

JORNALERO: INDIGENOUS MIGRANT FARMWORKERS ALONG THE
U.S./MEXICAN BORDER

by

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DISSERTATION ABSTRACT

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Title: *Jornalero*: Indigenous Migrant Farmworkers Along The U.S./Mexican Border

On March 17, 2015, tens of thousands of migrant *jornaleros* (rural salaried farmworkers) began a three-month long general strike that brought agricultural production to a grinding halt in the valley of San Quintín, Baja California, Mexico. The striking workers called themselves the “slaves of the twenty-first century” for being displaced from their communities of origin to work ten- to twelve-hour shifts seven days a week for an average pay of 100 pesos a day (roughly U.S.\$6) without the benefits and protections afforded by Mexican labor law.

This dissertation contributes to an understanding of how the intersections of race, ethnicity, gender, and class, make migrant farmworkers in Mexico extremely vulnerable to exploitation. Through collaborative and engaged research, I demonstrate and analyze the precarious conditions in which migrant farmworkers live and work. Despite this exploitation, through decades of farm labor and indigenous rights organizing, farmworkers have been active protagonists in struggles aimed at democratizing global agricultural enclaves in northern Mexico. I document and analyze their struggles for labor and indigenous rights, including the birth of Mexico’s first independent farmworker union. As well, I analyze corporate-sponsored programs of fair and equitable food that in

their own way seek to improve labor conditions on transnational agricultural plantations with varying degrees of success.

Due to economic globalization and free trade programs like the North American Free Trade Agreement (NAFTA), the U.S. and Mexican economies are intimately linked. Consumers on the U.S. side of the border contribute to the unjust conditions in the fields on the Mexican side through the consumption of fruits and vegetables made under conditions of extreme economic and social precarity. This research seeks to contribute to better understanding the living and working conditions of indigenous Mexican farmworkers in global agricultural enclaves along the U.S./Mexican border. Through research and advocacy it may be possible to end abuses and exploitation in global food commodity chains.

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This dissertation is dedicated to all migrants and refugees everywhere. May you achieve
the justice you deserve.

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CHAPTER I:
INDIGENOUS MIGRANT FARMWORKERS ALONG THE U.S./MEXICAN
BORDER

On March 17, 2015, in the valley of San Quintín, Baja California, Mexico, tens of thousands of migrant farmworkers (or *jornaleros* in Spanish) launched an unprecedented valley-wide strike. They blocked the highway and brought agricultural production to a halt. Supermarket shelves in the western United States were left without important fruits and vegetables like strawberries and tomatoes. The farmworkers of San Quintín, mostly indigenous male and female migrants from southern Mexican states like Oaxaca, Guerrero, and Chiapas, labored in extremely poor conditions making miserable wages. The farmworker leaders of San Quintín decried their living and working conditions as modern slavery. In theory and on paper at least, farmworkers in Mexico are guaranteed the progressive labor rights and protections won as an outcome of the Mexican Revolution of 1910 and ingrained in the country's constitution, labor law, and social security legislation: equal rights for all Mexican workers regardless of occupation. In actual practice, however, Mexican farmworkers are excluded from the rights most urban industrial workers enjoy. There are over six million salaried agricultural workers (or *jornaleros*) in Mexico according to official sources.¹ Of these, the majority (80%) lack access to the social security system, a large part (30%) receive less than the minimum daily wage, and a smaller part (24%) do not receive any pay at all (due to child labor and other factors). Farmworkers in Mexico normally and routinely are denied overtime pay,

¹ Encuesta Nacional de Ocupación y Empleo. <http://www.inegi.org.mx/est/contenidos/proyectos/accesomicrodatos/encuestas/hogares/regulares/enoe/15/>

access to the public health system if they are hurt on the job, or a pension when they are too old and weak to continue laboring in the fields. Thus agricultural exceptionalism exists in Mexico as much as the United States despite the legislation to the contrary.



Figure 1. Female farmworker (jornalera) picking cucumbers. Photo by author.

This thesis tells the story of migrant and settled farmworkers in the state of Baja California who participated in the 2015 strike and continue that struggle in ongoing conditions of social, economic, and political precarity. It is a story of the tension between structural violence, the ongoing coloniality of race, gender, and labor relations, and the courage and tenacity of many of these workers to live a dignified life. More than anything, I tell this story to make visible the underside of food production and how despite the existence of organic, fair trade and certifications for child-free and good labor conditions, workers continue to suffer and why. This is a story of the convergence of the

globalization of food production and consumption chains with a long history of labor rights suppression in Mexico. And it is the story of the complexities and challenges involved in labor organizing and leadership among farmworkers living and working in precarious conditions. Before diving into the specifics of this particular story that is the focus of the thesis, I will first situate food production in Baja in relation to larger structures of food production in this continent and globally and link the emergence of what I call global agricultural enclaves to migration and displacement. I will then move to providing more specific context about the region of Baja that I worked in, discuss my methods and challenges, and finally provide an overview of the thesis.

SAN QUINTÍN: A GLOBALIZED AGRICULTURAL ENCLAVE

Currently, agricultural production in Mexico and the United States is integrated more than ever before. Gabriela Pechlaner and Gerardo Otero (2010) describe this process of integration as a global neoliberal food regime. Agricultural corporations – literal food empires – based in the U.S. organize production and distribute products that are planted, grown, and harvested in Mexico. Due to economic globalization of the neoliberal kind, barriers to the exchange and commercialization of agricultural products across the border have fallen and fruits and vegetables grown in favorable climates south of the border find their way to kitchen tables north of the border in cold winter months. Never before have consumers had such an array of fresh fruits and vegetables to choose from year round. While globalized agricultural production may seem marvelous due to the fresh food at our disposal, it also has a hidden cost. Although food movements and fads champion organic, local, and vegan, few people look to the exploitation of labor

hidden in all corners of global commodity chains. Yet our food comes from places like the valley of San Quintín in Baja California, Mexico where people labor in unsafe and inhuman conditions.

Globalized places like San Quintín are referred to as global agricultural enclaves by Natalia Moraes, Elena Gadea, Andres Pedreño and Carlos de Castro (2012) who have studied their appearance in Europe and the Americas. Global agricultural enclaves are the product of the globalization of agro-business and can be defined by their orientation to export, use of cutting-edge technology, high productivity, and an intensified use of labor. What all global agricultural enclaves have in common throughout Latin America and southern Europe is intense use of wage labor, extreme flexibility in the employment of the workers, production oriented towards seasonal discontinuity of the products cultivated, and high responsiveness to changes in markets. Agricultural production in global agricultural enclaves are based on commercial capital and organized around decentralized and fluid organization that allows transnational corporations to buy, sell, and distribute (although not necessarily produce) throughout the global market. This horizontal model was created based on the fresh fruit and vegetable market with its historic roots in California. This California style of export agriculture is based on high concentration of capital, large mobility of manual wage labor, and a high rationalization of production. The fresh fruit and vegetable market, organized by medium and large transnational corporations from the global north, has expanded throughout the global south. The global fresh fruit and vegetable market is a global network of production and consumption traversing multiple countries and continents. Yet in most cases, the global north is the consumer and the developing world is the producer. Thus a north/south

division is created that is based on an imbalance of power and hierarchies that are part and parcel of larger colonial histories. What all of these agricultural enclaves have in common is that they are oriented to export agriculture and are dominated by great distribution chains in developed countries. They are also highly responsive to consumer demand in these developed countries and the intense concentration and centralization of capital spread horizontally across places of production allow diverse strategies for seasonal and just-in-time production (Moraes et. al. 2012: 16-18).

The period of neoliberal development and its agricultural forms associated with globalization (1970-present) represents a shift away from previous national models of development and modernization (such as import substitution and price controls for essential agricultural staples). With the shift to neoliberal globalism – a political and economic ideology based on a limited role of the state and the “freedom” of the market – came a dramatic shift in food regimes. According to Gerardo Otero (2012), a food regime is a historical phase in the political economy of food production and distribution. Thus, a neoliberal food regime, as Gabriela Penchlaner and Gerardo Otero (2010) argue, is based around key legislation promoted by agribusiness multinationals that largely eradicated protectionist policies like tariffs thus leading to the privatization of much of agricultural production. In Mexico, this led to an end to government assistance such as rural credit and spelled the end to agrarian reform and redistribution which opened up rural land to the market and displaced small, rural producers to more dynamic zones of capital accumulation in urban or rural settings such as agricultural enclaves. This shift in models has created a major crisis in the agrarian economy. There exists a reduction in public spending on agriculture (less credit and less public investment), a lack of strategies for

support of the agriculture sector in its diversity, and a denationalizing or dismantling of institutions supporting small, regional, or even national agricultural production. These asymmetrical relationships were created with globalization and particularly with the North American Free Trade Agreement. Certain regions and certain products were intensified for commercialization and export utilizing mobile capital, high technology, and intensive production.

This creates an impoverishment of the agrarian sector that is based on subsistence agriculture utilizing traditional technologies for the production of basic goods (such as maize and beans) given their lack of commercial potential and the importation of basic foodstuffs at cheaper prices. There thus exists no basis for competition of traditional and indigenous economies--rooted in small-scale production--with commercial and export agriculture. Small farmers are unable to produce enough and generate enough capital to compete on the international market and thus the need to migrate and work in the agro-export zones. Rather than generating greater levels of development, commercial export-oriented production impoverishes subsistence communities as its inhabitants are forced to find work in industrial agriculture in globalized enclaves of production. This massive outflowing of internal migrants changes the social and economic fabric of rural communities (Granados Alcantar 2005; Rojas Rangel 2009). Neoliberal economic globalization and its creation of global agricultural enclaves like San Quintín has worsened poverty in the Mexican countryside instead of alleviating it.

RURAL-RURAL MIGRATION TO GLOBAL AGRICULTURAL ENCLAVES

Transnational migrations from Mexico to the U.S., as well as rural to urban migration within Mexico, have been well documented. However, there exists less research on rural-rural migration within Mexico and how transnational processes encourage such movements of people. Teresa Rojas Rangel (2009: 42) calls rural-rural internal migration the “*invisible migration*, that is to say this type of mobility is *undocumented*, and given its legal, economic and social characteristics is based on an illegal or illegitimate framework that occludes and strengthens the exploitation of labor power and the reproduction of poverty.” This rural-rural migration is necessary labor for globalized agricultural production in enclaves such as San Quintin. Such migration involves a deterritorialization of labor through recruitment into regional or national markets. As Moraes et al (2012: 18) argue,

In these spaces, where the local labor force is insufficient to respond to the intense demand for manual labor that is generated around industrial agriculture, the functioning of global commodity chains depend...on their capacity to mobilize workers from other regions or countries.

Moraes et al (2012) suggest that while this process is similar to what occurred at the beginning of the industrial era, mobilizing labor for global agricultural enclaves has distinct challenges.

These new agricultural industries have had to respond to the challenge of mobilizing salaried manual labor and then fix it in places of production; but different than previously, in these intensive agricultural enclaves the need to bring the workers has translated, paradoxically, not only in their settlement but also in a

strong mobility [of migrant laborers] which has as its correlative the destruction of the traditional campesino economies and the altering of traditional migratory routes (Moraes et. al 2012: 18)

Thus, rural-rural internal migration in Mexico is primarily centered on the displacement of inhabitants of campesino and indigenous zones to horticultural niches, given the opportunities for wage labor. This also resulted in the use of *enganchadores* (labor contractors) in order to hire large numbers of indigenous migrants to work in the fields. The process of *enganche* (labor recruitment or contracting) in the communities of origin and the type of work needed led to the migration of whole families instead of individual male laborers and facilitated the entrance of women into the rural migrant workforce (Granados Alcantar 2005; Rojas Rangel 2009).

Decades of circular migration, where (usually male) campesinos migrate seasonally to intense agricultural production in order to gain sufficient capital not available in their region of origin and then return to their community of origin is now not the norm. What is more common now is that jornaleros circulate between intense agricultural enclaves instead of their home communities. Many establish themselves in a particular enclave ,but migrate between them when necessary (golondrina migration). As well, agricultural labor in agro-export enclaves are both feminized and racialized as women have been incorporated into the workforce at unprecedented rates. In their communities of origin, women perform some of the agricultural duties within the gendered division of labor of the household and seldom are wage earners. In agricultural enclaves, women and children are increasingly incorporated into wage labor. The relegating of agricultural work to indigenous and rural populations is the result of the

agricultural company's need to reduce labor costs to the largest extent possible in order to compete globally and thus recruit laborers from the most vulnerable populations (socially, economically and politically). The result is a combination of institutional and cultural factors that pull vulnerable populations into flexible jobs and these populations then become subject to violations of their rights by transnational food corporations (Moraes et al 2012: 22).



Figure 2. Map of Mexico with states. Highlighted are Oaxaca and Guerrero with migration patterns to Sinaloa and then to Baja.²

² Image taken from: https://legacy.lib.utexas.edu/maps/americas/mexico_pol97.jpg

Reasons for rural to rural migration include the lack or scarcity of labor power in the new export agricultural industries in border zones combined with the need for wage labor on the part of campesinos and indigenous peoples whose rural economies are deteriorating. These so-called “push-pull” factors between zones of attraction and zones of expulsion are based on the preexisting asymmetry between highly diversified and technological agro-exporting industries and the rural sector that is based on traditional technologies for subsistence. These asymmetries are historical, social, and cultural and intersected by issues of race, gender, class, and geography.

On the whole, the Mexican southeast loses population while the more economically dynamic northwest grows in population due to these movements that follow the Pacific route: from Oaxaca and Guerrero to Sinaloa, Sonora, and Baja California, for example. Unlike rural-urban migration, this rural-rural migration is characterized by the migration of whole family units and the incorporation of children into the workforce. Given the unequal relations between the zones of expulsion and those of attraction, the rural poor from the south confront exploitation, precarity, lack of services, discrimination and mistreatment, social exclusion, and economic marginalization in northern global agricultural enclaves (Rojas Rangel 2009: 63-69).

The use of the term zones of expulsion by Teresa Rojas Rangel (2009) is appropriate. Saskia Sassen (2014) argues that simple forms of displacement do not dominate the contemporary age; instead displacement is organized by “new logics” of expulsion linked to the “pathologies of today’s global capitalism.” According to Sassen (2014: 1), “The past two decades have seen a sharp growth in the number of people, enterprises, and places expelled from the core social and economic orders of our time.”

Sassen (2014: 2) argues that while many forms of displacement may occur because of natural or accidental factors, expulsions are made as they have their origin in the organization of the global economic order. In a clear allusion to the creation of global agricultural enclaves like those of San Quintín, Sassen (2014: 2) writes that one of the factors behind expulsions “is the complexity of the legal and accounting features of the contracts enabling a sovereign government to acquire vast stretches of land in a foreign sovereign nation-state as a sort of extension of its own territory—for example, to grow food for its middle classes—even as it expels local villages and rural economies from that land.” However, in the case of northern Mexico, what we see is not the invasion of Mexican sovereignty through the appropriation of land by the government of the United States (as during the U.S.-Mexican War, for example), but instead the ability of U.S.-based transnational corporations to transcend borders by subcontracting production in foreign territory and claiming ownership to the products grown there.

The global economy and its technological innovations have created great scaling effects that alter the nature of current expulsions from past displacements. This complexity produces brutality, according to Sassen (2014: 4-5), as it has “served to dismember the social through extreme inequality, to destroy much of the middle-class life promised by liberal democracy, to expel the vulnerable and the poor from land, jobs, and homes, and to the expulsion of bits of the biosphere from their life space.” By connecting the various cases of expulsion, Sassen (2014: 5) argues that there is a common organizational logic underlying - subterranean, as she puts it – the seemingly disconnected cases of expulsion. By doing so, Sassen dispels the use of the term displacement in order to bypass the abstractness of the phenomena and see beyond the

traditional conceptual frameworks. This allows us to see the brutality behind the organizational logic of global capital. Sassen offers two linked processes to understand such disparate cases. The first is the incorporation of the developing world into “extreme zones for key economic operations.” Among the various examples she offers, Sassen (2014: 9) mentions industrial agricultural operations in areas of low-cost production and weak regulatory frameworks. The next factor is the development of advanced financial instruments in the transition to advanced capitalism.

According to Sassen (2014: 29) expulsions are not simply an intensification of previously existing systems of inequality and exclusion. Expulsions involve “a gradual generalizing of extreme conditions that begin at the edges of systems, in microsettings.” Sassen (2014: 82) argues that the material practices of expulsions turn sovereign territory of foreign states consumed by financial interests into “a far more elementary condition – land for usufruct.” This process, according to Sassen (82-83) degrades national sovereignty and undermines national governments that cede their territory to global capital. “The eviction of farmers and craftspeople, villages, rural manufacturing districts, and districts of agricultural smallholders similarly degrades the meaning of citizenship for local people.” This degradation of both the earth and people “reconstitute territory in vast stretches of the nation-state: territory becomes merely land in the case of plantations and dead land in the case of mines.” Sassen states:

At the extreme, we might ask what citizenship is worth when national territory is downgraded to foreign-owned land for plantations, leading to the eviction of everything else – flora, fauna, villages, smallholders, and the traditional rules that organized land ownership or use (Sassen 2014: 115).

Despite her insistence in the brutality behind such global reconfigurations of capital and labor, Sassen (2014: 116) argues that, “It is important to note that large-scale foreign land acquisitions could be generators of good jobs and local economic effects, especially when committed to workers rights and to environmental sustainability.” Yet she argues that in most cases this does not occur. “But the current trends do not promise much along these lines: it is a story of expulsions of people and local economies and of biospheric destruction,” she argues (Sassen 2014: 116). Moraes, et al (2012: 22) conclude with a similar argument in their analysis of the technological changes involved in creating global agricultural enclaves. Despite great technological innovation, agricultural workers suffer greater forms of exploitation. The process of technological modernization has advanced rapidly and thus the size of companies, the volume of products exported, and the transition of agriculture from a seasonal to year round activity has occurred. This has not, however, created a modernization of labor relations or standards in agriculture. Instead, agricultural workers are overly exploited and suffer great precarity. According to Moraes et. Al (2012), this paradox can only be understood as a business strategy to lower labor costs and hence increase competitiveness in the global market – the brutality of global capital as suggested by Sassen.

HOW VULNERABLE POPULATIONS IN AGRICULTURAL ENCLAVES ARE CREATED IN MEXICO

This investigation argues that globalized food production in agricultural enclaves like San Quintín, Baja California, Mexico exploit the most vulnerable populations at the bottom of global hierarchies built into the modern capitalist system in ways that continue

relationships of coloniality. The internal hierarchies within Mexico that have historically rendered rural, indigenous and afrodescendent men, women, and children economically and socially marginalized continue through the neoliberal food production regime. At the same time that transnational corporations expand agricultural production into Mexico by lowering the barriers to trade and weakening the Mexican state, economically ravaged communities in southern Mexico respond to their devastated economies by migrating to northern globalized agricultural enclaves to work as salaried migrant farmworkers in conditions of extreme social and economic precarity.

Throughout more than a hundred interviews I conducted with migrant farmworkers in the valley of San Quintín, all looked nostalgically on life in their home community. For the most of them, leaving their places of origin was not a choice. They come from places with deep significance and overall life is good. The life of a campesino in southern Mexico is dignified life. “There is a lot of dignity,” Paco, a jornalero I interviewed remarked to me.³ But he continued to describe why people flee a dignified life for economic reasons beyond their control. Paco argues that there is dignity but there is no money.

But there is no sustenance for the family because being a *comunero* (communal land holder) or a *campesino* (small producer) you produce but you produce the essentials for your family. But you will never have the opportunity to produce in a quantity to sell. You just produce what you can to go on living but it will never give you a monetary return.

³ 10-19-16 Jornalero

This jornalero described how in previous generations it was possible to live a more dignified life and economically sustainable life in the countryside. Now, however, agricultural products do not earn enough profit and money is needed ever more so. Paco understood on an intimate and personal level the economic and political changes linked to neoliberalism that have occurred on a global scale and impacted the Mexican countryside by forcing a retreat of the state and opening competition with global producers at large scales.

Because in the countryside or the community where you live there is no development. The government doesn't want to lend you hand in order for you to develop yourself and get ahead. What the government wants is to have you there. You can't do anything else but grow corn and grow beans and you have food for the whole year but you need money. Where do you get money?

Paco reiterated and expanded on the idea of dignity and argued that in the region of origin one lives with dignity but without money. As a salaried farmworker in global agricultural enclaves there is no dignity but there is money.

There will be no dignity but there will be sustenance for our children, so that we can send them to school. A campesino there on his land doesn't have money for their uniforms, doesn't have money to buy their school supplies...So the campesino has to leave his land. My father had to leave his community, leave behind his pueblo, in order to give us a life, in order to have what we have now. Because if they had stayed on their land I believe it would be different, they would be even poorer.

Upon arriving in a global agricultural enclave like San Quintín, the labor power of indigenous men, women, and children are exploited to such an extent that they describe their labor conditions as forms of modern slavery. At the same time that food regimes reorganize agricultural labor and food production, they reorder race, ethnicity, gender, and labor formations leading to lasting changes in migrant settlement communities surrounding these places of production. So why do people continue to migrate and how do they find dignity in what they do?

Isabella, one female jornalera that I interviewed expressed to me how working as a salaried agricultural worker could be a dignified life if the basic rights and conditions guaranteed under the law were met. This jornalera argued that as a woman she had more opportunities than she would have had back in Oaxaca. “There are people who think this is the worst job that exists,” she remarked. “I don’t think that is true. For me, I am a jornalera and say it to the whole world and with pride that it is good to work the land, work in the fields.” Working for a wage in the north allowed her to escape the gender roles of her home community and allow her greater agency. “It is good because you feel realized,” she remarked. After laughing, however, she remarked that she really didn’t make any money but felt more realized.

Isabella argued that for poor, rural people salaried agricultural work could be a dignified profession – something they lack in their communities of origin. “If we look at the other side,” she argued, “we do skilled work.” She goes on to argue that “Packing blueberries, packing raspberries, strawberries – it is beautiful, it is lovely. When you look at the baskets of red strawberries I say to myself ‘How pretty, this is a pretty job.’” Isabella also argues that the proof of the hard work and agile hands of the jornaleros is in

the exportation of the products they pick and pack. “I think we should get rid of this idea that it is the worst job,” she remarked.

Despite the fact that Isabella argues for the dignified nature of salaried agricultural work, she also recognizes that the lack of dignity that exists is produced through structures and regulations (or the lack of them) that keep the jornaleros in extreme poverty. This is true to such an extent that few jornaleros want their children to follow in their footsteps.

Well, at least here in my colonia, all the mothers say no [to their children ending up as jornaleros.] We want our children to study and to make something of themselves because we don't want them to continue suffering what we suffer. We are slaves to this work and then they denigrate us! And they say that this is the worst job, the dirtiest, the raunchiest, the least paid, the least valued.

Upon summing up her life's experience as a migrant farmworker Isabella concluded with the following paradox:

It is very difficult, then. The valley of San Quintín is pretty and I say it has its pretty things – its beaches, its mountains, there are pretty places. We don't get to enjoy them because for the same reason as always – our poverty.

Despite the pressure of the global structural forces that seek to keep wages and working conditions precarious, indigenous farmworker movements have sought to resist the most exploitative practices through unionization movements and settlement strategies oriented at reconstructing the individual and collective identities of the migrant populations in these new spaces carved out by global capital. This investigation will demonstrate how the agency of these indigenous migrant farmworkers challenge the

reordering of global food production under conditions of extreme precarity, but also face real limits. These farmworker movements also offer alternatives to market based solutions imposed by the food empires (such as fair and equitable food programs) and reinsert the importance of the state in guaranteeing the dignity of its citizens in the procurement of social justice and security. As Paco and Isabella stated, despite the contradictions, working as a migrant farmworker could be a dignified life. This investigation also hopes to elucidate the jornalero's struggle for dignity and point to concrete ways their experience work could be more meaningful and dignified.

INDIGENOUS PEOPLES, INDUSTRIAL UNIONISM, AND FARM LABOR ORGANIZING IN MEXICO

“Any consideration of Indigenous peoples, wage labour and trade unions has to take place in the context of the historical experience of colonialism and its attendant racism,” argued Lynne Fernandez and Jim Silver (2018: 20). Throughout the Americas, indigenous peoples have largely been excluded from union movements or, if incorporated, normally included on the grounds of class identities that obscure colonial and racist histories of dispossession and exploitation. Paige Raibmon (2006: 26) argues that it is important to understand the indigenous worker in both senses of the term - both as an indigenous person and as a laborer. Raibmon argues that it is important to understand how the colonial context and the resulting post-colonial states shaped indigenous wage labor. In the context of the United States and Canada, Raibmon (2006: 27) argues, “Settler societies relied upon turning Indigenous properties into capital through alienating Indigenous people from the means of production.” This alienation was

based upon a dispossession of land and resources forcing indigenous peoples into the “free” exchange of their labor on the market. “Extraction of Indigenous labor was thus central to colonialism,” Raibmon (2006: 27) declared. “Indigenous wage labor played an important role in the development of frontier, national, and global economies.”

In the case of Canada and the United States, large-scale land dispossession left rural to urban migration and wage labor the only choice for many indigenous people. Often these workers furthered the capitalist development and industrialization of these countries. However, on many occasions non-indigenous settlers forced indigenous workers out of wage labor, or into the least desirable positions. Although indigenous workers in Canada and the U.S. were active in labor movements and strikes, indigenous workers – and especially indigenous women and children workers – were paid less and worked in more precarious positions than their settler counterparts. As the wage labor hierarchy was racialized and gendered, unions often times excluded indigenous workers in order to protect the interests of white workers. “Unions [in Canada and the United States] have, in general,” write Lynne Fernandez and Jim Silver (2017: 7), “been slow to reach out to workers who are not white, male or heterosexual.”

In Latin America, the relationship between indigenous and afrodescendent peoples and labor movements historically has been just as fraught. Within the broader labor movement, there exists a continuation of racist and colonialist relationships given that urban, male, and mestizo industrial workers largely lead the union sector. Except in majority Indigenous countries such as Bolivia or indigenous dominant regions of countries such as Peru and Guatemala, few union movements have sought to understand indigenous communities, their particular visions of development, and their particular

demands. Given their exclusion from unions and their marginalization, on average indigenous and afrodescendent peoples indiscriminately suffer greater rates of modern slavery, forced labor, child labor, human trafficking, wage theft, and other forms of exploitation (OIT 2015).

In Mexico, the incorporation of indigenous peoples into unions has largely been through corporatist organizations such as the National Confederation of Campesinos (Confederación Nacional de Campesinos, CNC). However, this insertion of indigenous workers into organized labor is predicated on the erasure of ethnic or racial difference as indigenous peoples were largely incorporated into corporatist organizations along the lines of class (as “peasants” or campesinos) as well as in the state sanctioned identity of “mestizo” (i.e., mixed blood), and/or the assimilationist policies of indigenismo. Since the 1980s, there has been a resurgence of demands based on ethnic identities and a strong indigenous rights movement emerged that challenged the official categories described above. Issues of land and territory are now common demands of indigenous organizations although these rarely find common ground with urban labor movements whose focus on workers’ rights eludes demands for indigenous rights, land, and autonomy.

Given the expansion of agricultural wage labor since the neoliberal turn in the 1980s, waged agricultural laborers (like the migrant farmworkers of San Quintín) largely lack incorporation into labor unions or other organizations. Their most common form of incorporation is through the secretive pro-business collective bargaining agreements arranged between corporations and corrupt, authoritarian unions that dominate official labor sectors (described in detail in further chapters). These organizations seek to marginalize the voices and demands of the majority of the Mexican workforce – and

especially marginalized workers – and channel labor’s power into mainstream, official channels. Official unionism in Mexico, and trade unionism in general, creates artificial divisions between different sectors of working people thus isolating many of the struggles that rural people face. However, as will be seen in the case of the Central Independiente de Obreros Agrícolas y Campesinos (Independent Organization of Agricultural Workers and Peasants, or CIOAC), many of the precursors to today’s indigenous-led migrant farmworker organizations operated ideologically and pragmatically within the tradition of the urban left – especially various forms of Marxism – that also relegated issues of ethnic identity, indigeneity, and collective rights.

Throughout this dissertation, I will demonstrate, both through historical analysis and ethnographic observation, hybrid organizing models within indigenous migrant farmworker communities that seek to meet the demands of migrant and settled farmworkers both as workers (i.e. issues of wages, hours, and conditions) as well as indigenous peoples with certain rights guaranteed under international law (rights to language, culture, land, and housing, for example). For decades, indigenous migrant farmworkers in the Mexican northwest found an ally in organizations like the CIOAC but they ultimately failed to create lasting change in the region. Chapters two and six highlight the trials and tribulations of incorporating indigenous peoples and their demands into mainstream, leftist movements like the CIOAC for worker rights. Both of these chapters also demonstrate the power and agency of indigenous peoples to rethink, adapt, and redefine organizational models emanating from their communities of origin with labor struggles related to their condition as waged agricultural workers. This hybrid model suggests that traditional mainstream unionism is not only culturally inappropriate

to the struggles of indigenous migrant farmworkers but also ultimately unsuccessful in meeting their demands. The struggles of the jornaleros described throughout this work point to the importance of what in other areas of the world has been termed a social movement or community unionism.

Social movement unionism emanating from the global south seeks to address issues beyond those of the industrial relations model of trade unionism in the global north by aligning labor issues and organizations with wider political struggles of social movements. Examples of social movement unionism include the struggle of labor unions in the wider anti-apartheid struggle in South Africa or the struggles against the military dictatorship in Brazil in the 1980s. Another related phenomenon around an expanded labor movement is the term community unionism. This type unionism rests upon an alliance of labor and non-labor organizations to address issues beyond the rights of organized labor. Issues such as health care, immigration, welfare, and other rights are addressed by these alliances with unions and their members pushing for the rights of non-organized workers and other constituencies. This type of unionism is often based around intersecting issues beyond class and can include issues of race, gender, religion, spirituality, and environmental concern. Social movement and community unionism have also been important in revitalized labor movements in the global north as the power of labor has been largely curtailed after decades of neoliberal economic restructuring (Banks 1991; Black 2005; Lipsig-Mumme 2003; Scopes 1992; von Holdt 2002; Waterman 1993).

This research seeks to document, synthesize, and ultimately theorize the ways that traditional labor movements marginalize indigenous migrant workers as well as the ways

indigenous migrant workers transform labor movements according to their own visions, organizational forms, and demands. Indigenous led social movements based around local settlement patterns in a transnational context created an organizational structure revolving around different forms of leadership and collective action than traditional labor movements. These local movements, at times dispersed and unarticulated, were woven together through an alliance that ultimately culminated in the jornalero strike of 2015. This alliance of local groups focused first on immediate questions of survival in conditions of extreme poverty before moving on to questions of labor and exploitation that cut across ethnic, community, and migrant identities. The major gain of the movement was the creation of the Independent National Democratic Union of Agricultural Workers (Sindicato Independiente Nacional Democrático de Jornaleros Agrícolas, or SINDJA). This research documents the origin and initial organizing campaigns of the SINDJA union as it seeks to find a sustainable model of organizing along community and social movement lines in competition with repressive corporatist unions and the transnational corporations that employ them to repress farmworker labor rights.

THE CONTEXT OF SAN QUINTÍN

This project is an ethnographic investigation of the life and labor of the indigenous migrant farmworkers in the valley of San Quintín. The valley is located within the state of Baja California in the municipality of Ensenada. It lies a mere 300 kilometers south of the US/Mexican border. Baja is the northern and westernmost state in the country and borders the US states of California and Arizona. In the early 1800s, the

California territories were divided into Alta (today the US state of California) and Baja (today's Mexican states of Baja California Norte and Baja California Sur) to be administered by Jesuit, Franciscan, and Dominican missions. After the US-Mexican war ended with the Treaty of Guadalupe in 1848, Mexico lost roughly half its territory,



Figure 3. Baja California and San Quintín.

including Alta California. Given its sparse population, Baja California was never a huge priority for Mexico. Unlike neighboring states like Sonora, European and US immigration was prohibited due to fears of further annexation. Thus the territory was never a principle demographic or commercial center. In 1930s, the Baja territory was divided into North and South. Baja California Norte became an official state in 1952 and Baja California Sur in 1974 (Velasco, Zlolinski, and Coubès 2014). Baja California Norte is now just called Baja California.

Fruit and vegetable production in the global agricultural enclave of San Quintín is embedded in historically contingent and culturally specific processes that include a labor contracting scheme organized around colonial ethnic relations and embedded in dynamics of displacement and dispossession. Production practices are organized around repressive labor control and the inexistence of public infrastructure and social services. These processes have been exacerbated given the unequal international relations sanctified under neoliberal free trade policy that links large distributors in the U.S. with producers in Baja California (Velasco, Zlolinski, and Coubès 2014).

In 2010 it was estimated that there were over ninety-two thousand inhabitants in the valley, although there are large fluctuations given the growing season. In this same year, eighty-six percent of the population was immigrant and more than twenty percent speak an indigenous language. The majority of these recent immigrants are indigenous peoples from the states of Oaxaca, Chiapas, and Guerrero. The poor salaried agricultural workers of the valley of San Quintín have been active agents of change over the conditions of labor and life to which they are subject. As Velasco, Zlolinski, and Coubès

(2014: 233) argue, it is impossible to disentangle the mode of economic production imposed on the valley and the modes of social reproduction among the migrant jornaleros who work and settle in the region. There exists a continuum between labor and residential struggles given the relation between the specific mode of agricultural production in this agrarian enclave and residence patterns.

FIELDWORK AND METHODS

This investigation was conducted through ethnographic fieldwork that involved me living in settled migrant jornalero communities for over a year in two six-month stints. For the first six months (September 2016-February 2017), I lived in the colonia called La Triki, which lays next Nuevo San Juan Copala, both in the district of Vicente Guerrero. Both communities are primarily made up of Triqui migrant farmworkers from Oaxaca but there also exist Mixtecos, mestizos and others. The second leg (July 2017-December 2017) of fieldwork was spent living in the Flores Magón neighborhood of the Lázaro Cardenas district further to the south. Here I lived alongside an extended family of Mixteco migrant farmworkers from San Miguel Cuevas, Oaxaca. The elder statesman of the family was one of the primary founders of the colonia. His son is a key community leader and was an important leader in the 2015 strike. Since concluding the year of ethnographic immersion (December 2017), I have made numerous trips to the valley in 2018 and 2019 to conduct fact checking, follow-up interviews, and visiting friends and colleagues.

In all, I undertook 140 Semi-structured interviews lasting between 30 minutes and 1 hour 30 minutes. Given the constant harassment, repression, and blacklisting of

jornaleros, they live in a constant state of fear and do not easily relate their living and working conditions. Key to my ability to get workers to open up about their experiences was that I was often accompanied by a community leader. In total I interviewed 140 workers, contractors, community leaders, activists and union officials. Of the 140 total interviews 59% (eighty-two) were men and 41% (fifty-eight) were women. I wished to have a more even number of interviews between men and women but the difficulties of navigating local gender relations as a foreign male researcher made this difficult. While I was not allowed to formally interview children or minors, I interacted with them on numerous occasions and was indirectly able to understand their living - and sometimes working - conditions. In order to understand the life and labor of the jornaleros part of my research involved working as a jornalero on a few occasions. Here I joined labor crews and worked in the fields.

As is common in ethnographic fieldwork, my own privilege as a white male from the United States and of a lower middle-class background with high levels of education was both an aid and an impediment to research. My life in the valley of San Quintín was marked by the lack of the necessity to work in the fields while my collaborators struggled eight to twelve hours a day six or seven days a week. Not only was my skin a marker of my difference, so too were my unblemished hands and clean clothes that identified me as a non-farmworker. Although I did engage in sporadic farm work, my fellow jornaleros viewed my forays into their world of work as an experiment in suffering - something akin to "slumming" for the fun of it. With patience and long-term engagement in the community, however, I eventually saw many of the barriers to communication and collaboration fall. I developed lasting friendships and working relationships with many

individual jornaleros and organizations. Part of my success was due to the collaborative projects mentioned previously.

While my privilege often gave me access to information or opportunities for research that might not have been otherwise possible, my outsider status also hindered my acceptance among certain groups of jornaleros – especially the reduced core of the Alianza (discussed in depth in further chapters). While a number of past and current Alianza leaders granted me interviews and opportunities to accompany their work, Fidel Sánchez Gabriel, arguably the most important and controversial Alianza member, routinely denied my requests for formal interviews. After spending a number of months accompanying the farmworkers in events, rallies, and protests, my reputation grew among certain Alianza members. I thought I finally had a chance to gain access to an interview with Fidel Sánchez Gabriel when I obtained information in the field that would have benefited his organization. I met him at his house in the Maclovio Rojas neighborhood and asked for an interview in exchange for information. He agreed but asked me to divulge my information first. Upon finishing he made notes of my observations and abruptly left the room to supposedly answer the telephone. He subsequently dismissed himself and said he would reschedule the interview at a later date due to an emergency. Sánchez Gabriel never provided me the opportunity for an interview but obtained the information I possessed. One of the drawbacks of activist research, as noted by Hale (2006: 98) is the potential for a “compromised condition” of research. Although I had successful interactions with Alianza members, I chose not to be compromised by them in the research process and instead sought collaborators in local

community leaders – many of who had differences with the Alianza that enriched the nuances of the investigation.

Despite a number of trials and tribulations in the research process and my own positionality that marked me as the privileged “other,” I feel that I was ultimately successful in the research process given years of engaged and collaborative work with migrants, workers, and farm laborers from southern Mexico and beyond. Having lived, worked, and conducted research in states like Oaxaca and Chiapas I had a knowledge of local communities, languages, and social movements that demonstrated my interest in the lives of the migrant jornaleros from these regions. Although I never gained fluency, I have studied Tzotzil (from Oventic, Chiapas), Mixteco Bajo (from Santa Maria Yuchuiti, Oaxaca), and Triqui Bajo (from San Juan Copala, Oaxaca) and can function at a very basic level in the last two languages. This ability helped me to open many doors and establish long-term relationships with jornaleros in the valley.

Possibly the greatest barrier to successful fieldwork in the valley was my own positionality as a male. Given hardened gender relations and a general climate of fear, intimidation, and control subjected to females by their husbands and other male relatives (explained in chapter five), I had very little access to female farmworkers without the supervision and surveillance of their spouses. In the interviews I conducted I frequently asked questions about sexual harassment and violence both at home and in the workplace. When males were in the room during the interviewing process the female farmworkers rarely answered truthfully or adequately as noted by their awkward silences or pity comments. During the first six-month leg of my research I had conducted few substantive interviews with female farmworkers. Upon returning to the university and analyzing my

research process, I developed a more in-depth plan to work more closely with female farmworkers upon my return.

By the time I arrived once again in the valley of San Quintín, I happily noticed the rise of a new generation of female leaders, especially those of the SINDJA union, which replaced the silenced voices of former female Alianza members. It was through the support of these new female leaders (the majority who will need to remain anonymous at this point) that I was ultimately successful at creating a greater gender balance in the interviews I conducted. The majority of times these same female leaders helped identify interview subjects and even accompanied me in the interview process. During these interviews in which I was accompanied by a female farmworker leader, the female farmworkers I interviewed were much more willing to speak honestly and candidly about their experiences as women, wives, and workers. If it were not for the help of these key collaborators in the field my research would have resulted a lot thinner ethnographically.

I label my research as part of engaged anthropology. In other words I saw farmworkers and community leaders as partners in a collaborative project. I tried to reciprocate in the process of fieldwork by aiding farmworkers in many ways that allowed me to become a part of a community. I took disabled children to the hospital in my truck, took pictures for organizations, took part in teach-ins and demonstrations, and edited rap videos for creative local youth often derided as *cholos* (poor youth criminalized or associated with gangs). My engaged research is also activist in nature and through this research I sought to understand why indigenous jornaleros are denied their rights protected under law in order to learn how to eradicate modern slavery in places like San

Quintín. As consumers of the products produced under conditions akin to modern slavery we are complicit in its continued presence in commodity chains.



Figure 4. The author pruning tomato plants in the valley of San Quintín. Anonymous.

Current movements in anthropology advocate a decolonization of research methods (Tuhiwai Smith 2009), collaborative approaches to ethnography (Lassiter 2005) and activist scholarship (Hale 2006). According to Hale (2006: 97), part of the methodology of activist anthropology is to “allow dialogue with them to shape each phase of the process, from conception of the research topic to data collection to verification and dissemination of the results.” Thus, activist methodology requires collaboration, reciprocity, and dialogue as well as an ethical commitment. In this process, the research subjects transform themselves into research partners. However, Hale also acknowledges the dual loyalty of an activist anthropologist in the field – a commitment to the organized group in struggle and a commitment to academia – that can sometimes be

problematic. While dual loyalties exist, Hale argues, they provide a form of tension that is potentially groundbreaking in that innovation and understanding are potentially the outcome of this tension.

Activist research methods are not without their drawbacks, however, and do not necessarily denote more equitable or democratic practices. Drawing from Foucault, Ana Hofman (2010: 25) she emphasizes the power/knowledge gap between the researcher and the “other” and argues that the inequality of power/knowledge inequality does not allow for true equality between the two parties. “Attempting to focus on the subaltern,” Hofman (2010: 26) argues, “scholars maintain a relation between domination and subordination, constantly ‘othering’ the subaltern.” Most attempts fail to get beyond this inequality, according to Hofman. “By acting as ‘agents’ for our partners in research through the promotion of them,’ Hofman (2010: 26) argues, “we as researchers still maintain their subordinate position and rob them of their right to self-promotion and self-representation.” Following Spivak, Hofman (2010: 26) argues that the only way to move forward is to disrupt this power/knowledge relationship “by creating voice and knowledge opportunities for self-representation.”

Luke Eric Lassiter (2005) argues that collaborative ethnography is a way to bring about a more conscious inclusion of self-representation strategies by the people we work with in the research process. Collaborative research, according to Lassiter (2005: 16 emphasis in the original) is ‘an approach to ethnography that *deliberately* and *explicitly* emphasizes collaboration at every point in the ethnographic process.’ In successful collaborations, research subjects assert their own agency in the fieldwork process and the subsequent textual product through negotiation and exchange. Lassiter thus proposes the

collaborative writing of ethnographic texts that deepens the level of reciprocity involved in academic production.

While in the field and in the writing process, I tried to incorporate the key tenets of activist and collaborative methods in order to produce this dissertation. However, the collaborative process with the jornaleros of San Quintín did not produce a collaborative text. The farmworkers in the valley were completely uninterested in scholarly publications (especially in English) but looked more favorably on electronic journalism to which they had access on their phones with internet connections. Jornaleros frequently accessed social media such as Youtube and Facebook despite the oftentimes questionable content of the information contained in these platforms. Thus, in my own collaborative process, key local leaders assisted me in obtaining the information I acquired through participant observation and interviews but did not, as Lassiter and Hale suggest, aid in the research design or direct the process of writing. What my collaborators in the field asked of me, in order for the project to be more grounded in reciprocity (although I was never able to completely surmount the enormous differences in power and privilege), was help in creating multimedia content to be shared on social media platforms. The most important medium with which we collaborated was video as the audio and visual impact of the medium - and the quick turn-around of the products - was immediately and powerfully available for their needs and purposes.

The greatest example of my collaborative video work with the jornaleros of San Quintín was undertaken with the SINDJA union. With constant encouragement, advice, and criticism by Lorenzo Rodríguez Jiménez and other members of the union, we created

and directed a number of videos that were published on the union's Facebook page.⁴ While union members argued for the immediacy of this platform, I argued that a video archive that would be accessible to people beyond the Facebook platform would be of long-term interest to the farmworkers. My suggestion was a Youtube page for the union, a suggestion that was approved by the union's leadership.⁵ We compromised by creating video works and publishing them on both platforms – one for immediate effect and the other for posterity. While the videos published on the union's Facebook account were sometimes viewed thousands of times, they also fall into obscurity rather quickly. The videos contained on the union's Youtube page, on the other hand, have fewer views but are a more permanent archive.

In all, I helped produce, record, and/or edit twelve videos for the jornaleros in close collaboration with key leaders like Lorenzo Rodríguez Jiménez. Sometimes content was provided to me and my job was to edit and publish what was recorded by others. On other occasions farmworker leaders approached me with an idea for a short video and we undertook the filming, directing, and interviewing together. Other times I had much more artistic license and developed projects on my own that then met the editorial review and ultimate permission of the SINDJA union and other leaders. A good example of the latter is a rap music video I made in collaboration with the SINDJA union and a local hip hop artist known as Dereck BF. Lorenzo Rodríguez Jiménez provided me with the words of a *corrido* (a Mexican ballad) that related the events of the San Quintín farmworker strike of 2015 and asked me for help putting the corrido to music. Unable to find a local guitarist who could perform the corrido in its traditional genre, Dereck BF expressed interest in

⁴ <https://es-la.facebook.com/sindicatodejornalerosindja/>

⁵ <https://www.youtube.com/channel/UCguTdV-5SujeGZJNePoIXNg/featured>

creating a rap song with the lyrics. Dereck BF is a creative youth born in the valley of San Quintín to migrant parents. Many of the youth in the valley are derided as *cholos*, or gang members, because of their dress, forms of organization and identity revolving around the neighborhood (*colonia*) in which they live, and the musical styles they prefer – namely rap music. Through my collaboration with Dereck BF I witnessed the highly talented nature of many of the youth in the valley but also understood how economic and political conditions that limited their access to life affirming arts such as music and dance thus led down the path to drug use, gang membership, and violence. In the end, Dereck BF put the corrido “Hasta San Quintín Señores” written by Antonio Vázquez Olarra to music and together we produced the video available on the SINDJA Youtube page.⁶ SINDJA was not the only local indigenous and farmworker rights organization with whom I made videos. Another example was a video seeking aid for a community music program in the valley by the Frente Indígena de Organizaciones Binacionales (FIOB).⁷ Through this process I have also begun to edit my own short length documentaries (of which two are in the production stage) but did not complete them before defending the dissertation.

My approach to activist and collaborative research was rooted in my past participation in farmworker unions, non-governmental organizations focused on labor rights, and activism around issues of immigration and asylum in both the U.S. and Mexico. The development of my ability to use audio and video in the research process and my subsequent development of collaborative video projects was shaped by my time as a graduate student in the Department of Anthropology at the University of Oregon.

⁶ <https://www.youtube.com/watch?v=xZdzDSt8utQ>

⁷ <https://www.youtube.com/watch?v=YgT4CJtPslY>

The research methods and epistemologies I was exposed to there helped me find my own direction in the fieldwork process. The class Latino Roots, developed by my academic advisor Dr. Lynn Stephen, trained me in the use of video production. I also owe a great debt of gratitude to a number of public, engaged, and activist anthropologists in the department, including Dr. Lamia Karim, who served on my dissertation committee, and Dr. Sandra Morgen, who I was fortunate to have taken classes with before she sadly and untimely passed away.

ORGANIZATION OF THE THESIS

This investigation seeks to understand how indigenous male and female migrant farmworkers from southern Mexico confront the onslaught of neoliberal globalization in transnational horticultural production. It explores the ways individual and collective action is transformed under precarious labor regimes. It analyzes how conditions of labor in global capitalist agriculture have not bettered the lives of farmworkers but instead create conditions of extreme precarity that farmworker leaders identify as “modern slavery.” Although the analysis here has understood the use of the term slavery to be problematic, it was utilized by the farmworkers to highlight the extreme forms of exploitation to which they are subject.

Despite the structural condition that limit individual and collective action to better conditions of life and labor, indigenous migrant farmworkers in northern Mexico have struggled to build lives based on human dignity in the fields, labor camps, and settlements in which they live. Chapter II is a historical overview of the strategies of collective action of indigenous farmworkers from southern Mexican states like Oaxaca to

areas of intense agricultural production in the northern border region. The chapter seeks to illuminate how the agentive action of the farmworkers changed working and living conditions. Not all forms of collective action were successful, however. This chapter proposes three major phases of farmworker struggles in the valley of San Quintín. The first phase was a struggle to transform the conditions of labor in the fields through union movements. Given the structural organization of farm labor and the power and might of the economic and political classes, this struggle was largely unsuccessful. In its failure, however, it did give birth to the second phase of struggle that moved from the fields and labor camps to the creation of residential spaces for social and cultural reproduction. Here new forms of leadership, rooted in the political culture of the communities of origin of the indigenous migrant farmworkers, arose to meet the challenges of settled life. The forms of leadership and organizational structures eventually coalesced into a new labor movement infused with indigenous rationalities and modes of organizing that led to the most successful collective action of migrant farmworkers in the history of the modern Mexican nation – the jornalero strike of March 17, 2015.

The jornalero strike of 2015 brought the world’s attention to the plight of Mexico’s indigenous migrant farmworkers and the extreme forms of exploitation to which they are subject. These conditions were decried by the jornalero strike leaders as modern slavery. Chapter III critically explores the concept of modern slavery in light of the precarious conditions of the life and labor of migrant farmworkers in Mexico. While problematizing the use of the term “slavery,” the chapter seeks to do justice to the jornaleros’ denouncement of their extreme exploitation at the hands of national and international agricultural producers. It will be argued that it is their “conjugated

oppressions” intersecting race, ethnicity, gender, age, education, language, and class that subject them to diverse and varying forms of subjugation and exploitation that could be called “unfree labor.” These forms of subjugation will be analyzed as well, detailing the way farm labor is organized in global agricultural enclaves in Mexico that create conditions akin to slavery.

Chapter IV. probes the role of the Mexican state in the protection (or lack thereof) of the rights to medical attention, social security, and occupational health and safety. As will be argued, rural communities in Mexico have largely been denied their right to incorporation into the national social security administration. Upon migration to global agricultural enclaves where they are now participating in rural industrial labor, the same rights that urban industrial workers enjoy (hospitalization, pension, etc.) are routinely denied to farmworkers both by the governmental administration as well as by employers. This chapter detail the struggle of San Quintín’s farmworker population to be granted their rights to social security programs as established under the Mexican constitution.

Chapter V. seeks to build on the analysis of the exploitation of indigenous migrant farmworkers with particular emphasis on how gender relations are transformed in these enclaves. Indigenous woman migrate and work as salaried farm laborers at greater rates today than they have in the past. This has transformed male and female gender roles as well as domestic life in migrant settlement communities. Women, now “free” to sell their labor on the market with their incorporation into salaried labor are subjected to new forms of violence on the job, in the community, and in the home. Far from forming a solution to the poverty and structural violence which they fled, salaried agricultural labor has transformed their experience of suffering and conditioned their forms of resistance

and agency. This is most visible on the bodies of jornalera women as their use of protective clothing against work hazards and sexual harassment seemingly renders them as women without a face. However, these same conditions have also led to the recent emergence of important women leaders.

Chapter VI seeks to reassert the necessity for collective action in order for indigenous migrant farmworkers to transform the conditions of their labor and mitigate the extreme forms of exploitation to which they are subject. Sassen (2014: 13) argues for the existence of “predatory formations” which are a mix of local and transnational elites organized by highly advanced and complex assemblages fueled by financial capital leading to forms of acute concentration that heretofore has been unprecedented. These predatory formations are the pro-business corporatist unions that assure a docile and unorganized labor force. Transnational corporations producing in San Quintín utilize these local formations in their extraction of extreme profit from the area. Local independent union movements like the SINDJA union offer an alternative to these predatory formations but confront great challenges to winning collective bargaining agreements and changing the structural nature of farm labor towards more just and equitable forms. The chapter documents the specifics of predatory formations in San Quintin and the importance of independent unions.

Chapter VII explores the ways that Fair Trade and Equitable Food Programs are offered by transnational corporations as market-based solutions to the systemic violation of farmworker rights in the valley. The implementation of the Equitable Food Initiative and the Fair Trade USA programs aim to improve farmworker labor conditions but fail to remedy the structural imbalance between growers, foreman, and workers in the

field. This chapter will argue that far from solving the problems, these programs aim to “fairwash” them and thus cover up the injustices that routinely occur in fields labeled as fair or equitable.

In summary, a recent resurgence in anthropological interest into the life and labor of migrant farmworkers (Bronwen Horton 2016; Holmes 2014; Stephen 2007) as well as Latino migrant workers in other industries such as meatpacking and poultry plants (Ribas 2016; Stuesse 2016) has elucidated how race, ethnicity, gender, and labor relations are transformed in the United States given recent processes of migration. While incorporating a transnational or transborder perspective that roots these changes in the routes Latin American or Latino workers across borders, this investigation is one of the few publications in English that seek to understand migration and farm labor in Mexico. This investigation seeks to illuminate the transnational, global economic and agricultural processes behind labor migration in Mexico and beyond. The lives of migrant workers in the United States and those in Mexico are connected whether or not they literally cross borders or meet along the migrant route. I hope that this research contributes to dialogues and academic literature on the connections between migration and labor on both sides of the U.S./Mexican border. I also hope that this expanded focus can generate positive change for workers on both sides of the border.

CHAPTER II

LEARNING TO WALK TOGETHER: INDIGENOUS MIGRANT FARMWORKER ORGANIZING IN SAN QUINTÍN, BAJA CALIFORNIA.

On March 17, 2015, the jornaleros of San Quintin launched an unprecedented general strike that brought the valley to a grinding halt and left supermarket shelves in the United States without certain fruits and vegetables. Calling themselves the “slaves of the twenty-first century,” tens of thousands of indigenous migrant farmworkers stopped working on the transnational agribusiness plantations in which they were employed and blockaded the highway. Demonstrating the capacity of reflection, organization, and negotiation of indigenous migrant farmworkers, the jornaleros were able to achieve such a monumental level of organization given decades of farmworker and community organizing that eventually erupted into widespread discontent and rebellion in the general strike of 2015.

This chapter describes decades of indigenous migrant farmworker and community organizing in the valley of San Quintin that eventually led to the strike. With the help of research by Florencio Posadas Segura (2015) and Laura Velasco, Christian Zolniski, and Marie Coubès (2014), I will propose three distinct and chronological phases of farmworker mobilization that, while overlapping, chart the development of different organizations, forms of struggle, and demands. I will argue that indigenous migrant farmworker organizing in the valley developed in three main phases. The first period, approximately 1970-1995, began in Sinaloa and eventually expanded to the valley of San Quintin. This phase of the movement was centered primarily on labor struggles in the

fields and labor camps. The next period, roughly 1980-2010, demonstrates a retreat from labor issues and the movement of farmworkers and their demands from the camps to the *colonias* – newly formed popular neighborhoods where the migrant laborers escaped the control of their employers. Although labor organizations were critical to the first efforts in obtaining land in which to settle, the importance of union movements and their typically class-based demands temporarily rescinded. During this phase, two new forms of organization were developed outside of previous union models. The first was a project of ethnic consolidation, here elucidated through a case study of indigenous Triqui socio-political organization. The second, and more widespread, was the creation of the local community decision making structures called the *comité de colonia* (neighborhood committees) that sought solutions to practical problems in the new farmworker settlements (land settlement and access to potable water, for example). Finally, the next phase of struggle, between 2010 and the general strike of 2015, describes how settlement could not meet the economic needs of the jornaleros. Thus, farmworker organizing that had originated in the fields only to turn inwardly in the settlements returned again to labor conditions in which the jornaleros worked. This process – from the fields to the colonias to the fields once again – was consolidated through organizing structures honed through generations of practice. Interestingly, although the major demands of the 2015 strike were better wages, hours, and conditions in the fields, the major organizing did not take place in the fields. Instead, the strike was born in the colonias where grassroots, democratic decision making in committee structures based on indigenous forms of leadership was the organizational base of the strike movement.

During my fieldwork in the valley of San Quintin, I spent the first six months living in one of two principle Triqui settlement communities, the Nueva Región Triqui (also referred to as “La Triki”), that lies next to the other principle Triqui settlement, that of the colonia Nuevo San Juan Copala (also called Las Misiones). During this phase of fieldwork I was able to meet and speak with the principle leaders of the jornalero strike as well as the surviving leaders that founded the neighborhoods decades ago. It was during these talks that I kept hearing this particular phrase of “walking” repeated over and over. For example, Bonifacio Martinez is a Triqui leader from the community of Las Misiones, or Nuevo San Juan Copala, in the valley of San Quintin. As founder of the Alliance of Nacional, State, and Municipal Organizations for Social Justice (Alianza de Organizaciones Nacionales, Estatales, y Municipales por la Justicia Social, or Alianza for short), Bonifacio was a principle leader of the 2015 strike. According to Boni, as he is affectionately known among his peers,

The Alianza was founded as an organization and I began to walk with the compañeros [comrades]. I began to invite each compañero. I began to walk from Maneadero [another agricultural center to the north of San Quintin just outside of Ensenada with a large Mixteco and Triqui population] all the way to Rosario [hours to the south of San Quintin where most transnational agribusiness ends]. We began to invite the compañeros. We began to get the leaders involved without overstepping the authority of each of the compañeros as leader in each colonia. I began to invite them: ‘I have this project, compañeros, I want us to work on it together. I want us to work for our own wellbeing because no one else is going to do it for us.’

I was at first perplexed by the phrase “walking” and felt that it expressed something deeper than the simple act of walking, but during my initial phase of research the meaning escaped me. In my fieldnotes, I began to see that the terms *walking* and *struggling* (*luchar* in Spanish) were used synonymously. Reflecting on my studies of the Triqui language and the way Triqui concepts are rendered into Spanish, I understood that there was no word for struggle (*luchar*) in the Triqui language. When struggle was talked about in Triqui, the leaders used the term “chee’a,” or walking. I had the opportunity to ask Lorenzo Rodríguez Jiménez, a young labor leader who participated in the strike, about the term given his knowledge of his native Triqui Medio language.⁸ According to Lorenzo,

Walking [caminar] means that you don’t give up, that you have to make an initiative, that you have to awaken [i.e. come to consciousness], that you have to take the first step, that we have to walk together. That is to say, that we have to get organized and together confront the problem. So this talk about walking is to go forward, not give up. It is to organize and struggle together. We normally use [this term] a lot, a lot. The term has a general meaning for us; it means a lot of things for us at the same time.⁹

This chapter is a story of a particular form of “walking” that demonstrates how indigenous migrant farmworker organizing has changed through through time and eventually led to the 2015 strike.

⁸ The majority of the residents of the Nuevo San Juan Copala and Nueva Region Triqui neighborhoods are from the Triqui Bajo region around San Juan Copala. The Triqui Medio is centered to the north of Copala around San Martin Itunyoso and Triqui Alto is spoken further to the north around San Andrés Chicahuaxtla. Despite linguistic differences that render these languages as variants, they retain much in common.

⁹ Interview with Lorenzo Rodríguez Jimenez 1-30-17

One of the major underpinnings of the strike movement was that it was *not* organized farm by farm (i.e. industrial organization in the workplace), but instead neighborhood by neighborhood using as a common basis the ethnic and community organizing that transpired for decades. As will be argued, the success of the strike movement, as opposed to previous labor movements, was based in its domestic location in the colonias, its organizational structure in an assembly of neighborhood committees, and in a distinct type of indigenous leadership particular to migrant diasporic communities and their places of origin in southern Mexican states like Oaxaca.

Finally, although the strike was successful, the movement headed by the leaders of the Alianza eventually fractured during negotiations with state and federal authorities. The jornalero movement eventually fizzled due to repression, cooptation, and the movement's own internal contradictions, some of which will be highlighted. In the end, the social mobilizations to reconstruct collective lifeways and demand rights and dignity left an indelible mark on the valley of San Quintin for generations to come. Although the movement headed by the Alianza is fragmented and quite possibly unable to recuperate the same strength that it once enjoyed, new forms of struggle and organization have arisen (including a new indigenous labor movement as will be discussed in further chapters). In the end, the political mobilization by indigenous farmworkers for respect, dignity, and equality in the fields and in the colonias marked a new phase of struggle in the valley of San Quintin with possible ramifications for the life and labor of migrant farmworkers throughout Mexico.

THE FIRST PHASE OF FARM WORKER ORGANIZING IN THE VALLEY OF SAN QUINTIN: LABOR DEMANDS IN THE FIELDS AND MIGRANT CAMPS - 1970-1995

Even before economic liberalization in the late 1980s, the northwest of Mexico (comprising the states of Nayarit, Sinaloa, Sonora, Baja California, and Baja California Sur) has historically been the most economically dynamic region in terms of capitalist agricultural production. Among these, the most important states of this region are Sinaloa and Baja California. In the postrevolutionary period (1920-1970) given the political and economic priorities of the Mexican state towards modernization, national agricultural production increased dramatically in this region in combination with the technological developments of the “green revolution.” The high production and exportation of horticultural products such as fruits and vegetables, combined with adequate climate, proximity to the U.S. border, and an excess of cheap manual labor, allowed the producers of this region to compete on the international market. Between 1940 and 1970, the production of basic grains (maize, wheat, beans, etc.) steadily declined from a little over sixty percent of arable land to only twenty-four percent. Export horticultural products (such as tomatoes, cucumbers, etc.) took the place of basic grains (Posadas Segura 2005: 134-147).

With this agricultural and technological change also came changes to the class structure and social demographics of the region. At the same time that agricultural producers organized into power growers associations to protect its interests against a powerful, centralized state, the need for cheap manual labor intensified thus attracting migrant laborers from central and southern Mexico (first from Michoacán, Jalisco,

Durango, and Zacatecas and eventually and primarily from Oaxaca, Chiapas, Puebla, and Guerrero). The northwest of Mexico, especially the states of Sinaloa and Baja California, soon registered the greatest percentage of salaried agricultural laborers in the country (Posadas Segura 2005: 134-152). While the numbers of salaried agricultural workers increased, their political and economic power did not. The new class of workers was originally unrepresented by the interests of the postrevolutionary state as they largely fell outside the parameters of the state-sanctioned organizational identities of campesino, ejidatario, small landowners, and urban industrial workers. Waged agricultural workers also had competing class interests with the agricultural class organized into powerful growers' associations. Thus, salaried agricultural workers were largely subject to the political machinations that arose between the competing interests of the power of the corporatist state and that of the private sector dominated by the large agriculturalists (Posadas Segura 2005: 155-157).

The only real representation that agricultural workers in this period enjoyed was under the auspices of the Liga de Comunidades Agrarias y Sindicatos Campesinos del Estado de Sinaloa (League of Agrarian Communities and Campesino Unions of the State of Sinaloa, LCASCES) or the Sindicato Nacional de Trabajadores Asalariados del Campo, Similares, y Conexos (National Union of Waged Rural Workers and Similar and Related Industries, SNTACSC). However both organizations were affiliated with national labor confederations controlled by the party in power, the Partido Revolucionario Institucional (Revolutionary Institutional Party, PRI). The LCASCES belonged to the Confederación Nacional Campesina (National Peasant Confederation, CNC) and the NSTACS to the Confederación de Trabajadores de México (National Confederation of

Mexican Workers, CTM). Both of these organizations practiced what Florencio Posadas Segura (2005: 171) labels upside-down unionism (“sindicalismo al revés”) – in other words they protect the interests of private capital rather than the interests of labor. The structure of these unions is both corporatist (i.e. they are public and political organisms that functioned as an apparatus of the state) and vertical (i.e. undemocratic and not responsive to the grassroots). This corporatist unionism began in Sinaloa in order to mediate the power struggle between the state and agriculturalists. The CTM marked its presence in the region when a collective bargaining agreement was signed between the CTM-affiliated SNTACSC and the state’s growers associations in 1978. Left out of the bargaining agreement, however, were the agricultural workers (Posadas Segura 2005: 171).

“In this kind of unionism,” Florencio Posadas Segura (2015: 172) argues, “the workers and agricultural workers not only have been marginalized in the process of collective contracts but are also frequently unaware that they belong to the SNTACSC.” The lack of participation on the part of the workers meant that they were subject to the political interests of certain classes and their organizational apparatus. For example, in 1982 when the SNTACSC declared a strike paralyzing two large agricultural companies in Sinaloa, the workers did not take part and were left out of the process of bargaining by the union leadership. For their part, the agriculturalists also organized to defend their interests. In 1976 the Frente de Lucha de Trabajadores Acasillados y Estacionarios del Campo (Popular Front of Peons and Seasonal Rural Workers, FLTAEC), an organization was formed by the agriculturalists of Sinaloa afraid of the federal government’s attempt to confiscate land for agrarian repartition. The FLTAEC forced twenty thousand workers

to march under the command of a farm labor foreman (*mayordomo*) to demonstrate for the interests of the land owners (Posadas Segura 2015: 170-174).

Independent unionism eventually emerged, as well in the state of Sinaloa, and eventually spread throughout the northwest. The most relevant organization to emerge at this time was the Federación Independiente de Obreros Agrícolas y Campesinos de Sinaloa (Independent Federation of Agricultural Workers and Peasants of Sinaloa, FIOACS) affiliated with the national Central Independiente de Obreros Agrícolas y Campesinos (Independent Organization of Agricultural Workers and Campesinos, CIOAC) in 1978. The CIOAC began in 1975 under the leadership of Ramón Danzós Palomino and was primarily focused on land repartition to *campesinos* (peasant smallholders) but eventually grew to include the demands of salaried agricultural workers (*jornaleros*). Sinaloa, and eventually San Quintín in Baja California, was the principle center of operations for the CIOAC. The organization's demands centered around the major issues affecting migrant agricultural workers – economic and social demands like better wages as well as better living conditions in the labor camps (*campamentos*) where migrant workers lived. These demands included an eight hour day, overtime pay, Sunday rest days, December bonuses, profit sharing utilities, and social security registration – all guaranteed on paper under federal legislation but unfulfilled in practice - as well as water, electricity, and bathrooms in the labor camps. As well, the CIOAC organizers understood that their demands could only be met through independent labor organizing and thus demanded the federal registration of an agricultural worker union. Between 1978 and 1980 the CIOAC saw a dramatic increase in membership totaling almost thirty-five

thousand workers who declared twenty-seven different strikes in the fields of Sinaloa (Posadas Segura 2015; Lara Flores 1996).

In one of the most dramatic examples of jornalero organizing in this phase, on May 7, 1978 the workers at the agricultural operations of San Miguel Moroleón in the valley of Culiacán brought the company to a halt when around 2,8000 workers walked off the job. The primary complaints of the workers were undignified treatment by foremen, sexual harassment of female jornaleras, inhumane living conditions in the camps, low wages, and long hours. The CIOAC in conjunction with the workers drafted a “pliego petitorio,” or list of demands. The company agreed to the majority of the demands but signed a non-legally binding agreement. Through the CIOAC, the workers won a majority of their rights under Mexican labor law and achieved better conditions in the labor camps. Given its success, the rise of the CIOAC in Sinaloa and its demand for independent labor unionism was the deciding factor that pushed the regional growers associations to sign pro-business collective contracts with the CTM in order to repress the growth of independent labor. In this way, both the forces of state and capital in Sinaloa repressed the growth of labor’s power. CIOAC made few other concrete advances in Sinaloa but the organization spread to the valley of San Quintín in the 1980s and new struggles arose and fell there as well (Posadas Segura 2015: 195-196).

The CIOAC began in the valley of San Quintin in 1984 when teachers and members of the Mexican Communist Party made initial contact with the jornaleros in the municipality of Ensenada. Given that the majority of jornaleros in Baja California were indigenous, the national leadership of CIOAC decided to send Benito García to the valley of San Quintín in 1984. García was Mixteco, originally from San Juan Mixtepec, Oaxaca,

and an organizer with CIOAC in the fields of Sinaloa. His political formation and cultural origin proved the right combination to lead the organization in Baja California. On September 30, 1984, CIOAC took the streets with an estimated 15,000 jornaleros from thirteen different labor camps and marched 185 kilometers from the valley of San Quintín to the municipal seat in Ensenada (Velasco, Zlalniski and Coubès 2014: 235).

The CIOAC grew rapidly and enjoyed a number of successes. For example, in 1988, hundreds of workers in the Papalote labor camp went on strike. CIOAC negotiated for the jornaleros in the state capital of Mexicali and reached an agreement with the state government to increase the monthly wage to 2,500 pesos (roughly US\$0.06 in a deflationary period) as well as worker transportation and clean water in the fields (Velasco, Zlalniski and Coubès 2014: 231). The success of the CIOAC, as compared with traditional industrial unionism, was its organizing model. “The workers were organized by camp not by company;” explain Velasco, Zlalniski and Coubès (2014: 235), “that is to say, the camp, residential in nature, was the social base and space of the mobilization and union organization.” Despite its successes, however, the CIOAC was never able to gain official registration as a union and thus competed with corporatist, pro-business unions. The Confederación Regional Obrera Mexicana (Regional Mexican Worker Confederation, CROM) already held company-imposed collective bargaining agreements in a number of agricultural operations (Valladolid and El Milagro, for example). After the successes of the CIOAC, the grower class invited the recently arrived CTM to sign a number of contracts thus thwarting the organizing efforts of the CIOAC in the valley of San Quintin (Velasco, Zlalniski and Coubès 2014: 237-238).

The challenges the CIOAC faced were not only external, but also internal as well. At the same time the grower class sought to repress the movement and coopt its leaders, internally the organization suffered divisions related to resources and power. Both Velasco, Zolniski and Coubès (2014: 237) and anthropologist Everardo Garduño (1989) argue that the ideology and political praxis of CIOAC was one of the major impediments to the work of the organization in the valley as its model – urban, industrial, Marxist, and mestizo – contrasted greatly with the forms of organization, leadership models, and visions of the jornalero base that the CIOAC sought to capture – i.e., indigenous migrant farmworkers from southern Mexico. For Garduño (1989: 217-218), the CIOAC was a bureaucratized labor movement whose vertical chain of command from a central political party (first the Mexican Communist Party, or PCM, and later the Unified Socialist Party of Mexico, or PSMU) distanced it from the jornalero base and led it down a similar path of corporatism. It also operated in a clientelistic fashion not unlike the corporatist unions and organizations affiliated with the PRI party in power that it sought to combat. For example, the CIOAC often exchanged limited goods (or promises of such) like lots for housing or legal aid in order to affiliate members.

Within three years, Benito García was expelled from the CIOAC accused of siding with the growers at the expense of the workers. The national leadership of the CIOAC criticized García's role as intermediary between the jornalero base and the growers, accusing him of corruption and personal gain. However, as discussed by Velasco, Zolniski, and Coubès (2014: 239-242), the national leadership was dogmatically centered in urban leftism and misunderstood the cultural context of indigenous leadership in intermediation between the jornalero base and the state and the

growers. For example, García was accused of being involved in a relationship of “compadrazgo” (a type of ritual kinship or godparenthood) with a powerful grower. The urban mestizo leftists decried this as corruption. However, Velasco, Zloliniski, and Coubès (2014) explain in detail how they possibly misunderstood historically and culturally significant forms of intermediation emanating from indigenous communities of origin. In this context, forming personal relationships such as compadrazgo with bosses and growers was a natural solution to the problem of the lack of representation and mediation of indigenous migrants working in the fields and living in the labor camps. Supporters of García accused the central leadership of CIOAC of colonialism and opportunism as they failed to understand and sympathize with the jornaleros of indigenous descent and their particular political culture.

The internal divisions, the lack of union registration, and the limited gains of protests and strikes eventually led to the demise of the organization, but not without one important legacy: struggle for land on which to build jornalero settlements outside of the labor camps. By the end of the 1980s, the most visible achievement of the CIOAC was negotiating land grants with the Baja California state government facilitating the formation of the first jornalero settlement communities (*colonias*). “The connection between the labor conflicts and formation of colonias,” explain Velasco, Zloliniski and Coubès (2014: 248), “initiated precisely at the end of the decade of 1980s when the very same leaders of the CIOAC and the workers assumed as banner of struggle the granting of land in order to leave the camps.” Among the first colonias founded by the CIOAC were the 13 de Mayo in the Vicente Guerrero district and the Flores Magón neighborhood

further south in the valley in the Lázaro Cárdenas district, where I lived for six months during the second leg of my fieldwork.

ORGANIZATION	LOCATION	TYPE	AFFILIATION
Liga de Comunidades Agrarias y Sindicatos Campesinos del Estado de Sinaloa LCASCES	Sinaloa	Labor	CNC/PRI
Sindicato Nacional de Trabajadores Asalariados del Campo, Similares, y Conexos SNTACSC	Sinaloa	Labor	CTM/PRI
Federación Independiente de Obreros Agrícolas y Campesinos de Sinaloa FIOACS	Sinaloa	Labor	CIOAC/Independent
Central Independiente de Obreros Agrícolas y Campesinos CIOAC	National (Mexico)	Labor	Partido Comunista Mexicano
Confederación Nacional Campesina CNC	National (Mexico)	Labor	PRI
Confederación de Trabajadores de México CTM	National (Mexico)	Labor	PRI
Partido Comunista Mexicano PCM	National (Mexico)	Political party	Left/Independent
Partido Socialista Unificado de Mexico PSMU	National (Mexico)	Political party	Left/Independent
Partido Institucional Revolucionario PRI	National (Mexico)	Political party	State party
Movimiento de Unificacion y Lucha Triqui MULT	Oaxaca, Mexico	Indigenous/ political/paramilitary	PRI
Organizacion del Pueblo Triqui OPT	San Quintin	Indigenous/community	Independent
Frente Independiente de Lucha Triqui FILT	San Quintin	Indigenous/community	Independent
Frente de Unificacion de Lucha Triqui FULT	Sinaloa	Indigenous/community	Independent
United Farm Workers UFW	National (USA)	Farm labor	Democratic party
Coalition of Immokolee Workers CIW	Florida (USA)	Farm labor	Independent
Frente Popular Revolucionario FPR	National (Mexico)	Political organization	Partido Comunista de Mexico
Alianza de Organizaciones Nacionales, Estatales, y Municipales por la Justicia Social	San Quintin	Labor/community/ indigenous	Independent

Figure 5. Principal Political Actors in Northern Mexico.

Although initially involved, CIOAC began to lose its force of representation as the struggle moved from the fields to the colonias. It also marked the limits of what independent action could achieve, however, as the CIOAC entered into new corporativist relationships with local and state governments as well as political parties in order to access money or solve concrete problems related to land tenure and legalization of the new colonias in formation. In response, new leaders developed and organized groups of jornaleros - now based not on class identities or labor demands but instead on ethnicity, region of origin, or political affiliation - began to invade, negotiate, or buy land to be fractioned off into neighborhoods (Velasco, Zlolniksi, and Coubes 2014: 249-253). In

this way CIOAC became both the end of a phase of struggle but also a foreshadowing of new struggles to come. At this point, as the struggle moves from the camps to the colonias, the labor demands and direct action in the fields decrease in order for new forms of organization and mobilization to arise.

THE SECOND PHASE OF FARMWORKER ORGANIZING IN THE VALLEY OF SAN QUINTIN: FROM THE CAMPS TO THE COLONIAS - 1980-2010

Between 1970 and 1990, the population of the valley of San Quintin more than doubled in size: from 8,559 to 38,151 inhabitants. It was during the 1990s that the greatest process of settlement unfolded in the valley. By then almost sixty percent of the residents of the valley were migrants, a quarter of whom had lived in the area for less than five years. The resulting demographic change registered almost 75,000 inhabitants by 2000. With settlement, the population of the valley rose, but the percentage of migrants fell. This change was due to the rising population of new generations of inhabitants born in the valley from settled migrants families (Velasco, Zlolniski and Coubès 2014: 80-81). By 2010, the population of the valley rose to 92,177 but with a lower rate of population growth. With a little under fifty percent of migrant origins, the growth of the native born population to migrant parents was the largest detonator of population growth (Velasco, Zlolniski and Coubès 2014 : 81-82). With this demographic change, from seasonal and temporary migration to settled migrant and native born, also came important changes in the demands and struggles of the jornaleros in the valley.

In the 1990s an intensification of agricultural production tied to the increasing use of indigenous and internal immigrant labor took place in both Sinaloa and Baja California. The employment of indigenous peoples from southern Mexico converged

with extreme forms of economic exploitation as well as racial discrimination against indigenous workers. Growers and foreman called the indigenous jornaleros they recruited names, such as “indios pata rajada (Indians with broken feet),” “oaxaquitas (little people from Oaxaca),” “inditos (little Indians),” and “paisanitos (little people from the country).” The racialized stereotypes served to justify mistreatment and poor labor conditions. As Seth Holmes (2013) writes of Triqui farmworkers in the United States, the growers and labor intermediaries justified extreme forms of labor based on the fact that the indigenous workers were of shorter and of darker skin color. In the north, there coexisted a construction of the “lazy Indian” that didn’t want to work at the same time that the indigenous workers were overexploited and suffering conditions they would later recognize as forms of modern slavery (Ortiz Marin 2007: 133-144).

This racial discrimination in the fields of the north created new bonds among those discriminated against. Here new or revitalized ethnic identities emerged in contradistinction to those of the lighter-skinned mestizos in the labor hierarchy. While growers were often mestizo or white and own landed and commandeered the labor force, the laborers doing the majority of hard work in the fields were mostly indigenous migrants from places like Oaxaca and Guerrero. In between were labor contractors, recruiters, and foremen (mayordomos) who ran the spectrum from mestizos born in the north to experienced indigenous migrants who found a higher rung on the farm hierarchy. The fact that labor recruiters sought indigenous workers in the rural south, often from the same community or region they were from, meant that the networks of *paisanaje* (being from the same region) grew much more dense and focused on certain ethnic groups and locations. *Paisanaje*, or the ethnic or identity networks with a territorial base, were the

basis of much of the movement of jornaleros from one place to another as these networks serve as sources of information, connections, mutual aid, and employment (Ortiz Marin 2007: 148). Although the process was similar for different ethnic groups or communities of origin, perhaps the most spectacular example of ethnic-based settlement patterns was that of the Triquis of San Quintin.

In the late 1980s and early 1990s, there emerged a movement from farm labor camps (*campamentos*) to neighborhoods (*colonias*) that helped to install this sense of territory and belonging in the new environment in the valley of San Quintin. The camps, often derided by the jornaleros as “concentration camps” due to the horrible conditions, were the primary form of migrant and temporary farmworker housing located on the property of the growers. The *colonias* were established by jornaleros themselves who were tired of the horrible conditions in the camps and sought to form permanent communities outside the property and control of the growers. The leaders of these movements, mostly middle-aged Triqui and Mixteco men, forged new pathways from the camps to the *colonias*. In the Triqui case, it was leaders such as Mateo Ramírez, Antonio Ramírez, and Camilo Bautista in San Quintin and Julio Sandoval in Maneadero who were some of the principle leaders of this generation (Velasco, Zolniski, and Coubès 2014).

The labor camp El Aguaje de Burro was the precursor to new Triqui communities in the valley of San Quintin. In the 1990s, there were around 80 families living in the camp, the majority of them Triquis. Life in the camp was structured around the vertical relationship between worker and boss, in this case Antonio Garcia, and the more horizontal relationships between families from the same region, if not the same

communities, in Oaxaca (Camargo 2014: 316). Bonifacio Martínez¹⁰, a Triqui leader in the colonia Nuevo San Juan Copala, described to me the horrible conditions of the camp and the need to find a dignified place to live:

One of the reasons [for leaving the camp] is the mistreatment that we received in the agricultural camps. And it is still continuing. And especially when you live in a place that is owned by the bosses you have to work the days they indicate to you. You have to work the hours they require. There is no rest. You want to find a place where you can say ‘this place is mine.’ [In the colonias] If I want to go to work, I go. And if not, then I take the day off. But in that place [the labor camp], no. In a camp there are no rights. There you are forced to work. Seven days a week you have to work. This is what pushed the folks to find a place to live. To find a place to be with the family, with a little bit of privacy as well, because in the camps there is no privacy... This is basically what forced the leaders to find a place to live.

A new group of Triqui leaders emerged who pressed for changes in their form of settlement: adequate housing, schools, running water, raises, and their own plots of land on which to build their own homes (Camargo 2014: 317). In 1985, these leaders undertook illegal land takeovers that led to the creation of the first Triqui settlement in the valley of San Quintín: Lomas de San Román (the San Román Hills). More commonly referred to as the Nueva Región Triqui (the new Triqui Region) or “la Triki” for short, it was also the community where I lived during the first six-month leg of my research. Antonio Ramírez, the principle leader of this struggle, founded an indigenous

¹⁰ Interview Bonifacio Martínez.

organization called the Organizacion del Pueblo Triqui (OPT) that sought to legalize the land takeovers and to secure the status of the colonia. Ramírez López eventually relocated to Hermosillo where he aided the Triqui community there in a similar process of settlement and neighborhood formation (Paris Pombo 2012: 133).

The establishment of the colonias was a difficult process that involved internal organization on the part of the soliciting group as well as the mediation of landowners and government officials. During my fieldwork in La Triqui, most residents described the process of settlement in the lots that were occupied as “appropriation.” The lots were taken (“fueron tomados”) with the intent of reimbursing or paying back the owner of the land. In their research, however, Velasco, Zlolinski, and Coubès (2014: 254-262) describe how various interests were at play in the founding of the colonia – interests that responded not just to groups of workers but also those of the state and powerful agribusiness owners. These researchers document how the colonia Lomas de San Román was created out of a pact between community leaders and landowners. In the 1990s changes were made to the federal legislation of ejidos (a form of social property inherited from the Mexican Revolution) reformed as part of Mexico’s shift towards a more liberalized economy and participation in the North American Free Trade Agreement. These reforms allowed the individual allotment and sale of this social property. Given that the owners of these ejido lands were fearful of the possible loss of their lands without compensation due to these changes, they arranged invasions of their own lands in collaboration with community leaders. Once the lots were invaded, the heads of families bought the lots from the owner. This assured the ability to obtain a lot on the part of the workers and adequate payment to the landowner.

Then, on May 3, 1997, a group of families led by Camilo Bautista invaded the land destined for a hospital near the 13 de Mayo and La Triki neighborhoods. This action infuriated the Organizacion del Pueblo Triqui led by Antonio Ramírez López, given that the group had been requesting the hospital for years. However, through the leadership and conflict resolution skills of Bautista and Ramírez López, they avoided confrontation and came to an agreement over where to establish residency. Finally, in 1997 plots of land were given to more than three hundred families in Las Misiones, which was later renamed to Nuevo San Juan Copala given the origin of the majority of its inhabitants in the Triqui Baja of the state of Oaxaca. Similar processes were underway in Miguel Aleman, Hermosillo where in Triqui leaders occupied and negotiated the legalization of two major settlements. The first nicknamed the Sector Triqui and the second Nuevo San Juan Copala, similar to the colonia of the same name in San Quintin (Paris Pombo 2012: 134-135). It was at this time that Bonifacio left the El Aguaje de Burro camp to settle in Nuevo San Juan Copala under Camilo Bautista's leadership.

The process of allotment in Las Misiones began on May 3, 1997 but did not conclude until September given the lack of interest of governmental authorities. It took marches, road blockades, and sit-ins at government offices to finalize the process. Finally the lots were officially granted to 323 families and in 2001 another 27 families were allotted their own plots. The owners of the lots were granted legal title through the Comisión para la Regularización de la Tenencia de la Tierra (Commission for the Regularization of Land Ownership, CORETT). Las Misiones was renamed Nuevo San Juan Copala in honor of the region from which most of the inhabitants originated which

functioned, according to Camargo (2014), as “a way of maintaining a collective identity from the historical reference of their ethnic belonging linked with the region of origin.”

INDIGENOUS ORGANIZATIONS AND LEADERSHIP MODELS AS LOCUS OF SETTLED MIGRANT FARMWORKER ACTIVISM

One of the major factors in the migration of Triquis from the Triqui Baja in the Mixtecan region of Oaxaca is a high level of violence due to political conflict. The political violence centers around a regional paramilitary organization called the Movimiento de Unificación y Lucha Triqui (Triqui Movement of Unification and Struggle, or MULT) who has sought to control the region in competition with local non-indigenous political bosses (caciques) and rival Triqui political organizations (Paris Pombo 2012). Bonifacio Martínez described the experience of displaced Triquis from different parts of the territory of origin coming together in a new place in the colonia of Nuevo San Juan Copala in the valley of San Quintin, Baja California.

[The colonia was formed] conjointly with other compañeros because of the bad experiences and what we had been suffering together [in the Triqui region of Oaxaca]. The other compañeros that live here are compañeros from different places within the Triqui region. Some come from Sabana, some come from Yosoyuxi, some come from Tilapa, some are from Tierra Blanca, others from El Carizal, others from Yoyuchi, others from Cerro Pajaro, others from Rastrojo... The majority of people who are displaced come here. But what they were searching for, we did it together as a people (pueblo) and as paisanos (fellow countrymen) you could say. Although we shared the same bitter experiences, [we found that] it is possible to live together. It is possible to live together as brothers

because this is what we are. We are not foreign to each other. In other words, we speak the same language. We speak 100% Triqui. We have different ideas those of us that are here but we are all searching for the wellbeing of the poor, of how to get better day by day. Because the mestizos live well...why not an indigenous community? What is it that the mestizos have that we indigenous people don't? Because of this, we came the idea that it is possible to live together.

From this initial process of organization, the *colonos* (community residents) of Nuevo San Juan Copala took another step towards the defense of their rights with the creation of the Frente Independiente de Lucha Triqui (Independent Front of Triqui Struggle, or FILT) in 1998, organized primarily by Camilo Bautista. The political culture that Triqui people brought to Baja from the area of San Juan Copala was strongly influenced by the model, structure, and practices of the MULT. Naming the organization located in Nuevo San Juan Copala in the valley of San Quintin the Frente *Independiente* de Lucha Triqui (The Independent Front of the Triqui Struggle) marks the continuity with the struggle for Triqui self-determination in Oaxaca but distances the organization from the MULT, who they claim is the source of much of the forced displacement in their home communities. According to Camilo Bautista who founded the organization,

I liked the idea of a Triqui front, [but] independent because we don't want to belong to any political party...Instead we are independents because we are taking on the people's struggle. We don't enter the politics of the government, nor the politics of the functionaries; instead [we champion] the social politics. That is the idea. That is why we put 'independent struggle' in the name and "Triquis" [although] it was not just a struggle for Triquis only, but instead was a struggle for

all – Mixtecos, Zapotecos, all the people...because everyone was in need. It doesn't matter where you came from or where you are from because the people have needs, they don't have a place to live, everyone is poor, and this was the idea. We used the front of, or name of, Triqui, but in reality within the group there was everyone.

Thus, the FILT promoted cultural unity through the promotion of Triqui language and indigenous customary law (*usos y costumbres*). In many indigenous communities in Oaxaca, *usos y costumbres* has survived from colonial times to the present in modified forms. Labeled by anthropologists as the *cargo* system, it is usually described as a civil-religious hierarchy where status and prestige in a community is won through merit. Of the total 2,433 municipalities in Mexico, a fifth of them (570) lie in Oaxaca. Of the 570 municipalities in Oaxaca, an overwhelming majority (418) elect their authorities by the system of *usos y costumbres* whereas only 152 by the system of political parties. In other words, roughly four out of five municipalities in Oaxaca elect their representatives by a system other than political parties. The respect ascribed to traditional forms of political organization, not to mention their resilience, is due in part to contemporary indigenous rights movement in the state. While most researchers have explored the *cargo* system in the context of indigenous societies, they have often overlooked that these same systems operate in what are (at least now) considered mestizo communities with few, if any, speakers of indigenous languages and where few residents self-identify as ethnically indigenous (Recondo 2007). Although the system of *usos y costumbres* is seen to have indigenous origins, it now represents expressions of “traditional” Oaxacan popular

culture regardless of ethnic affiliation. It is this commonly shared political culture that displaced Triquis sought to reorganize in their colonias in the valley of San Quintin.

FILT, although eventually to wane in importance as many of its founders migrated to the United States, was fundamental in the creation of three instances of traditional leadership that, while based on models historically significant in the Triqui homeland, were adapted to the new circumstances: the traditional authority, the council of elders, and the system of *mayordomias*. The traditional authority is the internal normative system that regulates community life in the colonia. The traditional authority is actually made up of three figures: the traditional authority (presidente), the alternate (suplente), and the treasurer. The traditional authority has an office in the community and is represented by a “bastón de mando,” a ceremonial staff authorizing its holder for office. The main function of the traditional authority is to maintain order, resolve conflicts, and sanction faults when order is disrupted. The traditional authority is elected annually in the community assembly. The council of elders is made up of elderly individuals granted a certain amount of respect and prestige in the community due to their demonstration of leadership and service. The elders are not voted into office, but are instead nominated for life. Their primary function is to oversee the proper functioning of justice in the traditional authority. The system of *mayordomias* is the body charged with the annual organization of civil and religious rites – especially the celebration of the community’s patron saint John the Baptist. These three instances of political and communitarian organization have led to great levels of social cohesion and adaptation to life in the diaspora. Here we see a strong resurgence of collective identity, based on a shared ethnic identity but emplaced in a new territory. This identity is inherently

community-based or communal that, while based in the collective belonging of the region of origin extends transnationally as important economic support for fiestas and celebrations are sent through migrant remittances from the United States. This transnational community is exercised through the normative practices of traditional forms of government, festive rights and rituals, and a reproduction of markers of identity like dress and language (Camargo 2014: 326-334).

In Sinaloa, the Triqui migrant farmworkers undertook similar struggles as they settled in the region at roughly the same time. Here Triqui leaders founded a colonia named Valle Verde formed primarily through the collective action of an organization named the Frente de Unificacion de Lucha Triqui (FULT). Although there were Zapotecs, Nahuatls, and Mixtecos, the majority were Triquis and thus the colonia was called the Nueva Colonia de los Triquis and the principal avenue was named Comandante Che Guevara (Ortiz Marin 2007: 161-184). Ortiz Marin argues that the creation of ethnic organizations and the struggles that emanated from them were of a distinct character that differentiates them from the traditional labor organizing model of the CIOAC. Ortiz Marin demonstrates how the indigenous migrants were exposed to some preexisting communal organization in their home communities and that this thus informed their ethnic and political identity as well as their forms of organization and struggle. For these to be articulated, however, the networks of kinship and solidarity must somehow be politicized in their place of reception – the exploitation and discrimination that indigenous migrant farmworker received in Baja and Sinaloa, for example. (Ortiz Marin 2007: 156). Once Triquis from San Juan Copala established new colonias in Baja, they set to work creating new kinds of community organizations and incorporated indigenous

characteristics of leadership into new forms of authority. Through these organizations and types of leadership they were much more successful in their attempts to collectively organize Triqui workers and residents around a variety of issues than more labor organizations such as CIOAC.

THE COMITÉ DE COLONIA: NEW STRUCTURES FOR FARMWORKER COMMUNITY ORGANIZING

Although Nuevo San Juan Copala is a dramatic example of ethnic reconstruction and community organization in the migrant diaspora, it is by no means typical of the migrant settlement experience. The most important instance of organization and governance in the new migrant settlements is the *comité de colonia*, or neighborhood committee. The neighborhood committee can be found in every migrant settlement community throughout the valley of San Quintin. In some instances, especially when the community is of recent origin and lacks essential services like electricity, water, or the regularization of individual property, the comité is extremely active and a regular part of community life. In some instances, especially when the community achieves a high level of permanence, institutionalization, and population, the comité ceases to effectively operate and eventually disappears. Similar to the traditional authority in Nuevo San Juan Copala, the comité regulates community life, although it does not have the authority to sanction faults to public order. Unlike the Triqui case, however, the comités are not ascribed to any particular ethnic group and function to create cohesion in multi-ethnic settlement communities where the diverse origins of the jornalero population sometimes prohibit community integration due to language and cultural differences.

Elena Jaloma Cruz (2016: 109) argues for a “double origin” for the comités de colonias. On the one hand, the comité was state imposed as governmental organizations such as the Commission for the Regularization of Land Tenure (Comisión para la Regularización de la Tenencia de la Tierra, or CORETT) established comités as local intermediaries in order to regulate and legalize the partition of land for the construction of jornalero colonias. On the other hand, Jaloma Cruz recognizes that the internal mechanisms with which the comités de colonia operate are largely derived from the political culture of the rural and indigenous communities from which the jornaleros originate. Normally, each comité de colonia is comprised of five members: president, treasurer, and two spokespersons (vocales) who are voted on in assemblies of community members.

During my fieldwork in the valley of San Quintin I attended a number of community assemblies convoked by the comité. One of the major issues in a community like Playas de Vicente Guerrero – indeed the majority of communities in the valley – was the issue of water. I note that the valley of San Quintin is characterized as an arid, Mediterranean-like climate characterized by hot, dry summers and a winter with lower temperatures and occasional precipitation. The introduction and rapid expansion of export agriculture has led to a rapid deterioration of natural resources and the local ecosystem. Lacking extensive rainfalls, the intensive use of water in the valley for agricultural purposes has gone beyond the ability of the environment to renew itself. The overexploitation of fresh water has degraded the aquifers resulting in the rapid encroachment of salt water in the underground reservoirs as well as the topsoil (Riemann 2015a). According to Riemann (2015b: 21), 92.9% of water extracted from the aquifers

of the valley is destined for agricultural use while urban and domestic usage amounts to only 6.3%. Compared with national averages, the region displays a situation of extreme inequality, as there exists disproportionate use of water by agribusiness and a scarcity of water destined for human consumption.¹¹ Local communities in the valley are barely proportioned water and when available it is normally contaminated with a high content of salt (Riemann 2015b: 12; 23-24). While Riemann argues that at least 16.7% of households (almost two thousand in total) lack access to water inside their home, Zolniski (2011: 575) documents that 40% of the colonias in the valley lack running water.¹²

The communities assemblies I attended in Playitas, as the community is affectionately know by its residents, were primarily held concerning issues of water. The comité was the intermediary with the municipal water board (the State Commission of Public Services of Ensenada, or CESPE). The comité organized to bring running water to the community and when water was limited or not existent, the comité convoked the residents to occupy the local offices of the CESPE, one of such occupations I attended during my fieldwork. Christian Zolniski (2011: 578) found that fourteen percent of the income of jornalero families is spent on water. Even when water is available, residents in the valley of San Quintin are considered water deprived. As CESPE is a public agency the price is subsidized and thus water at a reduced cost is sometimes, but not always, available. In Playitas, the pipe (water supply) from CESPE came one week, skipped

¹¹ For example, the national average of water usage by agriculture is a mere 77% while public consumption averages at 14%. The amount of water proportioned for human usage is considered extremely low by international criteria thus evidencing a situation of extreme scarcity.

¹² The area of Riemann's study does not encompass the entirety of the valley of San Quintin. His research area extends from Camalú to El Rosario, but leaves out important agricultural populations in the north of the valley (San Vicente, Colonet, Diaz Ordaz, etc.). An incorporation of these areas would have been demonstrated even more the degradation and overexploitation of the resource by agriculture and its negative effects on the communities of agricultural workers.

another two, then appeared more frequently only to disappear for a while. There was never a set delivery time or a guarantee of regular services. Accordingly, residents like Josefina had to buy water at the elevated price from private companies when available. It was not uncommon for people to go without water three or four days and sometimes up to a whole week. When this happened the family had to buy large jugs of bottled water at grocery stores for daily necessities. Vázquez León (2015: 74-75) documents that the average annual consumption of water by households in the valley of San Quintin is 3,800 liters which represents a mere 2.4% of the recommended consumption to meet basic needs, thus demonstrating the extreme marginalization suffered by the residents.

The local community formations and the regional ethno-political organizations in the valley of San Quintin operated according to a local moral economy that had its origins in the places of origin of the migrant farmworkers. There was as much continuity as discontinuity as local settlements mixed populations of different ethnic groups or communities of origin. Despite differences, a local political culture emerged rooted in assembly-based decision-making procedures and leadership models based on the qualities of a local inscribed reproduction of the “good life” as experienced in the communities of origin. “Inside the colonias there exists a sense of *communitas* characterized by an intense spirit of solidarity and fraternity,” Velasco, Zolniski, and Coubés (225) argue, “which contributes to the strengthening of the social networks and a sense of belonging that is an integral part of the experience of settlement.” These structures of organization and decision-making, as well as the leaders that arise and fall, are complex, unstable, and subject to change. In the end, although they facilitated the process of settlement and the remediation of the most extreme forms of poverty and destitution such as a lack of

housing or water, the lives of the local inhabitants remained one marked by scarcity, neglect, and exploitation.

COMMUNITY ORGANIZATIONS AND INDIGENOUS LEADERSHIP MODELS

Despite the efforts of the CIOAC to organize the fields through labor unionism, due to the seasonal nature of the agricultural labor in Baja and the fact that workers were housed in migrant labor camps on the properties of the growers, the majority of the leaders that arose in these movements were also temporary (Velasco, Zoliski and Coubes 2014: 247). With more permanent settlements, however, long-term leaders emerged that gave lasting continuity to the struggles of the *colonos*, or neighborhood residents. With a shift in identity from *trabajador* (worker) to *colono* (resident), the experience and qualities of leadership shifted as well. While CIOAC sought leaders based on the model of industrial unionism, the *comités de colonias* sought leadership based more on communitarian values from the communities of origin – primarily the indigenous communities of Oaxaca. Laura Velasco, Christian Zolniski, and Marie-Laure Coubés (2014: 253) demonstrate how an early leader and head of a *comité de colonia* in the valley of San Quintin, Florencio Hernández, was recognized as a leader given his participation in the system of *cargos* in his home community in the Mixteca where he functioned as an *autoridad tradicional*, or traditional authority. According to them, “The community’s confidence developed in the place of origin seemed to transfer to the place of destination in order to push the government to regularize housing lots and the installation of services.” Wherever *colonias* arose, the new settlements needed leadership and organization in order to solve local problems, especially access to water.

Among the Triquis of Copala, there exists a type of leadership, the *xii'a amii'a*, sometimes referred to as a “natural leader” (Natalia de Marinis 2013) or even a caudillo or local political strongman (Ávila Martínez 2016). The *xii'a* is best translated as “man who speaks.”¹³ The *xii'a* is usually a senior male figure in the community who hold a particular amount of power due to prestige, land, and kinship relations, but who does not normally function within the local governmental administration or system of *usos y costumbres* (literally “uses and customs,” in other words local forms of governance in many indigenous and campesino communities). For anthropologist Natalia de Marinis (2013: 226), a *xii'a* refers to “one who is from a specific place and whose ancestors are from there.” Thus, the natural leader is particular to a certain community and interwoven with local kinship relations and who functions as the ultimate authority within the community. The natural leader, according to de Marinis (2013: 226), is not elected, but arises naturally in the process of daily life and is someone in whom the community invests much decision-making power. A natural leader is a leader for life; although he may or may not occasionally assume an administrative position in the local systems of governance or cargos in the system of the civil-religious hierarchy, his leadership transcends said system. The primary responsibility of the natural leader is to intervene in the daily affairs of the community, including internal and external conflicts. The leader has the power to convoke *tequios* (community work projects based on unpaid labor) as well as sanction and fine community members for infractions of the moral or political

¹³ Transliteration and translation of Triqui terms is made difficult given the lack of a universal Triqui alphabet or phonetic system. Words like *xii'a amii'a* are also rich in meaning and subject to various interpretations. De Marinis (2013: 226) transliterates the term as *xing'a mu xi'a* and Avila Martinez (2016: 29) uses *si'a* with a number of qualifiers that change the meaning of the base term to range from “he who speaks,” “he who is in front,” “warrior,” or even “he who knows.”

order. For Silverio Ávila Martínez (2016: VI), himself from the Triqui Baja, a natural leader is a person “who helps others” and who “seeks justice and struggles against injustice.” Most importantly, the *xii’a* are community leaders “walk along side the people” in the sense that they “are intermediaries and judges in the resolution of conflicts and defend at all times their people.”

Given the context of entrenched internal political conflict and forced displacement in the Triqui region described above, the role of the natural leader in Triqui communities underwent significant changes (de Marinis 2013: 228). Among the communities of the Triqui diaspora, new leadership models emerged that, while rooted in the qualities of the “natural leader,” adapted to the new social, economic, and political realities of migrant settlement in distinct locals. María Dolores Paris Pombo (2012: 131) argues that the new form of leadership exercised among Triquis in northern Mexican communities, such as those in Baja, is based on both continuity and discontinuity. The new forms of leadership are overall oriented to avoiding violence and conflict within new Triqui community formations and social organizations. Here the ability to “speak well” relates to the capacity of the leader to avoid the reproduction of violent social relations that emanate from the region of origin and mediate the conflicts that arise from Triquis from distinct communities with sometimes fragile connections to, or even violent conflicts with, Triquis from other communities. The new forms of leadership that have arisen in diasporic settlements primarily involve the mobilization of resources from, and negotiation with, institutions of state power (Paris Pombo 2012: 131). Here the capacity of the leader is won by his ability to access plots of land for the permanent settlement of migrant laborers, negotiate with state representatives to access essential services and

public utilities like electricity and water, and mobilize resources from distinct sources (normally social programs at the federal level). In the absence of effective organizations such as independent unions, a leader will also intervene in labor conflicts or petition growers for better wages, hours, and conditions. For some of those who I talked to in Nuevo San Juan Copala, figures like Camilo Bautista or Bonifacio Martinez were considered natural leaders, while others argued that the *xii'a* did not exist outside of the Triqui homeland and the new leaders should be seen more as “political” leaders rather than “natural” ones. Either way, the tradition of leadership in local community organization is essential in both the territory of origin and in the diaspora.

What exactly does this type of leadership entail? In the case of the Triquis of Copala, de Marinis (2013: 255-229) argues that a good leader is someone honest who does not stand out more than others as “his power emanates from and is exercised from the collective.” Above all, and especially in the context of the violent conflicts in the region of origin, a good Triqui leader is someone who speaks well (“habla bonito”). Someone who speaks well exercises the power of speech in order to give good advice and create dialogue and remedy conflict. A bad leader, or someone whose leadership capacity fails and the community no longer lends their tacit or implicit support, is someone who does not protect his community or allows problems and divisions to arise within. A bad leader is also someone who is greedy for economic or political power and thus disrupts the social order. Referring to the problems of leadership in the Triqui homeland due to political conflicts, Bonifacio declared that:

What we have witnessed are personal interests on the part of a few leaders. They have grown accustomed to screwing over the other communities for the projects

that are given to the population because, [although] many people don't realize it, there are productive projects for indigenous communities but these leaders, those so-called leaders, in these places appropriate the resources and they don't let the community know. And whoever talks about what they do, they kill him shortly thereafter.

In contradistinction to the problems in Oaxaca, Bonifacio also described how the leaders exercising traditional authority in Nuevo San Juan Copala try to emulate the qualities of a good leader. Different from the natural leader in the region of origin, the new leaders in the diaspora earn and lose their leadership according to their leadership qualities.

Well they elect a person who they think will represent them in a dignified manner... Of course also when that person has leadership qualities. You are identified [as a leader] if you are respectful, hardworking, family-oriented, and a good father. This is how they choose [a leader]. Up till now it has worked for us.

According to Justino Herrera, a Mixteco leader from the Triki neighborhood who was an important leader of the Alianza during the jornalero strike of 2015, the leaders of colonias exercised their leadership according to the power imbued to them by the members of the community.

These compañeros, in order to struggle, first had to consult the people. And if the people were in agreement they struggled and if not, then no. They always [acted] with the consensus of the base, of the strength that is the people. This is what was done before; today not any more. Today we are divided with politicians, senators, congressmen who look for or form groups of poor people to inflict damage upon the poor to benefit the rich...

Dolores Paris Pombo (2007: 136-137) argues that with time, the new structures of leadership in Triqui diasporic communities became more institutionalized. This occurred first with the establishment of socio-political organizations like the FILT or the OPT. Soon, however, Triqui leaders established relationships with political parties and public functionaries at all levels of government. While this brought an increase in the quality of life for residents through access to funds and public utilities, it also led to the generation of more clientele-like relationships between the leaders and the state – especially the political parties. In San Quintin, it is not uncommon for some leaders to lose their effectiveness or betray the community for their own personal interests. Some accept positions within local government or work with political parties that affect their leadership status for bad or good. Justino, for example, was considered a leader in La Triki; however, after allegations of mismanagement during the time he held a low-level government office in the municipal administration and especially after his role in the division within the jornalero movement described in the next chapter, he lost much of his leadership capacity and credibility. Community sentiment was divided; some people recognized his past leadership, but felt that he lost his “poder de convocatoria,” or his power of persuasion and convening. On my visits to his house, I did observe that he still functioned in a leadership role and intervened in various community or labor disputes, but his power seemed more tenuous and limited than previously.

Most community leaders or heads of community committees are indigenous men older than forty years of age. The majority of them are born in the region of origin in Oaxaca, but with ample experience in northern migration and settlement. It is becoming increasingly common for leaders to have been born in the valley of San Quintin, as there

has been a generational shift as many important leaders have passed away. Female leadership (almost completely nonexistent in the Triqui homeland) is weak, but emerging. Velasco, Zolniski, and Coubés (249) found that by the early 2000s, women began to participate more readily as leaders of the comité de colonias. I was able to interview a few female leaders or heads of the neighborhood committees, but I found them to be few and far between. Although women are highly visible in marches and mobilizations – especially Triqui women with their bright red embroidered blouses or *huipiles* - it is rare to witness female leaders exercising leadership in labor questions. One such exception is Lucila Hernández, a Mixtecan activist from Santa Maria los Pinos who played an integral part of the jornalero strike. Women’s struggles primarily involve more domestic or family-oriented issues such as that for schools, services (like Oportunidades), and work outside the fields (Velasco 2005:137). As Velasco (2005: 166) notes, “In their political participation, women are preoccupied with the local, community, and family issues and with their ability to raise demands from the space of domestic life to the public sphere; this distinguishes them from the men who have been activists in political parties.”

THE THIRD PHASE OF STRUGGLE: FROM THE COLONIAS TO THE FIELDS – 2010-2015

Many of the old leaders of labor and community struggles have since deceased or retired from the public sphere due to old age. Others continue their career as migrant laborers – especially in the United States. Thus the leadership of FILT in Nuevo San Juan Copala was left to a new generation of Triqui leaders who, although they learned to “walk” from the elders, had their own ideas of how to “walk” and where to go in their “walking.” Two of the most important leaders of this younger generation were Bonifacio

Martínez and Juan Hernández, both of Nuevo San Juan Copala. For Bonifacio, the FILT was just the beginning. According to him, he saw a need to unite the existing community organizations like FILT with those of the various and largely unconnected comités de colonia throughout the valley of San Quintin. In order to do so, they needed to go beyond the FILT and create a new organization that spoke to the needs of a larger population. In one of our conversations, Bonifacio recounted the following:

The Alianza de Organizaciones begins as an organization, I think, when we realized that we needed more, not just Triquis. We needed more compañeros to join... We had fought a battle as Triqui people, internally, but there were other battles to fight, a little more organized and with other compañeros: Mixtecos, Zapotecos, Mixe, Huichol, Tojolabal compañeros from Chiapas, everyone....

Because what I live so too do the Mixteco compañeros, what I live so too do the Zapoteco compañeros, what I live so too do the Triqui Alto compañeros, what I live so too do the Tojolabal compañeros from Chiapas and all of the compañeros. It is the same pain. So I said, why not construct a common language together?

Fellow FILT leader Juan Hernández from Nuevo San Juan Copala shared Bonifacio's vision and together the two formed the Alliance of Nacional, State, and Municipal Organizations for Social Justice (or Alianza for short) in late 2012. According to Juan Hernandez, "We formed the Alianza in order to defend the rights of the workers. We began to organize in 2013 to defend our rights, to recuperate our rights, to recuperate the integrity of our children, our grandchildren, and for this we dared to struggle."

According to Boni, as he is affectionately known among his peers,

The Alianza was founded as an organization and I began to walk with the *compañeros*. I began to invite each *compañero*. I began to walk from Maneadero [another agricultural center to the north of San Quintin just outside of Ensenada with a large Mixteco and Triqui population] all the way to El Rosario [hours to the south of San Quintin where most transnational agribusiness ends]. We began to invite the *compañeros*. We began to get the leaders involved without overstepping the authority of each of the *compañeros* as leaders in each colonia. I began to invite them: “I have this project, *compañeros*, I want us to work on it together. I want us to work for our own wellbeing because no one else is going to do it for us.’

According to Lorenzo Rodríguez Jiménez, who began participation in labor issues thanks to the jornalero strike of 2015 explained the pivotal role of Bonifacio and Juan. He claimed the following:

The movement was born from two *compañeros*. It started with two. They began to walk. They began to visit different houses. They began to knock on peoples’ doors. They began to search for other *compañeros* that lived the same abuses and they began to talk and see if together they could do something. And that is how they began to walk in the colonias. First they started with the closest [people], with family. Little by little it grew as the word spread.

By the end of 2013 the Alianza, now grouping together a handful of local leaders from throughout the valley, undertook its first collective action - a mobilization for sanitation services like garbage recollection in farmworker communities. Like the inefficiencies in the distribution of water on the part of the state, garbage trucks only

occasionally passed by at regular intervals leaving the communities full of trash and generating unhealthy conditions. The Alianza then implemented a strategy, well ingrained in the valley from the days of the CIOAC, of agreeing upon a “pliego petitorio,” or list of demands. The leaders of the Alianza wrote up the list demanding more garbage trucks for the communities and presented the list to the mayor of Ensenada. As usually happened, the mayor and other authorities did not take heed and ignored the demands. In order to create pressure, the Alianza organized protests outside the offices of the municipal government. Only after this protest did the authorities concede to a meeting with the Alianza leaders and after negotiations, the government granted the valley of San Quintin three more garbage trucks (Jaloma Cruz 2016: 140-141).

On the heels of the successful action for increased garbage collection, the community representatives brought the issue of the lack of clean water in the colonias to the structure of the Alianza. As described in previously, water is such a necessity for the jornalero communities that it became the primary issue that brought more colonias – represented by their comité members – to join the Alianza. In the summer of 2014 the Alianza brought together a contingent of around seven thousand jornaleros occupied the offices of the CESPE in order to demand water in all of the jornalero colonias. In this action they also blocked the transpeninsular highway for a short time. According to the participants, the actions were effective, as they felt more water was administered after the protest actions (Jaloma Cruz 2016: 144). Lorenzo argued that it was this action—demanding and receiving more water-- that detonated the movement and inspired hope throughout the valley. He remarked that after the highway blockade and the take-over of the offices of the CESPE, the movement began to “walk” (spread) to more colonias.

“Here [the movement] wasn’t organized by farms. Here it was organized by colonias. Here the majority of the compañeros after leaving the fields where they worked had meetings in this colonia and in that colonia. They had meetings everywhere they went.”

It was while “walking” in these mobilizations that Bonifacio and Juan met Fidel Sánchez Gabriel almost two years later in 2014. This fortuitous meeting would forever change the course of history in the valley of San Quintin. It was also where two different leadership styles converged. Fidel Sánchez Gabriel, of Mixteco origin, was born in San Juan Mixtepec, Oaxaca, and migrated at the age of seven with his family to work the fields of Sinaloa and Baja California Sur before settling in the valley of San Quintin in 1981. Due to his migration, he was only able to study one year of elementary school and learned to speak Spanish on the migrant route. At nine years of age he began picking cotton in San Juan de los Planes, Baja California Sur, where he lived with his family underneath a few palm trees. Later, his family moved to Empalme, Sonora, where he worked at age thirteen picking chilies and squash. After arriving in San Quintin, Sánchez Gabriel and his family lived in the camps on the property of Rancho Los Canelos where they worked in the fields. During his time at the farm, Sánchez Gabriel witnessed two successful strikes that improved conditions temporarily. Despite his lack of formal education, Sánchez Gabriel joined the CIOAC in 1986 and quickly rose in ranks to regional general secretary.

With the eclipse of the CIOAC and the beginning of the struggle for the colonias, in 1989 Sánchez Gabriel migrated to the United States where he worked as a migrant farmworker in the states of Arizona, California, Oregon, Washington, and Florida. He worked in the U.S. for a period of eighteen years and was deported a number of times,

always able to find his way back to the U.S. and to stable employment in the fields. Given his previous militancy in the CIOAC and various political organizations in the valley of San Quintin, while working in the United States Sánchez Gabriel collaborated with the United Farm Workers (UFW) and the Coalition of Immokalee Workers (CIW). In 1997 he participated in a strike in Florida with the CIW. He also helped organize decent housing for farmworkers in Washington state along with the UFW in 1998 (Bacon 2015; Cruz Aguirre 2015b; Hernandez Navarro 2015b).

Fidel Sánchez Gabriel returned to San Quintin in 2008. Upon returning to San Quintin, Sánchez Gabriel joined the Popular Revolutionary Front (Frente Popular Revolucionario, or FPR), a controversial Stalinist organization linked to the Communist Party of Mexico, including a base of support in Oaxaca.¹⁴ Through his reincorporation into the political life of San Quintin, Sánchez Gabriel met Juan Hernández in 2014 and it was Juan who invited Fidel to join the Alianza (Cruz Aguirre 2015b). Fidel Sánchez Gabriel invited many of his old compañeros from CIOAC, like Fermín Salazar Santiago, to join the Alianza as well. After the death of its previous leader, Julio César Alonso Vargas, the CIOAC had lost much of its organizational capacity and Fidel sought to bring the organizational experience of CIOAC to the Alianza. It was the CIOAC's vision for labor organization that the Alianza lacked. With the arrival of Fidel and the former CIOAC members to the Alianza, the class struggle of the old vanguard movements of the earlier labor struggles met the community-based, indigenous movements like the FILT. With this merger, however, there was also a meeting of two different forms of leadership

¹⁴ The FPR is an organization notorious for using the political struggle of popular movements to gain resources from the state or place its members in positions of power in the legislature, in the popular movement of 2006 in Oaxaca, for example.

– a centralized and authoritarian one in the case of the old CIOAC labor model and a more horizontal and democratic model based on indigenous forms of leadership in the ethnic and community movements in the colonias. As well, the CIOAC’s reputation of its leaders to profit from the struggle followed the old labor leaders with murky pasts into this new phase of struggle. Hilario Carrasco Gonzáles, CIOAC leader in 2015, claimed that much of the old leadership of CIOAC utilized the organization of the jornaleros for their own interests. For example, Carrasco Gonzáles claimed that government representatives gave land in the Maclovio Rojas neighborhood to Fidel Sánchez Gabriel and his family. Carrasco Gonzáles also criticized Fermin Salazar Santiago’s performance as a municipal delegate (Perales 2015).

The leadership of the Alianza was concentrated in the district of Vicente Guerrero that included the colonias Nuevo San Juan Copala, La Triki, and Maclovio Rojas. These were the principle settlements embracing the long-standing social and political organizations like the OPT, FILT, and much of what remained of the CIOAC. All three of these colonias, as well as neighboring colonias like Trece de Mayo, were interwoven with political, cultural, and kinship relations linking them to the major actors within the Alianza. However, to be effective, the Alianza needed to expand northward and southward. These other communities that the Alianza sought to involve, whether the Flores Magón neighborhood in the Lázaro Cardenas district to the south or Díaz Ordaz in the north, had their own microhistories of social and political organization with their representative leaders and organizations. These leaders functioned as natural leaders or served as representatives in the comités de colonia and responded to a grassroots base from which their capacity for organization emanated. The Alianza sought to bring all of

the different social and political organizations, as well as the local comités de colonia into its fold. Elena Jaloma Cruz (2016: 157-158) notes a contradiction in the leadership of Fidel Sánchez Gabriel, however, that was to be a key factor in the future actions of the Alianza. Although overwhelmingly influential, Jaloma Cruz notes that Fidel Sánchez Gabriel lacked a base of support in a specific community given his long absence in the United States. Unlike Bonifacio Martínez, Juan Hernández, or Justino Herrera who represented the hybrid model of Triqui “natural” leaders and representatives of comités de colonias, Fidel did not function as a community leader nor was he rooted in an ethnically distinct or highly organized community. What he brought to the table, however, was his experience in political and labor organizing. While this created an ideal collaboration, it also created tension and difference in terms of styles of leadership and forms of representation. Ultimately, these differences were to be exploited by the growers and the state and led to the downfall of the movement.

Given the transnational nature of the settlements of Oaxacan migrant farmworkers, the majority of the residents of San Quintin has worked periodically in, or maintain connections with, similar diasporic communities in the United States. What makes the Alianza different from previous generations of organizations like that of the FILT is that the majority of the leaders of the Alianza not only worked for some time in the U.S. or participated in transnational communities, but also actively participated in political struggles in these transnational spaces. Fidel Sánchez Gabriel’s participation with the CIW and the UFW was already mentioned. Other leaders also participated in farmworker struggles in the U.S. Justino Herrera, for example, participated in a campaign against the abuses of labor contractors in Oregon. As well, Eloy Fernández was a unionist

in the fields of California with the UFW. Journalist Luis Hernández Navarro (2015a) argues that the burgeoning jornalero movement represented by the Alianza and led by these new leaders was thus a transnational movement. Beyond the experiences of the individual leaders, Hernández Navarro also noted that agricultural production in the valley of San Quintin was intimately related to the growth of export agriculture led by U.S.-based transnational corporations like Driscoll's and Andrew & Williamson, something discussed in detail in further chapters. Ultimately, San Quintin as a global agricultural enclave is linked to transnational processes of economic restructuring such as the North American Free Trade Agreement and changing patterns of consumption among the citizens of the U.S. and Canada. "Where we live we are a few hours from the United States," remarked Bonifacio, "four hours from here they pay around eleven dollars or twelve dollars an hour. Four hours from there down here we earn five or six dollars a day. It is the same work for the same companies. What is happening?"

It was these transnational and labor organizing experiences that led local community organizing to once again return to the fields from which they came. Since local leaders were adequately solving local community problems, those dissatisfied with the wages and conditions of their labor began to focus on the more systemic issues that impinged on their lives. According to Lorenzo Rodríguez Jiménez the movement began in 2013 when,

The compañeros were fed up with the conditions in which they lived and in which they worked and the salaries they were paid. The majority of the people in all the fields were fed up, they weren't in agreement on the salaries, and they weren't in agreement on the ways they were treated. But in reality nobody had the courage to

do anything or many did have the courage but only to do small things in their work areas – things without any real transcendence, that didn't have a big effect.

A big movement was never possible to organize.

After these two demonstrations of the Alianza, the incipient jornalero movement felt empowered and began to target larger issues of injustice and inequality. Eventually the focus turned towards labor issues in the fields. It was Fidel Sánchez Gabriel, through his experience with the UFW United Farm Workers (UFW), the Coalition of Immokalee Workers (CIW), and the CIOAC, Elena Jaloma Cruz argues (2016: 158), who first brought the idea of a general strike to the Alianza– an idea at first rejected by a number of the Alianza leaders. This initial rejection signaled difference. Many of the Alianza participants thought a strike was too radical, too difficult, or simply too outside the historically entrenched political culture of solving problems farm by farm through local intermediaries and clientele networks that tied growers and workers together. However, by January of 2015 Fidel Sánchez Gabriel convinced the majority of the Alianza leaders of the need to take the next step – the general strike of March 17, 2015. While the relationships and leadership style behind the successful water and garbage collection actions were rooted in community-based organizing at very local levels, a general strike of laborers outside of one farm fell outside of the local leaders' comfort zone as it was never before attempted. It also involved engagement with a much broader set of political actors and institutions. Yet it was the charisma, the ability to “hablar bonito” (speak well), and the national and even international political connections that Fidel brought to the Alianza that convinced the majority of its members to back the plan.

In October of 2014, the Alianza drafted a letter to the governor of Baja California, Francisco Vega de la Madrid, explaining the differences the jornaleros found in their daily work experience and their rights enshrined in federal labor law. This letter was presented to the state congress and their demands were heard by a number of representatives however the only course of action they proposed was sending inspectors from the labor department to the valley. Nothing came of the inspection, however. “The state government showed its indifference [se hace de la vista gorda], its deaf ears. It didn’t resolve anything,” according to Lorenzo. According to Bonifacio,

There was no response [from the Baja governor]. We went to Mexicali [the state capital of Baja California] and handed it [the letter to state officials] and nothing.

What are we going to do? Only what we had agreed on [if this didn’t work].

People were saying: “The strike is coming!” But they didn’t believe us.

Thus, at the beginning of 2015 the Alianza sent a second letter to governor Kiko Vega as well as the president of Mexico, Felipe Calderón Hinojosa. The second letter included a warning – the Alianza claimed that it would not be held responsible for whatever transpired due to the inaction of the state and federal government (Jaloma Cruz 2016: 160-165).

With the channels of communication with those in authority closed, the Alianza turned to the regional public radio station, XEQIN, to inform the jornaleros of their rights and the actions the Alianza was willing to undertake if not granted their demands. Through the radio the Alianza encouraged the listeners to fight for their rights and invited them to participate in a valley-wide strike when it was deemed necessary. The Alianza returned to its base and consulted the jornaleros in their communities. In a regional

meeting of the Alianza in early 2015 the leaders and representatives unanimously agreed to support the idea of a general strike. After the meeting the community representatives returned to their grassroots membership to inform them about the plan of action. Part of this process of dissemination and consensus building included consulting the jornaleros working on numerous farms their particular demands (Jaloma Cruz 160-165). These are below in the table that follows.

14 Point List of Demands of the Alliance of Organizations.

- 1) Revocation of the collective bargaining agreements with the CTM, CROC and CROM with the Agricultural Association due to the grave violations of our labor and human rights. We don't even know the leaders that claim to represent us.
- 2) Respect the right of seniority. We do not know of any jornalero that has received retirement.
- 3) The affiliation of all of the workers and their dependents to the IMSS (Mexican Social Security Institute) from the first day of their contract.
- 4) Payment of all benefits and compensation including Sundays and vacations.
- 5) Overtime payment according to Federal Labor Law. Our workdays are up to twelve hours. We leave our houses at three in the morning and return, a lot of times, after seven at night.
- 6) Respect the right of women workers who are pregnant to medical leave six weeks before and six weeks after birth.
- 7) Respect the right of male workers who will be fathers the five days of pay that corresponds to them established by law.
- 8) No more tolerance of sexual harassment on the part of the crew leaders and/or engineers in charge of the farms.
- 9) No repercussions for the jornaleros that participate directly or indirectly in the movement.
- 10) That the state minimum wage be 300 pesos a day because it is the minimum we need to live and from 2001 we only earn between 100 and 130 pesos [a day].
- 11) Payment of 30 pesos for each box of strawberries, given the fact that from 2001 the rate of 10 to 12 pesos has not changed. Pay double [the price of each box of strawberries] on Sundays and holidays.
- 12) Payment of 17 pesos for a jar of blackberries. Pay double on Sundays and holidays.
- 13) Payment of 8 pesos for a bucket of tomatoes.
- 14) A just payment for the other products produced in Baja California in order to achieve good relationships between workers and bosses.

Figure 6. The 14-point list of demands of the Alliance of Organizations.

THE 2015 FARMWORKER STRIKE

After much anticipation, the strike began on March 17, 2015 at approximately two in the morning in the middle of the strawberry harvest. The first action taken was the blockading of the transpeninsular highway connecting the valley to Tijuana– the same route that the fruit and vegetables picked by the jornaleros entered the United States and eventually supermarket shelves. Around thirty Alianza members with their respective supporters occupied the closest section of the highway. In all, over 100 kilometers of highway were blockaded – from Punta Colonet in the north to Rancho Los Pinos in the south. Thousands of jornaleros actively and intentionally participated in the strike. Other jornaleros, not knowing about or not believing the strike possible, participated as their commute to work was blocked. Agricultural production and harvesting in the valley of San Quintin ground to a halt. The jornaleros had seized control (Jaloma Cruz 2016: 166-168).

For those who participated in this strike this result was amazing and surprising. “But we didn’t even realize ourselves that the movement was going to grow, no, at least not me,” Bonifacio recounted. “I didn’t realize the response of my compañeros was going to so huge until I stood there admiring everything that first day.” Despite the fact that the Alianza incorporated only a few women in leadership roles, a large and militant female participation in the strike proved essential to maintaining barricades and undertaking logistical support. Despite widespread support, some jornaleros decided to abstain from participation citing the risks to their livelihoods and the need to support their family. The initial strength of the strike was slowly weakened through time by decreasing numbers.

The strike also provoked episodes of violence, disorder, and pillaging of stores that the Alianza could not control. In a famous instance of vandalism, rioters looted the supermarket in Camalú given the disorder caused by the strike. As the strike continued and negotiations between the government and Alianza leaders began, many jornaleros felt the negative impacts of the strike as they were unable to work and put food on the table (Jaloma Cruz 2016: 166-168).

The day after the beginning of the strike, on March 18, 2015, talks began between the jornaleros organized in the Alianza de Organizaciones, the state government, representatives of the corporatist unions (CTM, CROM y CROC), the Commission of the Development of the Indigenous Peoples (Comision para del Desarrollo de los Pueblos Indígenas, or CDI), and the Mexican Institute of Social Security (Instituto Mexicano de Seguro Social, or IMSS). On March 27, the government offered a 15% salary increase that would have raised salaries between 130 (US\$7.20) and 150 (US\$8.30) pesos a day. This fell way short of the original 300 pesos demanded by the Alianza, but was a gain. According to Lorenzo Rodríguez Jiménez,¹⁵ future General Secretary of SINDJA and an active part in the jornalero movement,

First they offered four percent. Then, after a couple of months they raised it to six, then they raised it to eight, then they raised it to twelve, and finally they raised it to fifteen percent. That is where it stood. But imagine that if you work for one hundred pesos a day with the fifteen percent raise you were going to make fifteen pesos [more]. It is really a joke to create such a movement and make such a

¹⁵ Interview with Lorenzo Rodríguez Jiménez. 10-18-16.

sacrifice so that they end up offering you a raise of fifteen pesos or twenty pesos at best!

The negotiations stalled and the jornaleros were removed from the table in order for backroom negotiations to occur between the government, the agricultural associations, and the corporatist unions. According to Lorenzo,

The pro-business protective unions (the CTM, CROM and CROC), the state government, and the agriculturalists have a closed-door meeting and sign an agreement. These unions sign, accepting the 15% raise... What does this tell us? Once again they sign behind the workers' backs and sadly at this moment many of them continue being legal representatives of the workers.¹⁶

Despite the betrayal of the corporatist unions, however, the jornaleros continued the strike. On May 9, state police raided the colonia Nuevo San Juan Copala and colonia Triki in Lomas de San Ramon (two of the main hotbeds for ethnic and community organizing with an overwhelming presence of the Alianza). In hours of street fighting against the occupying forces, the jornaleros in these popular neighborhoods fought off the police, decommissioned a police tank they baptized as the “tiburón” (shark), and burned down the police station in Lomas de San Ramon. The conflict resulted in 70 jornaleros wounded and 17 detained, of who five were arrested, although eventually released as part of the negotiations (Heras 2015).

Various representatives of the jornaleros (who, from Alianza) traveled to Mexico City to enlist the aid of the federal government. With the growers unwilling to budge, however, the Alianza stayed determined to continue their movement. While the jornalero

¹⁶ Interview with Lorenzo Rodríguez Jiménez. 10-18-16.

movement in the valley of San Quintin struggled to maintain the strike, in Washington state Triqui and Mixteco farmworkers from Familias Unidas por la Justicia (United Families for Justice, which formed in 2013 with the help of Community to Community Development) had been conducting wildcat strikes and protests in demand for better wages at Sakuma Brothers berry farms. Not only did these farmworkers have the same origins in Oaxaca and the same poverty that spurred them to migrate – sometimes first to the valley of San Quintin before heading northward into the United States – but they also had the same bosses. One of Sakuma Brothers’ major buyers is Driscoll’s. These two transnational indigenous farmworker movements – the Alianza and the Familias Unidas – joined together to call for an international boycott of Driscoll’s berry products (Bacon 2018).

By May 13th, the negotiations seemed to have gained momentum for the demands of the Alianza and for new concerns. Now on the table was the release of jornalero political prisoners detained in the recent repression mentioned above, the affiliation of all jornaleros to the social security administration, a promise to better the conditions of housing in the valley, an end to child labor, the federal government’s promise to grant the registration of an independent union instead the traditional government-linked and corrupt labor unions such as CROM, and a willingness to bring salaries as close as possible to 200 pesos a day. The next day, on May 14th, David Garay of the Department of the Interior signed an agreement with representatives of the state government, agriculturalists, and the Alianza to bring the salary “as close as possible” to 200 pesos by June 4 and retroactive from May 24th. In an unprecedented event, the Labor Department also agreed to give official recognition to and register an independent national jornalero

union, thus respecting the jornaleros' right to union autonomy and freedom. The Alianza agreed to return to the negotiating table and bring the conflict to an end with significant gains for the jornaleros (Jaloma Cruz 2016: 186-188).

On June 4, 2015 representatives of the Alianza, growers, and government representatives signed an agreement to end the strike and grant the jornalero movement a significant number of concessions. Just as victory seemed at hand, the addition of one word changed the outcome of the agreement and the future unity of the Alianza. Despite previous drafts of the negotiation that established the “daily base salary (salario base)” at 150, 165, and 180 pesos a day depending on the size of the farm, the final copy signed by the majority of members of the Alianza read an “integrated daily base salary (salario mínimo integrado base.)”¹⁷

The word “integrated” became the issue that divided the movement. Whether a product of manipulation by the growers, inexperience on the part of the Alianza, both, or a simple mistake, the category “integrated” salary meant that the daily salary of 180 pesos incorporated other benefits afforded the workers by law (a weekly day off, vacations, Christmas bonus, etc.) and were included in that rate in their paycheck. By contrast, the term daily “base” salary meant that the workers would receive the 180 pesos in addition to the other benefits afforded by law. Thus, the “integrated” salary significantly curtailed the earning power of the jornaleros. According to Justino Herrera in an interview with the press at the time, “The integrated salary allows the owners to

¹⁷ Gobierno de la Republica. Minuta de Acuerdos y Compromisos. July 4, 2015, pg. 2. This agreement was signed by Subsecretario de Gobierno Luis Enrique Miranda Nava, Subsecretario del Trabajo Rafael Adrián Avante Juárez and Titular de la Unidad de Gobierno David Garay Maldonado, Governor of Baja California Francisco Vega de la Madrid, representatives of the Consejo Agrícola of Baja California and the private sector, and the Alianza de Organizaciones, among others.

avoid the payment of benefits which, according to them, are included in what we are paid. This is what they are already doing and one of the reasons for initiating our movement” (quoted in Cruz Aguilar 2015).

The Alianza cried foul play and argued that the federal and state government manipulated the final document in favor of the agricultural class. Fermin Salazar of the Alianza declared that “We signed without realizing their betrayal because before writing up the agreement they read to us the content and it clearly stated *base* salary, not *integrated*, which they changed” (quoted in Cruz Aguilar 2015). For Lorenzo Rodríguez Jiménez it was a clear betrayal on the part of the government. According to him,

Here we are able to see that the government of the state of Baja California was never going to give a favorable solution to the jornalero movement because...many of those [people] that are in the government also have farms here in the valley of San Quintin or they are business partners with some of the farms...The majority are of the National Action Party [PAN] and are financed by the growers. So how were they [the politicians] going to turn their back on them and bite the hand that feeds them?

Justino Herrera refused to sign the agreement. According to him, “the Alianza signed that document [stating] the benefits accorded to the workers were integrated into their salary when this was what the struggle was for - defend the benefits and a dignified salary for the workers.” According to him, “I didn’t sign the document because I don’t know too much about the law, so I didn’t want to sign because I knew that it appeared, it seemed obvious that I shouldn’t sign without the consent of the workers.” With Justino, a number of the core leadership of the Alianza left the organization.

Despite the surprising and overwhelming power of the jornaleros to bring the state and federal government to the negotiating table, divisions and manipulations soon emerged, leading to disagreements and divisions among important leaders of the Alianza. A dissenting faction arose, composed of Justino Herrera, Fermin Alejandro Salazar Santiago, Lucila Hernández, Enrique Alatorre, and Carlos Hafén who felt increasingly excluded from the Alianza. For Justino it was the other leaders of the Alianza, namely Bonifacio Martínez, Juan Hernández, and, especially, Fidel Sánchez Gabriel, who he felt let down the jornaleros by falling into the trap set by the government involving the integrated salary. According to Bonifacio Martínez, however, the group led by Justino betrayed the Alianza. “Unfortunately, today I am able to tell you that yes, there were people that betrayed us at the time, our own compañeros. Even before we arrived on July 4th, there was a negotiation, there was already an agreement. There was a whole conspiracy. They had broke us down the middle, we didn’t have any other option.” With the division, the capacity of unity and negotiation of the jornalero leadership represented by the Alianza was broken. The combined power, influence, and experience of the federal government and the agribusiness class, complete with their transnational advisers, outwitted the jornalero leadership.

CONCLUSION

The extreme precarity and exploitation jornaleros faced in the fields and labor camps of northern Mexico, as well as the new individual and collective identities emerging in these transnational spaces, gave space for different processes of collective action. This collective action, rooted in specific political moments, political cultures, and always within the larger forces of global agribusiness, undertook three main phases. The

first was the labor organizing in the fields and the camps. Here both spontaneous and organized collective action achieved temporary and localized gains for the migrant farmworkers. These actions won raises, social security coverage, and more dignified living conditions but they did not change the overall structure of exploitation of salaried farm labor in global agricultural enclaves like Sinaloa or San Quintin. With these movements weakened, coopted, or defeated, the next phase of struggle left the fields for the residential space.

As described in great detail by Velasco, Zolniski and Coubès (2014), migrant jornaleros sought a space of their own outside of the watchful eye of the grower, foreman, and camp security guard. The next great phase of struggle was for land upon which to settle and thus reproduce familial, social, and political life of the migrant farmworkers. It was during this phase that new forms of struggle arose that mark a clear divergence with earlier struggles – especially those championed by labor organizations such as the CIOAC. It is here that local political organizing around the daily demands of settled life in conditions of extreme poverty coalesced around distinct forms and styles of leadership. In the colonias, the main organizational form was that of the comité of colonos, or residents of the colonias. It was in this structure that indigenous and rural forms of leadership from the home communities re-emerged in the diasporic settlements of the migrants. Celso Ortiz Marín (2007: 143) argues that while they also championed individual rights, labor rights, access to health services and housing, etc., these new organizational structures diverged from previous organizational forms in that they were related to a collective belonging and identities and thus put forth eminently *collective* demands.

Despite the successes of ethnic reconstruction and community organization described here within, in the end almost two decades of indigenous migrant collective action failed to rectify the most important issue facing the jornaleros across ethnic lines and networks of common community origin – their condition as a class of exploited workers in globalized agricultural production. The outcome suggests that community-based forms of organization focused on place-specific demands such as access to water, trash removal, and land titling are able to achieve limited outcomes compared with labor demands that work across broad political and economic structures. Ortiz Marin (2007: 21-22) argues,

The organizations of an ethnic character have not been able to lead struggles to better the working and living conditions of the agricultural workers given that the problem of labor organization of the migrant farmworkers is complex given the heterogeneity that persists among this sector (in terms of age, sex and ethnicity), [and] because of the seasonal character of the forms of employment of the majority and given their migratory nature.

These hybrid models of collective organizing and leadership both built on traditional forms of indigenous justice, governance, and organizing but also incorporated new forms of engagement with the state and local and municipal entities.

This general sense of relative deprivation as a class of migrant farmworkers became the rallying point for generations of local community organizing in the valley. By the 2000s, with dozens of jornalero colonias consolidated, the jornaleros' inability to earn a dignified living given stagnant wages, increasing cost of living, and lack of health care, the only option left was to confront the conditions of modern slavery decried by jornalero

leaders. Based on decades of a unique, intercultural form of organizing specific to these localities, individuals and organizations began a process of “walking” that developed into their ability to “hablar bonito (speak well).” According to Bonifacio, “It was hunger that made us speak. Pain is what made us speak. What made us speak are the necessities we have.” Denied human dignity and agency of their own, this ability to walk and to speak on behalf of the indigenous farmworkers of San Quintin led to a monumental strike that brought the state and federal government to the negotiating table. As argued by Christian Zolniski (2011: 577),

As such, these mobilizations reflect a process of class and community formation of indigenous and mestizo laborers and families who have settled in the region. Their protests express a refusal to be considered a transient migrant population with no or few rights, and instead they demand basic civil and human rights as full-fledged members of the local community

In many ways, the uniqueness of the jornalero struggle seen through the different decades demonstrates the importance of culture and leadership to the success or defeat of collective action. For all of its attempts at changing the labor conditions of the indigenous migrant farmworkers, the political praxis of the CIOAC did not utilize the specific styles of leadership and forms of organization intrinsic to many of the indigenous migrants in the fields and camps. By themselves alone, however, the indigenous models of leadership and organization did little to change the economic and political structures that left the farmworkers exploited in their places of employment. However, it was quite possible that an indigenous labor movement, inspired by and organized around indigenous forms of leadership could embrace the labor demands and critique of the systemic nature of their

exploitation. In many respects, the struggle of the Alianza to create a cohesive movement that coalesced in the strike of 2015 was just that. Its tensions, personified in the figure of Fidel Sánchez Gabriel, demonstrated as much the inherent contradictions as the promises of the unique movement. Fidel – an indigenous labor leader versed in class struggle politics but lacking an ethnic or residential community from which his leadership emerged – demonstrated the potential and the limitations of the movement as a whole. As leadership styles diverged and external pressure exerted by the state and the growers helped spur a division in the core leadership, the movement fractured and lost most of its potential ability to negotiate. The fatal episode of the “integrated” salary was the nail in the coffin for the indigenous farmworker struggle of 2015 in San Quintin.

What exactly came out of the jornalero movement that culminated in the general strike on March 17, 2015? The answer is complex and contradictory. Despite winning specific demands – the federal registration of an independent farmworker union, for example – the concrete gains were few and far between. As detailed in the following chapters, the combined economic and political power of the grower class and their close relationship with Baja California’s political establishment curtailed the gains of the jornalero movement deriving from the strike of March 17, 2015. In the end, sometimes it seems that nothing has changed. Wages and conditions, for example, remain much the same as they were before the strike given the increase in work to offset the raise. However, things have changed in the hearts and minds of the majority of the valley’s indigenous farmworker population. Despite the continual struggle to make ends meet, the valley’s jornaleros feel more empowered and respected. The slaves of the twenty-first century, as they have been called, have risen to new levels of human dignity through their

own hard work and impressive struggle. As well, new generations of leaders – mostly young men and women who learned to “walk” and to “speak” in the barricades and marches on March 17th – have taken up the new phase of struggle for justice and dignity. The following chapters will detail how jornalero women and men continue to speak up and organize to make concrete the demands of the strikers of 2015.

CHAPTER III
THE “SLAVES OF THE 21ST CENTURY”:
LIFE AND LABOR AMONG INDIGENOUS MIGRANT FARM WORKERS ALONG
THE U.S. / MEXICAN BORDER

The alarm on my cheap Nokia cellphone rang just before five am. I begrudgingly arose from the plastic air mattress I used as a bed in my tiny one room cinder-block apartment (known locally as a *cuarteria*) and quickly dressed for the workday. I put on used “American” clothes bought at a second-hand store here in the valley of San Quintin known as “segundas” – blue jeans, a long-sleeve t-shirt, baseball hat, and a red bandana over my face. The clothes were chosen after seeing the daily “uniform” of thousands of jornaleros in the valley. The long pants and shirts protect the body from the sun and noxious, prickly plants like tomatoes and blackberries. The baseball hat provided shade and the bandana protected the face from branches and pesticide covered leaves. Without time to eat breakfast, I headed out of my tiny little *cuarto* (room) that, although it did not have running water, fortunately was equipped with electricity. At this particular point in my research I was living in the colonia (neighborhood) Flores Magón. This was the oldest neighborhood built by jornaleros in the small town called Lázaro Cardenas in the heart of the valley of San Quintin. This neighborhood was named after the Oaxacan revolutionary who helped bring the downfall of dictator Porfirio Diaz in the Mexican Revolution. Like many of his fellow Oaxacans today, Flores Magón fled to northern Mexico and the United States to escape political persecution and to work in the worst paying jobs on both sides of the border.

On any given morning, thousands of jornaleros descend from the surrounding neighborhoods in complete darkness in order to find work in the park that lines the transpeninsular highway in the center of the Lázaro Cardenas neighborhood in the southern part of the valley of San Quintin. Here jornaleros negotiate the daily wage and working conditions with *camioneros* (a type of mayordomo or foreman) to work on local agribusiness farms in a system known as *saliendo y pagando* (a type of day labor system) without health insurance, social security benefits, minimum wage protections, protective gear or any other labor or human rights. If the jornaleros work hard they might make 150 (U.S. \$7.89)– 180 (U.S. \$9.47) pesos in a few hours working *por tarea* (by the task or job) or in eight- to ten-hour shifts *por dia* (by day). At harvest time, a couple hundred pesos a day (U.S. \$10.52) can be made working ten to twelve hour shifts picking the fruits and vegetables that line supermarket shelves in the United States.

I briskly walked from my little room through dimly lit, dirt and gravel streets to the main park. Fellow jornaleros whose weary eyes could be seen above their bandana-covered faces marched towards the park in silent procession. Arriving at the park after a good twenty-minute walk, I bought the day's rations from a local vendor – two *lonches* (six small burritos made of handmade flower tortillas filled with eggs and rice) for twenty pesos each (forty pesos in total). After buying the *lonche* I waited alongside the highway for my bus to arrive. Shortly before six am, the bus driven by my *camionero* (foreman and driver) pulled up alongside the park and I quickly ascended with other jornaleros as the bus sped off down the highway to the farm.

My eyes quickly adjusted to the darkness inside the used yellow school bus imported from the U.S. that still had its English-language insignias blazoned outside and

inside. The bus was completely full as jornaleros filled the seats and crowded the aisles. As I couldn't find anywhere to sit I was forced to stand with twenty or thirty other jornaleros crammed into the center aisle. In total, we made up a *cuadrilla* (work crew) of around eighty people (men, women, and adolescents) who were tasked with a *jornal* (a day's work) in the *deshoje* (pruning) of tomato plants for a wage of 180 pesos (about U.S. \$9.47) on the property of Los Cedros, the largest agricultural producer in the valley of San Quintin and the largest tomato producer in the country. As we made the half-hour commute, masked faces chatted in the darkness and the radio blared Mexican *cumbias* and romantic ballads at full blast.



Figure 7. The ephemeral and fleeting world of “saliendo y pagando.” Day laboring site in the park in Lázaro Cárdenas along the transpeninsular highway. Photo by author.

This was my first opportunity to work in the fields as a jornalero. The friends I had made in the countless interviews I conducted about the life and labor of indigenous

migrant farm workers had always told me I would never understand their suffering if I didn't experience it myself. Finally, the night before a local labor leader who I will call Orlando texted me that he was going to work *saliendo y pagando* at Los Cedros and he talked with the foreman to give me a chance to join the crew. Orlando, a Triqui young man in his mid-twenties, and Sofia, his Mixtecan wife who was about twenty years old, promised to help me learn to work in the shade houses. Rosalba, a middle-age woman from the central valleys of Oaxaca, along with her fourteen-year-old daughter, Elisa, accompanied us. There were more of us that day but because the female jornaleros covered their faces and bodies I could not identify all of them although later I would learn they were relatives and neighbors of Orlando and Sofia.

As I was about to be exploited by one of the worst violators of Mexican labor and social security law, I thought about the name that jornalero leaders ascribed to the more than 60,000 agricultural workers in the valley – the slaves of the 21st century. What did slavery mean in this case? How could a worker who covers extended distances be considered a slave when common notions of slavery evoke images of workers tied to a specific owner, plantation, or factory? Does the fact that these extremely poor workers “voluntarily” line up and fight over the miserable daily wage for which they will be exploited negate their claim to being slaves? What is contemporary or modern slavery and do the jornaleros of San Quintin really qualify as modern slaves? All of these questions raced through my mind as we arrived at the security gate marking the entrance to Los Cedros. As we entered the largest agricultural complex in the state, I could see the mansion on the hilltop overlooking the “farm” where the Ramírez family (a pseudonym), owners of Los Cedros, lives. Their mansion comes complete with helicopter pad for

friendly visits by the country's most wealthy and influential guests like former Mexican president Felipe Calderón. Passing through the gates felt like stepping back in time to the latifundios and plantations of pre-revolutionary, Porfirian Mexico. Suddenly, the idea of modern slavery did not seem so far fetched.

HYPER-PRECARITY AND MODERN SLAVERY IN GLOBAL AGRICULTURAL ENCLAVES

In their report *The Global Slavery Index*, the Walk Free Foundation (2006) documented the existence of 45.8 million people held in conditions of modern slavery globally. The majority of these modern slaves live in only five countries: India, China, Bangladesh, Pakistan and Uzbekistan. Mexico ranks thirty-six out of one hundred sixty seven countries analyzed in the index. In Mexico, the report estimates 376,800 people living in modern slavery of a total national population of 127,017,000 – roughly .30 percent of the total population. The majority of victims of modern slavery in Mexico are Mexicans, but also an increasing number of immigrants from Central and South America. The most vulnerable populations include indigenous people, women, children, the disabled and migrants. Perpetrators of modern slavery include organized crime like drug cartels that commit kidnappings and disappearances in order to force victims into prostitution and forced labor. However, it is not just in illegal activities that modern slaves are forced to labor. “Low, semi- and unskilled, domestic and foreign labourers are at risk of forced labor within the agricultural sector, particularly in maize harvesting, tomato fields, tomato processing plants and other plantations such as chilli pepper, cucumber and eggplant,” according to the Walk Free Foundation (2016: 127)

This organization defines modern slavery as “situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, abuse of power or deception, with treatment akin to a farm animal” (Walk Free Foundation 2016: 12). Their definition of modern slavery includes slavery and “slavery-like practices” such as human trafficking, forced labor, debt bondage and forced marriage, as well as other factors (Walk Free Foundation 2016: 158). In March of 2015, over two hundred indigenous jornaleros from the Rarámuri indigenous group of Chihuahua were found living in conditions of modern slavery in the valley of Santo Domingo, municipality of Comondú, in the state of Baja California Sur. The indigenous farmworkers were brought to harvest potatoes from out of state by “enganchadores” (labor contractors that “hook” people into working for them) who promised high wages. According to the State Human Rights Commission, the jornaleros were forced to live in the fields where they worked. These poor migrant workers were forced to construct huts of sticks and plastic. In these fields children worked alongside their parents earning 4.50 pesos (about U.S. \$.20) for each *costal* (bag) of potatoes harvested. Their employers kept them from leaving the camps with armed guards (*guardias blancas*) and offered them only one meal a day (Ulloa 2015). This episode was common in the valley of San Quintín in the eighties and nineties (see Garduño 1989), but is now out of the norm in the valley today. So what does it mean to live and work as a “modern slave” in the valley of San Quintín?

Bonifacio Martinez Cruz is an indigenous Triqui jornalero leader and founding member of the Alianza, the group that organized the general strike in the valley in 2015. According to him,

This [i.e. modern slavery] should not exist in the century in which we are living and we are living it... We are in the twenty-first century not the epoch of don Pancho Villa, of Porfirio Diaz, in those times [- referring to the period of exploitation and upheaval during the presidency of Porfirio Diaz (1876-1880 and 1884-1911) that lead to the Mexican Revolution 1910-1920]. But it seems like things haven't changed – they have just hidden, changed how we are exploited...When it is said that slavery is over that is not true! Things haven't changed. It isn't over. It continues. An example of this is the misery that the workers earn. An example of this is the sexual harassment that our female coworkers receive. An example of this is the violation of our rights that each of us suffers. Slavery has not ended...Of course now it is not with the whip, with chains, but psychologically they are screwing us [nos estan madreando]. Because of this we say it hasn't changed.

In fact, according to Luis Cabrera – a leader from the Mexican Revolution and an architect of post-revolutionary agrarian reform – it was the slavery that landless and exploited jornaleros suffered that gave rise to the revolution. In 1910, on the outbreak of the Mexican Revolution, Cabrera (1913: 5) defined slavery as “Peonage, or de-facto slavery, or feudal servitude, in which the jornalero, above all the contracted or deported from the Southeast of the country, is found and who subsists given the economic, political and legal privileges that the hacienda owner enjoys.” After the revolution, an integral part to ending the monopoly of power of large land owners and foreign corporations that exploited Mexican workers displaced from their communities of origin in peasant and indigenous communities in southern Mexico was the granting of small

plots of land (ejidos) to landless peasants as part of the social safety net with which the post-revolutionary government sought to end slavery and servitude. The changes to Article 27 of the Mexican constitution in 1992 which allowed for the privatization of the ejidos and an end to efforts of agrarian reform was the symbolic gesture that pulled the social safety net out from under rural Mexico and ushered in a new age of neoliberal economic reforms. Since then, foreign corporations have once again moved into Mexico to exploit migrant workers in mines, sweatshops and – as in San Quintín – industrially organized agricultural plantations. It is because of this that jornaleros like Bonifacio argue that the conditions of pre-revolutionary Mexico have returned and with it new forms of slavery for the country’s jornalero population.

Julia O’Connell Davidson (2015: 2) argues that the term “modern slavery” is not self-evident as it seeks to encompass a wide range of disparate phenomena and is employed by a range of disparate actors from human rights activists to multinational corporations. Definitions of modern slavery include such issues as child labor, sex trafficking, human smuggling, forced marriage and unfair labor practices. O’Connell Davidson problematizes the term by asking what is included in the term, what is left out and exactly who it is that does the defining. According to O’Connell Davidson (2015: 11), “The term ‘modern slavery’ rests upon a particular vision of modernity, as well as a particular understanding of slavery and, for this reason, while it is described as a global problem, its representation varies with geography.” Thus, slavery is understood as a pre-modern phenomenon that was eradicated with the triumph of human liberty, capitalist markets and rational thought as components of modernity. Where slavery still exists, O’Connell Davidson argues, these societies are cast as backwards, traditional or

primitive. An important part of this teleological narrative is the perceived incompatibility of capitalism and slavery (O’Connell Davidson 2015: 17).



Figure 8. Jornalero housing in the valley of San Quintín. Note the lack of water and electricity. Photo by author.

There is a fundamental tendency in Western thought to think in terms of binaries – especially in regards to issues of migration: “illegal” vs. ”legal,” forced vs. voluntary, national vs. international, trafficking vs. smuggling, etc. Not only are these binaries unrealistically simplistic, they also do little to help us understand the often overlapping and diverse experiences of migration with important ramifications for understanding modern slavery and its connections through time. Julia O’Connell Davidson (2013) argues that such categories are not as fixed or oppositional as they seem, thus forcing us to understand issues of migration and slavery in a more complicated light. Lewis, Dwyer, Hodkinson and Waite (2015) seek to break down the binary of free and forced that is at

the heart of notions of modern slavery by offering a model of a continuum of “unfreedom.” These authors highlight the contribution of Skrivánková (2010) who argued for a continuum of exploitation between more and less coercive and exploitative relationships that makes modern slavery not exceptional but a normalized practice in the global economy.

The exclusion, exploitation and oppression suffered by modern slaves and those who find themselves on the losing end of continuum of unfreedom must be understood spatially and temporally as well as historically. Migrants as a whole, but especially transnational indigenous migrants without proper authorization, are subject to an “exclusion clause” in the social contract that exposes them to exploitation and abuse and limits to their mobility. There exist differing levels of citizenship, differing levels of emancipation, and the rights, privileges and protections that citizenship affords. It is normally the most marginalized who lack access to protections and are forced into coercive, exploitative and violent relationships.

Kevin Bales (1999) argued that modern slavery, unlike the slavery of the more recent past where European and Euro American peoples enslaved Africans and other non-white peoples, is not based on racial difference. “Today the morality of money overrides other concerns,” Bales (1999: 10-11) argued. For him, “The criteria of enslavement today do not concern color, tribe, or religion; they focus on weakness, gullibility, and deprivation.” While that may be so in many respects, work on modern slavery in the US (Bales and Soodalter 2009; Bove 2007) highlights the fact that modern slaves are overwhelmingly racialized others and migrants whose paths of settlement and work have been characterized as “illegal.” Global food production, whether in the US, Mexico or

elsewhere, is based on racialized labor practice that entails systematic abuse. According to Enda Bonacich, Sabrina Alimahomed and Jake B. Wilson (2008:343), “The denial of full citizenship and related rights to subordinate racialized groups enables employers to engage in unchecked coercive practices, typically sanctioned by the state.” They argue that “Through the racialization of labor, capitalists seek to maximize their profits by employing workers of color for lower wages than their White counterparts or sometimes no wages at all.” Thus, the marginalization at the heart of modern slavery is produced through a combination of race, gender, class and citizenship hierarchies.

Salaried agricultural workers throughout Latin America suffer extreme precarity given the regimes of production and the level of profit extraction inherent in global agricultural enclaves. While profit is increased due to the intensification of labor, productivity quotas, payment by piece-rate or *tarea*, and quality control mechanisms, there is an inverse relationship with regards to the labor conditions and quality of life. Jornaleros throughout the continent suffer from non-contractual labor, low salaries, lack of rights and benefits, instability, lack of medical attention, exposure to chemicals and unsafe working and living conditions (Lara Flores 2008: 28-29). Lara Flores labeled this form of agriculture as “predatory” to both the environment and human beings. The extreme profits generated are based on an extreme plundering of natural resources such as water and soil and extreme exploitation of labor at the expense of human dignity (Lara Flores 2008: 29).

In modern-technological, export-based agriculture, there is a marked segmentation along the lines of ethnicity, race and gender—a highly segmented labor force . This is not simply coincidental. “That is to say,” argues Sara Maria Lara Flores

(2008: 28), “it involves a mobilization of manual labor that takes into account the disadvantaged social condition in which certain groups are found given their ethnic belonging, because of their color, sex, or other situation such as being foreigners, in the case of transnational migrants.” Seth Holmes (2013) and Sarah Bronwen Horton (2016) analyze the hierarchy and violence in the way agricultural production is organized in the United States. With a few important differences, given that agricultural production in Mexico is organized around similar forms of production and distribution – often times imposed by U.S. based multinational agro-export companies – these forms of structural violence exist in global agricultural enclaves in Mexico as well. Seth Holmes (2013: 43) argues that the suffering of indigenous migrant farmworkers in the fields is linked to larger social inequalities based around race, class, gender, sexuality, and citizenship. These inequalities function to create systems of structural violence – what Holmes defines as “configurations of social inequalities” and that have injurious effects on the bodies and minds of those on the bottom of these hierarchies.

Both Holmes and Bronwen Horton argue that farm work is organized around a complicated hierarchy that is based around the “conjugated oppressions” - to use a term from Philippe Bourgois (1989) – that are based on larger, globally organized social inequalities. Thus, market forces within the global capitalist system instrumentalize local hierarchies of race, ethnicity, gender, class, sexuality, language, education, and citizenship to produce distinct labor hierarchies on the job. These hierarchies exploit those who are structurally vulnerable (Holmes 2013: 78-83).

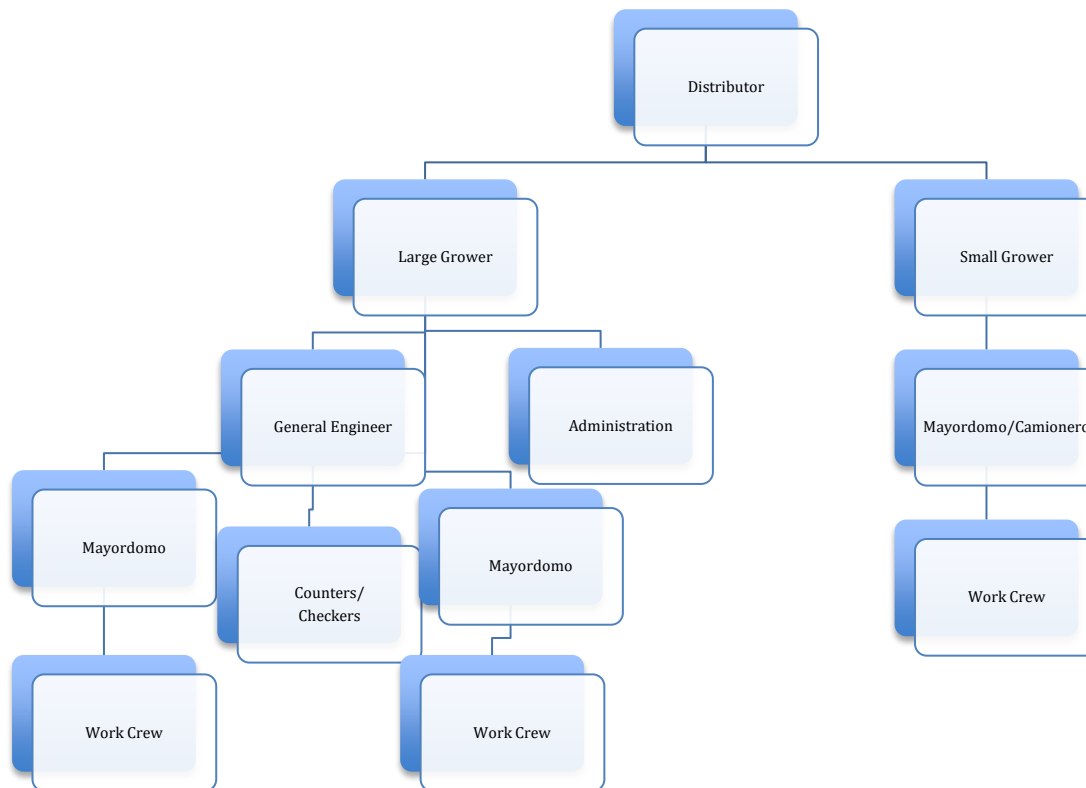


Figure 9. Basic transnational farm labor hierarchy.

Labor crews, for example, are a hierarchical chain of command that capitalize on the vulnerabilities of the most exploitable. “Subcontracting intensifies pressure on field hands by creating what farmworkers call a ladder (*escala*) of descending workplace pressures,” argues Sarah Bronwen Horton (2016: 24). Agribusiness companies subcontract the hiring of field workers to supervisors in order to limit their responsibility in the exploitation of the workers directly in the fields. Contractors then hire *mayordomos*

(foremen) who directly supervise those in the fields doing the primary agricultural tasks such as weeding and picking. Given that production is organized around this hierarchical and exploitation organizational structure, corruption, labor and pay violations, and abuse are rampant. Each step on the ladder of the labor hierarchy feels pressure to increase production and decrease expenses. Growers pay contractors who then hire mayordomos who then hire and transport workers. The more profit the contractor can squeeze out of the mayordomo at the same time as limiting expenses like wages the more the mayordomos must extract profit from the field hands through greater exploitation. Each higher rung of the “ladder” exploits the lower rung directly underneath. At each point there is also a vulnerability given that a contractor or mayordomo’s job security depends on the productive capacity of those below them. It is the field hands at the lowest level – the pickers and weeders directly in the fields – who suffer the most exploitation as the downward pressure is exerted on them throughout the labor hierarchy (Bronwen Horton 2016: 24).

One of the main features of modern slavery is the perpetual state of hyper-precarity. As Mahmud (2015) argues, precarious existence is not an exception to but is in fact the norm today throughout the globe – but especially in agriculture and other extractive industries. “Precarity is not simply a problem of political economy with a focus on labor markets and their neoliberal restructuring,” Mahmud (2015: 725) argues, “but rather a biopolitical question of capital’s differential modes of capture and colonization of life within the wage-relation and beyond it.” As Lara Flores (2008: 26) argues, “the modalities of work and the salaried labor that the agricultural sector offers places the workers in situations of permanent insecurity and vulnerability, which involve as much

their conditions of work as their conditions of life.” The precarious labor regime weakens citizenship given its denial of political, civil and social rights (Torres et. al. 2013) that leads to what María Cristina Bayón (2006: 146) refers to as a “spiral of precarity” in which economic and social disadvantages compound and accumulate to produce further exclusion and marginalization

This chapter seeks to understand where the rural, salaried farmworkers (jornaleros) stand on the continuum of unfreedom. While acknowledging the characterization of the jornaleros as modern slaves is potentially problematic given the above discussion, it seeks to render visible just what the jornaleros mean by such a term. What follows is a rough outline of a precarious labor regime in a global agrarian enclave. While San Quintin is unique in many ways (such as the high level of settlement among migrant farmworkers in the valley), similar precarious conditions of labor and life are produced in regions of export agriculture throughout the world.

HUNGER WAGES

The bus pulled into the heavy security gates of Los Cedros and drove through miles of dirt paths between large shade houses. The bus driver (*camionero*) was also our *mayordomo* (foreman) for the day. He is charged with implementing the tasks that the *mayordomo general* (general foreman) or *ingeniero* (engineer) organizes for his camioneros underneath him and their respective work crews (*cuadrillas*) under them in the labor hierarchy on the farm. Somewhere above the general foreman are engineers, office clerks, accountants and, somewhere even more distant, the owners of Los Cedros. As we descended from the bus we were reminded of our place in the labor hierarchy by looking far up on the hill overlooking this industrial agricultural operation at the mansion

of the Rodríguez family, overseeing the exploitation of thousands of jornaleros in the comfort of their splendor.

It was about six thirty in the morning and we were to begin work at seven. As we descended from the bus my fellow workers funneled into a small canteen (comedor) covered by the same shade cloth used to build the shade houses. The canteen was not big enough for all of the workers, however, and many of them sought shade underneath busses and farm equipment or simply sat in the sun to eat their miserly little meal with their bare hands. As I sat down next to members of our work crew the jornaleros pulled from their cheap backpacks plastic bags with their *lonche*. Although a Spanglish version of the English word lunch, a *lonche* can be either breakfast or lunch as its precision was lost in its Spanglishification. I brought out my six little tacos of eggs and rice that I had bought for twenty pesos. The tortillas were standard size and made of wheat flour. Although called burritos, they are not the massive burritos sold in Mexican fast food restaurants in the United States. They are small in size, about four inches in diameter, and use standard sized tortillas that are rolled and stuffed with ingredients. Wheat flour is used as wheat tortillas are more palatable and need no reheating (mostly unavailable in the fields anyway). Corn tortillas become hard in the heat and sun and make an unpalatable meal without reheating. Most jornaleros bought or prepared their own *lonche* of similar simple ingredients because 20 pesos are too much to spend and they may not have it. Most contained rice and beans. The only animal protein that I noticed was egg – anything else was out of reach for most jornaleros on their miserable daily wage. We would eat the same *lonche* later in the day – this time at lunchtime. Some jornaleros went without eating as they could not afford the luxury of breakfast.

For my day's labor I was going to make 180 pesos (\$10.60 US at 17 pesos exchange rate then, less now) but had to buy two *lonches* for 20 pesos (\$1.18 US) a piece (six tiny burritos in each lonche) for a total of 40 pesos. My daily wage of 180 minus 40 left me with 140 pesos (\$8.23US). As well, the camionero sold soft drinks and fruit juices from his bus for 15 pesos (an elevated, non-market price). Other camioneros are known to sell cold beer for higher prices. Some jornaleros bought one or two to be drunk at breakfast, lunch or after the day's hard work. If I had bought just one, my daily earning would have been reduced further to 125 pesos (\$7.35US). Some jornaleros get around buying or packing lonches by collecting ripened vegetables during their jornada and eating them during the lunch break. While not permitted, the camionero looks the other way at small instances of theft, as he knows the jornaleros suffer hunger on a daily basis.

As we ate our breakfast, jornaleros around me spoke in a mixture of Spanish and Indigenous languages from Oaxaca, Chiapas and Guerrero. In one of the conversations I overheard, a jornalero remarked that the *saliendo y pagando* (literally leaving and paying) system should really be called *saliendo y gastando* (leaving and *spending*) as the low wages are quickly exacerbated on the way out as the jornaleros must *hacer mandado* (shop for basic necessities) in order to feed themselves and their family. Given their constant struggle for daily survival, one of the many names abusive mayordomos yell at jornaleros is "muerto de hambre" (dead from hunger). In one phrase, the mayordomo encapsulates the desperate need of the jornaleros - that they are hungry for work as they need to eat yet their productivity suffers because of a lack of food.

After eating, we once again funneled into our bus and were driven across the maze of shade houses to our work site for the day. We then descended just before seven

in the morning and adjusted our work clothes to meet the hardships of the day. In the process I saw a drug deal take place on the grounds of Los Cedros among young jornaleros. One young man with glasses pulled out a small bag of what looked like rocks and exchanged one of the rocks with a fellow jornalero who passed him a quantity of money I was unable to verify. Although I was not close enough to tell exactly what substance was exchanged, it was most probably crystal methamphetamine (known locally as *cristal* or *chuquis*) given its energizing effect and its very low price (usually around 50 pesos (almost \$3 US)). Drug use (mostly marijuana, meth, and alcohol) is common among young jornaleros both at work and in the streets at home given the hardship involved in farm labor. Another joke among jornaleros is that for *cholos* (local ruffian youth often criminalized as gang members) the *saliendo y pagando* system should be called *saliendo y fumando* (leaving and *smoking*) as the day's wages are spent on drugs in order to alleviate the boredom, physical pain and hunger that they suffer on a daily basis.

During my fieldwork, I experienced a part of the daily misery of the masses of jornaleros as they toil in the fields in order to gain what they regard as hunger wages (*salarios de hambre*). While wages have risen in the valley of San Quintin, so too has the cost of living which keeps jornaleros in conditions of extreme social precarity. In 1997, Antonieta Barrón Pérez (2000: 27-28) documented the average daily salary for a seasonal migrant (i.e. "contratado" or contracted and not "asentado" or settled) for a jornada of 10 hours was 50 pesos (roughly \$6 US at the time). When working por destajo (piece rate), tomato producers paid between 1.50 and 3 pesos (between \$0.19 and \$0.38 US) a 20-kilogram bucket depending on supply and demand of manual labor. In terms of hours worked, the average daily jornal por dia was between 8 and 9 hours a day. However,

jornaleros who worked a destajo averaged between 10 and 15 hours a day. According to Barrón Pérez (2006: 115-116) the jornaleros of San Quintin only earn enough for reproduction and not accumulation. Few jornaleros are able to save money or send remittances to family members in home communities. Although earnings, savings and remittances tend to vary depending on whether the jornalero migrated alone or as a family unit (individual jornaleros who migrated alone are able to save and send remittances more than those who migrate as a family unit), it is the miserable salaries that jornaleros earn that do not allow for savings or remittances.

Gustavo's is emblematic of the majority of jornaleros in the valley of San Quintin and their quest to earn a living on hunger wages. Gustavo, a native Zapotec speaker from Miahuatlán de Porifiro Díaz in his early twenties, was one of the first friends I made in the valley. He is pretty typical of most jornaleros, having left at a young age to work the fields in northern Mexico given a lack of opportunities in Oaxaca. One of the things that drew me to like Gustavo was the generosity he demonstrated that I had learned to appreciate living in many parts of rural Mexico. When I told him I hadn't found a permanent place to live, Gustavo offered to share his little cinderblock room with me. He even offered his bed to sleep in and argued he could sleep on the floor without a problem. He wouldn't even charge me rent, he claimed.

Gustavo has been in San Quintin for four or five years now. He says that he didn't like it at first but now has gotten used to it. He didn't like the heat, the dryness, the desert, or the salty water. But he found work and has grown accustomed. As his cousin went back and forth between central Oaxaca and the valley of San Quintin, he decided to join her and stayed. He said that back in his hometown there is no work, meaning wage labor.

He came here because of the ability to find a salaried labor and make money. He had finished secondary school in his town and was without options for work or continued study. He borrowed around two thousand pesos from his family members and took a bus from Miahuatlán to San Quintin. He spent most of the money on a ticket and food for the three-day journey. When he got to San Quintin he and his cousin rented the same room he offered to share with me, but back then he had no furniture, bed or anything else to sleep on. They were penniless, poor, and without any possessions but the clothes on their back. They found some old cardboard boxes and used them as a mattress to keep out the cold of the cement floor. The fact that Gustavo had a cement floor and not one of packed earth was to him a luxury at the time.

Little by little, Gustavo learned the ropes of life as a jornalero. He had to learn what crops were in season, where work was to be found, how to find transportation to and from work, and how to do the actual work of planting, weeding and picking. Gustavo arrived in San Quintin thinking that he would do well in the fields. He is a campesino (peasant farmer) who grew up working in the milpa (a small familial agricultural plot), harvesting coffee and fruit, working around the house and sometimes working as a mozo (hired hand) to clean or harvest the fields of neighbors. When he got to San Quintin and began working, however, he quickly understood that being a campesino and a jornalero are very different things. There was no rest or break for a jornalero. There was only on average ten-hour to twelve-hour days seven days a week. His body could not take the physical strain, his mind could not stand the monotony of the assembly-like organization of commercial agriculture and his spirit could not take the constant verbal abuse launched at him by mayordomos (foremen) to keep him working at the pace they demanded.

Working as a jornalero was degrading, exhausting, boring and extremely strenuous. He was in the fields before the sun rose and left the fields only after the sun was already hidden behind the horizon. Added to that was the time spent in transportation between his little cinderblock room in the cuarteria and the fields he worked. Sometimes the fields were within walking distance. Other times they were a half an hour to an hour away.

Gustavo described with a pained expression on his young, but hardened, face just how difficult the work was and the exploitation he suffered at the hands of those above him in the labor hierarchy. “They mistreated you. You work all day and you just struggle trying to pick and pick and pick,” he related. “And I noticed that the grandmothers and the young girls in the area were picking more than me. And when I turned in my boxes they many of them were rejected because I wasn’t delicate enough with the fruit.”

Gustavo felt that women worked the strawberry harvest better and it took him a long time to learn in order to make enough. The competition for the surcos (rows) and ripe fruits was intense among other jornaleros just like him. “Back home,” Gustavo reminisced, “a campesino eats what he sows. But here a jornalero can’t eat what he picks and we just go home with a little money in our pocket. It’s not enough though. We pick food but go hungry.”

When he arrived in 2014, Gustavo remembers that his first job was picking tomatoes. At the time, he was paid three pesos (around twenty cents) a bucket (one of the large, 20 kilo buckets like those used for paint) on the farm of Los Garcias - one of the ranches that paid the best. At the same time they were paying one peso a bucket at Los Cedros. In one day he eventually was able to harvest around 150 buckets. His record was 180 in a day. He harvested tomatoes from six in the morning to six at night everyday for

seven days a week while the season lasted (around three months). If we do the math, Gustavo worked an average of twelve hours a day. If he harvested what he describes as a daily average of 150 buckets a day at three pesos a bucket he could make 450 pesos in one day. We can average 450 pesos during twelve hours of work to see that Gustavo made on average 37.5 pesos an hour. If we suppose the exchange rate was around 10 pesos to the dollar at the time that means Gustavo was making \$3.75 US an hour. Thus he brought home \$45 US a day during a seven-day workweek earning \$315 dollars a week totaling \$1,260 US a month for the three-month harvesting period.

However, to put things into perspective, a bucket of tomatoes weighs about 15 kilos. A kilo is sold to the distributor at 20 pesos a kilo. That means that each bucket is worth 300 pesos. But each worker only makes 1-4 pesos a bucket depending on the farm. However, the above is an ideal and depends a lot on the weather, harvest and a number of natural and human factors. Gustavo describes how the exploitation was so great that at every step in the labor hierarchy there was exploitation and theft. For example, the jornaleros had to pick the best tomatoes that were at a perfect stage of ripeness – not too green or too ripe. If, for example, a jornalero turned over a bucket to a sorter and it had three tomatoes that were considered too green then the sorter would accept the bucket of tomatoes and send them off to packing or processing but not compensate the worker for the bucket. In other words, the jornalero picked a whole bucket totaling a couple hundred ripe tomatoes. Due to three unripe tomatoes the jornalero was not paid for his work picking those tomatoes yet they would go on to be sold by the company nevertheless, thus equaling almost pure profit for the company and wage theft for the jornalero.

For Gustavo it wasn't too bad, though. It was better than being without wages at home - at least for the meantime. He learned to work hard and make as much money as possible. He paid rent, bought food and eventually was able to buy necessities for his little room: a mattress, a table and chair, a gas burner and some kitchenware and plates. His prized possessions are a used bike and well-maintained second hand clothes imported from the US. It would be a lot different, he exclaimed, if he was married, had to feed his children, send them to school, clothe them and pay all the expenses involved in having a family. Gustavo is happy just barely surviving and having what to him are a few luxuries. However, he wants to settle down and have a family but worries about providing for his wife and kids on the hunger wages paid in the valley.

SALIENDO Y PAGANDO: AN EXTREMELY PRECARIOUS, SEGMENTED, AND FLEXIBLE EMPLOYMENT REGIME

Just before beginning our workday at Los Cedros, the *apuntadora* (a person charged with noting the number of rows pruned or, in case of harvest, the number of buckets of tomatoes or cucumbers picked) wrote down our names and assigned us a specific number. It is not uncommon for people who work at Los Cedros to give false names as they have either been blacklisted from other farms in the valley due to labor organizing histories or because they are minors and claim to be of legal age to work. As the *saliendo y pagando* system is much like a day labor arrangement, there is no contract, no paperwork and no taxes taken out of your wage. However, there are also no benefits like social security that give you access to hospitalization in case of an accident, seniority, retirement or any other benefits legally protected and required under Mexican

labor law. The jornaleros are treated like “illegal” laborers in their own country. Saliendo y pagando is the quintessence of precarious employment arrangements in global agricultural enclaves as multinational corporate distributors externalize risk and cost by buying produce harvested under such conditions below the US/Mexican border and selling them north of the same border for an enormous profit.

Saliendo y pagando is probably the most common form of employment for the jornaleros in the valley of San Quintin both historically as well as contemporarily, although this is changing. Its name literally means you get paid on your way out. It is informal, non-contractual and temporary labor that lasts one jornada (one day’s work that could be as few as four hours but normally eight to ten or even twelve). The going price for a jornada doing saliendo y pagando in 2017 was 125 pesos on small farms, 150 on medium-sized farms and 180 on large farms like Los Cedros. However, saliendo y pagando does not allow workers to accrue any of the rights or privileges that are afforded by law. There is no contract, often no union representation (not even the pro-business, corporatist unions), no overtime, no inscription in the social security system (including access to medical care), no workman’s compensation in case of injury on the job, no holiday bonuses, no vacation time and no retirement system. It is the epitome of flexible labor for workers in extreme precarity.

Saliendo y pagando had its origins decades ago on small farms that began to hire migrant labor from southern Mexico—particularly indigenous workers who were transported up in trucks and buses. When harvest season arrives, growers need a large labor force to work intensely for short periods of time. Growers take advantage of a large seasonal workforce to keep wages down, avoid labor organizing and evade their fiscal

and legal responsibilities under the law. For poor migrant workers from southern Mexico they earn cash on a daily basis thus alleviating their immediate needs for sustenance and housing. Often growers of small and medium sized farms claim to be hurting economically and thus can't afford to pay social security and other benefits to workers. However, in the valley of San Quintin and other places throughout Mexico, the *saliendo y pagando* system has been adopted by large farms in harvest time when the company needs a large workforce for shorter periods. In order to maximize profits during harvest, large growers use *saliendo y pagando* to avoid paying adequate wages and benefits.

This system of labor recruitment leaves the *jornaleros* completely vulnerable and the grower free of almost all responsibility as the burden of hiring and undertaking tasks is passed on to the *mayordomo*. A *mayordomo* is a crew leader or foreman and in the *saliendo y pagando* system is also normally the owner of a bus or a fleet of busses to transport workers to and from the farm. While *mayordomos* employing seasonal workers may be of the same town or ethnic group, in San Quintin the *mayordomos* pull workers from settled *jornalero* populations based on location or neighborhood. The grower will decide what work needs to be done and how much to pay. He then normally makes a deal with the *mayordomo* or the *camionero* (the owner of the busses if the *camionero* is not also the *mayordomo*). The grower pays the *mayordomo* around two thousand pesos “*por flete*” (a large schoolbus full of workers) or per person (around thirty pesos a head). The *mayordomo* obtains the correct number of workers to carry out the labor required, transports them to work, supervises the job, pays the workers at the end of the day and returns them to the *colonia* or labor site from which they came. In some cases the *mayordomo* may receive two salaries (one as *mayordomo* and one as *camionero*) and in

some cases the mayordomo may not be the same person as the camionero. Unlike the state of Sinaloa, where they are locally referred to as *camioneteros*, these labor intermediaries in the *saliendo y pagando* system of San Quintin are not organized or regulated to any extent (See Sánchez Saldaña 2001:70-71)

This system is also rife with abuse. Besides paying the mayordomo for each worker, the grower also pays the wages for each worker. A grower may decide to hire fifty workers at the price of 150 pesos a day, plus thirty pesos a head. The grower gives the mayordomo the money but the grower could decide to pay the workers only 130 pesos. The mayordomo ends up with an extra 20 pesos a person and the jornaleros with less money in their pocket. Or it could happen in a different way. The grower can pay fifty workers 150 pesos but the mayordomo may only hire forty workers and make these forty workers do the job of fifty for the same pay. The mayordomo keeps the daily salary of the missing ten workers and the jornaleros work more than they would if the mayordomo hired the correct amount of workers. Given that the labor is non-contractual, the grower cannot keep good track of his mayordomo and the workers cannot defend themselves from the exploitation of either the grower or the mayordomo. If a jornalero gets hurt on the job there is no access to medical care through the social security system and few legal repercussions for the grower as it is difficult for the jornalero to prove which grower he or she worked for. As mentioned above, the jornalero is also excluded from receiving any other benefits provided under Mexican labor law.



Figure 10. Negotiating work. Saliendo y pagando site in Vicente Guerrero, valley of San Quintín. Photo by author.

Workers obtain employment on a farm doing *saliendo y pagando* in two main ways. First, there are fixed sites of hiring that are similar to day labor sites in the United States. One of the main hiring sites is in the park of the colonia Lázaro Cardenas, just south along the highway past the town of San Quintin. Starting at three in the morning, if not as early as one a.m., workers arrive to the park looking for work. The *jornaleros* with experience know which farms are hiring for what type of non-harvest job (*tarea*) or for what type of harvest (berries, asparagus, tomato, green beans, etc.). They form lines in front of certain areas where specific buses park or directly file aboard busses until there are enough *jornaleros* to make a *cuadrilla* (work crew). The buses, usually used school buses from the United States marked with emblems from specific farms, then depart for

the farm where the work is to be done. Commuting time can range between a half an hour and two hours.

Not all communities in the Valley have fixed hiring sites where workers can congregate to find employment. In a colonia where I lived for part of my stay in the valley called Lomas de San Ramon, known popularly as “la Triki” given its large numbers of Triqui inhabitants, there exists a long paved road known as the boulevard that connects this colonia with the neighborhoods of Nuevo San Juan Copala (las Misiones) and 13 de Mayo. Worker transport busses drive up and down the boulevard in the early morning in search of jornaleros willing to work. Unlike a fixed site where jornaleros know exactly where to look for specific busses or mayordomos, colonias like the Triki recur to a simple technological innovation that directly originates in their communities of origin. This technology is known as the “speaker” or the “perifoneo.”

In rural communities in Oaxaca where there is a lack of essential services, many communities have only one telephone (especially where there is no cell service) that is utilized by the whole community. If someone from outside the community wishes to speak with Abundio Lopez, for example, a large speaker mounted on the public building will announce to the whole town that there is a call for Abundio and direct him to receive the call. The speaker is also used for public service announcements by local authorities and occasionally to announce goods or services available at the moment. In popular indigenous migrant communities like Nuevo San Juan Copala and La Triki, local residents and community authorities have installed giant speakers to houses or cars that circulate throughout the neighborhoods. Besides announcements for community assemblies, food or second hand goods for sale on a temporary basis, and other daily

uses, the loud speaker is also a major source of employment information. Nightly announcements ring out throughout the colonias offering work opportunities the following day. “Bus number 419 color blue is looking for people to work in the tomato harvest. They pay 5 pesos a bucket. It is saliendo y pagando. The bus will pass by the boulevard at five in the morning. Please bring your own bucket.” Or “Bus number ten, yellow color, needs people to work por tarea weeding berries. Pay is 150 pesos la tarea. The bus will pass by the boulevard at four in the morning to take you to work.”

No matter how jornaleros are hired and transported, upon arriving at the farm the mayordomo in charge of the cuadrilla orders the jornaleros to undertake specific tasks organized by the grower. Since the strike in 2015, many farms have instituted an eight-hour workday. This is not a general rule, however, and the undertaking of the specific tareas (tasks) may take less or more time. If the jornaleros work hard and what is expected of them is reasonable, they can sometimes finish early, collect their money and leave. Sometimes, however, the tarea takes longer than eight hours to accomplish. Overtime is usually never paid for non-contractual, saliendo y pagando work. One of the most frustrating aspects for jornaleros working saliendo y pagando is that when they leave they are not always paid on time and are at the disposition of the mayordomo to provide their payment. This sometimes takes several hours after finishing the job. In this case the jornalero gets on the bus at four am, arrives to work by six am, works until two pm, waits anywhere from 10 minutes to two or more hours to get paid, and finally gets on the bus to return to their colonia. The jornalero then has to walk home from there. Upon arrival there is no time or daylight to enjoy with their family and they must eat something and go to bed. Upon rising, the jornalero repeats the whole episode once again the next

day endlessly seven days a week for the rest of their life as long as work is available and their body is capable of bearing the burden.

The continued existence of the *saliendo y pagando* system is due to three main factors. The first factor is the nature of the work. Harvest times are peak season for agriculturalists that need to employ large numbers of workers for short periods of time. The *saliendo y pagando* system fulfills this need with a large population of seasonal, cheap, flexible, unorganized labor from southern Mexico or settled agricultural workers in the valley. While originally instituted for short periods of time during peak seasons on small farms, the *saliendo y pagando* system has become an employment norm in the valley of San Quintin and is utilized by small, medium and large farms. Even the biggest agricultural corporations use some type of *saliendo y pagando* system during harvest season.

This brings us to the second reason; growers have benefitted greatly by the implementation of this employment norm and have continued and extended its use. Growers are the main beneficiaries of this system as they are able to avoid legal or economic responsibility for the workers at the same time as having their labor needs fulfilled. As the social security system demands a tripartite arrangement for its subsidy, the state, employers and workers must pay into the system. With *saliendo y pagando*, there is never even an official register of workers employed on a day-to-day basis and so growers can avoid paying social security for their workers. The employment regime is so relaxed that you can provide a false name or documents and quickly be employed. It is the *mayordomo* who runs a daily attendance list and pays the workers; the grower evades all such responsibility through subcontracting out the responsibility to the *mayordomo*. If

an injury occurs on the farm, the workers are left without protection and cannot pursue legal action against the employer, as there is no proper documentation of their employment by a specific employer. Many jornaleros working saliendo y pagando never know the name of the grower or the company for whom they work as the name of the farm may or may not be the name of the company. There are also cases of “empresas fantasmas” or “ghost companies” that change names or go bankrupt to avoid any responsibility. Growers are also able to fulfill their labor demands with an unorganized and almost unorganizable workforce that remains docile and dependent on day-to-day employment to meet basic necessities of survival. If a worker complains about the amount of work or unfair treatment, the mayordomo (and/or camionero) will refuse to transport and employ the worker the next day. Labor organizing on farms using the saliendo y pagando system is extremely difficult and it is unlikely that a collective bargaining agreement could be established under such hostile and precarious conditions. If organized, the grower could simply use his or her legal power to change the name, owner or legal title of the company and open under a new legal personhood to avoid responsibility.

Finally, it is necessity that drives jornaleros to become complicit in this system. Given that most of the agricultural workers employed in the saliendo y pagando system are recent arrivals who are seeking to settle in the valley, are seasonal migrants staying for periods of roughly three months, or in other ways exist in conditions of extreme precarity and poverty, access to work and cash on a daily basis is important to ward off the negative effects of hunger and homelessness. In the early days it was mostly indigenous people from Oaxaca employed in the saliendo y pagando system. However, as

many Oaxacan migrants have settled in the valley and created family units, an increasing number of single indigenous migrants from more remote regions such as indigenous Tzotziles and Tzeltzales from Chiapas who are arriving to fill their place. The seasonal migrant workers from Chiapas are even younger, poorer, and more ill informed of their rights than most Oaxacans and thus the *saliendo y pagando* system continues to recruit from the farthest and most precarious populations who are forced to accept such conditions. Similar to the way documented workers in the United States complain of undocumented workers “stealing” jobs for cheaper pay, settled migrants in the valley of San Quintin complain of itinerant or seasonal migrants from further south that work for less.

Growers and *mayordomos* defend the system demonstrating the immediate benefits accrued and many workers become convinced of its legality and its supposed benefits. However, what remains hidden from the view of many workers (particularly first-timers) is that while it provides immediate benefits, over the long-term the system is detrimental to workers’ interests as it is based on the constant exploitation and systematic denial of workers’ rights and privileges under Mexican and international labor law. If you are a *jornalero* you work, get paid, return home, buy food or whatever you need on a daily basis, and repeat the process. Your daily necessities are acquired. If employment becomes scarce or the worker experiences illness or injury, however, there are no legal protections or possibilities for the worker to defend his or her rights. As well, as the *jornalero* is not paying into the social security system, there will never be any pension or retirement available for when the *jornalero* is too old or too weak to work. In the long run the employer gains and the worker loses.

SALARIO INTEGRADO: SYSTEMIC WAGE THEFT

One of the most unique and pernicious employment regimes in the valley of San Quintin, and common throughout the rest of Mexico wherever migrant or seasonal farmworkers are employed, is what is referred to as the “salario integrado” or “salario compactado.” This roughly translates as the “integrated” or “compactated” salary and means that whatever benefits the employer would pay into the social security administration on behalf of the workers go directly in their paycheck (hence the salary and benefits are “compactated” or “integrated” into their pay). All employers in the valley of San Quintin pay the majority of their workers the salario integrado as it enjoys the complicity of growers , local, state, and even the federal governments. The salario integrado is paid to all workers *en los surcos* (in the fields) although many of the *de planta* workers classified as *campo fijo* (permanent workers such as a foreman, fumigator, or irrigator, for example) are paid normal wages. Companies who pay the integrated salary include Andrew & Williamson and Driscoll’s affiliates. Most office and corporate positions are not subject to the salario integrado; jornaleros are paid the salario integrado as they are a sub-class of workers deemed ineligible for equal rights and privileges.

Growers in the valley argue that the jornaleros there make much more money than jornaleros in other states due to the fact that their salaries are much higher than the average Mexican minimum wage. In 2017 the Mexican federal minimum wage was 80.04 pesos a day whereas the average jornalero in the valley earned roughly 150 pesos a day. There are two reasons why the real wages earned are not higher in the valley than in other places and do not meet the minimum wage requirements. First, the cost of living in the

valley of San Quintin in much higher than other places due to its proximity to the border and thus the local economy is closely tied to the US dollar. Second, the salario integrado as an irregular payment scheme is a clear example of wage theft in the long and short term that does not equate to real earning power.

Again, the salario integrado derives from the temporary or seasonal nature of most work in the valley in the early days of intensive export agriculture. As growers began to hire seasonal migrants for harvesting and selling their products in a competitive market, they tried to cut costs wherever possible. As Mexican law establishes that social security benefits will be paid by the employer, the worker and the state, employers found paying social security and other benefits to seasonal workers an expensive burden that they could forgo as most jornaleros knew nothing of the law, had little access to the social security administration in their home communities (even if they were paying into the system) and needed cash in hand in order to survive on a day to day basis. Thus, agriculturalists began to pay their workers a salary with their benefits included and not deduct from workers' paychecks their portion (of a much smaller percentage) of their contribution to the social security administration. Given their lack of information, their inability to defend themselves legally and the manipulation by growers, many jornaleros believed the growers were doing them a favor by paying them the salario integrado as it meant more cash in hand on a daily basis. For example, if a jornalero makes 180 pesos a day almost seventy percent of the salary is benefits. If the benefits are deducted from their paycheck, the jornaleros of the valley of San Quintín are not even making minimum wage nor are they entitled to receive benefits protected by law such as aguinaldos (bonuses), vacation rates, vacation, pension and retirement. This is a clear example of

wage theft on the part of the agriculturalists with the complicity of the state and federal government as the labor department and social security administration look the other way and do not enforce these violations. This is a key aspect of the local authoritarian assemblages of predatory formations (described more in depth in chapter five) that are now transnationalized as multinational corporations and the consumers of their products become complicit in this systemic wage theft.

The origins of this system are murky, but Lorenzo Rodríguez, general secretary of the SINDJA union, argues that it is due in part to the ignorance of the law on the part of the jornaleros and their representatives and their inability to defend themselves against an entire economic and political system under whose weight they are daily and systematically exploited. Rodríguez remarked that prior to the existence of independent unions, both local jornalero leaders and corporatist pro-business unions negotiated wages and working conditions reaffirming the respective role of the salario integrado. Most troubling, in fact, was that during the negotiations between the jornalero leaders during the strike in 2015 the leaders came to an agreement with growers and the state and federal government and signed documents in which the term “salario integrado” was used.

NON-CONTRACTUAL LABOR: INTENSIFICATION IN DURATION AND EXTENSION

One of the main aspects of the de-democratization of labor relations in global agricultural enclaves is the massive use of labor that is contracted through intermediaries. The externalization of the hiring practices to labor intermediaries leads to the majority of agricultural workers being subcontracted (instead of directly employed by the farm or agricultural company) and an elevated level of non-contractual labor. Although labor

intermediaries have always been an important aspect of seasonal agricultural labor and have modernized to some degree (for example, temporary labor companies have replaced many individual contractors on the largest farms), it does not change the basic structure of the negotiation of labor conditions, which are set not between the agribusiness and the worker but through intermediaries instead, thus leading to greater flexibilization and segmentation of labor by race/ethnicity, gender, and age (Castro 2014: 64-65).

Informal contracts are still the norm for large numbers of workers in the valley, especially those who work on the “saliendo y pagando” system. In informal contracts, labor intermediaries like contractors (*contratistas*), engineers (*ingenieros*), crew leaders (*mayordomos*) or *camioneros* (bus drivers) are paid by the agricultural corporation for certain activities and it is the responsibility of the intermediary to hire the appropriate number of laborers to fulfill the task with the allotted amount of money. Workers are hired through social networks of extended family (kinship) and hometown networks (*paisanaje*)—often recruited in their home communities. This arrangement hides the extension and intensification of work undertaken by agricultural workers. Given the seasonal nature of most agricultural work (especially harvesting), workers are contracted by piece rate (*destajo*) or by extension of work (*tareas*, for example). Thus, as the grower requires a field of strawberries to be weeded, the contractor is paid to hire the appropriate number of laborers and to set the duration, intensity, and extension of labor. Each worker will be given a specific number of rows to clean or geographic area in which to work. This normally equates to workers laboring intensely to finish their area in the shortest amount of time possible. Occasionally workers can finish a *tarea* (for example) in less than eight hours – commonly in about five hours. Also common, unfortunately, is both

the extension of the duration of work (especially during harvest) for to up to ten to twelve hours and the intensification of work requiring more and more “tareas” or “surcos” (crop rows). As the labor is non-contractual there is very little legal precedent for protecting the workers’ rights, monitoring possible abuses and the handling of grievances.

Flexible and non-contractual labor in regimes of extreme precarity means that as a worker you arrive to work without expectations. All “contracts” are oral arrangements between the worker and his or her immediate supervisor (usually the mayordomo) who interprets and implements (sometimes to his own discretion) the priorities of the grower. This means that the conditions of labor and pay can vary tremendously according to the needs of the grower and most often to the detriment of the workers who remain defenseless and in need of daily income to survive. And the greater duration and amount of work employed, the less labor contracted thus the greater the profit enjoyed by the producer. The extreme flexibility of non-contractual labor can be exemplified by the following case.

On January 14, 2017, the jornaleros working in the fields of Empaque San Simón walked off the job with the work half finished. Although an *empaque* normally refers to a packing and processing plant, within Empaque San Simón (not a pseudonym) there are also agricultural workers in the fields, or surcos, as well as other areas of agricultural production. One of the main pre-harvest jobs jornaleros perform essential to a successful harvest is weeding (*deshierbar*). However, weeding is also tiresome and backbreaking work with the jornalero having to perform stoop labor throughout the entire workday.

Rosendo and Diana are subsistence agriculturalists from a region of the state of Guerrero called “La Montaña, or the Mountain.” The couple, both speakers of the local

variant of the Nahuatl indigenous language with only a few years of elementary school between them, began their migratory process along with their four children through after they were hired by contactors in Tlaxcala. One of the main reasons they left their home communities, besides the grueling poverty and lack of jobs, was because of the violence linked to organized crime that is rampant in their state. “With the insecurity going on, it got kind of ugly and we had to come here because there we couldn’t even work, they don’t even let you work,” argued Rosendo. While we left the “they” unnamed, it was understood that Rosendo was talking about various narco-trafficking organizations that have disputed control of over the region. Their migration was not voluntary. “When the “delincuencia” [delinquency/ organized crime] arrived we came here to work in the fields,” Rosendo declared. It’s better than being there.”

Rosendo and Diana had been “ranchereando” (going from farm to farm) for a while, working the “saliendo y pagando” system as they were unable to find stable employment that paid enough. They began working regularly in the fields at Empaque San Simon but, hired by subcontractors, they were paid on a daily, instead of weekly, basis unlike those contracted directly by the company. Whether paid daily or weekly, workers at Empaque San Simon denounced abuses like the “integrated” salary and the lack of social security benefits. Diana described to me how they handed in their paperwork to be registered with the “seguro” but those rights were never fulfilled. “They just asked for our papers but didn’t give us anything,” Diana argued. The regular full-time field workers are supposed to be able to access “passes” to receive medical attention but no one she talked to had ever even been granted passes. There were also a number of other basic rights that were violated that exposed the workers to potential risk such as

dehydration, heat stroke, chemical exposure, and other accidents. “We are always struggling for water to drink,” Diana declared angrily. “We are brought water whenever they feel like it [hasta que les daba su gana]; they would bring water at eleven, twelve in the day and [only] because the everyone was always asking for water.” Current OSHA-California regulations just across the border in the U.S. state that employers must provide enough water for farmworkers to drink one quart per hour per employee in order to avoid heat stroke – a fatal condition affecting farmworkers.¹⁸

Another common complaint was the inability to use the restroom while on the job – either because there were none or because the rate of work did not allow a person time to attend to personal necessities like bathroom breaks. Another trick by the mayordomos was to place bathrooms (usually blue portable toilets) so far from the work area that workers would not be able to access them. “The bathrooms, well, they were, they put them far away.” Diana continued. “Very far. One was at the entrance to the farm and the other who know how many kilometers away. They were very far.” When asked about pesticide exposure, Rosendo nonchalantly declared, “Just a spraying.” His wife uttered her agreement. “We have been sprayed when we work there,” Rosendo said, “but I don’t know if it is dangerous.” He described how a lot of the workers were overcome with fumes and felt like vomiting on a number of occasions. “Well, yes, they fumigate and there we are. When we were in the blueberry they were fumigating next to us. It is a really strong odor,” Rosendo described.

Finally, workers complain of constant verbal abuse complete with insults and bad language as well. Both Diana and Rosendo complained about the mistreatment by the

¹⁸ <https://www.dir.ca.gov/title8/3395.html>

mayordomos. “Then, well they yell at the people a lot. The engineer that is there bothers the people there [se mete mucho con la gente]. I heard how he would yell profanities at the people and the people, because they need their job, just keep quiet.” As one of the jornaleros who walked off the job told me, “What they hate most is when you ask how much you are going to get paid. Because he [the mayordomo] can tell someone to do something...and it depends on the job what you are going to get paid.” According to this jornalera, the mayordomo always responds with “We will see about that later (Ay luego vemos).” This phrase epitomizes the complete insecurity the workers face working without a contract, as they are the whim of the mayordomo. “They abuse the workers a lot,” this jornalero remarked.”

Jornaleros at Empaque San Simón normally enter at seven in the morning. If given a *tarea* with a reasonable number of rows they can finish by noon and receive their 150 pesos (\$8.33 US) in well under eight hours. In cases like this, both the workers and the grower are happy as the workers work hard, earn their pay, leave earlier than an eight hour day (*por día*), and the grower obtains the required labor to fulfill whatever task. However many pay irregularities arose at work and the jornaleros began to get upset. “Now they raised the number of rows a lot,” Rosendo denounced. “When we began we were paid fifty pesos [\$2.77 US] a row [*surco*], later forty-five [pesos], afterwards thirty [pesos]. Besides the fluctuating pay that made it difficult to make ends meet, the major complaint that the couple had was over the amount of work. “Yesterday he [the mayordomo] told us: ‘you know what? A *tarea* is now five rows,’” Rosendo described. A *tarea* is an amount of work that is undertaken in terms of quantity and not restricted by time. As work begins at San Simon at seven in the morning, it was common for a *tarea* of

three rows to be completed by twelve or one o'clock in the afternoon. When the mayordomo declared that a *tarea* was to be five rows completed in the same amount of time, the workers protested. "Well we were going to finish at four in the afternoon and not be able to finish at the time they want," Rosendo complained.

Diana defended her husband's argument:

First it was four rows, depending on how many weeds there are. First it was four rows for one hundred and fifty pesos (\$8.33 US). Later it was three rows for one hundred and fifty, then two for one hundred and fifty. Yesterday they were five rows for one hundred and fifty. In other words, what they want is for us to leave really late its better for them. But why would we want to leave work so late if we leave with the same salary? It is a lot of work. It doesn't seem fair. Yesterday everyone was upset because it wasn't the first day that we left that late. For a while now we have been leaving at three thirty, four in the afternoon. After leaving the fields we arrive home at five or six. No one was happy about this. We said, 'Has everyone done two rows?' and we just left, all of us. Everyone just left and went home.

That day, the workers left the job without completing the *tarea* in an act of protest. Informal organizing occurred on the morning of January 14 and the workers conspired to work only two rows and walk off the job. The spontaneous manifestation of inconformity cost the workers a full day's wage – in the end they were paid thirty pesos (\$1.67 US) a row and thus earned sixty pesos (\$3.33 US) for the two rows. Working two complete rows demonstrated to the grower, they argued, that they are not lazy but are instead demanding increased formality on his part and a clear contractual agreement of

their labor arrangement. The desperate workers were forced to continue “ranchereando” (working on different farms) until finding one with suitable pay and conditions.

Whether formal contracts exist or not, the intensification in duration and extension of labor became instituted as valley-wide policy set in place by the growers association just after the general strike of 2015. In negotiations between jornalero leaders, growers and the state, wages were increased on farms throughout the valley as a condition for ending the strike and creating peaceful conditions between capital and labor. According to the agreement, “In no case will salaries be lower than those already being paid; as well, the wage increase will not implicate an increase in the workday [jornada laboral], respecting gender equality.”¹⁹ Although it claimed, “The STPS will monitor the fulfillment of these agreements,”²⁰ jornalero salaries have not increased in terms of real wages given that the growers have increased and intensified the extension, if not the duration, of labor. What appeared to be a major victory for the jornaleros was in the end thwarted by the coordinated power of the growers on a regional level. As growers were extremely agitated at being forced to raise jornalero salaries, they implemented a policy, covertly, off the books and implemented by labor intermediaries, to increase the amount of work for the increased daily wage. Whereas a worker may have had to work a tarea of three or four surcos a day on a medium sized farm, with the increased wage farms throughout raised the number of surcos in a daily tarea to five, six or even seven. What this meant was that the jornaleros real wages did not increase and in some cases

¹⁹ Gobierno de la Republica. Minuta de Acuerdos y Compromisos. July 4, 2015, pg. 2. This agreement was signed by Subsecretario de Gobierno Luis Enrique Miranda Nava, Subsecretario del Trabajo Rafael Adrián Avante Juárez and Titular de la Unidad de Gobierno David Garay Maldonado, Governor of Baja California Francisco Vega de la Madrid, representatives of the Consejo Agrícola of Baja California and the private sector, and the Alianza de Organizaciones, among others.

²⁰ Gobierno de la Republica. Minuta de Acuerdos y Compromisos. July 4, 2015, pg. 2.

even decreased given the greater workload forced upon them. This represented a huge setback for the jornalero movement and maintained the status quo for the region's growers.

GENDER, AGE, AND LABOR SEGMENTATION IN THE FIELDS

One of the most embarrassing yet humorous aspects of my time working as a jornalero in the valley of San Quintin was my complete incompetence at being a farm worker. As we were nearing the end of the day, my coworkers realized that I was falling behind and if I didn't finish my number of rows my pay would be deducted. Two of my coworkers, Rosalba and her daughter Elisa, helped me prune the tomato plants in my assigned crop rows. I was amazed at the strength, speed, and agility of these female farm workers. Rosalba is a seasoned jornalera who began working in the fields since her arrival in San Quintin almost twenty years ago. Her daughter, however, is fourteen – a minor who should not be working at all. Los Cedros is the largest employer in the valley of San Quintin and a frequent employer of child labor with the *saliendo y pagando* system. The walls surrounding Los Cedros agricultural compound are occasionally emblazoned with a governmental seal of approval declaring the business free of child labor. On my first day of the job at Los Cedros I understood how the rhetoric employed by the corporations and the government rarely matched the reality of the situation.

On the ride home after working at Los Cedros one day, I asked Rosalba why she let her daughter work if she is underage. Rosalba exclaimed that her daughter and other children are more fortunate than many children in the valley because they go to school. As it was summer, her three children were at home without anything to do and the family

needed extra income to help pay for the upcoming school year. “The greatest struggle of a female farmworker is the economy – confronting the family’s economic crisis,”

Rosalba declared as she helped me understand how she made the decision to possibly risk the life and limb of her eldest daughter in such hazardous working conditions while still underage and when child labor is against the law. “For example, in our colonia we have families that have six or seven children. Maintaining a family is very hard, especially when we go to the store and we buy our necessities and we realize that with the eight hundred, nine hundred pesos that we earn [in a week] we didn’t buy anything. It isn’t enough and we say to ourselves that we still need this, we need that, I don’t have this, I don’t have that.”

Rosalba went on to describe all the expenses involved in sending her children to public schools. Although public education is free, there are a number of administrative fees for each child as well as books and school supplies. “Daughter, you have to help me because we are going to buy uniforms, shoes and school supplies. I want you children to continue studying. So help me,” she told her daughter the night before. Her daughter agreed to working even though she was underage as she wished to help her family in any way possible. As I talked with Elisa throughout the day, I realized that this bright and dedicated student was willing to suffer during the summers to help her parents achieve the educational goals of the children so that they would not end up working in the fields like their parents. As Elisa is the oldest child she felt a greater responsibility and agreed to work so that her younger siblings did not have to. “I feel bad for my parents and want to help them buy school supplies,” Elisa told me. “I don’t want to work; I want to study. But how if we don’t have enough money?” she responded solemnly. This family is lucky,

however, as there are many families who must sacrifice the education of all or some of their children due to poverty. “It’s not so much that you don’t want to send your children to school,” Rosalba remarked, “but unfortunately there are mothers who say, ‘Son, you are not going to study anymore because I don’t have enough money. I would rather you eat than go to school with an empty stomach.’”



Figure 11. Child laborers at a *saliendo y pagando* site in Díaz Ordaz, valley of San Quintín. The old school bus is worker transport. Photo by author.

Mercedes Gema López Limón (2002:101-102) argues that women and children enter the labor market en masse in global agricultural enclaves given the economic crisis affecting their regions of origin. This would not be possible, however, without a labor market that necessitates the massive exploitation of all types of laborers. In many ways, women and children are more desirable for certain agricultural tasks than men as they are more flexible and often less inclined to organize or protest given lower levels of

education and the historically low level of unionization among women in Mexico. They also work to push down wages of adult men. The feminization of labor in industrial horticulture, fruit, and flower industries is directly linked to the employment of child labor as part of the social division of labor. Cheap and flexible unskilled and semi-skilled labor can be readily found among women and children as women and their children enter salaried work in the labor market due to economic necessity. Thus, the feminization and increased use of child labor go hand in hand (López Limón 2002: 98-99). The increasing feminization, child labor, and indigenization of agricultural labor are three inseparable processes in global agricultural enclaves. According to Sánchez Saldaña (2005: 366), “the use of women, children and indigenous has become a recourse that employers use to intensify labor and make labor conditions more precarious.” She asserts that the reason for such an extensive exploitation of said groups is that they “are considered cheap labor [and] socially and culturally subject to different situations that translate in to the lack of better opportunities of employment.”

Child labor is strictly prohibited under Mexican and international law. However, in 2017, the Mexican National Human Rights Commission (CNDH 2017) estimated 2,475,989 children and adolescents from five to seventeen years of age are employed in some form of paid or unpaid labor. Article 123 of the Mexican Constitution and federal labor law state that children under fourteen years of age are prohibited from working. Children between fourteen and sixteen are required to work the maximum of six hours a day in conditions free from undue risks and danger. Despite this, Mexican and US corporations look the other way at the practice, as child labor is necessary for the generation of extreme profit that results from the intensive exploitation in the fields.

The daily situations of extreme poverty and lack of access to work in the communities where many children come from and the fact that many families have incorporated migrant labor into their normal work regime for generations, has normalized the movement of children into agricultural jobs—for them, their families, and communities.

Francisco Cos Montiel (2000) argues that economic globalization and the reorientation of the Mexican economy from one of social welfare to a neoliberal, export-based economy produced high levels of child labor. Although family-based agriculture occasionally occupies child labor within the family unit, traditional agricultural production in Mexico has suffered due to the rise of industrial export agriculture. At the same time that productivity on family farms, ejidos and communal lands becomes untenable, export agriculture increases in productivity and dynamism and thus necessitates greater inputs of labor power. Given these changes, traditional agricultural decreases in communities of origin while export agriculture in global agricultural enclaves increases, as traditional forms of agriculture cannot compete. As well, the nature of the Mexican state changed drastically from one oriented to social welfare to that oriented towards free trade and privatization. Thus, the costs of basic services like health and education increased dramatically (Cos Montiel 2000).

The use of child labor in agriculture increased over the past decades with the intensification of commercial agriculture as it necessitates a large, seasonal workforce. The expansion of non-traditional, export-oriented crops (especially in the northwest of Mexico where the valley of San Quintin is located) is the motor behind the intensification of seasonal migration and the incorporation of women and children into salaried agricultural labor. The majority of crops necessitating such intensive demands for cheap,

seasonal labor are fresh vegetables and fruits like tomato, cucumber, and berries, as well as industrial cultivars like sugar cane, tobacco and coffee (López Limón 2002; Sánchez Saldaña 2005). For migrant farmworker children, work in the field begins as young as four years old. Children assume roughly the same amount of work and number of hours as adults. Child labor in these zones of intensive agriculture is due to a number of factors including the high cost of living in agricultural camps and the extremely low wages. Migrant farmworkers suffer extreme poverty, social marginalization, lack of stable employment and a general violation of their labor and human rights (Cos Montiel 2000).

Children readily contribute to the domestic economy in their communities of origin according to the division of labor in the household, the different types of productive activities and the overall needs for social reproduction. Part and parcel of the socialization process entails domestic labor, taking care of animals, collecting wood or simple tasks in the fields. (Sánchez Saldaña 2005: 370). Migration as a family helps reduce the costs involved in maintaining the family unit, but also increases the income of the family when women and children participate in salaried agricultural labor. The participation of women and children in agricultural work depends on the type of labor involved and the variability in supply and demand. While intense physical work such as harvesting sugar cane is primarily the work of adult males, the harvesting of fruits and vegetables, while incorporating men, women and children, requires a level of speed and dexterity at which women and children often excel (Sánchez Saldaña 2000)

Antonieta Barrón Pérez (2000: 21-26) argues that in San Quintin, children and the elderly are complementary to, but not a substitute for, adult manual labor. This coincides with Sánchez Saldaña (2005: 369) who argues that child labor is a “prolongation” of the

labor of adult workers as part of the family unit. When demand for labor is high, more women children and elderly workers are hired. The more piece rate (a *destajo*) is employed, the more frequent the use of child labor. Interestingly in the case of San Quintin, however, the extraordinary rate of feminization of labor tends to reduce the amount of child labor. Overall, when there is excess manual labor, employers can be more selective and thus tend to hire ages and sexes of workers according to the needs of the employer thus reducing the amount of children and elderly in employment. At such times of low demand, women and children often revert to domestic chores, rest or school (Barrón Pérez 2000; Sánchez Saldaña 2000).

Settlement is also a factor in the decrease in child labor, but problems continue for newcomers. In the 1990s, one in five jornaleros in the valley were children between the age of eight and fourteen (Sánchez Saldaña 2000) – a figure that has since decreased. Susana Vargas Evaristo (2006) argues that the tendency of the jornaleros of San Quintin to settle in the valley permanently or for long periods of time structures how children are incorporated into the labor market. Vargas Evaristo (2006: 228) argues that unlike other global agrarian enclaves in Mexico where migrants are predominantly seasonal, the sedentary patterns of indigenous migrants in the valley of San Quintin allows for both permanent and seasonal insertion of children into farm labor. Here the author defines seasonal or sporadic insertion as that taking place during weekends or vacations without a necessary disruption of schooling. Permanent insertion refers to labor as the primary activity of the minor, which necessitates an abandonment of education.

Without a doubt, one of the main factors for permanent insertion of children into the labor market is seasonal migration on the part of their families (Vargas Evaristo 2006:

238). Children who migrate seasonally between community of origin and global agricultural enclaves are less likely to complete even a primary education. One of the main reasons to settle in the valley is to provide better living conditions and educational opportunities for their children that would not be possible in communities of origin or seasonal migration. The act of settling in the valley of San Quintin thus potentiates the ability of migrant children to access education – although it is not a guarantee. According to Vargas Evaristo (2006: 231), in the popular colonias where migrants have settled, only around 20% of children age 12-16 (almost an equal number of boys and girls) work as jornaleros. Of those children that do work, almost sixty percent completed primary education. The longer the period of settlement, the more likely the child is to complete primary school. However, settling in the valley does not mean an end to agricultural work. Many children combine education endeavors and agricultural labor. One of the main reasons for children to work is to pay basic expenses related to education like administrative fees, uniforms, school supplies, etc.

Child labor was one of the major problems that brought the jornaleros of San Quintin to strike in 2015. Since then, but not before, major corporations like Driscoll's and Andrew & Williamson have made concerted efforts to eradicate child labor in their fields. Other large farms like Los Cedros have not made such efforts. The situation is even worse on medium and small farms as there is less oversight by government agencies. Under neoliberal logic, according to Rojas Rangel (2012: 52) the welfare state transforms into a "certifying state" due to the new mechanisms regulating production and commerce emanating from private initiative, whether the certification comes from the state or business. Accordingly, the rule of law is inoperable and instead the state looks

towards what Rojas Rangel (2012: 52) calls “indirect alternatives” to protect its citizens, fulfill its obligations and sanction violations.

One of the most common examples of state certification found in the valley of San Quintin, for example, is the certification “Distintivo Empresa Agrícola Libre de Trabajo Infantil (DEALTI),” or “Agricultural Company Free of Child Labor Certification.” This was developed by the Secretaria de Trabajo y Previsión Social (the federal labor department) in 2010. Its purpose is to certify agricultural businesses that comply with child labor laws.²¹ However, the program awards businesses for fulfilling their requirements under the law, instead of sanctioning and punishing responsible parties for violating the law. Throughout my fieldwork in the valley of San Quintin it was fairly common to see children working underage on ranches and being transported in buses marked with the “child labor free” stickers. Furthermore, the state has very little manpower and limited resources to police and sanction violators of the law. Many of my informants related incidents where child laborers were told not to come in to work the next day as the Secretaria de Trabajo y Previsión Social announced that it would be inspecting the farm the following day. As the grower was notified beforehand the conditions on the farms were cleaned up for inspection and went back to normal the following day. However, the farm was then subsequently awarded its free of child labor status. “The actions that are taken as part of the governmental programs for the jornaleros,” Rojas Rangel (11) argued, “are left to the political willingness and economic interests of the business owners, when they are actions established as obligatory [and] accompanied by sanctions that should be applied when they are not complied with.” The

²¹https://www.gob.mx/cms/uploads/attachment/file/350715/180724_Gui_a_de_Operacio_n_DEALTI_2018.pdf. Accessed 9-8-17.

rule of law is nonexistent and in place of the law there only exists the good intentions of the “socially responsible” business.

Los Cedros is a company that was awarded the “Business free of child labor” endorsement but readily employs child workers. As many areas of the company are subcontracted out to labor contractors who function as camioneros and the workers are paid “saliendo y pagando,” there is no oversight provided by the company. Outsourcing and subcontracting are two of the fundamental ways that children are still employed in the fields of San Quintin. I visited a number of “day labor”-type sites throughout the valley where camioneros pick up workers in the saliendo y pagando system. At all of these sites child labor was contracted. The majority of these children were on average between eleven and fourteen – a considerable difference with other places throughout the country that employ jornaleros a on a seasonal basis where children as young as four accompany their parents in the fields. Given the smaller stature of jornaleros from southern Mexico and the tendency to cover the face and body, it is hard to tell the exact age of the jornaleros – especially female jornaleros. This indeterminacy makes it difficult to tell when a company is breaking the law. This can be prevented, however, by employing standard employment procedures like signed contracts, as workers would be forced to demonstrate legal proof of age before being hired. Camioneros know that hiring children is illegal and the company can be fined. However, the lack of regular enforcement and the need for high levels of production keep child workers on small, medium and even large farms.

Although eradicating child labor was a priority for jornalero leaders, many of them are also aware of the social and cultural issues that contribute to minors working. It

is not unheard of in the valley of San Quintin for youth in their late teens to already have children of their own that they must support. Youth marriage and teenage pregnancy are huge social issues in the valley and lead many youths to abandon their studies to work in the fields. However, many mestizo growers blame indigenous migrants for the employment of their children arguing that child labor is part of their “culture.” In a forum on child labor in the valley of San Quintin cited by López Limón (2002: 104), an indigenous jornalero rebutted such characterizations by declaring that “Children work because of hunger, because of hunger wages that we have. Not because of cultural tradition!” Instead of blaming the victims – in this case the poor, migrant worker, one must analyze how the global economy structures the necessity of child labor and make it possible given the hunger wages that are paid despite the enormous profit generated in such regions. “Jornalero families...accept the application of the law with respect to child labor,” López Limón (2002: 14), argues, “but at the same time, to make the law possible, salaries, working conditions, health, education and childcare infrastructure, the application of justice, among other things, must be improved with a clear understanding of a holistic vision of the problem.”

CONCLUSION

As work came to an end at four pm, we once again piled into our bus to return home to our respective *colonias* (neighborhoods). Before leaving (*saliendo*) we had to get paid (*pagando*). The camionero pulled out from the shade house we were working and drove us around the premises of Los Cedros to a small white building with open windows where a line of jornaleros waiting to get paid. As we arrived after the other cuadrilla, we

were forced to wait in the hot sun after a long day's work until the caudrilla ahead of us was completely paid. When the last one of them was paid, our cuadrilla was called to assemble in a single file line according to numbers given to us in the morning. Just before beginning our jornal, the apuntadora (a person charged with noting the number of rows pruned or, in case of harvest, the number of buckets of tomatoes or cucumbers picked) wrote down our names and assigned us a specific number. When our cuadrilla was paid each person was asked to give their name, ink their right index finger, and leave their fingerprint on a sheet of paper as evidence of being paid (instead of a signature as many jornaleros are illiterate). The workers in my crew walked away with 180 pesos for their eight hours of hard work.

We once again piled into the yellow school bus that did not have enough seats to fit all of our eighty or so work crew and proceeded to the security gates at the entrance to Los Cedros. Before leaving, however, there was one more episode of indignity. The bus came to a halt and we were ordered to file out next to the road as Los Cedros security checked our bus and possessions to see if our work crew of poor, hungry jornaleros had stolen any tomatoes. As we funneled off the bus we were forced to balance precariously on the edge of a ditch that fell behind us at least ten feet to the bottom. With the search inconclusive, we once again got on the bus and drove through the gates of Los Cedros on our way home. It was now after five pm and I wouldn't be dropped off in Lazaro Cardenas for another half an hour. After descending the bus at my stop in front of the park, I walked from the highway to the little cinderblock house I rented at the edge of the fields in the Flores Magón neighborhood. I was finally home around 6:30pm having left the house a little after 5:00am and thus concluded my thirteen and a half hour adventure

as a jornalero in the valley of San Quintin. As I walked home exhausted and covered in a dark brown grime that is a mixture of tomato plant excretions, pesticides and dirt that the jornaleros refer to as “goma,” I mentally prepared myself to repeat this same process the following day.

Although slavery was abolished in Mexico in 1829 and in the United States in 1865, the continued permanence of unfree labor is an integral and important aspect of the global economy. Global agrarian enclaves like the valley of San Quintin are extreme zones of precarious labor regimes where not just work, but life itself is precarious. Indigenous migrant farmworkers from southern Mexico occupy various positions in the spectrum of freedom and unfreedom. It is their “conjugated oppressions” intersecting race, ethnicity, gender, age, education, language, and class that subject them to diverse and varying forms of subjugation and exploitation. While slavery has often been seen as a relegate of the past, the dependence on racialized workforces that exclude certain populations from full inclusion into citizenship are a permanent structure of the global economy.

As Kelly Lytle Hernandez (2017: 8) argues,

Even as many settler societies depend on racialized workforces, settler cultures, institutions, and politics simultaneously tend toward excluding racialized workers from full inclusion in the body politic, corralling their participation in community life, and, largely shaped by rising and falling labor demands, deporting, hiding, or criminalizing them or otherwise revoking the right of racialized outsiders to be within the invaded territory.

Thus, while various forms of slave, coerced, and otherwise unfree labor of subjugated Indigenous and African populations were pivotal to both the Spanish and Northern European colonial projects in North America, the continued presence of unfree labor, incarceration, and slavery must be seen as a continued structure fundamental to modern society and not a past event. It demonstrates how processes of settler colonialism in Mexico are ongoing processes, not events that occurred in the past (see Speed 2019).

The jornaleros of the valley of San Quintin adopted the moniker of “modern slaves” to make visible the multiple forms of oppression to which they are subject. Yet their critique of the global economy, their organizational forms and protests, as well as their struggle to defend their lives, languages, and identities in transnational migratory contexts demonstrates their resistance to their superexploitation. Although the jornalero movement was unable to achieve all of their demands, their hopes and dreams lie in continued struggle for their basic rights and dignity consecrated in the Mexican constitution. When I asked Lorenzo Rodríguez Jiménez if he thought the movement was a success or a failure he chose to avoid both terms. “This is a social struggle that is difficult but I think that it is worth it,” Lorenzo stated.²² “It is worth it because as we have always said, we don’t have anything to lose but lots to gain.” He went on to argue that real gains would take generations:

How many years have they robbed our grandparents, our parents? And they [continue] robbing us today... If we don’t do anything ourselves these children here, the two-year-olds, the five-year-olds, those that are not yet born, they will have the same destiny as us, as that of our parents. However, if we do something

²² 10-18-16 Lorenzo SINDJA interview.

at least there was some initiative and this initiative is something that continues.

Maybe we won't see it, this real change that we search for, but maybe the children will continue this struggle after we are gone. What is important is plant the seed and the new generations will struggle for the rights we don't have.

The following chapters chart out ways that indigenous migrant farmworkers are excluded from the social contract and their proposals for remediating the worst excesses of exploitative labor regimes. It will also chart their hopes and dreams – and the concrete steps for achieving them. Reflecting on future generations of jornaleros, Lorenzo remarked, “For all of these people, we cannot give up the struggle. We can't stop rising up. We can't end this struggle...”

CHAPTER IV

DISPOSABLE PEOPLE: EXTREME SOCIAL PRECARITY AMONG MEXICAN MIGRANT FARMWORKERS

I met Roberto, a migrant farmworker (*jornalero*), in the valley of San Quintin after he was injured when the worker transport vehicle he rode to work in crashed on the highway.²³ Roberto was “*ranchereando*,” i.e. going from farm to farm without stable employment through working in “*saliendo y pagando*,” a day laboring system where workers are denied wage protections and social security benefits. That day Roberto was hired to work in the fields of a local grower and transported to the worksite by a labor intermediary and transportation provider. After the accident on the way to work, Roberto and his coworkers were abandoned to their own luck by the grower.

I asked Roberto why he worked in the *saliendo y pagando* system when there were so many risks and few benefits. He responded that he and those on his work crew were working “illegally” as “we don’t have papers. As well, for not being affiliated in the *seguro* [the social security system].” Roberto, a Mexican citizen who lacked the proper documentation to work legally as discussed below, was paid under the table in a relationship that, while immediately giving him enough money to eat for the day, also exponentially benefitted the grower as he did not have to pay into the social security

²³ The names of farmworkers in this chapter have been changed to protect their identity. The names of growers, labor contractors, and union representatives have not been changed due to the public nature of their employment.

system and provide his workers with their legally entitled wages and protections. Roberto remarked the following,

They [the growers] benefit as well. We have heard that they benefit from this, from hiring workers without being legal, without being legal with the *seguro*, because they [the growers] don't pay the fees, they don't pay taxes for the workers. They just pick us up and pay us what they want.

Roberto is a migrant farmworker who works “illegally” and “without papers.” However, Roberto is no undocumented immigrant from another country – Roberto was born in a rural, indigenous community in southern Mexico. After his birth, to the best of his knowledge he was not issued a birth certificate nor did he have a federally recognized identification or other documentation. Thus, Roberto was undocumented in his own country and the production of his “illegal” employment was due to not having a proper birth certificate, CURP, IMSS and federal voter identification necessary for formal employment with benefits under Mexican labor and social security law. Roberto is not alone. Although there are no solid numbers to cite, many of Mexico’s migrant farmworker population are excluded from basic elements of citizenship. This is due to their origins in rural areas of Mexico, their ethnic or racial characterization, their lack of education or Spanish language ability, and the abject poverty they face as a rural subclass. Given these factors, Mexico’s migrant farmworker population has been systematically denied many of the rights and benefits legally afforded to them as Mexican citizens. This “low-intensity” citizenship denies their full incorporation into the nation and renders them vulnerable, exploitable, and ultimately disposable. Roberto is one of Mexico’s nobodies.

ON THE PRODUCTION OF NOBODYNESS

“To be Nobody is to be vulnerable,” Marc Lamont Hill (2016: 18) argues. “In the most basic sense, all of us are vulnerable; to be human is to be susceptible to misfortune, violence, illness and death.” In his recent text on nobodyness in the United States, Lamont Hill describes the conditions for, and consequences of, the production of vulnerable, exploited, and oppressed populations. “For the vulnerable,” Lamont Hill (2016: 20) argues, “it is the violence of the ordinary, the terrorism of the quotidian, the injustice of the everyday, that produces the most profound and intractable social misery.” In other words, he remarks (Lamont Hill 2016: 21), “To be Nobody is to be considered disposable.”

Although writing about the contemporary United States, Lamont Hill could be writing about many places throughout the world that produce disposable people. The migrant farmworkers of the valley of San Quintin are just one such population of the marginalized and vulnerable that has been abandoned by the state and left to the whim of the “free” market. Just how are disposable nobodies constructed? Throughout the western hemisphere nobodyness and disposability is largely due to the colonial legacy of the creation of racial hierarchies with “whiteness” at the top. Black, brown, indigenous and Asian populations throughout the Americas are subject to various forms of subjugation, exploitation and oppression making them less than citizens – indeed, less than human. “While Nobodyness is strongly tethered to race,” Lamont Hill (2016: 22) argues using the term intersectional developed by Kimberlé Crenshaw (1989) when he argues that, “it cannot be divorced from other forms of social injustice. Instead, it must be understood

through the lens of ‘intersectionality,’ the ways that multiple forms of oppression operate simultaneously against the vulnerable.”

In global agricultural enclaves like San Quintin there exist three social strata: the local population, settled migrant workers, and seasonal migrant workers (Huro Encinas 2007: 91). Both settled and seasonal migrant workers suffer extreme forms of social exclusion and physical isolation that result in discrimination, intolerance and racism (Velasco Ortiz 2007: 63; Andrade Rubio 2013: 165). Karla Lorena Andrade Rubio (2013: 141-144) argues that migrant farmworkers in Mexico have been subjected to a negative social identity in which they are cast with suspicion, seen as threatening, or thought of as somehow different - as perpetual outsiders. Unlike the United States where a large number of farmworkers are foreign-born or undocumented immigrants, the overwhelming majority of farmworkers in Mexico are themselves Mexican citizens. Despite claiming status to the same nation, the stigmatization of this negative social identity creates a large social distance between the jornalero population and more locally and historically entrenched receiving communities. Their existence as racialized and gendered others is one of the main elements defining their otherness and their disposability. The darker the skin, Andrade Rubio (2013: 145) argues, the greater the social distance. As the majority of jornaleros are indigenous or afrodescendent populations from southern Mexico their constructed otherness is heightened. Here racialization combines with gender in that female migrant farmworkers are deemed as not fulfilling societal expectations of femininity as they leave the home and work in masculine jobs alongside men. Given higher rates of single mothers and non-“traditional” family formations given the context of migration and extreme poverty, migrant

farmworker women are seen as sexually uncontrolled and indecent. Farmworker women bear the social stigma of absentee fathers, abusive husbands and irresponsible parenting – a stigma that rarely falls upon men.

Migrant farmworkers in Mexico, whether settled or seasonal, have largely been excluded from the economic, political and social institutions of the country. The poverty, lack of opportunities and the absence of state support in their home communities spurs their migration at the same time that their insertion into international agricultural production furthers their exclusion as it reduces them to economic and social poverty. Their chances of civic, public and political participation do not increase given their high rates of unemployment, subemployment, and their flexible and precarious insertion into the labor market. This creates a population that is politically passive, lacks forms of representation, and is excluded from the larger social contract through their lack of education, health care, and social security. This social isolation and stigmatization results in a broken social fabric that culminates in rejection, prejudice, and racism. The lack of social citizenship and excruciating poverty often generates problems of familial violence and other problems like alcohol and drug abuse (Andrade Rubio 2012; Velasco Ortiz 2007).

Thus, labor precarity and social precarity are intimately connected in the production of nobodyness. Migration is intensely individualizing and atomizing as connections are broken or tenuously maintained with home communities; in the receiving zones such ties are difficult to construct given the social isolation. As Teresa de Jesús Rojas Rangel (2014: 50) argues, social exclusion does not simply mean the lack of incorporation into the social pact that guarantees rights and obligations as citizens, but is

structural in nature and “denies the exercise of citizenship – or at least, allows for a restricted citizenship.”

EXCLUSION FROM SOCIAL SECURITY: HISTORY AND PRACTICE

The majority of jornaleros are excluded from their legally sanctioned rights to social security as on a national level only about 25% of the jornalero population are inscribed within the social security system. Rojas Rangel (2014: 91) argues that “The seasonal nature of the migrant jornalero is taken advantage of by the producers to evade their responsibilities and deny the recognition of their rights.” However, I argue that the “seasonal,” “temporary,” or “migrant” nature of the jornalero is also a construction of the flexible schemes of production that hire and fire at will, thus creating the condition for labor and social precarity I have called nobodyness. As we will see further in this chapter, settled jornaleros have been employed by the same employer for long periods of time – even decades – although seasonal variations in planting and harvesting require laying off workers for periods of time. One of the strategies for constructing the disposability of these settled workers as “seasonal” is the negation of their social security rights in order to avoid accruing seniority and its related benefits. Workers are often hired and then fired en masse when there is a lull in production. However, many of these workers are forced to sign “voluntary resignation letters” only to be rehired a week or two later and thus forced to start all over in their process of incorporation and registration in the social security system by which it is impossible that they accrue seniority and rights to a pension.

The Mexican Social Security Institute (Instituto Mexicano del Seguro Social or IMSS) was created in 1943. Soon thereafter, public workers at the state level and

important sectors of the national economy (public sector workers, teachers, military, electrical workers, railway workers, etc.) were incorporated into the social security system through a process of struggle and negotiation. However, private sector workers were one of the largest populations with the least protection. The social security system favored urban workers and it was thought that salaried agricultural workers, domestic servants and other precarious laborers would eventually be incorporated into the urban industrial labor force – a feat that has yet to be accomplished (Montes de Oca 2001).

One of the major sectors most marginalized by this differentiated structural arrangement was the rural agricultural worker (whether salaried or unsalaried). Although Fraction XXIX of Article 123 of the Mexican constitution guarantees workers the right to social security, the Social Security Law of 1943 excluded agricultural workers under the pretext of difficult economic conditions in a country in the process of development and modernization in the post-revolutionary period. Agricultural workers were excluded from social security in the U.S. as well. Agricultural exceptionalism is the term used to denote the negation of progressive labor policies enjoyed by industrial workers to agricultural workers. Farmers or agricultural corporations have historically dominated the political structures of U.S. government, especially state legislatures. Rights to farmworkers upset the racial and economic domination of minorities, especially African Americans in the Jim Crow South. In order to pass the New Deal reforms, Roosevelt had to assure southern Democrats that agricultural workers were to be exempt from such laws so as not to instigate civil rights concerns. Farm interests justify agricultural exceptionalism by portrayed farmworkers as the

“other” – informal, migratory, unsettled, unregimented, and now illegal (Perea 2011).

In effect, agricultural workers were denied the right to protection in cases of sickness, injury, unemployment, maternity and death (Guerra Ochoa 2007). When the social security system was expanded into the rural areas in the 1950s, it was through state corporatist labor unions representing permanent salaried agricultural workers, seasonal agricultural workers, ejidatarios and plantation workers (Montes de Oca 200: 589). Thus, the social security administration was predicated upon certain privileged groups in urban industrial sectors, economically dynamic industries or organized labor with the capacity to negotiate with the state. Unwaged or informal workers in both rural and urban settings were unfavorably disadvantaged.

The Social Security Law was reformed in 1954 to eventually include agricultural workers. It would not be until 1960, however, that, through presidential decree, seasonal and permanent agricultural workers were legally incorporated into the social security system. However, their rights to social security were limited to the duration of their seasonal employment and they were only partially enfranchised. Seasonal agricultural workers were not offered retirement, pensions, disability, etc. (Guerra Ochoa 2007). With the social security reform of 1973, however, this underprivileged workforce was theoretically brought under the expanding social security system. Even though the new reform made it obligatory for previously unprotected workers to be incorporated into the system, the actual reform left the registration of workers at the whim of the employer (Montes de Oca 2001: 590). Thus many remained excluded in practice.

Although the social security system expanded over the decades, bringing with it more public health care coverage through the construction of clinics in rural and other marginalized areas, important aspects of social security such as pensions were not expanded, leaving an increasingly growing population of informal, precarious workers without options for unemployment or retirement (Montes de Oca 2001: 590). As well, the social security system left few options for the incorporation of important sectors of the population based on gender, age, education and rural-urban differences. Women, children and the elderly were seen as dependents to the mostly urban, industrial or public sector, male breadwinner who enjoyed protections in largely corporatist gremial organizations (Montes de Oca 2001: 591). They were thus often excluded in practice.

The Social Security law was eventually reformed in 1995 to include all seasonal or temporary workers in both urban and rural contexts thus granting them full rights as any other worker in the country—including women. Under the law, anyone who sells their labor for a wage is granted social security rights and all employers are obligated to include each and every worker in the system. Employers are obligated to register and inscribe all employees in the IMSS within five days of when they begin employment, keep records of all employees and their hours worked and wages earned and save this record for five years. They are also obligated to determine the contribution of all employees and faithfully pay the appropriate amount of contributions to the institute (Guerra Ochoa 2007; Rivera Sosa 2006).—This is where the rubber hits the road in contemporary agricultural employment practices on the ground.

All salaried workers in Mexico, farmworkers now included, have a right to social security as this right is provided under articles 12 and 13 of the Social Security Law. A

salaried worker according to Mexican labor law is someone who undertakes “subordinated work,” i.e. works for someone else, in exchange for a wage. What is important here is that the legally established “employment relationship” is fulfilled if these two conditions are met – not only does it not matter what industry the employment relationship is in (farmworkers in the United States, for example, are bereft of most legal protections) it also doesn’t matter if contracts are written or verbal. Thus, salaried agricultural workers like jornaleros are engaged in a legally sanctioned employment relationship and thus subject to all available laws and benefits under the constitution, labor and social security laws. Non-salaried workers or those who do not engage in “subordinated work” are not legally eligible for these rights (Levy 2008: 11-18).

Mexico’s social security law offers eight benefits, the most important for my discussion here are 1) health insurance, 2) disability insurance, 3) work-risk insurance, 4) life insurance, 5) daycare for children, 6) sport and cultural facilities, 7) retirement pensions and 8) housing loans. The majority of these benefits are based on tripartite contributions incorporating the worker, the employer and the state. Upon enrollment in the social security system, the individual worker is given two accounts. The first is for a retirement pension (*cuota social para el retiro*), which is based on tripartite contributions. There is also another benefit that is accrued, that of a housing benefit (known as the *Afore*, or the *Administradora de Fondos de Retiro*), however, the *Afore* does not receive government funding (Levy 18-19).

However, the majority of salaried agricultural workers in the valley of San Quintin lack inscription in the social security administration guaranteed to them by law. Grower compliance in incorporating their workers into the social security system is a

relatively recent phenomenon, a major impetus being the general strike of 2015, and only on the largest farms that are subject to international scrutiny given the size of their operation and the intensity of production. The Department of Labor and Social Protection (Secretaria de Trabajo y Previsión Social, or STPS) is charged with regulating labor law through periodic inspections and other mechanisms tasked with bringing all business into conformity with labor and social security law. If an inspection by the STPS uncovers irregularities or violations, the company is fined and continued supervision is enacted until the business complies with the law. The STPS has historically been underfinanced and understaffed and rarely undertake an adequate supervision of businesses. Few businesses feel the need to conform to the law and regularly violate regulations in order to negate jornaleros their rights and maximize profit. Rojas Rangel 2014: 95 argues that the systemic violations of the rights of jornaleros (whether labor or social security law) is due to a complicity between the state and agribusiness. Rojas Rangel (2014: 95; italics in the original) argues that the “*the State acts like it does not see*” the violation of the rights of workers. Rojas Rangel (2014: 95-96) continues by arguing that

One of the causes that explains the legal impunity and the recurrent violation of the labor rights of migrant farm workers is that there exists a complacency or permissibility that we could just as well call *impotence* on the part of the public sector before ante the political and economic power that the monopolies of the agricultural producers have in the country, particularly before ante the agro-export businessmen of Sinaloa.

Given the enormous political and economic power of agribusiness elites, the state often protects the interests of the growers above those of the workers, the jornaleros. The elite

agricultural class, especially in global agricultural enclaves in the northern border region, has always been a “privileged” sector given preference by the state. The interests of agriculturalists grouped in regional grower associations have exerted inordinate influence on local, state and federal governments in order to circumvent the implementation of labor and social security protections. For example, for decades the IMSS gave the grower passes, according to the size of the operation, to be distributed to workers in times of sickness or injury in order to receive short-term medical attention at public hospitals and clinics (Rivera Sosa 2006: 36-40). The system of passes, however, theoretically became against the law with the reforms to the social security administration in 1995 that included all seasonal or temporary workers in both rural and urban contexts. Despite the reforms, however, the system of passes is still the most common way that the grand majority of jornaleros access medical care in the valley – if they have access to it at all.

Many of the jornalero leaders in the valley of San Quintin argue that when the STPS does undertake an inspection of a business, the STPS makes the company aware of the inspection ahead of time. Once alerted to the inspection, the foremen “limpian los campos” (rid the fields) of child laborers or other evidence of legal violations. Rojas Rangel (2014: 98) describes these inspections as “announced” or “extraordinary.” Given the “traffic of influences” between the various state and federal dependencies and the growers and their associations, few business are found to be in violation of the law and fewer still are actually fined or sanctioned. One of the ways this complicity is undertaken is through putting members of the agribusiness class (growers’ family members, for example) in seats of power in the political apparatus on local, regional state governments. Rojas Rangel describes how the political and economic elite of Sinaloa sustains practices

of irregularities and inconformity with the law through this trafficking of influences. Elsewhere in this work the links between the economic and political elite of the valley of San Quintin have also been elucidated demonstrating that this is not a problem only in one part of the country, but is a systemic problem at the national level. In the next section I offer ethnographic specifics about mechanisms of exclusion from social security benefits function on the ground in San Quintin.

LESS THAN CITIZENS: BEING UNDOCUMENTED IN YOUR OWN COUNTRY

In the afternoon of Friday, November 24, 2017, I received a call from Librado López Mendoza, one of my main contacts in the valley of San Quintin. Librado was formally a member of the Alianza de Organizaciones (the Alliance of Organizations) and was a founding member and former Secretary of Organization of the Sindicato Independiente Nacional Democrático de Jornaleros Agrícolas (Independent National Democratic Union of Agricultural Workers, or SINDJA). Librado is currently a community liaison between the jornalero population who he represents and the social security administration. Librado's long experience of serving his community led him to successfully intervene in issues of labor violations, wage theft, discrimination and unjust firings. Librado contacted me when he heard about the crash.

At 6:30 am on Friday, November 24, 2017, a bus transporting around forty farmworkers (jornaleros) crashed on the transpeninsular highway in the southern part of the valley of San Quintin, Baja California. The group of workers, ranging between twelve and fifty years of age worked in an informal contracting system known as "saliendo y pagando" that is similar to day labor employment in the United States. These workers

assemble in the park of the Lázaro Cardenas neighborhood early in the morning and arrange work with labor intermediaries who function as bus drivers, thus called “camioneros” but who function as foremen (mayordomos). The grower formally hires the camionero but the camionero informally hires the jornaleros arranging the day’s labor through oral agreements that fix the wages, hours and conditions. There is no formal contract, no paperwork, no social security benefits, no workman’s compensation if hurt on the job and no taxes paid.

Fernando Flores is a *camionero* (labor contractor and worker transportation driver) who works for some of the valley’s growers. On this particular day Flores was to transport a work crew of around fifteen men, women and children from the park in Lázaro Cardenas to work on the farm of the grower Francisco Zaragoza in Guayaquil – roughly 140 kilometers to the south and a three-hour journey in bus along the transpeninsular highway. Like many of the camioneros and mayordomos in the valley, Flores has a bad reputation among workers for being abusive given the constant mistreatment of his work crews. On this fateful morning, Flores was speeding on the highway passing slower vehicles in his old, short yellow school bus that functions as a worker transport vehicle. Not only is speeding and passing cars an illegal maneuver for this type of vehicle, the workers were not seated appropriately. Some were sitting on buckets or standing in the aisles as he had an excessive number of passengers. At least one worker was sitting in the front near the driver seat talking with Flores as he drove.

Flores hired the workers to “tapiar” (or trim the tops off) onions for the day and promised a miserable 180 pesos (\$10US) for the day’s labor. Workers had continually complained Flores was an abusive foreman who humiliates and denigrates his workers by

shouting at them and using profanity. “He shouts obscenities at you, “ Oscar, one of the workers hired that day, declared. “Yeah, he humiliates you,” Roberto remarked backing up his coworker’s claims. However, as there is a constant influx of new workers and even seasoned workers need the money, Flores is able to fill up his bus every morning and fulfill the needs of the grower to whom he subcontracts. A few workers think that Flores consumes drugs on the job and while driving, as they claim he is often times very “accelerated.” While driving on the highway that morning, Flores accelerated in order to overtake another vehicle but as the bus was winding around a curve Flores lost control and the bus swerved off the highway into a ditch.

According to Roberto, one of the workers on the bus during the crash,

The accident was rough, very rough. The whole front of the bus was totaled, the wheels as well. The wheels were stable while on the highway but once the bus began to flip the wheels came loose with the crash as horrible as it was. The bus crashed but without wheels. The seats inside were crushed, the windows broken and none of them survived intact. The bus broke into pieces...we were lucky that nobody died; there were people injured, but no deaths.

Oscar, his friend and coworker also on the bus, described how he lost consciousness in the accident and when he awoke he stumbled out of the wreck. “When I climbed out of the bus I was bleeding from the nose profusely. The blood wouldn’t stop and I had a unsupportable headache.”

The grower Francisco Zaragoza employed his workers through the *saliendo y pagando* system in order to avoid paying social security benefits to his workers and to avoid other fiscal and legal responsibilities. A few of the *jornaleros* who had worked for

him before; however, they didn't know the name of the farm or the grower's last name – he was simply Don Paco to the workers. After being informed of the accident by Flores, Zaragoza arrived and offered to take the injured to a private clinic (as opposed to the public social security hospital) and offered the workers who were not severely injured a payment of around five hundred pesos. “What are we going to do with five hundred pesos?” exclaimed Oscar. “We said no. So he [Zaragoza] said ‘seven hundred pesos - not any more or any less.’ Well, we have to eat so we accepted. We were wrong in accepting the money, though.”

The next day around noon, Librado and I waited in the park in the Lázaro Cárdenas neighborhood for the workers to arrive. There was a meeting scheduled between the labor contractor and the workers in the afternoon. However, Librado contacted Lorenzo Rodríguez Jiménez of the SINDJA union to intervene in the case. Librado and Lorenzo organized the workers to meet in the park before the meeting with the ranchero and camionero. The workers related to us how the camionero and the grower conspired to wash their hands of any legal and financial responsibility through cash payments to the workers who wished to settle off the books. Librado and Lorenzo informed the workers of their rights under Mexican labor and social security law and promised to fight as long as possible for their rights to be fulfilled. Although some workers accepted the cash payment from the grower the day of the accident, everyone was unhappy with the arrangement and wished to seek medical and legal attention. As the workers assembled in the park a plan was devised to unite behind the legal representation of the SINDJA union and fight the grower's power and money with the only weapons the poor workers could muster: unity and the law.

I accompanied the group to Flores' house, a few blocks from the park in the same neighborhood. When the grower Francisco Zaragoza arrived at the meeting and saw the workers assembled with "outside agitators" (i.e. union representatives), he drove off in a hurry. As we assembled in front of the house, Lorenzo began to speak on behalf of the group. Flores the camionero became enraged at the unified front posed by the workers. Lorenzo had originally asked me not to record the intervention as part of respecting the negotiation process. However, when a physical confrontation seemed immanent as Flores made an obvious physical charge towards the union representatives, Lorenzo quickly ordered me to turn on the camera and document the possible confrontation. Flores' wife convinced her enraged husband to retreat inside the house and she continued to verbally berate the assembled workers for their supposed arrogance in defying the power of the ranchero and camionero. As the negotiations hit an impasse, the workers decided to de-escalate the situation and return to the park to await word from the ranchero.

Unable to localize Francisco Zaragoza in person, the group was finally able to contact him on the phone later that evening. Lorenzo Rodríguez Jiménez and Librado Lopez had assembled a group of around twenty of the workers in the park, some of whom had recently been discharged from the hospital and arrived on crutches or transported in cars due to their injuries. It was growing dark and getting colder, but the workers were incensed at being stood up by the grower and demanded justice. Once on the phone, Lorenzo Rodríguez Jiménez sought to negotiate a just settlement in the name of the workers knowing full well that trying to prove employment with the grower was difficult at best due to the subcontracting. He also argued that the social security administration

may not attend to the workers and could wash their hands of the incident for the same reason.

Lorenzo put the grower on speakerphone as he negotiated in representation of the workers.

Francisco Zaragoza: In other words, it wasn't my responsibility. It was not my fault. I even went [to the accident site] and I gave them nine thousand pesos so that they could help themselves and you still want to reach an agreement? You want to leach me for more money? There isn't any.

Lorenzo: So for you, the accident was worth the nine thousand pesos.

Francisco: The accident is worth whatever, but it was not my responsibility. Do you understand? If it were my fault, I would take care of whatever was needed. But it was not my responsibility, it was not my fault, and yet I helped them out and you still want more.

Informal labor arrangements like *saliendo y pagando* that utilize intermediaries are standard operating procedure in intensive agriculture. Labor contractors are intermediaries between the employer (the grower or *ranchero*) and the agricultural workers (*jornaleros*). The arrangement is designed to employ the labor power of the workers when needed, given that small, medium and even large farms do not employ farmworkers year-round but only seasonally or sporadically given the needs of the grower. This arrangement also outsources all risks and responsibilities to a contractor who hires the workers, thus making direct employment by the grower unnecessary. The

grower then does not have to pay into the social security system and enroll his workers. In this case, the camionero Fernando Flores was responsible for the accident as he was the labor contractor who directly hired the workers to work the Zaragoza farm. With this pretext, Francisco Zaragoza sought to avoid all responsibility.

Francisco: They are not my workers because they work one day every fifteen or twenty days and not always the same ones. They are different workers. Maybe two or three of them have gone to work with me the majority of the time.

Lorenzo: But unfortunately the accident happened the day they were going to work on your farm.

Francisco: The accident was not in my company. The accident was on the highway.

Lorenzo: The accident was in “the trajectory.”

By referencing an “accidente de trayecto” Lorenzo was referring to an accident that occurred to or from the place of employment. In such a case, the company is legally responsible for any accident that may occur to its workers and thus the social security administration would also provide compensation. Unfortunately, instead of taking responsibility, the grower tried to buy the workers off by offering a small sum of money. Francisco Zaragoza gave a lump sum of nine thousand pesos (roughly five hundred dollars) for the injured workers, which translated into around six hundred pesos (or thirty three dollars) per person. As one of the workers recounted:

He [the grower] offered us seven hundred pesos, seven hundred pesos to solve the problem but we disagree because this is not going to help us. Look at us - there are workers who are really injured. My back is injured and the pain doesn't go away, my nose as well. I know we are not going to recover from this quickly.

With this [quantity] we don't solve anything. I just asked for some bandages that I have to use on my waist and some creams to take away the pain and inflammation and these are expenses of two hundred, three hundred pesos. How does seven hundred pesos help? We will spend it quickly and then we have to eat the days that we are not able to work. It doesn't help us. It doesn't help us at all.

Linda is the worker who contacted Librado and sought intervention by the SINDJA union. Linda refused the offer and mentioned that others less injured accepted the sum of money. Those injured the worse, like Linda herself, sought medical attention. As neither the ranchero or the camionero wanted the social security administration to intervene, the camionero brought all the severely injured to a private clinic in the town of San Quintin. Linda, too, was incensed at the measly offer of the grower.

I have a second-degree neck injury, I need to wrap my collarbones and shoulder to reinforce them, and have my arm in a sling. It hurts a lot. It is very painful to be like this. The bandages I have to wear for seven days...the collar I have to wear a minimum of fifteen, twenty days and when I can get it all removed I still need therapy for my arm and my neck...I don't know who can help me because I don't have social security or anything. I work and my children depend on me.

Meanwhile on the phone, because of the pressure the workers exerted on the rancho, Zaragoza increased the offer to a measly thousand pesos for each worker (roughly fifteen thousand pesos in total).

Francisco: I gave nine thousand pesos. I will put up a thousand in total [for each worker]. That is all I can do, I can't do anything more.

Lorenzo: Anyway, we need to inform you so that you know that if you think the nine thousand pesos arrived in the hands of the workers, we spoke to Fernando [Flores, the contractor or camionero] when we went there and he said that the money was from his pocket, that it was his, that you never gave even a penny. You should talk with him and get your stories straight.

Francisco: Fernando did give them money. But the day of the meeting [with the workers] I gave him nine thousand pesos so he could distribute it to the workers that were affected.

Lorenzo: Well, those nine thousand pesos never got to the workers, which I tell you so you know.

Francisco: That is Fernando's problem, not mine. I gave him the money.

Lorenzo: OK.

Francisco: How about this? Figure out how much each person is worth and I will complete those thousand pesos and we can take care of this problem if you want. If not, then too bad, I can't give more.

Lorenzo: Well prepare yourself because you are going to make national headlines. If you are afraid now, just wait. Good night.

With this, the negotiations ended and the legal process began. As a liaison between workers and the social security administration, Librado López contacted a doctor in charge of the only public hospital in the valley and arranged for the workers to undertake a complete evaluation. This doctor promised to give full medical attention to the injured despite the fact that they were not inscribed in the social security system by their employer as required by law. As secretary general of the SINDJA union, Lorenzo Rodríguez and the organizers of the union contacted labor lawyers to begin to take legal proceedings against the grower.

Over the next couple days I accompanied the workers as they received medical attention in the social security hospital in La Cali neighborhood just north of Lázaro Cárdenas. I volunteered my time to help process their paperwork and make sure their process of receiving medical attention was documented – another source of pressure on the administration to attend to the needs of the injured workers. As I got to know the workers, I conducted a few formal interviews as they were eager to participate given the attention afforded to them by the SINDJA union. Never before had someone fought for

their rights nor had they organized to defend themselves before. Through talking with them, I began to understand how their vulnerability is produced.

Although the regulations for my research do not allow me to formally interview minors, I was able to spend a lot of time informally talking to a few of the workers who were under legal age. One twelve year old boy accompanied his father to the fields that day instead of going to school because the family needed money. A young couple, both sixteen years of age, were working because they married young and now had a child of their own who they had to support. Although the legal age for work is eighteen, youth between the ages of fifteen and eighteen are allowed to work but for a shortened period of time. The ranchero Francisco Flores washed his hands of the legal responsibilities of employing minors as he subcontracted this responsibility to the camionero Fernando Flores. On his part, Flores did not ask for legal documentation to work nor ask the ages of his employees.

I asked one of the adult workers why he worked *saliendo y pagando* if there were no benefits and no protections. His responded with the following:

Well, I don't have papers. I am having a hard time with my papers. I am from Sinaloa and have been here two years. I haven't been able to get my papers in order. Because of this sometimes I work and sometimes I don't. Because I don't have papers I can't be employed formally, in a stable job, because you see for most jobs they ask for your papers. So this is the only job there is but it's hard because it is *saliendo y pagando* and because we don't have papers we just make enough to survive while we can.

Within this system there is almost total dependency on the part of the worker on his employer given the absence of the state and state systems of worker protection. “Well the government doesn’t enforce the laws either, so we have to be on the side of the grower because if not then we don’t eat,” one of the workers confided to me. Not having been represented by a union or other advocacy group, this worker originally just wanted to settle with the grower individually without taking into account the needs of other workers nor the power they had if they worked together to defend their rights.

I just want him to help me, to help me survive all this. I am not sure how long I will be without being able to work. The doctor said twenty days, but I could be in therapy for a month. It depends on my recovery. How am I going to do this? He [the grower] should help me.

THE SYSTEM OF “PASSES”: DENYING DESERVED MEDICAL ATTENTION TO FARMWORKERS

Even in formal employment relationships on large farms there exist grave social security violations. This includes the use of “passes,” as previously mentioned, for access to legally entitled medical care. Ricardo is a jornalero leader in his mid-thirties who joined the Alianza de Organizaciones as a representative of his colonia. He is one of the new generations of jornaleros born in the valley of San Quintin although his parents were from an indigenous community in Veracruz. Only once in his life has Ricardo visited his region of origin. Nor does he speak his parent’s language given their refusal to teach it to him as a child. His parents insisted that to get ahead in life and not end up as a jornalero he had to learn Spanish, forget indigenous customs and receive a good education. Education became impossible for Ricardo, however, as his family struggled to survive in

the valley of San Quintin. Like many jornaleros of his generation, he began working in the fields alongside his parents when he was ten years old. After his father died, tragically and unexpectedly, the burden of supporting his seven sisters fell upon his shoulders. In terms of education, he was able to finish primary school and received his secondary education as an adult in a government sponsored illiteracy eradication program. Ricardo's life history exemplifies the limited and difficult access jornaleros have to the state social security administration, especially in terms of medical attention and hospitalization.

Ricardo's parents left Veracruz and arrived in San Quintin looking for possibilities of wage labor not available in their region of origin. Although the dream of his parents was always to save enough money to return to Veracruz, Ricardo's father died before that dream could be realized and is now buried in the valley of San Quintin.

Ricardo's father, like the majority of jornaleros, worked the majority of his adult life on farms in the valley of San Quintin without receiving social security benefits. Given the discriminatory treatment jornaleros receive, the difficulties of accessing medical attention and the need to work everyday to survive, few jornaleros voluntarily seek medical attention in the early stages of sickness. When his father was too sick to work, Ricardo relates how he called on a private doctor who lived in a neighborhood close by to see his father. The doctor, a private practitioner unaffiliated with the public hospital, came to the house to check on the father free of charge "out of the goodness of his heart," the jornalero claimed. The doctor diagnosed his father with pneumonia and declared that hospitalization was immediately needed. Given the diagnosis of the private doctor, he was taken to the public hospital of the social security administration. The hospital did not have the medical resources to attend to the patient and he was transferred by ambulance

to Ensenada, a four-hour trip on a poorly maintained highway. Unfortunately, he died on the way to the hospital before reaching Ensenada.

Ricardo blames the social security administration for his father's death.

According to him, "My father died because of pneumonia. But the pneumonia didn't kill him; he died because they didn't give him medical attention." This was twenty years ago and, while conditions have improved, similar conditions are found on the farms where Ricardo works. He continued,

Now they tell us we have social security on the job but we don't. Those damn passes are still needed to receive attention. [Having a pass] doesn't mean that you get sick, go to the hospital and they take care of you. No. You need to wait until morning to get a pass so they will see you. Because of this my father died. The truth is, if the illness would have been treated on time he wouldn't have died.

Ricardo works for Rancho Los Pinos, one of Mexico's largest exporters of tomatoes and other agricultural products to the United States. Los Pinos is one of the largest agriculturalists in the valley of San Quintin and employs thousands of jornaleros. However, a common violation occurring on the farms of the company is evasion of responsibilities to the social security administration. Actually, the situation is complicated as the workers who are described as "de planta" (full-time, non-seasonal) or "de confianza" (of confidence) supposedly receive full social security benefits, are given paychecks with adequate deductions and are given employment badges for access to farms and other administrative necessities. Jornaleros who are considered temporary or seasonal, however, do not enjoy such privileges. Although Ricardo has worked at Rancho Los Pinos for the past ten years, he does not have adequate social security benefits.

When asked if he was registered in the social security administration, Ricardo responded with the following:

I am not registered because I have to use passes. In other words, I would be inscribed in the *seguro* if I could receive medical attention on the spot. But as I am not inscribed, I need to take a pass to be able to receive attention.

Ricardo went on to give a concrete example of how because of his lack of access to social security; difficulties arise when someone in his family is sick. He describes the painful experience of almost losing his daughter due to the existence of the infamous passes.

It was precisely during the time of the strike, one of my daughters got sick and needed surgery. But they didn't want to admit us. And it was night. They didn't want to admit us because I didn't have the pass. Because of the pass they didn't want to admit us.

Ricardo then describes the process of receiving a pass by his employer in order to receive the rights supposedly guaranteed to him under the Social Security Law.

Well you have to wait until the next day and the offices open at Rancho Los Pinos. You have to wait until they have office hours so that you can go and get a pass and then take her to the hospital.

Ricardo's daughter got sick during the general strike of the jornalero movement of 2015. Despite the seriousness of the situation and the somber mood of our conversation, Ricardo made an off color joke: "For them to give a pass, the sick person must be dead already." However, due to Ricardo's leadership in his community and his membership in the Alianza de Organizaciones, pressure was put on the public hospital to attend to his daughter.

But because of the strike we had the fortune, thank God, that the compañeros of the Alianza were in Mexico City [in negotiations with the federal government to end the strike]. I called them and said, 'My daughter is dying and these people won't give us medical attention. They want the pass.' And it was because of this that they admitted us. They took my daughter in medical transport to Ensenada and my wife went for the pass in the morning. But if not, they wouldn't have admitted her. Even the administrator there in the hospital said, 'Sorry, we are busy.' But that's not true. They asked for my pass and I told them I didn't have one. They asked where I worked and I said Rancho Los Pinos. 'Tomorrow when you bring the pass, then. Meanwhile I will give you something for your daughter's pain.' And it was her appendix that ruptured. So I told myself that my daughter was going to die. But the doctor told me to forgive him that they were all busy and had other patients. Which isn't true.

Ricardo's daughter was finally admitted to the hospital, but only by putting pressure on the administration. Ricardo continues:

They operated on her. While we were there in the hospital in Ensenada the administrator attended to me really nicely because he knew that there was pressure and if they didn't attend to us well there would have been consequences. Because of this they granted us attention. The administrator was always checking on us. The nurses asked me, 'Who are you?' And we responded, 'We are from San Quintin.' And they asked, 'And why do they treat you so well?' 'Because we are the strikers, those who rose up and demanded [our rights]. Because of this they are treating us well,' I told them. They responded, 'Here they don't treat

anyone well.’

They were even sent back home to San Quintin in an ambulance, which is highly unusual. Being affiliated with the strike resulted in access.

Note how they changed. We got attended to because we demanded. Because we demanded we got good attention. If we hadn’t demanded, we wouldn’t have seen such good attention. Because of this I say that it is the union, the demands, not letting oneself get intimidated. If we become intimidated we lose even more. So we have to search for a strategy so that they recognize that we are inscribed in the social security system.

Social security reforms between 2005 and 2008 sought greater incorporation of seasonal agricultural workers and to lessen the burden of agriculturalists incorporating workers into the system by granting a discount to agricultural producers. The reforms, however, specified that agricultural workers must work at least 27 weeks for the same employer to be eligible for social security benefits such as retirement, disability and workers compensation. Growers argued that registering a highly mobile, seasonal and temporary workforce into the system was both burdensome and expensive given the supposed low profit margin of agriculture. Thus, despite the reforms, the majority of agricultural workers, whether permanent or temporary, are not registered in the social security system. Guerra Ochoa (2007) noted that in 2006, for example, less than 6% of temporary or seasonal agricultural workers were registered in the system. In other words, more than two million workers and 7.4 million rightful claimants are not registered in the system and do not receive the benefits of social security and thus lack access to health care guaranteed by law. Francisca Yolanda Rivera Sosa (2006:34) argues that the

extremely low levels of incorporation of workers is due to both their seasonal and temporary nature as well as a high level of evasion of obligations on the part of employers, which amounts to a “failure in the design and implementation of the policy.”

During my fieldwork in the summer of 2017, I visited the local administrator at the IMSS hospital in the La Cali neighborhood near Lázaro Cardenas. When I asked why not all jornaleros were inscribed in the social security administration, she replied that they were and it was up to me to prove that the worker was not inscribed – effectively putting the proof of evidence on a subjugated, precarious worker. The administrator and I then discussed an official notice published by the IMSS on March 31, 2017 that effectively makes the system of passes obsolete.²⁴ The notice declares that seasonal farm workers will now only need to verify their employment through presenting a pay stub or employee identification with the hospital administration instead of seeking passes from their employer. If it is found that a jornalero is not in the system, the document continues, the jornalero must rectify this situation with the appropriate office – supposedly without affecting his or her right to medical attention. While this may alleviate the need for passes by those jornaleros who are lucky enough to be contracted by legal means for extended periods of time, it does nothing for the tens of thousands of informal workers (in the *saliendo y pagando* system, for example) who submit no paper work nor sign any contract upon employment. Once again, the social security administration forces the burden of proof on the worker, without enforcing employer compliance in the

²⁴ Instituto Mexicano de Seguro Social. Dirección de Incorporación y Recaudación. Unidad de Incorporación al Seguro Social. Oficio no. 09 52 17 9000/UISS/07. Asunto: Trabajadores eventuales del campo. Mexico City, March 31, 2017.

administration thus not collecting sufficient funds and continuing the fiscal crisis which plagues the social security administration.

RIGHTS DENIED: EMPLOYER EVASION OF SOCIAL SECURITY LAW

On average, on a national level only 25% of jornaleros receive social security benefits sanctioned by law. Part of the problem in implementing social security protections for jornaleros historically has been the reticence and resistance of agribusiness to fulfill their legal requirements. Agribusiness, whether small, medium or large, has consistently defended the evasion of their legal obligations arguing for the difficulty of registering a seasonal and migrant population, the supposedly high costs of deductions and the low quality of services provided in social security hospitals and clinics (Rojas Range 2014: 90-93).

Employers rely on the seasonality and temporality of the work – as well as the workers’ sheer vulnerability and defenselessness - to deny workers their eligible benefits. This extreme flexibility is beneficial for the employers, but extremely detrimental to the workers, many of whom live day by day struggling to make ends meet and have just enough money “for the tortillas,” as many people refer to the basic essentials of individual and familial subsistence. Evasion can take many forms, however, and can be committed by anyone in the labor hierarchy with or without the consent or knowledge of anyone higher up in the administration. As rule, foremen like mayordomos or engineers are committed to minimizing costs and maximizing profit in order to help the company earn profit. The more profit the foremen can extract from the workers without producing excess costs for the company significantly increases the profit margin of the company overall. One of the major costs is related to expenses for workers compensation and

social security. Thus, the mayordomos or *ingenieros* (a type of foreman called an agricultural engineer) regularly deny workers their basic labor rights and protections on the job as a cost cutting and profit increasing mechanism. As few jornaleros know their rights, or are empowered enough to defend them. If they do, however, they are subject to the mandate of their immediate supervisors in the field who wield considerable power and exert this power in psychological abuse or firing the worker. Not complying with the foremen means risking employment with the agricultural company and possible blacklisting from the company's associates. This could mean a long period of unemployment while the jornalero has children to feed and expenses to pay. In order to survive and make ends meet, most jornaleros submit to the repressive control of foremen even in direct violation of their rights under the law.

The case of Arcadio is a clear example of the violation of workers' rights by mayordomos on a constant basis. Arcadio is a middle-aged jornalero from the state of Oaxaca who has lived in the valley of San Quintin for almost thirty years. Being illiterate and with few options, he left his home state due to a lack of well-paying jobs. Although he was able to find work as an agricultural laborer in his home state, the wages were so low that he struggled just to survive. Through a labor contractor (*enganchador*) he was promised high wages in the valley of San Quintin. Upon arrival, however, he found the conditions to be similar if not worse. "It's the same, you know," he remarked after describing how he left his town and his family in a tropical region of the country to arrive in a new place of supposed opportunity. Upon arrival, however, he found conditions of extreme poverty in a lonesome and hostile desert-like environment. After thirty years of employment as a jornalero in the valley of San Quintin, Arcadio owns a wooden house

without running water that shelters his family of five. He hasn't returned to his hometown since he arrived.

As we sat in Arcadio's living room, he sits before me inside his home with sunglasses on – a result of an accident on the job in which he lost sight in his right eye. Arcadio described to me how he gave his life to his employer and put his sweat and blood into the products he helped produce. These products eventually made their way to supermarket shelves on the “other side,” i.e. the United States, a place he does not know personally but has heard of as a land of many riches. In fact, he worked for the same company, one of the largest agricultural producers in the valley, for ten years. He directly worked under the supervision of the same *ingeniero* for most of the period. Due to his dedication and hard work Arcadio was able to increase his pay and conditions somewhat by rising up into the ranks of those employees on the farm who do not do direct agricultural work like weeding and picking but instead are classified as irrigators or drivers (i.e. “de planta”). Despite his loyalty to his employer and his foreman, however, Arcadio quickly lost his ability to work in a series of sudden and dramatic accidents. The stories that follow are not a composite of various jornaleros. Although certain details about Arcadio have been changed to protect his identity, the accidents all occurred to Arcadio himself. As his wife and a few of his children work for the same agricultural company who denied him his rights to medical treatment and disability, he wishes to protect his identity to prevent retaliation against his family. If his wife and children lose their jobs they will be unable to eat and will likely be blacklisted by the other growers for speaking up thus making the search for alternative employment extremely difficult.

His first accident happened in 2010 when he was on top of a trailer truck helping to unload its contents. He accidentally fell and landed on his feet. His legs suffered the impact and resulted in abrasions. Despite the severe pain, he made it to his feet. Arcadio recounts the episode in which he tried to receive medical attention provided to him under law.

And I said to the engineer, 'Ingeniero, I am going to the seguro [the social security hospital].' And he said to me, 'No. You will heal. Why go to the seguro? There is no reason to go to the seguro.' So I said to him, 'I am going to go, engineer, because I feel pain where I fell and my skin is peeled off here.' 'No,' he said. 'Let it be. Whose going to drive the workers?' he said. I was obligated to move the bus [describing his work as a driver on the farm] as I was all scraped up. That is what happened. A week passed, two weeks...And as I didn't go [to the hospital], I just let it be. I let it be because the engineer was very demanding. He was so demanding that he forced me to drop off the people and work in the field...In fact, this engineer has been really rude with the people because it wasn't just with me, it was with a lot of them.

Arcadio eventually recuperated from his injuries on his own without proper medical attention. Like most jornaleros, accidents on the job are usually treated at home with home remedies or over-the-counter medicine. Through constant care of his wife and learning to live with pain, Arcadio struggled to provide for his family. In 2012 he was hurt again when he was attacked by a swarm of bees used to pollinate crops in the fields. According to Arcadio, he was driving a truck on the farm in order to attend to irrigation issues. He was unaware that the beekeeper had been around earlier to help pollinate the

fields. There were no signs, no warnings, nothing. Arcadio was doing his job when all of a sudden, “I felt the first sting and then came another and another and there was a bunch all over me and one of them stung me in the eye, where the eyeball is, the pupil. I got stung there in the eye.” What follows is his account of his dire need for medical attention that was denied to him by the very same engineer that denied him his right to hospitalization when he fell from the trailer.

[The engineer] did not want me to go to the seguro. The same day that I got stung by the bee he did not want me to go to the seguro. He wouldn't let me go until a week later when I began to lose sight in my eye. Because the day I got stung he didn't want me to go to the seguro. He didn't want me to go to the seguro so that they didn't count it as an accident on the job. Because if I had gone to the seguro that day I would have a pension or maybe they would have fired me. But he didn't want me to and I continued working and with time all these things piled one on top of each other. I got high blood pressure. Because of the bee stings I had high blood pressure. And when I got home I felt like my body was on fire. Because I wasn't stung by just one bee, I was stung by a bunch of bees. And it was a miracle I didn't die that day because bee stings feel horrible. And he didn't want me to go to the seguro at that time. He didn't want me to. It was like Friday of the following week when he finally said, 'Go to the seguro if you feel bad.' But I asked myself, 'Now? For what? Now it will not count as an accident on the job.'

Arcadio eventually sought medical attention at the social security clinic and was authorized to take four days of paid leave. However, the engineer who had signed his authorization papers conveniently lost them. Luckily Arcadio had made copies of the

original unsigned authorization and presented this document to the human resources department of the farm. With reluctance they accepted the unsigned copy en lieu of the original signed copy. Arcadio was given four days paid leave. Arcadio began to learn that he was not granted his rights on the job but instead had to fight for them. Fighting for those rights that should be protected by law, however, risked his employment with the company. He had children to feed and went back to work after his paid leave.

Unfortunately, bad luck and more accidents followed.

In 2016, Arcadio was doing manual labor on the farm filling in some ditches that had filled with water. He was working with a coworker emptying a large wheelbarrow when an unexpected shift in weight caused his coworker to lose control and the wooden arm of the wheelbarrow struck Arcadio in the eye - the same eye that had been stung four years earlier by a bee. Once again, Arcadio asked the same engineer to go to the social security clinic. And once again this same engineer denied him his right to seek medical attention related to an accident on the job. "Ingeniero, I told him," Arcadio recounted. "I think I'm going to the seguro because I don't feel well. They hit me with the wheelbarrow right in the eye." The engineer responded by saying, "Get out of here. Nothing is wrong (Vete. No tienes nada)." Instead, Arcadio was ordered to keep working and clean up plastic waste in a section of the field nearby. Although this was lighter work than filling in ditches with dirt, it did nothing to stop the pain in his eye.

Arcadio was unable to deal with the pain but keep working. As the engineer refused to take him to the clinic, Arcadio walked off the farm towards the highway in order to find his own way to the clinic. The engineer witnessed his refusal to work and saw him walking away. After walking about a kilometer of distance, the engineer swung

by in his pick up truck and offered to help Arcadio. Instead of taking him to the clinic, however, the engineer left Arcadio on the highway in front of the farm and returned to his work leaving the injured jornalero to find his own way to the clinic. Arcadio had to walk to the clinic with the extreme pain of his injured eye. Arriving at the clinic they treated his eye and gave him one day of incapacity. The doctor put down on his medical forms “possible work related injury.” Since the engineer denied that the accident happened on the farm, the human resources department of the company validated the opinion of the engineer and Arcadio was denied workers compensation for injury on the job. Soon after the accident, Arcadio lost sight in his right eye completely.

Arcadio does not blame the company; he blames the various people that make up the diverse areas of the company. However, he does point out that employees want to save the company money so that they look good in the eyes of their supervisor and maintain their employment. Most of the direct mistreatment of jornaleros comes from mayordomos. Speaking of his employer, who unfortunately needs to remain nameless in order to protect Arcadio’s identity, “Lo tratan de matar a uno siempre. (They are always trying to kill you).” In a conversation with Arcadio and his wife they mention how it was worse for those who didn’t speak up as those who don’t are subject to extreme mistreatment and overwork. But there is a catch. If you don’t defend yourself, his wife exclaimed, you get mistreated. However, if you do defend yourself you end up on a list and risk losing your job. I asked Arcadio why, if he was hurt three times on the job, he never fought for his rights and demanded proper medical attention and paid leave. As Arcadio slunk backwards into his chair in a physical gesture of acceptance of exploitation, his wife demonstrated her anger and frustration by answering for him.

“Because he always wanted to keep his job. In fact, I kept telling him, ‘Go to the clinic, go to the clinic.’ Mimicking her husband’s reaction every time he was injured she declared for him, “I don’t want to lose my job. I have children to feed.” After a deep breath expressing her exasperation his wife continued, “And now I tell him, ‘Look now. Now who can help me? Now I have to feed all of our children by myself. If you wouldn’t have paid attention to the engineer you might have lost your job but not your eye.”

When asked why his union, the Confederación Regional de Obreros Mexicanos (CROM), did not help in this situation Arcadio replied the following: “Well the union is part of the company. It doesn’t help the workers. The company put the union in place.” In fact, Arcadio never even went to his union to seek aid in his case. “They don’t do good things. All the time they do things for the company, no one else.” If there is some kind of dispute on the job the union shows up and the workers are fired, according to Arcadio. “That’s the only thing they are good at,” Arcadio declares, “firing the workers. But aiding the people that genuinely need help no. Because the people in the union are paid by the company.” As the union on the farm protects the interests of the company and not the workers, there is no one to defend the rights of the workers even in clear cases of the violation of their rights. Neither has Arcadio sought legal help. He has been negotiating with the company the possibility of receiving a temporary pension and fears that a lawsuit might jeopardize his chance. Arcadio is still awaiting his pension, however.

ELDERLY FARMWORKERS: LIVING WITHOUT SOCIAL SECURITY BENEFITS AND DEPENDING ON KIN NETWORKS

In San Quintin and elsewhere , workers are disposable. A migrant farmworker from the interior of the country arrives in valley of San Quintin with nothing but the shirt on his or her back. The jornalero or jornalera works all of their lives under the sun, growing, pruning, and harvesting crops they will never be able to afford. The jornalero starts off working young and if injury, illness or untimely death do not intervene, the jornalero works well into old age. There is no other choice. Given the fact that the jornalero was paid the “integrated salary” in which benefits were paid in cash, despite possibly working for the same employer for two, five, ten or even twenty years, the jornalero does not benefit from the legal protections and retirement benefits legally enshrined in the Mexican constitution and the federal labor law. Because the worker was disposable, when the jornalero’s body collapses or cripples due to old age and physical deterioration due to hard work there is no other way to earn a living. There are few elderly jornaleros in San Quintin because they have all suffered long-term injuries and disabilities. There are literally tens of thousands of young bodies who in a few short years will turn into old bodies due to exertion and strain. Elderly jornaleros are maintained by family members (if they have them) or shipped off to their communities of origin to tend to their small plots of corn and beans (if they haven’t lost their land or their right to access their land due to their long absence). Some have no one to care for them and nowhere to go.

Although the reforms to the Social Security Law of 1997 incorporated seasonal migrant workers as beneficiaries to help them in old age, real structural barriers exist to

their ability to access these benefits. For example, the social security law requires the average worker to be employed a minimum of 1,250 “semanas cotizadas” (or weekly contributions deducted from the paycheck) in order to be eligible for pension and 750 weeks of for eligibility to medical care in retirement. However, even if growers met their legal obligations by enrolling their employees with the social security system – which most don’t – it is extremely difficult for a seasonal agricultural worker to accumulate enough weeks to even be eligible. While the average worker needs to be employed twenty-four years to gain access to a retirement pension, a jornalero who is employed six months of the year would need to work forty-eight years. For eligibility to medical services in retirement the average worker needs to accumulate 250 weeks, or five years of continuous employment. For a jornalero working six months of the year this means ten years (Ortiz 2009: 24)

To work all of one’s life and be excluded from social security law and the benefits it accrues entails grueling poverty with little support. The outcomes for elderly farmworkers depends not on the safety net provided by their retirement after years of hard work – there is no retirement – but instead their ability to harness kin networks, church groups, charity organizations and the humiliation of begging on the street. The experiences of male and female farmworkers differ dramatically, but in many cases their outcomes are similar. This section will analyze the life history of two elderly farmworkers and demonstrate how ethnicity, gender, kinship, violence and labor interact to shape their differential life outcomes after farm work becomes impossible.

Doña Berta is an elderly woman with wrinkled skin who ranges from fits of laughter as she recalls the good portions of her life to intense bouts of tears as she

recounts the hardship she endured. A mestiza woman born into a poor family in San Luis Potosí, she was married off very young to a man who soon left her for another woman. Four years later she married again and had children. However, her new husband drank and was physically abusive. To escape the violence, Doña Berta took her children and looked for a way to work and guarantee their survival. She eventually arrived in the valley of San Quintin near El Rosario and began working in the fields. There she met another man who became her husband. “We came here to Rosario,” she related, “that is where I met my deceased, he was young, and we moved in together. After a while he said to me, ‘down the road we better not leave each other, you don’t leave me and I won’t leave you. We should get married.’ And so we did.” Doña Berta told me stories about how he was a good husband who worked hard and saved money. Both of them worked in the fields and they saved for a lot of land. Together they bought a lot that a grower sold them and they built a little shack. Soon afterwards a baby was born.

Doña Berta worked in the fields when possible, but raising her children was difficult. After approximately fifty years of working in the fields, her husband passed away. His employer at the time, San Marcos, paid for his coffin. At this point in the conversation Doña Berta’s daughter, Leticia, interrupted in order to clarify the events. “My dad worked his whole life in the field, like fifty years,” she declared. When I asked if he was inscribed in the social security system she said he “was given passes, nothing else. He was in the *seguro*. But back then they didn’t give them the good *seguro*, now it seems that this is changing but back then no. My mom didn’t get put into it [the *seguro*]. It wasn’t a good *seguro*, for life, it was just temporary [*eventual*, seasonal or occasional]. That is why she [referring to her mom] doesn’t have a pension or anything.”

Doña Berta's husband worked around fifty years in the field, the majority of them in Rancho Los Pinos and Rancho San Marcos, but was always categorized as "eventual" – seasonal, temporary, in other words, disposable. Doña Berta survived after her husband's death by preparing *lonche* (meals, or lunch) for the workers in the field until her children were old enough to take care of her. If her husband had *cotizado*, or had been registered correctly in the social security administration with the correct number of hours worked throughout his life, Doña Berta would have the right to a small pension. However, even if a jornalero works for fifty years for the same company and has "cotizado" correctly, given the miserable wages such pension would amount to very little – not much more than a thousand pesos a month. While not extravagant, it would provide for food. Since she does not have the right to her husband's non-existent pension, Doña Berta survives off of government aid given to senior citizens called the "Sixty and Older (Sesenta y Más)". Her daughter Leticia's husband, a jornalero himself, supports the whole family – including Doña Berta and her two grandchildren. The family of five survives off of the husband's paycheck – roughly two to three thousand pesos a month depending on what can be earned by piece rate.

After saying goodbye to Doña Berta, Leticia walked us to the fence surrounding her house where she tried desperately to make the desert soil bloom in a little garden patch. "Did you go see Don Juan yet?," she asked. "Don Juan?" I responded back not knowing who she was referring to. "The neighbor down the street. He worked a long time." Leticia pointed to a small shack down the street where I had visited a number of times but without luck. Don Juan was an elderly Triqui man who survives off the same government pension for the elderly and sometimes the kindness of his neighbors and a

local church. Every day Don Juan, at his seventy-eight years of age, takes the bus to the center of the Lázaro Cardenas neighborhood to beg for change or sell candies on the streets, which is why I was never able to locate him at home during the day. The old man never stopped working a day in his life. “He is old and lives alone. Nobody helps him. He just has his assistance like my mom, but he lives alone and doesn’t have anybody,” Leticia remarked with a look of sadness. “Nobody?” I asked innocently. “No,” she responded. “He just sits there all alone. He has a hard time, the poor thing.” Leticia explained to us that Don Juan worked most of his life in Rancho Los Pinos. “I remember because when I used to work I used to work with him. I was a *chamaquita*, a small kid, and he was strong, *macicito*. But now that they fired him and they didn’t given him his retirement or anything, he just ended up poor and alone.”

I had made various attempts at contacting Don Juan as my contacts in the neighborhood insisted that I heard his story. The problem was that Don Juan was an elderly Triqui man who spoke little Spanish. Don Juan was not just old, poor and destitute, he was largely defenseless because of his lack of Spanish language ability. He had children and relatives but hadn’t heard from them in a number of years. Sometimes a couple of his *paisanos* [people from the same place of origin] would come to visit him and chat with him in his native language. Whereas Doña Berta highlighted the ways that elderly farmworker women are oftentimes left to survive off of the goodwill of family members, be that a husband or a child, the lot of Don Juan was fairly typical of individual men who migrate to northern Mexico to work in the fields. Although possessing ties to growers, *mayordomos*, *paisanos*, and friends and family, many of these ties are superficial or temporary. In his case Don Juan has a wife back in Juxtlahuaca and three

children - one in Copala with his wife, one in Tijuana and another in the United States. Don Juan said his reason for leaving the last time and never returning to his home community or even to the district seat of Juxtlahuaca was that due to the political divisions in which he was forced to choose sides. He was on the losing end of those conflicts and claims he could not go back because he was a wanted man by the other side of the conflict.

Don Juan, being an indigenous Triqui male from San Juan Copala in the state of Oaxaca in southern Mexico, had somewhat different reasons for “migrating” than those of Doña Berta, a mestiza woman from central Mexico. Both fled certain forms of violence; but whereas Doña Berta fled domestic violence, don Juan fled violent political and agrarian conflicts between non-state actors like rival communities and between communities and the state. For Doña Berta establishing a new life in the global agrarian enclave of San Quintin allowed a chance to start over and begin a new family. However, destitute she is given the death of her husband and the lack of a pension for either of them, it is thanks to these kin networks that were formed in the valley that she is alive and taken care of. For don Juan, exile was a space of peace far from the conflicts in which his neighbors, friends and family were involved. However, fleeing this violence, undertaking seasonal migration and eventually settling down in San Quintin without options to return to his place of origin meant the dissolution of the majority of the ties and networks that allow for survival – including ties of blood and family.

When I finally found Don Juan in his little shack I was accompanied by Rosa Elia, a friend who was also one of my first Triqui language instructors. In preparing for the meeting, Rosa Elia donned her red and black *huipil* (traditional dress) that marked her

identity as a person from the Triqui Baja region. Arriving at the house, we called for Don Juan from the street. At first we heard no response but went around the corner of the house and found him in his wheelchair sitting in the shade of a tree staring off into the distance. As Rosa Elia and I approached him asking permission to enter his property, his eyes lit up when he glanced upon Rosa Elia's clothing. We saluted Don Juan in Triqui and asked permission to talk to him for a while. Delighted at the company and at being able to speak Triqui with Rosa Elia, as well as being amused at my attempts to communicate with him in his own language, he brought us into his humble, one-room shack where lived.

Don Juan was born in 1940 in a small village near San Juan Copala, in the district of Juxtlahuaca, Oaxaca. Don Juan began migrating seasonally and only occasionally between San Juan Copala and San Quintin. He worked like any other jornalero and made around a hundred pesos a week. Eventually, seasonal migration turned into permanent exile. Roughly thirty-five years ago don Juan left his hometown for the very last time and stayed permanently in the valley of San Quintin. He settled in the migrant camp called "Las Pulgas" (i.e., the "fleas") on the property of Rancho Los Pinos. On this industrial farm he worked in the tomato, cucumber, zucchini squash and cauliflower harvests. In the prime of his working years he was able to buy his small plot of land to put up his one-room, wooden house, the same one we were sitting inside.

Don Juan worked in Los Pinos for forty years and a mere twenty years ago he was first registered in the social security system for the first time. However, he was classified as "eventual" - a temporary or seasonal employee - and was given passes when necessary to gain access to a doctor. However, he was never fully registered in the social security

system (i.e. he never could “cotizar”) and thus lacked a pension in his old age when at last he was fired from Los Pinos. Don Juan suffers from diabetes, or at least that is what he understood the doctor to say. The money he obtains through begging on the street and through government assistance goes towards food and medicines, but it is not enough. Don Juan needs three insulin injections on a daily basis to treat his diabetes. Given his economic situation, he buys the injections when he earns enough money from begging. Don Juan also suffers from pains across his whole body from years of stoop labor in the fields. As his doctor does not speak Triqui and he could not find an interpreter to accompany him, these pains have gone unaddressed and Don Juan suffers in silence.

CONCLUSION: IMPUNITY REIGNS

After the grower Francisco Zaragoza denied responsibility and ended the phone call, Lorenzo Rodríguez consulted the workers as to how they wished to proceed. “Huddle up. Compañeros,” Lorenzo declared. “We spoke to Mr. Flores and Mr. Zaragoza and as you know we made our best effort to open a dialogue in order to talk and negotiate and come to an agreement. We want to hear what you have to say.” Lorenzo was interrupted by a number of the workers. “We want to reach an agreement,” a number of workers resounded. “This is what we want as well. And if we can’t resolve anything we will have to proceed,” Lorenzo remarked. And by proceeding he meant seeking the intervention of the Social Security Institute to fine the grower Francisco Zaragoza in order to achieve compensation for the workers.

Lorenzo continued,

I told him that the fine he will have to pay to social security, we are talking around two hundred thousand pesos, up to three thousand pesos [per person]. But this money is going directly to the social security administration and he would still have to pay for the medical treatment of those injured in the accident, give them workman's compensation benefits while they can't work until they recuperate, and so on. We tried to make a deal. We understand that he is a small producer and we tried to avoid proceeding with legal action. Through reaching a deal he could come out of this spending less money and being less affected. If this wasn't a small business we would have, believe me, we would have acted in a different manner because we know which companies have money and have the means. This company is small and a fine of three hundred thousand pesos...

"It would bankrupt him," a worker exclaimed. "It would bankrupt him. Correct," Lorenzo continued. He explained the situation to the workers and, given that the grower closed the door on the negotiations, Lorenzo offered to take legal action against him. He asked if the workers were in agreement and the workers claimed they were all in agreement.

Lorenzo Rodríguez Jiménez and the SINDJA union, in collaboration with community liaison Librado López, divided the ensuing struggle into two parts. The first was pressure the social security administration to force them to attend to the medical needs of the workers despite their employer not inscribing them into the system. As related previously in this chapter, the union's efforts were successful – the workers were fully processed and attended to at the IMSS hospital. The second aspect of the struggle, to pursue legal action against the grower Francisco Zaragoza for damages and evading social security law, was not successful.

For weeks, members of the union sought to provide Francisco Zaragoza with an order to appear in court to face charges. However, Zaragoza was nowhere to be found. The address he had provided to the social security administration turned out to be incorrect or had at some point changed. Zaragoza went into hiding and there was no enforcement on the part of the administration. Legal action against the grower was impossible. Despite this fact, Lorenzo argued that the combined action of the union and the workers was a success. “No one had ever denounced, no one had ever said anything, no one had ever dared to say or inform anyone about the tragic events that had occurred and how these people were left to their luck.”

Agricultural workers suffer high levels of marginalization, malnutrition, extreme poverty, social exclusion, exposure to pesticides and chemicals, and high chance of injury. Growers argue that the high investment and low profit margins of agricultural production does not allow enough financial overhead or administrative capacity to incorporate a constantly changing and temporary labor force into the social security system. María Teresa Guerra Ochoa (2007), however, argues that agriculturalists as a class evade their responsibility given that they receive protection from the state and federal government. Given the evasion of responsibilities of the agriculturalists and the complicity of the state, seasonal and settled agricultural workers are denied basic rights like sick leave, workman’s compensation, seniority (*prima de antigüedad*), profit sharing (*reparto de utilidades*), vacation pay, Christmas bonus (*aguinaldo*), pensions, and retirement – the majority of rights enshrined under federal labor and social security law. The only basic right they are provided, and not in all cases, is medical attention during their period of employment and not beyond. The temporary and seasonal employment is

seen as the reason for the exclusion of agricultural workers from the most basic rights and protections granted to the majority of other workers.

Veronica Montes de Oca (2001: 611) emphasizes a gendered and generational analysis to understand the exclusion of important sectors of Mexican society from social security protections. To these two points of analysis it is important to also privilege an ethnic/racial analysis and an analysis of colonial/capitalist relations. The jornalero population throughout Mexico is characterized by its condition of indigenous and campesino origin. The structural disadvantages of being an indigenous campesino unaffiliated with the large corporatist campesino organizations means that literally from birth to death there is little to no coverage or protection by the social security administration. Although some may have limited access to the rural health clinics and hospitals constructed by the social security administration, the ethnographic findings among jornaleros in the valley of San Quintin demonstrate the structural disadvantages of access to such health care services. This leaves large populations of indigenous male, female, and child workers in situations of extreme precarity from birth to death.

The justification for the disposability of migrant farm workers often rests on their supposed “seasonal” or “temporary” nature. However, as we have also seen, farm labor is a year-round activity in global agrarian enclaves like the valley of San Quintin. As Sara María Lara Flores (2008: 32) argues

The restructuring of production that has taken place in the greater part of the productive sectors, above all those oriented to exportation, have led to the introduction of cutting-edge technologies, as much in the process of production as in that of packing and preparation, which allows freedom from seasonal

constrains or year-long production. That is to say, companies can function the whole year given their ability to shorten or lengthen the agricultural cycle.

Because of this a permanent demand for workers is created, but hired only on a seasonal or intermittent basis, creating the figure of the ‘permanent seasonal’ worker or ‘permanent discontinuity.’

Permanently settled jornaleros in the valley work around ten months a year on average in different crops, sometimes on the same farm and sometimes for different employers.

Although a large seasonal labor force joins them during peak growing periods, the “temporary” and “seasonal” nature of their work is also an imposed category with which agricultural producers avoid responsibility. Through structuring agricultural production and organizing labor in order to maximize the labor potential of the jornaleros and the profit margin of the products that are produced, jornaleros are kept in semi-permanent temporality or seasonality. Although their labor is almost a year-round activity, their rights and dignity are curtailed, as they are forced into categories of seasonal or migrant.

CHAPTER V

MUJERES SIN ROSTRO:

THE FEMINIZATION OF MIGRATION, FARM LABOR, AND SOCIAL AND ECONOMIC PRECARIETY IN CONDITIONS OF MULTIPLE FORMS OF VIOLENCE

“Upon migrating here [to the valley of San Quintín],” Isabela,²⁵ an outspoken indigenous farmworker woman activist related that, “women began to cover their face. It is because of this that female farmworkers [jornaleras] have no face.” Isabela argued that “The jornalera women that work in different companies work together but often times do not know each others’ faces because they cover them with handkerchiefs so that their husbands don’t get jealous, so that the chemicals don’t do them damage, so that mud does not fall upon them or touch their skin...” Isabela paused before completing her sentence: “...but they also cover their face because of violence.” This chapter is an examination of gender, family, and labor in conditions of extreme precarity. It attempts to understand the multiple forms of violence and oppression faced by indigenous farmworker (jornalera) women both on the job and in migrant settlement communities. As demonstrated in previous chapters, the lives of indigenous migrant farmworkers are fraught with difficulties – extremely low pay, long hours, horrible conditions, and systemic violation of their labor and human rights. If the lives of male jornaleros is difficult, the lives of jornalero women are doubly or triply so.

Guatemalan Maya-Kachiquel anthropologist Aura Cumes argues that multiple forms of domination subject indigenous women to the “colonial-patriarchal” system that

²⁵ The names of the farmworkers in this chapter are pseudonyms.

is composed of a “chain of subordination” in which indigenous and afrodescendent women find themselves at the bottom. Understanding this chain of subordination will allow us to understand the multiple forms of violence that indigenous migrant women farmworkers face. Gender-based violence – abuse, neglect, rape, labor exploitation, sexual harassment, etc. – is often seen to exist on a continuum. For Shannon Speed (2014: 79), however, the violence women face is not to be seen on a continuum where women’s ethnic, racial, class, and national differences are erased. Speed instead posits that violence against indigenous migrant women is “multi-layered, inter-related, and mutually-constitutive of the myriad forms of violence” to which they are subject. Nor can violence against indigenous women neatly be categorized as public or private, as Lynn Stephen (2019) argues, given the difficulty of separating state and non-state actors in violent contexts of colonial domination. Stephen as well as argues that this violence must be seen in a transnational and transborder perspective as indigenous migrant women crisscross multiple borders in the context of migration. Finally, Speed (2019: 283) argues that the states and economies that indigenous migrant women traverse must be brought into focus as “violent, corrupt, and functionally lawless states [that] are driven by profit motives in massive scale illegal economies that lack any reasonable regulation or protection of basic rights.” Although Speed argues that these economies include human trafficking and mass incarceration, the following chapter will demonstrate that what she describes as “neoliberal multicriminalism” should include oppressive and unregulated labor regimes like those of the global agricultural enclave of San Quintín.

If there is one thing that symbolizes jornalera women in the valley of San Quintín and other global agrarian enclaves in Mexico it is their covered bodies and faces. From

the time they leave their home to the time they arrive again at night, jornaleras cover their faces with *paños* (fitted bandanas) and cover their waist and thighs with pants and an overlying skirt. This excess of clothing is both a symbol of the oppression of farmworker women as well as marker of their resistance to the multiple forms of violence they suffer. As Isabela stated in the quote at the top of the page, indigenous female migrant farmworkers are women without a face because they are systematically denied their rights and dignity by overarching systems of power and domination that have changed little in over five hundred years. Yet women are not passive victims, either. Women jornaleras are active in the defense of their rights in the home, in the fields, and in their communities. The jornalero movement of 2015, for example, marked a watershed for migrant farmworker rights and for the first time put women's demands into the spotlight.



Figure 12. Female farmworker (jornalera). Photo by author.

Working in the valley of San Quintín presented serious challenges as a foreign, male researcher given the environment of extreme machismo that permeates the lives of proletarianized indigenous farmworkers. Given the distrust, fear, and extreme necessity in which jornaleros live given employer retaliation, blacklisting, and other forms of abuse, few jornaleros wanted to give an interview to a stranger without the support and encouragement of a local leader or resident. In the case of interviewing farmworker women this was even more so given the intense surveillance of husbands and family members. If it was possible, I tried to interview female jornaleras in the presence of other women. Many times these women were local indigenous or labor rights activists. Sometimes, however, I interviewed women accompanied by a husband, brother, or other relative. In the one hundred and forty interviews I conducted for this research, fifty-eight of them were with jornalera women. While I had originally hoped for a more equitable distribution, the difficulties mentioned above limited my ability to conduct more interviews with jornaleras.

One of the episodes that most displays the difficulty in uncovering the gender-based violence and exploitation that female farmworkers suffer was the constant surveillance of male family members, especially husbands. In one case I accompanied a local female labor leader and fluent Mixteco speaker, who I will call Elisa, to the house of an injured jornalero. The jornalero had lost his ability to work due to an injury on the job for which the company did not take responsibility. After interviewing the injured male, his wife entered the house as she arrived from work. The wife willingly granted an interview, as she was able to express her frustration at having to raise a family of four children and take care of her now handicapped husband while earning the meager salary

of a farmworker. As the interview developed, I began to ask about specific issues related to female farmworkers. When I asked if she had ever suffered any kind of violence in the fields or at home, she quickly looked at her husband, looked back at me and matter-of-factly stated “no.” Both Elisa and I knew that this was a lie that needed to be told given the presence of her husband. What we didn’t know were the details.

Upon exiting the residence, we stayed in the neighborhood the rest of the day trying to find further people willing to be interviewed. Elisa had a sister who runs an *abarrotes* (a general store) in the neighborhood and so we went to buy a “soda,” as soft drinks are called in the Spanglish of northern Mexico. Elisa remarked to her sister about the case of the injured jornalero. Elisa’s sister felt little sympathy for the worker as she explained that before his injury he was famous in the neighborhood for annual bouts of drunkenness, adultery, and occasional domestic violence. Not only did this piece of gossip alert me to the hidden meaning behind the quick glance at her husband, it also opened my eyes to the fact that this abuse was a common experience of female farmworkers in the valley.

Trying to navigate personal and professional relationships with both women and men in the valley was difficult. However, my interest in farmworker women’s experiences led me to meet and work with a small number of powerful, well-spoken women leaders who to this day play an active part in the protection of women’s rights and farmworkers’ rights in general. It was these women leaders who helped me navigate the gender, cultural, and linguistic differences between the farmworker women and myself. The respect and authority that they commanded from jornaleras was well earned as they had given selflessly to the cause of their compatriots and this helped open a

number of doors for me. With these women I undertook countless interviews and began to understand the jornalero movement from a different perspective.

Feminist scholars in Mexico have directly linked femicides and other forms of gender based violence in urban maquiladora centers like those of Ciudad Juarez as a direct consequence of the systemic violence of the neoliberalized global economy (Cacho Niño 2015; Mercedes Olivera 2006). There exists a “range of violations of women’s human rights – a direct and extreme expression of economic, political, social and gender violence that is structural in nature,” as Mercedes Olivera (2006: 105) argues. Although femicides are as of yet uncommon in San Quintín, the violence lived among poor migrant farm workers emanates from recent global economic changes as they interact with historically entrenched inequalities at the national, regional, and local level. The systemic nature of this violence is encapsulated in the multiple forms of violence exercised against indigenous migrant farmworker women in their communities of origin, in the migratory process, and in their settlements in global agricultural enclaves in distinct but interrelated forms: structural, institutional, communitarian, labor, sexual, and gender-based. However, as Sara Maria Lara Flores (2003: 391) argues, migration and settlement also reorder gendered social relations and create spaces for resistance that allow women to create sites and relationships of solidarity and resistance uncommon in their communities of origin. To highlight this process of creating new relationships of solidarity between women, I highlight the lives and struggles of two jornalera leaders that demonstrate their capacity for reflection and action against the onslaught of economic, psychological, and physical violence that jornalera women suffer.

ONGOING COLONIALITY OF LABOR AND GENDER: THE RACIALIZED AND GENDERED DIVISION OF LABOR IN FARM LABOR IN GLOBALIZED EXPORT AGRICULTURAL PRODUCTION

In a series of publications in the 1970s, Mercedes Olivera took the first steps towards a feminist anthropology that shed light on the particular forms of domination of indigenous women (Castañeda Salgado 2012: 39). Although not exactly the terms utilized by Olivera, her work contributed to the now common understanding of the triple oppression of indigenous women: that of gender, class, and ethnicity/race. For the first time in substantial form, indigenous women's experiences of oppression and their forms of resistance were highlighted as historically, socially, culturally, and economically distinct.

By now, the concept of the triple oppression of indigenous women is commonplace – so much so that the agency of indigenous women against these oppressions is largely obfuscated. Sylvia Marcos (2005:81) argues that most writing on indigenous women (including feminist discourses) portray indigenous women as powerless victims of male dominance and submissive subjects to patriarchal oppression rooted in their indigenous cultural background. Because of this, Aura Cumes (2012: 6) argues against a simple reductionism in relation to the idea of the triple oppression. “The proposal is other,” Cumes argues. “[I]t is that of understanding how the forms of domination interact, fuse, and create interdependencies.”

Unlike its white, hegemonic counterpart, women of color feminism in the global north has sought to understand gender oppression in conjunction with that of race and class. The Combahee River Collective (1986) spoke of the “manifold and simultaneous

oppressions” that are “interlocking” according to Patricia Hill Collins (2000: 227). Kimberle Crenshaw (1989) proposed the term “intersectionality” to refer to the “multidimensionality” of the oppression of Black women due to the intersection of race and gender as opposed to a “single categorical axis” those of universal (white) womanhood. However, as Mara Viveros Vigoya (5) argues, intersectionality is now “the most widespread feminist trope to speak of multiple and interdependent identities or inequalities” in the English speaking world and has lost much of its power of explanation. Viveros Vigoya thus argues that for intersectionality to be relevant to the Latin American context it must be situated historically, locally, and contextually in order to avoid becoming yet another theoretical imposition like that of hegemonic feminism. For intersectionality to take into account the experience of indigenous women, feminist academics and activists like Sylvia Marcos (2013: 149) argue for a decolonized feminist epistemology. Thus, in the context of Latin America, the concepts of colonialism, coloniality, and decolonization become key ideas from which to de-center and reconstruct an indigenous feminist epistemology.

For Aura Cumes (2012: 6-9), colonialism cannot be divorced from patriarchal oppression nor patriarchy from colonialism. Due to the ongoing condition of coloniality in which indigenous peoples are immersed, patriarchal control of indigenous men over indigenous women is often linked to essentialist claims of indigenous nature – that machismo is a fundamental part of indigenous culture and that indigenous women are inherently subordinate. Cumes disputes such forms of racialization and instead points to the patriarchal forms of oppression upon which colonial control was based. Although there exist debates on whether or not male and female gender roles and patriarchal forms

of domination are universal and thus preexistent in the Americans before European colonialism (see Lugones 2007 and 2008, for example), feminist anthropologist Rita Laura Segato (2015) argues for the existence of the category of gender and a “low intensity patriarchy” in which manifold, diverse and fluid gender relations pre-existing European colonialism were usurped and made extremely more rigid and determinant within the logic of the episteme of coloniality.

Aura Cumes (2012) thus speaks of a “chain of subordination” established by multiple forms of domination, which she labels the “colonial-patriarchal” system. At the very bottom of this chain are indigenous and afrodescendent women who are subordinated by men of color who are in turn dominated by white women. At the top of the chain of oppression are white men who dominate all others. According to Aura Cumes (2012: 2),

But the colonial [difference] cannot be reduced to ethnic domination, and instead covers other fields of difference, like gender and social class through which inequalities are inscribed. Because of this, when women speak of their experiences of discrimination, they evidence the interconnection or difficult separation of the variables of ethnicity/race, sex/gender and social class. In their daily lives it is difficult to separate the things they suffer exclusively as women and specifically as indigenous.

The forms of racial/ethnic, gender, and class oppression continually operate through the division of labor in the modern/colonial world system. Colonial mechanisms of racialization operate as an organizational principle behind the contemporary organization of labor and the reasons behind massive migration and displacement

(Gutiérrez-Rodríguez 2010). The patriarchal family was imposed with colonialism along with capitalist relations disinheriting the indigenous nations – and especially women – through a process that largely ended collective, communal, and other forms of property ownership. Women were largely relegated into the supposed domestic sphere (especially women from the popular classes); contrasted by the participation of men in the public sphere. Thus the labor of women in the domestic space is socially productive yet invisible and thus unrewarded economically and stigmatized (Korol 2016: 92).

One of the main reasons for the migration of indigenous and campesina women is the relative lack of land ownership compared to men. A main cause of rural to rural or rural to urban migration in Latin America is related to the crisis of small peasant family production (Arizpe, Lourdes and Josefina Aranda. 1981: 456; Olivera and Furio 2006: 109). For example, Lara Flores (2003: 384) argues that in Mexico, women play less of role in agricultural production. She cites that only 9.2% of women are agriculturalists as opposed to twenty percent for that of men. However, when women work in agriculture, 90% are salaried agricultural workers given that only ten percent of women are agricultural producers who own their own land or business.

Sara María Lara Flores (2003: 382) argues women occupy the most precarious positions in the Mexican rural economy. This is due to the structural makeup of Mexican society that places certain populations – based around divisions of race, ethnicity, gender, and place of origin – in relations of domination, exploitation, and violence. These hierarchies are played out both between groups and within groups. It is, according to Sara Maria Lara Flores (2003: 382) “A domination that is inscribed in the gendered and racialized [sexuados y etnicizados] bodies of the workers, which legitimates not only the

place they occupy on the job but also in society.” I now continue with the stories of two women agricultural workers whose lives and bodies are inscribed in an intersectional continuum of real and symbolic violence.

ISABELA: WOMAN WARRIOR

Now a wife and mother of three children born in the valley of San Quintín, Isabela was born into poverty near Juxtlahuaca in the Mixteca region of Oaxaca. She was one of six children born to indigenous campesinos. Due to the miserable economic conditions of her hometown, Isabela and her family migrated to many of the most important global agricultural enclaves in northern Mexico – Sonora, Sinaloa, and Hermosillo. As a child she worked in crops such as grapes, zucchini squash, peaches, walnuts, and even in a seafood packing plant. “At twelve I began to work; my first job in Sonora was ‘mochoma,’ as they call it. What the ‘mochomo’ does is apply a little bit of powder to kill the ants so that they don’t eat the new twigs of the grape.” Isabela eventually arrived in the valley of San Quintin where her family settled and worked in the tomato harvest. “I was about thirteen years old,” she recalls.

I worked in the tomatoes. [I did] all the different tasks in what is the tomato growing and harvesting because in the ‘90s the only thing here in San Quintín was tomato, cucumber, and zucchini. There was some strawberry as well but there weren’t as many berries as there are now. The most common crop was tomato at this time and the fields were much larger than they are now.

Isabela worked in Los Pinos and was paid twenty cents from a peso for each 20-liter bucket of tomatoes during harvest. Today the farm is paying roughly one peso and fifty cents for the same quantity. “It hasn’t changed much,” she declared. “Not at all.”

Isabela arrived before the massive exit of jornaleros from the camps to the makeshift neighborhoods and thus spent many years living in the camp called “Las Pulgas” (the Fleas). “It is a very famous camp,” she claimed, “because it had more than ten thousand jornaleros residing there.” She describes how she was still living there in 2005 when the company closed it down.

This camp was made up of large *galeras* [rooms]. It had one room next to the other and they were made of sheet metal. Many were made of metal, made of pure sheet metal, the roof and everything; others were made of sheet metal and the roof was made of cardboard, a black cardboard. In one room lived a complete family. The room was four by four meters and sometimes a family was quite numerous, more than eight or ten persons lived there. In other words, there wasn't any room. There were only eight bathrooms and they were for the whole camp. So to bathe we had to line up. The toilet facilities were dug out by machine and they put the toilet on top and all the excrement was open-air. In other words you went to the bathroom and you could see it all...In times of heat there were a lot of flies...The children went to the bathroom wherever...

Life in the migrant camps were difficult given the lack of privacy and the lack of social cohesion among people brought from many different parts of the country who did not necessarily speak the same language or share common affinities. Gender relations were strained as married wives and children had to share common spaces with single men. These common spaces were often times dangerous places for women as they were subject to sexual harassment, abuse, and violence. Isabela describes how,

In these bathrooms there occurred a lot of rapes, sexual abuses on the part of...because there were rooms of single men that were working unaccompanied, that didn't bring their wife, and many times they raped the young girls or the women in the bathrooms, either in the bathrooms to bathe or the bathrooms to relieve oneself...Here in San Quintín it is like the law didn't exist...Imagine. In the nineties how was there to be justice if now things are more civilized and there still isn't any [justice]?

In this camp I saw a lot of murders, a lot of rapes, a lot of beatings. It was a place where everyone fought every day. It was a place where everyday one, two, three or various women were raped and of which no one knew anything. The older women say that the women had to just live with their shame because they couldn't say anything to anyone.

For men, the camps weren't free of violence, either. Although there is less evidence of sexual assault and violence occurring between men, the camps were places where physical violence among men was common place. While the cramped living spaces and the intense competition for extremely low wages facilitated violence, the few instances of rest or diversion in the camps became liminal spaces for outbreaks of violence, especially given the presence of alcohol. Events such as dances also became grounds for competition among men over women with resulting violent episodes. Isabela continues:

There were dances on the weekends. Saturdays and Sundays. And by morning someone had died. Dead bodies that sometimes had no relatives, and we don't even know what happened to them. Today I ask myself where they ended up,

where they are. So many people that were murdered there in the Las Pulgas camp and now I ask myself where they are. They are sons of someone who may be searching for them for many years and never found them because they died in a place where no one gave them a name and instead died unknown. I was young, like thirteen or fourteen years old, and I saw someone die each weekend...They are the dead that their family never got to see again or even find.

The closed quarters, the stress of work, and gender relations marked by inequality and enforced through violence also led to episodes of domestic violence. The pervasiveness of domestic violence lent it a quotidian affair in which new generations of migrant farm workers were socialized into accepting it as normal behavior. Isabella describes how this happened:

I experienced a lot of things and heard many more. I heard the beatings among family members because [the rooms] were divided by sheets of metal thin as a mirror... We heard the fights, husbands beating wives, even what they were cooking next door because there was no privacy.

In 2004, Los Pinos sought international certification to export their products and the company razed the camp. Together with the state government, Los Pinos fractioned off a portion of land where the state constructed subsidized housing in what is now called Santa María Los Pinos. Here there is electricity but no water. As the houses are right next to the cultivated fields and shade houses, the wind sprays the community with pesticides and other chemicals. Isabela recounted how this history of pain marked her existence and produced in her a thirst for justice.

Isabela was one of the few women to actively participate as a leader in the jornalero movement of 2015 – a movement led by authoritarian male leaders who Isabela argues are sexist. Indigenous migrant organizing has been slow to fully incorporate indigenous women’s demands and allow spaces for full female participation – especially in leadership positions. Women of the Frente Indígena de Organizaciones Binacionales (Indigenous Front of Binational Organizations), for example, argued that while the organization has improved in addressing women’s participation, “there was a tendency to include women ‘only on paper,’ that is to say nominations and formalization in documents, more so than in organizational practice” (Romero-Hernández et al 2013: 80). These activists and intellectuals noted that women participate amply in the organizational activities of the group but that this participation was “relegated to daily communitarian activities or residential nuclei in places of migration on the local level” (Romero-Hernández et al 2013: 86). While male members of this organization often described women’s “lack of initiative” for leadership, the women argued that the lack of female leadership was often due to restrictions placed on them by male leaders or family members that prohibited their leadership potential (Romero-Hernández et. Al 2013: 87).

As Gisela Espinosa Damián, Esther Ramírez González, and Amalia Tello Torralba (2017) argue, the demands of generations of farmworker leaders had always centered on issues of wages, hours, and conditions – eminently economic demands. Isabela spoke with farmworker women and brought together their demands: education, scholarships for children, economic projects aimed at finding alternative employment for women, etc. However, the main demands of the jornaleras were largely health related. “We women demanded a hospital of specialized medicine because as jornaleros and

jornaleras what we suffer from most are degenerative diseases like cancer or death during pregnancy.” Isabela’s entrance on the political scene in a markedly male space demonstrates that there was no lack of leadership or of organizing on the part of women. What it demonstrates is that this organizing often takes different forms and assumes different logics – one overtly more political and the other more communitarian. “These two types of leadership have different forms of power,” Romero-Hernández et. al (2013: 92) argue. “The greater valuation of one over the other may be reproducing the masculine and colonized vision of the political, where men are in the public and women work in the home or by extension in the communities.” The jornalero organizing of the Alianza in which Isabela struggle to participate, largely reproduced the gendered division of labor in farmworker organizing spaces, hence Isabela’s remark that the leaders were “sexist.”

In fact, the gendered demands of the women for hospitals and specialized medical attention included demands for their husbands - many of whom suffer from prostate diseases but are too “macho” to seek help. “Our husbands never say anything; they prefer to live angry than have to say they suffer from a health problem,” Isabela defiantly declared. Research on masculine identities among migrant workers in both Mexico and the United States point to the idealization of a type masculinity that is detrimental to the health of male workers. Migration and wage labor in conditions of extreme precarity and exploitation create the structural conditions for individuals to embody forms of social suffering (Holmes 2013). Increased vulnerability to injury and illness due to the conditions of farm labor as well as an increasing feminization of labor has reordered masculinities among migrant farmworkers to undertake risky behavior, deny or minimize the importance of injuries, and not seek medical attention when necessary. Instead, men

in these spaces are highly competitive for higher number of crop rows, boxes of fruit, or greater economic bonuses linked to higher levels of individual production. The greater the rendimiento (performance and efficiency), aguante (endurance), and valentia (bravery), the more the male farmworker demonstrates his masculinity in competition with other men as well as women. The fact that this occurs in contexts of low wages and high risks leaves male farmworkers susceptible to injury, illness, and disease (Ayala Carrillo 2007; Calvario Parra 200; Walter, Bourgois and Loinaz 2004).

“Machismo kills them, Isabela argued. “Machismo kills them because they don’t want to recognize that they have a problem or an illness. Not only does ignorance kill us, so does machismo. And this kills women as well. Many women do not seek medical attention because their husbands don’t want them to see a physician.” Isabela describes how it is “jealousy” that prevents them from allowing their wives to see a doctor as it is only the husband that has access to the bodies of “their” women. “They are not only ignorant,” she argues, “but also jealous. They are sick of jealousy and machismo.”

Because of this, for many men I am a *revoltosa* [rebellious person] because I answer back to the compañeros and when I go to the negotiating table I tell them: ‘Compañeros, I am not here to serve you coffee.’ Many compañeras get scared because I am seated and I say ‘Compañero, since you are going to get a coffee, bring me one too, please.’...Because of this I say to my compañeros, ‘I am not your soldadera [a soldadera is a now mythical figure of women who aided their husbands in the Mexican revolution], I am a warrior [guerrera]. I am not your soldadera, I march with you but you don’t carry my voice. I carry my word. I carry my voice.’

By declaring that she was not there to serve the male jornaleros coffee, she demanded equal participation and equal voice in the negotiations.

In fact, thanks to her militancy and the respect she commanded from her fellow jornaleros – both male and female – Isabela played an important part in the negotiations between the Alianza de Organizaciones and the federal government during the strike in 2015. “This was the first proletarian struggle where women were really at the table. Today women are at the table with their very concrete demands and with their real necessities,” she argued. However, it did not take long for the federal government and the growers association to exploit the rifts in the jornalero movement – especially the divisions and tensions caused by charismatic male leaders. “The compañeros from the Misiones [the Alianza was founded by two Triqui men in the neighborhood called las Misiones or Nuevo San Juan Copala] wanted to kick me out of the negotiations on behalf of the jornaleros and jornaleras because they said they spoke for us.” According to Isabela, the Alianza leaders claimed there was no need for women at the negotiating table. However, Isabela defied the male leaders’ claims that they represented the interests and demands of female farmworkers. “Which one of you has had a Papanicolaou [Pap smear]?” Isabela claims to have argued against the male leaders. “Which one of you has had a child? You cannot speak for us. You do not know what we feel. You do not feel the way we do,” she claims to have told them.

In fact, according to Isabela, it was through the insistence of the farmworker women that a demand calling for an end to sexual harassment and assault was added to the demands of the Alianza. Talking about sexual harassment, Isabela admits that it is their fellow jornalero men that are responsible for sexual harassment. “That is why my

compañeros [of the Alianza] got mad when I put on the negotiating table the issues of sexual harassment on the job,” Isabela claims. “Later they took it up as their idea,” Isabela claims, “but when I began to speak of this they said ‘No, this no, we came here about salaries, not that.’”



Figure 13. The “apuntadora” (or checker). Photo by author.

THE FEMINIZATION OF FARM LABOR IN GLOBAL AGRICULTURAL ENCLAVES

According to the most recent survey of the Mexican workforce undertaken by the federal government,²⁶ in 2016 there were a total of 3,011,353 salaried agricultural workers throughout the country of which 305,203 - almost twelve percent - were women.

²⁶ The National Census on Employment and Labor (Encuesta Nacional de Ocupación y Empleo - ENOE). http://www3.inegi.org.mx/sistemas/infoenoe/Default_15mas.aspx?s=est&c=26227&p=0

Baja California, along with fellow border states Sinaloa and Sonora, has one of the highest percentages of female agricultural workers in the country. In 2016, out of a total of 87,387 agricultural workers in Baja California 26,387 - more than thirty percent - were women. This has increased exponentially over the years from 20,308 in 2010 and 18,156 in 2005. The increase in female labor is directly proportional to the increase in recent years to certain crops and agricultural production strategies organized by transnational corporations and includes a move away from crops such as tomatoes and cucumbers and to more delicate fruits such as strawberries, raspberries, blackberries, and blueberries.

The feminization of rural agricultural labor is directly linked to new models of production and distribution that is based on certain forms of comparative advantage – one of the main advantages being a supply of cheap, flexible labor, particularly that of female workers. The employment of women workers in processes of agricultural production is not necessarily a new phenomenon. Women have always dominated certain areas of production – in packing, for example. Female labor was always oriented to quality and presentation and was always the most flexible in terms of instability of work, lower wages, piece rate pay, and seasonal fluctuations (Lara Flores 1995: 18-19). However, the increasing feminization of production in fruit, horticulture, and flower industries is linked to a radical reorganization of production in global agrarian enclaves.

Comparative advantages – the economic idea that differentiated economies should specialize in key products for export in order to maximize profitability – is linked to cheap labor costs that come from women’s economic disadvantages, according to Arizpe and Aranda (1981: 453). The main reason for employing women is that they can be paid much lower than what the law requires, accept unfavorable conditions, and are largely

willing to bend with job flexible employment. Constant turnover among women is important, as it does not obligate the company to pay for maternity, health and injury compensation, and pensions and retirements. It also makes labor organizing more difficult (Arizpe and Aranda 1981: 470). “Thus, the ‘competitive advantages’ of this industry in the international market are closely associated with the ‘comparative disadvantages’ of young, inexperienced, rural women who suffer social, legal, and economic discrimination,” Arizpe and Aranda (1981: 471) argue.

The feminization of agricultural labor is due to the so-called “flexibility” of female workers. Women are routinely fired and rehired given the discontinuous nature of crop cycles and harvests. Women are much more likely to work a number of different crops even within the same company. This allows the company to enjoy a “reserve” of labor to hire when needed and fire when having too many employees reduces the profit margin. Women are also less organized (into unions, community groups, or other forms of solidarity) and thus accept more precarious employment such as informal hiring arrangements, lower pay, seasonality and dangerous conditions (Lara Flores 1995: 29).

There exists a nexus between labor flexibility, precarity, and feminization of labor in global commodity chains. The transnationalization of production and feminization of labor are due to the gender ideologies of work (Reigada Olaizola 2012). Certain jobs are given to women given their presumed natural “abilities.” These include activities that require patience, delicateness, detail, and greater concentration (Becerra Pedraza 2007:108-110). Women are often seen as “naturally fit” for picking berries. Picking is seen as light, delicate, easy, and women are viewed as more patient, with smoother

hands, and a gentler touch. Men are often seen as more brutish and more likely to bruise the fruit (Chollett 2011). As articulately stated by Lara Flores:

This preference for young women has nothing to do with supposed ‘feminine’ qualities to work flowers or vegetables. It is really a mechanism that allows female labor to become a comparative advantage. First, because it takes advantage of a skill that is not recognized and has been acquired within the labor process, even if they rest in ‘tacit’ skills obtain previously by women in domestic labor. Second, because the few alternatives that women have to find work in rural areas, even if they have a high level of education, makes them very flexible labor ready to be hired for short periods at discontinuous hours and paid by piece rate. Third, because they are made responsible for the quality of the products and that these products arrive at the market at the precise moment intensifying their productivity at the cost of physical expense (Lara Flores 1995: 29).

As Lara Flores (1991: 111) argues, the supposed “unskilled” nature of women’s work in salaried agricultural production is a sexist and classist social construction that undermines the important contribution of female labor to the generation of wealth by regarding supposedly natural “feminine” capacities of labor such as delicateness, dexterity, carefulness, endurance, etc. as innate to the feminine sex as opposed to cultural constructed gender roles. Furthermore, Lara Flores argues the lack of supposed skill or training of female workers never includes the knowledge, ability, and experience of housework, motherhood, and childrearing. Many of these skills and abilities ascribed as innately “women’s work” are not seen as valuable on the job market and thus place female workers in inferior positions with lesser wages, fewer benefits, and overall less

opportunity to advance in the workplace when it is exactly these skills that enable women workers to excel in salaried agricultural production. As Reigada (2012: 126-127) argues,

But these sexual ideologies divert attention to determinate factors that are decisive to explain the demand in female labor: the lesser social and labor conflictiveness that is obtained by employing female labor that is less organized and unionized than male labor, the reduction in costs of production as even though equal pay for equal work has been adopted by many agriculturalists the most common form of salary discrimination is due to the fact that men and women do not do the same work for which there are masculine jobs and feminine jobs and masculine salaries and female salaries.

HELENA: FEMALE LABOR LEADER

Helena is a farmworker woman from the central valleys of Oaxaca. When she was young, her abusive father did not let her study because she was a woman and was forced into domestic tasks. “I studied until the third grade of primary school,” Helena remarked. “My father didn’t want women to study.” In order to deny her the right to study, she was sent to live with her grandparents in a more remote community away from the available educational opportunities. She eventually left home to work as a domestic servant at the age of eleven and thus began her first migration. After marrying and starting a family, her husband eventually travelled to the valley of San Quintín to find seasonal work on the advice of cousins who were already settled in the valley. What became a temporary or seasonal search for wage labor turned permanent as the whole family relocated to the

valley. Helena and her loving, supporting husband have three children – one born in Oaxaca and two born in San Quintin.

Helena describes the “enganche” or the deception involved in the recruitment of migrant laborers from Oaxaca to work in the north. Speaking of her experiences in the early 1990s, she described that: “We heard on the radio the offer of employment and that they were hiring whole families. Not just individuals or unmarried persons, but families. They said they offered childcare, that they offered electricity, water, gas, housing and good pay.” Like the majority of other jornaleros who were “enchanchados” (or recruited from their communities), upon arriving in the valley they found the recruiters offered only empty promises.

Once on the bus [en route to San Quintín] we began to realize that it wasn't true what they had promised because they said they were going to give us three meals and no. They didn't give us breakfast, they didn't give us...nothing, just a meal at two in the afternoon and at night nothing! We had to buy food those of us who had money but those who didn't had to do with just one meal a day.

So this is how they hired us. And my husband, because he didn't have a job at the time...and I wasn't working because I had my baby of eight months. So when they said they offered childcare, that they had everything like that, and the wage – above all the wages...It seemed...really ambitious. So we talked about how much we were going to earn and that we weren't going to have to pay water, electricity, gas, or rent and so we thought we would have a salary free of expenses.

They took us to a camp in Punta Colonet. They offered us a little room the size of this [Helena gestured to the one-room house where she lived] and it was our living room, our kitchen, our bedroom, our dining room, everything. It was the only thing they offered us. And yes, they gave us gas, they gave us water and even electricity. But the problem was that afterwards they began to charge us or they deducted these expenses from our salaries.

When possible the majority of jornaleros exited the horrible conditions in their camp and together founded one of the new settlements alongside the transpeninsular highway. Helena and her family paid fifteen thousand pesos plus interests to purchase a property without electricity, water, or other services. They slowly began to construct a house, which the family still occupies. Although Helena was denied an education, she began to study primary and secondary education at night as she raised her children as a housewife. It was through her participation in evangelical churches, however, where Helena began to read, question and have a voice. Although the majority of evangelical churches in the valley are temporary institutions grouped around charismatic and authoritarian male pastors and thus an extension of patriarchal control within local communities, Helena began to read the bible and preach. After the jornalero strike in 2015, her capacity for critical thinking and strong moral fiber led her from the pulpit to labor militancy in the SINDJA union as well as in her community. It was the strike that gave her the courage to try and change the material, and not just spiritual, conditions of her fellow jornaleros.

Helena's primary focus is with jornalera women in the valley. Through talking with Helena, it was possible to understand the psychological barriers – not just the social,

political or economic barriers – that migrant jornalera women face. Besides not speaking Spanish, many of the barriers women face are issues of self-esteem.

There are many obstacles that they confront, but I think that each woman is worth a lot, is really worth a lot, and the idea is to say it out loud. Because if the grandfather told her she was stupid, and the mother told her she was stupid, and now the husband tells her she is stupid and then she goes to work [as a wage laborer in the fields] they also say women are stupid for not hurrying, for not producing enough, so where does it end?

Helena here outlines the discrimination and exclusion that girls and women face in all aspects of life: at home, at work, and in the community. The origin of these forms of exclusion and discrimination that lead to such low levels of self esteem are largely structural in nature, yet embodied by individual women in what Lynn Stephen (2019) titles “gendered embodied structures of violence.” These structures permeate the embodied experience of women and lead to low levels of self worth. Helena spoke of this theme.

So one of the things that they confront, or us as women, is that we are not valued and they do not say nice things to us. They never say ‘you can do it’ or ‘thanks for your work’ or ‘thanks for helping.’ There are husbands who do not even thank their wives for helping in the economy of the home or for taking care of the children given the fact that they are very insensitive, very thoughtless, very hard with them.

I think this this the greatest challenge. To say to the women that they are valued and they have a right to rest, they have the right to have fun, they have the right to know things, they have the right to say ‘today I am not going to cook, someone needs to help me.’ In reality we should all be conscious that the woman is not a slave and she was not born just to give and serve, but also that they serve her and that they help her.

Helena’s militancy forces her to work in spaces that are dominated by male leaders sometimes hostile to female agency. While the SINDJA union has been more receptive to internal critique and female leadership, local indigenous and labor organizations who claim to fight for the rights of indigenous jornalero migrants, including SINDJA, often times force women into submission in less than subtle forms through reproducing the gendered division of activist labor. Given the high rates of feminization of labor in the fields of San Quintín, for a successful labor movement to grow beyond the episode of the general strike of 2015, its success ultimately hinges on whether or not it responds to the needs and demands of women in its organizational base.

WOMEN WITHOUT A FACE: COVERING AMONG FARMWORKERS WOMEN

As a foreign male researcher trying to understand indigenous women’s experiences of suffering, discrimination, and exploitation, it was often difficult to find women with the self-confidence, Spanish language ability, and emotional openness to discuss certain issues with me. When I asked why jornaleras cover their faces a common response was a feigned lack of knowledge. “Well, I don’t know. Because when I arrived [the women] covered their faces and I began to cover, too.” Upon further probing, the

answer to the question was invariably “We jornaleras cover our faces so that we don’t get sunburnt or to protect our face.” As to why jornaleras almost always wear a homemade “uniform” made of long pants over which a loose, but form-fitting skirt is placed, the answer was usually something like the following: “The skirt, I think because it protects us. Truthfully I don’t know. I don’t know why they use them but I also wear them the same way.”²⁷ Over time, however, as I became more recognized in the communities and began to establish relationships with women farmworker leaders, greater trust was created and women were more open about their experiences.

“The number one reason that we cover our face is the sun, the pesticides, all the chemicals that are used at work,” Helena declared. Jornaleros work in extremely excruciating conditions under the hot sun (even in shade houses the sun is intense) and are routinely exposed to chemical residues as they trim, weed and harvest. “Everything affects us,” Helena agreed. “The sun, the dirt, the chemicals. Even being covered the leaves of the plants hurt us and the dirt enters our eyes. If we had the opportunity to wear dark glasses we would put them on for protection.”

Many of the plants, like tomatoes, for example, excrete noxious chemicals that stick to skin and clothes. Other plants like blackberries have painful spines that must be avoided when picking at rapid pace. Work in the fields is laborious, dirty, and dangerous and it is because of this that women cover their faces. Having worked in the fields in the valley myself and having observed working conditions on different farms, I can attest to the fact that some men also cover their faces with a bandanna – I personally did as well. However, the number of men on average covering their whereas almost all women cover

²⁷ MSR 4

their faces. However, unlike men, women do not just cover at work. By the time they walk out the door in the morning to begin their commute to the fields women are already covered and normally do not uncover until they are inside their home eight, ten, or twelve hours after beginning their day. If jornaleras stop off at the market or store between their job and their home they seldom uncover. In fact, women cover their faces in public on days associated with work and only carry about without covering on their off days or in periods of unemployment. This remained a mystery for me but Helena helped me uncover the reasons.

“As well we want...hmmm...we don’t want to say ‘here I am!’ or that the whole world knows who I am,” Helena exclaimed. “In fact, we protect our identity,” Helena exclaimed.

We have worked in different places and they never really know who we are. We can run into people on the street with whom we have worked for months and we don’t know who we are. Most of the time we want to protect our integrity and our privacy in a sense. Another thing that I have discovered is that many women say ‘No, I don’t want them to criticize me, to talk bad about me...’ One of the things I have seen is bullying on the job, that someone says ‘I work harder than you’ or this or that. If they see me [they might say] ‘Ah that one doesn’t work hard’ or ‘that one doesn’t know how to do the job’ or ‘she can’t work.’ We want to avoid, I personally think, the criticism, the bullying and all that. So when nobody knows who you are you tend to protect your integrity.

However, covering the face and head is also onerous and uncomfortable. The covering does always not allow proper respiration and while protecting from the sun it

also conserves heat inside the body. So it seemed to me during the fieldwork process that there was still yet another layer to why women cover. Through further conversations with jornaleras I began to understand that the issue of covering the face and the body goes beyond exposure to the element and the need to preserve one's privacy and anonymity.

In fact, the issues at work are compounded with oppression of women in the home and in the community. Isabela provides an inside look into how male domination of women occurs in indigenous migrant communities. In the following episode Isabela describes how she worked in the fields as a child while living in the "galeras" – migrant shelters with thin walls in which multiple family groups and groups of single men, all of various ethnicities and states of origin, were cramped together in substandard housing as they were exploited ten to twelve hours a day. As a child she witnessed constant abuse in both the fields and in migrant jornalero housing.

When covering the face started it was more than anything because of the oppression. It began because of the oppression because when I was thirteen years-old, in the nineties more or less, I saw a jornalero couple – I was a kid [at the time] – the wife took the paño off her face on the bus and when we got home – they lived in the room next door – the husband began to beat her horribly and he said to her 'Why did you uncover your face?' he said. 'I don't want them to know you. I don't want others to be looking at you.'

Although female insertion into wage labor creates greater space and capacity for female members of the household and brings needed income to the family, male domination weakens and creates uncertainty about the capacity of men to control their female family members – and especially their sexuality. The breakdown of these traditional hierarchies

creates insecurity among men thus augmenting the prevalence of violence within and beyond the home in order to reassert masculine authority (González Montes 2012: 221-222). Isabela continues,

So now they cover their faces because it is like a shield so that the other man isn't looking at you. You have more freedom. When I worked in the fields, as soon as I left the rows I took off the paños and I threw them into my bucket and I left without paños. But I see fellow jornaleras who don't. In other words it became part of the oppression. I have seen coworkers who hit their woman. 'Why did you uncover your face? That guy was looking at you up and down.' In other words it is part of the oppression.

Isabela describes how farmworker women at work, in the streets and at home take great pains not to “encelar” their spouse – in other words not to make him “jealous.” It is not uncommon for male spouses to have extra marital affairs or more than one active partner – sometimes more than one family at the same time. This macho bravado and license to infidelity weighs heavily on the men, however, as they understand that if they are with other women their wives could be with other men. Thus, despite many men's willingness to engage in extra-marital relations, many men keep a jealous and often violent control of their spouse's body and sexuality. In some cases, this includes the ability of women to see a doctor or seek medical care given that a male physician may look upon or touch the body of their spouse.



Figure 14. Jornalera looks into mirror. This jornalera (possibly a minor) checks her image in the mirror of a truck on the job. Photo by author.

Back on the job, women cover their faces and their bodies to attempt to prevent sexual harassment and assault in the workplace. There exist two dimensions of sexual harassment in the workplace: “quid pro quo” and “hostile work environment.” “Quid pro quo” is the use of sexual favor to secure employment or other benefits on the job. A hostile work environment is defined as a climate of inappropriate behaviors that are offensive and commonly includes unwanted sexual attention. Rape, sexual assault, and abusive sexual contact are common experiences of female farmworkers in both the United States and Mexico. Silence on the part of the women is maintained through their precarious position in the farm labor hierarchy, low wages, lack of education, and often low levels of Spanish language fluency. This creates a climate in which women are subjected to sexual abuse on the job but are powerless to stop it (Garcia 2011; Kim, et. al. 2018; Waugh 2010; Murphy et al 2015). As one female farmworker related to me, “We also cover because, let’s say, a mayordomo says to you, ‘uncover your face, I want to get to know you.’ If you don’t want to you don’t uncover since it is you’re your choice. I like to cover; I feel better because of the dirt and everything else.”²⁸

Jornalera women also use the long pants and medium-length skirt to avoid unwanted sexualization of their bodies while they work bent over in the fields (Zavella 2011). As Isabela argued, “We women use skirts at work because of the harassment, the sexual harassment, because as your row of crops [surco] in the field goes here and the other row goes there on the other side you don’t know who is behind you and the women are stooped over and sometimes the man is just their looking at the butt of the woman. Because of this we put on something other than pants.” This was repeated to me

²⁸ MSR3

numerous times throughout the fieldwork process. In interviews, women jornaleros made the following remarks. “We women use skirts because it looks better to wear a skirt than to go with just pants because there are a lot of men who are just there looking at you and to avoid a situation like this one uses a skirt to avoid these things.”²⁹ Another jornalera had the following to say:

Another detail is that if the person wears tight-fitting pants and bends over, the other person that is there is watching you. And it is uncomfortable because sometimes there is stooped labor where you have to be weeding this and weeding that and the other persons, I myself have witnessed, are always watching, so as not to put it in a rude manner. Because of this I use a wide skirt and I feel comfortable since nobody is watching me and my clothes are loose. So women cover their bodies precisely because of this.³⁰

Helena, with her observant eye, sharp criticism, and direct way of speaking declared the following:

This [covering the face and body] emerged because of the morbid curiosity of the men. Remember that in the fields men and women are mixed. There are jobs where it does not matter - you are upright. But when you stoop, the man that is on this side the first thing that he sees is your thighs. “Let’s see what you got [A ver como la tienes],’ is the phrase the men use and I tell you this openly because it does not embarrass me to say it.

This custom evolved throughout the years. Helena describes how jornalera women dressed previously before they devised the paños and skirts.

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³⁰ 8-24-17 Exjornalera de A&W

I don't know how many years, like thirty years ago, the women did not use skirts- they used shirts or sweatshirts. They tied their sweatshirts around their waste to cover themselves. This was their way of covering. Afterwards they started coming out with the skirts and now it is a business. There are a lot of women who buy them and a lot of us make them. We feel a lot more secure with a skirt than with just pants. But it is because of the morbid curiosity [morbosidad] of the men.

Before, there weren't paños [handkerchiefs or bandanas] either. We used t-shirts and we covered ourselves with them. After a time we began to use the more practical paños and we cover ourselves completely – as much from the rays of the sun as from the eyes of the men.

Given the hierarchical, authoritarian structural organization of farm labor and the lack of effective union protections and grievance procedures (and especially with company controlled “charro” unions), sexual harassment and assault are an aspect of structural violence. As Helena remarked, “We can't tell anything to anybody, because if you say something to the mayordomo it could end up worse. If you say something to the engineer the same goes.”³¹ Isabela argues the following:

So every day our female coworkers suffer harassment. But it is not the owner, it is not the businessman; unfortunately, and I have to recognize it and accept it, the ones that harass are always our fellow jornaleros and those that are one rung higher. That it is to say it is the mayordomo [foreman], the checker [revisor], the counter [apuntador], that at one time was a jornalero but now he has a status

³¹ 8-31-17 Jornalera

within the company. It is this person that is harassing our fellow jornaleras. As well, it happens a lot that...we have cases where the bus drivers have tried to rape jornaleras, the bus drivers that transport the workers.

However, the issue of sexual harassment and assault is a sensitive one for many jornaleros because it touches on relationships that extend beyond the workplace and into the very fabric of their communities. “Well the mayordomo is our neighbor,” argues Isabela. “He is the neighbor that lives in the community, only he thinks he has another status because he is in charge.” Thus, issues of sexual harassment, assault, rape and other forms of violence perpetuated against women in the workplace have effects beyond the fields where they work as they affect the very nature of migrant farmworker communities and disrupt the social fabric of poor communities in conditions of extreme precarity.

Similar to work on covering in other cultures (Abu-Lughod 2002), jornalero women not only cover their faces and bodies as submission to forms of patriarchal oppression but as a resistance to it. Kaqchikel Maya academic and activist Emma Chirix (2013) argues that although indigenous women’s bodies have been disciplined by colonial and patriarchal power, simple, everyday acts of bodily resistance demonstrate that indigenous women do not lack agency, desire, or ability to defy the oppression imposed upon them. Jornalero women who cover and teach other women to cover are enacting concrete practices of self-care and silent alliances (Arellano Galvez 2014: 173) to thwart patriarchal control. Helena recognizes the benefits of covering as a form of self-protection and self-care, but also that it is a symbol of the oppression of jornaleras as women and as a class of oppressed workers. “We are not free in reality as we have enslaved ourselves in this system,” Helena argues. Here she makes the common

comparison of migrating to work as a paid agricultural worker as similar to slavery. She thus questions how emancipating migrating and wage labor truly is for indigenous women from rural Mexico. “Because a lot of times we don’t feel well [while covering],” she continues, “we have to suffer from the heat and everything... In a way it is fairly uncomfortable but we have to do it because as we have enslaved ourselves in this way.” Thus the covered faces of farmworker women bare the symbols of both their oppression and their resistance.

Responding to the question of why women cover, Helena responded “In first place it is because we do not value ourselves. If we valued ourselves we would be with the face uncovered and the head held high.” But, as farmworker women struggle against patriarchal oppression both in the home and in global capitalist agricultural production, Helena argues that “it is because of this that we are jornaleras without a face, but there behind these paños are the women who work and provide for the home, the family, society and the government.”³² Isabela as well had the following to say. “Because if this every day we demand an end to sexual harassment, we say no to violence, and we work to change this.” Isabela is adamant when she declares: “We work so that more women rise up and more women demand their right to have their body respected. Because it does not matter how I am dressed, no one has the right to bother me or harass me.”

LABOR SEGMENTATION AND THE “DOUBLE OR TRIPLE *JORNADA* [SHFIT]”

Unlike a more gendered segmented division of labor seen by Chollet (2011) in Michoacán where berry production employing mostly women slowly replaced sugar cane

³² MSR 1

production employing mostly men, global agricultural enclaves like San Quintín are organized around the labor of both men and women who are forced into the same types of work but this work is hierarchically distributed. The division of labor in conditions of extreme precarity with a high incidence of feminization creates a segmented workforce where ethnicity and gender play key roles. The white-collar elite usually employs mostly men as owners, growers, and engineers with much of the clerical work in the office undertaken by women. This elite is also almost entirely white, creole, or mestizo and, in a place like San Quintín, are often born in northern or central Mexico and thus have benefitted from a number of certain privileges (education and experience, for example) that rural and indigenous workers from the south who form the mass of workers do not usually possess.

The majority of stable, year-round positions (known locally as “de planta”) in agricultural production – a rung between management (agricultural engineers and office staff) and the jornaleros conducting most of the manual labor of production and harvest – are occupied by men – the majority of which, although not exclusively, mestizo. Many foremen and contractors are indigenous as they are necessary as intermediaries between the companies and large pools of seasonal labor and thus cultural, linguistic, and other knowledge is necessary for the successful recruitment, hiring, and management of the migrant labor force and many are also former laborers. However, mestizo men dominate most well-paid, year-round, technical jobs. Many of these men try to move out of agriculture and work as mechanics, truckers, or other professions, yet the possibilities available to mestiza women and indigenous men and women are fewer. In San Quintín, few opportunities for wage labor exist outside of working in the fields and if available are

forms of labor traditionally considered “feminine:” childcare, cooks, housekeepers, and secretaries, for example. Education is a way out of agriculture for many young women, as well as some men, but the diversity and availability of wage labor beyond prescribed feminine roles are lacking due to the size and dynamics of the local economies in these enclaves (Lara Flores 2003: 388; Reigada, Alicia. 2012).

This mass of flexible laborers is largely temporary or seasonal and suffers from long periods of sub- or unemployment. The majority of these workers are primarily indigenous men, women, and children with an increasing participation of female workers (Lara Flores 1995: 27). Among the jornalero base – those doing the planting, weeding, pruning, and harvesting – both men and women conduct the same type of tasks. This process has been called “primitive flexibility” or “savage flexibility” by Enrique de la Garza (cited in Lara Flores 1995: 27). This flexibility is savage in that it relies on the exploitation of unprotected and disadvantaged populations – above all indigenous and women workers – in conditions unchanged for decades and whose exploitation obviates the need for technological innovation for the generation of profit. What has changed, however, are the forms of organization that, at the same time they maximize the flexibility of the workers, also entail their greater productivity, intensification, and training thus generating greater profit by imposing greater demands on the workers. This creates an overly exploited but plurifunctional workforce who must adapt to the polyvalent tasks involved in different plants, products, and processes. Lara Flores (1995: 28) argues that women form the “shocks” of seasonal production as they protect the industry from risks associated with the seasonal flux of production given the conditions of demand, seasonality, and intensity of agriculture for export.

One of the most common complaints of jornalera women is their subjugation to two forms of labor – domestic and wage labor. For jornalera women, the term they commonly use is the “triple jornada” or triple workload. Jornaleras must maintain the home, care for children and spouse, and work in the fields. This is what feminist economists have termed the double shift or double workload to denote the balancing of waged and domestic labor. Almost invariably, the reproductive labor in a household falls upon female members and thus is termed a double workday (Becerra Pedraza et al 2007: 114-115).

Migrant jornalera women enter the work force for the first time and this strains typical gender relations in migrant-sending communities based on small scale agriculture. Agricultural work as a rural smallholder (a campesino, often termed peasant in English) entails production on the ejido, in the milpa, or externally as labor sold as a *mozo* (hired hand). While the family is the unit of production, men normally undertake large agricultural tasks whereas the household, garden, and often small animal husbandry are the domains of the female. In contrast to migrant sending communities, centers of reception for migrant labor such as global agricultural enclaves absorb both male and female workers. This engenders a number of structural transformations in family organization for both seasonal and settled migrants. Jornalera women are “freed” to sell their labor on the market for the first time granting them access to money. While this in many cases creates more independence for women, it also means that they spend less time with children (a role that men rarely adequately fulfill in response) and are forced to undertake both wage labor and unpaid domestic work. Many women have no other

alternative than to enter into the labor market given questions of survival when abandoned by marriage or domestic partners.

In a life cycle perspective, women enter salaried agricultural labor much earlier (between 9 and 18 years of age) than men as they accompany family members in the fields or earn a wage themselves. Young girls on the job work just like boys but after work they must also labor at home. Male and female children contribute significantly to the domestic economy but their respective after school activities differ given male privilege (Becerra Pedraza et al 2007). Participation in the workforce for women begins to decline somewhat around the age of 20 and drops enormously at around forty years. This has to do with women's role in social reproduction as many women leave salaried agricultural work to give birth and raise children or are incorporated into work on a more discontinuous, flexible basis given their ascribed role as childcare providers. While many women return to wage labor after their children have reached a certain age, by about forty women abruptly leave salaried agricultural labor at an enormous rate given premature aging, fatigue, and physical deterioration (Lara Flores 2003: 386).

Helena describes her years of suffering through the double workload imposed upon jornalera women in the valley.

The conditions of women here in the valley of San Quintin are really tough, are very difficult, because we face different obstacles and difficulties in our daily life.

We as farmworkers get up really early, at three thirty in the morning, to prepare *lonche...*

Here Helena refers to the "lunch" of "burritos" made of flour tortillas, beans, and sometimes a protein source like eggs or chicken. These are taken to work by the husband

and wife to be eaten on the way as breakfast and/or at the small lunch break. She continues,

...and then leave for work after leaving everything prepared for our children who stay at home. We leave before five in the morning to go to work. Really for us to be outside the home all day is very difficult. Then we arrive home at six thirty or seven at night but our workday does not end because we arrive at home and we continue working. We continue working in the home to take care of our family, of our children, cleaning the house. Our workday ends around ten thirty or eleven at night and we still have to prepare things for the next day. It is very difficult to send our children off to school, as we have to prepare uniforms, clothes. It is a tiring job and isn't valued as much as our work outside the home. Our work [at home] isn't valued and us women don't value the work we do at home. Obviously it isn't paid, but it isn't valued either. What we wish as women is to better our conditions of life – not only at home but also with a dignified salary so that our home life, our economy, and our familial environment is better and we can live a better life.

Women in the valley of San Quintin left their homes and communities to find greater opportunities by participating in waged labor in order to better themselves and their families. Many, however, doubt whether participation in transnational agriculture as jornaleras has brought about real change for the better in their lives. Isabela had the following to say:

I saw it [migrating to work as a jornalera] as a way to have a better economic situation. But now I ask myself, a better economic situation for who? Because in

reality this idea that a woman apparently has greater freedom because she has a job isn't true. It is not true because the woman who migrated, who was in her community, and is now a salaried woman, this woman is now being exploited twice or three times. This is because she gets up at three in the morning, makes lunch, feeds the children, at five or six in the morning she is going to the fields, she leaves at four or five in the afternoon and at six she is getting home or at seven – depending where she works – but it's dark. She arrives home, the husband is laying around resting, bathing, sitting around, and demands his dinner. And the woman has to wash, make food, and finishes at ten at night, eleven at night, and goes to bed only to get up again at three in the morning. Now, the salaried woman, the indigenous woman who lived in a community and now has a salary, receives a check, but now has three times the work because she has to work at home, work to take care of the children, and has a job in the fields.

In terms of who to blame for the extreme exploitation of jornalera women, Isabela is not afraid to mince words and blame men whose socially constructed gender roles allow them to feel superior to women and not contribute equally to the domestic economy. In the valley of San Quintin, few jornalero men contribute much to domestic tasks. Here we see the transplantation of gender inequalities expressed through social norms from rural areas in small peasant producing societies to global agrarian enclaves. As Alicia Reigada (2012) argues, patriarchal systems from traditional agrarian economies reproduced in agro-export enclaves are combined with completely new but still patriarchal systems of the organization of the family unit as well as in the organizational processes of agribusiness. Although gender constructions tend to shift in migrant spaces, the

individual and collective agency of women to change unjust social formations is a slow but not impossible task. Isabela continues,

The housework is not equally shared. The husband arrives, sits down to watch television, eats, demands his dinner, wants his clothes washed, but is not participating in the housework....What if a man arrived at home and said, 'Let's make food together, lets do the wash together'? That would be equal labor but it is not equal... So there is an over-exploitation of the woman that is at the service of the man. Today as women we say 'I want a partner that shares a home with me but that shares the housework together.' As well, they leave the childrearing as a responsibility of the woman only. The man is not involved in the education of the child, does not raise the child. The Mexican man does not change diapers, does not give the baby her pacifier, does not take her to school, and does not help with homework.

Other scholars have written on the dynamism and fluidity of male gender identities and their participation in domestic chores – especially in urban contexts (see Gutman 1996, for example). So while Isabela's comments may not extend to all Mexican males as she claims, her criticism is valid for the reconstruction of gender relations among rural migrant farmworkers in global agricultural enclaves.

LABOR VIOLENCE AGAINST WOMEN

According to various researchers (Aranda Gallegos 2014; Arellano Galvez 2014; Bejarano Celaya y Arellano Galvez 2014; Camarena Ojinaga et al. 2014), migrant farmworker women face many different kinds of violence: structural violence, symbolic

violence, institutional violence, communitarian violence, labor violence, and daily violence like sexual harassment. The system of domination and subordination to which jornaleras are subject affects them in all aspects of their life – in the home, in the community, and on the job. In fact, the reproduction of these relations of domination are reproduced on the job and based on the gendered division of labor that places women in the lowest, most precarious positions with little room for advancement. The hierarchical organization of agriculture organizes farm labor so that every rung on the hierarchy leads to potential abuse of power. Standing over women in the fields are male jornaleros, crew leaders, mayordomos (foremen), drivers, contractors, engineers, and the white-collar management.

The sexual and ethno-racial segmentation of farm labor places women at the very bottom and relegates them to greater incidences of informality, temporariness or seasonality, a lack of formal contracts, and a lack of legal benefits such as registration into the social security system which grants medical care and maternity leave. Despite the widespread occurrence of workplace violence, few women report such cases for fear of losing their job – especially in precarious employment with little to no labor rights or protections (Arellano Galvez 2014). The hierarchical organization of agriculture and its segmentation by ethnicity, race, gender, and class organizes farm labor so that every rung on the hierarchy leads to potential abuse of power. Standing over women in the fields are male jornaleros, crew leaders, mayordomos (foremen), drivers, contractors, engineers and the white-collar management. These men occupy different places within race, gender, and class based hierarchies. (Arellano Galvez 2014: 166-172).

Some of the most common forms of labor violence are perpetuated against pregnant women (Arellano Galvez 2014: 167). First, most female farmworkers work while pregnant. Given the precarious economic situation in which they are immersed, women (and especially single women without support from a partner or father of the child) work as long as is physically possible in order to earn money and alleviate to some extent their dire economic conditions. While this allows women to retain an income longer, it also exposes the fetus to a greater risk of pesticide poisoning and subjects the mother to other dangers that put at risk her pregnancy and sometimes her life. In informal arrangements (like *saliendo y pagando* described in Chapter III) women are never asked whether they are pregnant and simply do not disclose their pregnancy to their foreman or contractor. In these situations jornaleras are not formally hired and thus not given their rights to social security and maternity leave. Few female farmworkers know their rights and if they do they are mostly powerless to exercise them.

Before coming to a realization of her exploitation in the fields and her consciousness of the power of female farmworkers, Helena³³ was just like other poor, migrant farmworker women who did not know her rights or how to defend them. Here Helena narrates how she worked in the fields when she was pregnant with her first child. It was with her second child, however, that she began to understand the rights she was denied and thus fought for them.

When I was pregnant with my second child, I was working [in the fields] all the time and back then I didn't know that the company had the obligation to give me social security. I didn't know and so when I was about to give birth someone told

³³ MSR 1

me that I should go and register because as a worker I had the right to social security. But I didn't know. So I asked for information and I got it, I got [social security benefits]. They didn't give me much, they gave me little, and I left work two weeks before I was to give birth. And like me, there are many women who don't know that they have a right to social security because nobody informs them – not on the job, not at home, not the society, not even the government, there isn't a system to inform [women of their rights]. As we don't know we don't demand, although it is right there but we don't know, we are not registered in the social security system.

Now Helena knows the rights for pregnant workingwomen and helps jornaleras learn their rights and how to fight for them.

Now that I have been asking for information I know that here in Mexico we have [maternity leave of] forty days before and forty days after giving birth, that we have the right to a paid leave, that the days a woman can't work she gets paid those days. Now I know but when I was pregnant I didn't know. I didn't receive those services because I didn't know.

When working in more formal positions in transnational agriculture, for example, women are not normally hired if the company knows they are pregnant given the fact that the company does not want to pay maternity leave. Although it is illegal to ask if a woman is pregnant, it is a frequent occurrence. When the company finds out that a female employee is pregnant, the company usually finds a way to fire the worker or lay her off giving excuses unrelated to her pregnancy. Even if women farmworkers are given maternity leave, many do not receive the full benefits afforded by law due to the fact that

the company realizes that women do not know their rights. One jornalera I interviewed who worked for Andrew & Williamson, a transnational agricultural firm based in San Diego, California that claims to have Fair Trade USA and Equitable Food Initiative certifications attesting to their fulfillment of farmworker rights, had a child before the general strike of 2015 and was given a small compensation for maternity leave. After giving birth and needing money, this worker crossed the picket line in 2015, as she did not see the strikers as representing her interests. She was in need of immediate cash to make ends meet and worked harvesting strawberries as a scab laborer not respecting the strike. However, with time she began to recognize the advantages of the movement when she declared: “Before, as there was no strike, they [A&W] gave me four thousand pesos before and four thousand pesos after. But now that the strike happened, they have respected the rights of the women more when they are pregnant. Now they are giving fourteen thousand pesos before and after.”³⁴

Sofia’s story is emblematic of this type of situation. Sofia³⁵ is a jornalera from Oaxaca who came to San Quintín looking for opportunities to make a living that were unavailable in her hometown. At the time she was 23 years old, a Spanish speaker, and had a fourth grade education. In 2017 she began working for Berrymex, an affiliate of Driscoll’s Berries certified as fair trade by Fair Trade USA. Under Mexican law it is illegal to ask employees if they are pregnant upon hiring. Sofia was hired by Berrymex and did not disclose that fact that she might have been pregnant – she wasn’t sure at the time but suspected that she might have been. After she was about five months pregnant,

³⁴ 8-24-17 Exjornalera de AW

³⁵ 2-3-18 Mujer Embrarazada Berry

she reported to her foreman that she could not continue doing the more strenuous tasks of harvest. Sofia recounted her episode:

As I was picking during harvest I was about five months pregnant and I got really tired while picking. I had to tell my foreman that I was pregnant and that I couldn't continue picking. Supposedly they take you out [of the fields] and give you a lighter task. At first they took me out [of the fields] and told me to do other work...At first I was pruning strawberries and weeding around the beginning point of the crop rows.

Sofia went from working piece rate ("*por destajo*") in the harvest to earning a daily wage ("*por dia*"). Thus she was making much less money but was happy to conserve her job and do whatever tasks were necessary within her ability. Soon thereafter, however, her foreman called her over and began to shout at her that it was her fault other jornaleras were being lazy and not working hard as they saw her doing lighter work. Her foreman sent her to human resources. There the human resources manager Imelda blamed her for looking for work while pregnant. Imelda incorrectly claimed that it was against the law to seek employment knowing that one was pregnant and Sofia did not know her rights or how to defend them. Agricultural functionaries normally put the interests of the company before the workers. Imelda knew that the Social Security administration charges the employer part of the maternity leave paid to an employee and sought to save the company money by denying the rights of its workers. The engineer above the mayordomo decided to fire Sofia and Imelda ratified the engineer's decision.

At this point Sofia sought outside help as Berrymex had already fired her sister for being pregnant on the job a few years back. Sofia sought at all costs to maintain her

employment and reap the benefits afforded to her under Mexican labor law. She contacted a local labor leader who urged her to try to work with Berrymex's union, the CROM [see the following chapter for more information on farmworker unions]. Sofia called Eduardo, a young paid organizer who worked under Arnulfo Quintanilla Magallanes, the union's general secretary. Instead of attempting to help Sofia, Eduardo claimed the union could do nothing to defend her and that she should accept being fired. Sofia claimed that Eduardo responded by saying "Truthfully, it is your fault because you entered that way [i.e. pregnant], so now we can't do anything for you. Whatever decision they make is for the best and you shouldn't oppose." Unsatisfied with the CROM union siding with the employer, Sofia sought further aid. The local labor leader urged her to contact the SINDJA union. Lorenzo Rodríguez Jiménez, the general secretary of the union, took her case and they proceeded to file a complaint with the labor department in San Quintin.

"And that is what I did. I went. And at that moment I didn't have any money and it is difficult to get around. The car was there but I don't know how to drive. But I went there anyway," Sofia related demonstrating how difficult it is for poor, pregnant women without much education to defend their rights. The labor department intervened and Imelda had to present the company's side of the story. In the end, the labor department sided with Sofia and she was returned to her position. She continued seeking medical attention at the social security hospital and declared a high-risk pregnancy having had a cesarean section in the past. She was given her legally binding maternity leave and successfully received her compensation.

CONCLUSION

After the jornalero movement of 2015 fractured and Isabela felt betrayed by both union movements that emerged from the division, she began her own organization to continue her and her compañeras' struggle for equity and empowerment. In 2016 Isabela created a non-profit that seeks dialogue and collaboration between jornalera women, instances of the state and federal government, and agricultural corporations. According to Isabela, it is the government that bears the brunt of responsibility for the systematic violation of farmworker rights but also remarks on the failures of the male leadership of her fellow jornaleros. "The solution to the problems that we live would be...to have a sensible government and leadership – but true leadership – that seeks a dialogue, that seeks a solution and that does not generate more violence," she argues. According to her, unions do nothing but generate violence. "I was in the unions," she argues. "I was part of a union. I was part of a united group in which jealousy and divisionism grew and the egos won out. The egos won on the part of those who wished to 'steal camera' [in other words, gain more media attention] from others." Lacking support from the male-dominated jornalero movement and the disinterest of the state and federal governments detailed in later chapters, Isabela accepted an offer from the Driscoll's corporation to work jointly to address issues such as sexual harassment and assault in the workplace. Isabela's current proposal is to work within the institutions of transnational agriculture to reform them from within.

For Helena, her militancy in a labor union and her work to unionize female farmworkers is the best way to improve the conditions of jornalera women. "SINDJA," she argues, "is an opportunity that we have never had in the valley of San Quintín. We

have never had a union that was truly of and for the jornaleros.” For her SINDJA is “an option, an opportunity for us as women to come together and unite as members in order to continue defending our rights – first for a just salary and all the rights in the federal labor law that are written but not fulfilled. But for that we need to unite, become members, ask for information, and receive training in order to continue struggling to have a better life for our families.”



Figure 15. Jornaleras flashing signs. Photo by author.

Given that, as Cumes (2012: 11) argues, “indigenous women are located at the very end of the colonial-patriarchal chain, their place is a *privileged* one to observe the ways in which forms of domination are structured and operate.” Throughout this chapter I have illuminated the multiple forms of gendered violence linked to interlocking structures of gender inequality found in families and kin relations, labor relations, politics, and

union leadership. Ongoing colonial processes of oppression and exploitation of racialized and gendered bodies force women into situations of extreme exploitation and violence at home, on the migrant trail, and in settled jornalero communities in global agricultural enclaves. This exploitation and oppression of women is essential for the extraction of profit in global agricultural enclaves.

David Harvey argues that the displacement of peasant populations and their conversion into landless wage laborers in places like Mexico was not only essential to the process of colonial dispossession which allowed for the original, or “primitive,” accumulation of capital in the burgeoning global economy, but has intensified over the last few decades of neoliberal reform leading to what he terms “accumulation by dispossession” (Harvey 2003: 145). A feminist analysis of this accumulation by dispossession uncovers the connection between the dispossession of resources, land, and territories and the violence enacted on the bodies of indigenous women. “In this onslaught of violence and dispossession,” argues Rosalva Aída Hernández Castillo (2015: 81), “the bodies of women have been converted as well in territories to be invaded and violated.”

For migrant jornalera women in global agrarian enclaves, the violence and control exerted over them is similar to that of their home territories but the process of accumulation is different. Here in transnational agricultural production, accumulation by dispossession is based on a continuum of violence asserted against racialized and gendered “others” and enacted in order for agricultural corporations to produce enormous profit. Here the “wars of dispossession,” as Hernández Castillo labels them, are different; however we witness a similar complicity between neoliberal states, transnational capital,

and local actors in the perpetration of the multiple forms of violence – neoliberal multicroiminalism in Speed’s (2016) phrasing. This violence is based on “multiple systems of inequality” that begin with patriarchal and racist constructions that make women’s bodies ideal territory to be invaded by capital (Hernández Castillo 2015: 95-96).

The covered faces and bodies of jornalera women in the valley of San Quintín are testament to capital’s invasion of their bodies and its attempt to dispossess them of the wealth of their labor in conjunction with local forms of racist and patriarchal control. However, their covered faces and bodies are a double signifier that reflects as well jornalera women’s attempts at resisting the violence to which they are subject and regain the dignity of their lives. Through continued struggle female farmworkers in places like San Quintín may have the power to change their conditions of life and labor for the better.

CHAPTER VI
MIGRANT FARM WORKER UNION ORGANIZING IN THE FIELDS OF
NORTHERN MEXICO: AUTHORITARIAN LABOR RELATIONS,
TRANSNATIONAL PREDATORY FORMATIONS AND MEXICO'S FIRST
INDEPENDENT FARMWORKER UNION.

In the summer of 2016, machine operators for BerryMex, the local affiliate grower of the global Driscoll's fruit company, grew increasingly disgruntled over harassment and retaliation perpetuated by the engineers above them, as well as the constant complaints of low pay and general mistreatment. These workers held secret meetings with another coworker, who I will call Diego in order to protect his identity given the company's reputation for retaliation, in order to plan a course of action. Diego was a member of the National Independent and Democratic Union of Agricultural Workers (Sindicato Independiente Nacional Democrático de Jornaleros Agrícolas, or SINDJA). After they failed to remediate the situation through appealing to the management, a clandestine meeting was held on August 21, 2016 with members of the SINDJA union. "We gathered together forty-two people. I was not expecting forty-two people," Diego declared. "I was expecting eight, nine people. But when forty-two people arrived, I said to myself: 'this is serious. This is really a problem and we must find a solution.'" When over sixty people attended the next meeting that following Sunday the course of action was clear to Diego. "So there was no other option other than striking," Diego claimed.

Just before six in the morning on August 29, 2016, the workers declared a strike that lasted two consecutive days. The machine operators and their supporters affiliated with SINDJA marched from the Emiliano Zapata neighborhood to Berrymex headquarters in Lázaro Cardenas (around eight kilometers). The machine operators drove their work vehicles in the protest march in defiance of the company. The contingent of disgruntled workers established a *plantón*, or protest encampment, in front of the offices of Berrymex. Arnulfo Quintanilla Magallanes, the leader of the pro-business union affiliated with the Regional Confederation of Mexican Workers (CROM) that holds secretive collective bargaining contracts with Berrymex, could be seen inside the offices working with the management to conspire against the workers. “Quintanilla of the ‘charro’ [cowboy, i.e. “fake”] union that we have here in the valley,” decried Diego, ‘could be seen looking out the windows of Berrymex but didn’t even bother to come out and say to us: ‘Fellow workers, I am from the union, I promise to find a solution to the problem.’ That is what a union should do, and he didn’t do it.” When I interviewed Arnulfo Quintanilla Magallanes and asked about the strike, he claimed that the activists associated with SINDJA union were outside agitators that did not know their place and just “made noise.” “Those people that I mentioned [i.e. the SINDJA] don’t have any reason to be there,” Quintanilla Magallanes claimed. In this way, the union with the employer protective contract defended the company and rejected the claims of the workers.

The current phase of capitalism has two logics according to Sassen (2014: 18). First, there is a reshuffling of existing financial and monetary arrangements in the global north linked to privatization and deregulation that allows transnational corporations to

transcend national barriers and exploit peripheral areas. The second logic is the transformation of places in the global south into extreme zones of profit extraction by these corporations in conjunction with local, historically rooted and culturally distinct forms of authoritarian control. The transformation of the fields of northern Mexico, like those of San Quintín, into transnationalized agricultural sweatshops is testament to this process. This is not possible, however, without what Sassen (2014: 13) calls “predatory formations.” These formations are a mix of local and transnational elites organized by highly advanced and complex assemblages. Predatory formations are fueled by financial capital leading to forms of acute concentration of wealth that heretofore has been unprecedented. This is not possible without authoritarian and repressive forms of social, political, and economic control at a state and local level. Far from incidental to the generation of capital by transnational corporations, local authoritarian processes are an important part of these predatory formations and a key aspect to the imposition of transnational regimes of flexible accumulation.

This chapter will argue that company controlled unions, once key players in the peaceful relations between labor and capital during Mexico’s economic boom, are authoritarian leftovers that continue to exist in the country’s transition to neoliberal economics and democratic politics. They remain as predatory formations since the late 1980s that stifle wages and maximize profits for transnational corporations. This in turn degrades the level of citizenship enjoyed by agricultural workers in these agrarian enclaves as they have little power to control the conditions of their labor and suffer extreme exploitation at the hands of national and international corporations.

This chapter also describes the birth of Mexico's first truly independent, democratic, and grassroots farmworker union, the Independent National Democratic Union of Agricultural Workers, or SINDJA. It will chart the progression of the indigenous-community movement that convoked a region-wide general strike on March 17, 2015 to demand important labor demands on the region's agricultural producers, transnational corporations, and state and federal governments. One of the most fundamental demands produced by the Alianza during the strike was a concrete vision for lasting change - the revocation of the previously existing collective bargaining agreements imposed by employers through corporatist unions and the signing of new agreements with an independent union. The demand for an independent jornalero union addresses the need for expanding the political and economic rights of the agricultural workers who claim to be the "slaves of the twenty-first century" given their level of "low-intensity citizenship."

Democratic unionism is not without controversy in the valley of San Quintin, however, as two supposedly independent unions were created and officially recognized after the strike. As well, given labor's history of excluding rural workers, indigenous peoples, and women and children, the implementation of these unions in the valley of San Quintin are not without controversy. If the SINDJA union can surpass the challenges presented by previous farm labor movements and incorporate those alienated by traditional labor struggles, it could have the local and national capacity to radically transform worker lives by wresting authoritarian control from predatory formations like corrupt unions that serve as mediators between transnational corporations and field hands. This could generate a more democratic workplace through incorporating the voice

and bargaining power of organized labor and create greater levels of rights and privileges elevating these extremely poor, mostly indigenous workers from southern Mexico to greater levels of citizenry as subjects of the rule of law and recipients of economic and political rights. In order to create this change, however, SINDJA recognizes that unionism must change for it to be successful locally as well as nationally. This change revolves around a unique intercultural organizing model emanating from reconstituted indigenous communities settled in the valley of San Quintin that challenges norms of industrial unionism. Like community and social movement unionism in other parts of the world, SINDJA is a hybrid labor organizing model that includes aspects of kinship and residency patterns, indigenous forms of leadership, and connections with wider social movements both locally, nationally, and internationally. If, as Alianza leader Bonifacio Martinez is famous for saying, it was hunger that forced the jornaleros to find their voice and speak truth to power,³⁶ SINDJA has the potential to harness and channel that voice into concrete changes for the exploited masses of migrant farmworkers in the valley of San Quintin and beyond.

AUTHORITARIAN UNIONS AND PRO-BUSINESS COLLECTIVE BARGAINING
AGREEMENTS AS PREDATORY FORMATIONS ENSURING HIGH PROFIT
MARGINS FOR US BASED TRANSNATIONAL CORPORATIONS

State corporatist labor regimes arose in Argentina, Brazil, Mexico, Chile and other Latin American countries in the 1930s and 1940s. State corporatism refers to the level of state control over the formation and structuring of labor relations. In rapidly

³⁶ “El hambre nos hizo hablar / Hunger made us speak” is a commonly recited phrase attributed to Bonifacio Martínez.

developing and industrializing countries with a small but increasingly important urban working class, the state sought to mediate relations between labor and capital to ensure a stable process of capital accumulation on the part of private industry in a regulated process of development. Urban, industrial waged workers were originally a minority in countries like Mexico and thus were structurally weak and tended to lack autonomy from the state or specific political parties. Thus the institutional design of labor unions denied them autonomy, internal democracy, hierarchical leadership models and exclusion clauses (Bensusán 2016; Bensusán and von Bülow 1997).

Although Mexican workers were afforded important rights in the constitution (the right to strike, the prohibition of scab labor, etc.), it did not permit ample independence and autonomy for organized labor. Instead, the state took an active role in the formation and development of labor unions. Thus, exclusion clauses and the imposition of collective bargaining agreements rendered an independent and autonomous labor movement impossible. All the major unions were state-sanctioned beginning in the 1930s, their power was diverted and controlled by the official party in power thus limiting political plurality and shop floor democracy. The executive branch is more powerful than the legislative and judicial branches, thus rendering the power of the one-party central government almost without challenge. This is especially the case in Mexico where one party ruled continuously for over 70 years (1929-2000) (Bensusán 2016; Bensusán and von Bülow 1997).

Mexico, according to Bensusán (2016; 135), displays a “rigid” but “flexible” corporatism. It is rigid in the sense that it creates great difficulties for the emergence of independent unionism. However, it is flexible in that the state has utilized unions in order

to circumvent Mexican labor law and protect the interests of the employers. Thus, imposed labor leaders can collude with employers to simulate worker consent and “collectively bargain” even before a company sets up shop and hires workers. Given exclusion clauses and a lack of transparency, labor conflicts are prevented through the union’s role in social control. According to José Alfonso Bouzas Ortiz (2009: 32):

The collective rights of workers (the right to association, the right to collective bargaining and the right to strike) are nonexistent. Liberty and union democracy are not a reality, the revocation of mandate is not practiced and the collective bargaining agreements do not exist to such an extent that the workers do not know who is their union, who is their leader and what is the collective bargaining agreement that regulates their labor.

Key to this process are the so-called “contratos colectivos de protección patronal,” or pro-business collective bargaining agreements, that Bouzas Ortiz (2009: 32) defines as “contractual simulations on behalf of the business owners and authorized by “unions” that do not respond to the petition of the workers and to whom it negatively affects.” This is true above all for the most vulnerable workers, especially migrant agricultural workers.

With waves of democratization sweeping Latin American countries ending military dictatorships and authoritarian one-party rule in the 1980s, labor relations have not always undergone a concomitant process of democratization often leaving intact authoritarian forms of social control over labor in benefit of both the state and the private sector. Despite rapid political and economic changes as Mexico embraced neoliberalism in the 1980s and 1990s, a short-lived political transition (2000-2012) and shallow process of democratization, labor relations and collective bargaining arrangements have changed

little (Bouzas Ortiz 2009). In fact, recent analysis has shown that 90% of collective bargaining agreements in Mexico are “contratos de protección” (protection contracts) with “sindicatos blancos” (pro-business unions) (Muñoz Ríos 2016). As Carlos de Castro (2014) argued, the transnational agro-export businesses in global agrarian enclaves are evidence of a “de-democratization” of labor relations and social norms. The valley of San Quintín is no exception to this rule. The most important pro-business corporatist union is the Sindicato Nacional de Trabajadores, Obreros de Industria y Asalariados del Campo (SINTOAIAC), a branch of the Confederación de Trabajadores de México (CTM). On some farms the Confederación Regional de Obreros Mexicanos (CROM) has presence. For example, the Mexican affiliated growers of Driscoll’s berries, such as Berrymex or Moramex, have collective bargaining agreements in place with the CROM. There is also a limited presence of the Confederación Regional de Obreros y Campesinos (CROC).

According to Zlalniski (2012: 174), the main purpose of the corporatist unions on farms in the valley of San Quintín is to prevent labor unrest and the growth of independent unionism. The CTM holds the majority of contracts to represent jornaleros in the valley given their close relationship with the Union Agrícola de Baja California. On their part, small, medium and large growers are organized into powerful lobby interests. The most important is the Union Agrícola de Baja California, which groups agricultural producers in the valley of San Quintín and the valley of Maneadero near Ensenada. The Asociación de Productores de San Quintín and the Consejo Agrícola are two smaller growers associations that protect the interests of smaller to medium sized growers and work in conjunction with the Unión Agrícola (Zlalniski 2012).

Garduño (1989:201) documented the abuses of corporatist unions and the detrimental impact they had on the labor conditions of jornaleros in the valley in the 1980s. Although written decades ago, so little has changed that the following passage could have been written yesterday.

In the case of the union organizations, such as the CNC, CTM and CNOP, despite the fact that they have numerous groups of affiliated jornaleros, they lack any kind of organizational work given that the affiliation of the worker is forced, as demonstrates the fact that in the totality of the camps the union members do not know their union representative, have never been called to attend an assembly, and furthermore no one knows the acronyms of the organization to whom they belong. The function of the unions is limited, therefore, to mediate the autonomous mobilizations of the indigenous through some type of improvement in the camps, taking advantage of situations of overwhelming inconformity. As will be seen below, even today the majority of the jornaleros of the valley of San Quintín who I interviewed in 2016 and 2017 do not know if they are represented by a union, which union they belong to if the union exists, or the contents of the collective bargaining agreement that regulates their labor. Many of the farmworkers are unsure what a union does and how it works. Others even confuse “fair” trade labeling schemes with unions.

An analysis of predatory formations in the San Quintín would not be complete without detailing how growers wield economic and political power to subvert the rights of the jornaleros laboring on their farms. Javier Cruz Aguirre (2015a; 2015b; 2015c), investigative reporter from the valley of San Quintín, has documented the connections

between growers who function as strongholds of economic power locally and regionally and the political system at the state and federal government. For example, the Rodríguez family is the owner of Rancho Los Pinos, one of the largest tomato producers in the country, and the most powerful family in the valley. Rancho Los Pinos employs over 3,500 workers and its earnings in 2013 alone equal 350 million dollars. Members of this family have been state deputies for the political party in power in Baja California (the Partido Acción Nacional or PAN), exert a tremendous influence on the Consejo Agrícola de Baja California and have national and international ties due to their production for the export market. As a whole, the family owns dozens of businesses, hotels, and restaurants, such as the Santa María and Cataviña hotels. The Rodríguez family has important connections with the PAN, the party in power on the state level, as well as the PRI, the party in power nationally. Local residents remember when Felipe Calderon of the PAN was president as he was flown in by military helicopter to the private airstrip of Rancho Los Pinos to conduct leisurely business with the Rodríguez family. The succeeding president, Enrique Peña Nieto, personally awarded members of the Rodríguez family the National Exportation Award for being the Mexican company with the largest amount of exports. Although Rancho Los Pinos describes itself as a “socially responsible business,” the majority of the jornaleros in the region regard it as the most important exploiter of their labor. Their power over the other growers in the region has created a great impasse with respect to salaries as Rancho Los Pinos continues to be one of the lowest paying farms and thus helps keep wages down throughout the region.

“But those are not the only ones,” remarked Fidel Sanchez Gabriel, spokesperson for the Alianza de Organizaciones in San Quintín (quoted in Cruz Aguirre 2015c).

“Almost all the business leaders associated in the Consejo Agrícola monopolize the economy of San Quintín and enjoy benefits from the government and impunity of abuses against workers.” This favorable political arrangement extends to the offices of the state government as well. Governor Francisco “Kiko” Vega Lamadrid is a key ally of the state’s agricultural corporations. The governor sided with the Consejo Agrícola during the negotiations arising during the strike and actively worked to thwart better wages and working conditions for the jornaleros. Elena Jaloma Cruz (2016: 153) recorded a conversation she had with a jornalero. “Do you know what I now call the governor,” the jornalero asked. “‘Kikoll.’ Because he is one of the stockholders of Driscoll’s.” The joke rests in the fact that the governor’s nickname “Kiko” was combined with the ending of the Driscoll’s name demonstrating that political and economic power are one and the same in the state of Baja California and that it is the jornaleros who are on the losing side of this arrangement.

The pro-business collective bargaining agreements enforced by “white unions” can be seen as a predatory formation regulating labor relations between workers and key production and distribution points on the commodity chain maximizing profits for US based transnational corporations that produce and/or distribute across international borders like that of the US and Mexico. US based corporations (like Driscoll’s or Andrew & Williamson, for example) operate in collusion with local growers employing authoritarian unions in order to keep wages down and prevent the growth of independent unionism that would jeopardize their high profit margin.

FARM LABOR UNION PRECURSORS IN NORTHERN MEXICO

Writing in 1989, the anthropologist Everardo Garduño prophetically summarized the struggle of the indigenous jornaleros of the valley of San Quintín. “[T]he greatest problem, or better said, the fundamental problem of the Mixtecos in San Quintín,” Garduño (1989: 199) argued, is the “labor question.” Union organizing in the valley was difficult, if not impossible, however, given the temporary or seasonal nature of work and the working populations, the predominance of labor camps as the sole nucleus of the farm labor population, the indigenous ethnic character of the workforce which was easily exploitable, the extreme marginalization of the workforce which facilitates its manipulation, and the lack of preexisting union organizations in home communities (Garduño 1989: 215). While much has changed since then, the extreme exploitation and marginalization of the jornalero population continues.

The first instances of rural unionism for waged agricultural workers appeared in the 1870s with mutual aid societies promoting the economic philosophy of mutualism. By 1872, the Great Circle of Mexican Workers (Gran Circulo de Obreros de Mexico), affiliated with the Mexican Liberal Party (PLM- Partido Liberal Mexicano) put forth some of the first concrete demands for rural wage laborers. In the first decades of the twentieth century and in the immediate context of the Mexican Revolution, rural agricultural workers began to organize. Demonstrating their affinity to the PLM and the Flores Magón brothers, these were mostly of anarchist or anarcho-syndicalist orientation. For example, the anarchosyndicalist Mariano Castellanos formed the first rural salaried agricultural worker union organized in Baja California, called the Libertarian Workers (Obreros Libertarios), in the valley of Mexicali. By 1927, in the municipality of Mexicali alone there existed nineteen unions, most of the anarcho-syndicalist orientation, fifteen of

which were agricultural jornalero unions. By 1940 there were approximately forty-three rural unions in Mexicali alone (Ortiz Marín 2007: 168-169).

While the majority of these first unions were grassroots, democratic unions organized by the workers themselves, the official unionism of the post-revolutionary state did not take long to enter the fray. By 1920, Antonio Soto y Gama, former member of the PLM, founded the National Agrarista Party and affiliated more than two million jornaleros to the party on a national level before being disbanded. By 1928 the Confederación Regional Obrera Mexicana (CROM) arrived in Baja California and by 1940 achieved the affiliation of a fourth of all unions in the state. The Confederación de Trabajadores Mexicanos (CTM) arrived in 1937 and by 1940 affiliated another twenty percent of existing unions. The rest remained unaffiliated to the corporatist labor confederations (Figueroa Ramírez 1992; Ortiz Marín 2007: 168-169).

For decades, the only real organizational alternative to the corporatist unions in the northern Mexico has been the CIOAC (Central Independiente de Obreros Agrícolas y Campesinos – Independent Organization of Agricultural Workers and Peasants). CIOAC formed between 1961 and 1962 from a previous organization (the Central Campesina Independiente, itself founded in 1961) by Ramon Danzós Palomino in order to expand their organizing campaigns among the growing population of salaried farmworkers. The stronghold of CIOAC was originally Sinaloa and their work eventually expanded into the valley of San Quintín. After U.S. tomato producers left Cuba due to the country's recent the revolution, Sinaloa became the primary destination of tomato production for the U.S. market. Sinaloa thus became the principle destination for indigenous migrant workers from the Mixteca and other parts of Oaxaca beginning in the late 1960s and early 1970s

(López and Runsten 2004; Zabin 1997). Although CIOAC promotes the unionization of rural salaried agricultural workers, their principle struggle has historically been land repartition/reform (Lara Flores 1996; Velasco, Zolniski y Coubès 2014).

In Baja California, CIOAC has its origin in a small group of mestizo organizers linked to the state teachers' movement and the Communist Party who established contact with the jornaleros of the valley of Maneadero, just south of the city of Ensenada. These organizers were able to bring Benito García, an indigenous Mixteco organizer with a wealth of experience organizing the fields of Sinaloa, to the valley of San Quintín. CIOAC was founded in the valley on September 30, 1984 with a march of around ten thousand workers from thirteen different agricultural camps (Velasco, Zolniski y Coubès 2014: 234-235). CIOAC militants in the valley recall a number of strikes, blockades, marches, and other forms of mobilization to demand the respect for the labor rights of the jornaleros of the valley. CIOAC's most successful action was a weeklong strike in 1988 on the farm El Papalote owned by the Canelos brothers, the largest agricultural employer in the region at that time second only to Los Pinos. More than five thousand workers demanded a wage increase and incorporation into the social security system. According to a CIOAC leader who participated in the strike, the organization achieved a wage increase from nine to twelve pesos a day. Surrounding ranches as well increased their wage in order to prevent further outbreaks of insurrection among the jornaleros. Other benefits included improvements to the camps where the workers resided, including washing stations, latrines, and even a basketball court (Interview 1-17-17; Velasco, Zolniski y Coubès 2014: 246).

The organizational work of CIOAC was so threatening to the agricultural class that they responded in heavy-handed ways to ensure their monopoly of power and control over wages and conditions of labor. Constant surveillance of the workers in the labor camps was common and many of the growers armed their *camperos* (security guards at the labor camps). Cooptation of leaders was also common and eventually resulted in internal divisions within CIOAC. One of the main ways the growers responded to the threat CIOAC posed to their interests was the establishment of collective bargaining agreements with corporatist or “white” unions. The Unión Agrícola Regional de Productos de Legumbres de la Costa (the valley’s largest growers’ association) signed agreements with the Confederación de Trabajadores Mexicanos (CTM) the same year CIOAC was founded in the valley (Velasco, Zolniski y Coubès 2014: 237-238).

In its Third National Congress in 1975, CIOAC proposed to create the Sindicato Nacional de Obreros Agrícolas Similares y Conexos (SNOASC) but was never able to achieve official register by the federal government. Among the demands of the organization justifying the need for a jornalero union, the organization argued for the majority of demands later put forth by the jornalero movement of San Quintín in 2015. Among others, the demands included fulfillment of minimum wage laws on the part of the growers, an increase in the minimum wage for farmworkers, fulfillment of the right to an eight-hour work day, overtime pay according to law, inscription in the social security administration and its legally protected rights and protections, and, finally, the demand for political liberty and democratic unionism that included the right to collective bargaining and the right to strike (Ortiz Marin 2007: 175). Both in San Quintín as in Sinaloa, CIOAC militants organized various strikes and actions in order to better the

conditions of the jornaleros. Unable to achieve lasting changes in labor relations, CIOAC changed its strategy to obtain land grants for worker housing. CIOAC militants helped found the colonias Flores Magón, El Zorillo, Lomas de San Ramón, and Fraccionamiento Popular San Quintín (Lara Flores 1996).

However, scandal and criticism abounded as the organization was accused of mismanaging funds and corruption. In 1987, one of the founders of CIOAC in the valley, Maclovio Rojas was run over by a fellow jornalero. Although officially declared an accident, responsibility for his death was attributed either to a local powerful grower or to fellow CIOAC organizer Benito García who Rojas had accused of corruption. Given these charges, García left the CIOAC to form the Sindicato General de Obreros Agrícolas de Baja California (Singoa), another failed attempt at farmworker unionism in the valley. Today, an important colonia in the Vicente Guerrero neighborhood bears the name Maclovio Rojas in honor of his struggle (Garduño 1989; Velasco, Zolniski y Coubès 2014).

Decades after the failed efforts of the CIOAC, contemporary rural indigenous unionism was revived first in Sinaloa. La Unión Indígena Sur del País “La Patria es Primero” A.C. (Indigenous Union South of the Country “The Nation is First,” or UISP) was founded in 1996 and formally coalesced into a civil association in 2001. The organizational nucleus is primarily indigenous Me’phaa (Tlapanecos) from the state of Guerrero but includes migrants from other states and ethnicities in order to defend the rights of all indigenous migrants in Sinaloa. The organization sought to form an indigenous agricultural worker union, called the Sindicato de Jornaleros Agrícolas Indígenas (Indigenous Farmworker Union), but was never successful. The impetus to

transform the organization from that of a primarily ethnic character to one to include labor rights was due to the constant labor violations, lack of social security, and a number of violations of human and indigenous rights similar to those occurring in other agricultural enclaves in the northern region such as San Quintín (Celso Marín 2007: 139; 164-165).

Between 1996 and 2005, the UISP claims to have organized around forty-six strikes lasting anywhere from three to four days in which between five hundred and one thousand five hundred jornaleros participated (Celso Marín 2007: 194). In March of 2002, the UISP installed a *plantón* (protest encampment) at the state house in Culiacán, Sinaloa. More than two hundred male and female indigenous jornaleros – the majority Tlapanecos, Amuzgos, and Mixtecos from the Montaña and Costa Chica in Guerrero participated, some even engaging in a hunger strike. The striking workers sought a meeting with the governor, Juan S. Millán, to seek his help in the creation of the Sindicato de Jornaleros Agrícolas Indígenas. That same night, under the cover of darkness, over five hundred riot police broke up the encampment of striking workers with an excess of violence. Around thirty of the workers reported being robbed of their money in the operation and six were jailed. The movement was repressed and so too the hopes of rural indigenous unionism were squashed (Celso Marín 2007: 191-192).

Rural farm labor unionism began with the class-based struggles of the CIOAC in both Sinaloa and Baja California. Due to external pressures and its own internal contradictions, however, the CIOAC was unable to achieve lasting change on a systemic level in the fields. The organization was unable to achieve the federal registration of an independent farmworker union to compete with the pro-business, corporatist unions in

the region. The hopes of rural farmworker unionism were kept alive by indigenous jornaleros in Sinaloa in the late 1990s and early 2000s, although ultimately unsuccessful. It wouldn't be until 2015 in the valley of San Quintín that Mexico would witness the birth of the nation's first independent farmworker union.

THE GENERAL STRIKE OF 2015 AND THE BIRTH OF INDEPENDENT UNIONISM IN THE VALLEY OF SAN QUINTÍN

The Alianza de Organizaciones presented its list of fourteen demands to the state governor Francisco “Kiko” Vega Lamadrid on October 15, 2014. The governor, however, did not acknowledge the petition or invite the delegation of jornaleros from San Quintín to dialogue. In response, the Alianza organized a general strike in the valley of San Quintín blocking the transpeninsular highway, stopping production in the fields, and affecting the business interests of multinational corporations that export produce from the valley across the U.S./Mexican border. The jornalero movement presented the same demands once again. The first point of the list of demands reads as follows: “Revocation of the collective bargaining agreements signed by the CTM, CROC and CROM with the Agricultural Association given the profound violations of our labor and human rights.”³⁷ In this way, the Alianza put in first place the collective bargaining rights of the jornaleros of the valley of San Quintín. Unlike sporadic protests on particular farms, the demands and the movement itself demonstrated a new phase of struggle that reflected the interests of all agricultural workers in the valley – whether temporary, seasonal, permanent, indigenous, mestizo, as well as those living in a colonia or in a camp. In a further jab at

³⁷ Pliego petitorio de la Alianza de Organizaciones. See as well chapter one of this dissertation.

the predatory formations constraining the rights of the workers to adequate representation on the job, the Alianza declared the following: “We don’t even know who the leaders are that claim to represent us.”³⁸

Throughout my fieldwork among the jornaleros of the valley, few jornaleros I interviewed knew if they were represented by one of the three main corporatist unions holding collective bargaining agreements with agricultural producers in the valley. Given extremely low levels of literacy and often times lack of fluency in Spanish given indigenous first language monolingualism – both indicators of high poverty and lack of education – many workers are not able to read the contracts presented to them upon hiring. One female jornalera of Mixtecan descent explained to me how she was hired at an Andrew & Williamson affiliated agricultural operation in the valley. “They can’t read the contract to know if they are unionized. It is their fault, but it is more the fault of the employer,” she said exasperatingly. Even among farmworkers who are literate and proficient in Spanish, hiring practices routinely evade the legal obligations of informing the workers of their rights and representation. Another jornalero described his complicity in these hiring practices by not demanding his rights. “You yourself make a mistake when they give you the papers and you don’t read them,” he argued. “They gave me the paper and I didn’t read it.” However hiring practices are also to blame as they rush employees through the process of paperwork. “They don’t let you read it,” he argued. “It is just ‘sign it now’ because whenever they give you the papers it is always ‘sign it now.’ You sign and move on quickly because there is a big line and a lot of people. They give you the papers, you sign, and ‘Next! Next!’”³⁹

³⁸ Pliego petitorio de la Alianza de Organizaciones.

³⁹ 8-24-17 Exjornalera de A&W

Despite the overwhelming presence of the corporatist unions on medium and large farms, in interview after interview the majority of jornaleros I met during my fieldwork responded with a decisive negative response to whether there existed a union on their farm - even on farms where these unions exist. Others simply stated they were unsure. A few jornaleros confused the presence of third-party certification programs like the Equitable Food Initiative and Fair Trade with labor unions demonstrating the lack of knowledge both of the existence and purpose of unions on the farm and of the aims and purposes of certification programs. Overall, among migrant farmworkers from rural areas of southern Mexico there is a lack of knowledge about unionism and labor rights. Many times in my interviews I had to explain what a union is for the farmworker to even be able to answer the question. Thus, when the majority of farmworkers sign a paper acknowledging their incorporation into one of the corporatist unions on the farm, they are largely unaware of what they are signing.

Lorenzo Rodríguez Jiménez, a Triqui migrant farmworker who became the general secretary of the SINDJA union, summarizes the process of forced incorporation into the closed-shop union policy of the farms and the frustration and desperation that forces jornaleros to affiliate with the corporatist unions:

Because when you arrive to start work on a farm in your contract you have to sign one of the clauses that states that you have to be affiliated with either the CROM, the CROC, or the CTM, depending on whichever one was on the farm. And if you decide that you don't want to be affiliated with the union, what happened? They don't hire you. So if you want to work you have to affiliate with one of the unions. There has not been nor is there the freedom of affiliating with or choosing

the union that is best for you or that really convinces you or you really know will work for you. Here the companies impose which union you have to affiliate with. If you want to work. And if not, then no job.

The second day of the strike, on March 18, 2015, talks began between the jornaleros organized in the Alianza de Organizaciones, the state government, representatives of the corporatist unions (CTM, CROM and CROC), the Commission for the Development of Indigenous Peoples (Comision para del Desarrollo de los Pueblos Indígenas, or CDI, the federal government's program to aid the development of indigenous communities), and the Mexican Institute of Social Security (IMSS). On March 27, the government offered a 15% salary increase that would have raised salaries between 130 and 150 pesos (US \$7.20 and \$8.30) a day. This fell way short of the original 300 pesos (US \$16.60) demanded by the Alianza. The negotiations stalled and the jornaleros were removed from the table in order for backroom negotiations to occur between the government, the agricultural associations, and the corporatist unions. According to Lorenzo Rodríguez Jiménez, future general secretary of SINDJA and an active part in the jornalero movement:

When the Alianza de Organizaciones rejected the 15% raise, they sat down once the negotiations faltered. The pro-business protective unions (the CTM, CROM and CROC), the state government and the agriculturalists have a closed-door meeting and sign an agreement. The unions signed accepting the 15% raise...

What does this tell us? Once again they sign behind the workers' backs and sadly

at this moment many of them continue being legal representatives of the workers.⁴⁰

Despite the betrayal of the corporatist unions, however, the jornaleros continued the strike. On May 9, state police raid the Nuevo San Juan Copala and La Triki neighborhoods (two of the main hotbeds for ethnic and community organizing with an overwhelming presence of the Alianza de Organizaciones). In hours of street fighting against the occupying forces, the jornaleros in these popular neighborhoods fought off the police, decommissioned a police tank they nicknamed the shark, and burned down the police station in Lomas de San Ramon. The conflict resulted in 70 jornaleros wounded and 17 detained, four of whom were arrested (Jaloma Cruz 2016).

Given the repression, dialogues between the government and the Alianza resumed on May 13th. During negotiations the Alianza agreed to settle for a 200-peso salary, down from their original 300 pesos. The next day, on May 14th, David Garay, of the federal Secretary of Government (Secretaria de Gobernación) signed an agreement with representatives of the state government, agriculturalists and jornaleros to bring the salary “as close as possible” to 200 by June 4 and retroactive from May 24th. As well, in an unprecedented event, the Secretaria de Trabajo and Previsión Social also agreed to give an official register to a jornalero union, thus respecting the jornaleros’ right to union autonomy and freedom.

Despite the surprising and overwhelming power of the jornaleros to bring the state and federal government to the negotiating table, divisions and manipulations soon emerged leading to the exclusion of a number of important community representatives

⁴⁰ Interview with Lorenzo Rodríguez. October 18, 2016.

and leaders of the Alianza. The main disagreement between the resulting factions of the Alianza revolved around the negotiations on June 4, 2015. In these negotiations, representatives of the Alianza, growers, and government signed a pact to establish an “integrated daily base salary (salario mínimo integrado base.)”⁴¹ This salary was to be determined for the size of the farm (small, medium and large) and fixed at 150, 165 and 180 pesos a day (US \$8.30, \$9.16, and \$10.00). Whether a product of manipulation by the growers, inexperience on the part of the Alianza, or a simple mistake, the category “integrated” salary meant that the daily salary of 180 pesos included important benefits (like vacation pay, social security payments, and yearend bonuses) afforded the workers (although rarely fulfilled). The “base salary” meant 200 pesos and on top of that the other benefits required by law. Thus, the “integrated” salary significantly curtailed the earning power of the jornaleros. Three members of the Alianza (Justino Herrera Martínez, José Luis Hernández Cruz and Hermindo Miguel Martínez Moran) refused to sign (Jaloma Cruz 2016).

A dissenting faction within the Alianza, represented by Fermín Alejandro Salazar Santiago, Justino Herrera, Lucila Hernández, Enrique Alatorre, and Carlos Hafén were increasingly excluded from the Alianza and began to form a separate bloc. This group established talks with the PRD-led government of Mexico City, including the mayor Miguel Ángel Mancera, and the Labor Relations Board of the Federal District (Junta Local de Conciliación y Arbitraje del Distrito Federal). Mancera was the leader of the

⁴¹ Gobierno de la Republica. Minuta de Acuerdos y Compromisos. July 4, 2015, pg. 2. This agreement was signed by Subsecretario de Gobierno Luis Enrique Miranda Nava, Subsecretario del Trabajo Rafael Adrián Avante Juárez and Titular de la Unidad de Gobierno David Garay Maldonado, Governor of Baja California Francisco Vega de la Madrid, representatives of the Consejo Agrícola of Baja California and the private sector, and the Alianza de Organizaciones, among others.

PRD party that is now controlled by ex-militants of the PRI. As Mancera was maneuvering for his possible presidential candidacy for his party, the jornalero movement offered him a chance to gain a legitimate social force for his campaign. On November 4, 2015, the federal government granted the official register to the Sindicato Nacional Independiente de Jornaleros Agrícolas y Similares (The National Independent Union of Agricultural Workers and Related Industries, or SINIJAS). The “related industries (similares in Spanish)” in the name of the union was designed to allow other sectors of the economy to affiliate with the SINIJAS union. This hypothetically allows it to have a wider social base, but also increases the possibility of the union registration to be dominated by other sectors not related to farm labor. The leaders of the dissident wing of the Alianza, mentioned above, formed the executive committee and Enrique Alatorre was appointed as provisional general secretary of SINIJAS (Jaloma Cruz 202-207).

Enrique Alatorre Navarrete, a mestizo small businessman from Nayarit, was at one time a jornalero. Alatorre runs a seafood eatery in the valley of San Quintín, worked for the municipal administration of Enrique Pelayo Torres under the PRI party, and is a leader of the PRI-controlled Revolutionary Worker Confederation (Confederación Obrera Revolucionaria, or COR). The COR is a smaller, provincial corporatist union affiliated with the PRI. Despite his political affiliation, Alatorre joined the jornalero movement as it presented a convenient political moment to harness local opposition to the PAN-controlled politics on a state level (Domínguez 2016). Alatorre led the dissident faction of the Alianza to Mexico City to dialogue with the mayor of Mexico City, Gabriel Mancera. Alatorre and his faction sought to negotiate with the federal government excluding the Alianza. According to Alatorre, they achieved a basic agreement to improve conditions in

San Quintín, but Mexican President Enrique Peña Nieto never signed the accord and it never proceeded. The only tangible outcome of the negotiations in Mexico City was the federal registration of the SINIJAS union. Alatorre described the process of negotiating the approval of the SINIJAS union as a betrayal, however. “They first treated us like kings, eating in fine restaurants and living in big, fancy hotels and all that stuff (“nos trajeron como reyes comiendo en buenos restaurantes, viviendo en unos hotelones machines y todo el pedo),” Alatorre related. “They deceived us with this union because it was political. Mancera wanted to run for president after Peña Nieto leaves. The dude deceived us with this shitty union (El vato nos engañó con esta chingadera de sindicato).”⁴²

The original core of the Alianza declared the SINIJAS as a betrayal of the Alianza and the jornalero movement in general. For them, SINIJAS represented yet another “corporatist” union. Its purpose was to divide the jornalero movement and benefit the PRD in the upcoming elections. Alatorre believed that Mancera helped them establish the union in order to build support for his presidential campaign. However, as a new union with no power and fewer resources, Alatorre sought help from his friends in the COR. Elected provisional general secretary of SINIJAS, Alatorre moved the union towards the PRI-controlled COR for political and financial backing. “We achieved this union because of the COR. The truth is we won it because of the COR and not because of us,” Alatorre claimed. According to Justino Herrera, an indigenous Mixteco leader from colonia La Triki in Lomas de San Ramón and one of the leading dissidents who split off from the Alianza, Alatorre was only supposed to be secretary general for six months before new

⁴² Interview with Enrique Alatorre Navarette. January 26, 2017.

elections were to be held. However, according to many of the jornaleros I interviewed, Herrera wanted the leadership position in the union and thus was Alatorre's rival. Given the opportunity, Alatorre took over the union and made himself permanent secretary general, thus maddening and alienating the indigenous wing of the Alianza dissenters.

According to Justino Herrera, this was a further betrayal:

Damn the time when we finally realized we put on the executive committee a bastard (desgraciado) named Enrique Alatorre and we made him [temporary] general secretary for six months so that after those six months the worker could choose [a new general secretary]. In those six months we were going to affiliate the workers, whatever worker that wanted to join the union. We were going to go signing people up ranch by ranch until arriving at a majority in one of them to fight for a collective bargaining agreement according to the law... Six months later we were going to call on all of the affiliated members...so that the workers could choose a new executive committee. But the bastard (desgraciado) Enrique Alatorre and the secretary of organization met behind our backs with the complicity of the COR...They went to Mexico and changed the union, using the initials of the union we had, where Enrique Alatorre was not going to be for six months as he made himself secretary general for six years violating the agreements. It made me so mad. The Alianza betrayed the workers. Enrique Alatorre with the union betrayed the workers. I honestly told them that they can all go fuck themselves.

Alatorre, however, found his maneuvering to be natural given his racist views of indigenous people, Oaxacans especially. "When we got together as the Alianza, to fight

for water and all that,” Alatorre declared, “I told them [i.e. the Alianza] and I say it openly, when the indigenous have power they screw over their own people. The [indigenous] leaders live by fucking over their own people (Los indígenas cuando tienen poder se clavan su propia gente. Lo líderes viven chingando a la gente.)” Alatorre then moved to push out the indigenous leaders sitting on the executive committee and converted the SINIJAS union into his own personal patrimony and invited collaborators from the urban mestizo sector linked to the PRI and allied to the COR.

Lucila Hernández, the only female leader of the Alianza who represented the community of Santa Maria de los Pinos in the southern part of the valley, was soon forced out of SINIJAS as well. Hernández, who was the Secretary of Gender Equality for the union, claimed that Enrique Alatorre excluded her and other members of the union’s leadership from meetings and the decision-making process (Soto 2016). In a public letter distributed to the media, Lucila described her struggle as a woman in a male-dominated labor movement.

We women have actively participated, and without recognition, in each social movement struggling for the rights of the agricultural workers, for water, for schools, for electricity, for a colonia – never as leaders, never as interlocutors, until today. With the movement of March 2015, some of us achieved visibility and I was the only recognized female spokesperson. It was not easy. They gave me the right to speak last; at first they even denied me the category of spokesperson...Almost a year after this great movement that cost us so much, I do not see any advances in the demands of the women, nor the strengthening of our leadership. It continues to be them [the male leaders] who decide, who speak, who

negotiate. There is no representation of the female worker, salaried or not, in the leadership of the unions in which I joined. The demands of the women are not a priority. Not even my voice is listened to. There is no equity, no equality, and, because of this, it is not democratic (Hernández García 2016).

Given the betrayal of the indigenous leaders, the exclusion of the only woman in the leadership, the lack of jornaleros on its executive committee, and its comfy relationship to the mainstream political party of the PRI (at the time governing nationally and locally at the municipal level although the state government was in the hands of the PAN), SINIJAS cannot be qualified as either grassroots, independent, or democratic and thus offers little in the way of alternatives for the jornaleros of the valley of San Quintín. In the end, SINIJAS represents an attempt by the Mexican state to convert a legitimate demand of the jornalero movement – the right to a legitimate collective bargaining agreement – into yet another predatory organization that assures the subservience and flexibility of exploited indigenous migrant farmworkers.

Finally, on November 28, 2015, the constitutive assembly of the Sindicato Independiente Nacional Democrática de Jornaleros Agrícolas was held in Tijuana. Linked to the Alianza de Organizaciones and affiliated with the National Workers Union (Union Nacional de Trabajadores, or UNT), a federation of independent unions throughout Mexico, the first truly democratic grassroots farmworker union was born. SINDJA began with union locals in Baja California, Aguascalientes, and Mexico City and months later incorporated a fourth local, that of the municipality of Ayala, Morelos. Led by Lorenzo Rodríguez Jiménez as general secretary, SINDJA represents a historic event in the history of Mexican unionism as for the first time in history popular pressure

forced the federal government to recognize an independent farmworker union. Although not numerically significant just yet, as the union has around four thousand affiliates across the four states with over a thousand in the valley of San Quintín, the jornaleros now have the legal personhood and organization framework with which to fight for dignity in the fields.

SINDJA'S INTERCULTURAL LABOR ORGANIZING

It is Sunday, December 4, 2016. SINDJA General Secretary Lorenzo Rodríguez Jiménez and Secretary of Organization Venustiano Hernández Cruz, two Triqui migrant farmworkers settled in the valley of San Quintín, invited me to witness the work of the union to affiliate members. Instead of heading to the fields to engage workers at the point of production, we drove to the house of a leader of the Alianza de Organizaciones in the ejido Francisco Villa. When we arrived at the house of Don Bartolo (pseudonym) he offered a space under a veranda of a wooden house. Lorenzo and Venustiano set up a table and three chairs under the shade of the veranda on the sandy, dirt floor. The process was to affiliate new members by filling out two basic forms: one for the union and the other for the federal labor commission. There were five documents needed (all copies): birth certificate, CURP (similar to a social security number), a bill showing proof of address, voter id, and a pay stub assuring the individual worked in the fields. The only requirement to become a member is to be an active farmworker. Lorenzo and Venustiano went through the paper work with each of the individuals filling out the forms. Member association is important as it brings a greater weight to the union. Union membership brings more influence and helps tip the scales on local farms. If someday SINDJA has the

majority on a farm it could force a company to negotiate a collective bargaining agreement.

There was a great diversity of people in this meeting but all of them had a couple things in common: all were jornaleros, all were originally from southern Mexico, all had little to no formal education, all were poor, and all lived in the same neighborhood (colonia). The vast majority were indigenous peoples from Chiapas, Veracruz, Guerrero, and Oaxaca, although there were a few mestizos from these same places. Some of the individuals were elderly monolingual Triqui speakers. A few of the jornaleros were illiterate and signed their forms with their initials or simply a large “X.” As members were affiliated, the community leader from the Alianza talked about how important it was for the community to be organized to demand better roads, water, and other services to which they had a right as they were productive citizens of Mexico. Without pushing the government, however, the state would not fulfill its obligations. The people had to organize and demand their rights, the community leader argued.

This episode demonstrates how the SINDJA model of community unionism is based in local patterns of residency and kinship as opposed to the workplace – the difference between organizing the colonias as opposed to the campos. “Here normally it isn’t very difficult to get organized given the way the colonias operate,” Lorenzo Rodríguez Jiménez told me when discussing the affiliation drive.⁴³ “All of the colonias have their representatives and the majority are jornaleros because other people don’t organize.” The local representative, Don Bartolo, exercises a form of leadership based in large part on the type of leadership common to his home community in the state of

⁴³ 1-30-17 Lorenzo Rodríguez Jiménez interview.

Oaxaca but transplanted onto the migrant settlement community of the valley. “Normally those who are organized are those who come from pueblos,” Lorenzo argued.

This relationship between labor, residency, kinship, and ethnicity provides the foundation for SINDJA’s intercultural labor organizing. For many of the jornaleros, the primary identity of affiliation is not that of a worker but that of an identity based on indigeneity. Lorenzo argued that the indigenous were the most organized and that other groups. According to him,

All of the combative struggles that have taken place here is because of the indigenous. If you see that it is necessary to undertake drastic actions – occupying a highway, for example – it is the indigenous [who will do it]. If it is necessary to take over a government office it is the jornaleros. They are the only ones who have the courage to do so because they are organized.

Evident as well was the gender and ethnic diversity of those assembled even as they share a certain level of poverty that defines them as a class of precarious workers. SINDJA leaders effectively worked across linguistic differences and allowed local leaders to translate and interpret the union’s activities. Thus, the operative categories go beyond indigeneity and include aspects of region of origin and broader familial, ethnic, and social affiliation. What seemed least operable at the present historical moment was an identity based on class – the industrial worker who was supposed to be the vanguard of radical change at the turn of the century, for example. Lorenzo concludes his thoughts by saying the following:

So we may not have the same ideas but we are paisanos [fellow countrymen].

Many of us come from the same *pueblo* [a word meaning both town and people].

Maybe I don't agree with you on many things but if the government or the businessman is doing something to you, I am going to defend you because I feel that you are mi *raza*, my people. Understand?

Not only did I begin to understand these issues of identity and affiliation, I also began to understand that the demands of the local residents went beyond "traditional" union issues and included demands more typical of community groups and social movements. These include the issues of lots for settlement, electricity, and water that took center stage in previous generations of struggle as evidenced in Chapter II of this dissertation.

According to Garduño (1989: 202), the limited achievements of state organizations to better the lives of the indigenous jornaleros in the valley during the 1980s were due to a number of reasons. On the one hand, the economic and political limitations of these organizations that rendered the struggle of the jornaleros invisible and isolated in an underdeveloped part of the country. However, the most salient aspects of the marginalization of indigenous jornaleros were linked to the racist assumptions of the state ideology of *indigenismo*. As a state practice, *indigenismo* sought to integrate the indigenous into the dominant model of development. Seeing indigenous cultures as "backwards" and "underdeveloped," *indigenismo* sought to "elevate" the indigenous to the standard of civilization of urban, mestizo, and national Mexican culture. Thus state practice did not allow for independent or autonomous movements to arise and compete with the state sponsored institutions.

As for the failures of independent union movements in the valley, Garduño (1989: 203) argues that the major culprit has always been: "The predominance of an orthodox Marxist vision that looked down upon the labor of the semi-campesinos and privileges

the organization of the definitive residents, whose only framework is from the perspective of class, leaving untouched the ethnic aspect, which has led to the imposition of non-indigenous forms of organization and mobilization.” In a scathing critique of both the state and independent labor organizations, Garduño (1989: 203) argued that both of their failures to truly attend to the indigenous jornalero populations in the valley and rectify their most basic necessities is due to the fact that both positions hold fast the idea that “in order to better their lives, the Indians should stop being Indians.”

Garduño argued that the lack of success of independent labor organizations was based on the urban, Marxist ideology of organization that imposed forms of industrial organization natural to the city onto the struggles of rural, migrant, and indigenous jornaleros. In its own way, this ideology argued that improvement of the indigenous campesino was based on his or her absorption into the salaried working class. As well, Sara Lara Flores (1996: 107) argued that traditional unions failed to organize jornaleros adequately given that their organizational schemes were out of date and too rigid. For example, the concept of the traditional worker as an adult male is outmoded among jornaleros given the presence of child and female laborers who work with their husband as family units or as female-led single parent households.

Against the essentially racist vision of both the indigenismo of the state and the dogmatic Marxism of the independent union organizations, Garduño prophetically argued that for an independent movement to arise in the valley it must not abandon or discredit forms of organization that indigenous workers brought with them from their home communities (assemblies, leadership models, etc.) but instead to organize from within them. Contrary to the teleological positions of Marxist and indigenista dogmas, according

to Garduño, indigenous culture was not withering away in the valley of San Quintin but was instead struggling to survive and in a large sense flourishing despite the miserable conditions of life and the relentless exploitation that marked their lives. Capitalism has been unable to eradicate the identity and belonging fundamental to indigenous campesino communities despite their transition to salaried jornaleros. The reformulation of their communities in this transnational diasporic space has thus been an important element of resistance to their brutal displacement from their communities of origin. Garduño saw this form of resistance, although limited and partial, as a model of organization that could lead to long-lasting and profound structural changes with the possibility of radically ameliorating the suffering of the indigenous jornaleros. “This is, in synthesis,” prophesizes Garduño (1989: 205), “the strategy that puts forth the negation of the Indigenous person as a prerequisite for betterment is opposed by the conviction that for betterment the reaffirmation of the Indigenous person is needed.”



Figure 16. SINDJA’s First *Encuentro* (Meeting) of Female Farmworkers. Valley of San Quintín, 2007. Photo by author.

Garduño argued that the task of any truly independent organization that seeks to organize the indigenous jornaleros of the valley is to begin within the specific political culture of the indigenous communities and their culturally specific forms of organization. Instead of imposing urban ideas of democracy, leadership, participation, and organization on the rural indigenous communities, it is possible to reformulate such ideas on indigenous terms. Garduño argued that democratic decision-making processes such as majoritarian voting could possibly give way to indigenous understandings of leadership and consensus where the assembly and the role of the “leader” predominate. Leadership here is not a formal idea of established terms, but instead has to do with the capacity and desire of individuals to represent the will of their communities to outside interlocutors for indiscriminate periods according to the will of both the leader and the community. Other forms of association such as communal labor (tequio) and mutual aid are important organizational aspects of indigenous communities settled in the valley and can be channeled towards a greater organizational end. Part of this process, according to Garduño (1989: 206) also lies in delimiting what aspects of traditional culture inhibit the liberatory potential of organization, such as machismo.

As highlighted in previous chapters, indigenous migrant farmworker organizing in the valley of San Quintin, as well as other global agricultural enclaves such as those of Sinaloa, reproduce decision-making structures and leadership models based around commonly experienced political cultures in the state of origin – above all in Oaxaca. At the local level, organizing revolves along ethnic and community identity with community assemblies in the *comité de colonia* being the most important decision-making institution as well as the normal mediator with instances of municipal and state government. The

Alianza gained its organizing success in the March 17th jornalero strike by uniting the comités de colonia into a regional organization. Similar to the success of the CIOAC decades before them, as Lorenzo Rodríguez argued, “The movement did not work farm by farm, it worked colonia by colonia.” This model includes two important aspects.

First, SINDJA’s organizing model can be seen as intercultural as it combines aspects of classical industrial unionism with the local indigenous community-organizing model in the comités de colonia. This unique strategy begins by organizing jornaleros in their colonia and not in the fields in which they work. Given the dominance of charro unions, repression by employers, and hostility by local law enforcement, organizing at the point of production is largely impossible. As well, organizing the migrant camps on the industrial farms is unfeasible given the surveillance of company hired security guards. Thus, what SINDJA hopes to do is to recreate the community representative and assembly model originating within the colonias but adapted to the ends of a union. For example, the union has begun to construct a firm foundation in several colonias by naming union representatives for each colonia. Further representatives are nominated given their employment on a particular farm. As many of the residents of the colonias work on several farms nearby, it will eventually be possible to have representatives for each farm in each colonia in order affiliate a majority of workers on each farm. Once the majority of workers on a farm are affiliated, intercommunity assemblies can be held to broaden and coordinate the organizing campaign to unionize the farm. Given that residents of colonias may work in a number of different farms, this model may not be feasible in the long run, however SINDJA representatives realize that this is slow, painstaking work but necessary for the success of the union.

Second, SINDJA's model combines labor and community organizing models to immediately improve the lives of jornaleros as long-term goals like the winning of a collective bargaining agreement are fought for. Given the presence of "charro" unions on the farms, most jornaleros do not know what a union is or how it is supposed to function. If they do, they have negative opinions of unions given the nature of the pro-business collective bargaining agreements that exist on the farms. Thus, SINDJA has to start from the very beginning and educate the jornaleros in union culture. This is more effective when the union struggles for basic rights like access to water or housing. As clear benefits accrue from the involvement of the SINDJA in the daily struggles of the jornaleros, more and more jornaleros will be won over to the union cause.

SINDJA AS AN INDEPENDENT INTERMEDIARY BETWEEN LABOR, CAPITAL AND THE STATE

For decades, the indigenous jornaleros of the Valley of San Quintín lacked political organizations that sought the betterment of their living and working conditions. Those organizations that did exist were directly linked to the state and hence both partial and limited in scope, budget, and power. "Independent of their acronyms or their respective areas of action, whether they are official institutions or union organizations linked to the State or independent of it," Garduño (1989: 200) argued, "every form of labor in favor of the indigenous migrants of San Quintín faces a quandry: offer services or organize. Both forms of labor arise from the recognition of the deep social problems that tend to evolve towards episodes of conflict and to spur forms of protest organization unique to the jornaleros." Garduño offers a defining characteristic between the top-down

social welfare policies of the state (asistencialismo) and grassroots organization tied to vision and plan of action.

The asistencialismo tries to eliminate all possible sources of agitation and nucleus of possible conflict through palliatives that create the sensation that the most felt necessities have been fulfilled, avoiding in this way the attempts to organize the indigenous workers. Labor organization, on the other hand, has as its goal the true satisfaction of necessities, not only of those most deeply felt, but also the most transcendent, through self-driven organization, even taking recourse on occasion, to conflict” (Garduño 1989: 200).

Recognizing the limited achievements of organizations linked to the state, independent organizations like FILT, Alianza de Organizaciones, FIOB, and others sought to represent the jornalero communities, thus evading the official organs of intervention between the community base and the apparatus of the state. Independent intermediaries sought direct and immediate benefit for their respective communities. Issues such as water, electricity, roads, and trash collection were more effectively resolved mobilizing the grassroots community through direct action and mediation with community representatives. This channeled the decision making power and resources involved in the amelioration of basic necessities to the community itself – often through its leaders – thus ensuring direct involvement of the affected communities. Although there is never a guarantee that local community actors, independent organizations, and leaders will be transparent and democratic, the limited capacity of action and lack of resources on the part of the state led community members to qualify its level of attention as inadequate, corrupt and disinterested.

In terms of the relationship between labor and capital, it is possible to identify an enormous array of intermediaries operating on a local level, intermediaries that can be understood as local predatory formations in Sassen's terms. The majority of these intermediaries intervene in the day-to-day relationships between growers and workers. In the fields, this intermediation is conducted by mayordomos (crew leaders), contractors, engineers, and other representatives of the grower. However, when labor unrest or other events occur disrupting the normal operations of the farm, given the relative absence of the state, intermediation is conducted by local leaders from colonias and political organizations. It must be understood, however, that power relationships are also interwoven with personal and familial connections (in other words, kinship). Although mayordomos, for example, are the most immediate source of labor suppression, mistreatment and abuse, the mayordomos are also the neighbors, paisanos (townsfolk), and relatives of the common worker in the fields. Thus, these kinship relations are often manipulated by all parties for their mutual benefit. The average worker in the field may ask the grower for a loan or the mayordomo may be the godfather of a number of the children of the workers in his crew or a relative of a community leader and thus provide better treatment or less strenuous jobs. Thus, traditional forms of mediation were often informal and personal and thus fraught with tension and a lack of transparency.

A good example of this is the case of Benito García. The accusations against him included corruption, personal gain, and collusion with the growers in informal labor negotiations to the detriment of the workers. García was a leader in all respects: labor, ethnic, and community. However, he was also accused of being immersed in extended kin relationships (*compadrazgo*) with an influential grower. The national leadership of

CIOAC did not understand the particular political culture of the Oaxacan communities settled in the valley. Their vision of formal, contractual relationships between capital, labor, and the state were impossible in an environment where the state was largely absent and mediation was often through informal and personal relationships. However, these forms of mediation are ubiquitous in rural Mexico and are part of the domination that rural and indigenous communities are subject to given the legacy of colonial and corporatist relationships in which they are immersed (Velasco, Zolniski y Coubès 2014: 239-249).

However, many of the growers prefer to utilize the mediation of local leaders instead of the union, as the local leaders do not represent a threat to the growers as a class. On December 10, 2016, for example, managers at Berrymex, one of Driscoll's major producers, announced to a number of work crews (totaling a couple hundred workers) that they were to sign a voluntary termination letter and would be notified when work was available a few weeks later. The work crews grew angry and spontaneously mobilized. The engineers in charge of this section of the ranch bypassed the corporatist union on the farm (the CROM led by Arnulfo Quintanilla) and solicited the mediation of the Bonifacio Martínez of the Alianza de Organizaciones. Given the long relationship and personal connections between the more informal community leaders of the Alianza, the group was called on for help to mediate the dispute. Through their intervention a peaceful solution to the conflict was assured as the grower kept the jornaleros employed (thus receiving benefits like seniority) but at fewer days until the season picked up a few weeks later. While all parties walked away satisfied and a climate of goodwill between capital and labor was achieved once again, the informal nature of the agreement left open the

chance for future violations. Neither the CROM nor SINDJA was invited to mediate the dispute. On the one hand the jornaleros distrust the corporatist union and therefore distrust the SINDJA union or lack information of its existence. On the other hand the growers see SINDJA as a major threat to their interests as a class. In the end, informal arrangements overturned the possibilities of implementing a formal, contractual system for dealing with labor disputes. Until SINDJA can organize the farms, however, the informality to which labor relations are subject will continue to the detriment of the workers.

CONCLUSION

In Mexico, indigenous peoples' incorporation into class-based labor organizations has largely been through corporatist organizations such as the National Confederation of Campesinos (CNC, Confederación Nacional de Campesinos). Given the expansion of agricultural wage labor since the neoliberal turn in the 1980s, indigenous agricultural laborers like the migrant farmworkers of San Quintín either lack incorporation into labor unions or other organizations and thus suffer from a "low level of citizenship" that negates their right to effectively participate in the polity or are incorporated into corporatist labor organizations that function as local predatory formations that assure an exploited and docile labor force for transnational capital.

Jornaleros throughout Mexico, not just in San Quintín, suffer significant abuses to their human and labor rights at the hands of transnational predatory formations rooted in particular localities with unique political histories. What the jornaleros have in common as a class of salaried agricultural workers is a basic denial of their rights to freedom of

association, to collectively bargain, and to have a voice in their workplace. Although local actors like small, medium, and large farms are the first order of labor suppression and exploitation within the framework of Mexican labor law and national union federations, U.S.-based multinational corporations could not effectively extract enormous profit from these ventures without their complicity in these predatory formations. Distributors like Driscoll's, the world's leading distributor of berries, turns a blind eye to the corporatist "charro" unions that exist on the farms of their subsidiaries like BerryMex whose role is to keep wages low, suppress worker organizing, and protect the interests of the company.

Combined with this are the particular difficulties of organizing agricultural laborers given the nature of migratory farm work. As Sara Maria Lara Flores (2018: 33) argued,

In agriculture, the seasonal nature of the day laborer historically has made the affiliation of the agricultural workers difficult. Added to this today is the labor itinerancy and instability that forces them into flexible forms of operation of agricultural companies. In this sense, in Mexico, union activism is practically null among the agricultural workers. In its place, migrant associations and other forms of struggle in questions of ethnic identities have had greater importance in generating demands relative to human rights.

As well, Celso Ortiz Marín (2017: 175-178) argues that a number of factors make rural indigenous unionism difficult. These factors include the historical weight of industrial and urban labor movements coopted by the state and political parties through corporatist organizations as well as the organizational structure of traditional labor unions that are

too rigid and static to incorporate rural, indigenous migrant workers. Agricultural workers suffer a permanent mobility in highly precarious working conditions that leave little time or energy for organizing. When organizing happens the great opposition on the part of the growers and the political elites inhibits tangible results.

Workers' movements have been on the defensive globally since the international turn towards neoliberalism in the 1970s. With the changes to the global economic and political order the traditional trade union model has largely been unsuccessful – and oftentimes irrelevant – to current political conditions that have undercut labor's power. While “contract unionism” gained a modest amount of bargaining power for certain privileged sectors of workers (public sector workers like bureaucrats and teachers, for example), traditional labor movements grew isolated and insulated from the systemic disenfranchisement of new categories of precarious workers and new conditions of precarious labor. In response, community and social movement unionism arose in the political vacuum left by traditional labor. Community unionism has sought to incorporate seemingly unorganizable contingent and precarious workers where they live and not where they work – i.e. in the community. Community unionism works to improve housing, services, and public welfare – issues that go beyond the realm of work and the workplace – and center on domestic and public spaces. Community unionism can be enacted by alliances between labor organizations and community groups or it can occur where organized labor is nonexistent. Social movement unionism is defined as organized struggle for issues that go beyond those of industrial unionism (wages, hours, and conditions, for example) and seek to engage in struggles for greater equality, democracy, and human rights. In social movement unionism traditional labor unions fight side-by-

side with other organized groups across class lines by forming alliances along issues of race, gender, sexuality, and other issues of identity. Oftentimes social movement unionism occurs in forms of mass mobilization or popular fronts that seek broad demands of reform and democratization (Banks 1991; Black 2005; Lipsig-Mumme 2003; Scopes 1992; von Holdt 2002; Waterman 1993).

The Alianza is a quintessential autonomous community union movement that spawned an industrial labor union. The uniqueness of both the Alianza and SINDJA is that previous incorporation of rural workers was done normally on the basis of small producers in corporatist organizations like the CNC. The Mexican state's class-based (campesinista) and racial/ethnic (mestizaje-oriented indigenismo) ideologies left salaried agricultural workers and indigenous peoples outside of official frameworks. With the transition to export agriculture due to neoliberal economic reforms, the Mexican state abandoned the campesino as the privileged rural class and large numbers of campesinos left their land for salaried migratory agricultural work. Since the CNC could not successfully integrate the new class of salaried agricultural workers into its organizational structure and ideology only two forces remained to incorporate this new emergence class of precarious workers – industrial unions based either in official corporatist federations (like the CTM) or quasi-independent, Marxist-oriented unions (like the CIOAC). The Alianza and the SINDJA arose to prominence given the inability of both models to successfully meet the needs of flexible, precarious laborers exploited as much on grounds of class as race/ethnicity and gender.

Although SINDJA was able to achieve federal registration as a legally established union – something the CIOAC and other organizations were unable to accomplish – the

union is small, underfunded, without a contract, and fighting an uphill battle against powerful local, state, national, and international interests. As the SINDJA seeks to build itself as a union and seek international allies in established labor movements (like the AFL-CIO's Solidarity Center in Mexico City, for example), it will be under increasing pressure to concentrate on traditional issues of industrial unionism – obtaining its first collective bargaining agreement, for example – and move away from the community and social movement unionism from which it sprang. How to be a community union in connection with other social movements regionally and internationally with few dues paying members and no income given the lack of a collective bargaining agreement is one of the greatest questions the union is currently facing.

When the jornaleros of San Quintín rose up in 2015 to declare they were tired of being the “slaves of the 21st Century” their use of the word slavery effectively equates the negation of their human dignity at the hands of these local power holders and transnational predatory formations. According to Carlos de Castro (2014: 61), there is a connection between social norms of employment, labor policy, and citizenship. The general norm for labor relations under industrial agricultural in global agrarian enclaves is one of extreme flexibility that degrades not only the labor conditions of agricultural workers but also their level of citizenship given the deterioration of their constitutional and social rights. As Carlos de Castro (2014: 61) argues, a legal framework regulating labor relations that allow workers to have a some control over the conditions of their labor is not simply about matters related to production but also as a member of a greater political community not simply as a worker who sells his or her labor power on the market but as an individual granted legal and social rights linked to citizenship and

participation. “The systematic negation of their union rights,” remarked Hubert C. de Grammont (2006), “consists in a legal exclusion of such magnitude that, more than creating a second-class citizenry, as is often affirmed, negates the universal concept of the citizen with the same rights and same duties under the law.”

With the establishment of the Sindicato Independiente Nacional Democrático de Jornaleros Agrícolas (SINDJA) the possibility exists for a more modern, contractual, and, hopefully, democratic relationship between labor, capital, the state, and farmworker communities. This can only be achieved, however, if the SINDJA has the capacity to organize large numbers of jornaleros and establish collective bargaining agreements with growers. At the time of writing, however, the struggle has only begun. As well, as consumers in the global north who consume horticultural products produced in the agricultural enclaves of the global south it is important to ask whether we are complicit in these transnational predatory formations that deny citizenship to expendable workers who harvest our food. The next chapter will explore whether or not advocates of “consumer citizenship” strategies like fair food labeling schemes that do not incorporate the rights of agricultural workers to collectively bargain raises the level of citizenship of agricultural workers and their control of the conditions of their labor or simply reinscribes their exploitation without modifying the social norm of labor relations in the fields.

CHAPTER VII

FAIRWASHING AND UNION BUSTING: FAIR TRADE AND EQUITABLE FOOD PROGRAMS IN THE VALLEY OF SAN QUINTIN

On April 11, 2019, jornaleros from Rancho Nuevo, a transnational berry and tomato plantation subcontracted by San Diego based Andrew & Williamson Produce and sold under the Good Farms organic strawberry label, launched an anonymous denouncement:

Rancho Nuevo where slavery exists. Rancho Nuevo where they don't pay overtime. Rancho Nuevo where if you raise your voice you are fired. Rancho Nuevo where they demand quality but don't pay quality wages...Rancho Nuevo where there exists a pro-business repressive union that defends the boss and not the worker. Rancho Nuevo where the Fair Trade and Equitable Food Initiative certifications exist to sell the produce more expensive in the United States without bettering the working conditions and the treatment of the worker.⁴⁴

These jornaleros, or migrant farmworkers, used the safety and anonymity of social media to denounce their employer, as they feared retaliation for demanding their rights.

Farmworkers at Rancho Nuevo were protesting the fact that during the strawberry harvest they were forced to work twelve-hour to thirteen-hour shifts without overtime pay. The disgruntled workers at Rancho Nuevo argued that they deserved to work an eight-hour day and that overtime should be voluntary and paid according to Mexican labor law. As it was harvest (i.e. piece rate), workers were paid \$18 pesos (US\$1) for every box of

⁴⁴ Anonymous, "A los medios de comunicación." April 11, 2019.

strawberries. A box holds four 2lb. clamshell baskets. In the Costco stores in San Diego, California, each 2lb basket was sold for \$3.49 dollars. The disgruntled workers argue they should be paid \$20 pesos (US \$1.11) per box during the eight-hour day and then \$25 pesos (\$US1.25) during overtime. Despite the worker protests, the label on the clamshell baskets of Good Farms organic strawberries claims that they are “Responsibly Grown,” “Farmworker Assured,” and certified by the Equitable Food Initiative.

The farmworkers at Rancho Nuevo disagree with the contents of the label as they argue their rights are not being protected. “Well I think I have it understood that the worker has to work eight hours a day,” said one anonymous jornalero that I interviewed, citing Mexican federal labor law, “and the bosses want all the fruit to be picked, all the fields to be cut. Like yesterday, we finished work at 7pm, [it was] 7:30pm when we finally got on the busses [to go home].”⁴⁵ These young farmworkers of indigenous Oaxacan heritage born in the valley of San Quintín were working on transnational strawberry plantations that enjoyed Fair Trade USA (FTUSA) and Equitable Food Initiative (EFI) certification. Discounting the hour they took for lunch and the fifteen minute break allowed to them in the morning, these workers were in the fields harvesting strawberries for eleven or twelve hours a day without overtime pay. During the harvest, these workers are working an approximate seventy-two hours per week Monday through Saturday and are often obligated to work on Sundays as well.

Although the dissident workers launched their communiqué anonymously, I was able to locate and interview five of them shortly thereafter. Given my good rapport developed by working alongside the Indigenous migrant farmworker communities in the

⁴⁵ Interview 4-21-19 1.

valley, the dissenting workers allowed me to interview them despite their fears of harassment, retaliation, blacklisting, and – increasingly used as a tactic of labor suppression – being barred from employment on Andrew & Williamson farms in the United States through the H2A guest worker visa. “The denunciation was launched through social media because they don’t give us the right to express ourselves,” one of the anonymous workers relayed to me in a clandestine interview. “If we hold a meeting in the fields or in the cafeteria maybe the boss will show up or the office worker but they won’t take into account anything we say and they won’t do anything. This is a way for us to pressure them, to make them know that we are dissenting because the first person to speak is the first person that goes [i.e. get fired].”⁴⁶

This chapter argues that the implementation of Fair Trade USA and Equitable Food Initiative programs in the valley of San Quintín is to privatize farm worker justice, fairwash (i.e. cover up) labor and other abuses, guard against the threat of independent unionism, and create a compliant workforce through the disbursement of a social premium (a type of bonus) to workers without changing the inherently violent and unjust organization of farm labor in export horticulture. As the world turned its eyes towards the poor, indigenous migrant farmworkers from southern Mexico that worked the fields of San Quintin during the general strike of the jornalero movement of 2015, transnational corporations in the area rebounded by certifying their products as socially and environmentally responsible.

During over a year of fieldwork with jornaleros in the valley of San Quintin where I conducted intensive individual and small focus group interviews with over 140

⁴⁶ 4-29-19 5

male and female jornaleros, union representatives, and community leaders, I found that the discourse promoted by transnational corporations and their labeling schemes was not echoed by the jornaleros that worked in their fields. Many of the workers on the fair trade or equitable food certified farms had little understanding of the programs, their rights that the programs claim to protect, and the economic and other material benefits conferred by the value-added bonus. For the majority of the jornaleros, however, neither the strike nor the fair trade and equitable food programs have brought significant improvements to their lives. Wages are still low, work is most often temporary and seasonal, benefits are scarce, independent labor organizing is repressed by corrupt pro-company unions, and workers struggle to get by on a daily basis while the food they produce in supposedly “fair” and “equitable” conditions generates enormous profits for the corporations with whom they are employed.

Growing consumer concern for “sustainability,” “organic,” and “fair trade” products and the plethora of free market mechanisms that supposedly assure food justice are described by Julie Guthman (2008a) as a form of neoliberal subject formation based on individual consumer choice, entrepreneurship, and self-improvement. At the same time that privileged consumers in the global north call for sustainability through free market mechanisms, fair trade programs also promote the mainstreaming of neoliberal practices such as deregulation, privatization of public resources, free trade, and strong private property rights. As the state’s regulatory apparatus is weakened, neoliberal governance is promoted by third sector organizations like voluntary citizen coalitions through market disciplinary practices such as best practices and third party auditing. These “neoliberal mentalities of rule” impose market logics of competition and replace the public sphere

(welfare) with private initiative (self-help) to foster a concurrent de-politicization of the public sector and a weakening of the state (Brown 2008b). What is constructed is no longer a normative citizenship interested in the greater public good or the health and safety of all those working in food commodity chains, but instead a neoliberal inspired consumer citizenship where individuals vote with their purchasing power and adopt a “not-in-my-backyard” politics (Guthman and Brown 2015).

One of the major ways transnational corporations—in this case Driscoll’s and Andrew & Williamson Produce - undermine the Mexican state and federal labor and social security law is through complicity with local producers in weakening Mexican labor power. Fair trade initiatives have a difficult relationship with salaried labor. Fair trade initially began with small, peasant cooperatives that sought equitable relationships with northern consumers to bypass the unfair, “free” markets that stymied their access to consumers in other parts of the world. As fair trade organizations expanded their initiatives into other products and other markets, they were confronted by the paradox of trying to implement fair trade in the context of repressive labor practices on plantations and in factories. In their forays into products produced by salaried laborers, two approaches developed. The first, a more European model tightened relationships with unions and strengthened labor rights in their approach to fair trade. The other, the U.S. model, lowered the bar for labor rights protections for corporations to label their products as fair trade although produced under repressive labor conditions. In the case of San Quintín, it will be argued throughout this chapter that the labeling organizations Fair Trade USA and Equitable Food Initiative have continuously denied poor, indigenous migrant workers a number of rights and benefits accorded to them under the Mexican

constitution and federal labor law. One of the main avenues for these abuses is complicity with repressive, pro-business labor unions that protect the interests of the companies at the same time they deny the possibilities for labor organizing of unfair conditions on fair trade certified farms. Many of the jornaleros I interviewed responded to my questions about these fair trade and equitable food efforts exclaimed that these companies were “tapándole el ojo al macho” [putting blinders on the mule] – in other words covering up (i.e. fairwashing) a long history of abuses and mislabeling the products as “fair” trade.

FAIRWASHING: THE CORPORATE COOPTATION OF FAIR TRADE CERTIFICATION IN HIRED LABOR PRACTICES

The idea of fair trade was founded upon a critique of the structural injustice of global trade. Small commodity producers in the global south sought to link their products to consumers in the north in order to regulate social and environmental conditions of production to allow for greater equity and empowerment (Jaffee and Howard 2010; Raynolds 2017). Fair trade first derived in the 1960s as a developmentalist critique of free markets by church-based and community NGOs who saw the marketing of fairly traded products as a concrete way to offer economic solidarity with communities who sought empowerment and equality (Jaffee 2014; 2007: 12-13).

In 1997, the Fairtrade Labeling Organizations International (FLO) grouped together the majority of fair trade organizations, cooperatives, and initiatives under one umbrella. Transfair USA, founded in 1997, was the first fair trade certification in the United States and joined the FLO. It marketed the first fair trade certified coffee sold in the United States in 1999 (Jaffee 2014: 15-16). Based originally in Minneapolis,

Transfair USA moved to Oakland, California in 1999 and developed a course of action independent from other fair trade organizations that had arisen throughout the world. One of these new avenues was the “mainstreaming” of the fair trade model to capture greater volumes of retail sales by working with, and not against, mainstream multinational corporations. As part of this new direction, Transfair USA changed its name to Fair Trade USA (FTUSA) in 2010. The shift in name from Transfair USA to Fair Trade USA was not simply a change in title but a marked shift from a “movement-oriented” approach from which fair trade had its origins to a “market-oriented” approach that underlies its corporatization, according to Jaffee (2010: 272-273). As well, in terms of organizational structure, Fair Trade USA is based on a corporate model with a hierarchical administrative model run by an all-powerful CEO just as many companies operate (Jaffee and Howard 2016: 815). It also lacks effective civil society involvement in its governance and administration. Unlike other initiatives throughout the world, there is no formal representation from unions, NGOs, or other grassroots and social movement organizations that founded the fair trade movement (Jaffee 2012).

In 2000, the human rights NGO Global Exchange put significant pressure on coffee giant Starbucks to buy fair trade coffee from small producers. An arrangement between Starbucks and FTUSA put fair trade beans and brew in all Starbucks stores in the US. However, the amount of fair trade product was less than one percent of the total purchasing of the company, whereas most fair trade coffee distributors were required to comply with a minimum of five percent fair trade in order to access certification. Detractors claimed that FTUSA allowed a corporate takeover of the fair trade concept in order to whitewash their image and claim greater corporate social responsibility – what

has come to be called “fair-washing” - i.e. the fair trade equivalent to falsely claiming environmental (“green”) sustainability. FTUSA made a further move in 2011 that severely undermined the entire nature of fair trade production. FTUSA left the global Fairtrade Labeling Organizations International (FLO), the European organizational model established a decade earlier, and created its own standards in order to allow certification of plantation-produced products (Jaffee 2012). This rupture “fractured” the fair trade movement in the United States and as a result produced more than four fair trade labels competing in a “standards war” (Jaffee and Howard 2016: 815).

Social movement activism brought alternatives such as fair trade and organic agriculture to the forefront in order to provide consumers with options for conscious consumerism. These initiatives pose a threat to agribusiness corporations in terms of capital accumulation and profit generation. The increasing corporatization or mainstreaming of fair trade and organic was the response of transnational corporations to these threats. Corporations prefer standards that are more lax, based on a contractual basis (i.e. not a legally binding contract), do not partner with organized labor, and have low standards of enforcement (Jaffee and Howard 2016: 815). Instead of opposing regulatory schemes such as certification and standards, corporate interests have instead coopted fair trade and organic schemes thus lowering their standards. According to Jaffee and Howard (2010), such counter-reforms limit the transformative potential of organic and fair-trade market alternatives. Corporate participation seeks to coopt such alternatives rendering their transformative potential null and void while creating new avenues for capital accumulation by embedding some of their practices in the markets, discourses, and standards created as an alternative to the interests and means of corporate capital.

The inclusion of plantation, agro-industrial, and industrial production into the fair trade regulatory apparatus was a further erosion of fair trade promises. Although it sought to incorporate and better the lives of salaried workers (as opposed to peasant small producers), the initial incorporation of plantation produced tea and bananas into the fair trade market eventually opened the door to a large number of products (such as such fruits and vegetables) produced on an industrial scale (Raynolds 2017: 1477-1478). However, fair trade forays into industrial production have not come without criticism or controversy. For example, the International Labor Rights Forum disclosed child labor, lack of minimum wage standards, and other labor violations in fair trade certified factories. FTUSA sought to markedly increase (essentially doubling or tripling) the quantity of fair trade certified goods by increased certification of large plantation systems. “Its [i.e., Fair Trade USA’s] expansive vision holds that anyone involved in the production of a commodity crop is a potential subject of fair trade. The ‘who’ of justice under its schema is so vast as to risk being meaningless,” according to Besky (2015: 1148). “By asserting that the ‘who’ includes ‘all affected’ by a particular governance structure (in this case, the global agricultural commodities market),” she continues, “such programs risk becoming universalistic and thus ineffectual.”

FAIR TRADE USA AND EQUITABLE FOOD INITIATIVES: CORPORATIZED FAIR TRADE IN THE VALLEY OF SAN QUINTIN

The Fair Trade USA and Equitable Food Initiative are the two main programs implemented in the valley of San Quintín that label locally produced horticultural products such as berries and tomatoes sold internationally as “ethically” sourced and farmworker “friendly.” This section will analyze the implementation of these two

programs in the valley of San Quintín and conclude that these programs are mechanisms to gain consumer confidence in the face of serious food safety issues related to Mexican produce imported to the United States as well the image crisis provoked by the jornalero strike of 2015 and its demands for independent collective bargaining rights.

Andrew & Williamson Fresh Produce (heretofore referred to as “A&W”) is a San Diego based company operating in the valley of San Quintín. Its primary products are strawberries, raspberries, blackberries, tomatoes, and cucumbers. A&W has a long history of health violations and food poisoning epidemics and its facilities in San Quintín have been directly linked to a number of outbreaks. For example, in 1997 a hepatitis A outbreak infected 153 schoolchildren and teachers in Michigan as well as thousands more in five other states. The outbreak was linked to A&W’s frozen strawberries grown in Baja California and then processed in the state of California (Altman 1997). The FDA found that A&W had fraudulently labeled 1,742,280 pounds of frozen strawberries grown in San Quintín, labeling them as of domestic origin and sold them to the U.S. Department of Agriculture for their subsidized school lunch program. In this case, A&W president Fredrick L. Williamson and sales representative Richard H. Kershaw pleaded guilty to charges of conspiracy to defraud the United States government and making false claims and statements. At sixty-one years of age, Williams served a ten-month sentence – including five months in prison. Besides thousands of dollars paid in restitutions and fines, the company paid the government \$1.3 million in damages (Marler 2015 and N/A 1998).

The health incident diminished consumer demand for all types of berries, producing a \$40 million loss for the industry on both sides of the border. Given the loss

of consumer confidence, that same year 200 of a total 563 hectares of planted strawberries in Baja California were not harvested. Due to losses, the California Strawberry Commission (CSC) worked with the FDA to implement a Quality Assurance Food Safety Program. Similar programs were enacted in Baja California including third-party audits to ensure food safety (Calvin 2003). The response from the U.S. government was equally firm. The FDA established the Produce and Imported Food Safety Initiative that raised the standards of domestic and imported produce. The FDA produced a guide that producers voluntarily adopted in order to ensure consumer confidence in their products. Although these regulations are voluntarily adopted by producers who wish to export their product to the United States, they function as a de facto form of regulation for Mexican producers given the inability of the Mexican government to regulate national horticultural production (Avendaño Ruiz and Varela Llamas 2010). “In the strawberry case,” Calvin (2003: 92) argues, “the industry in Baja California acted almost as a part of the U.S. industry and benefited in an indirect way from food safety initiatives of the CSC [California Strawberry Commission].”

As A&W’s operations in San Quintín were floundering given recurrent food safety concerns, they looked to outside investors that could bolster their image and increase sales. Thus, A&W found an unlikely partner in the warehouse superstore Costco. Costco is now the leading seller of organic products in the United States, recently surpassing Whole foods in sales, earning more than four billion dollars annually. Although a small part of its more than 114 billion dollars in sales, organic is a rapidly expanding and increasingly profitable niche market (Gonzalez 2015). Increasing organic sales is not easy due to a limited supply of organics as well as a lack of available

farmland on which certified organic products can be produced. Given a lack of domestic supply, retailers have to find new, creative ways to bring organic products to market. Costco found an almost unprecedented solution to increasing organic supply – it loaned A&W an undisclosed amount of money to purchase specialized equipment and 1,200 acres of land that belonged to the now defunct Seminis seed company in the valley of San Quintín. A&W was eager to expand their organic production after successfully marketing organic berries and tomatoes. The company, however, lacked the resources to purchase land. As well, A&W expended an enormous amount of money fighting litigation for outbreaks of salmonella, paying restitution to victims of food borne illness linked to their products and a large advertising budget to recuperate the image of their brand. The loan Costco provided allowed a floundering A&W to expand operations. For its investments, Costco receives primary access to organic products produced by A&W in order to beat its competitors (Tu 2016). Thus, Costco ensures a long-term supply of top dollar, organic merchandise while the hard hit A&W regains its economic solvency after many years of mistakes and mismanagement. The problem for A&W, and indirectly that of Costco who seeks to distribute their products, is how to reestablish brand loyalty and consumer confidence after decades of scandals and outbreaks of food borne illness. The answer is the Equitable Food Initiative.

The Equitable Food Initiative (EFI) is a new, innovative and hybrid conglomerate of produce distributors, growers, NGOs, and labor unions that seek to transform industrial agriculture across the produce industry. It's tripartite focus of food safety, environmental concern and farm labor protections supposedly guarantee that all parties in the production, distribution, and sale of produce benefit from mutually productive

relationships (EFI 2015a: 3). In this “culture of collaboration,” farmworkers are one of the most important “stakeholders” in the produce industry and are considered “respected and engaged professionals, living and working in safe, dignified conditions.” (EFI 2015a: 3-4).

EFI, a supposedly “ground-breaking” and “culture-changing” initiative (Weisbaum 2013), has its origin in conversations between what even the EFI webpage labels “strange bedfellows.”⁴⁷ Oxfam America began dialoguing with farmworker organizations in 2009 and then incorporated growers and retailers into the conversation. The effort sought to improve farmworker lives and create more value for the products they harvest. What EFI sought was to protect farmworkers at the same time as generating more profit for corporations in a “win-win” arrangement for all. Oxfam America began piloting the program in 2012 and on April 1, 2015, EFI became an independent 501c3 nonprofit organization. Peter O’Driscoll (no relation to the Driscoll’s brand) transitioned from his position at Oxfam to be the current EFI Executive Director.⁴⁸ Besides Oxfam, EFI incorporates key farmworker unions and organizations, including the United Farmworkers (UFW), Pinos y Campesinos Unidos del Noroeste (PCUN), Farm Labor Organizing Committee (FLOC), and Farmworker Justice. This strange bedfellow partnership includes Andrew & Williamson as its producer in the original pilot program. Costco became the first distributor in the initiative and Wholefoods eventually joined as the major distributors of EFI certified produce.

Why would farmworker organizations unite with agricultural producers like Andrew & Williamson that have long histories of labor suppression and food safety

⁴⁷ <http://www.equitablefood.org/history>. Accessed 08-20-2017.

⁴⁸ <http://www.equitablefood.org/history>. Accessed 08-20-2017.

issues and distributors like the notoriously anti-union Whole Foods? Farmworker unions in the United States are on the defensive. Given the historically entrenched, anti-union environment and a hostile legal framework, farmworkers lack basic protections like workers in other industries – one of which is the right to collectively bargain and form unions. The state of California has subverted federal law to an extent by providing a state-specific legal protection for farmworker unions that benefitted the UFW’s organizing drives. Farmworker unions like the Farm Labor Organizing Committee have formed collective bargaining contracts with companies despite the existence of legal protections. Still, the gains for farmworker unions have been modest to say the least. Although the UFW had over 50,000 members at its peak during the heyday of famed organizer Cesar Chavez, current membership is down to a mere 4,500. This has forced the union to find alternatives to rank and file membership for protecting workers and generating revenue. One such initiative is fair trade and equitable food certification (Gordon 2015: 16).

Erik Nicholson, current UFW National Vice President, is a principal founder of the Equitable Food Initiative and was its first chair. Nicholson is also on the board of directors of Fair Trade USA. Nicholson’s and the UFW’s relationship with Andrew & Williamson began years ago in a project titled CIERTO (Centro de Investigacion, Entrenamiento y Reclutamiento del Trabajador Organizado or Workers Center for Research, Recruitment and Training). CIERTO was founded by the UFW and Catholic Relief Services to better the lives of migrant workers and reduce predatory practices in labor recruitment. CIERTO received major funding by the Buffet Foundation with additional funding from A&W and Costco. Nicholson envisions CIERTO to become a

financially independent 501c3 supported through employer payments (Gordon 2015: 16-20). A&W marketed the first EFI certified products in their pilot program in 2012 – in this case the Limited Edition label strawberries grown at their Sierra Farms in Landing, California and sold at Costco stores (Beach 2013). CIERTO began its first pilot program in 2014 at Andrew & Williamson farms in the valley of San Quintin, Baja California just a year before the farmworker strike of 2015 (Gordon 2015: 16-20). Currently, A&W has Equitable Food Initiative certification on eight farms (EFI 2017).

Despite the implementation of EFI, A&W continued to be plagued by cases of food poisoning. Despite such attempts at regulation and quality control, a new outbreak arose on A&W farms in San Quintín in 2015. Cucumbers grown at Rancho Don Juanito, one of A&W's affiliated farms in the valley, caused a salmonella poona outbreak that sickened over five hundred people in thirty-nine states and led to six deaths. Although the FDA investigated the farm in September of 2015, no direct cause of the contamination was found but general unsanitary labor and food handling conditions were blamed (FDA 2016; Flynn 2016; Murphy 2015). That very same year, A&W's agricultural operations in the valley of San Quintin also began to employ the Fair Trade USA certification. A&W's affiliate Agricola Baja employed 1,300 workers on two farms – one in San Quintin and the other in Culiacan, Sinaloa – producing cherry and roma tomatoes under the fair trade certification. A&W has repeatedly shut down operations and liquidated its workers only to open once again under another name. Today Agricola Baja is now Milagro Baja. By 2017, Andrew & Williamson had 20 certified farms throughout the US and Mexico which employ over 10,000 farmworkers (Burfield 2015).

Although the first experiments in EFI on San Quintin farms date as far back as 2012, Fair Trade USA's involvement in the valley is a direct repercussion of the jornalero general strike of 2015. Multinational corporations invited Fair Trade USA to improve their corporate image – referred to as fairwashing – in order to recuperate the brand in the eyes of consumers. According to Amalia Zimmerman-Lommel, director of social responsibility and human resources at Andrew and Williamson, EFI certification created such wonderful conditions in its fields that during the general strike of 2015 its workers did not participate. “We were not hit as hard in that situation, because we were EFI certified,” Zimmerman-Lommel declared (quoted in Hornick 2016). “The workers in our fields did not stop working.” In my interviews with A&W workers, I found just the opposite – most jornaleros on A&W fields did participate in the strike and even those who wished to work were unable to because of road blockades. I did interview jornaleros who worked during the strike against the wishes of the movement but these workers had to sneak into the farms unseen. These “scab” workers were by far the minority who took advantage of the strike to earn extra money picking the fruit and vegetables that rotted on the vine. Interestingly, despite the presence of EFI on the farms, the first the jornaleros ever heard of the program was after the general strike of 2015. Beforehand, workers were not informed of their participation in the program nor did they receive any benefits from the social premium.

In 2015, Driscoll's sought to divert the attention generated by the striking workers at its affiliated farms in Baja California and striking workers at the Driscoll's affiliated Sakuma Farm in Washington state. Its first move was to adopt “Worker Welfare Standards” shortly after the labor disturbances in San Quintin in March of 2015. In

January of 2016, less than a year after the general strike in the valley of San Quintin, Driscoll's partnered with Fair Trade USA in order to market fair trade and organic certified strawberries and raspberries grown locally in the valley by Driscoll's affiliate BerryMex.⁴⁹ The original pilot program covered 11 farms that employed about 3,500 jornaleros. Given what the company sees as the success of its pilot program, it is expanding its production of fair trade certified blueberries and blackberries as well on an additional five to ten farms. The majority of the berries distributed by Driscoll's are sold at Costco and Whole Foods. Driscoll's claims to have generated a total of 200,000 dollars in value added fair trade premium in its first year of the program (Hornick 2016b).

Driscoll's considers BerryMex an "independent grower" as it is owned and operated by Reiter Affiliated Companies (RAC). However, the Reiter family is an original founder of Driscoll's. Garland and Miles Reiter are the owners of RAC and are the grandsons of Joseph "Ed" Reiter who co-founded Driscoll's along with R.O. "Dick" Driscoll over a hundred years ago.⁵⁰ RAC began its operations in Mexico under the name of BerryMex in 1991 and subsequently expanded its affiliated growers in 1994, the year that NAFTA came into effect.⁵¹ BerryMex began operations in San Quintin in 2000.⁵² Meanwhile, current technological development at the Driscoll's headquarters in Watsonville, California seek to make berry pickers obsolete as the company is developing robot technologies that would reduce the need for manual laborers. The company claims its developments are needed due to a decreased labor supply in

⁴⁹ <https://www.driscolls.com/about/worker-welfare/fair-trade>. Accessed 9-8-17.

⁵⁰ <http://www.berry.net/company/>. Accessed 9-8-17.

⁵¹ <http://www.berry.net/company/locations/>. Accessed 9-8-17.

⁵² <http://www.berry.net/growers/international/>. Accessed 9-8-17.

California. However, the company is expanding operations in countries like Mexico and China where manual labor is cheaper and has less legal protections (Shanker 2016).

After the general strike that began on March 17, 2015, representatives of Fair Trade USA, EFI, A&W, Driscoll's, Costco, and the UFW approached the Alianza de Organizaciones and the SINDJA union on two occasions. In two closed-door meetings, one held near the border in Tijuana and the other held at the Posada Don Diego in the Vicente Guerrero neighborhood in the valley of San Quintin, representatives of these multinational corporations, certifiers, and unions proposed a solution to the conditions that brought about the strike and a betterment to the lives of farmworkers in the valley through the implementation of EFI and FTUSA certification. During these meetings Driscoll's and A&W representatives were accompanied by Peter O'Driscoll from EFI and Erik Nicholson from the UFW, EFI, and Fair Trade USA as well as a representative from Costco. The representatives of these corporations, certifiers, and unions sought a partnership with the Alianza and SINDJA in order to implement these programs. The talks ended without any agreements as the foreign representatives would not agree to the basic fundamental demand of the Mexican farmworkers – the repeal of the existing contracts with the pro-business “charro” unions and the signing of a collective bargaining agreement with the independent SINDJA union. According to my interviews with jornalero leaders who participated in these meetings, representative Erik Nicholson claimed that with these programs unions were no longer necessary as they would guarantee worker rights and protections on the job. The jornalero leaders walked away from the negotiating table, as they did not believe that EFI and FTUSA certification would drastically improve the lives of jornaleros in the valley.

Given internal problems, a drastic loss of collective bargaining agreements on California farms, its strong emphasis on policy and politics and general mismanagement (Bardacke 2011; Garcia 2012; Pawel 2009), the UFW is no longer the union it once was at the height of Cesar Chavez's career. As Gordon (2015: 20-21) notes, "the UFW has stepped outside the collective bargaining mold entirely with its support for EFI and for CIERTO, which conceptualizes fair recruitment for migrant workers as an essential part of a supply-chain certification scheme emphasizing worker-employer collaboration on improvements in the production process, leading to increased firm profitability and higher compensation for migrants." As will be made evident throughout this chapter, the UFW's support of neoliberal strategies like EFI and Fair Trade, its collusion with transnational corporations and corrupt, repressive, pro-business unions in Mexico, and its retreat from labor organizing certainly brings greater profitability to corporations like Driscoll's and Andrew & Williamson. That these efforts have also brought higher compensation, greater political representation, and more rights for migrants is highly questionable and will be a focus of this chapter.

PRIVATIZING FARMWORKER JUSTICE: FAIR TRADE, THE STATE, AND TRANSNATIONAL CORPORATIONS IN THE VALLEY OF SAN QUINTIN

As voluntary certification does not alter the balance of power between labor, capital, and the state, it is a perfect model of neoliberal justice as it emphasizes the primacy of the market, the privatization of the state, and the primacy of citizen-consumers (Brown and Getz 2008). The Mexican state, once the arbiter of conflicts between capital and labor, has largely ceded this responsibility to the private sector.

Despite once hailing itself as a “benefactor” or “regulating state” in the degree to which it intervened in the private sector to guarantee workers minimum protections and legal mechanisms for their defense as a class, now the Mexican state has been converted into a “certifying” state in which it has abandoned the majority of its responsibilities to its citizens and left the fulfillment of laws and regulations to private interests. This monumental change has come about due to the pressures of economic restructuring in the global economy that has seen dependent states forced to deregulate large sectors of the economy and implement more flexible labor policies to attract foreign investments. Since the 1990s onward, Mexico has undertaken a wave of neoliberal economic reforms that include the North American Free Trade Agreement (NAFTA; but now called the US, Mexico and Canada Agreement, or USMCA, under the Trump Administration) that has shifted the responsibilities of the state towards welcoming foreign investment and intervening less in regulating production, trade and commerce. In order to make it seem like the Mexican state is attending to the necessities of the rural agricultural workforce, the state has joined forces with private businesses to create certification schemes that replace the mechanisms of inspection and fines that sought to regulate businesses that do not conform to the law (Rojas Rangel 2014: 101-08).

These so-called “innovative strategies” shift the responsibility and good will of regulation to businesses themselves. State certification schemes exist side by side with private certification mechanisms that emanate almost entirely from the private sector or corporate financed non-governmental organizations. In agricultural production along the US/Mexican border, private initiatives like “Socially Responsible Business” (an national seal authorized by the Center for Mexican Philanthropy and the Alliance for Socially

Responsible Business in Mexico) and “Fair Trade” (a seal authorized by the international Fair Trade USA) exist along side business generated models (Walmart’s Standards for Suppliers, for example) and public programs emanating from the federal Labor department (Secretaria de Trabajo y Previsión Social, or STPS).



Figure 17. Child laborer ascending worker transport bus. The sticker on the window declares “I don’t transport children to the fields” certifying the farm as free of child labor by the STPS. Photo by author.

Certification schemes seek to propel business models that comply with applicable laws and foment a business culture that incorporates socially responsible practices.

Instead of inspections and sanctions, the Mexican state uses indirect methods of persuasion like increased consumer demand for fair trade products. However, far from guaranteeing a rule of law, the Mexican state outsources its responsibility to private businesses in the free market. Instead of inspections and sanctions, it now leaves regulations to the good will of the business. Given the retreat of the state, EFI and FTUSA claim to provide farmworkers with adequate forms of recognition. For EFI, recognition is understood as empowering the worker to be an effective partner in the production of safe, healthy, and labor friendly food.

EFI's focus on worker involvement and active collaboration among all stakeholders in the produce industry sets EFI apart from other certification processes. Once a farm has been certified by a third-party auditor to comply with the EFI Standards, the farm Leadership Team helps management and the workforce to verify ongoing conformity, thereby reducing the likelihood of future issues with farm labor, pesticide use or food safety. Because of this continuous verification, EFI-certified produce will create greater assurance for consumers that workers are treated fairly, that pesticide use is minimized through the implementation of Integrated Pest Management practices and that food safety protocols are observed when their fruits and vegetables are harvested (EFI 2015: IV).

In a 2016 interview, Driscoll's Americas executive vice president Soren Bjorn admitted that it was the general strike of 2015 in San Quintin and the Sakuma Farms union drive in Washington state that forced the company to analyze its labor practices.⁵³

⁵³ <https://www.freshfruitportal.com/news/2016/02/03/qa-driscolls-applies-fresh-approach-to-ag-labor-relations/>. Accessed 9-8-17.

The farmworkers of San Quintin and Sakuma Farms workers launched a “Boycott Driscoll’s” campaign aimed at forcing the company to improve labor conditions, increase pay, and sign a union contract with independent farm worker unions. Bjorn admitted that the first thing the company did was to draft worker welfare standards that were based on the recommendations of the International Labor Organization (ILO), among others. “Not that things were illegal but it’s just that what we find is the number one issue that exists is a very poor dialogue between the farmworker community and the farmers”, according to Bjorn.⁵⁴ But in fact, Driscoll’s and their local affiliates like Berrymex were conducting illegal practices for years as they failed to meet the requirements of the Mexican constitution and the Federal Labor Law.

As argued by Marcos Lopez (2011: 103) and Christian Zolniski (2010: 164) transnational agro-export companies like Driscoll’s and Andrew & Williamson organize production by relying on local growers. Local growers are in turn organized in regional associations, like the Consejo Agrícola de Baja California (Baja California Agricultural Association), to lobby for the rights of the growers. Driscoll’s and Andrew & Williamson not only outsource agricultural production, they also outsource the repression of agricultural workers as growers and politicians work to undermine, ignore, and reverse Mexican labor and social security law while earning higher profits selling the fruit and vegetables as “fair” trade products in niche markets with large distributors. According to Lopez (2011: 113),

Driscoll’s Mexican partner firms, such as Agricola San Simon and Berry Veg de Baja, utilize the repressive labor politics common in the region. To enhance their

⁵⁴ Fresh Fruit Portal. Accessed 9-8-17.

labor control in the fields, these strawberry firms employ more workers than they need. Fearing that they would jeopardize their work and those in their *cuadrilla* (work crew), farm workers are reluctant to question labor conditions that jeopardize their health and safety, as well as keep them in dire poverty...Farm workers employed by other strawberry firms operating within Driscoll's production system encountered similar situations. Felix Mendez, a Mixteco strawberry worker, stated that farm workers employed at Berry Veg de Baja encounter indirect intimidation. He explained, "Everyone keeps quiet not because they are afraid of losing their job, but because they are afraid of being thrown in jail." He explained that the firm keeps an on-duty police officer to help maintain order in the fields.

One of the major issues with Driscoll's and A&W affiliates before the strike (and many of their "independent" farms today) was the issue of social security. According to an article in the Fresh Fruit Portal where Driscoll's Americas executive vice president Soren Bjorn is quoted, "In Mexico, and this became a big topic in Baja, for the payments of social security – which is clearly a legal requirement – we found that there was not compliance with that across the board."⁵⁵ Further in the article, Bjorn blames the lack of social security coverage on a weak Mexican state and the isolated nature of communities where Driscoll's workers live, such as the valley of San Quintín. Here it is important to quote from Bjorn extensively:

We go into these small Mexican towns where we operate – not all but some – and what happens is that if you put the farmworker in the social security system by

⁵⁵ <https://www.freshfruitportal.com/news/2016/02/03/qa-driscolls-applies-fresh-approach-to-ag-labor-relations/>. Accessed 9-8-17.

making the social security payment, the farmworker can then only get his or her services from the social security service in Mexico. But sometimes where they actually get their service from today is really from what we call Medicaid in the U.S.; it's called Seguro Popular in Mexico. These are benefits for the poorest people in the country – in some of these towns there will be a clinic and a doctor for Seguro Popular, but there will be no doctor and no clinic for the social security office.

In part, Bjorn has a point. The Social Security administration is severely underfunded, the Mexican state is severely weakened, and limited access to health care is available to farmworkers. What Bjorn does not mention, however, is that the Social Security system is severely underfunded in large part because of the evasion of fiscal responsibilities on the part of national and multinational corporations like those that operate in the valley of San Quintín. In the absence of their legally protected right to inscription in the social security system, given that Driscoll's and A&W affiliates did not – and some still do not – fulfill legal and fiscal obligations to enroll their employees in the social security administration, farmworkers have regularly sought medical attention in the Seguro Popular or private clinics.

However, Bjorn argues that a debilitated social security system and a weak Mexican state do not benefit farmworkers and thus farmworkers voluntarily choose to not be registered. Bjorn mentions the fact that by law workers must pay into the social security system and thus a small amount of money is deducted from farmworkers' paycheck for social security. Bjorn claims that the farmworkers reject paying social security when there are no clinics nearby as the farmworkers see it as a financial burden.

In the valley of San Quintín, however, two public hospitals exist to attend to the needs of the population. In fact, more public hospitals and social security benefits were concrete demands of jornalero movements in the valley for decades (especially among female farmworkers) and were some of the principle demands of the jornalero strike of 2015.

What Bjorn does not say, however, is that social security payments are tripartite – paid for by the worker, the business, and the federal government. The worker pays the least and it is the company that assumes most of the burden. “So then the question becomes, are we better off saying we have to make everybody pay, and the farmworker has to get on a bus, go to another town to see a doctor?” Bjorn asked. “That’s where it gets tricky,” he declared. “Its very easy for us to say, we draw the line and this is the way it is [i.e. forcing the company to fulfill Mexican labor and social security laws], but when the social structure is not there to support it and the net income for the farmworker may actually be that they are worse off [as they must pay social security deductions], we don’t want that.” Bjorn then argues that the solution might be to establish private clinics, like a clinic on the grounds of Berrymex. Casting social security payments as financially unsound, Bjorn claims the company has to pay health care costs for its employees twice – one through the social security payments and the other through its own clinics. “In the case of BerryMex in Baja,” he declares, “they are paying 100% of the social security payments and they have a clinic on site.”

Besides Bjorn’s views that fulfilling Mexican law as legally and financially burdensome, Berrymex has largely fulfilled its legal obligations by registering its directly employed full-time employees into the social security system since the strike in 2015. However, through fieldwork I found that many of the independent distributors for

Driscoll's do not give adequate social security benefits and often employ the system of passes (described in Chapter IV). As one-quarter of the Driscoll's berries in Baja California come from small, independent suppliers (Marosi 2015), social security compliance becomes difficult to assess and monitor. However, what is apparent in his comments is that he is ignorant of Mexican labor and social security law and its ramifications. Besides access to health care, social security registration affords workers compensation for injury on the job, maternity leave, childcare, disability, retirement, and a pension. All of these benefits were systematically denied workers at Driscoll's and A&W affiliates before the strike and are still systematically denied at some of their affiliate farms as well as by other small, medium, and large agricultural corporations in the valley. This systemic wage theft leaves elderly workers without a pension and leaves workers vulnerable in case of accident or injury on the job. Still today, farmworkers (unlike those in administration) are paid the infamous "integrated salary" (described in detail Chapter III) that pays vacations, pensions, and other benefits in cash on a weekly basis instead of placing those deductions within the social security administration and pension plans. While Bjorn may think that forcing social security deductions on his workers is burdensome, what is truly at stake is the financial burden on the part of the company to comply with the law. Denying workers their right to social security and instead providing them private clinics, as Bjorn wishes was possible, denies the workers important rights and benefits enshrined in the Mexican constitution and federal labor and social security law at the same time that it weakens the Mexican state through fiscal evasion.

CORPORATIST UNIONS AND FAIR TRADE LABELS

Currently, jornaleros at Rancho Nuevo, an A&W subcontracted farm inscribed in the EFI program is one of the worst labor rights violators in the valley. Until recently the company failed to provide adequate social security benefits. There still exist numerous problems on the plantations there including overtime pay, aguinaldos, utilities, vacations, and other wage and hour restrictions. Ramón, a Triqui farmworker in his middle forties described how he worked overtime everyday of the 2019 strawberry harvest without overtime pay. He was one of the workers who supported the anonymous press release denouncing the company as described in the opening section of this chapter. Ramón argued that only anonymously could his voice be heard at Rancho Nuevo despite the EFI and FTUSA programs.

Last week some of our coworkers talked [demanding] that we get off work around three or four in the afternoon [after working eight to nine hours]. But it turned out that the foreman saw the person that spoke up and he threw him out of the crew. He fired him and two or three others. The truth is that we don't want to be slaves to the farm but we can't speak. This is the problem on this farm.

As Ramón and his disgruntled coworkers described how the EFI and FTUSA programs were ineffective at representing the worker, I asked them if they had union representation. They claimed to not know whether or not a union existed but argued that an independent union could protect their interests better than the certification programs.

A&W's primary producer, El Milagro de Baja , S.A. de C.V, enjoys a collective bargaining agreement with the Sindicato "Mexico-Moderno" de Trabajadores de la Baja California affiliated with the Confederacion Regional Obrero y Campesino (CROC),

another notorious pro-business union.⁵⁶ BerryMex, the local Driscoll's affiliate, has a collective bargaining agreement with the Confederación Revolucionaria de Obreros Mexicanos (Revolutionary Confederation of Mexican Workers, or CROM). Instead of the freedom of association maintained by the rules and regulations of FTUSA and EFI, what exists on the ground in the valley of San Quintín (and throughout Mexico) are crony, pro-business unions that are relegates from the excesses of the post-revolutionary authoritarian state in a current, neoliberal context (see chapter six of this dissertation for more information on unions in Mexico). In response to the Equitable Food Initiative and the Fair Trade program, the Alianza and SINDJA released two communiqués. “And the rights of the jornaleros?” they asked in one of them (Alianza and SINDJA 2016a), “in the standards of the EFI no article of the Mexican constitution is cited and even less so the Federal Labor Law.” In their view (2016a), “[B]oth organizations...have the same purpose of violating the rule of law.” Instead of these certification programs, the Alianza and SINDJA (2016a) “demanded the intervention of the International Labor Organization so that the Mexican government fulfills the international agreements with respect to the rights of indigenous peoples, human rights, the right to a union, and the right to strike.”

In the case of Colombian fair trade bananas, Brown (2013) documents how unionization and certification are at odds, but not completely incompatible. For example, the Sintrainagro union represents 95% of the 17,600 banana workers on 344 plantations in Urabá. The union is an active partner in corporate social responsibility initiatives.

⁵⁶ One of two “Sindicato ‘Mexico Moderno’ de Trabajadores de la Baja California, C.R.O.C” notices are posted on bulletin board near the front offices of A&W but not in the fields or shade houses where workers have access to it (from a photo taken on August 2, 2018). Interestingly, these posts were dated April 20, 2015 and August 17, 2016. Given that the strike began on March 17, 2015, the April 20, 2016 date likely means there was not notification of union presence before the strike and the postings are a direct response of the strike and the strikers’ criticisms of imposed, pro-company unions.

However, certification and labeling acts as a mediator in labor relations in a context of violent forms of labor control where independent unionism has been repressed. Brown (2013: 2573) argues that fair trade functions as a “new modality of labor control” given the conflicting interests between agricultural workers who favored the unionization of banana workers and the agricultural elite that resisted such attempts at unionization.

Corporate social responsibility initiatives are a “soft” strategy designed to thwart labor’s power and stymie the organizing of independent unions. These strategies include charitable foundations, voluntary standards, consumer-oriented environmental, safety regulations (organic production, for example), and labor-management partnerships (Brown 2013: 2580). “As an extension of corporate social responsibility that channels workers’ activity into philanthropy, Fairtrade is a relatively safe locus of worker participation,” Brown (2013: 2585) argues. For her (Brown 2013: 2585) the distinction between fair trade certification and trade unions is “critical because it highlights how workers buying into the philanthropic model [which] may undermine their control over the labor process through collective bargaining with employers.” This is possible given that “certification creates an incentive for workers and growers to forego more radical types of contestation at the point of production” including workers’ rights to association, collective action and negotiation (Brown 2013: 2585). Brown and Getz (2008: 1187) see the rise of third party certification in relation to two connected and interrelated processes: the rise of a neoliberal agricultural production regime and the weakening of labor power (especially farm worker unions). “Given its reliance on third-party monitoring to drive consumption patterns and its failure to meaningfully involve farm workers,” Brown and Getz (2008: 1185) argue that “social certification has the potential to undermine notions

of collective reaction and rationalize further state withdrawal from regulating farm labor conditions.”

In fact, there is some research to back up the claims of positive benefits to fair trade programs, for example in Ecuador. Raynolds (2012: 510) states that rural Ecuador is an inhospitable place for union organizing. The absence of unions is not simply out of disinterest on the part of workers, but due to a legacy of anti-union campaigns by producers. Fair trade certification imposes labor standards that are higher than those of Ecuadorian labor law. “Workers and managers concur that the treatment of workers is far better on certified farms than on neighboring enterprises,” Raynolds (2012: 511) reported. Fair trade producers are subject to regulations that enforce Ecuadorian labor laws and in some instances surpass it (Raynolds 2012: 516). Although most fair trade and equitable food initiatives incorporate important conventions of the International Labor Organization (ILO), they are usually weakly implemented and normally fail to guarantee implementation on the farm (Riisgaard 2009: 327). According to Makita (1194), “The social label is an inadequate substitute for the union label, yet its proliferation may foreclose the possibility of other forms emerging, which facilitate the collective action and agency of labor by prioritizing the agency of consumers.”

In response to the imposition of EFI and FTUSA as a supposed solution to the problems on San Quintin farms, local farmworker organizations like the Alianza and the SINDJA union declared these two certification schemes as “anti-union” and “charro” programs as they seek to “fairwash [maquillar]” the problems that the jornaleros suffer. According to these groups (Alianza and SINDJA 2016b), these programs “lack the capacity to resolve the real problems that are lived day to day in the fields.” To sum up

their posture, the organizations declared, “We will not permit them to continue tricking the agricultural workers. Nor will we permit that these types of programs be direct accomplices of the labor exploitation of the jornaleros by certifying products like strawberries, blackberries, blueberries, and raspberries that represent the slavery of the XXI century.”

THE FAIR TRADE BONUS: ECONOMIC SOLIDARITY OR CORPORATE WELFARE AT THE EXPENSE OF WORKERS AND CONSUMERS?

Neoliberal, post-productivist strategies like fair trade and equitable food programs increase revenue for companies at the same time as they claim to protect the environment and alleviate workers’ poverty and mistreatment. The main instrument that fair trade schemes like FTUSA and EFI use to improve farmworker lives is through a value-added social premium that is applied to purchases carrying certain certification labels. The consumer pays higher prices, between one and five cents per clamshell box of strawberries or blackberries, for example. These social premiums, after deducting the expenses involved in implementing the program, are transferred into a fund that the FTUSA or EFI committees manage on the corporate farms in the valley of San Quintin. The money collected in these funds are supposed to be distributed back to the workers in general to aid in the betterment of their lives – all without raising wages, involving independent unions, changing the hierarchies of farm labor in agro-export enclaves, or hurting the profit margins of the corporations.

However the ability of social premiums to alleviate poverty and “give back” to workers is highly questionable. Makita (2012: 87) argued that fair trade certification benefits agricultural corporations and farmers much more than salaried farmworkers as

the certification gives the producers and distributors access to niche markets for their products at higher prices. Salaried workers may or may not benefit directly through better working conditions as well as through the fair trade premiums. Growers and distributors are required to distribute the value-added premiums to workers, but are not required to distribute greater earned profits in sales to their workers due to the certification labels (Jaffee and Howard 2016: 816). Other problems exist. According to Shreck (2005: 24)

The actual redistribution of material benefits within producer communities is hampered by associations' weak organizational capacity, their limited understanding about premiums and minimum prices, and the limited participation of the larger community in making decisions about fair trade.

In order to implement the EFI and FTUSA programs in the valley of San Quintín, A&W and Driscoll's undertook a survey of the needs of the jornaleros. As Tiburcio, a farmworker at Rancho Nuevo, explained to me, "When we got hired they had us fill out some forms, supposedly with questions such as 'How do you live? What material resources do you have?'" So that according to them they are going to check all this and if you lack something they are going to support you. But from the time we got hired they haven't told us anything."

In fact, the first year that Driscoll's launched their Fair Trade USA affiliated program, the company identified three areas that migrant farmworkers asked for improvement: health, education, and housing – all areas of public interest under the domain of the state.⁵⁷ The first year of Driscoll's fair trade premium program generated US \$200,000.00 dollars. With this quantity of money, Driscoll's "awarded" 1,600 of its

⁵⁷ N/A. "Driscoll's Fair Trade Program Helps Schools in San Quintín, Mexico." Fresh Plaza. July 21, 2017.

workers with two benefits generated from the Fair Trade premium. The first was a two-day medical fair that provided medical attention to its workers. Second, the company gave 1,700 school bags filled with school supplies for the children of their workers. On the Reiter Affiliated Companies (Berrymex) website, Soren Bjorn, the president for Driscoll's of the Americas declared, "It's powerful to witness the positive impact that our program in partnership with Fair Trade USA has on San Quintin thanks in large part to the passion and efforts of workers who make up the Committee. We recognize the importance of empowering farmworkers to lead initiatives like this to benefit their local communities."⁵⁸

Throughout my interviews with workers in Berrymex, information about the FTUSA program, the issues they voted on, and the resultant decision of the voting process were viewed positively or negatively based on the level of incorporation of the workers in the decision-making process. Many workers were absent during the voting process due to illness, work related duties, or lack of information. Workers like guards (veladores), machine operators, and fumigators rarely share common space with the majority of pickers and thus are often never adequately informed of their participation in the program and its significance. Many workers had never heard of FTUSA or the social premiums but remember attending the medical fair and receiving book bags. This contrast should not be surprising, but instead elucidates how uninformed most workers are of these programs.

⁵⁸ N/A. "Driscoll's Fair Trade Program Helps Schools in San Quintín, Mexico." Fresh Plaza. July 21, 2017. <http://www.berry.net/mex/driscolls-fair-trade-program-helps-schools-san-quintin-mexico/>. Accessed 9-8-17.

Criticism of failed implementation strategies is not new. Makita (2012: 88) argues that in the case of Indian tea plantations, fair trade certification's benefits to workers are indirect and mostly intangible. In fact, few workers on the plantation Makita (2012: 97-98) studied were aware of the fair trade program despite its existence for over fifteen years. Few workers knew where the funds from the premium came from although they knew something of the joint bodies. She also found that fair trade premiums are not distributed equally to all workers, nor do the benefits reach all workers on the plantation.

On A&W subcontracted farms where both FTUSA and EFI exist, farmworkers were not able to adequately explain the programs or differentiation between them. Information gathered from workers, however, charts their initial demands: from an ambulance to transport injured workers, a recreational park, to welding and baking workshops. As a member of the Comité at A&W, Mauricio witnessed the whole process transpire and fail. He had the following to declare:

The meetings that [the Comité] had were to inform the people about what is EFI or Fair Trade, about the benefits that the farmworker was to receive. About how when they sold the fruit, be it tomatoes or strawberries, that they were going to add five cents for each box and this money was going to be saved for the benefit of the worker given that they were going to have a nurse in the company, a clinic, a health center you could say, for the worker and all that. But it never happened. We got fired and I never saw any of this happen. This is what we were always talking about. Classes were going to be held for the worker, carpentry classes. They were going to give uniforms for the workers' children. A lot of things were talked about in the meetings. But above all how the treatment of the workers was

going to be improved. But a lot of things no, they were just meetings, nothing was achieved with this. That's why I left [the Comité] as well.

In other interviews with A&W workers I had heard that the EFI and FTUSA program was used to create a cooperative store where they sold soft drinks and snacks on the company's premises at lower prices than the *camioneros* (bus driver) or mayordomos (foremen) sold them. Normally the *camioneros* or mayordomos charge exorbitant prices for sodas and energy drinks on the way to and from work as many of the farmworkers do not have time to prepare food for the day. "Yes, it was there for a time, in Milagro de Baja, there in Camalú, but it didn't work because they couldn't offer a much cheaper price than the competition and it didn't last," Mauricio claimed. "It went bankrupt," he said while laughing. The logic was that the store would generate its own income and continue to help the jornaleros. The jornaleros stated however, that soft drinks were at least two pesos higher in the EFI committee store than other local stores.

Throughout my research in the valley of San Quintín, the majority of workers were grateful for any help offered by the consumers. They also argued, however, that the social premiums should be transferred into increased salaries for farmworkers instead of investing in questionable programs like school supplies and medical clinics. In an interview with Raul, a jornalero who participated in the strike of 2015, he responded in the following way:

To me, fair trade means unfair trade. What the consumer is paying for with these programs is a higher quality product. Higher quality for me as a jornalero means I am going to earn less money because it means I have to work slower and only pick the very best. If it is a normal harvest, I pick everything that isn't too green

or damaged. Everything is of standard quality and I go fast which means I can pick a higher number of boxes and make more money. With the high quality products for EFI or Fair Trade I have to work slower and thus make less money. So the extra money that is generated really does belong to me and I would rather receive that money than in an ill-conceived project of supposedly social benefit that I may or may not see.⁵⁹

One of the important points he makes is that the fair trade premium is not simply “value added” to be paid by the consumer, but also involves added labor, skill, and time on the part of the farmworker. However, this added skill and effort does not go directly into the pocket of the jornalero, but is instead distributed collectively.

Raul also elaborated on a key criticism of the premium fund by many jornaleros in the valley – the inability to benefit from the premium due to the precarious nature of employment, employer blacklisting, or the seasonal nature of work. Raul argued that,

For participating in the general strike, BerryMex blacklisted me from their farms and won't rehire me. So all of the money generated from the fruit I picked [that season] went into some project that I will never benefit from because I was [fired and] blacklisted for wanting an independent, democratic union. To me this is unfair.⁶⁰

Another jornalero, Pablo, argues that the decision to give backpacks with school supplies was not the best decision as many workers don't have children and therefore do not benefit from the program despite producing fruit with their labor that generated a portion of the premium. “Now, the majority of the people that are working come from the south,

⁵⁹ 11-24-16 EFI Fair Trade

⁶⁰ 11-24-16 EFI Fair Trade

they are young adults [chavalos] that don't have a family yet. They don't have children at school," he argued.

Tomás is an indigenous jornalero from Oaxaca working on a temporary basis at BerryMex, the local Mexican affiliate of Driscoll's. Tomás sees the bonus as "un apoyo," a little bit more money to "help" the workers. According to him, however, "not all the people receive this help as the people leave or get laid off." According to him, when the Fair Trade USA program distributed backpacks and school supplies "they didn't get to all the people that was supposed to receive them." Despite having three children, he was one of the people who did not receive the backpacks. "Well, I wasn't there that day when we had to turn in paperwork. No one told me and I found out days later." Overall, he was unsatisfied with the program. "I don't think that the program is convenient as a lot of people who have worked for the company don't receive the help." Tomás emphasized that those jornaleros who work on a permanent basis have a better chance of receiving the benefits of the fair trade program than those hired on a temporary or seasonal basis. As a former member of the Comité, I asked Mauricio if the seasonal workers bussed in from Oaxaca and Chiapas were able to obtain the benefits of the EFI and FTUSA programs. "Those that come seasonally aren't taken too much into account. They really only take into account those that are *de planta* [permanent]."

A CORPORATE VISION OF EMPOWERMENT: ETHNOGRAPHIC PERSPECTIVES ON FAIR TRADE

Fair trade programs like FTUSA and EFI make the claim of empowering workers and increasing their participation and decision-making capacity in the company. For example, FTUSA (2014: 2) claims to "increase empowerment, including leadership and

organization of farm workers employed on the farm, economic development, and to ensure faire working conditions and environmentally responsible production methods.” For FTUSA, empowerment means “to enhance the capacity of individuals or groups to make choices and transform them into desired actions and outcomes.” EFI guarantees worker empowerment and involvement through “Leadership Teams” and FTUSA through a Fair Trade Committee. In fact, on A&W farms both EFI and FTUSA exist yet both the committee and the collective monetary funds function as one and the same, not separate entities – a point of great confusion for the jornaleros. Ethnographic investigations into joint-body committees highlight the imperfect nature of leadership teams in a workplace organized around hierarchies and inequalities. Reynolds (2012: 499) witnessed the power exerted by management on farmworkers in joint bodies. Makita (2012: 99) argued that “management-labor partnerships” hide enormous structural differences and imbalances of power between farmworkers and management

In 2017, I was able to interview a number of different members of the Equitable Food Initiative and the Fair Trade USA committee for Andrew & Williamson affiliated farms in the valley of San Quintin. One of these jornaleros, Mauricio, had been fired from Andrew & Williamson less than a year before. At first, however, Mauricio did not want to speak, as he was afraid he would be unable to find work with another employer in the valley. He was already on one blacklist, he argued, and according to him the companies shared lists. He didn’t want to go on the record because he had to provide for his family and couldn’t risk being on a valley-wide blacklist. After reassuring him that I would keep his identity secret, Mauricio agreed to do an anonymous interview inside the cab of my

truck, under the cover of darkness, and on a deserted street off the highway so no one would see or hear.

I asked Mauricio about the Equitable Food Initiative and the Fair Trade USA certification programs on the A&W affiliated farms and if these programs helped solve such problems. It turned out that Mauricio was on the “Comité,” or the Fair Trade/Equitable Food joint body committee, whose function was to undertake the responsibilities of these two fair trade programs. He described how the EFI program made important changes in the beginning; however, after a time the same violations and disrespect they experienced before the implementation of the programs arose once again.

When EFI started there was a time that they did treat us well. They said that they were going to be benefits for the worker, the EFI benefits, that there was going to be support, better treatment, all that. It lasted very little, maybe a year, and afterwards they returned again to the mistreatment.

Mauricio described how the EFI and Fair Trade programs were insignificant to the structural organization of farm labor and its inherent hierarchies and abuse. What was significant was the engineer or foreman who was in charge, he argued. With the return of the mistreatment the workers began to complain and ask for certain foremen to be changed or removed, but were unable to change the overall organization of the farm to limit the structural violence and exploitation inherent in farm work. The fumigators became really incensed when an abusive mayordomo was put in charge of their area. As Mauricio was part of the Comité, Mauricio thought the EFI and Fair Trade programs protected his right to complain about mistreatment and try to solve problems in the company. “But they didn’t pay any attention to us,” Mauricio argued. “I was putting

pressure there so that things would change but no, they laid me off and fired me and now I can't do anything for my coworkers.”

I asked how that was possible if he was on the Comité whose job it was to hear the complaints of the workers. Mauricio responded:

It was I who made the complaints of the mistreatment he [the mayordomo] showed us. And he went after me. It was he who put me on the lay off list [lista de recorte], so that they fired me because he didn't want me to go around talking in the meetings [of the Comité] that we had there. He didn't want me to say anything about what was going on, of the mistreatment that he gave us in the area of fumigation because sometimes we were sent to fumigate without protective equipment. This is one of the things that he didn't want anyone to find out. They fired me. They fired three or four of us that talked the most. We have the right to talk, that they give us the right equipment, but no. They always said there wasn't any, that we had to wait, that we had to do it for the company. But it is hard – no one should fumigate without protection. This is why they fired me.

Mauricio went on to describe a number of small “huelgas,” or strikes, as he called them. When the workers were fed up and, finding no help in the Comité or the company imposed union, the workers attempted to solve the problems by stopping work in the fields or protesting. However, the only effect that arose from these expressions of inconformity was that more workers were fired. When I said he was on the Comité and he could have tried to solve the problem he responded that, “Yes, I spoke up. But that's one of the things that they don't want. They don't want anybody to say anything, just that whatever they are doing is right and that no one speaks up.”

According to Mauricio, when the EFI and Fair Trade Programs first began there were tangible benefits, including freedom of speech and the right to denounce unjust or unsanitary practices. This changed shortly thereafter, however, and demonstrates that, unlike what these programs propose, the programs are subservient to the hierarchical and flexible nature of farm labor organization. Instead of inserting a mechanism to rectify structural faults, these programs were held captive by the abuses of the organization they meant to rectify.

At one time you could do that, there was freedom of expression. It only lasted a little bit and afterwards no. You couldn't do anything. Anyone who spoke up they put you on a list and all the people that had spoken up said well they made us believe that we could speak freely, that there was freedom of speech and there wasn't going to be retaliation. But it was all a lie. It only lasted a little bit and afterwards everyone who spoke were put on a list and that person was one of the first to be laid off, to be fired. The black list, in other words. They began to get rid of them because they didn't want those people around, those that speak. And the only people left are those that don't speak up, that stay silent. But they thought that they had gotten rid of all the troublemakers [grilleros] so to speak. But no, because those that stayed continued doing their strikes, continued complaining. It must be for a reason that they people are not conforming. Because of the mistreatment.

EFI employs a “continuous farmworker verification” process to enforce food safety at the bottom of the production chain. The proponents of EFI champion farmworkers as being “on the front lines” in the fight against the “enemy” of food-born

illnesses. “Who better than the people in the front lines to recognize and call out the enemy,” journalist Cookson Beecher (2017) declared in his article for Food Safety News. EFI certified farms undertake many hours of employee training in order to attack the problem of contamination and food-borne illnesses through engaging with farmworkers as allies in the war against threats to food safety. In order to productively incorporate farmworkers for this task, EFI proposes that farmworkers must be treated with dignity and respect and be afforded rights and protections to speak up against safety (but not necessarily labor!) violations when undertaking daily tasks like planting, weeding and picking. According to its proponents, without EFI, farmworkers are reluctant to denounce safety violations on the farms they work given employer retaliation. With EFI, however, there exists a health and safety director as well as a management/worker joint committee that can oversee and productively utilize farmworker input into maintaining health and safety regulations in the fields. Again, according to its proponents, the statutes of EFI make employer retaliation illegal and decertification is the result of employer retaliation or mismanagement of worker complaints and suggestions. Ernie Farley, a manager for A&W, declared that “Instead of one audit a year, we have empowered all employees. It’s like having 400 auditors in the field every day” (quoted in Beach 2013).

CONCLUSION

Although commerce is conducted through global commodity chains, Brown (2012: 2575) and other researchers emphasize that production is local and embedded in culturally specific as well as historically and politically contingent contexts that necessitate on-the-ground research. Besky (2008: 7) argues “state- and place-specific institutions should play a bigger role in the regulation of fair trade practices on

plantations.” Because of the lack of these local regulatory institutions corporate social responsibility, fair trade and equitable food programs in the valley of San Quintin lack accountability and suffer severe deficiencies in implementation and monitoring. They do little to change the structural issues of power and hierarchy that negatively affect the labor of farmworkers (Riisgaard 2009: 327). For their part, U.S.-based corporations Driscoll’s and Andrew & Williamson externalize production by outsourcing to local affiliate corporations externalize production to the valley of San Quintin to take advantage of a political and economic regime based on worker repression, weak regulatory apparatuses, and historically entrenched forms of discrimination and marginalization in order to successfully exploit a cheap, mobile, expendable, and ultimately disposable workforce. As the majority of my informants that I interviewed argued, it is clear that EFI and FTUSA were implemented in the valley of San Quintin not to improve conditions for jornaleros on the farms but to fairwash the corporate image of these companies in the eyes of the consumers.

One of the solutions to the violation of human, labor, and indigenous rights in the valley of San Quintin is to strengthen local institutions, enhance the regulatory power of the state, and open the playing field for independent and democratic organizations (like unions) to influence the local implementation of transnational agricultural processes and global fair trade schemes. Multi-stakeholder initiatives must incorporate independent labor unions and non-governmental organizations not only in the generation of standards, but also in the implementation and monitoring of those standards (Riisgaard 2009: 327). Rigid social standards and union representation are not necessarily incompatible and are of a possible mutual benefit.

As many of the jornaleros I interviewed exclaimed, these companies were using the fair and equitable labels to cover up a long history of abuses and systemic violence while painting a pretty picture of fairness. In more academic terms this has been called fairwashing. However, the Spanish phrase used by the jornaleros brings to mind more than just washing away the negative aspects and demonstrating a positive light. When jornaleros denounced this program as “tapándole el ojo al macho” they are referring to the blinders put on horses and mules so they don’t get distracted or frightened by what is going on around them in order to continue to labor or carry their burden. When the farmworkers I interviewed use this phrase, they identified with the horse and see their labor as dehumanizing, almost animal like. Consumers, as well, have their blinders on and given the supposed “fair” or ‘equitable” nature of what they consume will never see the injustice and exploitation in what they purchase.

CHAPTER VIII

CONCLUSION: OLD DREAMS, NEW HOPES

In January of 2019, Andrés Manuel López Obrador, of the Movimiento de Regeneración Nacional party (Movement for National Regeneration, or Morena), was inaugurated as president of Mexico. The country's new populist leader is set to usher in a profound labor reform from above that is designed to radically alter labor relations and democratize the country's authoritarian labor unions. The election of the new president and his promises of reform brought new hopes to Mexico's workers. Then, on Friday, January 25, 2019, thirty thousand workers from forty-five companies went on strike in the maquiladora (assembly plant) sector of Matamoros, just across the border from Brownsville, Texas. The strike represented a loss of more than 30 million pesos a week (U.S.\$1,578,937) to the maquila sector in the city (Cedillo 2019a; 2019b). The maquila demanded a 20 percent raise and an annual bonus of 32 thousand pesos (U.S.\$1, 684.21) (known as the 20/32 packet). By striking, the maquila workers defied their company imposed unions who they claim fail to represent the interests of the workers. Shortly thereafter, the 20/32 movement spread to the maquiladora sectors of Reynosa and Victoria, also in the state of Tamaulipas (Sosa 2019).

Susana Prieto Terrasas, the lawyer defending the striking workers on the border, described the conditions that maquila workers face as "modern slavery." Like the jornaleros of San Quintin, national and foreign companies take advantage of the border region to exploit Mexico's lax labor laws as well as the extreme precarity of migrant workers who flock to these industrial zones from further south. "The foreign

maquiladoras are more abusive than the national ones,” Prieto Terrasas (quoted in Martínez 2019) argued. “It is a lot cheaper for them to have their companies in Mexico because there exists a system of exploitation, of modern slavery.” The hopes of the maquila workers in Matamoros and those of the jornaleros of San Quintin is that the new labor legislation proposed by AMLO and his Morena party will end the system of “modern slavery” in both the fields and the factories.

This dissertation has argued that U.S.-based transnational corporations have created agricultural enclaves just across the border in Mexico to take advantage of lax labor laws and authoritarian labor relations. The system of less-than-free labor under which thousands of jornaleros/as work is deeply connected to historical patterns of labor segmentation and inequality connected to race, gender, ethnicity, and other forms of difference. The globalization of agriculture under a regime of neoliberalism undermines state protections for workers at the same time that it reinforces and internationalizes local and historically entrenched systems of inequality and difference. Through intense ethnographic research and interviewing I have shown that the social, economic, and physical precarity of farmworkers in Baja California is nested in their marginalization from state-mandated protections, from transnational company’s efforts to sanitize their images through fair trade and equity food initiatives, and from their place at the bottom of racial, ethnic, gender, and labor hierarchies.

Mexico is at a crossroads. At this historical moment, with a government sympathetic to labor, committed to decreasing inequality, and to supporting workers, lasting and systemic change to labor relations in the country may become possible. These new labor reforms were decreed on May 1, 2019, the historic day commemorating the

struggles of the workers of the world.⁶¹ The legislation, described by lawyer and academic Miguel Carbonell (2019), as the “most extensive and profound reform in labor issues in Mexico” are a “turning point for workers, bosses, and unions.” The changes to Mexican federal labor law were in part due to AMLO’s recent renegotiations of the North American Free Trade Agreement (now titled the United States-Mexico-Canada Agreement, or USMCA) with President Donald Trump of the United States and Canadian Prime Minister Justin Trudeau. It also comes off the heels of the Mexican Senate’s approval of Convention 98 of the International Labor Organization, in 2018, that guarantees workers’ freedom of association and collective bargaining rights.

The new labor legislation accomplishes four main important tasks. First, it disappears the federal Juntas de Conciliación y Arbitraje (Mexico’s labor relations boards) in order to give way to state-level entities that may allow workers more access to justice. Second, a new Centro Federal de Conciliación y Registro Laboral (Center for Federal Labor Conciliation and Registration) that seeks to separate the conciliatory and judicial powers of the federal government. Third, the agreement states that all collective bargaining agreements must be revised within a period of four years. Fourth, a process will be created to assure that all unions who exercise their right to collective bargaining and the right to strike in fact have the support of their workers. In other words, the third and fourth points seeks to eradicate, or at least diminish the presence of, pro-business,

⁶¹ Gobierno Constitucional de los Estados Unidos Mexicanos. 2019. “Decreto por el que se reforman, adicionan y derogan diversas disposiciones de la Ley Federal de Trabajo, de la Ley Orgánica del Poder Judicial de la Federación, de la Ley Federal de la Defensoría Pública, de la Ley del Instituto del Fondo Nacional de la Vivienda para los Trabajadores y de la Ley del Seguro Social, en materia de Justicia Laboral, Libertad Sindical y Negociación Colectiva.” *Diario Oficial de la Federación*. Tomo DCCLXXXVIII No. 1. May 1, 2019. México: Mexico City.

company controlled, “charro” unions who prevent an obstacle for independent unionism and authentic collective bargaining on the part of Mexican workers (Carbonell 2019).

Will this make a difference for the jornaleros of San Quintín? Will the changes Mexico’s new president is proposing reach the marginalized rural sectors of the country where indigenous and other minority groups labor? Historically, Mexico’s urban mestizo population has seen the majority of benefits with labor reforms and progressive legislation. Questions remain whether the proposed reforms will reach the Mexican countryside where indigenous migrant farmworkers labor. Is the jornalero movement of San Quintín up to the challenge to put pressure from below in order to make effective the reforms implemented from above?

On March 17, 2019 I was in San Quintín for the fourth anniversary of the 2015 jornalero strike. The Alianza convoked a public demonstration along the transpeninsular highway near jornalero neighborhoods of 13 de Mayo and Nuevo San Juan Copala. At this meeting only around forty to fifty people were in attendance – the majority members of the Alianza and their family, a small delegation of SINDJA union members, and leftist politicians from Mexico City and Tijuana. What was evident in this demonstration was the lack of participation by the majority of jornaleros in the valley. While the Alianza gave speeches about their role in the historic events of 2015, they also demonstrated that the Alianza has almost completely lost its “poder de convocatoria,” or its power and influence among the jornalero base.

On this day as well, Fidel Sánchez Gabriel, president of the Alianza, announced the creation of the local transportation company called the Sitio de Taxis 17 de Marzo (March 17 Taxi Company) whose name commemorates the jornalero strike of March 17,

2015. The taxis, operating as a “pirate” fleet of taxis before 2019, finally received official permission through the mayor of Ensenada, Marco Antonio Novelo Osuno. Through this action the Alianza claims it is continuing its struggle for dignified jobs and development in the valley of San Quintín. However, of the fifteen taxi concessions, only core members of the Alianza received official title to a taxi. Among the beneficiaries of the taxi licenses were Juan Hernández López, treasurer of the Alianza, Eugenio Martínez (the brother Bonifacio Martínez, secretary of the Alianza), Octavio Hernández, communications director for the Alianza, and Venustiano Hernández, an Alianza member who functioned for a while as secretary of organization for the SINDJA union but no longer fulfills this role. Many of the jornaleros I spoke to wondered how the political and economic success of the Alianza members equates to political and economic gains for the jornaleros as a whole. While the Alianza see their actions as a step forward for the jornaleros of the valley, many jornaleros expressed their dismay and betrayal at the gains of the Alianza members. “We struggled together. Many of us lost our jobs. And for what?” one jornalero remarked to me. “We continue suffering and they [the Alianza] benefit from the struggle.”

As well, Justino Herrera Martínez, leader of the colonia Lomas de San Ramón who is accused of betraying the Alianza by joining Enrique Alatorre in the SINIJAS union only to be subsequently betrayed by Alatorre himself, was appointed director in San Quintín of the National Institute for Indigenous Peoples (Instituto Nacional para los Pueblos Indígenas, INPI). The INPI is president Andrés Manuel López Obrador’s renaming of the National Commission for the Development of the Indigenous Peoples (Comisión Nacional para el Desarrollo de los Pueblos Indígenas, CDI). Indigenous

jornalero activists in the valley of San Quintín protested his appointment and questioned how such decisions were made in the Morena party. Herrera Martínez claimed to be resolved to work as a team with anyone willing to help improve the lives of the indigenous migrants in the valley (Perzabal 2019). Into the fray of regional politics and controversies walked Fidel Sánchez Gabriel, the leader of the jornalero strike of 2015 and president of the Alianza. Sánchez Gabriel was designated as a candidate to local plurinominal representative with the Morena party under the direction of gubernatorial candidate Jaime Bonilla Valdez (Ley 2019).

For the average male or female jornalero in the valley of San Quintín little has changed. Neither the SINDJA or SINIJAS unions have achieved collective bargaining agreements. On February 19, 2019, a worker transportation service transporting jornaleros between Punta Colonet and Camalú suffered an accident and rolled off the highway down into a ditch. The bus was overcrowded with passengers and at least five jornaleros were seriously injured. No one was brought to justice for the accident (Córdova 2019). Meanwhile, with the farmworker movement in a stage of retreat and reorganization, the jornaleros await the structural changes at federal level to see if they will bring concrete benefits to the conditions of their lives and labor. With more favorable legislative and political climate at the federal level, sufficient pressure from the bottom, as demonstrated in the jornalero strike of 2015 and the maquiladora strikes of 2019, the struggle for the end to modern slavery in the fields and factories could enter a new phase. The question remains whether the jornalero movement in the valley of San Quintín is up to the challenge.

STEPS FORWARD: WHERE TO GO FROM HERE

The jornalero movement of San Quintin has created novel forms of community organization, political leadership, and labor struggles. One of its most successful achievements was the creation of the SINDJA union and its recognition by the federal government. As noted, however, the union still lacks collective bargaining agreements and a large social base. What does an indigenous-led union movement look like? While the SINDJA is seeking to forge a path forward by answering this question in the day-to-day affairs of labor organizing, I will argue here for certain theoretical and practical principals for an indigenous union movement to succeed. For there to be a healthy relationship between union movements and indigenous movements, there must exist an intercultural dialogue based on principles of mutual respect and recognition. Labor movements must be sensitive to, and incorporate, the forms of organization and collective demands of indigenous communities – even when these fall outside normal union demands over wages, hours, and conditions. For example, the International Labor Organization (ILO) Convention 169 on the rights and culture of the indigenous peoples should be as pertinent and relevant to agricultural labor unions in Mexico as ILO Convention 98 on the freedom of association and collective bargaining. While the Mexican government ratified the former in 1990 and the latter in 2018, both conventions lack effective implementation and enforcement.

As traditional union movements have largely excluded women and non-white workforces, large sectors of workers are left unrepresented by labor unions. A community-based, social movement unionism must involve anti-racism and anti-sexism campaigns and incorporate identities that are not based around issues of class. This means

organizing intersectionally around issues such as sexuality, gender, and race to build a multilingual, democratic, and militant labor movement. Given the increased presence of women in agricultural labor it is extremely important to create organizational forms that empower women and actively incorporates women in leadership positions and collective bargaining. This should go beyond simple “tokenism” and involve a radical reorganization of organizational structures based around hierarchy and privilege towards more democratic and egalitarian forms. Like the jornaleros of San Quintín demonstrated, labor movements are able to build upon and further develop networks based on shared traits (language, ethnicity, religion, etc.) and should not blindly impose organizational forms inherited from previous generations of urban labor movements. In order to build larger networks and coalitions, a community-based, social movement unionism should support indigenous rights over land, territory, and resources in both migrant receiving and sending communities. Ultimately, this type of labor union must address environmental concerns and create coalitions with environmental groups to work on issues of pesticide exposure, water issues, and environmental degradation.

Given the rise to power of a non-establishment political party (Morena) and its president, Andrés Manuel López Obrador, Mexico finally has a change to see positive changes to the lives of working people throughout the country regardless of sector, region, or occupation. Despite the challenges it faces in the courts from corporatist unions, the new president’s labor legislation could possibly his most lasting legacy. Given these reforms, more sensible laws aimed at democratic labor relations could replace the existing federal labor legislation, which stymied wages and reforms for workers throughout the country for decades. The revision of the country’s collective

bargaining agreements could potentially lead to the revocation of the company-imposed unions and pave way for the emergence of widespread collective bargaining by independent unions committed to justice and dignity for Mexico's workforce.

Neither the Mexican government nor the SINDJA union will be able to democratize labor relations in the rural sector, however, due to the transnational nature of agricultural production, distribution, and consumption in enclaves like San Quintín. International solidarity with the jornaleros of the valley is essential for successfully democratizing labor relations in export agriculture. One of the key areas of pressure that can be exerted in the case of the valley of San Quintín is through the so-called "fair" and "equitable" food programs implemented by transnational corporations in partnership with U.S.-based farmworker unions and advocacy groups. In conversation with jornalero activists in the valley, I have devised key policy recommendations that affect the implementation of the Fair Trade USA and the Equitable Food Program in Mexico.

First, SINDJA and its U.S.-based supporters could campaign for the decertification of all EFI- and FTUSA-affiliated farms (including subcontracted farms) until Mexican laws are upheld. This includes a strict adherence to the Mexican constitution, the Federal Labor Law and the Social Security Law. Concrete steps toward fulfilling these requirements include abolishing the "integrated" salary since it is a systemic form of wage theft that disenfranchises workers from their rights under the law, as detailed in previous chapters. Secondly, the organizations could push for the decertification of all EFI- and FTUSA-affiliated plantations that employ corrupt and repressive "pro-business" unions until the establishment of democratic elections. Elections would also need to be held on plantations where unions are lacking. The

FTUSA and EFI statutes that guarantee freedom of association and this could be upheld by removing secretive, company imposed collective bargaining contracts with corporatist unions like the CTM, CROM, CROC, etc. As companies have used these corrupt unions to repress workers for generations, workers should be given the opportunities to hold free elections to decide if they wish to collectively bargain and with whom.

Lastly, and more generally, national and international solidarity could push the transnational companies in Mexico to implement labor and human rights trainings from the date of hire. Independently of whatever fair trade or equitable food program may exist, the implementation of a strong rights-focused educational training program could help raise workers' consciousness to their rights and dignity under the law. Given that salaried farmworkers throughout the world are most often ethnic minorities, migrants and/or immigrants, have low education levels, often speak a minority language, etc., the majority of farmworkers are unaware of their human and labor rights under their respective national constitutions as well as international legislation such as the International Labor Organization. This lack of knowledge is due to the neglect, marginalization, racist discrimination, grueling poverty, and lack of education opportunities of migrant workers. The lack of information among workers to them in the dark as to their rights under national and international law, thus keeping wages down and avoiding labor organizing on the farm. Fair trade and equitable food in salaried work should begin by implementing strong labor and human rights training programs for the workforce in order to more effectively exercise the rights that these programs claim to champion.

In the end, transnational corporations, government institutions, and labor and indigenous rights organizations could be equal partners in bettering the life and labor of the indigenous migrant farmworkers of San Quintín and other global agricultural enclaves. Until now, there has been little dialogue between the different parties and competing interests have prohibited conjoined action. Despite the fact that the interests of labor and capital are seen as oppositional, the new political moment in Mexico may create the possibilities for enhanced dialogue, mutual exchange, and a guarantee of the most basic rights and protections under Mexican law.

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