CHICANOS AND RURAL POVERTY: A CONTINUING ISSUE FOR THE 1970s

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In the pursuit of a more equitable and humane society, events of the 1960s required that public attention be directed to the welfare of subgroups within the overall population. For although aggregate barometers of economic progress soared to unparalleled heights of prosperity, sectoral indicators often revealed differential lags and significant voids that spelled little change for numbers of citizens. Much of the unrest within the nation during this period emanated from the people who have been "left behind" and their mindful sympathizers.

In response, manpower programs have been launched, regional development discussed, equal employment legislation adopted, and a "war on poverty" proclaimed. Yet, a review of actual happenings reminds one of the old adage that "after all is said and done, more is said than done." The mainstays of national economic policy have continued to be fiscal and monetary policies. The fundamental institutional reforms that are necessary to abate the inequities within the American economic system are often dismissed as being undeserving of serious consideration. Attention centers upon the growth of the superstructure, while the underpinnings continue to rot for lack of structural repair.

A prime example of the incongruity between the pronouncements of public policy and the needs of human beings is to be found in the treatment of the Chicano population of rural America.

The Issue

For minority groups, employment is the most important source of income. Of all racial groups, none is more dependent upon farm employment than Chicanos. As of March 1971, 4.9% of employed men over age 16 in the nation were farm workers; for Chicanos, the comparable figure was 8.3% (U.S. Bureau of the Census, 1971: 11). If similar figures for females were available, the total percentage of Chicano farm workers would swell higher.

In terms of numbers, agriculture has been the mainstay of the rural economy for Chicanos. The vast majority of the Mexicans who migrated into the Southwest in the twentieth century came from a rural agricultural background. Speaking little English and having few skills to offer an urban labor market, most of these immigrants were swept up in the maelstrom of working in America's most exploitive industry. The sheer scale of agricultural operations in the Southwest meant that few immigrants were to have the opportunity to become farm or ranch owners themselves. The only exception to this is the settlement in Northern New Mexico which dates back to the seventeenth century and which was largely isolated from

regional development until the 1940s. For this small enclave, the major challenge to the Chicano community has come from the incorporation of their communal grazing lands into the U.S. national forest system (for a more complete discussion, see Steiner, 1970: chs. 3-7).

Agriculture, ranching, and mining dominated the industrial base of the Southwest throughout its early history and remain significant to this time. In the early days, these industries were highly labor-intensive. They were magnets for attracting migrant labor. They were also heavily capitalized industries, which meant that Eastern money and absentee ownership became the rule and is the pattern until today (Allen, 1966: ch. 4). For Chicanos, this means that it is "almost impossible to convert hard work into a stable base for gain" (Grebler et al., 1970: 90). There have been scant opportunities for advancement, since most agricultural jobs are of a dead-end variety. Except for the Depression years of the 1930s, it was not until 1965 that any effort was made to control the flow of immigrant labor into the industry's labor pool. The resulting low wage scale, combined with highly seasonal opportunities to work, meant that farm worker income has hovered at the subsistence level. The 1960 census disclosed that 52.2% of the Chicano families living in rural areas had an income below $3,000 a year (14.2% had an annual family income of below $1,000; U.S. Department of Agriculture, 1967: 12).

The unquestioned cause for the perpetuation of this deprived status upon the Chicano population in the rural Southwest is the public policy of the U.S. government and of the state governments of the region.

Labor Supply and Public Policy

Immigration from Mexico has since the 1920s centered upon agricultural labor policy. Chicanos have dominated agricultural employment in the Southwest. In California, for example, a 1964 report stated that 41.9% of all farm laborers were Spanish-speaking (Scholes, 1966: 74).[1] In 1960, census data disclosed that 20% of all Spanish-speaking wage earners worked at least some time in agriculture (U.S. Commission on Civil Rights, 1968: 953). Most of the immigrants came from rural areas of Mexico, which meant they had a rural culture and tradition. The original impetus was the "push" of the Mexican Revolution and the simultaneous "pull" of industrial needs of the United States during World War I. Many Anglos were drafted, and with immigration from Europe stopped for the first time in the nation's history, a new agricultural labor force was needed in the Southwest. After the war, many former agricultural workers did not return to the rural areas. Thus, the demand for Mexicans remained, and as they were not covered by the quotas imposed by the National Origins Act of 1924, the supply responded predictably. With no new immigrant group

seeking to fill the unskilled and semi-skilled jobs of the Southwest, the outflow from Mexico served to keep wages in these occupations at the "existence level." Until the Depression, Mexicans were welcomed. Then displaced "Okies" became the cheap labor supply, and many Chicanos were forcibly repatriated to Mexico. The period represents the nadir with regard to the suppressive attitudes of the Anglo community toward Chicano citizens. A congressman from Texas slanderously described Mexicans during this period as "a mixture of Mediterranean blooded Spanish peasants with low grade Indians who did not fight to extinction but submitted and multiplied as serfs" (North, 1970: 82). So it was that the Hoover administration initiated the first effort of the United States to regulate the flow of immigrants from Mexico.

It was not until World War II that Mexican farm workers were again needed. Originally they did not come in large numbers for fear of the draft and because the Mexican economy was prospering. A formal arrangement was consummated between the governments of the United States and Mexico in 1942 (P.L. 45) that provided guarantees on working conditions and steady employment for short periods of seasonal farm work. The Mexican labor program, better known as the "bracero program," was initiated as a war emergency measure. The formal program lasted until 1947. Under its terms, braceros were not allowed to be sent into Texas because of the widespread discriminatory treatment of Chicanos (McWilliams, 1968: 270-271). The binational agreement ended December 31, 1947, but it continued informally—but unregulated—until 1951, when it was reconstituted formally as P.L. 78 (Texas was now included). Public Law 78 was strongly supported by growers under the cloak of labor shortages induced by the Korean conflict. Table 1 indicates the magnitude of the program. Obviously, its peak usage was *after* the Korean War years. The program was terminated December 31, 1964. The operation of this controversial program served to displace many native Chicanos from the rural labor market. The proportion of Chicanos living in urban areas increased sharply from 66.4% in 1950 to 79.1% in 1960 (Barrett, 1966: 163).[2] The bracero was a prime contributor to the urban movement.

Accounts of grower favoritism of braceros to the detriment of native Chicanos were legion (Allen, 1966: chs. 6-7). The bracero program represents a classic example of how institutionally imposed rules can affect the exchange process in rural labor markets. The relative wage of agricultural workers to manufacturing workers declined sharply during this period. Growers claimed that if the program were abandoned a severe labor shortage would ensue. Yet if wages are artificially held at low relative positions, the fear of a domestic labor shortage can hardly be construed as a market phenomenon that justifies the existence of the program. The shortage, should it occur, would be man-made. The increases in wages

since the end of the program have clearly shown that domestic labor is available if the monetary inducements are in any way competitive with alternative opportunities. In reality, the bracero program can only be understood in the context of a prolonged series of government-sanctioned endeavors designed to guarantee many employers in the Southwest what is tantamount to a perfectly elastic supply of labor (i.e., a seemingly infinite number of available workers at a given wage rate; Jones, 1965: 5). The harshest aspect of the bracero program, however, was the symbolic indifference it manifested to the Chicano population:

> "Imagine, if you will, Big Steel importing as the nucleus of its work force Polish steelworkers willing to work at little more than Iron Curtain wages. Imagine the electronics industry bringing in cadres of patient Japanese assembly-line workers at subpar Oriental wages. Imagine the various manufacturing and construction industries importing in wholesale lots unskilled and semi-skilled workers from impoverished countries, eager to toil for a pittance. All of this with the stamp of approval—and helping hand—of the United States government [Jones, 1965: 51]."

The bracero program is formally a thing of the past. The problem of illegal entrants was, is, and probably will continue to be an issue. Always a problem, the number of illegal entrants from Mexico has soared since the end of the bracero program (see Table 1). The preliminary estimate of deportations of Mexican nationals for fiscal year 1971 is 357,000, with numerous others undetected (National Observer, 1971). Commenting on the sharp increase, Raymond F. Farrell, the commissioner of the Immigration and Naturalization Service, portended ominously before a congressional committee in 1971 that:

> "The trend will be upward. The Mexican-U.S. border situation has grown progressively worse. The job market in Mexico is not keeping pace with the population increase, the second largest in the world. The higher wage in the United States is ever present and border violations continue to mount [National Observer, 1971]."

Many growers and ranchers save money by knowingly employing illegal entrants. Controls were placed on the treatment of braceros which entailed expenditures of both money and time; there are none for illegal aliens. For American labor, the illegal entrants have served to depress wages and working conditions. In the matter of housing, for instance, the braceros were and most illegal entrants are single men, whereas the domestic migrants are often families, which raises costs for housing.

TABLE 1

A Comparison of Annual Numbers of Mexican Braceros and Deported Mexican Nationals, 1948-1970

	Mexican Braceros	Illegal Entrants, Deported to Mexico
1948	35,345	193,852
1949	107,000	289,400
1950	67,500	469,581
1951	192,000	510,355
1952	197,100	531,719
1953	201,380	839,149
1954	309,033	1,035,282
1955	398,650	165,186
1956	445,197	58,792
1957	436,049	45,640
1958	432,857	45,164
1959	437,643	42,732
1960	315,846	39,750
1961	291,420	39,860
1962	194,978	41,200
1963	186,865	51,230
1964	177,736	41,589
1965	20,286	48,948
1966	8,647	89,683
1967	7,703	107,695
1968	0	142,520
1969	0	189,572
1970	0	265,539

SOURCE: U.S. Department of Labor, cited by William E. Scholes, "The Migrant Worker" in Julian Samora (ed.), **La Raza: Forgotten Americans** (South Bend: University of Notre Dame Press, 1966), p. 67. Amended thus: (1) the bracero figures for 1965-1968 from **Hearings** before the U.S. Commission on Civil Rights (December, 1968), p. 984, and (2) the illegal aliens deported to Mexico figures for 1964-1970 from **Hearings** before Subcommittee No. 1 of the Committee of the Judiciary of the House of Representatives on "Illegal Aliens" (May 5, 1971), p. 27.

The problem of the impact of illegal entrants upon Chicano welfare for the 1970s cannot be overstated. Illegal entrants are rapidly increasing. As most are single men, extremely poor, and know only farm labor, they are a real threat to Chicanos who also seek employment in the agricultural and nonfarm rural economy. A 1970 study, which recommended a sweep of the border area by immigration officials (similar to those of the early 1950s), summed up the prevailing situation as follows: "If no stepped-up actions, and sensible ones, are taken, we will shortly be back in the situation we had in the fifties when labor markets along the border and inland were flooded with these hapless and rightless workers" (North, 1970: 135). Illegal entrants are both the victims themselves and the perpetrators of suffering to others in the rural economy of the Southwest.

Presently the immigration statutes contain the so-called "Texas proviso." Originally adopted as a compromise to the Texas congressional delegation, the proviso states that the services employers provide for employees (e.g., housing, food, and transportation) shall not count as illegal acts of harboring illegal immigrants. Clearly, the intent of the section is to render employers immune from prosecution if they hire illegal entrants. To this end, the exemption has accomplished its objective, and until it is made illegal, the practice will continue. As it stands, it is a game of chance for the illegal worker. If he is caught, he is deported; if not, he has a job that is often better than the alternatives available south of the border. For the businessman, there is no risk of loss, with only gains to be had from tapping a cheap source of labor.

No discussion of the Chicano labor market would be complete without mention of its most unique phenomenon: the commuters. It has been aptly said that "the commuter is this generation's bracero." Commuters live in Mexico but work in the United States. They may be Mexican nationals or U.S. citizens (including those who have been naturalized). Principally, two groups are involved. "Green carders" (so named for the original color of the cards used to cross the border) have been legally admitted as immigrants and are free to live and work anywhere in the United States. "White carders" (similarly named for the color of their border-crossing cards) are classified as legal visitors who supposedly can stay in the United States for only 72 hours at a time. "White carders" are technically forbidden to be employed while "visiting" this country—but it is an accepted fact that the law is honored largely in its breach (U.S. Commission on Civil Rights, 1968: 983).[3] Similarly, a court decision acknowledged it to be "amiable fiction" that many "green carders" actually reside in the United States (Grebler et al., 1970: 73). For a substantial number, false addresses (e.g., only a postal mail box number or the home of a relative) suffice while their actual residence is in Mexico.

Beginning with the Immigration Act of 1952, the Secretary of Labor was granted the authority to block entry of immigrants from Mexico if their presence would endanger prevailing American labor standards. The Immigration Act of 1965 added to the authority of the U.S. Department of Labor, setting forth a requirement that job seekers must also acquire a labor certification stating that a shortage of workers exists in the applicant's particular occupation and that his employment will not affect prevailing wages and working conditions adversely. The certification procedure became effective July 1, 1968. The certification is made *only once*—at the time of *initial* application as an immigrant.

In addition to labor certification, a number of other formalities are involved in the process of securing a "green card." To obtain a visa, a good conduct statement must be obtained from Mexican police officials; a birth

certificate and a Mexican passport are required; an interview with an American consular official must determine that the applicant is of good moral caliber and that it is unlikely he will become a public charge; and a medical examination must be passed. If the visa is granted and labor certification approved, the Immigration and Naturalization Service (INS) can issue a "green card." The few data available indicate that it is the "possibility of becoming a public charge" that is the major reason for denial of entry to the many who apply for the visa (North, 1970: 95-96). To secure a "white card," the consular decision on such matters is not required.

There are ways of circumventing the restrictions for obtaining a "green card." All family members of anyone who holds a "green card" are eligible for American citizenship upon application. Any relative of an adult American citizen is also eligible, and these people are exempt from the 120,000 quota limitation imposed in 1968. Moreover, if a Mexican citizen has a child while in the United States, the child's birth gives it citizenship, which then entitles all relatives of the child to claim citizenship.

Once a "green card" is obtained, the holder is free to come and to go as long as no absence from the United States exceeds one year in duration or no period of unemployment exceeds six months. In theory, the "green carder" is identical to any other resident immigrant; in fact, this is not the case. "Green carders" do not have to live in the United States; they must be employed to retain their status; they cannot serve as strikebreakers; and they cannot count the time that they lived in foreign countries toward the years needed to become an American citizen. In practice, however, most of these distinctions are not significant. The requirement regarding six months' unemployment is not enforced on the Southern border (it is enforced on the Canadian border; North, 1970: 89); the anti-strikebreaker rule is so easily circumvented that it is essentially meaningless, and many "green carders" are simply not interested in becoming American citizens.

It is only in a technical sense that "green carders" resemble other resident immigrants. A thorough 1970 study of "green carders" revealed that few actually register for the draft (even though they are required to do so; North, 1970: 205). Those who do register are almost always classified as I-Y or IV-F (North, 1970). The reason for the large number of I-Y classifications is that the intelligence test is given only in English. Only in Puerto Rico is the draftee given a choice of taking the test in Spanish or English. The same study disclosed that most "green carders" seldom pay federal income taxes either (North, 1970: 209-210). "Green carders" simply claim a sufficient number of deductions to assure that no taxes are due. The Internal Revenue Service (IRS) is not permitted to cross the Mexican border to check the validity of deduction claims. Moreover, the Immigration and Naturalization Service does not use social security

numbers for identification purposes, so their records are of little use to IRS officials. The fact that wages of domestic and of farm workers are not subject to withholding tax provisions makes the tax situation even more absurd (North, 1970: 211). As for "white carders," they are nonresident aliens who are *not* supposed to hold jobs. Hence, there can be no collection of taxes unless the entire masquerade is exposed.

Precisely how many commuters of either the "green" or "white card" variety there are is a mystery. A 1969 report claimed that "approximately 70,000 persons cross the Mexico border *daily* to work in the United States" (Ericson, 1970: 18; italics added). Of these, 20,000 were U.S. citizens living in Mexico; 50,000 were Mexican immigrants with valid immigration documents, but who live in Mexico while working in the United States. A report by the U.S. Commission on Civil Rights (1968: 985, 1000) placed the *total number* of "green card" holders at 650,000 with an additional 1,250,000 "white card" holders. The fact that there are no reliable data pertaining to the precise numbers of these commuters has been labeled "astonishing" in the most comprehensive study of Chicanos conducted to date (Grebler et al., 1970: 73).

A restriction was placed on the employment of "green carders" in 1967 which bars them from employment at locations at which there is a certified labor dispute (certified by the Secretary of Labor). The effect of the anti-strikebreaker amendment is largely nullified by the fact that employers usually have ample time after a dispute occurs to employ "green carders" before official certification (U.S. Commission on Civil Rights, 1968: 985). Because there is no notation of when "green carders" cross the border, it is impossible to tell whether the possessor of the card was hired before or after a strike was called. Furthermore, a strike situation in the United States differs markedly from that in Mexico. In Mexico, it is against the law for a plant to operate if a strike is called; this is not the case in the United States. American enterprises that are struck may elect to keep open if they can find workers willing to cross picket lines. In the agricultural industry, this is the usual practice. Consequently, not all "green carders" and others coming from Mexico fully understand the circumstances. In other instances, studies have shown that some "green carders" fear that their cards could be revoked should they participate in a strike; they are simply not interested in being unionized; or they are not accessible to union organizers and strikers because employers transport them from the border gate directly to the job site (North, 1970: 171).

Strangely, the commuter system functions without a statutory base. Prior to 1927, there were no formalities involved in crossing the border. Commuting workers were viewed as "alien visitors." On April 1, 1927, however, the Immigration and Naturalization Service ruled that such individuals were to be considered immigrants and required a visa to be so

classified. The INS decision was upheld by the Supreme Court in 1929 (Karuth v. Albro) with the famous interpretation that "employment equals residence" (thereby avoiding the permanent residency requirement of the immigration statutes). The question of actual residence, therefore, became a moot point insofar as the INS was concerned. For contemporary justification, the perpetuation of the system is derived from a Board of Immigration Appeals decision in 1958. "The commuter situation does not fit into any precise category found in the immigration statutes. The status is an artificial one, predicated upon good international relations maintained and cherished between friendly neighbors" (North, 1970: 987).[4] The commuters themselves are often exploited (e.g., see Rungeling, 1969). They do *not* receive any of the legal protection extended earlier to braceros: employers are not required to pay them the prevailing wage; transportation between jobs is usually not provided; and there is no guarantee of a certain number of days of work.

Of course, not all commuters work in agriculture. Many work in low-wage garment industries and retail shops on the U.S. side of the border. Nonetheless, one estimate is that "60 percent or more of all commuters" entering California and Arizona are farm workers; in Texas, the figure was listed as 18% (Ericson, 1970: 20). Yet their presence has had its effect on both the border economy and the character of rural employment for Chicanos living in the region. As the U.S. Commission on Civil Rights (1968: 998) stated:

> "The impact of the commuter is particularly acute in agriculture where mechanization is rapidly reducing job opportunities. Due to the high concentration of farms along the border and the fact that commuters often work in the lowest skilled, lowest paid jobs, farm workers, who are already underpaid, are the first to suffer competition from the commuter. Furthermore, the use of commuters as strikebreakers is especially damaging to this group's organizational struggles."

In addition, the impact of commuters has forced many Chicanos who are permanent residents of the United States and who must survive in its climate of higher costs of living into the migratory worker stream. The U.S. Commission on Civil Rights (1968: 1003) reported that the lack of jobs in South Texas forced 88,700 farm workers in 1968 to migrate elsewhere to find employment, while commuters easily find jobs in the local economy. One-half of the Texas migrant workers come from the four counties of the Lower Rio Grande Valley (U.S. Commission on Civil Rights, 1968). The importance of the welfare of migratory workers to a study of rural poverty cannot be overstressed. In fact, migratory

agricultural work is the single largest occupational category for the Chicano labor force.

In brief summary, the effect of the commuter system on the U.S. side of the border is felt primarily by the working poor, who must compete with the commuters. Employment opportunities for American workers are reduced; wages are kept low; union organization is hampered; seasonal migratory work becomes the prime alternative. Accordingly, the presence of the commuters seriously aggravates the already bleak economic situation caused by agricultural mechanization and population increase in the border region.

In defense of prevailing border employment practices one authority (Jones, 1970: 83) has written:

> "The commuter system is very much a tacit trade agreement because it permits Mexico to make direct export of unemployment and Mexico earns foreign exchanges through repatriation of commuter earnings. To further the analogy that commuters are merely part of a trade flow is the idea that commuters constitute indirect subsidy to United States businesses to offset foreign exporters' cost advantages in production of textiles and other products manufactured principally in Asia and Southern Europe."

Accordingly, this spokesman argues that the workers (mostly Chicanos) on the American side of the border should be eligible for special training and relocation allowances provided under the terms of the Trade Expansion Act of 1962. The relevant provisions of this act call for a determination by the Tariff Commission that American workers are suffering unemployment or underemployment due to increased imports granted under trade concession agreements (Jones, 1970). Needless to say the Tariff Commission has not to date made any such ruling. Moreover, it is a questionable procedure to view the commuter system itself in the same terms as a "trade agreement" between nations. Trade agreements are established to affect the shipment and production of tangible products and natural resources. Long ago, the Clayton Act asserted "that the labor of a human being is not a commodity or article of commerce." Laws that are designed to affect the transport of commodities should not be equated with the needs of human beings. What may be sound policy for the transport of electric components or men's undershirts may be quite inadequate when applied to the survival and prosperity of human life. To say that the commuter system is only a trade agreement is to denigrate the value of human life. The commuter system serves to depress and to prevent improvements in working conditions for Chicanos. It is a system that

would be intolerable to any other class of citizens but is sanctioned in this instance because the victims are the defenseless and voiceless poor.

A host of proposals have been offered to lessen the effects of the commuter system. Among them are its immediate termination; standardization of the labor certification process to require periodic reviews rather than an initial determination only of the impact of the "green carder"; establishment of a nonresident work permit with regular review decisions; installation of a commuter tax on employers; issuance of a commuter ticket that would be purchased by those who cross the border for employment; and the launching of a local drive by border employers to give preference to U.S. residents (Ericson, 1970: 23-26). The U.S. Commission on Civil Rights (1968: 1001) has also heard recommendations that sanctions be imposed against U.S. employers who knowingly employ "white carders" and that specific limitations be placed on the time a "green carder" can stay before becoming a U.S. citizen (U.S. Commission on Civil Rights, 1968: 445). Another study (Schmidt, 1970: 46) contends that current border employment practices violate Title VII of the Civil Rights Act of 1964. This contention is based upon the ban on discrimination on the basis of national origin contained in the law. By favoring Mexican nationals, it is alleged that the law is being violated. The U.S. Department of Labor claims that the economic slump in the United States in the late 1970-early 1971 period has reduced the significance of the "green card" issue. Denial of labor certification has sharply curtailed the number of *new* green cards being issued.[5] For those people already possessing such cards, of course, there has been no effect, since the certification process is presently a "one time only" review. Moreover, it is logical to assume that once the economy recovers, the restrictive practices regarding card issuance will be relaxed once more.

The commuter issue is part of the explanation for the disproportionate number of Chicanos who comprise the migratory farm labor pool. A U.S. Senate report (Committee on Labor and Public Welfare, 1969: 25) concluded "that migrant farmworkers and their families were a forgotten minority, the neediest and least served of any in America." In 1967, migrant farm workers numbered 276,000—about 9% of the nation's total agricultural work force during that year (Committee on Labor and Public Welfare, 1969: 25). Although the percentage is small when compared with the nationwide agricultural employment figures, the presence of migrant farm workers is highly significant in certain geographic areas and at certain times of the year for specified crops. It is estimated that about 25% of all migrants are Chicanos and that about 40% of Chicanos employed in agriculture are migrant workers (Committee on Labor and Public Welfare, 1969: 5).

Although some migrant workers were employed in 46 states in 1968, they were concentrated in the Southwest. The main reason for their predominance in the Southwest is that many crops of the region are grown under irrigation conditions. As water is scarce in these localities, the areas are sparsely populated; hence, local labor supplies are inadequate to meet seasonal employment demands. Nearly 70% of total migrant employment in 1968 occurred in nine states: California, Florida, Michigan, New Jersey, New York, Ohio, Oregon, Texas, and Washington (Committee on Labor and Public Welfare, 1969: 7). Of these nine states, California and Texas together accounted for 31% of the total amount of employment. Unquestionably, most of the migrants in the Southwest are Chicanos.

The deprived economic status of migratory workers is too well known to be recounted. Suffice it to say, "a person does not become a migrant farm worker if he has any other possible method of making a living" (North, 1970: 175). The work is physically demanding; it is poorly paid; accordingly, "it attracts only those who have no alternatives." Yet in their daily endeavors, these workers demonstrate an amazing adherence to the Protestant ethic, to which so much lip service is so frequently and reverently directed (Committee on Labor and Public Welfare, 1969: 17-18). The fact that in 1968 about 100,000 of the nation's migratory workers came from the Southern border region of the nation means that understanding and remedial attention should be directed there. Large numbers of "green and white card" commuters find employment in agriculture in these very border regions spawning the single greatest source of migratory workers. Although an end to the commuter system would not stop the migratory exodus from the border areas, it would lessen the pressure (North, 1970: 178). Another significant factor would be a vigorous crackdown on illegal entrants who flood into the farm labor source (e.g., one 1970 study of the border economy uncovered 72% of the illegal entrants employed in agriculture; North, 1970: 132). It is likely that farm employment provides the single greatest source of employment for these illegal entrants. While it is true that Mexico would likely raise objections to curtailing the commuter system, it could hardly object to more stringent controls placed upon the illegal entrants.

It follows that unless and until some measure of control with respect to the quantitative supply of labor is adopted, the outlook for human resource development efforts in the rural economy of the Southwest is dim.

Agricultural Employment and Public Policy

Regardless of race, anyone employed in the agricultural sector is a second-class citizen. Although large farm owners are the most privileged

group in American corporate society (with import quota protection; antitrust law exemptions; price supports; soil bank purchases; subsidized research, irrigation, land reclamation, and erosion projects; and special property tax rates), farm workers survive only by the law of the jungle. In no sector is Michael Harrington's famous thesis—that the welfare state has brought the benefits of socialism to the rich and the horrors of laissez faire to the poor—more vividly exemplified.

Coverage by state legislation of farm workers in the Southwest with regard to workmen's compensation, minimum wages, overtime pay eligibility, unemployment insurance, and housing conditions is presented in Table 2. No state minimum wage law would bring the worker up to the minimum poverty level, even if it were possible to secure year-round employment. Only California provides workmen's compensation coverage despite the fact that agriculture is the third most hazardous industry in the nation. The increasing use of herbicides and pesticides—with their yet unknown effects on farm workers—makes this void even more inhumane. No state provides unemployment protection. In addition, because most states have residency requirements, migrant workers and their families are

TABLE 2

Status of State Laws in the Southwest Pertaining to Farm Workers (as of December 1, 1967, unless otherwise noted)

State	Compensation	Minimum Wage	Overtime Wage Coverage	Unemployment and Disability Insurance	Housing
California	Compulsory	$1.65 for women and $1.35 for minors (16 to 18 years)	Exempt	Disability provided for most workers	Mandatory standards
New Mexico	Voluntary, at discretion of employer	$1.30[a]	Exempt	None	Mandatory standards
Texas	None	$1.10[b]	Exempt	None	None
Colorado	Voluntary, at discretion of employer	None	None	None	Mandatory standards
Arizona	Compulsory for some workers	None	None	None	Mandatory standards

SOURCE: U.S. Commission on Civil Rights (with selected updates).

a. As of 1969.

b. As of 1970.

usually denied eligibility for welfare assistance and food stamps. The only Southwestern state with a state labor relations act is Colorado, whose law does not cover agricultural workers.

With regard to federal statutes, the pattern is the same. It was not until 1966 that farm workers were extended limited coverage under the Fair Labor Standards Act. The minimum wage set is $1.30 an hour, which became effective in 1969 for covered workers. To be covered, workers must be employed by employers using more than 500 man-days of farm labor in any calendar quarter of the preceding calendar year. As a result, the wage applies to less than 1% of all farms and less than 400,000 of over 3,000,000 farm workers. All farm workers are excluded from the overtime pay provision of the act. Because of lack of knowledge of its existence and because enforcement authority is scant, it is acknowledged that the act has had questionable impact even for the limited numbers it embraces (U.S. Commission on Civil Rights, 1968: 963). Federal and state laws exempt from coverage hand harvest laborers who "customarily and generally" have been paid on a piece rate basis.

As for child labor, the Fair Labor Standards Act does forbid the employment of a person under the age of 16 years to work during school hours. The Sugar Act of 1937 prohibits the employment of a child under 14 years at any time. Yet the pattern for Chicanos is to work together as a family in the fields, and laws never enforce themselves.

Farm workers are not covered by the National Labor Relations Act. Accordingly, there is no stipulation that requires recognition of a bargaining unit or good faith bargaining over wages, hours, and working conditions. In 1968, an effort was made to extend coverage of the law to farms with twelve or more employees and an annual wage bill of at least $10,000 a year. It was estimated that only about 1.4% of the total farms in the nation would be affected and that about 622,000 farm workers would be included (Rendon, 1970: 144). With the large farms and ranches that dominate the Southwest, the effect could have been significant for many Chicanos, but the bill was not adopted.

It should be noted in passing that Cesar Chavez, director of the United Farm Workers Organizing Committee, has expressed several reservations concerning blanket coverage of agricultural workers under the existing National Labor Relations Act as amended. Chavez desires to have the same period of prolabor legislation that the Wagner Act of 1935 afforded other industrial unions before the basic act was made restrictive to labor by the amendments and additions of the Taft-Hartley Act of 1947 and the Landrum-Griffin Act of 1959. As he puts it, "we too need our decent period of time to grow strong under the life-giving sun of a public policy which affirmatively favors the growth of farm unionism" (Chavez, 1969:

23). Thus, Chavez seeks NLRA coverage subject to the following three conditions:

(1) Exemption for a time from the Taft-Hartley provisions which restrict traditional union activity, especially the ban on recognition picketing and the so-called secondary boycott, made especially repressive by the manadatory injunction in both cases.

(2) Exemption from the operation of Taft-Hartley Section 14(b) which makes misnamed state "right-to-work" laws operative in interstate commerce.

(3) It should be made an unfair labor practice for a grower to employ anyone during a strike or lockout who does not actually have a permanent residence in the United States.

The only federal statute that has contained provisions designed to ensure minimum benefits to migratory workers has been the Sugar Act of 1937. Under this act, subsidies were made available to domestic producers of beet sugar and cane sugar. To qualify for the subsidy, however, the grower had to pay a wage no lower than that set annually by the U.S. Department of Agriculture. The wage rates are set geographically and by crop (i.e., sugar beets or sugar cane) by an open hearing. In practice, there is seldom any spokesman available for the workers, who are usually unorganized by any union, while the growers and refiners have organized expertise available through their associations. When the workers have had spokesmen, they have not been competent to meet the arguments of the producers (Fisher, 1953: 107). For the Southwest, the applicable wage is that set for sugar beets in California and Colorado. Effective April 1969, the minimum wage was $1.65 an hour with exceptions for various hand labor operations in which fixed wages per acre prevail. Deductions are permitted for meals and transportation costs provided by employers.

Several special enactments affecting rural Chicanos were passed during the 1960s, including the Bilingual Education Act (passed as Title VII of the Elementary and Secondary School Act Amendments in 1967) and amendments to Title I of the same act which provided compensatory education funds to migratory workers for the first time. The earlier Migrant Children Educational Assistance Act of 1960 and the Migrant Health Act of 1962 represented the initial breakthroughs of federal legislation pertaining to the welfare of migratory workers. These programs, however, were based upon matching funds from the federal government to state-initiated projects. In addition, the Farm Labor Contractor Registration Act of 1963 was enacted in response to abuses by unscrupulous crew leaders. Also, the Interstate Commerce Commission has instituted regula-

tions affecting the transportation of three or more farm workers for a distance of 75 miles or more across state boundaries. The regulations pertain to equipment safety, required rest stops, seats for passengers, and regular driver changes. As for intrastate transportation of farm workers, only one Southwestern state—California—has provided state regulations.

The usual excuse for making farm workers the exception to every statutory enactment is often alleged to be that inclusion will hasten mechanization or that it will have inflationary effects upon the economy. As for the former, the only barrier to the introduction of equipment is the time needed to perfect it. It has certainly not been a rise in labor costs that has provoked the accelerated substitution of capital for labor-giving agriculture the highest (since 1947) productivity increases of any industrial sector of the economy. As for inflation, farm labor costs have a negligible effect. The cost of farm labor ranges from about 2 cents to 5 cents per dollar value of farm produce (U.S. Commission on Civil Rights, 1968: 964). It is usually assumed that an item that is a small portion of total cost should be able to increase its factor income with little resistance—the so-called "importance of being unimportant" phenomenon. For farm labor, the theoretical proposition must be restated to read "the unimportance of being important."

Long ago, Henry George wrote that the cost of production should include "the blood of the worker" (as his justification for the enactment of state workmen's compensation laws). Certainly today the sweat of the workers should be compensated for at a level which will provide income above the poverty level. The annual increases in farm productivity (of between 5 and 10% a year) should be easily able to absorb the wage rates required to provide a humane standard of living *without any increase in consumer prices.* If they cannot, the conventional economic postulates that relate factor payments to factor productivity are in worse shape than even their most harsh critics have argued.

Rural Life and Manpower Policy

The impact of the "manpower revolution" of the 1960s upon the rural labor market for Chicanos has been so small as to leave little imprint. The nationwide thrust of manpower policy has been upon the improvement of the employment potential of urban workers. Yet although all rural workers have been neglected relative to urban workers, Chicano rural workers have been ignored even more than either rural Anglos or rural blacks.

There are several reasons why, in general, rural workers tend to be ignored. First, there is the problem of politics. Training slots for institutional MDTA classes, MDTA on-the-job training, Neighborhood

Youth Corps, New Careers, Special Impact, and Work Incentive programs represent dollars, and dollars represent patronage. When push comes to shove, urban areas have had more muscle in securing these undertakings. The competition for supporting funds usually combines the vested interests of public schools, vocational schools, community action agencies, and junior colleges with the lobbying strength of city governments, organized community pressure groups, unions, and corporate interests. Second, adults in many rural areas fear that the formal training afforded under these programs is designed to prepare young people for jobs available only in the city; hence older people tend to oppose programs which they feel may stimulate outmigration by a region's most productive workers. The result, of course, is that the young people leave anyway and suffer severely from inadequate academic preparation and the lack of exposure to vocational education classes in any subject except agriculture-related topics. Third, the downtrodden who live in rural areas have a severe "audibility gap." In urban areas, civil disorder and collective action have served as a prod to manpower program enactments. In rural areas, the population is diffused, and the opportunities to threaten, picket, sit-in, or burn down are sparse. Who knows or is really concerned with how many grass fires have been started, fences cut, stones thrown, curses shouted, or fists shaken by anguished rural souls? In a city, such conduct seldom goes unnoticed or unpublicized.

With specific regard to Chicanos in rural poverty, there is an additional factor: namely, the concentration of Chicanos in the Southwest has meant that they are virtually unknown to most Americans. As such, they have been neglected in the formulation of program design and in the staffing of program operations. The civil rights movement of the 1960s did not result in public concern for the plight of Chicanos. Thus, the impetus given by this social movement to the development of manpower policies has only included as an afterthought the needs of Chicanos. It is indeed ironic that to the degree that there are Chicano leaders with national reputations, they are singularly associated with rural life.

For the most part, the thrust of manpower policy for rural Chicanos has been upon adult basic education, adult migratory education, and Neighborhood Youth Corps. Any review of existing manpower program offerings in the rural Southwest leads to one inescapable conclusion: virtually no occupational training is being provided (Briggs, 1971: ch. 6). Where present, however, the manpower programs do insist that all participants be "permanent residents of the United States" and that they actually reside in the United States. The address subterfuge that is tolerated by the Immigration and Naturalization Service is not allowed by the U.S. Department of Labor. Thus, program eligibility along the border areas and in the relevant rural areas is markedly reduced. Yet once the

participant in one of these manpower programs completes his training, he must compete for the same entry-level jobs that the "green carders," "white carders," illegal entrants, and nontrainees are also seeking.

Conclusions

Chicanos are disproportionately represented in the agricultural sector of the economy. The welfare of Chicanos who reside permanently in either rural America or urban areas but who work seasonally in rural occupations is intertwined with existing public policy measures. The economic plight of rural Chicanos is a classic example of administered social oppression. By purposefully denying coverage by social legislation to workers on farms and in most small rural businesses and by allowing a continual flow of unskilled commuters and illegal entrants to depress prevailing working standards, the federal government makes Chicanos the victims of institutionally imposed and sanctioned poverty.

In an era in which many of the "new solutions" have become "new problems," rural life still has all of the "old problems" to overcome. Hence, before serious consideration can be given to initiating new proposals to develop job opportunities by attracting industry to rural areas or to expediting the migration of rural workers to urban areas, first priority should be given to rewriting the current rules that govern rural working conditions.

There is no monistic solution to the problems of the Chicano rural labor force and their families. An obvious beginning, however, would be to regulate the flow of entrants into the rural economy of the Southwest. U.S. Department of Labor officials argue that the supply of new "green carders" has been sharply curtailed since 1968. Assuming the position is valid, the policy of refusing to issue (or at least sharply reducing the number of) new cards is a step in the right direction. Such a policy does not adversely affect those people who already have "green cards," so the practice should arouse little ire from the Mexican government. On the other hand, as earlier discussion has shown, the exemptions from the labor certification process are so numerous (one reliable estimate is that 90% of all commuters are presently exempt from certification; Jones, 1970: 85) that even if certification denials are increasing, the impact on the total number of crossers may be marginal.

If some sort of commuter system must exist for political reasons, there is no reason why it must continue in its present form. Many people have proposed that a new class of commuters be established. If legitimate and short-term labor shortages occur, a new card (in reality a work permit) could be granted for a specified time period. Unlike the present "green cards," the proposed card would not entail any future immigration

commitment. The bearer would be entitled to cross the border if he met prescribed standards. Obtaining such a card would not make the recipient a resident immigrant, nor would it provide any other family members or relatives the right to eventual citizenship.

Actually, for all intents and purposes, such a nonequity card already exists. It is known as an "H-2 visa" and is issued by the U.S. Department of State to meet demands for temporary workers under special circumstances. Under such an arrangement, it would be possible to regulate the supply of labor crossing the border. As a corollary, it is mandatory that *all* existing immigration laws be rigidly enforced. A drive to return illegal entrants already in the country should be given high priority. Similarly, a crackdown on American employers who disregard labor laws should simultaneously be initiated. A new law should be enacted making it illegal for employers to hire illegal entrants, and appropriate sanctions should be imposed; checks on employers to assure that social security taxes are being collected from commuters should be conducted on an intensive basis; careful scrutiny should be given to the detection of forged documents which allegedly do a thriving border business; and loopholes in the anti-strikebreaker provisions should be closed.

For those immigrants who are legally admitted, the U.S. government should assume the responsibility for aid in finding employment and housing throughout the nation (for a discussion of the potential of labor relocation programs in the South Texas area, see Hansen, 1969). The current resettlement operations to assist Cuban immigrants could serve as a useful prototype.

Needless to say, a concerted program of economic development of the border region could reduce some of the pressure upon Chicanos in the regions to find scarce jobs. The climate as well as the proximity to Mexico should make the area a thriving center for conventions, vacations, and retirees.

The isolation of workers employed in agriculture and small rural business from coverage of generally accepted social legislation in other sectors must end. They too deserve the minimum protection afforded by unemployment compensation, union organization, welfare coverage, and comparable minimum wage and overtime pay guarantees with those set elsewhere in the economy. The original philosophical argument for the existence of these programs has always been the simple proposition espoused by Edwin Witte in the 1930s: "It's good social policy." What is different about an agricultural worker who is maimed while at work; or who is unemployed for 15 weeks a year; or who is paid a lower wage for doing more arduous tasks for longer hours; or who is subject to arbitrary and unilateral treatment by an employer? The only distinction is that the law makes one.

All recent studies show that per capita income is the principal determinant of education, health, housing, and leisure activities. Income for rural Chicanos flows almost exclusively from employment, and unfair, unequal, and inequitable public policies restrict the employment experiences of Chicanos and limit their opportunities for income. This must cease. The possible stimulation that equal treatment might give to mechanization is academic at this point. It will happen. The only relevant question is, what of the people? There are currently jobs in both the agricultural and the rural nonfarm sectors which could provide income above poverty levels to hundreds of thousands of people if the institutional restrictions were removed. If they are not, full support should be given to income maintenance and public service employment proposals to bolster rural family incomes along with the full complement of supportive services necessary to overcome the prevailing Hobson's choice of moving to urban barrios.

NOTES

1. The figure includes a small number of Filipinos. With this exception, the Spanish-speaking as it applies to agricultural workers in the Southwest refers overwhelmingly to Chicanos. There is little evidence of the presence of Cubans or Puerto Ricans. It is true that some Puerto Ricans are employed in agriculture, but they are predominantly in the Southeast. Moreover, most of these Puerto Ricans work under special and supervised programs between the governments of the United States and the Commonwealth of Puerto Rico. For the most part, the Puerto Rican population of the United States has represented a movement of urban people from the island to urban areas of the continental United States.

2. The figures are from the U.S. census for the respective years.

3. This information is drawn from a part of the staff paper presented to the U.S. Commission on Civil Rights (1968: 983), from a section entitled "The Commuter on the United States-Mexico Border."

4. The original citation is Matter of M.D.S., 7 Immigration and Naturalization, Dec. 209 (1958).

5. This information is taken from a personal interview with the regional director of the Rural Manpower Service of the U.S. Department of Labor, in Dallas, Texas, on February 5, 1971.

REFERENCES

ALLEN, S. (1966) "Agribusiness: the corporate sector," in The Ground is Our Table. Garden City, N.Y.: Doubleday.

BARRETT, D. N. (1966) "Demographic characteristics," in J. Samora (ed.) La Raza: Forgotten Americans. Notre Dame, Ind.: Univ. of Notre Dame Press.

BRIGGS, V. M., Jr. (1971) "Chicanos and rural poverty: a continuing issue for the 1970's" Final Report to the Office of Economic Opportunity, Human Resource Development in the Rural South, University of Texas Center for the Study of Human Resources. (mimeo)

CHAVEZ, C. E. (1969) Statement before the Subcommittee on Labor of the Committee on Labor and Public Welfare of the U.S. Senate, Ninety-First Congress, First Session, April.

Committee on Labor and Public Welfare (1969) "The migratory farm labor problem in the United States." Report of the Committee, U.S. Senate, Ninety-First Congress, First Session, February 19.

ERICSON, A. -S. (1970) "The impact of commuters on the Mexican-American border area." Monthly Labor Rev. (August).

FISHER, L. (1953) The Harvest Labor Market in California. Cambridge, Mass.: Harvard Univ. Press.

GREBLER, L. et al. (1970) The Mexican-American People. New York: Free Press.

HANSEN, N. M. (1969) "Improving economic opportunity for the Mexican Americans." Economic and Business Bull. (Fall).

JONES, L. B. (1970) "Alien commuters in the United States labor markets." International Migration Rev. (Spring).

——— (1965) "Mexican American labor problems in Texas." Ph.D. dissertation. University of Texas at Austin.

McWILLIAMS, C. (1968) North from Mexico. New York: Greenwood Press.

National Observer (1971) "Human wave of Mexicans splashes across border." (October 16).

NORTH, D. S. (1970) The Border Crossers: People Who Live in Mexico and Work in the United States. Washington, D.C.: Trans Century Corp.

RENDON, A. (1970) "How much longer . . . the long road," in J. H. Burma (ed.) Mexican Americans in the United States. Cambridge: Schenkman.

RUNGELING, B. S. (1969) "Impact of Mexican alien commuters on the apparel industry of El Paso: a case study." Ph.D. dissertation. University of Kentucky.

SCHOLES, W. E. (1966) "The migrant worker," in J. Samora (ed.) La Raza: Forgotten Americans. Notre Dame, Ind.: Univ. of Notre Dame Press.

SCHMIDT, F. H. (1970) Spanish Surnamed American Employment in the Southwest. Washington, D.C.: Government Printing Office.

STEINER, S. (1970) La Raza: The Mexican-American People. New York: Free Press.

U.S. Bureau of the Census (1971) "Selected characteristics of persons and families of Mexican, Puerto Rican, and other Spanish origin: March, 1971." Current Population Reports Series P-20, 224. Washington, D.C.: Government Printing Office.

U.S. Commission on Civil Rights (1968) "Farm workers." Staff Report, Hearings, San Antonio, December 9-14.

U.S. Department of Agriculture (1967) "Low-income families in the Spanish-surnamed population of the Southwest." Economic Report 112.