

## **¡SOY MEXICANA Y TENGO DERECHOS! INDEPENDENT LABOR ORGANIZING ON THE U.S.-MEXICO BORDER**

**HEATHER FRAMBACH**

*The University of Texas at Austin*

### **ABSTRACT**

This article begins by providing the historical context for the emergence of the Mexican maquiladora industry against a backdrop of ill-enforced labor laws and extensive corruption within official labor institutions. Following this, a case study of a women-centered group based in Piedras Negras, Coahuila, is presented. It highlights the forms and strategies of maquiladora workers organizing for their rights on the shop floor and within their communities. In addition, the case study examines the edges of Marxist ethnography and theory produced on the border, exposing the way in which the actual activities of women worker activists have broken the Marxist mold.

### **INTRODUCTION**

Currently, the rights of Mexican workers within maquiladoras—foreign-owned export-oriented assembly plants—are generally not upheld, despite ample protections guaranteed by the Mexican Constitution and the country's federal labor laws, and despite the fact that, by international standards, these laws offer some of the most progressive worker rights and safeguards in the world. Maquiladora workers are routinely denied the most basic rights called for by the International Labour Organization (ILO), as well as the additional benefits delineated in Mexico's own labor legislation. Top political officials have remained beholden to the economic interests of foreign investors, with masses of corrupt, federally

appointed mid- and low-level representatives of the official government labor unions blocking efforts to enforce the letter and spirit of the country's labor laws.

Despite these challenges, women workers are at the forefront of seeking both the enforcement of their rights and the democratization of the labor union political structure within Mexico. Women have been specifically targeted for employment ever since the beginning of the *maquila* industry, and although men now comprise roughly half of the *maquila* workforce, women workers continue to face unique community and workplace threats and challenges that shape the discourse of resistance to domination and struggle in the workplace. These worker struggles, under the umbrella of grassroots labor organizing, have taken on several forms and strategies since the independent labor union movement began to gain traction once the consequences of the North American Free Trade Agreement (NAFTA) for Mexican workers became apparent. Maquiladora production is intricately interwoven with recent Mexican history, yet it is also a representative case of the overall globalization of production that has expanded internationally since the mid-20th century. This article engages with the strengths, threats, and opportunities associated with the efforts of workers to overcome the problems of transnational manufacturing through individual, collective, and institutional means by way of community organizing and independent trade unionism. Maquiladora production in Mexico presents a pertinent case due to the country's proximity to the United States, which has wielded its economic power to create a favorable business climate for its firms that have elected to relocate the production and assembly of goods across the border. As a result, much of the literature on Mexican labor movements and struggles has outlined the history of corruption and the lack of enforcement of federal labor laws and articles of the Constitution (Kamel & Hoffman, 1999; La Botz, 1992; Lugo, 2008; Muñoz, 2008; Peña, 1997). This article provides a brief overview of this history and the social, environmental, political, and legal challenges of life and labor on the border given the complexity of U.S.-Mexico relations, in addition to the history and strategies of official and independent unions in Mexico. Following this overview, I highlight a unique case study of a women-centered alliance of organizers and independent unionists that is currently working on the border both on the shop floor and in workers' communities. Finally, I argue that conceptions and discourses of resistance are incredibly important in the context of globalized labor struggles, in part by comparing a particular progressive strand of Marxist rhetoric with the rhetoric of workers themselves.

I draw on the extensive body of knowledge that has been constructed on the border pertaining to the maquiladoras, from labor researchers to feminist scholars, to Chicano and mexicano ethnographers who have entered the factories as visitors or as workers themselves. Following Hale (2006), this article is also an example of activist research, a work of research in alignment with and thoroughly shaped by a group in struggle. Since August 2010, I have been an active organizer and volunteer with Austin Tan Cerca de la Frontera, an Austin,

Texas, based group that is oriented around border and maquiladora issues and is a key ally of the Comité Fronterizo de Obreras (CFO), a women-centered maquiladora worker nongovernmental organization (NGO). In late 2010, I participated in a delegation that traveled to Piedras Negras, Coahuila, and Ciudad Acuña, Coahuila, and I have also participated in various interviews and events with Austin Tan Cerca and CFO activists over the past year.

### THE U.S.-MEXICO BORDER

The US-Mexican border es una herida abierta where the Third World grates against the first and bleeds.—Gloria Anzaldúa

[Mexico] make[s] public functionaries into a species of retail salespeople, and the president of the republic into the sales manager of a gigantic business: Mexico, Inc.—Subcomandante Marcos

Particularly in recent years, the U.S.-Mexico border region has been characterized by stories, perceptions, and images of sexualized danger, destitute poverty, and toxic waste. The borderlands are unique in that no other border features the stark inequality found when a dominant political-economic power abuts a Third World country, with massive flows of human migration and raw and assembled material pouring through the gaps along this heavily militarized political boundary (Alvarez, 1995). From the time of the “border troubles” associated with U.S. western expansion and the Mexican-American War to the present day shootouts and kidnappings that stem from the surge in cross-border narcotics trafficking, U.S.-Mexico relations have often been bound up with violence.

Feminist scholars have noted that border violence is as discursive as it is material, particularly with regard to border women. The border can serve as a binary metaphor, where relations of power and inequality are highly racialized and gendered, with Mexico symbolizing a sexualized Other. Border women are perceived to be prostitutes, job-stealers, alternately passive and transgressive, and victims—most notably, of the hundreds of unsolved femicides that have plagued the large border city of Ciudad Juárez for decades. In the workplace, women are routinely the objects of sexual harassment, assault, and even rape, and they struggle to defend their rights and dignity (Carroll, 2006; Gutiérrez, 1996; Salzinger, 2003; Wright, 2006).

Environmental activists and advocates have also written extensively about another kind of violence, that is, against the border’s ecological systems and resources. Environmental justice advocates have documented the effects of degradation related to factory and energy production on human communities living on the border, particularly the effects of exposure to heavy metals, toxins, exhaust fumes, and other pollutants that can lead to birth defects in children, such as spina bifida, and increased rates of cancer and other types of illnesses among adults (Carruthers, 2008; Langewiesche, 2002).

### MAQUILADORAS: PAST AND PRESENT

These problems of social, economic, and environmental violence are intricately related to the maquiladoras, foreign-owned factories that import raw materials for assembly by Mexican workers and export the final product—everything from car parts to fuses, denim jeans, televisions, even body bags—to the country where it will be sold. Given the proximity of Mexico to the United States, the drastically lower wages of its workers, and the lax enforcement of its environmental and labor laws, the border region has served as an ideal site for assembly plants serving the United States, and the maquiladora industry has continued to expand since its emergence as a major sector of the Mexican economy in the 1960s and especially in the wake of the North American Free Trade Agreement's passage in the 1990s.

Export-processing zones have been located in Mexico since the 1940s, but it was not until the setting up of the Border Industrialization Program (BIP) that the maquiladoras were established in larger numbers along the border (Sklair, 1993). The BIP was initiated in 1965 after the termination of the Bracero Program in 1964. The end of the 20-year Bracero Program meant that hundreds of thousands of (male) Mexican workers who had been working temporarily in the United States were now faced with unemployment, which was worsened by a wave of agricultural worker migration from the south of Mexico to the north near the border. In response, the Mexican government introduced the Maquiladora Program as a part of the overall BIP, converting nearly the entire border region into a relaxed-regulation export-processing zone, with the stated objective that the new maquiladoras would provide work for the hordes of unemployed men in the border region in the style of the rapidly industrializing East Asian “Tiger” nations, while stimulating the Mexican economy (Lugo, 2008; Salzinger, 2003).

However, this strategy of development failed to boost the Mexican economy; the U.S. firms that flooded the designated maquiladora zone along the border imported their own raw materials and used their own equipment, to the chagrin of the architects of the BIP. Furthermore, the *maquila* workforce was overwhelmingly composed of women, a trend that pervaded the *maquilas* until recently. According to *Genders in production*, Leslie Salzinger's (2003) feminist critique and analysis of maquiladoras and their history, this can be explained by the construction of “productive femininity,” or the perception of transnational firms that Mexican women made for ideal workers, given their supposed docility, nimbleness, and dexterity. However, Salzinger argues, “productive femininity” is not an inherent trait of Mexican women, but rather a construction that is *produced* on the shop floor in relation to the strategies *maquila* managers employ within the factory, resulting in the “feminization” of the *maquila* industry itself, even though men have begun to enter the factory doors in increasing numbers in recent years (Rosenberg, 2008; Salzinger, 2003: 10–11). This critique complements the work of other feminist scholars, such as Amy Sara Carroll (2006) and Melissa Wright (2006), in their claims that the

“maquila-ization” of Mexico has reproduced and perpetuated the discourse around Mexico and the borderlands as the feminized, binary Other to the masculinized United States.

Since its inception, the industry has experienced several phases of boom and bust. *Maquilas* opened, clustered around the border, at a steady, stable rate until the 1970s, when the economic recession in the United States combined with worker uprisings and a peso inflation almost resulted in the flight of many, if not all, of the *maquilas*. Just a decade later, in the 1980s, the sector experienced a boom following a massive devaluation of the peso and a calming of labor relations, which sparked a rapid increase in U.S. investment in plants as well as an increase in debate about the future of the maquiladoras. Within Mexico, many top officials and planners championed the *maquilas* as an all-round boon to Mexican development and a path to an equal playing field with the Asian Tigers, but several vocal skeptics expressed concern that the industry was not adequately integrated with the rest of the Mexican economy (Sklair, 1993; Wilson, 1994).

By the 1990s, 80% of the *maquilas* were still located in the border region, and although the sector had been growing steadily since the 1980s, following the passage of NAFTA in 1994 the industry grew by 86% by the year 2000. The complex agreement ended the Maquiladora Program but formalized and streamlined many of the transnational industry practices that had already been in place, and the elimination of the restricted free trade border zone, as well as the elimination of many tariffs and quotas, stimulated *maquila* production and allowed the industry to venture further south into the Mexico (Gruben & Kiser, 2001; Rosenberg, 2008). This influence is evident in the swell of *maquila* employment. At the time of the passage of NAFTA in 1994, the industry employed just over 500,000 workers; at the close of 2006 that number had risen to more than 1.1 million workers (Rosenberg, 2008). Additionally, NAFTA has intersected with Mexican labor laws and labor struggles in complex ways, involving, for example, the relationships between workers and unions.

### OFFICIAL LABOR LAWS AND GOVERNMENT UNIONS

No, Mexico’s problem is not the campesinos. . . . The problem, the great and tragic problem of the country, is that it was and still is set up by the educated people, the engineers, the bureaucrats, the rectors of national life, with their colonialist education, who hate the people and can only conceive of them as peons or servants.—Fernando Benítez

### Mexican Labor Laws

The Mexican Constitution, adopted in 1917 toward the end of the Mexican Revolution, contains Article 123, which grants workers basic labor rights including the right to collective bargaining and the right to organize labor unions, as well as a minimum wage, an eight-hour day, overtime pay, safety standards, and

protections for women and children. To enforce these rules, the article established the regional Boards of Conciliation and Arbitration, which are composed of employer and labor union representatives and are endowed with tremendous power and discretion as outlined by the article, and cemented by court cases that ruled that the boards could make legally binding decisions and agreements. A decade or so later, the Ley Federal de Trabajo (Mexican Labor Law) was passed, establishing one of the most progressive pieces of labor legislation in the world, building upon the provisions already provided within Article 123. The law provides for key rights such as minimum wages and benefits, rights with regard to overtime hours and maternity leave, mandatory three-month severance pay for termination without cause, and rules for the establishment of unions and procedures for arbitration and remediation.

However, amendments to the law passed in the early 1970s placed severe restrictions on worker power to form independent unions or otherwise organize for worker rights in the event of a dispute. These restrictions include the *registro*, a system of registration in which legal authorities have wide discretion with regard to approving or rejecting a proposed independent union; the lack of a secret ballot for union elections and allowance for intimidation in union elections; the ability of firms to easily dismiss dissident workers by paying them three months' worth of wages; the ability of the boards to reject a strike as legitimate; the *requisita*, or possibility of government and military seizure of a workplace in the event of a worker uprising or strike; and the preclusion of meaningful collective bargaining through "protection contracts," which are union contracts that are signed by the company and union officials with no worker input and that effectively lock out opportunities for worker organization or accountability to Mexican labor laws. In many cases, protection contracts are known as "paper unions" or "ghost unions," due to the fact that many workers in *maquilas* that have protection contracts are unaware that the contract exists, that they are represented by an official union, or that they have any rights at all (La Botz, 1992).

### **Official Unions**

As a result of these restrictions, independent labor unions are fairly rare. Instead, labor unionism in Mexico is dominated by large, bureaucratic, official unions that are marked by a history of extensive political corruption. Despite the pervasiveness of antidemocratic practices, workers have continually mounted persistent campaigns of organized resistance since the inception of the current official union structure.

After the fallout from the Mexican Revolution, President Lázaro Cárdenas, a consummate populist, set about coopting the masses through several large-scale initiatives under the banner of the Partido Revolucionario Institucional (PRI), including a bungled attempt at top-down land reform and the leveraging of Mexico's largest official union, the Confederación de Trabajadores de Mexico

(CTM), as an umbrella organization with massive participation (Benítez, 2002). Cárdenas left office in 1940 and cemented the tradition of the *dedazo*, or the practice of hand-picking one's successor, which led to the single-party rule of the PRI over Mexico for a total of nearly 70 years, which included the dominance of the official unions that were de jure extensions of the party.

By the 1970s, in many areas more than 90% of Mexican workers were affiliated with the CTM, with the rest affiliated with the Confederación Revolucionaria de Obreros y Campesinos (CROC) or the Confederación Regional Obrera Mexicana (CROM) (Otero & Pagán, 2002). Other unions that are common but have typically held less political power include “white” unions, which are company unions, and independent unions, which are discussed below. Until the 1990s, workers were required to affiliate with one of these unions, usually a government union or its subsidiary, in effect requiring membership in and political affiliation with the PRI—a requirement that was enforced through rampant intimidation. Even after the 1990s, when the “forced mass affiliation” requirement was ended, the new “voluntary” campaign was hardly different, as union bosses continued to pledge their affiliation to the PRI and aggressively recruit “voluntary” workers to the party and union (La Botz, 1992).

### **Charrismo**

Official government unions are commonly referred to as *charro* unions, which is meant to denote the corruption that workers experience at the hands of such unions. For all of the protections offered by the federal labor law, *charrismo* is the effective denial of many of these rights. Union bosses are appointed by the government for terms of up to 30 years, and there is little recourse for workers to be found in the government- and corporate-controlled boards. The “official” union apparatus is, more or less, a sham; the system does not deliver the most basic of union activities and services. Raul Trejo Delarbre, supporter of a corporatist union model but nevertheless a critic of the current Mexican union system, writes that

Political bossism as a substitute for the participation of workers has continued to be the predominant conduct in major Mexican unions. The almost total absence—in many cases the complete absence—of union meetings, union newspapers, workers' commissions, combined with the lack of interest in defending labor union rights, and the infrequent exercise of open protest or strikes, have made the labor movement of our country what it is today: an habitually inactive unionism marked by rampant corruption and authoritarianism. (La Botz, 1992: 33)

The unions are distinctly lacking in transparency, responsiveness, and, most of all, democracy. For this reason, thousands of workers, particularly in the western portion of the border, have shunned unions altogether. In the eastern portion, in cities such as Matamoros, Nuevo Laredo, and Reynosa, official union affiliation

is close to 100%, but in places like Juárez, Mexicali, and Tijuana it can be as low as 20% (La Botz, 1992).

## Wages

One of the areas in which official unions have failed to uphold worker rights under Article 123 and the federal labor law is wages. In Mexico, there are three wage zones, each with its own minimum wage, but currently there is no substantial difference between Zones A, B, and C, with minimum daily wages of approximately 59 pesos, 58 pesos, and 56 pesos respectively (Servicio Administración Tributaria de México, 2010), which translates to roughly \$5 per day.

According to data collected on average wages in Ciudad Juárez, the wages received by maquiladora workers pale in comparison to the lowest wages in the United States, even when the Mexican minimum wage is exceeded. Table 1, current as of January 2011 and based on an exchange rate of 12.25 pesos to a U.S. dollar, shows that the average worker's base pay plus benefits amounts to 26.5 pesos, or roughly two dollars per hour (El Paso REDCo, 2011).

Making roughly one or two dollars per hour can present severe economic and social constraints for workers, particularly when the cost of the *canasta básica*, or basket of everyday goods and necessities purchased by most households, exceeds the wages earned, particularly if the household is headed by a single parent.

Wages are not the only thing lacking in this context. As labor researcher Dan La Botz (1992: 27) notes, “the big issue . . . is not wages, but benefits. . . . particularly in small- to medium-sized shops, [workers] do not receive legally mandated benefits” such as Social Security (the federally administered health-care system), year-end bonuses, or childcare, and most workers will work for years or even their entire careers without a single day of paid (or even unpaid) vacation. The lack of childcare in particular has serious social repercussions, as women are forced to lock their children and even infants in the home for the entire day or night, with no one but perhaps an older sibling to look after them and with little to eat.

Table 1. Average Wages in Ciudad Juárez

Wage category	U.S. dollars per hour	Mexican pesos per hour
Average base operator wage	1.00	12.25
Legal benefits (including healthcare)	0.59	7.22
Optional benefits (childcare, cafeteria coupon)	0.57	7.03
<b>FULLY LOADED HOURLY WAGE</b>	<b>2.16</b>	<b>26.50</b>



## Living Conditions

Home economic life can be even further constrained in the case of certain types of land and home occupancy. In many cases, especially when individuals or families migrate from another part of Mexico to the border region, they arrive with very little, if any, material wealth with which to purchase or rent a home. As a result, many will select a plot of vacant land in a *colonia* (neighborhood) and slowly acquire construction materials, as they can afford to purchase them, with which they build a home, piece by piece. Others will reside in housing developments constructed by the maquiladoras themselves, which consist of uniform, box-like houses of approximately 500 to 600 square feet that are common in places in the eastern part of the border, most notably in Ciudad Acuña. These houses are purchased by the workers, but the houses are often attached to mortgages with ever-increasing interest rates and the stipulation that the mortgage payment must come out of the worker's paycheck, which can dig deeply into a household's family income. While the federal labor law banned payment in scrip that needed to be redeemed at company stores, maquiladoras have discovered this other, very effective, means of creating debt peonage. Many homes in these developments double as home businesses, selling tacos, clothes, snacks, or beer and soda in the effort to make ends meet.

## INDEPENDENT UNIONISM ON THE BORDER

On the border, we have known the maquiladoras for thirty-four years, and we are not satisfied.—Comité Fronterizo de Obreras

### History

Maquiladora-specific independent labor unions, seeking to break up the dominant structure of official union "representation," emerged in the 1960s and experienced a significant expansion in the 1970s and 1980s, despite numerous challenges. The barriers to establishing an independent union are enormous. The dual problems of the government turning a blind eye to labor law violations (i.e., unpaid wages and benefits, lax safety standards) and the aforementioned restrictions on labor rights are extremely effective in locking out attempts to democratize labor representation within the *maquiladoras*. The *registro* clause of the federal labor law makes it all too easy for the Boards of Conciliation and Arbitration to deny the registration of a new union, and if a *charro* union or protection contract is already in place in the factory, it is virtually impossible to replace that union through conventional channels, no matter how corrupt or ineffective that union may be (Muñoz, 2008).

Independent unionism's first major success in the *maquila* sector was at the Han Young (Hyundai chassis manufacturing) factory in 1997, in which workers managed not only to hold a union election but to elect an independent union over

an official union. Only after an extended hunger strike were the results of the election certified, but the company never honored the results. After the company brought in new workers and let the official union back into the factory, no independent collective bargaining contract ever materialized (Muñoz, 2008). Stories like that of Han Young and other thwarted or failed attempts to break up the official unions show just how deeply invested the state-economy-union complex is in preserving the official union structure. In Mexico, unions do not function to represent workers, but rather to keep wages low. This repression can be the source of labor unrest and some political instability at times, but the continued investment can be seen as an aspect of capitalism on which James C. Scott (1998: 336) elaborates:

capitalist profit requires not only efficiency but the combination of efficiency and control. . . . Efficiency at best creates a potential profit. Without control the capitalist cannot realize that profit. Thus organizational forms which enhance capitalist control may increase profits and find favor with capitalists even if they affect productivity and efficiency adversely.

In other words, organizational forms such as official unions, though they may hinder efficiency due to the resulting labor unrest, have the ultimate goal of controlling labor at any cost as long as it maintains Mexico's comparative advantage of offering cheap, "docile" labor to the globalized market.

Due to the sizable challenges facing independent unionization on the shop floor, many of the organizing efforts have had to originate in the wider community in order to sustain themselves. Dozens of NGOs are dedicated to such organizing, including well-known groups such as the San Antonio-based Coalition for Justice in the Maquiladoras (CJM), the Centro para la Orientación de Mujeres Obreras (Center for the Orientation of Women Workers-COMO), the Centro Obrero (Worker Center), and others.

### **Case Study: Comité Fronterizo de Obreras and Los Mineros**

The Comité Fronterizo de Obreras (Border Committee of Workers-CFO) is not as well known as other maquiladora-related NGOs, despite its 30-year history of organizing, which began with a binational collaboration between workers and the American Friends Service Committee, an arm of the Society of Friends (Quakers). This can be partially explained by the fact that much of the literature has focused on the largest and westernmost of border cities, with a particular emphasis on the complex agglomeration of *maquilas*, femicides, prostitution, and drug-related violence in Juárez and Tijuana. The CFO, on the other hand, is based in Piedras Negras, Coahuila, a smaller city across the border from Eagle Pass, Texas, in which the drug cartels have not set up major operations. The CFO also actively organizes in Ciudad Acuña, Matamoros, Reynosa, and other cities that are further east of other major organizing efforts.

The CFO has several major project areas in which it works. Its first and oldest area is grassroots worker education, in which workers are educated about their rights under the Mexican labor law, and coached on how to effectively demand the wages, benefits, and health and safety standards they are entitled to enjoy (Langewiesche, 2002). This simple education campaign has been enormously successful for thousands of workers, virtually all of whom were unaware of their rights under the law. Workers have lobbied for and successfully received wage increases and back pay for overtime and other benefits. Additionally, workers have succeeded in getting companies to comply with a higher level of safety standards by providing workers with appropriate equipment such as protective goggles and gloves, updating manufacturing equipment, and installing safeguards to protect workers on the production line from excessive exposure to chemicals and heat. One of the CFO's major victories was attracting sufficient attention to the illegal practice of pregnancy testing that was widespread in the *maquilas*, which has led to a near total elimination of the practice in most areas (Comité Fronterizo de Obreras, 2000).

Another part of the overall organizing strategy of the CFO involves a participatory framing of the problem. The organization is structured like an egalitarian network, composed entirely of former and current maquiladora workers. As workers become more educated about their rights and experienced in defending themselves on the shop floor, many choose to become more deeply involved with the CFO and become *promotoras*, or organizers/promoters, who in turn educate more workers about their rights. The CFO also regularly publishes reports and critiques of current events relating to life and labor on the border that are written collaboratively by the *promotoras* based on extensive research they conduct in the homes of workers, in the streets of border *colonias*, and even in corporate board meetings. For example, reports have exposed the fact that although real wages have been declining "less severely" for *maquila* workers, the true effect of the decline in real wages is much more severe due to the increase in the cost of the border region's *canasta básica*, or basket of goods and necessities, which the CFO has diligently documented. The reports also expose maquiladora practices as only workers who experience them could do, such as a two-tiered wage system in which new hires are paid only half of what longer-tenured workers receive, with pressure put on the latter to resign. Workers also document the increasing incidence of maquiladoras relocating further and further into the interior of Mexico, where workers are less educated about their rights than those who have been in contact with the CFO or other groups. Even in the cities where organizing has taken place and improvements in wages, benefits, and safety have been achieved, firms continue to undo that work by implementing protection contracts, a strategy condoned by the Mexican government "in the name of NAFTA" (Comité Fronterizo de Obreras, 2000). As a part of this framing of the problems and challenges that workers face, the CFO actively links the community to the shop floor. For example, problems with wages are understood to

be an affront to providing for one's family, and the CFO's focus on linking these work-related issues to the building of relationships in the community means that organizing can encompass a broad range of neighborhood and regional issues, including health, sexual harassment, and environmental justice (Muñoz, 2008).

Also central to the strategies of the CFO is that the education process around worker rights is intricately linked with the empowerment of women. When I was a member of a solidarity delegation, in which a small group of U.S. residents was hosted by the CFO for three days, the *promotoras* strategically demonstrated this to us in a compelling way. One of the first workers we met, Rosy, who works in a plant that manufactures electrical harnesses for cars, was smiling and playing with her sons as she explained to us the ways she had learned to demand better uniforms, sturdy gloves, and an impressive series of pay raises over the past several years, and how she involved and educated other workers to present their demands more effectively. She talked easily about the ways the plant had changed since more workers had become aware of their rights, especially with regard to the rampant sexual harassment coming from management, and about the fact that this harassment still existed, but had diminished significantly since women had learned to stand up for themselves, bolstered by the confidence of knowing their rights under the law. "*Ya me defiendo,*" said Rosy, "Now I defend myself." The next day we met another worker, Sara, a single mother of three little boys who had only recently come into contact with the CFO. The stress and exhaustion on her face was painful to see. As we sat in her house on the bed she shared with her sons, she ticked off the automotive parts plant's abuses: a reduction in wages, excessive noise and heat exposure, sexual harassment bordering on assault, and a recent requirement to work overtime for regular wages (without a wage premium) in times of speeded up production. With regard to this last point, she glanced at Maria Elena, the *promotora* who was accompanying us, and asked, "Can they do that?" Maria Elena shook her head. "No." We realized we were witnessing the beginning of the process of empowerment of Sara, the point where Rosy must have started years ago.

This remarkable process of women-centered empowerment is central to the CFO's organizing strategy. When asked by a delegation participant about the CFO's greatest achievement, Julia Quiñonez of the CFO replied that the organization's greatest achievement was its ability to "raise consciousness and overcome apathy and defeatism. Without that we can do nothing in the maquiladoras. . . . For example, if a woman is yelled at at work, she can start to learn her rights. . . . She can look her boss in the eye and say 'don't yell at me' and then tell her husband 'don't hit me'" (Rosenberg, 2008).

The ability to witness an organization's process up close is unique to the CFO, which has partnered with Austin Tan Cerca de la Frontera, an Austin, Texas, based nonprofit organization, to host four solidarity delegations per year that travel to the different border cities in which the CFO works. Delegation participants are exposed to an intense experience over just three days, meeting with

CFO *promotoras* and workers in their homes and communities, and touring the enormous and surreal oceans of industrial parks, where workers in uniforms of dozens of colors pour in and out of the stale, lifeless-looking factories. The CFO knows how powerful the experience can be for those that have perhaps thought about *maquiladoras*, but have not seen the struggle up close or heard the actual stories of workers. Towards the end of the time that I and my fellow delegates spent in Mexico, Julia Quiñonez, the tireless, calm, resolute national director of the CFO, gently reminded us to take our time processing our observations and thoughts as we returned home from the trip, knowing full well how simultaneously energizing and draining seeing a struggle up close can be, and knowing that the continued project of increasing the awareness of this struggle in the United States had been furthered.

Another CFO project is its own in-house maquiladora in Piedras Negras, which is currently the only cooperatively managed *maquila* in the border region. The *maquila*, called Dignidad y Justicia (Dignity and Justice), is made up mainly of workers who were fired or laid off by other *maquilas*, and workers organize their own work day and production, earn a living wage, and make decisions in a collaborative, consensus-seeking way. They produce textiles made from organic cotton from both the United States and Mexico, though according to NAFTA rules they are allowed to export only textiles made of U.S. cotton back to the United States. Dignidad y Justicia functions as a living, breathing example of the CFO's commitment to alternatives to the "free trade" doctrine found in NAFTA.

Although the CFO's major focus over the past 30 years of its existence has been worker education, it is currently engaged in a grassroots independent labor organizing campaign. In Ciudad Acuña, a city across from Del Rio, Texas, there are at least 60 plants, yet only three plants have any union representation thanks to a standing bribe to an official labor union boss (Dillon, 2001). Among the top employers in the area with multiple plants are Alcoa, which manufactures electrical harnesses for all auto makers, and Delphi, a subsidiary of General Motors, which produces a range of automotive, audio, and electronics products. In 2000, Julia Quiñonez led a cohort of Alcoa workers to meet with the company's president, whose initial failure to follow through on promises made in that meeting led to walkouts and widespread protests that forced the company to negotiate with workers. Conditions and wages have generally improved, but Quiñonez and the rest of the members of the CFO have long recognized that piecemeal victories, while important, may not be sustainable, as unfair working practices begin to creep back into the workplace over time (Dillon, 2001). The CFO has long recognized this, and it is now actively engaging with change on a more structural level, seeking to end the longstanding union lockout in Ciudad Acuña. Furthermore, the CFO has also kept abreast of political and industry changes: Alcoa's Mexican plants were sold to a private equity firm in 2009 and again in the summer of 2011 to a major Finnish electrical harness manufacturer

(AltAssets, 2011). The full significance of the change in ownership is not yet known. On one hand, the new owners, PKC Group of Finland, are a publicly held company with accountability to shareholders that is presumably more invested in its customer and manufacturing relationships than an investor group. However, the physical distance from Mexico of the Finnish owners and shareholders may hamper the efforts of the CFO and its United Steelworker allies in putting pressure on PKC decision makers, not to mention the lengthy process of researching the company's history and agenda and building a new relationship with company representatives, which has been made all the more difficult through the loss of a key CFO translator, Ricardo Hernandez, who has moved on to other work. Indeed, the PKC Group recently signed a protection contract with the Confederation of Mexican Workers in an attempt to block organizing efforts by the workers. Even in light of such industry shifts, however, the CFO is continuing to move forward with a strategy of building key alliances within Mexico and across the U.S.-Mexico border.

One of these key alliances includes an existing independent union in Mexico. The Sindicato Nacional de Trabajadores Mineros, Metalúrgicos, Siderúrgicos y Similares de la República Mexicana or the SNTMMSSRM, known as "Los Mineros," is a mine- and metalworkers' union that is known in Mexico as one of the few independent unions that has an established membership and is unwilling to accept a bribe in exchange for scaling down resistance or protests, despite the efforts of the CTM to impose *charro* leadership on the union. Los Mineros have opened a small branch office in Ciudad Acuña, and the CFO *promotoras* are collaborating with SNTMMSSRM organizers on a plant-by-plant affiliation campaign, with the ultimate goal of succeeding in what would essentially amount to an unprecedented independent unionization effort. Currently, organizers from both organizations are going door-to-door to workers' houses, providing intensive education on Mexican labor laws, and gathering signatures of affiliation that would force a union election in many of Acuña's factories, if successful.

## Barriers

The political barriers to the independent union movement are immense. In Acuña, the enduring powerful alliance between *maquila* management and the developer-owners of the city's industrial parks, who have family ties to the city's mayor, is formidable, and the affiliation campaign faces a potentially long and arduous uphill battle. Furthermore, the legacy of nearly 80 years of *charrismo* has had a sizable impact on the ways in which many Mexican workers view any type of union, independent or not. CFO organizers have reported strong sentiments of reluctance among many workers, who fear the loss of their jobs and doubt that Los Mineros can protect them. In terms of media coverage, awareness of this type of labor organizing and interest in it is minimal in the United States, despite the proximity of cities like Acuña to the border. Many, if not most U.S.

residents do not even know what maquiladoras are, let alone the details of the semiclandestine campaign to radically restructure the labor relations surrounding them. Even within Mexico, union struggles are usually overlooked in media coverage or distorted. In the early years of the 21st century, the CFO received sporadic coverage in the Mexican progressive newspaper *La Jornada*, but it has struggled to draw national and international attention to its work, even among Mexican Americans with ties to the border region. A recent presentation by Austin Tan Cerca de la Frontera to a group of Mexican American student leaders, in which I took part, revealed that even those students who had family members working in *maquilas* were largely unaware of maquiladora history, Mexican labor politics, or any major actors in the struggle. However, exposure to a basic overview of these struggles energized the students to action, particularly in terms of bolstering Dignidad y Justicia's apparel business structure and publicity.

The business structure of Dignidad y Justicia, as it stands, is deeply flawed. The *maquila* was organized with the help of an American nonprofit entrepreneur, who arranged for the purchase of sewing equipment for the business that was transferred from the United States to Mexico, thereby fulfilling NAFTA requirements that a *maquila*'s manufacturing capital must be of foreign origin. However, this arrangement has caused the CFO to remain unsustainably indebted to the entrepreneur, who routes apparel orders through a Fair Trade organization that he manages and that currently features an ordering system that is outdated and not particularly user-friendly. For all the potential and energy behind a cooperative maquiladora in which workers can structure their own work, this model cannot be effective without sufficient orders for workers to fill.

### Opportunities

The CFO could certainly benefit from a significant restructuring of its business model. While the *promotoras* are effective and innovative locally oriented organizers, assistance from supporters who have skills and experience in business, Web development, Spanish translation, and marketing could fundamentally enhance the way the CFO operates and generates awareness of its cause. The simple act of selling more apparel to more customers can serve a dual purpose: informing U.S. residents about maquiladora struggles while transforming the current latent potential of the Dignidad y Justicia model into a powerful and profitable critique of the dominant maquiladora model on a nationwide and cross-border scale.

The long-term sustainability and success of the Dignidad y Justicia model is also important for publicity purposes. Currently, the publicity strategy on the U.S. side of the border consists of the activities of an informal and eclectic group of mostly middle-aged volunteers who help give sporadic presentations and coordinate the organizing of Austin Tan Cerca de la Frontera's quarterly delegations. Often, after a presentation or delegation, participants will ask, "What can I do?" If the model is improved and made efficient and user-friendly, promoting the

fair trade apparel supplied by Dignidad y Justicia will empower these participants to *do* something concrete for the CFO's work that is simple and effective, and that can spread the sales of the apparel to new customers and niche markets.

Furthermore, on the regional level, if the affiliation campaign is successful or at least partially successful in forcing or even winning a union election, the implications are unknown but potentially very positive for the independent union movement throughout Mexico. Even if the next step, that of forming and signing a collective bargaining contract, is yet another large hurdle to clear, the scale of the campaign could potentially generate a level of awareness and interest that could greatly benefit the CFO and other labor-organizing NGOs in their struggle. The CFO has been effective in achieving powerful success through piecemeal, worker-by-worker strategies, which while noteworthy, are not necessarily newsworthy. A successful affiliation and election campaign, on the other hand, would be highly visible and impactful, and could garner unprecedented press coverage and interest, while establishing the CFO's effectiveness and setting the tone for future negotiations with maquiladora firms.

### DISCOURSES OF RESISTANCE

Part of the importance of publicity, marketing, and so forth is the necessity for the CFO and other *maquila*-oriented organizations to have some measure of control over their own representation and discourse of resistance. Since the industry's beginnings, maquiladora workers along with their behaviors, actions, and motivations have been the objects and subjects of intensive research and scrutiny. Through various lenses, the actions and motivations of the CFO and similar organizations can be viewed as forms and strategies of individualized resistance, collective resistance, and/or resistance to work altogether.

Through a Marxist lens, the actions of workers and worker organizations like the CFO can be understood as an overall refusal of work. Devon Peña is the foremost scholar of this particular application of Marx on the border. In particular, Peña's frame of analysis—a strain of Marxism known as Autonomist Marxism, which posits that workers are “self-valorizing” agents that are or should be autonomous of institutional and organizational forms, including unions—relies heavily on ethnography conducted in the 1990s in Ciudad Juárez, and on interviews with Juana Ortega, a maquiladora activist that Peña encountered during his research. Based on this research, Peña concludes that the labor performed by *maquila* workers is alienating and dehumanizing and, through his interviews with Ortega and other workers, reveals a narrative of escalating resistance.

Peña (1997) adds to the literature's extensive anecdotal and observed managerial strategies of control enacted on the shop floor and in homes through the use of Fordist-Taylorist managerial strategies that seek to maximize production output at all costs through timed studies, surveillance, and the cooptation of selected workers to act as production leads (known pejoratively as *rompecolas*, or



“ass-busters”). According to Peña, worker resistance to these strategies can be modeled, generally, as workers forming friendships, or “informal shop-floor networks of resistance,” with these networks engaging in work slowdowns and acts of sabotage that subvert production quotas (*tortuguismo*, or “going at a turtle’s pace”), followed by strikes and walkouts that ultimately “circulate” struggle into communities and into other aspects of border life. Within this framework, Peña (1997) points to the role of autonomous organizations such as COMO, the Center for the Orientation of Women Workers, as providing the lynchpin for women’s organizing in Juárez. Peña identifies COMO’s success in cultivating a strong sense of self-esteem through organizing and education that has taught workers that the “self-management of labor [is] basic to workplace democracy.” Furthermore, he recognizes that autonomous organizations like COMO (and the CFO) allow workers to take their representation into their own hands and reclaim discourses of worker subjectivity and political debate on the border. Yet, even while celebrating this, Peña does not relinquish his Marxist framework of escalating, collectivized resistance, which centers on his observations and models of friendship indicators such as conversations and meetings as the major impetus for further escalating actions.

In *Transnational Tortillas*, Carolina Muñoz (2008) reports on her ethnographic study of the *maquilas*, noting her own discomfort with the narrative of collective, escalating resistance found in the Marxist-influenced literature that includes Peña’s research. Instead, she found that workers were far more likely to engage in small-scale and individualized acts of resistance. Drawing on James C. Scott (1985), she finds his argument that agency can take many forms to be persuasive, pointing out that “when workers lack the ability to resist collectively because repression is too great, they find ways of individually fighting this repression. . . . it is important not to overstate [collective resistance]” (Muñoz, 2008: 157). Muñoz’s own observations were that acts of resistance in general were not common, but she noted that when managers overstepped their bounds in terms of production quotas, sexual harassment, and so on, women would act in ways that communicated to the managers that enough was enough; these tactics included taking long bathroom breaks, arriving at work late, or remaining silent when spoken to, though these acts rarely escalated into the scale that the Autonomists imagine.

This account resonates with an event that took place several years ago in Ciudad Acuña, as described to me by Austin Tan Cerca de la Frontera president Judith Rosenberg. Within a plant, a pregnant worker was not provided with the seating and rest accommodations guaranteed under the federal labor law, and one day she miscarried on the shop floor. News of the incident spread rapidly, and in an impassioned show of solidarity, thousands of workers walked out of their place of work. In the aftermath, the company acceded to worker demands to honor the health and safety standards for pregnant women, and most workers returned to the factory—decidedly not engaging in an escalation of resistance, despite the near universality of the original act.

This example demonstrates the cultural importance of such acts within Mexico. Regardless of terminology, women (and men) form friendships on the shop floor and certainly care for and protect each other in numerous cases, whether it involves sabotaging the production line to give coworkers a break, helping others meet their production quota, or standing up for the extremely important cultural value of a healthy pregnancy and childbirth.

In this way, workers have been observed resisting managerial actions large and small, in subtle and also large-scale, highly visible ways. These actions of resistance do not tend to conform to any particular model universally, whether the patterns of actions of workers can be imagined as collective and escalating, or individualized and sporadic, followed by a return to the status quo. The key variable in these struggles appears to be the presence of independent organizations such as the CFO that ground acts and patterns of resistance in a collective memory, history, and imagined future. Without an independent organization, a walkout in response to a tragic miscarriage is just that: a walkout, with a beginning and an end, rather than a chapter in a long-term strategy that is recorded and given meaning. These organizations also provide a space for workers to engage in regional, national, and international dialogue about whom and what they represent and how. For instance, while Peña's interviewees were forthcoming about their engagement in *tortuguismo*, many *promotoras* and workers affiliated with the CFO have rejected work slowdowns and equipment sabotage as legitimate acts of resistance, insisting that such strategies run counter to their commitment to a strong and virtuous work ethic.

Regardless of discursive differences, Peña and Quiñonez agree that self-esteem and the construction of a strong identity are the backbone of maquiladora worker organizing. When Austin Tan Cerca de la Frontera's very first delegation traveled to the border in 1999, a delegation participant asked a *promotora* why she had chosen to be a labor organizer. The *promotora* frowned incredulously, and replied, "¡Soy mexicana y tengo derechos!" ("I'm Mexican. . . . I have rights!"). Culturally, organizers have seen themselves as furthering the legacy of the political underdog found throughout Mexican history, particularly in the Mexican Revolution. The fact that organizations like the CFO are not rejecting the maquiladora but are trying to change it, democratize it, and demonstrate the potential for a cooperatively managed model lends credence to the idea that the pursuit of democracy and rights is at the center of the struggles that circulate on the shop floor and elsewhere, in the home and household, and throughout the border and other Mexican communities. Certainly their example is instructive for other sites of exploitative production in the context of globalized labor struggles, in that while unions in general and independent unions in a context of corrupt unionism are long-held strategies of labor activists around the world, workers and activists should not underestimate the power of autonomous, worker-centered NGOs to hold institutional forms accountable to workers, to exercise creativity and innovation in experimental forms of resistance such as

self-organized cooperatives, and to act as a sustainable base from which workers can operate in the long term if a union campaign should fail.

## REFERENCES

- AltAssets. 2011. Platinum Equity sells on AEES after two years. Retrieved from [www.altassets.net/private-equity-news/article/nz21541.html](http://www.altassets.net/private-equity-news/article/nz21541.html), June 2011.
- Alvarez, R. R. 1995. The Mexican-US border: The making of an anthropology of borderlands. *Annual Review of Anthropology*, 24: 447–470.
- Benítez, F. 2002. The agrarian reform in La Laguna. In G. M. Joseph & T. J. Henderson (Eds.), *The Mexico reader: History, culture, politics*: 445–451. Durham, NC: Duke University Press.
- Carroll, A. S. 2006. “Accidental allegories” meet “the performative documentary”: Boystown, Señorita Extraviada, and the border-brother/maquiladora paradigm. *Journal of Women in Culture and Society*, 31: 357–396.
- Carruthers, D. V. 2008. Where local meets global: Environmental justice on the US-Mexico border. In D. V. Carruthers (Ed.), *Environmental justice in Latin America: Problems, promise, and practice*: 137–160. Cambridge, MA: MIT Press.
- Comité Fronterizo de Obreras. 2000. Six years of NAFTA: A view from inside the maquiladoras. Retrieved from [www.cfomaquiladoras.org/english/%20site/seis\\_tlc.en.html](http://www.cfomaquiladoras.org/english/%20site/seis_tlc.en.html), April 2011.
- Dillon, S. 2001. Profits raise pressures on U.S.-owned factories in Mexican border zone. *New York Times*, February 15.
- El Paso REDCo. 2011. Labor: Juárez, Mexico. Retrieved from [www.elpasoredco.org/regional-data/ciudad-juarez/market-overview/labor](http://www.elpasoredco.org/regional-data/ciudad-juarez/market-overview/labor), April 2011.
- Gruben, W. C., & Kiser, S. L. 2001. NAFTA and maquiladoras: Is the growth connected? Retrieved from [http://dallasfed.org/research/border/tbe\\_gruben.html](http://dallasfed.org/research/border/tbe_gruben.html), May 2011.
- Gutiérrez, R. 1996. The erotic zone: Sexual transgression on the U.S.-Mexico border. In A. Gordon & C. Newfield (Eds.), *Mapping multiculturalism*: 253–262. Minneapolis: University of Minnesota Press.
- Hale, C. 2006. Activist research v. cultural critique: Indigenous land rights and the contradictions of politically engaged anthropology. *Cultural Anthropology*, 21: 96–120.
- Kamel, R., & Hoffman, A. 1999. *The maquiladora reader: Cross-border organizing since NAFTA*. Philadelphia: American Friends Service Committee.
- La Botz, D. 1992. *Mask of democracy*. Boston: South End Press.
- Langewiesche, W. 2002. The maquiladoras. In G. M. Joseph & T. J. Henderson (Eds.), *The Mexico reader: History, culture, politics*: 698–707. Durham, NC: Duke University Press.
- Lugo, A. 2008. *Fragmented lives, assembled parts*. Austin: University of Texas Press.
- Marcos, Subcomandante. The long journey from despair to hope. In G. M. Joseph & T. J. Henderson (Eds.), *The Mexico reader: History, culture, politics*: 646–654. Durham, NC: Duke University Press.
- Muñoz, C. B. 2008. *Transnational tortillas: Race, gender and shop floor politics in Mexico and the United States*. Ithaca, NY: ILR Press.
- Otero, R., & Pagán, J. 2002. Unions and job queueing in Mexico’s maquiladoras. *Eastern Economic Journal*, 2: 393–407.

- Peña, D. 1997. *The terror of the machine*. Austin, TX: Center for Mexican-American Studies.
- Rosenberg, J. 2008. The rise, fall and rise of the maquiladoras—An overview of the industry. Report prepared for Austin Tan Cerca de la Frontera.
- Salzinger, L. 2003. *Genders in production*. Berkeley: University of California Press.
- Servicio de Administración Tributaria. 2010. Cuadro Histórico de los Salarios Mínimos (1982-2010). Retrieved from [http://www.sat.gob.mx/sitio\\_internet/asistencia\\_contribuyente/informacion\\_frecuente/salarios\\_minimos/45\\_7369.html](http://www.sat.gob.mx/sitio_internet/asistencia_contribuyente/informacion_frecuente/salarios_minimos/45_7369.html), April 2011.
- Scott, J. C. 1985. *Weapons of the weak: Everyday forms of peasant resistance*. New Haven, CT: Yale University Press.
- Scott, J. C. 1998. *Seeing like a state: How certain schemes to improve the human condition have failed*. New Haven, CT: Yale University Press.
- Sklair, L. 1993. *Assembling for development*. San Diego: Center for US-Mexican Studies.
- Wilson, P. 1994. *Exports and local development: Mexico's new maquiladoras*. Austin: University of Texas Press.
- Wright, M. 2006. Public women, profit, and femicide in northern Mexico. *South Atlantic Quarterly*, 105: 681–698.

Direct reprint requests to:

Heather Frambach  
c/o Phillip Salazar  
School of Architecture  
The University of Texas at Austin  
1 University Station B7500  
Austin, TX 78712  
e-mail: h.nietoframbach@gmail.com