

Conference on Migrant Workers
Istanbul, Turkey
September , 1976

The Participation of Mexican Workers
In the Labor Market of the United States

by Vernon M. Briggs, Jr.

I. Introduction

One of the most significant developments in the labor market of the United States in the 1970's is the increasing participation of foreign workers. Although the issue embraces workers from every continent, it is those from Mexico who overwhelmingly dominate the flow.

The issue of the participation of Mexican workers in the labor force of the United States is not new. The proximity of the two nations with their long common border (1,800 miles or 3,000 kilometers) offers accessibility. Moreover, there has historically been movement across the political boundary area. Aside from the fact that almost all of the region of the American Southwest once belonged to Mexico, it is important to note that the current political border was completely open from the time of its establishment in 1848 until 1924. Ever since then, as will be obvious from this paper, entry and exit have never been difficult.

*The author is Professor of Economics, The University of Texas at Austin.

The importance of the current flow of Mexican workers, therefore, stems not from the newness of the issue but rather the rate of increase and the numerical magnitude of the level of entry that has occurred since the mid-1960's. All signs indicate that the future trends will be for even greater Mexican participation.¹

II. The Issue

The entry of foreign workers into the American labor market occurs through three different means. These are border commuters, legal immigrants, and illegal entrants. Although these same means are used by persons from other nations, people from Mexico are by far the most numerous users of each. In terms of numerical importance, the one that dwarfs the other two is the illegal entrant group. Unfortunately, of course, the illegal flow by its very nature is the most difficult to appraise in a concise manner.²

The objective of this paper will be to draw upon the available research in order to assess the labor market participation of workers from Mexico in the United States economy. It will also address the theoretical explanations for the increasing participation of foreign workers. Some of the various policy conclusions of the theoretical propositions will also be explored.

III. The Magnitude, Status and Character of the Sources of Workers From Mexico

A. Border Commuters. All along the Mexico-United States border there are persons who live in Mexico but who work in the United States. Some cross daily to work in U.S. border areas. Others are seasonal commuters who hold jobs for longer periods of time in usually seasonal occupations such as agriculture or construction. The seasonal commuters from Mexico fan-out throughout the Southwest and, increasingly, the entire United States. They tend to return to their permanent home in Mexico during the off-season or when they feel they have accumulated sufficient earnings for their current needs.

The commuters may or may not be U.S. citizens. The legal authority for the existence of this group stems not from any statutory authority but, rather, it has evolved over the years through a series of administrative decisions by the Immigration and Naturalization Service (I.N.S.) of the U.S. Department of Justice. The I.N.S. has the enforcement responsibility for the immigration laws of the United States. Prior to 1921, there were no restrictions placed on immigrants who wished to work in the United States and aliens could work with only minor exceptions. In 1921 temporary restrictions were imposed and were made permanent when the Immigration Act of 1924 was enacted. This Act required that all persons entering the United States be classified as either "immigrants" or "nonimmigrants." "Immigrants" were defined as all entrants except those designated as

"nonimmigrants" who are visiting the country temporarily "for business or pleasure." For a short interval, workers who lived in Mexico but commuted to jobs in the United States were classified as "nonimmigrant visitors" who were free to cross the border "for business." By arbitrary administrative decision of the INS in 1927, however, the status of these people was changed to "immigrants." Subsequently, in 1929, the U.S. Supreme Court upheld the INS decision, with the famous ruling that "employment equals residence" (thereby cleverly avoiding the permanent residency requirement of the immigration statutes).³

The commuters, who are popularly referred to as "green carders" (so named because of the original color of the classification card they carry; the present color is actually light blue) are free to move and to be employed as they please. They enjoy all of the political rights of other citizens except they cannot vote until, if they wish, they become naturalized citizens. They may become citizens after a minimum of five years has passed. There are, however, several differences between a green carder and other permanent resident immigrants. A green carder is not actually required to reside within the country; he may not be unemployed for more than six months without losing his immigration classification; he may not serve as a strikebreaker; and he cannot count the time he lives outside the United States toward the five years needed to be eligible to apply for citizenship. In reality these differences are not of consequence. The unemployment restriction is not enforced; the anti-strikebreaker

rule is so easily circumvented that it is essentially meaningless; and many green carders have no interest in becoming American citizens.

As of January 1975, there were slightly over 4.2 million green card holders. Of this number 868,198 were of Mexican nationality.⁴ Persons from no other nation had anywhere near this number. One-third of all the green card holders resided in the two border states of California and Texas. Of the green card holders from Mexico, one half reside in California and one quarter in Texas in 1974. It is essential to note that all commuters are green carders but not all green carders are commuters. There is no controversy with green card holders per se but rather with those who work in the United States and live permanently or seasonally in Mexico. These commuters are often willing to work for wages and under employment conditions that are impossible for a person who must confront the daily cost of living in the United States on a fulltime basis. There is also evidence that many commuting green carders do not pay income tax.⁵

One study in 1968 estimated that 70,000 workers crossed the Mexico-U.S. border daily. Of these, 20,000 were U.S. citizens while 50,000 were green carders.⁶ How many additional seasonal green carders there are is completely unknown.

The legal status of the commuting green carders has been often, questioned. As there is no statutory authority for the practice, it has been charged that the prevailing INS regulations actually forbid the practice of commuting since the reentry rights of a green carder is limited to a person who is "returning to an unrelinquished lawful permanent address."⁷ Before 1965 the INS reasoned that any commuter who had been accorded the "privilege of residing permanently" was always entitled to enter the country. The Immigration Act of 1965, however, altered the statutory language under which the INS had allowed virtually unrestricted movement of commuting green carders. The amended language restricted informal entry to "an immigrant lawfully admitted for permanent residence who is returning from a temporary visit abroad." Thus it has been charged by Sheldon Greene that:

No distortion of the English language could result in a finding that the commuter was entering the United States after a temporary visit abroad to return to his principal, actual dwelling place. Rather, the commuter was simply leaving his foreign home and entering the United States to work.⁸

Greene concludes that since 1965 the commuting green carders "are not merely lacking in statutory authority" but that the practice is "actually prohibited."⁹

In November 1974, however, the U.S. Supreme Court rejected the aforementioned logic. In a 5 to 4 ruling, it upheld the INS position that daily and seasonal commuters are lawful permanent residents returning from temporary absences abroad.¹⁰

Essentially, the Court said that it was not going to overthrow 50 years of administrative practices by judicial decree. If the U.S. Congress wishes to outlaw the practice of border commuting, it will have to act in a specific legislative manner.

With regard to the personal and economic characteristics of commuting green carders, the research findings are very limited. The most comprehensive study was done in 1969 by David S. North. Based upon personal interviews with 400 commuters, from all along the border, he found that most were males (76 percent); most were in the middle range of working age (i.e., 35-44 years old); most were born in a Mexican border state (70 percent); and most had very low levels of education (e.g., 49 percent had less than 3 years of formal education).¹¹ The North Study found the occupational characteristics of the commuters to be as follows:¹²

<u>group</u>	<u>percent</u>
Professional	1.0
Clerical, Managerial and Sales	7.8
Skilled Worker	13.3
a. non-agricultural	(11.8)
b. agricultural	(1.5)
Semi-skilled	7.8
Unskilled	47.2
a. non-agricultural	(8.0)
b. agricultural	(39.2)
Service worker	22.9
a. domestic	(6.5)
b. other	(16.4)
TOTAL	100.0

The North findings are roughly consistent with a 1967 special study done by the U.S. Department of Labor.¹³ Using a mailed written questionnaire and different occupational classifications than did North, the Department of Labor study of 40,176 Mexican commuters found participation to be as follows:

<u>group</u>	<u>percent</u>
Building occupations	6
Business occupations	8
Hotel and restaurant occupations	6
Farmworkers	40
All other occupations	40
	<hr/>
TOTAL	100

All of the commuters interviewed or contacted in both of the above studies were employed. No estimate of unemployment was made. Most of the persons held jobs that had little or no skill requirements. Agricultural work clearly dominated the employment pattern in both studies. It is to be recalled that these data are only for daily commuters. There exists no comparable data on the magnitude or characteristics of the seasonal commuters.

B. The Legal Immigrants. Since the last major reform and liberalization of the immigration laws of the United States in 1965, Mexico has each year been the largest single source of new citizens to the United States. Of the 3.8 million total legal entrants between 1966 and 1975, 538 thousand (or 14.2 percent) have come from Mexico. Actually the overall

overall percentage understates considerably the more recent trends. For instance, in 1973, 1974, and 1975, the percentages of total immigrants entering the United States who were from Mexico were, 17.5 percent, 18.0 percent, and 16.1 percent respectively.¹⁴

Obviously, many of the legal immigrants are wives, children, and other dependents who do not have a direct impact on the labor market. Using the data collected in 1975 for the 62,206 persons from Mexico who legally entered the United States that year, Table 1 indicates the stated occupational preference for the 21,338 persons (or 34 percent) of the total who did enter the labor market. Whether they actually entered these occupations or, if so, how long they worked in such occupations is unknown.

Table 1 also compares the stated occupational preference of the Mexican entrants with those of all legal immigrants. Clearly, the Mexican immigrants (5.1 percent) are considerably less likely to be in professional and managerial occupations than are all immigrants (32.0 percent). Conversely, Mexican immigrants are most likely to be in the unskilled occupations of farm laborer, non-farm laborer, domestic household worker and service worker (57.2 percent) than are all immigrants (27.2 percent).

The occupational data for legal entrants for 1975 is consistent with the earlier findings in 1974 by David S. North and William G. Weissert on the importance of the Immigration Act

TABLE 1

Comparison of Stated Occupational Preference of Legal
Immigrants from Mexico and From All Countries for the Year 1975

<u>Occupational Category</u>	<u>Percent of Mexican Entrants</u>	<u>Percent of All Immigrants</u>
Professional	24.8	25.3
Managers	2.3	6.7
Sales	.9	2.0
Clerical	3.2	9.3
Craftsmen	12.7	14.0
Operatives	17.8	12.0
Transportation Operatives	2.3	2.0
Non-Farm Laborers	28.2	38.6
Farmers	less than .1	less than .1
Farm Laborers	9.4	4.0
Service Workers	16.4	10.6
Domestic Household Workers	<u>3.2</u>	<u>4.0</u>
TOTAL	100.0	100.0

Note: Totals do not add to 100.0 percent due to rounding

Source: U.S. Department of Justice, 1975 Annual Report: Immigration and Naturalization Service, Washington, D.C.: U.S. Government Printing Office, 1975.

of 1965.¹⁵ They found a considerable variation in the occupational characteristics of immigrants from the Eastern Hemisphere from that of the Western Hemisphere (which is dominated by Mexican immigrants). The former being more dominated by professional and skilled jobs whereas the latter are characterized by semi-skilled and unskilled workers. The patterns, of course, reflect in part the different immigration systems that apply to each hemisphere. In addition to differences in occupational preferences, the vast majority of Mexican immigrants (84 percent) specified a preference to live permanently in the four states of the Southwest that border with Mexico (compared to 29 percent of all immigrants).¹⁶ Hence, their greatest impact is most likely to be upon the regional rather than national labor market.

Legal immigrants from Mexico differ significantly from all other immigrants in their personal characteristics. Mexican legal entrants are considerably younger; there are more men than women; and they are more likely to be unmarried.¹⁷ By inference from the occupational patterns, it is also obvious that Mexican legal immigrants have a considerably lower level of educational attainment than do all other immigrants.

C. Illegal Entrants. Of all the flows of Mexican workers into the United States, none is of more quantitative significance in the 1970's than the illegal entrants. The issue, of course, is broader than simply alien workers from Mexico. Illegal aliens are entering the United States from almost every nation on earth.

Noentheless, of the 766,600 deportable aliens located by INS in 1975, 680,392 persons (or 89 percent) were of Mexican origin. There is difficulty in ascertaining the number of individuals involved since many of those apprehended were repeaters. Hence, there is an element of double or more counting in the official apprehension figures. On the other hand, it is acknowledged by the INS that the vast majority of illegal aliens are not caught. Hence, the total flow of illegal aliens greatly exceeds the number of aliens who were deported. Estimates by the INS are that for every 1 apprehension, 4 or 5 aliens are undetected. Also Mexican aliens frequently return home at various intervals so it is difficult to determine the exact number of individuals involved.

In 1974, the Commissioner of INS stated in his annual report to the President: "it is estimated that the number illegally in the United States totals 6 to 8 million persons and is possibly as great as 10 or 12 million".¹⁸ Obviously, all of these are not Mexican aliens but the vast majority are. More importantly, a comparative research study by David S. North and Marion Houstoun of the characteristics of illegal aliens from differing nations found that the aliens from Mexico cited employment opportunities as the primary motivation for entry in 89 percent of interviews. In contrast, aliens from the Eastern Hemisphere cited employment is only 23 percent of the cases and those from other western hemispheric nations (excluding Mexico) cited it in 60 percent of

the cases.¹⁹ Hence, it appears that illegal aliens from Mexico are more active in the labor market than those from other nations. The explanation for the greater economic motivation from those aliens from Mexico rests most probably in the distinctively different characteristics of Mexican aliens from those from all other nations. In comparison with aliens from all other countries, Mexican aliens were considerably younger; they are less likely to have a spouse or child with them in the United States; they had much less education; they were the least likely to speak English; they more frequently came from rural backgrounds with agricultural work histories; and they generally entered the United States by foot and without any legal documents.²⁰ The non-Mexicans tended to be visa abusers (i.e., they entered with legal documents as tourists, students, or on business but did not leave when their visas expired). This means that the non-Mexicans, by virtual definition, are usually from a different economic class as they had the money to cover their roundtrip transportation costs by boat or air. The North and Houston study found that half of the illegal aliens from the Eastern Hemisphere entered the United States with student visas which usually require a secondary education and the ability to support one's self while being a student.²¹

The published data on illegal Mexican aliens is based entirely upon information garnered from apprehended Mexican aliens. Efforts by scholars such as Julian Samora, whose extensive sociological

study of Mexican aliens is one of the best available, was completely unsuccessful in its attempts to interview non-apprehended illegal aliens despite frequent contact with them.²² The research problem is that most of the apprehended Mexican aliens are caught before they have time to find employment. In 1974, for example, 62 percent of all apprehended aliens were caught within 72 hours of entry and 68 percent were not employed at the time they were apprehended.²³ Yet, one must recall, that those who are apprehended are only the tip of the iceberg. Most are not caught but the available research is based on those who are. The assumption must be made that the descriptive data on apprehended Mexican aliens is similar to that of those who are not. Indeed, there is no obvious reason to challenge the assumption since apprehension of Mexican aliens appears to be largely random.

In the comprehensive North and Houston study, the Mexican aliens who were interviewed had been in the United States for an average 2.4 years.²⁴ The data from their study which indicates the degree of occupational participation is presented in Table 2. The largest single category was agriculture (27 percent) but all unskilled occupations (nonfarm laborers, farm laborers, service workers, and private household workers) accounted for 61.8 percent of all of Mexican alien workers.²⁵ These findings are roughly consistent with general estimates made in unpublished form by officials of INS.. The INS had estimated that one-third of the illegal immigrants from Mexico are employed in agriculture;

TABLE 2

<u>Occupational Category</u>	<u>Previous Occupation of Illegal Aliens in Mexico</u>	<u>Occupation of Illegal in Most Recent Job in U.S.</u>	<u>Occupation of All Employed Persons in U.S., 1974</u>
Professional	1.7	0.5	14.4
Managers	.2	--	10.4
Sales Workers	3.2	0.7	6.3
Clerical Workers	1.7	--	17.5
Craft Workers	15.0	14.3	13.4
Operatives (except Transport)	8.4	21.9	12.4
Transport Operatives	4.4	0.7	3.8
Non-Farm Laborers	11.8	17.9	5.1
Farmers	0.2	--	1.9
Farm Laborers	49.1	27.0	1.6
Service Workers (except household)	2.2	13.5	11.8
Private Household Workers	<u>2.0</u>	<u>3.4</u>	<u>1.4</u>
	100.0	100.0	100.00

Sources: Columns 1 and 2, David S. North and Marion Houstoun, The Characteristics and Role of Illegal Aliens in the U.S. Labor Market: An Exploratory Study (Washington, D.C.: Linton & Co., 1976), Table V-5, p. 108.

Column 3, U.S. Department of Labor, Manpower Report of the President: 1975, (Washington, D.C., U.S. Government Printing Office, 1975), Table A-15, p. 226.

another third in other goods-producing industries (especially meatpacking, automobile manufacturing and construction); and one-third in service jobs.²⁶ The findings are also consistent to those of Samora.²⁷

It is a highlight of the North and Houstoun study that an effort was made to compare the employment patterns of the apprehended illegal aliens in the United States with their previous occupation in Mexico (see Table 2). Although there were fewer Mexican aliens employed in agriculture than had been the case when they were in Mexico, the percentage employed in unskilled occupations was approximately the same. The major shift was from being a farm laborer to being a nonfarm laborer. Table 2 also contains a column that distributes the prevailing employment patterns for all employed persons in the United States. Clearly, the pattern for Mexican aliens bares little resemblance to that of all employed persons in the U.S. economy. Thus North and Houstoun concluded that:

...[illegal aliens brought] few of the skills congruent with and rewarded by a heavily industrialized economy and a technological society. Most respondents, but in particular those from Mexico, had not acquired the socio-economic characteristics associated with success, as opposed to simple survival, in the contemporary U.S. labor market.²⁸

IV. Theoretical Explanations for Mexican Participation in the American Economy

A survey of prevailing migration theories by Robert Sayers and Thomas Weaver in search of an explanation for the migration of Mexican workers into the United States labor market concluded that it is the economics rather than the sociological theories that are the most relevant.²⁹ In particular, the "push-pull theories" were found to be the most explanative. These theories place reliance upon (1) the economic characteristics of the origin and of the destination; (2) social and demographic characteristics of the origin and destination and (3) the personal characteristics of the migrants themselves.³⁰

It is not the purpose of this section to elaborate upon the specific push-pull forces that apply to the Mexican migration case. They have been set forth elsewhere.³¹ Rather it is to examine the evolving labor market theories that relate to the necessity and merit of continued participation of Mexican workers in the economy of the United States. The usefulness of the various explanations rests with the policy proposals that flow from the respective analyses.

One view is that political borders are barriers that artificially allow wage differentials to occur and to be perpetuated by interfering with the free flow of labor.³² Explanations as to why the migration occurs are of no particular importance. This position accepts the fact that economic differences exist and that, in a competitive world situation, only those differences based

on efficiency should survive. The position has strong humanistic overtones that emphasize that this is one world and that public policy should promote interdependence among nations and to minimize distinctions. In addition, the position is consistent with most of the precepts of standard economic theory of free trade. Namely, the unimpeded movement of the world's economic resources ensures that economic resources will find their most rewarding and productive use and, thereby, world output will be maximized. The policy conclusions of this viewpoint accept the current mass violations of U.S. immigration laws and, in fact, argue for repeal of the laws which make the current process illegal for the participants. It is premised on the assumption that unemployment in the United States is due to money wage levels being too high relative to productivity and, if labor markets could become more competitive, unemployment would disappear as would international wage differentials based upon any factor other than efficiency.

A second approach is associated with the "dual labor market theory" which has attracted significant intellectual interest by labor economists in the United States.³³ Originally the theory made no mention of the role of foreign workers. Rather, it spoke of the division of the American labor market into primary and secondary jobs. The former usually containing good wages, unions job security measures, and promotion ladders whereas the latter does not. The theory sought to explain the existence and perpetuation of low wage labor markets in a generally prosperous economy.

More recently, however, efforts have been made by one of the theory's strongest advocates, Michael Piore, to extend the analysis to include illegal aliens.³⁴ In essence, the theory argues that modern industrial societies generate a need for low wage labor markets. In the past immigrant workers and then domestic workers moving from rural to urban areas were seen as filling these explorative needs. By the late 1960's and early 1970's, it is argued, a combination of events--such as the civil rights movement, the war on poverty, the beginning of federal aid to education, and the liberalization of welfare and food stamp programs--contributed to a decline in the availability of domestic workers in the low wage labor market. As Piore writes: "Now that these domestic labor reserves have been exhausted, they are being drawn from foreign nations again, but this time not from Europe, but from Latin America and the Caribbean".³⁵ Piore's work to date has focused upon the East coast and especially upon immigrants from Puerto Rico who, of course, are not illegal aliens but are American citizens. Nonetheless, he has noted increasing numbers of illegal aliens from various Spanish speaking backgrounds who have blended themselves into the Puerto Rican communities of these eastern cities. There is only peripheral mention of Mexican immigration in his analysis. With respect to policy, Piore does not favor a more restrictive border policy per se. Rather, he sees the process of illegal entry as inevitable and he fears greater sanctions will only drive the employment

process of aliens underground. He supports greater enforcement of social legislation--minimum wage laws and payment of social security taxes--against employers but opposes sanctions against employers who hire illegal aliens. Piore does not address the policy matters that seek to stem the flow of illegal aliens into the secondary labor market. The entire analysis to date by Piore explains the movement of illegal aliens solely in terms of "pull" forces--i.e., the need by some American employers for unskilled workers for low wage jobs.

The third approach denies the necessity of dependence of the American economy on illegal aliens. It does admit that aliens are used because they are available and they are exploitable. Because of the potential for abuse and the adverse affect on citizen workers, the position advocates adoption of a more restrictive border policy.³⁷ It does recognize that there are aliens from countries other than Mexico but that Mexicans still overwhelmingly dominate the flow even if allowances are made for - disproportionately heavy enforcement in the Southwest. It is also acknowledged that there are, as shown earlier in this paper, considerable differences in the personal and economic characteristics of the aliens from Mexico as compared with those from other nations. Moreover, while Mexican aliens are moving out of their historic concentration in the Southwest labor market, the fact remains, that most Mexican aliens are still in the Southwest. The position argues that while it is true that Mexican

aliens do work disproportionately in the secondary labor market, they are also a factor in making and keeping wage rates low, in keeping these jobs non-unionized, and in keeping these jobs without fringe benefits. The Mexican aliens did not create the secondary labor market but they are rapidly becoming a major factor in its perpetuation and its growth in the Southwest. By their economically depressing influence in these labor markets, they make it in self-fulfilling prophecy that domestic workers become unavailable for such jobs. The aliens will frequently work harder, be more grateful for what they receive, and be more docile in their acceptance of arbitrary treatment than will citizen workers. As Samora has observed, when illegal aliens move into a labor market, the citizen worker must either work and live at the level of the illegal alien worker or become unemployed or live on public welfare.³⁶ Accordingly, as the American economy is currently organized, the only hope for improving the economic situation of the citizen workers in the secondary labor market is to reduce the supply of workers entering it. Although illegal immigrants are not the only source of workers for secondary jobs, their significance is increasing rapidly--especially in the Southwest. This position, therefore, does conclude that stronger policy measures of deterrence are needed. But the position is not based exclusively upon "pull forces" as an explanation for the illegal phenomena. Rather, it stresses the need for empirical research of both "push" and "pull" factors. In fact, a review

of the "push" factors suggest that the population pressures, the extremely unequal distribution of income, and the accelerating structural changes (i.e., technological displacement of unskilled workers and the internal rural to urban migration) of the Mexican economy could be as important as the obvious "pull" factors as explanations for the quantum increases in illegal entry from Mexico since the 1960's. The importance, of course, of examining both "pull" and "push" factors rests with the relevant policy proposals. Emphasis exclusively on "pull" factors leads to recommendations for greater legal deterrence or special assimilation efforts. The addition of "push" factors lends to recognition of the importance of tariff reductions, technical assistance and development loans to help stimulate employment in Mexico in order to reduce the Hobson's Choice of illegal immigration that currently exists.

V. Critique

Putting aside the issue of legal immigration (which is only cited in this paper for purposes of contrast and magnitude), the three prevailing positions deal largely with those workers who illegally enter the U.S. or who abuse their visa rights in order to secure employment. The border commuter issue is especially important along the Southwestern border but is only minor consequence elsewhere.

The first theoretical position discussed in the preceding section dealt with the free trade argument. It supports the

free movement of economic resources and discourages artificial impediments such as political borders and immigration restrictions. To begin with, it must be recognized that standard economic theory is essentially a form of social engineering in which individual differences of people and nations are minimized in the pursuit of aggregate social goals. In the real world, political boundaries shape the conditions of life within the various nation states of the world community. These borders have social, cultural, political, and economic consequences. It is largely within the confines of these boundaries that most of the crucial governmental policies that affect the quality of life for the citizens of each nation are made. Nominally there may be a world community, but the welfare of most people is dependent upon the decisions of their own government. They expect their government to safeguard and to further their interests as well as it can. Consequently, the study of political economy--as has always been the case--begins with the existence of political borders. To argue for unrestricted movement of workers in a world in which nation states exist is to argue for the abandonment of the responsibility of existing governments to protect the people they govern. If one wishes to argue for the abolishment of all nation states, one should do so and not hide under the pretext of advocacy of free trade and free movement of people. It is certainly unrealistic to assume that any one nation could adopt such a policy without independent concurrence by other nations. The prospect is so small at this juncture of world history that the proposal hardly

deserves to be discussed as it leads to no policy proposals that any responsible government could conceivably adopt.

Moreover in conventional welfare economies, the gains of those who benefit (i.e., producers who can obtain a labor supply at lower wages than possible in the absence of illegal alien workers and consumers who are able to purchase goods and services at lower prices due to the lower wages, paid illegal aliens) would be compared to the losses of those who are adversely affected (i.e., the citizen workers who must compete with the alien workers for jobs, housing, public health service, welfare funds and private charitable funds). Theoretically, those who benefit could be taxed to compensate those who lose and society would have no problem to worry about. But this methodological approach is based upon the premise that the transfers between the gainers and losers are actually made. If the compensating payments are not forthcoming (and I know of no public policy proposal to promote such transfers), then illegal aliens are clearly harmful in their influence upon the American labor market.

As for second position that accepts the entire development as inevitable. Rather than try to stop or to control the flow of illegal aliens into the secondary labor markets, the proponents conclude that the nation should accept the inflow and to try to minimize the assimilation problems. The fear is expressed that greater deterrence will only drive the low wage labor market underground. The theoretical inconsistency of this position should be obvious. The way to rid the labor market of secondary jobs is

not accomplished by increasing the available numbers of persons willing to take these jobs. By continuing the inflow of alien workers from Mexico to the labor market of the Southwest, it is inevitable that citizen workers can no longer be attracted to those occupations and industries. In the Southwest it is already possible to see what happens when substantial numbers of illegal aliens (and border commuters) are allowed free access to the labor market. Much of the labor market has already gone underground. There are numerous violations of the minimum wage laws and the requirements for payment of Social Security Taxes. The North and Houstoun study, for instance, found that 24 percent of all the illegal aliens interviewed were receiving wages below the Federal minimum wage with workers from Mexico being expecially exploited.³⁸ In addition, there are even worse facets of the process than wage violations. Illegal aliens are often transported across the nation in the most unhuman manner; their is a burgeoning business in the sale of forged identification papers; and there is real exploitation of many of these individuals by "loan sharks" who loan the money to cover the costs of transportation and of forged documents at exorbitant interest rates. In the East, the issue of illegal aliens in the labor market has only surfaced in the past few years as a recognizable phenomenon. In the Southwest, the issue is old but its level of incidence has dramatically increased. Studies of the impact of illegal aliens in the Southwest should convince anyone that any attitude of benign neglect to such an issue as this one is hardly appropriate.

Thus one, is left with the last proposition that holds that the process of foreign workers in the United States is a result of strong "push" in their native lands; of strong "pull" factors in the form of higher wages and incomes; of available employers who are willing to tap this new source of cheap labor; and of an extraordinarily tolerant immigration policy by the United States that places no penalties on employers of illegal aliens, that grants "voluntary departures with no punishment to 95 percent of all apprehended persons; that allows certain foreign workers to live in their own land and commute daily to work in the United States, and which has an enforcement agency, whose size and budget is minute relative to its assigned duties.

There may be some short run benefits that accrue to some private employers by the exploitation of the alien workers. But in the long-run, the presence of a growing number of workers who are denied political rights as well as minimum legal and job protections; who often live at a survival level and under the constant fear of being detected; who work in the most competitive and least unionized sectors of the economy; and who are often victimized by criminal elements is a prescription for eventual trouble. Over the nearly two centuries of its existence, the United States has developed numerous laws, programs, and institutions that have sought to reduce the magnitude of human cruelty and the incidence of economic uncertainty for most of its citizens. For the illegal alien workers, however, these benefits are virtually nonexistent. It would be self-deception to believe that

this situation can continue to mount at the current growth rate without eventual dire consequence to all parties concerned.

FOOTNOTES

- 1 For a more detailed discussion of the causitive factors of the migration see Vernon M. Briggs, Jr., Mexican Migration and the U.S. Labor Market. Studies in Human Resource Development Series, Monograph No. 3, (Austin, Texas: Center for Study of Human Resources and Bureau of Business Research, 1975). Chapter 4.
- 2 For a discussion of the data problems see Vernon M. Briggs, Jr., "Illegal Immigration and the American Labor Force: The Use of 'Soft' Data for Analysis", American Behavioral Scientist (January 1976), pp. 351-363.
3. Karnuth v. Albro, 279 U.S. 231, (1929).
- 4 U.S. Department of Justice: 1975 Annual Report: Immigration and Naturalization Service (Washington, D.C., U.S. Government Printing Office, 1976) p. 21.
- 5 David S. North, The Border Crossers: People Who Live in Mexico and Work in the United States, (Washington, D.C.: Trans Century Corporation, 1970), p. 209-212.
- 6 Anna-Strina Ericson, "The Impact of Commuters on the Mexican-American Border Area," Monthly Labor Review, August 1970, p. 18.
- 7 Sheldon L. Greene, "Public Agency Distortion of Contressional Will: Federal Policy toward Non-Resident Alien Labor," George Washington Law Review, March 1972, p. 442, citing 8 C.F.R. 211.1(b)(1) (1971).
- 8 Ibid., p. 443, citing 8 U.S.C. 1101(a) 27(B) (1970).
- 9 Ibid.
- 10 Saxbe v. Bustos, 419 U.S. 65.
- 11 North, op. cit., pp. 106-110.
- 12 Ibid., pp. 110-111.
- 13 The U.S. Department of Labor study is contained in a table included in North's study, ibid., p. 112.

- 14 All figures are from the 1975 Annual Report: Immigration and Naturalization Service, ibid., Table 14, p. 65.
- 15 Davis S. North and William G. Weissert, Immigrants and the American Labor Market, Manpower Research Monograph No. 31 (Washington, D.C.: U.S. Government Printing Office, 1974), pp. 27-34.
- 16 1975 Annual Report: Immigration and Naturalization Service, ibid., Table 12, pp. 56-61.
- 17 Ibid., Table 10A, p. 54.
- 18 U.S. Department of Justice 1974 Annual Report: Immigration and Naturalization Service (Washington, D.C.: U.S. Government Printing Office, 1974), p. iii.
- 19 David S. North and Marion F. Houstoun, The Characteristics and Role of Illegal Aliens in the U.S. Labor Market: An Exploratory Study (Washington: Linton & Company Inc., 1976) p. S-4.
- 20 Ibid., pp. S-4 to S-8.
- 21 Ibid., p. S-15.
- 22 Julian Samora, Los Mojados: The Wetback Story (Notre Dame, Indiana: Notre Dame Press, 1971) pp. 60-69.
- 23 North and Houstoun, op. cit., p. 34 [they cite as their source both published and unpublished data supplied by the Immigration and Naturalization Service.].
- 24 Ibid., p. 96.
- 25 Ibid., p. 108.
- 26 Robert F. Mathieson: "Influx of illegal aliens and the unemployment rate", in Houston Chronicle, 3 Jan. 1975, Section 1, p. 13.
- 27 Samora, op. cit., Chapter VI.
- 28 North and Houstoun, op. cit., p. 105.
- 29 Robert Sayers and Thomas Weaver, "Explanations and Theories of Migration" in Mexican Migration (edited by Thomas Weaver and Theodore E. Downing), (Tucson, Arizona: Bureau of Ethnic Research of The University of Arizona, 1976), Chapter II.
- 30 Ibid., p. 22-24.

- 31 Briggs, op. cit.; also see Vernon M. Briggs, Jr., The Migration of Mexican Nationals into the United States: A Mounting Issue for the 1970's", in International Conference on Migrant Workers (edited by Ayse Kudat and Yilmaz Ozkan), (Berlin: International Institute for Comparative Social Studies, 1975), pp. 142-176.
- 32 Wendell Gordon, "A Case for a Less Restrictive Border Policy", Social Science Quarterly, (December 1975), pp. 485-491.
- 33 Peter B. Doeringer and Michael Piore Internal Labor Markets & Manpower Analysis (Lexington, Mass.: D.C. Heath Company, 1971), Chapter 8.
- 34 Michael J. Piore, "Perspective on Planning and Policy for the 'New Immigration' in the United States" in International Conference on Migrant Workers, op. cit., pp. 177-194; and Michael J. Piore, "The New Immigration and the Presumptions of Social Policy" Proceedings of the 27th Annual Winter Meetings of the Industrial Relations Research Association, (Madison, Wisconsin: Industrial Relations Research Association, 1975), pp. 350-358.
- 35 Piore, "Perspectives on Planning . . .", ibid., p. 179.
- 36 Samora, op. cit., p. 56.
- 37 Briggs, op. cit., Mexican Migration and the U.S. Labor Market, Ch. 6.
- 38 North and Houstoun, op. cit., p. 128-129.