

Virgin. When the service ended and the lights were turned on, the leader explained that the men had been asking for divine intercession for more work than the three or four hours a day they were getting, for the removal of a harsh foreman and for the renewal of their contracts. Asked why they did not appoint a committee to deal with the employer on these matters, the *bracero* replied: "We did, last week, but our leader was taken to the association the next day and he has not returned."

CHAPTER 20 THE PUBLIC IMAGE OF PUBLIC LAW 78

The authority to administer the seasonal migration of Mexican farm laborers granted to the Department of Labor was subject to periodic review by Congress. Renewals of Public Law 78 were usually for two years. Since the terms of neither the international agreement nor of the contract were submitted for public discussion or congressional approval, the only time they received official legislative notice was during the House and Senate debates on the law.

These occasions, however infrequent, stimulated public interest in the program. The issues raised between organized domestic farm workers on the one hand and official agencies and commercial farmers on the other became less and less local as the press of the nation took increasing notice of them. Religious and social service organizations, because of their long tradition of concern with the problems of agricultural migrants, aligned themselves, for the most part, with the critics of *bracero* management. With the trade-unions they became its most articulate opponents, not the less to be reckoned with because they were lumped in one class of disturbed and ineffectual "do gooders" by agricultural spokesmen.

Even though this criticism did not seriously threaten the continuation of the program at any time between 1951 and 1960 it could not be ignored. There was an uneasy feeling among industrial agriculturists, especially in Texas and California, that as *bracero* users they were acquiring a poor reputation. "We must," said Congressman Charles M. Teague in 1958, "make the program respectable."

Respectability was to be won by convincing the public of the truth of the following propositions: Protection of the rights of *braceros* and domestics was assured under the vigilance of the Department of Labor and the Mexican consuls. The shortage of manpower was chronic and could be alleviated only by Mexican recruitment. *Braceros* were only a supplemental labor force. They were, man for man, more productive. They were more dependable. No domestic laborer would accept the hard stoop tasks that the

aliens were brought in to do. *Braceros* were employed only for the critical harvest peaks during which there was not enough domestic labor to go around. Peak employment of aliens was necessary to prevent the loss of perishable crops. The benefits of the program accrued principally to the small farms. It was a means for extending aid to the Mexican national economy through the transfer to Mexico of millions of dollars in wages sent home. Finally, through managed migration, hundreds of thousands of Mexicans were being trained in the methods of modern commercial agriculture and indoctrinated with democratic morals and values.

Such a public image of Public Law 78 was more than an apology. It was a declaration of faith in government regulation and of respectful confidence in the bureaucracy. Its keynote was service to the national and the international communities. There was deference to that much maligned character, the Mexican *peon*. It cast the whole enterprise as a massive educational crusade by industrial managers who, besides profiting, like Chaucer's fellow traveller would also gladly teach.

As a work of art the image had its flaws.

The law placed the security of one class of citizens in the hands of a public administration which was in no effective manner responsive to them. That class was composed of farm laborers, Mexican and American. The civil services to whose wardship they were committed were the United States Department of Labor and the Department of Foreign Affairs of Mexico. In the final analysis this meant a labor system under the tutelage of Employer Service Representatives, association field men and Mexican diplomats. The policing functions which they assumed were carried out with a shyness for publicity, an avoidance of due process, a distaste for public proceedings, a ready ear for the opinions of employers in private consultation not open to workers.

All this was unofficial. On the record, government became committed to neutralism and the traditional posture of bureaucratic umpiring. Federal executive Robert C. Goodwin, held that, "As public agencies we must be strictly neutral between the contending parties."¹

But the role of neutralism was inconsistently played. Some of the most eloquent pleas ever made for agrifriendliness and its position on

controversial questions were those of federal officials who administered the program up to the end of 1960. Director Brockway was resigned to the idea that "*braceros* are a fact of life."² He shunned the use of the police power he held and stressed rather "the managerial responsibilities which all of us have in the manning of the agricultural industry of California."

The practical uses of neutralism were considerable. Principally, it eased the burden on the Department of Labor, set forth in its organic act of 1913, "to foster, promote and develop the welfare of the wage earners of the United States, to improve their working conditions and to advance their opportunities for profitable employment." Neutralism in theory was flexible; it permitted the use of the technical and financial resources of government to encourage and promote the formation of employer associations. In its dealings with the contending parties the Department of Labor always insisted on group action and collective representation for employers, on individual hiring and economic isolation for the workers.³ From farm labor affairs there were removed what President Eisenhower called the two instruments of a free economy -- the bargaining table and the picket line. In its latter days, decadent neutralism produced its final accomplishment, namely, a working model of totalized, though not yet totalitarian, labor merchandising. Secretary of Labor Arthur J. Goldberg speaking of democracy in industrial relations, expressed his abhorrence of the exercise of a power "close to despotism in a state which established by public law the wages, hours and working conditions that are the substance of the collective bargaining agreement, and in a state which, as well, assumed the function of enforcing these conditions."⁴ This came very close to a definition of the *bracero* system.

Mexican consuls shared with the Department of Labor the duty of guaranteeing the rights of the workers who were supposed incompetent to protect themselves.⁵ Under the early agreements the Mexican government appointed special inspectors in various regions of the United States, and in 1948 the Undersecretary of Foreign Affairs personally observed their work. He found that some of the more conscientious officers visited camps, wrote vigorous protests on their findings, instituted legal actions and occasionally served demands on their American colleagues.

These were brave and exceptional instances. Consular enforcement was cramped by obvious shortcomings. Of the seven consular districts in California, one, that of Sacramento, had jurisdiction over 18 counties. The San Diego and Calexico consulates were assigned much smaller areas but neither was small enough to permit a single official to supervise effectively the thousands of men hired at the peak of the harvests. The consulates did not receive special appropriations for *bracero* protection. Consuls sometimes referred complaints to the associations or to the Bureau of Employment Security. Some used form letters and check lists to refer grievances. Unannounced field and camp visits were discouraged by the American authorities, who preferred that they be arranged in advance. By and large the idea of a Mexican consul acting the part of a truculent and self-assured business agent of an American union was a fanciful one. Consuls were persuaded that this was not their role under the law.⁹

Neither were the economic propositions of the public image of the law altogether candid. Basic to all the others was the question of manpower shortages.

The Farm Placement Service certified the need for *braceros* and justified those certifications under the rules laid down by the Department of Labor. These rules grew out of the methods and techniques which had been worked out for establishing the validity of need by the Extension Service of the University of California during World War II. These methods did not change noticeably in the following twenty years. They proved ingenious, or perhaps ingenious, enough to give statistical prestige to the imponderables, unpredictable and unknowns of labor shortage forecasting.

Until the Wetbacks were eliminated, for example, they were regularly entered in the classified tables which the Service prepared on the composition of the labor force. No one knew the number of illegals, or their location or their availability for particular crops. They were counted as factors in the potential labor shortage even though the Service was careful to admit that it did not know how many there were.

This did not seem very important since the shortage was insatiable as well as everlasting. In the 1955 harvests the Service issued all the necessary certifications to meet the officially declared

need, after which it announced that there still remained a shortage of 25,000 workers. Estimates made by the Service overshot their mark. In 1953 it predicted a shortage of 8,000 harvesters but finally certified only 4,500. The 1948 overestimate of more than 100 percent was an unusual one, but the margin of insurance provided by these mistakes was usually ample. In the harvests of the Santa Clara valley of 1958 it was found that all the domestic workers who were on hand could have gathered the crops without the *braceros*. This discovery was made after the season was over; by the next it was forgotten.

Nothing seemed to be more obvious to responsible officials than the hazards and uncertainties of manpower forecasting. They realized that it was not possible to make them with any degree of accuracy. Director Goodwin of the Bureau of Employment Security did not consider such estimates reliable.⁹ Chief Hayes of the Farm Placement Service, when pressed for an explanation of certification in rural areas with heavy unemployment, replied: "We do not have any basis for advance speculation on the number of foreign workers who will be needed." The Service, nevertheless, could and did speculate with amazing accuracy. In the desert area of the southern counties it predicted on April 7, 1960 that a shortage of exactly 11,260 harvesters would have to be met on October 15.

The Service appeared to proceed by intuition rather than statistical rigor. Some of its predictions could spot critical shortages, down to the last man, more than nine months in advance. No gloomy prophet was ever more consistently accredited by events. Experience taught the Service that under the terms and conditions of alien contracting it could sometimes discount more than half of the expected domestic labor force for a distant harvest. The accuracy of estimates of need and declared shortages was tested by the post-season estimates of the previous season, and so back serially to World War II. Although it was evidently the most important single operation of the Service, on the basis of which the number of *bracero* certifications was fixed, its field agents were instructed to determine need "as a by-product of normal operational and promotional contacts."⁹

Prophecy, a most difficult and always highly erratic calling, was here an incident of routine. It was nonetheless practiced with verve

and a certain thaumaturgic skill. Thus it was sometimes necessary to justify certifications of aliens in the Imperial Valley by explaining that unusually warm weather was causing an outflow of local harvesters, creating a shortage. One such announcement, when checked against official weather reports, showed that temperatures were cooler than usual for that season of the year.

After determining the number of acres planted in a crop area the Service estimated the number of workers that would be required. This was a figure arrived at by fixing a certain unit of productivity or average amount of work per man in a normal day and dividing it into the expected volume of production. These productivity units were often set well below the known efficiency of experienced domestic workers. In this way the shortage would amount and the need for *braceros* increase. As a practical device this was sensible, but as a statistical one, embarrassing. For example, growers declared that an experienced peach picker could earn as much as \$40.00 a day. At a rate of 15 cents per box this represented an average daily output of 266 boxes. However, for purposes of estimating need by its formula, the Service fixed the daily average of production at 45 boxes per man. The statistics fell over themselves in the same manner in asparagus, strawberries, tomatoes, lettuce, and other major crops that used *braceros*. The statisticians of the Service had learned the formula for eating their cake and keeping it.

Recognizing that low wage rates had something to do with shortages of domestic workers, the Service took this into account in its own special manner. The 1959 tomato picking estimates of need and certifications in San Joaquin County were based on the assumption made by the Service representatives that the wage rate of 1958 would not change. It was then assumed that the current rate would offer as little incentive as that of the previous year and that as many domestic pickers would stay away. Thus at once need was established, a shortage was accurately predicted and certification was justified.

In time a way out of these logical perplexities was found. It was the self-evident one that the number of *braceros* certified was itself proof of the shortage. Director Brockway explained to his grower advisors in 1956 that "so long as we bring Mexican Na-

tionals into the United States under an authorized ceiling, there is a proven need for supplementary foreign labor."¹⁰ In philosophy this is called a solipsism, or knowledge sucking its own thumb. There is no technical term for it in public administration.

It was vehemently argued by the sponsors of Public Law 78 that the contract Mexicans were strictly a supplementary labor force. The dictionary definition of supplementing as "filling up or adding something to" hardly described the progress of domination. The theory of supplementation assumed that there was a base labor force to which doses of Mexican labor were added. The difficulty became that the base diminished, in some instances to the point of disappearing, as the doses became nearly the whole of the force. Like Thorne Smith's well-known protoplasmic dog, whose body vanished gradually until there was nothing left but the stuff of his tail, the domestic migrants were dissolved to a lesser or greater degree by the potent supplements of domination. A singular case of this was the tomato harvest, in which the domestic base fell to 5 per cent of the labor force, and the supplemental represented 95 per cent.

The Department of Labor, perhaps unintentionally, came close to the nub of the matter when it explained that supplementation was a process of filling the vacancies created by domestics "who have left the harvest." Supplementation was thus more accurately defined as replacement and eventually displacement. Of this process the San Diego Farmers, Inc. said: "In many areas this valuable labor supply is no longer considered supplemental, it is the labor supply . . ."

It has always been said of a new type of farm labor when it is first introduced in California that it is more productive than its predecessors. The Japanese were hailed as better workmen than the Chinese. The Filipinos were received as a notable improvement on the Japanese. The Mexican migrants of the 1920's were rated higher than the Filipinos. The southern whites of the dust bowl migration topped the Mexicans, and finally the *bracero* proved superior to them all. He could, according to employers, produce as much as two or three domestics together. His piece rate earnings as compared by University of California investigators with those of domestics, were two or three times higher. Between 1950 and

1955, so the Farm Placement Service held, average productivity per worker throughout the state declined, and this was attributed entirely to the diminishing output of citizen workers. By 1960 it had become a commonplace in the industry that the domestic harvester was neither as good as he used to be nor as efficient as the *bracero*.

This conclusion went counter to what had been observed in the early days of the program. Department of Agriculture studies in citrus, asparagus and lettuce showed higher rates of production per man hour for local labor than for Mexicans.¹¹ Comparisons made ten years later indicated that crops heavily dominated by *braceros* used more manpower per harvested acre. On March 21, 1953, asparagus cutting on 54,759 planted acres required 3,500 cutters; on March 25, 1961, plantings were lower at 46,000 acres and the number of men at work higher at 4,600. Cantaloup harvesting in Fresno county was another activity which became acutely dominated by *braceros*. Between August 30, 1952, and August 27, 1960, the harvested acreage increased by only 7 per cent while the number of pickers had risen by 35 per cent. A rising volume of production per acre could account for part of these differences, but not entirely. The low regard that the Farm Placement Service had for the Mexican as a producer was indicated when it set the unit of production per day for the purpose of estimating future need of manpower. The rated productivity of *braceros* in tomato picking of 24 boxes a day used by the Service in 1958 was lower by half or more than the average domestic would expect to pick in six or seven hours. The *braceros* themselves exceeded the productivity ratings assigned to them.

There was no reason to suppose that *braceros* were drawn from a class of agricultural laborers technically superior to the domestics of California. The type of recruit preferred at the selection centers was the manual worker to be found in rural areas in which agriculture was notoriously backward. He was at the lowest level of the Mexican reservoir of 2,000,000 unemployed. Except for the *braceros* who had served more than one contract period in the United States most were considered green hands. It was for them that an apprenticeship period of 48 hours at pay of 25 cents per hour was provided for in the agreement. They proved to be quick

learners but some employers still found it necessary to teach them "that strawberries are not walnuts."

The proposition that *braceros* outperformed domestics in every respect was not based on controlled productivity studies. Such studies the Bureau of Employment Security was supposed to make as one of its regular responsibilities.¹² None had been published by the end of 1960.

That the Mexican was more dependable likewise became a familiar argument for Public Law 78. Like adverse effect, dependability was never exactly defined but what it meant to employers was fairly obvious. His presence when wanted was assured by restraints such as the impounding of his documents. Although he might be as disappointed with his earnings as any domestic, the Mexican stuck it out. Department of Labor officials recognized that he could be counted on to abide by an obligation to work out his terms. Like Ruth and the maidens of Boaz, he could be expected to glean unto the end of the harvest.

Dependability was assured by circumstances more compelling than being bound by a contract. The *bracero's* contract was short and its renewal or extension depended upon how well he pleased his employer. He did not protest against changes in working conditions which added to his exertions but not to his pay. He was not familiar with local customs and historic patterns of performance. He complained little because he was anxious to avoid the stigma of agitator. His absorbing aim was to earn dollars convertible into pesos. He could be rotated as cutter, trimmer, packer, loader or thinner without much ado on his part as to his wages. He did in fact sometimes work without knowing how much he was earning, particularly when he was assigned to unauthorized activities. He would obey when told to enter a field of asparagus or celery to cut in ankle-deep mud without boots, something which no domestic worker would tolerate. Breakfast calls were at 4 a.m. in some camps although work did not begin until 7:00 o'clock. Time lost in changing from one field to another meant a significant loss in the day's earnings; the *bracero* grumbled about it without raising an issue. Dependability consisted in all these virtues in addition to the possession of raw physical energy graced by humility. Richard H. Hancock, who handled *braceros* in New Mexico and observed

them in California, put it thus: "The *bracero* in times of trial must sustain himself with little more than stamina and spiritual resources . . . American doctors are amazed at the animal vitality with which the Mexican worker overcomes crushing physical injuries and illnesses. With uncomplaining fortitude . . . the typical *bracero* will on occasion literally work himself to death." Hancock added: "Mexican workers are much more responsive to kind treatment by an employer than are native United States workers."¹³

The dependability of the Mexican, even unto death, was contrasted with the degradation of the domestic workers as a class. Within this class there were always the single men who as seasonal migrants drifted through the "skid rows" of Sacramento, Stockton, Fresno, Los Angeles and Marysville. In 1960 they probably did not number 10 per cent of the harvest labor force at its peak; but the characteristic stigmata of the so-called wino were transferred, by a sustained propaganda effort, to the general class of labor to which he belonged. The domestic workers as a whole were portrayed as bums, drunks, thieves, post office robbers, telephone booth pilferers and malingers. The Farm Placement Service regarded them as shiftless, unreliable and careless derelicts.¹⁴ They were depicted as "people that have been destroyed through some kind of love affair, or something like that, that has driven them to drink."¹⁵ Love, the many-splintered thing, was here accused of causing the moral decay and the economic ruin of domestic laborers whose fathers were once the elite of the harvesters. It was not a compassionate appraisal by the Service that a domestic laborer was often little more than a warm, lethargic body who solved no problems of production.¹⁶

Theoretically the *bracero* was classed as a stoop laborer whose willingness to accept the harsh, bending tasks of agriculture made him an ideal supplementary hand.¹⁷ "Stoop labor," a congressional committee was told in 1955 by William H. Tolbert and Bruce Sanborn, Jr. as spokesmen for commercial agriculture, "is the only thing we get certification for." In practice the phrase was given an elastic meaning. It was stretched to include packing operations, pruning, smudging, pole setting, bus and truck driving, construction work, landscaping, mushroom spawning, checking, weighing, sorting, irrigating and hydridizing. The posture of the *bracero*

at work became more a topic of publicity than a strict rule of employment. In 1956 the Farm Placement Service found to its amusement that *braceros* were "lying down on the job" on the slumber wagons of cucumber harvesting, picking as they lay prone on a travelling bed.

Nor was it true that domestics refused to do certain types of disagreeable field labor. They were to be found in non-dominated activities working side by side with *braceros* at authentic stoop tasks. They were so reported during the week of June 4, 1960, in at least 18 major crops. In these stoop operations domestics remained on the job as long as wages were acceptable and if they were not harassed out of the fields. In due course it was recognized by the Department of Employment that it was not the nature of the work but the wages for which it was performed that determined the dependability of the domestic. The notion of a type of labor that was totally rude and unskilled collapsed. Congressman Charles S. Gubser, when pleading for an extension of Public Law 78 in 1954, emphasized the dexterity required of the lowest of the stoop laborers, the beet thinner. "He is progressing forward," Congressman Gubser imaginatively described him, "at the rate of 12 to 14 feet a minute . . . in a stooped position . . . chopping every 2.2 seconds . . . and while he is doing that with his right hand, his left index finger and thumb are working with the deftness of a surgeon, going in to untwine those intertwined beets . . ."¹⁸

There was in all this an unnecessary roundaboutness, for the fact was that neither the law, the international agreement nor the contract prohibited non-stoop employment of *braceros*. Facing at last the fact that infiltration of farm labor in all its forms by aliens was moving hand in hand with domination, the Farm Placement Service in 1958 came to the conclusion that only an amendment to the law limiting *braceros* to stoop activities would remove some of its embarrassments. The Department of Labor had no statutory power to prevent the use of contract aliens in any upright occupation.¹⁹

It was further argued that only the *bracero* could provide manpower insurance against crops rotting in the fields. All crops certified by the Farm Placement Service were absentmindedly classed as produce that is ripe today, overripe tomorrow and rotten

day after tomorrow. The possibility of being accused by irate farmers of contributing to the loss of melons, peaches, pears and apricots through reluctance to certify *braceros* hung darkly over the Service. There were many crops, however, for which nature laid down no 72-hour ultimatum but on which *braceros* were regularly hired. Among these were oranges, lemons, potatoes, carrots, walnuts, almonds, cotton, garlic and hops.

It may well have been that the abundance of Mexican contract labor accounted for crop conservation. No crops were lost due to manpower shortages in the state between 1942 and 1960. The relationship between *braceros* and waste was of a different character. In many of the crops which employed Mexicans there was in force a system of managed production based on marketing orders which permitted the administered destruction of food. Peaches, potatoes and lettuce were cases in point. Often waste on a large scale resulted not from deliberately planned and officially approved destruction but from a drop in the market price below the incentive level for the producer. In this class were cantaloups and tomatoes, both heavy users of *braceros*.

For the harvesting of perishable delicacies such as artichokes, dates, mushrooms, cherries, asparagus and brussels sprouts, farmers had no difficulty in obtaining *braceros*. If they did, because of reluctance to certify on the part of the authorities or unusual opposition among local workers, a touch of panic usually got results. Such was the case in asparagus in San Joaquin County in the spring of 1960.

The issue was a delay in the certification of *bracero* cutters.

The first step was a declaration, on March 22, by the Stockton Farm Placement representative that an acute shortage existed. This was in the early stages of the harvest, but it was announced that already there had been losses estimated at \$1,000,000. Stories were published, documented by photographs, about the hundreds of acres that had been plowed under for want of hands, no domes-tics being available and the certification of Mexicans having been delayed. From all accounts the ruin of an industry was imminent. Some growers had already lost their all.

Disaster did not run its course because the Farm Placement Service, roweled by its critics, proceeded with certification.

A review of the facts after the harvest was over failed to discover any basis for the panic. The asparagus growers did better in 1960 than in 1959. Up to April 22, 1960, in the midst of the calamity, more than 192,000 crates were delivered to the San Francisco market by truck as compared with 175,000 up to the same date of the previous year. Carlot shipments out of northern and central California, which included San Joaquin, totaled 1,226 by May 2 as against 1,180 to the same date in 1959.²⁰ Asparagus production, with the aid of publicity, weathered a newspaper disaster unscathed.

There was another perishable which, according to the apologists of the system, was saved by the *bracero*. This was the small family farm. For reasons they best appreciated the large industrial farmers were reluctant to have Congress and the public believe that the benefits of managed migration accrued mainly to the large operators. To dispel this notion, it was accented that the *braceros* benefited primarily the small grower. Congressional sponsors of Public Law 78 were careful to lay the stress here. A Joint Committee of the Council of Churches, Agriculture and Industry of Riverside and San Bernardino Counties resolved in conference that the termination of the law would drive countless small farmers into bankruptcy.

The identification of the small grower with the corporate industrial farm had long been a familiar device of image-making. In general its purpose was to drape the homespun look, the earthy simplicity, the hayseed frugality of the folk farmer over an industry that had none of these telluric charms. Agribusiness had grown into a vast, taut, complicated network of big production, big processing, big transportation, big financing and big marketing. Technically brilliant, it nevertheless acted as if it was conscious of inferior human appeal and preferred to have its picture taken, out of office hours, in overalls and holding a pitchfork. In relation to the *bracero* system it was therefore normal for the industry to put forward the small farmer as the real beneficiary.

It was true enough that small farmers availed themselves of the labor pools of the associations, that the depression of wages that resulted from domination was a benefit enjoyed by all, that the supply of labor for those who did not hire aliens was undoubtedly eased.

The relative benefits to large and small producers could not be calculated in these terms entirely, nor could they be estimated from the simple ratios of the number of users to the number of *braceros*. The important factor was the input of man hours in both classes of farms, a datum which neither the industry nor the Department of Labor was ever able to supply. Roughly, that input could be derived from wage payments. Most of the Mexicans were used on the class of farms which paid most of the wages, and these were the large producers. In 1959 the total expenditure of commercial vegetable farms for wages amounted to \$89,493,000 of which \$80,481,000 was accounted for by Class I farms — those selling \$40,000 or more worth of produce in a year. In fruits and nuts total wage payments were \$161,533,000 of which Class I farms paid \$103,379,000. It was in these crop groups that the *braceros* were found in dominant numbers and that production was most concentrated. In 1959 there were 102,399 planted acres of lettuce of which 96,564 acres were in Class I farms. Out of 101,771 acres of tomatoes more than 76,000 were in the highest production class. Asparagus showed 72,960 acres with 68,657 in Class I. Broccoli, a heavy user of *braceros*, was produced on 15,752 acres of which less than 400 acres represented farms below Class I. The bulk of the manhours put into production by *braceros* was absorbed by the largest and most prosperous, not by the smaller farms.

Other evidence pointed to the same conclusion. The prime demand for Mexicans within the association pools came from the large users, who were the mainstay of the business. Pre-season estimates of anticipated need were highest for growers with the most acreage. In the Imperial Valley, where the simple averages of manpower use seemed to support the contention that the *braceros* were sustaining small-scale agriculture, the family farm was rapidly declining. In 1948 there were 6,350 farmers and members of their families in the labor force, which totaled 14,796 persons. In 1959 farmers and their family workers totaled 1,817 out of a labor force of 16,080. During that period the number of *braceros* increased from 4,030 to 8,771.

As the *bracero* flourished the number of farms in California declined from 137,000 to 99,000 between 1950 and 1959. Harvested acreage on all farms fell by 313,000 acres, the major part of the

loss being sustained by farms of 500 acres and under. Farms under 10 acres had a total of 75,596 acres of harvested land in 1950 and 46,487 in 1959.

From these data the tendency was obvious. Family farming was declining. It had always been a loser in the competitive struggle of the 19th century, and what was left of it in the 20th was no match for agribusiness. The proposition that *braceros* were beneficial because they rescued the family farmer from total oblivion was perhaps the most transparently false *apologia* of Public Law 78.

There remains one aspect of alien recruitment to consider as an element of its public image, namely, the aid that it represented to the Mexican national economy. The seasonal employment of hundreds of thousands of Mexican citizens was regarded as "the most effective foreign aid that the United States could grant our sister republic to the south."²¹ The Council of California Growers considered this aid as a strong link of freedom and democracy between the two nations. There was furthermore an aura of religious righteousness about it. Mr. Stuart Rothman, solicitor for the Department of Labor, thought of *bracero* procurement "in terms of the Biblical admonition: to be friendly to the stranger in your midst" and of American duty "on the basis of sound administration and Christian principles to help and assist these unfortunate people."²²

The practical side of assistance was obvious to the Mexican Government. The dollars sent home or brought back by its contracted citizens were an important item in the balance of international payments. From California alone it is not improbable that *braceros* contributed nearly \$45,000,000 to their country's dollar income in 1960. In some years their dollar remittances and savings made the difference between a favorable and an unfavorable balance of payments to Mexico.

An important aspect of United States aid by means of mass recruitment of farm labor was that it relieved Mexico of some of its unemployed. Washington considered the program based on Public Law 78 as a means for helping the Mexican jobless.²³ The Mexican government saw it as an opportunity to unload its indigents. It impressed upon the American negotiators of the interna-

tional agreements that recruitment was to be done preferably in areas where the greatest unemployment existed.²⁴ The official view of the Department of Labor was that "foreign countries with surpluses of labor have a paramount interest in securing employment for their workers here."²⁵ Mexican communities with such surpluses were given priority by instructions of the national government.²⁶ President Adolfo Ruiz Cortines, in his message on the state of the Union of 1954, deplored the migration of laborers but concluded that it was unavoidable because the country did not have enough work to hold the *braceros*. The Director of the Department of Employment emphatically stated in 1954 that California "will not be allowed to become a dumping ground for the unemployed of other countries." He was talking to a tide at full flow. Agribusiness continued to welcome the Mexicans as the unwanted surplus of an unfortunate sister republic.²⁷

There were other and more indirect forms of economic assistance to the Republic of Mexico. Among these was the graft that the contracting process gave rise to. The methods instituted by the government for the selection of *braceros* created opportunities for extortion all along the line — for the right to receive clearance from local authorities, for recommendations, for a place on the hiring lists at the screening centers. Managed migration became, on the side, a lucrative traffic in contracts. Periodically the Mexican press denounced the evil, the federal government prosecuted some individuals, and the RFLOAC pondered soberly the embarrassing implications. The traffic continued. Fees paid by *braceros* hired in California, as reported by them in interviews, ranged from \$20.00 to \$80.00.²⁸

The levying of such tolls became an essential condition to the smooth working of the system. Department of Labor officials and agribusiness representatives deplored it but were at a loss for a solution. Privately they took note of the payment of graft, the so-called *mordida*, to officials and other individuals in Mexico by the workers as well as of the side payment of fees by American growers who were anxious to secure the services of "specials." At a meeting of the RFLOAC at which corrective measures were considered, a representative of the U. S. Immigration Service cautioned against them. He did not believe that the United States should

attempt to cut off the *mordida* paid on the northern side of the border by American employers to Mexican officials because the full cooperation of the Mexican Government was necessary to assure prompt delivery of *braceros*.²⁹

There was economic aid also in the sale of non-occupational insurance to the workers. For many years the insurance business was a matter of contention between the two governments, raising as it did the issues of competitive bidding or arbitrary selection of the insurance companies to be admitted to the enterprise; the transfer of premiums to the Mexican Government; the cost and value of the services rendered; the prevention of overcharges to the workers. Undoubtedly the sale of insurance to the *braceros*, which they were compelled to buy, was profitable, and there appeared the problem of how the transfer to Mexican authorities of a part of the financial benefits could be arranged. In 1960 this problem was solved. It was agreed that a percentage of the premiums deducted from the *bracero* wages was to be turned over to the Mexican Social Security Institute by way of the Department of Foreign Affairs. There was no provision in Mexican law for such transfers or for the receipt of funds of that kind by the Institute. Fiscal responsibility for reporting on the collection and disposal of these funds was not assigned by the negotiators of the 1960 agreement. The cash premiums passed from the *bracero* to the grower, thence to the association, the insurer, the manager of the screening center in Mexico, the Secretary of Foreign Affairs and finally and presumably to the Social Security Institute.

As to the operation of the insurance business in California, it was investigated by state officials under circumstances that pointed to irregularities, but no information on the subject was ever released.

The friends and sponsors of Public Law 78 rounded out their case by protesting that, in the final analysis, managed migration was a vast project of remedial education for the *braceros*. It was recalled that during World War II cultural and technical courses were offered in the labor camps, such as those sponsored by Chaffee Union College in cooperation with state agencies. Here and there, on the initiative of local civic and religious organizations, instruction in English was offered. A Gridley farmer who modestly "gave

a little education to go with the whole thing" was no doubt trying to rise to his pedagogical responsibilities. With much wider vision the Council of California Growers found in *bracero* hiring the possibilities for "providing one of our best counter measures against communism in Mexico. This new middle class . . . imbued with democratic ideas and recipients of our capitalistic wealth serve as an effective counter-force."

The education of the *bracero* by his custodians was an afterthought to make managed migration respectable. It never passed beyond the token stage. There was without question a considerable amount of practical learning among the workers, encouraged by the instruction of employers who were aware of the capabilities of the Mexicans. There was no resemblance between this and what the California Council of Growers had in mind. Nor was there any doubt on the part of the Mexican Government that if the words about polishing the *bracero* culturally and indoctrinating him politically ever became more than happy talk, it would only mean an undesirable americanization.

It is one of the characteristics of image making, as an art in public relations, that it can blend in such broad strokes so little that is not necessarily untrue with so much that is excitingly false. Varnished at last with culture, Public Law 78, it could even be claimed, had created a dynamic middle class of small farmers in rural Mexico and had preserved its sturdy democratic counterpart in California. If the *bracero* was generating democracy in his native land and preserving it abroad, history had indeed charged him, the poorest of the poor, with a heavy task.

PART VI. *Perspective*

CHAPTER 21

ALTERNATIVES TO THE BRACERO

Although unchallenged in its control over the Mexican farm labor program, commercial agriculture was never fully at ease. In the early years the industry had to hedge the hazards of government intervention, to see to it that the rules were cautiously drawn and the administrative machinery favorably mounted. Until farm employers felt secure in all these respects they continued to use Wetbacks on a large scale. After 1950 public criticism became more embarrassing and domestic laborers more annoying. Discussions of the law in Congress wore the arguments thin, leaving the program clothed more and more in sheer political power and less in reason and candor.

On these accounts it was wise to keep within reach alternative sources from which the labor pool could be replenished, and facilities to tap them ready in blueprints and pilot projects. The industry turned its mind again to Japan, Hawaii, and the Philippine Islands. It also encouraged limited immigration of Mexican farm laborers under the provisions of United States immigration statute Public Law 414. And it kept a small reserve of Wetbacks.

Plans to reopen the Japanese labor market on a stand-by basis were first discussed by employers in November 1953. At a meeting of industry leaders held in Los Angeles it was agreed that possible sources of farm manpower in Asia should be investigated. It was feared that "as long as Mexico believed that she held all the cards and that California agriculture had no other source of labor supply, the program would continue to be subject to delay and exorbitant demands."¹ The lead in this direction was taken by the citrus producers of southern California but interest in the plan soon spread