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Chicano—Mexican Immigrant Interface

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Introduction

Governor Jerry Brown of California has observed that the United States is entering a new period in its historical evolution. He refers to it as an "era of limits." The ways of the past cannot be extended into the future. The United States is no longer a nation of boundless resources, of endless frontiers, and of relatively scarce labor. Whether the topic be energy usage resource conservation, equal employment opportunity, population growth, or immigration, current events and future trends demand that sharp breaks be made with the past. The policy problems of the current age were never even conceived by our forefathers. Hence, there are no answers in the past to these contemporary challenges. The economic parameters that shape human action in this country have changed dramatically and so must the related public policy responses.

The topic of this paper is, of course, immigration. No subject more fundamentally touches the essence of the American experience. A heterogenous people in quest of a homogeneous national identity has been the history of the United States. In its evolving and often controversial role, immigration policy

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has served as a foundation stone for numerous components of public policy. It has been instrumentally involved in such diverse areas of public concern as human resource policy, foreign policy, labor policy, agricultural policy, and race policy. Yet in recent years immigration policy itself has been among the least examined of all public policy measures. Necessity dictates that this neglect of attention be changed.

It is not the purpose of this paper to describe the issue or the pressures that have propelled the subject to the forefront of policy issues.<sup>1</sup> Rather, the objective is to assess the inevitable trade-offs that must be made as the nation gropes for an enforceable immigration policy. Whatever political actions are taken or not taken, there are going to be economic consequences.

#### The Context of the Issue

As the nation's formal immigration policy has developed, it has passed through three distinct periods: no restriction of any kind (prior to 1888); numerical restriction based upon ethnic discrimination (from 1888 to 1965); and numerical restriction with ethnic equality (since 1965). With the coming of the legal and numerical restrictions, of course, came the problem of illegal immigration.

The Immigration Act of 1965 ended the period of blatant discrimination that had been contained or condoned in all previous immigration statutes. Under the 1965 act the number of legal

immigrants admitted to the United States has averaged about 400,000 persons a year (or twice the annual flow allowed prior to enactment). About 65 percent of the legal immigrants directly enter the labor force. Accordingly, legal immigration has accounted for about 12 to 15 percent of the annual increase in the civilian labor force in recent years. The United States is today one of less than a half dozen nations in the world still accepting substantial numbers of legal immigrants. If not the only, it is certainly among the few admitting persons impartially with respect to race and ethnic background.

Yet the formal immigration system of the United States has been rendered a mockery. Illegal immigration is by far the major avenue of entry. In 1976, for instance, a total of 875,915 illegal aliens were apprehended by the Immigration and Naturalization Service (INS) of the U.S. Department of Justice. This figure represents a 500 percent increase over the figure of a mere decade ago. To be sure, these apprehension figures include an element of double-counting (resulting from the fact that some persons are caught more than once). On the other hand, the vast majority of illegal aliens are not caught. It is believed that for every person apprehended, four or five are not. When the annual number of legal immigrants is combined with conservative estimates of the annual number of illegal immigrants, it is apparent that the United States is in the throes of the largest infusion of immigrants in its history.

### The Policy Issue

Aside from the "push" and "pull" pressure that have led to what Vice President Walter Mondale has correctly called "a major hemorrhage" of our borders, much of the problem stems from the fact that our current immigration laws are essentially unenforceable. There are no penalties placed against employers for hiring illegal aliens; there is little risk of penalties being imposed on an illegal alien if he or she is apprehended since 95 percent of all apprehended aliens are given voluntary departures; and the federal agency responsible for enforcement of the immigration statutes has a staff that is miniscule relative to its assigned duties (e.g., there are only 200 border patrolmen on duty on any given eight hour shift along the 1,945 mile U.S.-Mexico border).

As every nation state on earth has an immigration policy, the proposals which the Carter Administration has recently placed before the people of the United States are not whether we should have a policy but, rather, the present farcical policy should be replaced by a policy that means something.<sup>2</sup> Simple logic would dictate that the nation should have an enforceable policy if it is going to have a limitation policy at all.

### The Interface Issue

In recent years as the issue of illegal immigration has mushroomed to its current heights, the Chicano community has become deeply involved in the policy debate. In part, the lack of good and reliable information has created much of the

honest uncertainty, distrust, and anxiety that this issue has generated in the Chicano community. Unfortunately, the lack of precision over the issue has also meant that it is an issue that is ripe for exploitation by self-serving demagogues. Seeking either personal or political advantage these demagogues have seized this issue with a vengeance. Their selfish concern is not with clearing the air but, rather, to obscure the issue, to stifle any debate, and to frighten the Chicano community into a conformist posture of singular opposition to any efforts to develop an enforceable immigration policy. As a result, it is more important now than ever before that the substance of this issue be separated from the ever increasing political rhetoric in order that the real benefits and costs can be identified

To begin with, there will never be any better data available on this question. Secretary of Labor Marshall has been quoted as saying that there is little need for more research on this question.<sup>3</sup> He is correct in the sense that the illegal character of the entire process forestalls the possibility that we will ever know much more about either the actual number of persons in which or exactly what types of jobs they hold. Estimates and anecdotes are all that is ever going to be available. But this also is the case with most of the major social problems of the day. Good data is unavailable about energy supplies, crime, health, and mental health, to name a few. Yet, decisions have to be made on what information is available. With respect to illegal immigration, everyone seriously involved in the study of the question agrees that numbers of persons

involved are substantial and the direction of change is toward increasing numbers. It makes little conceptual difference whether the number of persons is 3 million, or 6 million, or 9 million or 12 million. All of these numbers have been cited in various reports or studies. The actual number is irrelevant if one concedes that the number is high, and that it is increasing. So, let's bury this academic quibbling over numbers once and for all. It is a diversion from the real issue.

The real issue is the economic impact. I am not one of those people who believes that economics is a precise science with laws that are universally and mechanistically operational. There is much room for human manipulation. On the other hand, there is general truth to the laws of supply and demand. When the supply of anything increases, the effect is either to reduce the price or to restrict the rate of price increase from what it would have been in the absence of the increase in supply. There simply cannot be any debate over this point. It is a truism. In fact, it is precisely because of this phenomenon that the labor supply in the Southwest has historically been kept in surplus. Conscientious human efforts have been made to keep wages low, to keep incomes depressed, and to keep unions out by using waves of legal immigrants (from China, Japan, Mexico, and from Europe as well), braceros (from Mexico), greencarders (from Mexico), and now illegal aliens (mainly from Mexico but by no means exclusively so). The objectives of these efforts have been generally effective.

The poorest metropolitan areas in the nation are found in South Texas. Among the poorest rural counties in the United States are many in the Southwest, and unionism in the Southwest is hardly known out of California, and even there it has had its organizational problems due to the availability of hordes of willing strikebreakers. The effect of past policies in the Southwest has been to create a labor surplus throughout the region. It is precisely to end this institutional manipulation of the supply of labor that there is a need to control illegal immigration. It is the only chance there is to ever provide rising wage levels, increase the holding power of educational institutions, to organize workers into unions if they so wish, and to provide hope to youngsters in the region that human capital investments do pay off. Let me be clear on this point, illegal immigration is not the total cause of the widespread economic disadvantage among the Chicano population of the Southwest. But it certainly is a factor. Any effort to improve the life options to Chicanos in the Southwest must include a control of illegal immigration. Nothing else can begin to be done until that regulation occurs.

Do the illegal aliens take jobs away from citizen workers? Of course they do. All of the research that is available show that the vast proportion of illegal aliens take jobs that pay the Federal minimum wage or higher.<sup>4</sup> The fact that recent research has shown that most illegal aliens have had federal and state income taxes withheld from their paychecks confirms the fact that most are working for employers who are above-board in their operations. Exploitation, in terms of direct

violation of existing wage statutes is significant, but it is still the exception and not the rule.

For those illegal aliens who do work in low wage occupations, their very presence assures that these industries will remain low wage and that it will become increasingly difficult to locate citizen workers willing to hold these jobs. No American worker is capable of competing with an illegal alien when the end result of the competition depends upon who will work for the lowest pay and longest hours and accept the most arbitrary set of working conditions. Hence, it is clear that illegal immigration hurts all low income workers—not just low income Chicanos. Poor blacks, poor Anglos, poor Indians, poor Puerto Ricans, and all others are adversely effected. Anyone seriously concerned with the problems of the poor of the nation must include an end to illegal immigration as part of any possible policy of improved opportunities.

Aside from the fact that the impact of illegal aliens is felt by poor people of all races, it is essential to realize that illegal aliens themselves are streaming into the United States from almost every nation in the world. President Carter's message on illegal immigration this summer cited "at least 60 countries are significant regular source countries."<sup>5</sup> In one unpublished report by the INS in November 1976, a breakdown by nationality, showed that only half of the 6 million illegal aliens believed to be in the country were from Mexico. It is a national issue now and no longer is a regional issue alone. This issue never was purely a Chicano issue and, in fact, it is less so today than ever before.



In recent months there has been an increasing effort made by some people to try to minimize the impact of illegal aliens in the Southwest by claiming that many aliens have no intention of staying in the United States and that many of them simply come only to work on a seasonal basis.<sup>7</sup> Aside from the fact that there is very little reliable data to know if this is correct or not, the fact remains that, even if it is true, this does not minimize their impact. Because a disproportionately high number of illegal aliens do find work in seasonal jobs in agriculture, construction, and service industries does not negate the fact that the jobs are seasonally available for citizen workers too. Hence, the impact in these industries is the same as if the aliens remained in the United States year round.

A last factor that needs attention pertains to the growth of a sub-class of truly rightless workers within our society. Although technically able to avail themselves of many legal rights and protections, many illegal aliens do not do so. In addition, they and their family members are being legislatively excluded from many of the basic social legislation in this nation. These exclusions vary from the federal level where illegal aliens are excluded from receipt of Supplemental Security Income, public service employment, and manpower training programs to individual state exclusions from unemployment compensation programs, AFDC programs, and even in some cases, from attending public schools. At all levels, illegal aliens are denied political rights to vote. These are all signs

of growing displeasure by the general populace of the presence of illegal aliens within our midst. Certainly the growth of a sub-class of rightless illegal aliens is in no one's long term interest. It is a time bomb. The adults may be grateful for the opportunities provided them, but it is certain that their children will not be.

### Conclusions

Perhaps the greatest political danger that is latent in the illegal alien issue is the fact that the issue is rapidly separating Chicanos from their traditional friends, and it is uniting them with their long term enemies. There is an old adage that you can tell the nature of a person by the friends he associates with. The same can often be said of policy issues. This issue has seen a sharp break of historic alliances. The trade union movement of this country is strongly in support of a policy of control of illegal aliens. Black civil rights groups and groups associated with other ethnic groups are privately very critical of present policies. They know they and their followers are severely affected by illegal immigration. I would predict an open break within the near future. The Catholic Church is divided in its feelings as are many liberals in general. In fact, the only groups who are most consistently in support of the prevailing immigration situation are ranchers, employer groups, and conservative politicians who have historically fought every effort to advance by the Chicano population. Certainly this should tell something about the merits of this issue.

Because of the dimensions of the issue and because of sub rosa nature of the entry and existence of illegal aliens, it is no surprise that the Carter Administration has proposed to make our nation's immigration laws enforceable. Personally, I feel that the proposals should have been much stronger with respect to the identification issues. For as currently proposed, the loopholes with respect to the sanctions against employers are so big that it is doubtful that the proposed plan would have any meaningful impact on the issue. If one is going to act, it should be done effectively and completely. The pending proposal promises to be neither.

Aside from the fact that the Chicano community would benefit greatly from an effective immigration policy, it is important that the Chicano community not isolate itself from other groups in our society who are dedicated to the achievement of a society of fully employed workers and to an end of both poverty and economic disadvantage.

It is also vital that this nation's legal immigration system not be endangered by reactions to the illegal alien problem. Presently, the legal immigration system of this country is more liberal and more impartial than that of any nation in the world. The present legal efforts are designed simply to make the laws enforceable, and they are not a threat to any citizen.

# Footnotes

1. For elaboration see Vernon M. Briggs, Jr., Mexican Migration and the U.S. Labor Market: A Mounting Issue for the Seventies (Austin: Bureau of Business Research, 1975).
2. Office of the White House, "Statement on Undocumented Aliens," August 4, 1977 (Mimeographed material).
3. Marshall's statement is contained in an article in the Los Angeles Times (February 22, 1977).
4. David S. North and Marion F. Houstoun, The Characteristics and Role of Illegal Aliens in the U.S. Labor Market: An Exploratory Study (Washington D.C., Linton & Company, Inc., 1976), p. 128 ff.
5. Office of the White House, op. cit., p. 7.
6. Unpublished data entitled "Distribution of Nationalities of Total and Employed Illegal Aliens by I.N.S. Records" (November 22, 1976), (Xeroxed material).
7. Wayne A. Cornelius, "Mexican Migration to the United States: The View from Rural Sending Communities," (Cambridge, Mass.: Massachusetts Institute of Technology, 1976), 5 (Mimeographed material).