

# “A Headache Every Day since the New Law”: Mexican Women in the Hair Salon Business and Anti-immigrant Policies in Arizona

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## ABSTRACT

This paper analyzes the involvement of Mexican women in the formal and informal self-employment sector in a large metropolitan area of Arizona. Qualitative research is used to explore factors that impact self-employment activities of Mexican immigrant women in light of Arizona's emerging policies aimed at controlling immigration. These policies seek to make it more difficult for undocumented immigrants to access employment opportunities. Women's testimonials highlight the “headaches” caused by participating in the labor market amid growing restrictions, as well as the creative, hybrid forms of self-employment that combine both formal and informal markets and practices.

*Keywords:* 1. women, 2. immigration policies, 3. self-employment, 4. beauty salons, 5. Arizona.

## “Un dolor de cabeza constante desde la aprobación de la nueva ley”: Mujeres mexicanas en el negocio de salones de belleza y las políticas antiinmigrantes en Arizona

## RESUMEN

En este trabajo se analiza la participación de las mujeres mexicanas en el sector formal e informal de autoempleo, en un área metropolitana de Arizona. Se utilizó un análisis cualitativo para descubrir los factores que afectan las actividades de autoempleo de las inmigrantes mexicanas, a la luz de las nuevas políticas de Arizona dirigidas a controlar la inmigración y limitar el acceso al empleo para los inmigrantes indocumentados. Los testimonios de mujeres migrantes destacan el “dolor de cabeza” que viven al participar en el mercado de trabajo en medio de las crecientes restricciones, así como las formas creativas de implementar trabajos por cuenta propia en los mercados formales e informales.

*Palabras clave:* 1. mujeres, 2. políticas migratorias, 3. autoempleo, 4. salones de belleza, 5. Arizona.

## *Introduction*

The increase in migration from Mexico since the mid 1990s parallels the increased presence of small Mexican businesses and self-employment activities throughout the United States, especially where Mexican immigrant populations are concentrated. In Arizona, for example, Mexican-owned firms increased by 55.7 percent during the period from 2000 to 2007 (SBO, 2007). These businesses offer products and services that serve a variety of needs such as Mexican foods, specialized clothing *e.g.* for *quinceañeras* (15-year-old girls' birthday parties and other religious ceremonies) and Mexican music.

Little attention has been paid to the role played by the increase in the number of women migrating in the launch and development of formal and informal self-employment activities. A notable contribution is provided by Barros (2006:33) who observes that women are often the first to explore informal economies and become self-employed and are key to motivating their husbands to set up businesses. For this reason and especially as the political climate in the United States become increasingly hostile towards immigrants, women's participation in the creation of self-employment activities in immigrant destination communities is a phenomenon that warrants further analysis.

According to disadvantage theory, reasons for self-employment are rooted in the challenges posed by the low social status of immigrants, such as those caused by social exclusion, discrimination, unauthorized status, lack of access to labor markets, and high unemployment (Valenzuela, 2002). In order to illustrate women's participation in self-employment activities and how undocumented status factors into the labor activities of women in an anti-immigrant context, this paper analyzes Mexican immigrant women in the hair salon industry. Although the term "undocumented" is imprecise, it has both real and symbolic consequences for immigrants (Plascencia, 2009). In the United States, this growing category of immigrants has become the focus of state and local immigration enforcement policies (Donnelly, 2012). There are

different ways for individuals to fall under this category. They may have entered the United States without authorization (at a place other than a port of entry) and are therefore unlawfully present, or they may have entered legally with a visa but subsequently overstayed its limit. Either way, they are unable to reside or work legally in the United States. This article highlights results from interviews conducted in Arizona with hair salon owners and employees to argue that disadvantages structured by gender and legal status and exacerbated by an anti-immigrant climate force immigrant women to combine both formal and informal self-employment practices.

### *The Context*

Since 2004, a growing number of anti-immigrant legislative proposals have made it increasingly difficult for immigrants to live and work in Arizona (O'Leary and Sanchez, 2011, 2012). In 2005, nearly 30 immigration-related bills were introduced into Arizona's 46<sup>th</sup> legislative session. In 2006, about 37 immigration-related bills flooded the second regular session of the 47<sup>th</sup> Arizona State Legislature (O'Leary, 2007, 2009). This trend in the state's legislative activity parallels those of other states in the country (Donnelly, 2012; NCSL, 2011). Epitomizing this trend is the signing into law of *Arizona Senate Bill 1070 (SB 1070)* by Governor Jan Brewer in April of 2010 (State of Arizona Senate, 2010). Garnering national attention as the nation's harshest immigrant control law, *SB 1070*, popularly known as the Arizona "Papers Please" law, allows any law enforcement authority to ask for proof of legal entry or residence if a person is detained for any violation of any other law.<sup>1</sup> Since then, similar laws have been passed in 22 other states (Downes, 2013).

<sup>1</sup> Since *SB 1070* was signed into law, the U.S. Justice Department and several organizations including the League of United Latin American Citizens (LULAC) filed law suits against its constitutionality, citing that only the federal government has jurisdiction over the enforcement of immigration laws. In the fall of 2010, after several of the harsher provisions in *SB 1070* were struck down by a federal district judge, the ruling was appealed. Subsequently, the law was brought before the U.S. Supreme Court, which struck down several of its provisions.

The research described here began in 2007 as the *Legal Arizona Workers Act* (State of Arizona Senate, 2007), commonly known as the *Employer Sanctions Law*, was publicly discussed and passed (Valenzuela and Montoya, 2012). The timing of the law's enactment coincided with the qualitative research phase of the study that was underway in 2008 and 2009. The *Employer Sanctions Law* targets businesses that intentionally or knowingly employ unauthorized immigrants. The law requires that all employers in Arizona check the employment eligibility of those hired after January 1, 2008, through E-Verify, formerly known as the Basic Pilot Program. E-Verify is an online federal database through which employers may ascertain whether an individual is authorized to work in the United States. Use of the E-Verify system by employers is voluntary under federal law but under the new Arizona law, participation is mandatory when hiring new employees. It largely replicates provisions in the U.S. *Illegal Immigration Reform and Immigrant Responsibility Act* of 1996 (U.S. Congress, 1996) but the Arizona law provides for harsher penalties than its federal counterpart. In Arizona, any employer found in violation of the law may have his or her business license suspended for up to ten days and be put on probation. A second offense could lead to the revocation of that person's business license. Gans (2008) reports that in 2006, only 5.6 percent of all the state's companies had signed up to use E-Verify, confirming that Arizona's business communities are not very supportive of this program. In fact, the law was legally challenged by members of the business community, but on May 26, 2011, the Supreme Court of the United States upheld the Arizona law and set an important legal precedent for the many other states contemplating or enacting similar state laws. It should be noted that approximately 500 000 undocumented immigrants reside in Arizona, constituting about 10 percent of the entire state's labor force (Passel and Cohn, 2009). Moreover, after the *Legal Arizona Workers Act* (State of Arizona Senate, 2007) was signed into law, it was amended with *Arizona House Bill 2745* (State of Arizona Senate, 2008), which made it a requirement for licensing agencies to verify legal residence before granting licenses

to state businesses and street vendors in the state. Consequently, those issuing beautician licenses also became responsible for verifying residence requirements, on the basis of a list of acceptable documents:

- Arizona driver's license or identification issued after 1996 by the Motor Vehicle Division (MVD)
- driver's license from another state
- U.S. birth certificate
- birth certificate of a U.S. citizen born abroad
- U.S. passport, a foreign passport with a U.S. visa
- Form I-94 with photograph, a work permit issued by immigration authorities
- refugee travel document
- U.S. naturalization certificate
- U.S. citizenship certificate, or birth certificate from the Bureau of Native American Affairs.

“Undocumented” individuals are less likely to have any of these documents, meaning that their ability to start or maintain a business is limited.

Although the long-term economic impact of the law on Arizona's economy is as yet unclear, there are indications that many immigrants will suffer adverse ramifications of its implementation. A study by the Americas Society and the Council of Americas (AS and COA, 2011) analyzed levels of unemployment and business growth in cities—among them Phoenix, AZ—that have implemented restrictive ordinances on the business environment compared to those with non-restrictive ordinances (Chicago, IL and Santa Cruz, CA). They found that the impact of restrictive business laws is mixed: there may be a negative impact on the number of employees but not on the number of businesses in a given city. However, the authors suggest that a broader macroeconomic and long-term study of the effects of lost jobs is needed, as well as research on the impact of the likely contraction of consumer consumption and possible business closures that these measures foment.

There is also evidence to suggest that such laws may encourage more policing by employers and revive long-standing racial profiling practices that may impact immigrants, especially newcomers (Goldsmith *et al.*, 2009). Currently, there is some anecdotal evidence to suggest that the *Legal Arizona Workers Act* (State of Arizona Senate, 2007) is having a disruptive impact on immigrant household economies as more immigrant workers are being laid off. There are some accounts that many workers—discouraged by the climate of fear and distrust the law has produced—are leaving the state (Mexican Consulate Office, Tucson, personal communication). Although many of these reports remain anecdotal and inconclusive, a recent study by the international banking institution, BBVA Bancomer, estimates that the state has suffered a population decline of over 100 000 persons since the debate over the state's tough new immigration law *SB 1070* began (BBVA Research, 2010). Undoubtedly, for many immigrant workers, the implementation of these laws has caused several “headaches”, as one respondent in this study described it, and is consistent with the assertions that the state's population exodus is related to its growing number of punitive anti-immigrant propositions.

Despite the limitations and political attempts to control unwanted immigration, Mexican immigrants manage to launch new businesses. The Survey of Business Owners (SBO, 2007) shows that in the period from 2000 to 2007, Mexican-owned firms in the United States increased by 47.7 percent, and by 55.7 percent in Arizona. However, what is not known is the immigration status of these business owners or whether some of them are “undocumented”.

### *Theoretical Framework*

In this paper, self-employment is defined as working for oneself rather than an employer. Work may come from a trade or business that is operated personally and may be formal and/or informal in nature. It is argued that undocumented status is one of

several factors that contribute to the socially and economically disadvantaged situation of immigrants, and likewise of those that are self-employed. However, their persistent presence attests to their desire to overcome their disadvantaged situation. This last aspect is of particular interest as employment opportunities in Arizona and throughout the nation become increasingly limited. Among other things, the research sought to examine how immigration control policies implemented in Arizona have affected the economic activities of Mexican immigrants, including self-employment activities and businesses operated by Mexican immigrant women.

According to disadvantage theory, reasons for self-employment correspond to the challenges inherent in belonging to a socially-disadvantaged group. In the case of immigrants, disadvantage is often manifested by their social exclusion, discrimination, lack of access to labor markets and high unemployment (Valenzuela, 2002), and undocumented status. Undocumented domestic workers are especially disadvantaged (Hondagneu-Sotelo, 2001).

By way of comparison, in her study of black women hair salon owners, Wingfield (2008:20-21) considers how the interplay of systemic gendered racism has caused the development of racial enclave economies in the form of black women-owned hair salons. These economies cater to the needs of black communities, in part because aesthetically-conscious representations of their communities in fashion and beauty images are for the most part missing from the mainstream media. In this way, gendered racism works to encourage enterprises that offer products, services, and the images that are specific to and favored by the consumers within these enclaves. Economic and social spheres thus provide a context that may lead racial minorities to engage as entrepreneurs, and in this way work to shape entrepreneurship of both black and Latina women salon owners in a multitude of ways, from the business decisions these women make, to motivations, to issues of financing and how they relate to and interact with their employees. Similarly, in challenging ethnic economy theory, Valdez (2011:3) considers that

multiple dimensions of identity and belonging affect the entrepreneurial outcomes of a diverse group of Latino/a immigrant men and women from different class backgrounds. The interaction of class, gender, race and (not only) ethnicity conditions the unequal starting position of Latinos/as within the highly stratified American society, a society that is comprised of three interlocking systems of power and oppression: capitalism, patriarchy, and White supremacy.

In this system, individuals have a “social location”—a specific position in the market marked by differentially distributed resources, whether individual, social, or governmental. For example, the author argues lower-class women tend to engage in self-employment to escape from the inferior working conditions of the past, conditions perceived as such due to their filth, difficulty, or hazards. On the other hand, more privileged women might begin working on their own in order to pursue new opportunities to employ new skills or to challenge blocked mobility (Valdez, 2011:158). She argues that for these “American entrepreneurs”, life chances and upward mobility are not wholly determined by individual agency but rather conditioned in part by the structural forces outside an individual’s control and socially constructed by the realities of class, privilege, and stigma. At the same time, such realities are overshadowed by the idealized and illusory image of the American entrepreneur as self-reliant and endowed with rugged self-determination; and through the power of myth, barriers congealed by race, gender, and ethnicity are effectively downplayed (Valdez, 2011:133).

Consistent with this reasoning, immigration status is also considered. Although less researched, evidence was found that undocumented status further structures opportunities and life chances for entrepreneurs. For example, in Barros’ (2009:312) study of swap meets in San Joaquin, California, she cites the case of Lucía who is undocumented—a situation that has not allowed her to grow in the business as much as she would like. Similarly, Valdez (2011:64) posits that “for lower-class and sometime unauthorized Latinos/as, limited access to market capital hinders their transi-

tion into business ownership", forcing them to use informal money lenders. However, in neither of these aforementioned studies was an entrepreneur's immigration status analyzed as a factor that determined the start, success, or failure of the business. In this regard, immigrant status is considered within an anti-immigration context as an additional critical factor for gauging entrepreneurs' life chances.

This article agrees with Hondagneu-Sotelo (2001:209), who argues that immigration status is "a social and political construction ... a category constructed by laws that acquires meaning within a particular social group". This argument helps one understand how social stratification based on legal residence and citizenship structures different access to ways of entering the labor market and attaining economic well-being. Likewise, it contributes to other desired aspects related to human development, such as education, home-ownership, civic participation, and spiritual well-being. Immigration status is thus a relevant category that ultimately intersects with other social categories (such as race, class, and gender) in the analysis of women's labor market participation.

### *Research Design and Sampling*

The results highlighted in this paper stem from research conducted in Arizona in 2007, implemented in two stages. The first stage consisted of survey research of a random sample of Mexican households in a metropolitan area of Arizona in 2007 (Valenzuela, 2007).<sup>2</sup> Some of the results of this survey are used in this paper to describe some of the labor market participation patterns in the study area. To determine the sample for the survey, census tract data were used to identify 260 census tracts in which 25 percent of

<sup>2</sup> The "Patrones migratorios e impactos económicos y sociales de la migración internacional sinaloense. El caso de sinaloenses en Phoenix, Arizona" project was funded by Conacyt under the name Fomix-Sinaloa 2007-2008. The principal investigator was Blas Valenzuela Camacho. Many of the results of this study have been published in Valenzuela and Montoya (2012).

the population was Latino. From this sampling frame, a random selection of 93 census tracts was made. From these census tracts, the number of cases needed (561) to achieve a representative sample was determined. The 561 questionnaires represented the distribution of households across 93 selected census tracts in proportion to the number of Latino households in each tract. The minimum number of questionnaires for a census tract was two and the maximum 15 (Valenzuela and Montoya, 2012).

The primary objective of this paper is to highlight some of the results of the second, qualitative phase of the research. This second phase involved Mexican immigrant women hair salon owners and employees using semi-structured interviews. The survey had made it possible to identify areas where there was a high concentration of businesses catering to the Mexican community. From within these areas, a convenience sample of research participants willing to participate in the study was recruited; therefore, no claims are made about its representativeness. Nine semi-structured interviews were completed with women who worked in beauty salons. This qualitative approach made it possible to illustrate how Mexican women participated in self-employment activities, and to document their perceptions and strategies in the current conditions.

The interviews were conducted in November 2008, and February 2009. In this way, the period in which the *Legal Arizona Workers Act* (State of Arizona Senate, 2007) was publicly debated, signed into law, and implemented was recorded. Identifying Mexican beauty salons was relatively simple. The salons were visible ethnic markers in the commercial landscape where the ubiquitous “Spanish Spoken” signs called out to potential customers. A number of Mexican beauty salons were identified in some of the street corners in one area of the chosen census tract area located amid other businesses in the main thoroughfares of the city. These were plotted on a map, and the addresses noted. Subsequently each of them was visited and asked about the national origin of the business owner, explaining in the process that the authors of this article were looking for Mexican beauty salon

owners in order to interview them about their experiences of being self-employed in the United States. This process was only partly successful (Montoya, 2013). Interviews in the workplace proved difficult as potential interviewees were often busy. The solution to this problem was to ask them for a meeting at a time and place that was convenient. The most appropriate time was usually lunch time and on Mondays, when there were fewer customers.

Of the total of 19 beauty salons, there were two owned by African American and Asian immigrants, and two owned by nonimmigrant Mexican-American women. These were not interviewed in keeping with the authors' focus on Mexican immigrant women. Three beauty salons were closed at the time when they were visited. Two beauty salon owners refused to be interviewed. A male beauty salon owner was interviewed, but this interview is not considered in this essay. In sum, data were gathered on nine beauty salons that fit the authors' selection criteria. The resulting convenience sample thus consisted of five interviews with salon owners, one with a self-employed salon worker, and three employees in the Mexican-owned salons.

The interviews concentrated on understanding the general characteristics of self-employed Mexican women, their migration experiences, labor market trends, working conditions, their perception of their current situations, and the context in which they live as immigrants and self-employed women. Attempts were also made to learn about their perception of the factors that influence their venture into self-employment.

### *Findings*

In phase one of the study, the survey gathered data on a total of 1 582 participants in the Phoenix Arizona metropolitan area who self-identified as Mexican National. These data show that women accounted for 45.3 percent of this immigrant population ( $n = 716$ ), consistent with the data from the census in the United States showing that 45 percent of Mexican immigrants

are women.<sup>3</sup> The survey also revealed that 67.3 percent of the surveyed population was undocumented, and that 22.8 percent were legal residents. These figures are also consistent with national figures showing that 75 percent of all Mexican immigrants between 1997 and 2002 crossed the U.S.-Mexican border illegally (Conapo, 2009:245).

### *Legal Status and Earnings*

Women have slightly better odds of working legally than men, with higher rates of residence or citizenship status. Data from this study show that 69.2 percent of men were undocumented, while 65.8 percent of women were undocumented. One might therefore expect that the odds of having better jobs and higher incomes than men would be greater for women. A study by Rivera-Batiz (1999) examined the validity of this commonly accepted argument by measuring the impact of legalization on the earnings of previously undocumented Mexican immigrant workers. The first part of the Rivera-Batiz study used a random sample from the nearly 1.6 million undocumented workers eligible to become legal residents after the *Immigration Reform and Control Act* (IRCA) (U.S. Congress, 1986) to measure changes in earnings that could be attributed to the benefits of legalization. This study included a longitudinal study that surveyed a large sample (1 103 individuals) of previously undocumented workers who worked in 1987 and 1988 and were employed after becoming legalized residents with IRCA in 1992. Not surprisingly, the results showed that there was a significant rise in earnings after legalization.

At the same time, however, women are more likely to be exploited in the labor market than their male counterparts (Hernández-Truyol, 1998; Montoya, 2011). Rivera-Batiz (1999) shows that when all other measurable factors are controlled for, the wage

<sup>3</sup> According to the United States census of 2010, it had a population of 308 700 million, of which 50.5 million are Hispanics (16 percent of the total population). Of the total number of Hispanics, 63 percent are of Mexican origin (U.S. Census Bureau, 2011).

differential between the earnings of legal and undocumented women workers was greater (57 percent) than the differential for men (51 percent) in the same categories. In other words, women experienced greater increases in wage earnings after they were given legal authorization to work, showing that women stand to gain more from legal status. The larger wage earning differential after legalization for women suggests that other factors—particularly, discrimination—may be at work. The author speculates that women may have been more economically exploited to begin with. Research by Giorguli, Gaspar, and Leite (2007) shows that Mexican women earn lower wages when compared with women migrants from other countries, and makes a case for claiming that discrimination impacts their earnings.

When analyzing the wages of women according to their immigration status, the sample for this study shows that immigration status influences earnings significantly, which is consistent with the Rivera-Batiz (1999) study. It was found that women with residence and citizenship documents fell into the higher income brackets, while those with no legal documents were concentrated in the low wage earner category with 59 percent of undocumented workers earning less than 300 U.S. dollars a week. Conversely, 25 percent of women who were citizens had a salary of over 700 U.S. dollars a week. Only four percent of undocumented women were in this higher income range.

It was also found that female employees' incomes were lower than those of men. The average salary for women was between 351 and 400 U.S. dollars per week. In comparison, men who were employees had incomes of between 501 and 700 U.S. dollars a week. Women occupied the lowest income ranges with 42.2 percent having weekly incomes of less than 300 U.S. dollars. Moreover, men were more likely to be in the higher income ranges. In sum, although women are more likely than men to be legally employed, which is expected to result in higher earnings, the research for this paper is consistent with the Rivera-Batiz (1999) evidence showing that gendered income disparities persist despite immigration status.

### *Labor Force Participation Rates*

The survey showed that the labor participation of all women is 35.8 percent. In contrast, 82.6 percent of all men are in the labor market. The rate of all women engaged in self-employment is also lower than men, with only 2.7 percent claiming to be self-employed. By comparison, 7.6 percent of men reported being self-employed. A closer look at labor market participation by marital status showed that married women are less involved in the formal and informal labor markets (37.8 %), while divorced and separated women were more involved (61.5 and 68.7 % respectively). This suggests that single women have greater economic needs or have more choices for achieving economic independence.

Migration status only slightly impacts the type of employment for immigrant women. Fourteen percent of the legally resident immigrant women surveyed participated in the labor market as employers and self-employed, compared to eight percent of undocumented immigrant women. Undocumented women had higher participation as employees than citizens (86 % and 74 % respectively). Citizens were more likely to be self-employed (11 %) compared with seven percent of undocumented immigrant women. According to disadvantage theory (Valenzuela, 2002), women who are citizens are less likely to be more engaged in self-employed activities than undocumented women. Since those who are undocumented are more disadvantaged in the formal labor market, they are more motivated to engage in self-employment. This theory is supported by the women interviewed for this paper.

Regarding the type of economic activities of Mexicans in the survey sample, these seem to be influenced by the traditional sexual divisions of labor as women move from domestic spheres into the labor market. This phenomenon has been widely discussed in the literature (O'Leary, 2006; Valdez-Gardea, O'Leary, and González, 2011; Tyner, 1996; Parreñas, 2001; Hondagneu-Sotelo, 2001; Ariza, 2008). The economic areas that provide opportunities for women lie almost exclusively in the personal service

industries for female worker counterparts, in child and elderly care, and as administrative assistants, beauticians and nurses. By contrast, male labor is concentrated in the areas of construction, landscaping, and trades (carpentry, electrical services, welder, taxi drivers, auto mechanics, and upholsterers), which are male dominated.

The survey yielded 60 self-employed businesses owned and operated by Mexican immigrants, both women and men. The types of activities included retail trade (11 businesses), construction (seven), auto mechanics (six), cleaning (six), landscaping (six), beauty salon or hair care (five), transport (four), restaurants (six), alarm and stereo installation (two), upholstery shop (one), printing (one), smithy (one), baby sitting (one), and others (five). The survey also identified the immigration status and gender of the business owners. Among the findings of the survey, it was striking that 36.65 percent of businesses owners admitted that they did not have immigration documents, 28.35 percent said they had U.S. citizenship and 35 percent said they had legal residence. Another aspect worth highlighting is that 70 percent of business owners were men and 30 percent women, illustrating the importance of female labor participation as business owners and the setting up of businesses among Mexican immigrants (Valenzuela and Cota, 2012).

*The Beauty Salon, a Means of Self-employment  
for Mexican Women Immigrants*

This part summarizes the analysis of the nine interviews conducted with five beauty salon owners, three employees, and one part-time worker who also worked independently from her home. Information was obtained on undocumented owners of beauty salons through: 1) interviews with beauty salon owners who had been but were not longer undocumented, who talked about their self-employment experiences as undocumented workers; 2) interviews with employees who provided information on undocumented employers; and 3) an interview with an undocumented

woman who was self-employed in the informal sector and a part-time employee at a beauty salon (table 1).

*Table 1. Characteristics of the Stylists Interviewed*

<i>Type of interviewees</i>	<i>Number of interviews</i>	<i>Immigration status of interviewees</i>	<i>Information provided</i>
1. Beauty salon owners	5	Documented	<ol style="list-style-type: none"> <li>1. Experience about the start and management of a self-employment activity</li> <li>2. Experience as undocumented immigrants described retrospectively</li> <li>3. Experience about when they were undocumented and set up the beauty salon</li> </ol>
4. Beauty salon employees	3	Undocumented	<ol style="list-style-type: none"> <li>1. Experience as beauty salon employees</li> <li>2. Knowledge of undocumented owners of the beauty salons where they worked</li> </ol>
3. Self-employed stylist, and part-time worker at a beauty salon	1	Undocumented	<ol style="list-style-type: none"> <li>1. Experience as part-time employee</li> <li>2. Experience about the start and management of an informal activity in her home</li> </ol>

*Source:* Based on interviews with beauty salon owners and employees. The interviews were conducted in November 2008 and February 2009 in Arizona.

### *Characteristic of the Beauticians Interviewed*

All the owners of the beauty salons were over 30 and had been living in the United States for over 19 years. Respondents had studied vocational careers such as secretarial, cosmetology, dental technician, nursing assistant, and bookkeeping.

One characteristic of the beauty salon owners is that they had legal immigration documents. Three of them had received legal residence documents in 1986 through the *Immigration Reform and Control Act* (U.S. Congress, 1986) and two under family reunification provisions in the law. This is not an indicator that undocumented workers do not set up beauty salons, but rather that the researchers failed to interview any respondents who admitted having this legal status. In the authors' view, the new law requiring legal residence documents for business owners effective as of January 1, 2008 would make the authors' task increasingly difficult. Fear of being detected by the authorities obviously plays a large part in research of this nature as undocumented owners may be understandably reluctant to volunteer information that may be self incriminating (Cornelius, 1982).

#### *Work History of Beauty Salon Owners and Employees*

The work history of this small sample of women interviewed during the second stage of the study illustrated their high degree of determination, which helped explain how, despite the laws and increased obstacles to realizing their dreams of achieving financial independence, they were motivated and committed to self-employment enterprises. The survey found that most of the respondents reported having developed a strong work ethic that had emerged as a result of experiencing hardship in their home communities. Their narratives were consistent with that of the "American entrepreneur" and the development of an American entrepreneurial spirit. This was exemplified by Patricia who started working in a chicken farm in Mexico at age 13 and worked in the fields picking grapes and tomatoes. The women also often combined household activities with long hours and juggled multiple jobs at the same time (some of which was poorly paid) just to make ends meet:

I worked taking care of the elderly, I was paid 125 U.S. dollars a week from Saturday to Monday; they were very good to me but it was very

hard work. I was very tired and I worked there for no more than nine months. Later, I worked in a *lonchería* [diner], selling *tacos* on Sunday, where I was paid 50 U.S. dollars a day. At the same time I worked at a video shop on Saturdays from 6 pm to 10 pm, where I earned 20 U.S. dollars a day. Then I worked in this video store for more hours, for two years, on Friday and Saturday, earning 30 U.S. dollars a day from 10 am to 10 pm (Mireya, 39, Phoenix, November 2008).

Despite the hardship, there was evidence of a persistent struggle to improve working conditions through the development of human capital through technical or vocational study that would hopefully open doors to new opportunities, as Laura and Idalia explained:

My first job was at a factory here, earning 300 U.S. dollars a week at that time [1978], but that was just temporary, it was nothing more for me. I had other plans for study. I worked at the factory while I had my daughters ... and then I worked at a shop while I was studying business; I worked and studied. I went to college and when I graduated I left the store, which was when I started working as a sales executive at Univision (Laura, 49, Phoenix, November 2008).

In Los Angeles, I worked at a shoe factory. And later I got out and worked as a cashier, cleaning houses, caring for an elderly man, which is why I ended up studying to be a nursing assistant (Idalia, 64, Phoenix, February 2009).

However, among these women, it was not uncommon to find work histories that adapted to the arrival of children. Other studies show that women are often socially pressured to remain at home to attend to their reproductive roles. A return to the workforce occurs when their reproductive cycle ends (Oso and Ribas, 2007). For many women of Mexican origin, adhering to cultural prescriptions that emphasize devotion to marriage and family has been the road to economic security (O'Leary, 2006; O'Leary, González and Valdez-Gardea, 2008). Thus, by temporarily suspending income-generating activities when they have children,

they balance multiple demands, as illustrated by this account shared by Lolita:

I was working at McDonald's, for three years perhaps. I left when I was pregnant with my second daughter. I was working anyway, and at seven months I left work ... I could no longer continue working, but they wanted me to stay ... they told me, when Paola is born, you can come back to work, but I couldn't leave her, she was so small. If I had had my mother or a sister here, that would have been ok, but no ... my girl with a baby sitter...? No way! (Lolita, 34, Phoenix, February 2009).

With chronic economic instability looming for many households,<sup>4</sup> cultural norms valuing a women's commitment to home and family may be increasingly challenged (O'Leary, 2006). The narratives thus provide insights into how familial deliberations over employment and domestic organization are resolved, which, by most standards, might be considered routine if not for their transnational and bicultural dimensions. With Arizona's proximity to the U.S.-Mexico border, the impact of gendered transformation converges with the nation's increased dependence on global markets and immigrant labor, all of which contribute to economic instability and consequently the creative ways immigrant women find to adapt to and navigate politically hostile environments.

### *Surviving Self-employment: Undocumented Strategies*

The self-employment survival strategies of undocumented women hinge on their ability to build bridges between the extralegal and legal spheres of activities. The following examples of this should be prefaced by the fact that it proved difficult to arrange an interview with a beauty salon owner who had no formal residence documents. All the owners who agreed to give the interview declared that they had residence documents. However, the

<sup>4</sup>It is important to note that in 2008, the U.S. economy experienced the start of one of its worst recessionary periods.

employees of these salons, provided information on the strategies used by “undocumented” owners to avoid being sanctioned by the new law, as the following testimonial shows:

Well, first of all, the owner of this [where she works] had been working quite some time without a license. She was very worried about the new law. The owner had invested over 60 000 U.S. dollars in everything, which is why she had had a headache every day since the new law came into being. But it so happens that she had the idea of associating with someone else who is a legal resident. He is a relative; she put the business in his name. This is easy when you have family with documents, and money (Lolita, 34, Phoenix, February 2009).

This testimonial also illustrates the role played by support within mixed immigration status families (Fix and Zimmermann, 2001) in the launch of women’s self-employment activities. One interviewee said:

We started the beauty salon with the help of the whole family. We all helped to clean up. My dad made the stations; he is a carpenter. The business was registered in my sister’s name because she was the only one that was a legal resident, but my sister has never worked the business, I have always been responsible for it. The important thing is the commitment to be here forever (Mireya, 39, legal resident at the time of the interview, Phoenix, November 2008).

The above example illustrates how undocumented women may rely on legally resident family members to skirt the regulations requiring proof of legal residence to set up and run a business in Arizona.

In other cases, hair styling business owners are not hairdressers. One family member launched the business but another member supplied the other skills and motivation needed to operate it, as Laura explained:

My husband worked in the business for three years, he equipped it and did everything, but I never saw a profit during that time, so

there were problems because I never knew what he was doing; I was working here and there. I never knew there were management problems ... there were many problems. Then I left Univision to devote myself to this, because he no longer wanted to work in the beauty salon and wanted to sell it. I said, I do not want to lose this investment (Laura, 49, Phoenix, November 2008).

The above example raises the issue of the financial difficulties immigrants may experience in starting a business, especially if they are undocumented. Those who managed to save up for a beauty salon did so after a long time and a great deal of effort as two interviewees explained:

I had two jobs, from 9 am to 9 pm, going from one beauty salon to the other. I worked for two years while I was saving up. We invested about 5 000 U.S. dollars. That's how the shop began (Josephine, 54, Phoenix, February 2009).

The owners of this businessman agreed to save money because they were very well off since they sold cars at the time. Getting as much money as possible is what counts. Besides, she worked, not too much though, since selling cars was a good business. The owner invested over 60 000 U.S. dollars in everything (Lolita, 34, Phoenix, February 2009).

Although the interviews revealed that tax refunds are used as extra income to invest in a business, other methods of saving for investment in a business were not detected. For example, the use of rotating credit associations (RCAs) as a funding mechanism was not detected in this small sample. An RCA is an informal association of individuals who contribute to a fund, the total of which is given to each participant in turn until the rotation is complete. Although RCAs have been used throughout Mexico and elsewhere in the United States (Vélez-Ibáñez, 1983), for example, among Korean beauty salons in New York (Hwan-Oh, 2007), none were found to be operating among the Mexican women in the study.

As previously mentioned, the owners who were interviewed reported having citizenship or residence documents. However, lack of immigration documents has not eliminated women's participation as self-employed workers but merely delayed the process. As Light (2007:52) notes, undocumented migrants use innovative self-employment strategies to overcome this problem and assume the risk of investing in a policy framework that seeks to isolate and exclude them from the workplace, even when pushed to the limit as in the case of Karen, whose lack of access to the labor market hinders her mobility.

I have a room in my house, where I do all my work. Because I think that suits me better, my customers are mine, the money I earn is all mine and this is better for me. I don't risk it, I don't have "signs". I have business cards, no signs above the house or anything and my customers are my family and friends (Karen, 20, Phoenix, November 2008).

Other hair stylists who were unable to obtain a license opted to work from their home. However, others were reluctant to do so for fear of being discovered and being deported as Lolita explained:

I could set up my business here at home, but there is a lot of envy ... supposedly, you only work with acquaintances, but people spread the word and that is dangerous; you can get an inspection and they [government authorities] can take away your license to work. The only thing we can do is have business cards printed and work at clients' houses, which is why many salons are closing. Many unlicensed stylists make it cheaper to work in customers' homes. Many go to the customer's home and the hair stylist only charges 70 percent of what it would cost if the customers went to a beauty salon. It is best to go to their house so they do not know where you live ... just give me your address and I'll go (Lolita, 34, Phoenix, February 2009).

The stylists who were only formally employed in a beauty salon elected to abide by the regulations until it would be impossible

to do so. Some of the hair stylists who were undocumented and knew about the law applied for renewal before their licenses were due to expire and before the law went into effect. Others planned to apply for a license in other states or even submit false documentation as some of the women explained:

Well, now we're watching this problem. My license was due to expire on March 16, 2008, and we knew that when the bill came, we couldn't get a license if we didn't have ID. I spoke to a friend and she asked me when my license expired ... you have to go now or they won't give you another one; it was December 28<sup>th</sup>. I paid 80 U.S. dollars and they gave me a license for two years ... not that many hair stylists took out licenses (Lolita, 34, Phoenix, February 2009).

Licenses, therefore, are being forged, because they have no other choice, they have to work. And many who had hair salons had to close them down and sell them off very cheaply. It was quite easy to get licenses to work as a business, but now it is not, they can refuse to give us them ... they put many obstacles in the way of undocumented immigrants but here we are anyway. They will be regulating more and we are providing all the documents, but false ones. Many hair stylists are submitting requests for fake IDs. They give a different name, or an incorrect address but the licenses keep coming in (Martha, 34, Phoenix, February 2009).

It is my plan, if there is nothing I can do [to legalize] in other states there are more possibilities. Are we going to stand by idly? Just imagine! Or go find another job, which would also be an option, but I do not think so. What I thought of was going to another state such as New Mexico, to get the license (Karen, 20, Phoenix, November 2008).

### *Conclusions*

Arizona's legislative history is crucial to the study of the effects of contemporary legislative actions that prevent the economic and social integration of not only immigrants, but also of collateral

family members, many of whom are U.S. citizens (Fix and Zimmermann, 2001; O’Leary and Sanchez, 2011, 2012; Romero, 2008). Central to this state’s contemporary history is the trend towards the use of public discourse by lawmakers that frames the popular understanding of immigration (and thereby immigrants and their descendents) as a “nuisance” or public security threat (Gilbert and Kolnick, 2012) and provides the rationale for the hundreds of legislative responses that have mushroomed in local and state legislatures across the nation (Donnelly, 2012; Wilson, 2000). In 2006, over 500 anti-immigrant state-level bills were introduced across the United States, a trend that peaked in 2007 when the number of bills dealing with immigrants reached 1 562 as every state in the union considered some form of immigration regulation. Many of these replicated existing federal immigration-enforcement responsibilities. The rise in state and municipal immigration control measures has often been explained as a response to the country’s “broken down” immigration system (Harnett, 2008:366).

Light and Von Scheven (2008) argue that longer-term residents in “new” immigrant settlement destinations have responded to the dramatic demographic shifts by demonstrating greater intolerance towards immigrants. The number of laws being proposed attests to this intolerance. Indeed, the U.S. Census Bureau in 2008 reported that Arizona was the second fastest growing state (U.S. Census Bureau, 2008), and had a population percent change of 24.6 percent between 2000 and 2010 (U.S. Census Bureau, 2011). A separate report notes that much of the foreign-born population in Arizona has only recently arrived with about one-third—217 000 out of 666 000—arriving between 2000 and 2006, and another third, 231 000, arriving between 1990 and 1999 (Pew Hispanic Center, 2008).

The household survey of Mexicans in Arizona by the authors of this paper shows a profile of the immigrant populations consistent with general migration trends of Mexicans in the United States. It also highlights emerging demographics in terms of the immigration status of Mexicans in Arizona. The qualitative

portion of the research focused on beauty salon employees and owners. Within this occupational niche, immigrant women are seeking ways to participate in the labor market, which is increasingly "closed" due to anti-immigrant policies. Undocumented women immigrants, ineligible to participate in the formal labor market, are creating their own jobs in the effort to survive and belong.

The interviews provided a greater appreciation of the two types of women's self-employment in beauty salons: Mexican women owners of formally established beauty salons, and Mexican women who are self employed, but are working in the shadows, hoping to escape detection. With a focus on personal services, the Mexican women interviewed are always searching for new clients and locate them through family and community connections.

Several strategies were identified that are highlighted here with regard to women's participation in the creation of self-employment opportunities. Their narratives express the essence of the American entrepreneurial spirit, and include the drive to overcome obstacles through human capital development that can lead them to greater autonomy or economic independence. Starting up a business was achieved through a variety of means, many of which were contingent on family support. This will continue to be critical as access to financial resources through banks and credit becomes more difficult. The various strategies used to engage in economic activity necessarily combine legal and extralegal spheres of activity that intersect in hybrid forms.

Increasingly constrained by the political climate in Arizona, the efforts of Mexican women business owners and employees are not new. However, contemporary imperatives continually bring new challenges to the often static representations of workers and the workplace, employers, and employees, the formal and informal sectors, and the legal and extralegal in ways that reflect the growing intersection of nation-states, economies, and cultures. In this way, immigrant women carve out a reality—and a future—for themselves, and where structure and agency, individual and society, household and economy, mutually constitute each other

(O’Leary, González, and Valdez-Gardea, 2008). Voices from such transnationalized spaces draw attention to and make visible the often neglected but critically important social “sub-spaces” (Kearney, 1995), places where inequality based on social divisions such as gender, class, race, or nationality, are continually being contested and reformulated (Gupta and Ferguson, 1997).

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