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# Foreign Policy Implications of Illegal Immigration from Mexico

## **Abstract**

Public testimony by Prof. Briggs given before the Committee on International Relations, U.S. House of Representatives, May 24, 1978.

## **Keywords**

testimony, immigration, policy, practice, Mexico, foreign, illegal

## **Comments**

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Foreign Policy Implications of Illegal  
Immigration from Mexico

Vernon M. Briggs, Jr.\*

Introduction

Despite the fact that the United States is in the midst of the largest movement of new immigrants into this country in its history, the phenomenon is largely unrecognized or ignored. Since the passage of the Immigration Act of 1965, legal immigration has provided about 400,000 persons a year (or about twice the annual average under earlier legislation for the years of 1924 - 1965). Between 1965 and 1976, Mexico supplied more legal immigrants to the United States than did any other nation in the world. But it is illegal immigration that is the primary source of new immigrants. In 1976, for instance, a total of 875,915 illegal aliens were apprehended by the Immigration and Naturalization Service (INS) of the U.S. Department of Justice. This figure represents a 500 percent increase over the figure of a mere decade ago. To be sure, these apprehension figures are artificially inflated due to the fact that many persons are caught more than once. On the other hand, the vast majority of illegal aliens are not caught. It is believed that for every person apprehended, four or five are not. Moreover, the sharply increased number of apprehensions has occurred with virtually no increase in INS enforcement personnel or equipment. The accumulated stock of illegal immigrants in the United States is estimated to be anywhere from 3 to 12 million persons.

Illegal aliens are streaming into the United States from almost every nation in the world. President Carter's message on illegal immigration of August 4, 1977 stated that "at least 60 countries are significant regular source countries." Yet of those apprehended each year, about 90 percent are from Mexico. This large percentage, however, overstates the actual importance of Mexico as a source country. Illegal entrants from Mexico tend overwhelmingly to be persons who simply walk, swim, climb, or are smuggled into this country (i.e., they are undocumented entrants). Illegal aliens from most other countries tend to enter the country legally but they violate the terms of their limited entry (i.e., they are visa abusers) by not leaving when their visas expire.

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At the time of expiration, they can be anywhere in the country. Obviously, it is relatively easier to apprehend undocumented entrants than it is visa abusers. Hence, INS concentrates its attention on the border region of the Southwest. Nevertheless, it is generally acknowledged that Mexican nationals account for between 50 to 60 percent of the total.

### The Phenomenon of Mass Migration

There are always individuals who will strike out on their own to challenge the unknown. They are referred to as pioneer immigrants. But for most people, leaving what is known and familiar to them to move to a new country is a harrowing experience. It is something to be avoided if at all possible. As a consequence, mass migrations of people usually involve the simultaneous existence of both "pull" factors of other lands that serve as an attraction and "push" factors of their native land that serve as a prod. For instance, the movement of the Irish into this country in the early 19th century was the joint product of both the potato famine at home and the higher real incomes in the United States. The internal migration of the black population from the rural South to the urban North is another example. It was the combination of the collapse of the southern cotton culture (due to both poor farming techniques and the devastation of the boll weevil) as well as the lure of northern job opportunities prior to and during World War I (due to industrial expansion, domestic shortages of labor due to conscripted military service of former workers, and the end to unlimited foreign immigration) that set in motion the mass movement.

Likewise, the history of the Mexican American population (hereafter referred to as Chicanos to distinguish them from Mexican nationals) reflects these same pressures. To be sure, most of the American Southwest once belonged to Mexico (as it earlier did to Spain and before them to the native Indian populations). But as a result of the Treaty of Guadalupe Hidalgo in 1848, which ended the war between Mexico and the United States, and the Gadsden Purchase of 1853, the United States acquired the land and the people of the present-day Southwest. At that time, it is believed that there were no more than 75,000 persons of Mexican ancestry in the entire region. Moreover, over two-thirds of these persons were in the Santa Fe-Taos area of what is northern New Mexico today. These persons were the legacy of the earlier unsuccessful Spanish settlement process. The Spanish attempts to settle the region had been foiled by the violence of the nomadic Indian tribes (i.e. the Appaches and Comanches). As a result, these early Spanish settlements were forced to concentrate themselves rather than to disperse. Even to this day, those

persons with Spanish surnames in northern New Mexico prefer to call themselves Hispanic Americans (to accentuate their earlier ties to Spain and not Mexico). At the time of the Treaty of 1848, the cultural boundary of Mexico, as distinct from the political boundary, was no where near the land that was ceded or sold to the United States. It was not until the decade of 1910 - 1920 that there began any substantial movement of Mexican immigrants into the United States. During that decade, the push-pull pressures were present and mass migration occurred. The push factors were the extreme violence of the civil war that occurred in Mexico during that period and its aftermath. Over a million people are believed to have been killed with many more maimed and injured. The pull factors were again the shortages of labor (especially in agriculture) during World War I as well as the rapid industrialization that was beginning in the southwest as the last domestic frontier was vanishing. As a result, about 750,000 Mexicans moved into the United States between 1910 and 1930. Thus, the roots of the vast majority of the Chicano population of the United States stem from this period. Recognition that many of the economic problems of the Chicano population today are due to the fact that they were among the last major immigrant groups to enter the United States (not among the first which it is popular to claim today) is the most important step toward understanding many of the difficulties of their current plight. But that is entirely another subject from the purposes of this hearing.

The point is this: if the United States is to enact an enforceable border policy, it is necessary that public policy measures be addressed to both the "pull" and the "push" factors. To date most of the attention of public policy discussions have focused upon reduction of the "pull" factors. Little attention has been given to the equally important "push" factors. Brief nation, however, needs to be made of both forces since they work in tandem.

### The Pull Forces

The primary long-run "pull" force is the obvious difference between the economies of the United States and Mexico, which share a common border. Nowhere does a political border separate two nations with a greater economic disparity. In 1972, the Gross National Product of the United States was over \$1.1 trillion; for Mexico it was \$37 billion. The per capita income of the United States was \$5,288 while in Mexico it was slightly above \$707. The vast economic disparity between the nations acts as a human magnet for both legal and illegal migrants. For most Mexican migrants, life in the United States by any barometer of human treatment will represent a considerable improvement over the life left behind. As one writer recently wrote so poignantly:

"To enter Mexico overland from the United States is to travel, in a matter of a few miles, the vast difference between those who have and those who have not, to be stunned into recognizing what most Americans, in our enormous self-absorbtion, forget: the first couple of thousand dollars make the greatest difference; virtually all of us live closer to the Rockefellers than we do to the overwhelming majority of the worlds' people."

A second factor is the immigration philosophy of the United States toward Mexico. With the brief exception of the Depression decade of the 1930s, it has been the demand for a cheap source of unskilled labor that has determined the policy of the United States. Mexicans have been welcomed as workers but not as settlers. The migration over the years has been geared to domestic labor policy (especially in agriculture) and not to a settlement process. The fact that United States policy in the 1970s is so tolerant of the wave of illegal entrants, so timid in the enforcement of its existing laws that prohibit illegal entry, and so hesitant to assume a posture of deterrence can lead only to the conclusion that the labor policy continues to dominate.

A third "pull" factor is the anomaly of the current state of the law in the United States involving employment of illegal aliens. It is not against the law for an employer to hire an illegal alien. The Immigration and Nationality Act of 1952 made the importation and harboring of illegal aliens a felony. As a concession to Texas agricultural interests, however, the Act contains a section stating that employment and the related services provided by employers to employees (i.e., transportation, housing, or feeding) do not constitute an illegal act of harboring. The effect of this proviso is to make employers largely immune from prosecution if they hire alien workers. Thus, one of the most important barriers to effective control of illegal entrants is the fact that the act of employment of an illegal alien is not itself illegal. Since an employer incurs no risk, he is free to hire illegal aliens, which encourages a continuation of the human flow across the border. As for the illegal aliens themselves, it is only an unimportant technicality that the law makes it a punishable offense for them to seek employment in the United States. Over 95 percent of those aliens who are apprehended by the INS are simply returned to Mexico by the most expedient form of transportation. Less than 5 percent of the illegal Mexicans are subjected by the INS to formal deportation proceedings that would render any subsequent entry a felony. More frequent prosecution could serve as a deterrent. Neither Congress

nor the President have believed to date that the issue warrants a sufficient increase in the number of hearing officers to raise the level of prosecutions significantly. As a result, those aliens allowed to leave through the voluntary departure system are in no way deterred from returning at will.

Thus, a realistic appraisal of the current situation is that if an illegal alien is caught, he is simply returned to his native land; if he is not apprehended, he works at a job that affords him an income higher than his alternatives in Mexico. For the businessman there is no risk of loss; there are only gains from tapping a cheap source of labor completely bound to his arbitrary terms of employment.

A fourth factor is the cultural affinity that exists between Mexicans and Chicanos. As indicated earlier there have been people of Hispanic ancestry living in what is now the southwestern United States long before there ever was a United States. Over the years, many others have come. In fact, the boundary between the United States and Mexico was an "open border" until 1924 when the Border Patrol was established and immigration restrictions were imposed for the first time. Even though Mexico was not included in the immigration quotas established by the Immigration Act of 1924, restrictions were imposed on the ease of entry of Mexicans and other immigrants into the United States. It became for the first time a felony offense to enter the United States illegally. The flow of legal immigrants from Mexico has--with the exception of the 1930s--generally increased each year. It was not until January 1, 1977 that Mexico was placed under the same 20,000 quota as applies to all other nations. Over these years the Chicano population has grown due to natural increases as well as infusions of immigrants. The size of the Chicano population is hard to specify with exactitude but an estimate of 6.5 to 7 million would seem realistic. Illegal aliens from Mexico stream into communities in which the Chicano population is substantial (e.g., Los Angeles, El Paso, San Antonio, Houston, Denver and Chicago). In these localities, it is easy to blend into the local population.

There is a fifth "pull" factor that is of minor significance in comparison with the aforementioned forces, yet it is of some consequence: namely, the lure of what is perceived to be "a promised land." There are "word-of-mouth" accounts of better job opportunities, high wages, and improved living conditions that circulate from returnees and from letters containing remittances to family members who remain behind. These tales are often exaggerated or, at least, tend to minimize negative aspects. Nonetheless, it remains true that in purely economic terms, life in the United States is likely to offer far more options than the arduous and stifling prospects of perpetual poverty for most who choose to remain in northern and central Mexico.

## The Push Factors

A review of the Mexican economy reveals a number of factors that will surprise most observers. Contrary to what one might expect, the impetus for outward migration from Mexico in the 1970s is not because the Mexican economy is stagnant. In fact, for the past decade Mexico has had the fastest rate of economic growth of any country in all of Latin America. The Gross National Product since the late 1960s has been increasing annually at a rate of 6 percent or more, with per capita income increasing annually at about 3 percent a year. Moreover, Mexico is one of the world's largest nations. It is thirteenth in geographical size and ninth in population size. In terms of its gross domestic product, it ranked eleventh in size in 1976.

Yet as is always the case, aggregate economic indicators often conceal more than they reveal. The Mexican economy is organized on a basis of state-regulated capitalism whereby most of the benefits of industrialization accrue disproportionately to the small upper-income sector. Piti-fully little filters down to the vast lower-income group. Thus, the massive migration of Mexicans (who are mostly from this lower-income strata) represents a safety valve for the Mexican government which reduces the potential for internal problems that could arise from its maldistribution of income and its surplus labor force. The Mexican economy is moving from an agricultural and handicraft phase into an industrial and technological stage. The political regime in Mexico feels it needs time to complete this transition. Moreover, the illegal aliens frequently bring back or send portions of their earnings which, in the aggregate, amount to a substantial sum of American dollars (e.g., one estimate is that the annual sum exceeds \$100 million). As a result, illegal entry is one important way to gain desperately needed foreign exchange and to help Mexico's external balance of trade.

But despite the fact that the Mexican economy is growing, it remains a semideveloped country. For many, extreme poverty is the way of life. Unemployment rates in Mexican cities that border the United States consistently hover in the 30 to 40 percent range. For many farmers and agricultural workers in Mexico's central and northern states, a hundred days of employment a year is the most that can be expected. When work is available, it is often of a hard physical nature for which the monetary reward is but a pittance. The minimum wage in Mexico's border cities--although varying from locality to locality--is seldom more than one-third of the minimum wage across the border in the United States.



Even at this low level, violation of the minimum wage law by Mexican employers is reported to be widespread. Mexico's birth rate is among the highest in the world (about 3.6 percent a year). The median age of the Mexican population is 15 years of age (as opposed to about 30 years of age in the United States). Estimates are that Mexico will need to provide 600,000 net new jobs each year until 1982 just to keep even with its immediate labor force growth. After that year the number will increase. Over 23 percent of the population is estimated to be illiterate. Droughts, pestilence, and diseases are common throughout the rural states. Housing is poor and frequently of a makeshift variety. Inadequate diets and malnutrition cause pervasive health problems. Unfortunately, many influential Mexican citizens and officials manifest little concern toward the plight of most of the poor. As one observer recently succinctly wrote:

"Mexico is changing rapidly but too much of her past remains to haunt her. Quite aside from the population growth rate, there is another dimension: Too many upper and middle-class Mexicans lack a sense of national responsibility; too many adhere to the tradition of caring only for themselves and their immediate families and not about where their country is going; too many continue through tax loopholes and flagrant violations of Mexican law, to live with privilege that undercuts any destiny of equalitarianism, a notion as alien to many rich Mexicans as it was a century ago to the robber barons of the United States."

This attitude is clearly seen by the refusal of the government of Mexico to consider the idea of accepting direct foreign aid to reduce the level of human cruelty within the nation. The "national pride" of the small affluent class that tightly controls the political system of Mexico is largely oblivious to internal pleas for reform and contemptuous of external offers of direct assistance. All things considered, therefore, it is understandable why many rural peasants and urban slum dwellers would seek to flee from the grinding poverty that is to many their destiny for as long as they remain in their homeland. The migration process is not seen by the participants as anything illegal or immoral. To the contrary, the topic is discussed openly and the procedures have been both regularized and ritualized. As Julian Samora has written, the process is often viewed as an accepted part of the fate of poor people.

Closely associated with the pace of industrialization and incidence of poverty factors is the existence of a strong trend throughout Mexico of rural to urban migration. In 1970, 41.3 percent of Mexico's population resided in rural areas. The internal migrations have been toward two destinations: Mexico City and the northern cities located along the border with the United States. The aggregate population of the eight largest border towns of Mexico has increased by 44 percent in the decade between 1960 and 1970. Unofficial estimates since 1970 indicated an even greater rate of growth. The growth rate of parallel United States border cities during this same interval has also been very high and their growth is not unrelated to Mexican migration. The Mexican border towns, however, were mostly poverty stricken to begin with. The stacking-up of the poor rural migrants who have piled into these border cities has completely overridden the ability of these municipalities to provide a semblance of community services. It is not surprising then that there is literally no interest in these cities for the Mexican government to undertake to stop the outflow. From the public services standpoint, any slowdown in the rate of migrants who settle in their cities is viewed as being beneficial. By the same token, there is a substantial amount of private sector business activity in these Mexican cities that thrives on the alien traffic. Numerous individuals and groups are involved in the smuggling of human beings into the United States; the forgery of identification papers (Social Security cards, resident alien cards, driver's licenses, passports); loan-sharking (the practice of charging exorbitant interest rates on loans or credit extensions given to cover the charges by smugglers and document forgers); the recruitment of women for prostitution activities in the United States; the trafficking in drugs; and the arrangement of "phony" marriages with American citizens.

It needs also to be noted that the Mexican economy is extremely dependent on the economy of the United States. In 1975, 60 percent of the total merchandise exported by Mexico was to the United States and 62 percent of Mexico's total merchandise imports were from the United States. In addition, hundreds of millions of dollars are paid to U.S. business firms each year in payment for patent usages and profits on direct investments. The United States has for many years ran a trade surplus with Mexico even during the more recent years when the United States has had large deficits on a worldwide basis. Stimulation and continued growth of the economy of Mexico is obviously in the best interests of both nations.

## Foreign Policy and Illegal Immigration

As indicated earlier, the primary attention of this testimony is with addressing the push factors. But, because of their interdependence, brief mention must be made of the policy needs to address both pull and push factors.

The appropriate policies addressed to the pull factors are related to the need to make it clear that the "unofficial" policy of this country to use Mexico as a source of cheap labor is over. This change, however, will never be taken seriously until the United States moves to adopt an enforceable immigration policy. The present system is obviously unenforceable and no nation will ever take seriously public pronouncements about the need to end illegal immigration until the nation places penalties on employers of illegal aliens. In addition, it is necessary to reduce the automatic use of the voluntary departure system and to step up both the identification of illegal aliens and the use of formal deportation proceedings for repeat offenders. Likewise, the most effective short run measure that could be used would be to increase substantially the budget and the manpower of the INS.

The other set of policy remedies pertain more directly to the push factors. The importance of an expanding Mexican economy should be the foundation stone. To assist in the achievement of this goal the U.S. should at once initiate a policy of tariff reductions on Mexican exports (especially those from labor intensive industries such as agriculture and light manufacturing). Not only would such a policy help create jobs in Mexico which might lessen some of the pressure for illegal immigration but, also, it would probably lead to greater imports from the United States and it might even lessen inflationary pressures in the United States.

Of related importance, the United States should assume a leadership role in efforts to establish a common market of Caribbean countries. Such a market might help to increase trade among all of these nations and it would also help reduce illegal immigration from many of the island republics that are also source countries.

Technical assistance, which has always been among this country's strongest suits, should be made available if requested to Mexico and the island republics. Aid should be both in the form of technical assistance and information on such topics as birth control and family planning. In conjunction with these efforts, economic assistance should also be made available to assist in the construction of infra-structure projects that may enhance both the quality of life and the opportunities for more rapid industrialization. As Mexico has resisted ideas for unilateral assistance but has shown no such hesitancy if international agencies are the conduit, funds should be made available to such organizations as the World Bank, the United Nations,

the Export-Import Bank, or any other appropriate source with an earmark for designation to Mexico. Mexico, of course, should set its own priorities but, if asked, the United States should be willing to assist in the selection of the regions and projects to benefit from such efforts.

As for current immigration laws, the 1976 amendments (effective January 1, 1977) which placed Mexico under the identical quota as all other nations in the world should be repealed. Mexico, as a neighboring nation with historic ties to the United States, should be made an exception to the 20,000 persons per year quota. It should be increased to at least 50,000 a year which would approximate the level of the 1965-1976 era.

### Concluding Observations

The existence of political boundaries of nation states is the beginning point for this study of all political economy. It is the nation state that is the basic policy making entity. As such it bears the responsibility for the protection of the welfare of the human beings who reside within it. As long as such states exist, no nation can be faulted for its efforts to maintain the integrity of its existing borders. Clearly the United States is confronted with a situation in which its borders and its immigration policy have become a mockery. It is past time to enact an enforceable immigration policy.

The new policy should continue the general characteristics of the present system. That is, it should continue to be liberal in the number of persons it admits each year; non-discriminatory in its ethnic admission criteria; and humanitarian in its overriding preference for family reunification. But it should also include measures to assure that what is agreed upon legislatively is what happens factually. Included in the needed remedies are both policies that address pull factors and push factors. Both sets of policies have foreign policy implications. With respect to the policies addressed to the pull factors, foreign countries must react to United States initiatives. With regard to the policies to alter the push factors, the United States needs the assistance and cooperation of foreign countries. To date, too much attention has been given to the remedies to the pull problem and little has been paid to the push problems. With special reference to migration from Mexico, I believe that, in the past, the pull factors were the dominant factors. But for the present and future, it is much more likely that the push factors will be the

the most important considerations. If this is the case, there is an essential need to develop the appropriate policy remedies. I have tried to outline some of the policy needs but completion of the details will require much work. That work must begin immediately. For this issue is rapidly approaching the point at which rational and humane political actions will not be plausible.