

## SUGGESTIONS AND RECOMMENDATIONS

### Restatement of the Problem

On the basis of the findings in the foregoing pages, the problem which was outlined for investigation may now be summarized and restated as follows:

Whereas, there are in Mexico City at the present time approximately 1,000 beggars, concentrated in the central retail business district, on the chief arteries of traffic, and around the churches; and

Whereas, sample case studies of the life histories of these beggars reveal them, for the most part, to be demoralized, disorganized, and unadjusted persons; and

Whereas, it has been demonstrated that the principal factors contributing to the production of beggars in Mexico City are poverty, sickness, disease, physical deficiency, unemployment, alcoholism, drugs, and the disorganizing effects of the urban environment; and

Whereas, it appears that the institution of begging is maintained and supported by a long historical tradition which is reflected and manifested in firmly rooted attitudes on the part of both the general public and the beggars themselves, which attitudes give tacit approval of the institution; and

Whereas, both public and private agencies have by means of laws and the establishing of asylums and institutions made numerous unsuccessful attempts to solve the problem of begging; and

Whereas, laws continue to be passed and institutions continue to be established which offer little more hope of any greater success for the future solution of this problem than similar

efforts in the past:

Therefore: What suggestions and recommendations can be made with reference to an administrative program and to a method of procedure which can be adopted by public and private agencies in order to deal effectively with the problem of begging in Mexico City?

### Suggestions and Recommendations

Given the complicated nature of the problem of begging, it is obvious that any effort which is made for its solution must involve two classes of desiderata or objectives. For convenience, these may be outlined under the headings "long-term objectives" and "short-term objectives."

#### Long-Term Objectives

Economic: Begging is primarily a manifestation of the fundamental and elemental social evil known as poverty. If poverty and destitution could be done away with, begging as a form of behavior would in large part disappear. The first and most important objective, therefore, toward which it is desirable to work if begging is to be suppressed in Mexico is that of raising the standard of living of the people as a whole. This means, primarily, more adequate wages, but it also means that investigation should be made of the possibility of introducing into Mexico such schemes of economic protection as are involved in old-age insurance and pensions, unemployment insurance, minimum wage laws, state sick benefits, and workmen's compensation. From this point of view, it is obvious, the successful suppression of begging is in a very real sense dependent upon improvement in the whole economic structure of the country.

Educational: Looked at from the point of view of the beggar, the educational problem involved in doing away with begging is twofold: On the one hand, beggars should be made to feel that begging is essentially a socially disapproved form of behavior, and hence a reason for shame and a mark of failure. On the other hand, every effort should be made to train those now beggars and those likely to become beggars (as well as the public at large) in habits of thrift and saving. Savings banks should be established and people should be taught the necessity and advantages of ordering their economic existence and of preparing in advance for unforeseen emergencies.

From the point of view of the public at large, the educational problem involved is that of making known and felt the evils and essential futility of indiscriminate, uncontrolled, and disorganized forms of charity. The public must be made to understand that, however worthy charitable motives are in themselves and however good the individual giver may feel as the result of his giving, charity (like mother love, patriotism, and many other fine and noble sentiments) does more harm than good when it is undisciplined, unplanned, and uncontrolled. Promiscuous and indiscriminate charity of the type involved in giving to beggars in the public streets is an evasion of the giver's true responsibility toward the poor and <sup>in that this form of charity serves</sup> the unfortunate, to undermine the morale of the beggar and thus delay if not prevent entirely his eventual rehabilitation as a useful member of society.

### Short-Term Objectives

Institutions: All efforts which have been made to solve

the problem of begging in Mexico City by placing beggars in a special beggars asylum, home, or institution have failed. If past history means anything, there is every reason to believe that any future efforts along the same lines are equally doomed to fail. Even the most superficial examination of the problem of begging should make it clear that beggars have very little in common **except** their misery and the fact that they beg. On the basis of what logic, therefore, can it be hoped to rid the city of beggars by clearing them off the streets and dumping them all together in some building? To make the matter specific, what would be gained, either from the point of view of society or from the point of view of the individuals involved, by placing together a single institution such markedly different persons as Juan Jiménez Aguilar, the cripple and vender of heroin, Guadalupe Casas González, the child exploited by her parents, María Felix Flores, the paralytic, Manuel Zarco, old and a drunkard, and Trinidad García, juvenile delinquent and a victim of a broken home? And yet, if the present study has any significance at all, of such as these is the kingdom of beggars! Just as beggars have different life histories and have been brought to begging for a different reasons, so also must they be treated differently.

But, it may be argued, nothing can be done with some beggars except put them in institutions; and with this argument one is perfectly willing to agree as long as it is not proposed to put all beggars together in the same institution. Obviously, in the case of Manuel Zarco, for example, probably the best thing that could be done would be to find him a place in some home for the aged in which he could pass the few remaining years of his life.

Or, to take another illustration, perhaps the best disposition that could be made of the case of Guadalupe Casas González would be either to place her in an orphan asylum or to arrange for her adoption by some dependable family. In other words, it would appear that the best plan, when it is necessary to institutionalize a beggar, would be to make use of the various and sundry types of institutions already in existence.

In the opinion of the present writer, an effective use of old people's homes, orphan asylums, public hospitals, deaf-dumb-and-blind schools, etc., etc., such as are now supported in Mexico by the Beneficencia Privada and the Beneficencia Pública, would involve among other things the following:

(a) A survey of the existing charitable institutional resources, both private and public, with a view to finding out what organizations will now (or ~~would~~ be prevailed upon to) accept beggars and in what numbers and under what conditions. This survey ought also to reveal whether or not there is any necessity for establishing a new specialized institutions or for expanding the work of existing institutions so as to take care of such problems, for example, as those presented by the physically handicapped.

(b) Both in dealing with the beggars and in all other forms of charitable work, immediate steps should be taken to introduce the case work method. One of the facts discovered in the course of the present study was that, with the exception of two places, the charitable institutions of Mexico City now engaged in giving indoor and outdoor relief make practically no investigation whatsoever of the economic, family, and health history and present condition of their clients. The experience of other countries has

shown conclusively that such procedure not only means a waste of public and private funds devoted to charity, in that many persons receive aid who do not really need it, but also involves in many cases the working of definite harm to the people whom it is intended to help. It should be obvious that the only possible basis for intelligent dealing with the poor and the unfortunate is that of ascertained fact. The facts regarding the history and present economic, family, and health situation are just as important in social diagnosis as the facts of the history and present condition of the body are for the doctor in his diagnosis of a person who is sick.

(c) The case work method of procedure assumes a careful investigation of each individual dealt with. If, therefore, it is desirable, as indicated here, to deal with beggars by the use of this method, sufficient time will have to be allowed for the purpose. In other words, the cleaning up of begging in Mexico City will have to be undertaken, as the Mexicans say, poco a poco (little by little). Only by taking a few beggars at a time, making a careful study and diagnosis of their cases, and then making the best disposition possible of each case under the circumstances can even an approximation of ultimate success in solving the problem of begging in Mexico City be hoped for. Such a procedure will, of course, be slow and will require trained personnel and money. To those who put their faith in police razzias and other shortcut methods, this procedure, of course, will not appeal; but, one may repeat, on the basis of the knowledge and experience now available, it appears to offer the only reasonable possibility of a solution of the problem of begging.

(d) In order to carry out the above program, it would

be desirable to have some place where beggars can be taken while they are being studied and observed in connection with the making of the case history and investigation. In view of the fact that in the nature of the case only a few beggars can be under observation at a given time, such a place need not be very large nor involve any great outlay of money (the Asilo de la Beneficencia Pública para Ancianos, now located at San Salvador el Verde 15, might very well be used for the purpose here indicated).

Legal: In order to carry out the program which has been indicated above, a certain amount of legal sanction and enabling legislation will be necessary. It is suggested that this legislation should involve the following points:

(a) Begging in any form whatsoever should be prohibited on pain of arrest and imprisonment. (The prison term should be made of such length as to act as a definite deterrent.) However, no individual beggar should be subject to this penalty until after his case has been investigated and disposed of by the institution set up for this purpose; i.e., no beggar should be imprisoned unless he persists in begging after his case has been investigated and arrangements have been made for his support in some other way than by begging.

(b) After the lapse of a time judged to be sufficient for dealing with the beggars now existing in Mexico City in the fashion which has been suggested above, the laws governing mendicancy should also provide a penalty in the shape of a fine for people found guilty of giving to beggars. For obviously, if begging is to be considered a crime, then both the criminal and the accessory after the fact must be punished. It takes two to make a beggar. (A precedent for this law will be found in the regulations governing

the law of March 23, 1828.)

(c) The present penal code must be modified at least to the extent of suppressing the articles which grant to the political authorities the right to license beggars.

## NOTES AND

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## APPENDIX A

Mexican Legislation, by Dublan y Lozano, Volume II, 1827-1834, p.307, No.59. Edict inserted in published record June 25, 1806, which dictated various provisions concerning beggars and vagrants.

"From the moment I took possession of the government of these vast provinces, I saw with surprise the great number of beggars who afflict and mortify the inhabitants of this populous city with their prayers and incessant pleas, and I concluded that these beggars were for the most part vicious, lazy people, disguised with the cape of misery, people living in the depths of abandon and perverting by their bad example many persons who, if this example were removed, would be useful to the state. Desirous of avoiding the pernicious consequences which the public experiences from such disorder, I have adopted a new method of administering the asylum for the poor in this city, in order to best carry out the sovereign intentions of our lord, the king, who desires only the good for his beloved vassals, the truly necessitous poor of this region. That these may find in the hospicio a true asylum for their misery; and that they may find in the conscientious zeal of the charity board, to which I have intrusted the political and economic management of the asylum, all the kindness religion inspires for its better care, I have approved for the present this new ordinance, pending his majesty's pleasure to decide what may be his royal desire.

"In order that my superior dispositions may be public and known to all, I decree and command the poor, legitimately prevented from gaining a living by themselves because of their age, because of being sick or crippled, to present themselves within the definite period of five days, counting from today, at

the asylum referred to. Here they will be attended with all kindness, spiritually as well as physically, and will be given, according to their needs, all possible help and assistance, including some occupation which they may comfortably pursue. I prohibit any one from asking alms publicly or privately in the streets, plazas, boulevards, houses, churches. Those who, after the five-day period is passed, are found begging by the officials appointed to collect them (under command of the marquis de Guardiola, designated by the charity board for this purpose, and his substitute, sergeant-major Rafael Ortega) will be taken to the asylum, if they are legitimately incapacitated and necessitous; and if they be vagrants of the Spanish or mestizo race who under pretext of poverty live without working, I shall be informed, and I shall give them over to army service, in the regular standing army, to work in the Havana arsenals, the Veracruz fortresses, the Barlovento and Marianas island guards, the district of the Californias, or to public service works. If they be Indians, I shall dispose of them in accordance with their nature, according to the law. I command the high and low judges of the sections of the city to watch and take care for this point of policy so important to religion and the state; and I beg and charge the ecclesiastic prelates to prohibit the beggars from molesting the faithful with their supplications and prayers in the churches, and to remit all those found in the churches for the disposition of the marquis de Guardiola, in order that he may take them to the asylum for the poor, where they will be examined very scrupulously as provided for by the new ordinances. And in order that the notice of this may come to the attention of everyone and no excuse nor ignorance may be alleged, I command....etc., etc."

## APPENDIX B

Mexican Legislation, by Dublan y Lozano, Volume II, 1827-1834, p.61, no. 552, March 3, 1828. Vagrant courts in the Federal District and the Territories.

Article 1 -- In order to know and determine the summary causes for vagrants in the district and territories of the federation there shall be established in the capital of each district a court made up of the mayor and two aldermen. Of these, one shall be renewed each month; the first month, the youngest shall be replaced, and after that, the eldest.

2 -- The sessions of this court shall be held on Monday and Thursday of each week, providing these days are not holidays, and when they are, the next work day. The president shall be empowered to increase the number of sessions as circumstances demand.

3 -- These sessions shall be celebrated in chambers and when the court is ready to pass sentence the sessions shall be public, if public decency permits.

4 -- The scribes of the criminal court shall authorize and make report of the sessions, but shall have no voice in the proceedings.

5 -- In the towns in the territories which are not the seat of the district government, the mayors shall proceed to the detention of vagrants and to the formation of a report to be remitted to the principal district court.

6 -- The following are declared to be vicious and vagrant:

I -- Those who, lacking a trade or income, property or rent, live without it being known that their subsistence comes from licit and honest sources.

II -- He who, having some patrimony or income, and being the child of a family, is known to have no other occupation than that of frequenting gambling houses, associating with comrades of evil reputation, frequenting suspicious places, and who gives no sign of taking his place in society as a decent citizen.

III -- He who, vigorous, healthy, and robust, (or even with a handicap, if such does not prevent his exercising some trade) maintains himself by begging.

IV -- The child of a family who, because of his evil inclinations, his little reverence for and obedience to his parents, and because of his practice of bad habits, is no use at home or in the town for any purpose except scandal and is without propensity for or application to the career given him.

7 -- The foregoing must be judged with summary information, with summons to the council of the municipal government in order that it may proceed with the prosecution.

8 -- In the municipalities where there are two councils, the summons shall be to the older council for six months, and after these have passed the said summons shall be charged to the other council.

9 -- If there is imperfect evidence or indication that a person is a vagrant or unoccupied, his apprehension shall be effected and he shall be put in jail in the department of detained persons.

10 -- The mayor shall take the accused person's declaration together with a statement of the terms of the accusation within twenty-four hours.

11 -- If the person detained as a vagrant wishes to prove an occupation and decency of conduct, or jealousy on the part of those

who have declared against him, he must prove it within exactly three days in all detail.

12 -- In order that sentence may be passed, there must be two affirmative votes.

13 -- If the sentence is absolution, the prisoner shall be immediately placed at liberty.

14 -- Those who are declared vagrants by the tribunal shall be sentenced to service in the army or navy, in the colonies, or to houses of correction.

15 -- Those unable to work or orphan children under 16 shall be put in houses of correction, or, lacking these, the latter shall be put to learning a trade under the control and direction of masters who are satisfactory to the political authority.

16 -- When the tribunal makes declaration, it shall express in its sentence the place or point to which the person or persons sentenced are destined, with statement of the time of service. If the sentence is to serve in the army or navy, the time ought not to be more than four years.

17 -- Those sent to the colonies shall be placed at the disposition of the person or persons designated by the president of the republic.

18 -- The supreme government may expell from its territory any vagrant foreigners found within it, as soon as the competent tribunal of their place of residence makes declaration that they are vagrants, if they have a residence, and lacking this the declaration of the tribunal of the district where they are found.

19 -- If the prisoner feels wronged when notified of his sentence, he may appeal within twenty-four hours after the

sentence is given.

20 -- The assistant mayor (and in his absence the eldest alderman not otherwise occupied) of the capital of the district where the prisoner is, with two honorable citizens, one named by the prisoner and the other by the council, shall pass judgment upon the petition of appeal.

21 -- Within a period of three days the tribunal of appeal shall be formed, the prisoner and his defender, if he has one, shall be heard, the witnesses who present themselves shall be examined, and immediately the tribunal shall proceed to confirm, revoke, or moderate the sentence, and its decision shall be executed without recourse.

Mexico City, March 3, 1828. Miguel Ramos Arizpe

APPENDIX C

PENAL CODE FOR THE FEDERAL DISTRICT AND TERRITORIES, DEC. 30, 1929

Section Twelve -- Concerning Economic and Social Crimes

Chapter III -- Concerning Vagrancy and Mendicancy

Article 778 -- He is a vagrant who, lacking licit and known means of subsistence, and being sound in body and mind, does not dedicate himself to honest work for his living.

779 -- The vagrant who, after being warned by the administrative authority or by the Supreme Council of Social Defense and Prevention, to dedicate himself to some honest, remunerative occupation, does not do so within ten days and does not prove incapacity for such occupation, shall be punished by: expulsion /from the district or territory/ for two or three years, or imprisonment in a penal shop for an equal length of time. During the ten days mentioned in this article, the vagrant shall be subject to strict vigilance.

780 -- If the vagrant be a minor, deaf-mute, mentally weak, or psychopathic, a penalty shall be applied in accordance with the provisions of the First Book /of this Code/ for this class of delinquents.

781 -- Until asylums or special shops for beggars are established, or until there are vacant places in those existing, the Supreme Council of Social Defense and Prevention may concede licenses to beg:

I -- To those who prove their permanent incapacity for work and complete lack of resources on which to live.

II -- To those who give proof of being temporarily incapacitated

for work and lacking in resources on which to live.

Licenses shall be good for only such time as the reasons for issuing them continue to exist.

782 -- The beggar who, without fulfilling the requisites fixed by the foregoing article, begs without the necessary license, shall be punished by: one to three years expulsion or imprisonment in a special shop for an equal period.

783 -- The beggar who obtains through fraud or deception a license to beg shall be sentenced as in the foregoing article, considering the deception an aggravating circumstance of the fourth order.

784 -- The beggar who in begging resorts to injury, insult, or threat shall be subject to punishment for these crimes and his license shall be taken from him. In case he has no license the corresponding sentence shall be imposed as provided for in article 782, besides those for the crimes committed.

785 -- The licenses shall have as an essential requisite that of use for individual begging /i.e., they shall be non-transferable/. The disregard of this precept shall be punished by arrest of two to six months and loss of license.

786 -- The beggars or vagrants who are caught disguised, carrying arms, skeleton keys, or other instruments which may give reason for suspicion that they intend to commit a crime, shall be punished with arrest of two to six months or more.

787 -- The vagrants or beggars who may be convicted under the foregoing articles shall be liable for five years to an order prohibiting them from entering the district or federal territory in which they committed the crime for which they were condemned and against residing in that district or territory.