 2008b; Wells 2004).

Outline of dissertation

The first chapter explores the existence of local conflict over immigrant day laborers in California. In order to assess the impact of conflict it is important to explore when conflict occurs, but also when conflict does not occur. A significant amount of scholarly and media attention has been paid to local conflict over immigrant day laborers, while the instances in which conflict is absent receive little to no attention. When only cases of conflict are studied, the impact of conflict may be overestimated (Crotty 2018; McAdam and Boudet 2012). The chapter examines which places in California have experienced conflict over immigrant day laborers in the period 1985-2020 and what factors shaped the existence of local conflict. By means of a large-scale dataset on day laborers in California local conflict is studied in a manner that enables comparisons across space and time. The chapter highlights the relevance of the marginalized position of immigrant day laborers and how the hypervisibility of a marginalized population contributes to the existence of local conflict.

The second chapter focuses on the intensity of local conflicts. To understand the impact of local conflict it is important to assess the variation in conflict intensity. A conflict of high intensity may have much more political and social implications than a conflict that is less intense (Baumgartner and Jones 2009; Rambotsham, Woodhouse, and Miall, Schattschneider 1957). In this chapter a metric to assess the intensity of local conflicts over immigration is constructed. This metric is founded on the literature on conflicts over biodiversity, as the immigration literature does not provide the tools necessary to explore the intensity of conflict across space and time. The measure of conflict intensity is deployed to explore what factors shape local conflict trajectories. The chapter emphasizes that the impact of contact between newcomers and longtime residents on the intensity of local conflict over immigrant day laborers is mediated by time.

The third chapter examines the factors that impact the policy responses of mayors and city council persons to immigrant day laborers. A crucial element of conflict are the actors who are involved in a conflict. Local elected officials have to address the consequences of immigration that affect their communities, while at the same time making sure that they do not violate federal immigration laws and obey to the notion of equal personhood (Gilbert 2009; Rodriguez 2008; Wells 2004). Local elected officials are important actors in local conflicts over immigration, because they have the ability to initiate and adopt policies. The chapter explores factors that affect the policy decisions of mayors and city council members. The role of local institutional design is studied, to assess to what extent local elected officials are impacted by the governmental structure in which they operate. The chapter highlights that mayors and city council members are part of a complex web of factors and that the factors interact when shaping local policy responses.

The fourth chapter addresses the issue of uncertain legitimacy. The legitimacy of unauthorized immigrants is an important driver of local conflict over immigration (Coutin 2005; Gilbert 2009; Rodriguez 2008; Varsanyi 2008a). The chapter explores how ambivalent legitimacy of immigrant day laborers provides space for competing forces to advocate for their policy preferences. The chapter emphasizes the changing character of local responses to immigration, as competing sides may engage in prolonged battles over the legitimacy of day laborers when they have sufficient resources. These battles force local elected officials to constantly adjust their

responses. The chapter provides four types of policy-legitimacy alignment: contested exclusion, endorsed exclusion, endorsed integration, and contested integration.

The fifth chapter explores how local activism affects policy making. Activism is an important element in local conflict over immigration, because actors involved in a conflict can choose to mobilize in order to protect their interests. Mobilizations can affect policy making, as mobilization and participation play a part in the decision-making process of elected officials (Einstein, Palmer and Glick 2018). The extent to which actors involved in mobilizations are able to influence local policy responses, may vary depending on available resources, organizational capabilities, and public and political support. This chapter maps the configuration of actors involved on the pro- and anti-immigrant side in Orange County, California, to assess how mobilizations affect policy making. A dataset is deployed that focuses on conflict over immigrants in general – not solely immigrant day laborers. By examining conflict that goes beyond immigrant day laborers, this chapter aims to illustrate how localized conflicts can scale-up into regional and national movements. The findings suggest that asymmetry between the pro- and anti-immigrant side when it comes to resources, organizational capabilities and public support, do not translate into lopsided policy achievements for the pro-immigrant side. Instead, it is suggested that this is a case of inversion where the anti-immigrant side greatly benefits from political support, thereby counterbalancing the fewer resources, and lower levels of public support.

The sixth chapter assesses how the mobilization activities of actors involved in conflict over immigration are shaped in a multijurisdictional field. Local conflict over immigration may seem confined to a delineated geographical area, such as a neighborhood or city in the case of conflict over immigrant day laborers. However, this chapter argues that mobilization activities of actors are formed beyond a single jurisdiction. Actors rely on resources and opportunities to effectively mobilize, and opportunities may vary across jurisdictions. This means that actors seek to exploit opportunities in sympathetic jurisdictions to resist threats from adverse jurisdictions. This chapter aims to show that localized conflicts are not a single jurisdiction issue, and that in order to get a more precise account of conflict and mobilizations it is important to explore interactions across jurisdictions. The case of Orange County, California, is deployed in this chapter to illustrate how the pro- and anti-immigrant side strategically mobilized in multiple jurisdictions to achieve their goals.