Workers who organize in the public square: 
A comparison of Mexican and U.S. organizing models

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I. Introduction
Informal work, that which is unregulated by law or is beyond the reach of law, employs the majority of workers in Mexico and increasingly more workers in the United States (Bernhardt et al. 2008, de la Garza 2010a,b, Levy 2008). Although some informal workers earn high incomes, the majority suffer from inadequate compensation or from lack of economic security and basic rights. As a result, it is not a surprise that informal workers are organizing themselves to reclaim their rights in various economic sectors of the two countries (Fine 2011, de la Garza 2010a,b, Milkman, Bloom and Narro 2010). What is surprising, at least initially, is that in each of the two countries groups of workers in the public square organizing perhaps the most powerful informal worker organizations.

We refer to street vendors in Mexico and day laborers (workers, mainly immigrant Latinos a majority of whom are from Mexico, who look for short-term work in construction, gardening and domestic work) in the United States. In some cases they work in open public space (public streets and sidewalks), in other cases they solicit work in the same environment (on street corners or parking lots). One would expect such workers would experience a lack of personal safety, abuse from law enforcement agencies, and ferocious competition from other workers who do not face any significant barriers to entering this labor market. All of these problems do exist, yet workers in these sectors have formed powerful and effective organizations (Gayosso etc. in de la Garza 2010a,b, Dziembowska 2010, Theodore 2010). In this paper, we explore, and explain to the extent it is possible, the sources, forms, reach and limits of this unexpected power. We situate our analysis in the political economy of the two countries, the principal site for street vending in Mexico, Mexico City, and the principal city for day laborers in the United States, Los Angeles, California.

II. National Context

A. National overview

1. Mexico
The definition of informality has recently been expanded by the International Labor Organization to include workers in unregistered businesses and workers who do not receive standard employment benefits such as medical insurance or pensions. According to this expanded definition workers in such conditions of informality constitute approximately 60% of the workforce in Mexico. The ENOE survey found in the last decade the percentage of informal workers has increased and the largest increases occurred in the service economy. Regarding informal workers subordinate to an employer, they constitute 50% of the informal sector and 68% of the informal workers in the formal sector. For the most part, informal jobs fail to meet the legal norms for these salaried workers, who earn a monthly average of 3000 pesos (240 dollars). Consistent with these characteristics, the percentage of unionized informal workers is close to zero.

Thus, the main driver of informality relates to labor (lack of decent jobs), although there are cultural components (resistance to being a subordinate worker, satisfaction with the relative autonomy given during the workday). As such, the rise of informal employment is a corollary of the evolution of formal employment in Mexico. Historically, unemployment rates have been low, and the lack of sufficient formal employment has largely been remedied with informal employment.

2. United States
In the U.S., in contrast to Mexico, there are no reliable data on the number of informal workers. However, there is strong evidence of a growing informality (Bernhardt et al. 2008). A survey of low-wage workers taken in the three largest cities in the country, New York, Los Angeles, and Chicago, found that
one quarter of these workers did not receive the legal minimum wage in the week before the survey, and three quarters of those who worked more than 40 hours did not receive the required overtime pay increase (Bernhardt et al. 2009).

The influx of immigrants from Mexico and other countries (half undocumented) in the 80s, 90s and 2000s facilitated the expansion of informal work (Gammage 2008). Increased outsourcing also contributed, itself an important result of American businesses trying to cut costs and avoid direct responsibility for workers (Bernhardt et al. 2008). As Milkman has documented (2006), in the case of Los Angeles, in sectors such as residential construction, construction companies created new subsidiaries and supply chains free of unions, that paid low wages and paid less attention to the physical and economic security of workers. With the worsening of certain jobs, white native-born workers left these jobs for other opportunities, and industries - again, with residential construction as an important example - absorbed immigrant populations, many of them undocumented.

In this context, a new form of organization has emerged, worker centers. They are multipurpose organizations that organize, serve, represent and advocate for workers who do not have the ability to form a union as informal workers (Fine 2006, 2011). The latest count of these groups found 130 around the United States (Fine, 2011). Worker centers organize workers, especially migrant workers, using ties of ethnicity, common experiences of being exploited and persecuted as an immigrant, and in many cases stronger traditions of solidarity than traditionally found in the United States.

B. The focal sectors

1. Mexico: Informal Trade

In Mexico, according to INEGI (Mexico’s statistical office), in 2003, the country had 1.6 million street vendors, almost 53% more than those that existed in 1995. Currently, according to data from the ENOE in the second quarter of 2012 the total national vendor population was 2.2 million, which corresponds to 4.5% of the entire working population.

It is worth noting that for the largest group of street vendors, 32%, according to data from the ENAMIN survey (2008), the main motivation for choosing this line of work was precisely to seek a supplement or an alternative source of income which meets their economic needs and those of their families. This motivation outweighs other motivations such as occupational inheritance (8%) or intentions to work independently (7%).

As for working conditions, many of these workers, 38%, have monthly income falling in the category centered on 2,700 pesos ($216). With regard to the working day, street vendors have variable work schedules, but most (32%) perform their activity 16 to 34 hours a week. Regarding social insurance, the vast majority of those who sell on the street (99%) have no medical insurance.

Within this set of vendors, although most are self-employed (7%), 19% are also salaried workers, and only 3% are small business owners who employ workers. The median vendor has attained a high school level of education (35% of the total). Sixty-two percent of street vendors are female.

Street vendors, although mostly organized, belong to what Mexico calls civil associations (nonprofit organizations), so that 99.8% deny union membership. The number of civil associations changes frequently, and no national survey tracks them. However their numbers in more specific areas such as the Centro Histórico (historic center) of Mexico City are known.
As these workers use public spaces to work, major conflicts arise with the authorities at different levels of government, along with friction with other similar organizations in those same spaces. Despite several attempts to regulate or prohibit street trading, the fact is that in the Distrito Federal (DF, that is, Mexico City proper) there is no law regulating commercial activity in public space.

This lack of regulation has pushed vendors to organize and engage governments and political parties. However, these relations have been characterized by their weakness since there is no proper legal framework for them, and have typically taken the form of corporatism, as with unions and other Mexican organizations. Traditionally, the street trade of Mexico City has been linked to the Institutional Revolutionary Party (PRI, which ruled for over 70 years and is once more in power) as a form of patronage in which vendor organizations were permitted to establish markets in exchange for their support and advocacy on behalf of officials and politicians of that party (Castro Nieto, 1990: 63). And, since the more left-center Party of the Democratic Revolution (PRD) won the city government of Mexico in 1997, PRD corporatism has also appeared. According to Gisela Zaremberg (2005) the PRD’s rise to power stimulated the splintering of monopolistic organizations formerly affiliated with the PRI, increasing the competitiveness between the leaders, and encouraging them to promote different forms of membership and ways of legitimizing their positions, which ranged from social protection to cultural activities.

According to this author, the new situation led to the creation of a large number of small, formally constituted civil associations. Fragmentation and associated competitive pressures in among associations has also prompted the leaders to mitigate their instrumentalist and despotic practices, instead replacing them with a protective style as distributors of complementary social and cultural benefits and even the guarantee of vending space. Also, as a result of the government crackdown on street vendors and tianguistas (vendors in the tianquis weekly street markets in rotating locations around the city) leaders have chosen to expand ties with organizations representing other informal workers such as taxi drivers and minibus operators.

From the collection of trade associations emerged federations distinguished by their degree of political activism such as the National Front of Informal Commerce (FNCI), directed by David Arévalo and Force of Commerce (FC), directed by José Sánchez Juárez. The first organization is part of the PRI and has led several demonstrations against the PRD city government.

In general, the actions of these groups respond to the measures implemented by the city government to confiscate the goods of vendors, evict them, or reorganize street commerce, while ignoring their demands for better working conditions. That is, these actions are reactive and seek to exploit government action to attract public notice and increase movement strength and mobilization capacity. This dynamic which materializes during negotiations between the authorities and organizations has enabled them to maintain their control over public spaces.

In terms of decision-making, legitimacy, representativeness of street vendor organizations, these range from the downright organized crime, to those functioning as business associations based on fees they charge the vendors, to clientelistic organizations exchanging favors with officials and parties—and a few democratic organizations. Overall, they not linked to unions.

2. United States: Day laborers

In the United States, day labor work refers to persons seeking employment in open air labor markets located on public streets with heavy traffic and in front of home improvement stores (like Home Depot), and other public spaces. These workers usually get short-term jobs like yard work, painting, demolition,
and other forms of manual labor, especially in residential construction. According to the National Day Labor Survey (2006), day labor work is a national phenomenon caused by the search for greater labor flexibility across labor market sectors. The phenomenon has grown rapidly particularly in the construction sector where employers have increased their use of workers hired for short term projects, to work only for the period required for the project. Increases in the rate of immigration have also driven the growth of the low-wage labor market, in which most workers are migrants, and three quarters are undocumented immigrants (Valenzuela, et al. 2006). While the day laborers are excluded from many rights and privileges of workers, and are especially vulnerable because of their undocumented status, they have become a critical part of competitive labor markets underlying growth in the residential construction sector (Theodore 2010).

Over the course of the past three decades union density in the construction sector has fallen from about 40% to less than 15% leaving large sections of the industry without union presence or influence, particularly the residential section that amounts to about half the industry. A consequence of the decline in union density has been a pervasive downward pressure on wages and labor standards. Moreover, the sector has been reorganized: unionized workers have relocated to construction sectors where pay is higher. And, employers have re-organized employment arrangements to increase flexibility and reduce costs. The result has been the increasing structural dependence of the residential construction sector on day laborers working in conditions of informality and contingent employment arrangements, and without union representation (Theodore 2010).

The National Day Labor Survey found that day laborers earned median wages of $10.00 per hour (Valenzuela, et al. 2006). This average can be compared to $12.23 per hour, the median earned by all workers in the residential construction sector (U.S. Bureau of Labor Statistics 2013). However, as day labor employment is unstable and insecure average wages per month are volatile, and annual income rarely exceeds $15,000, leaving most of the laborers under the U.S. poverty line (Valenzuela, et al. 2006). In addition, a survey conducted in New York-Los Angeles-Chicago of more than 4,000 low-wage workers found that workers in the residential construction sector represent 13% of those who experienced violations of the minimum wage law (Bernhardt et al. 2009). Bernhardt et al. also concluded that the foreign-born workers experienced wage law violations with higher probability (31%) than native workers (16%). To put day laborers in this context, Valenzuela et al. (2006) estimated that 75% were undocumented migrants, with most born in Mexico (59%) and Central America (28%).

We do not discuss here the history of day labor organizations because we incorporate this story in our case studies, focusing on the only federation of day labor groups in the U.S. and the founding groups of the national movement. However, it is important to mention that there is research on this history (Dziembowska 2010, Narro 2009, Theodore 2010).

III. Methods

Our unit of analysis is the organizational case study. Each of the five organizations in the sample is a civil society type association. In Mexico, we conducted in-depth case studies of two organizations of informal work, the National Front Informal Trade (FNCI) and the National Association of Artisans of Coyoacán (ANAC), both located in the Federal District (DF) of Mexico, i.e. in Mexico City. In these two cases, we interviewed leaders and members of organizations, and we observe the vending locations and actions such as meetings and demonstrations.

In the U.S., we conducted more limited case studies of three organizations: the National Day Labor Organizing Network (NDLON), a coalition of about 30 organizations in 22 U.S. states and two member
organizations in Los Angeles proper, the Institute of Popular Education of Southern California (IDEPSCA) and the Central American Resource Center (CARECEN). CARECEN and IDEPSCA handle various social programs in addition to organizing day laborers, in contrast with NDLO which has a more specialized approach. All three organizations work on two levels: public policy at the municipal, state, and federal levels and the operation of job centers that serve specific neighborhoods. (It is worth mentioning that these centers are a different concept from worker centers, a term that applies to the entire organization, i.e. IDEPSCA and CARECEN are worker centers for day laborers that operate employment or job centers for day laborers. We use “worker centers” for the first, “center” or “day labor center” for the second.) In these cases we interviewed leaders at both levels, we observed the normal operation of the centers (three of IDEPSCA’s, one of CARECEN’s, and a Pasadena job center operated by NDLO), and with the exception of the CARECEN case we observed special events (assembly, party, workshop, classes in English, press conference). We did not have the opportunity to interview workers who are members of the organizations, but observe the participation of workers in the centers and at special events. So in total we observed three levels of organization in the American cases: the national network, member organizations within the network, and individual centers run by organizations or directly by the network.

In addition to the national case studies we organized, conducted, and observed two binational meetings (2-3 hours) of leaders of these organizations and a few additional organizations of street vendors in Los Angeles. The first meeting was conducted remotely via Skype, and the second face-to-face at a day-laborer center in Los Angeles. The leaders of the two Mexican organizations, FNCI and ANAC, participated in both meetings, while the director of CARECEN, the directors of the day labor programs, several CARECEN and IDEPSCA laborers and other members and staff of these two organizations participated in at least one of these meetings. FNCI leaders and ANAC also visited NDLO’s national headquarters and the NDLO Pasadena job center, where they exchanged ideas and questions with the NDLO staff and workers present.

We supplement these direct observations with academic literature review of the two movements, selected articles in the mass media, and some documents from the organizations. In findings from field work we do not identify the specific person who was a source of information, to maintain partial confidentiality. When we do not cite a specific source it can be assumed the source comes from interviews and observations.

IV. Findings

We present the findings in seven categories: (A) Brief summaries of the history of each organization, (B) Levels of organization in each of the two country-industry combinations, (C) Terrain of activity, (D) Strategies, (E) Major alliances, (F) Organizational models, and (G) the most significant changes in their environments, and how they have reacted to these.

A. Brief histories of the organizations

Here we introduce only a basic overview of the organizations, we will discuss in much more detail the experiences of organizations. The National Front of Informal Commerce (FNCI) was created in 2004 by David Arévalo Mendez, the leader of the street vendors in commercial areas of San Antonio Abad 1 and 2, located on the outskirts of the historic center of Mexico City. With an organizing trajectory that began with mobile vendors inside the transport system (METRO), better known as *vagoneros*, as well as vendors selling second-hand clothes from the U.S., David Arévalo decided to promote the formation of a front organization for the purpose of bringing together different union and social organizations. The Front is not exclusively limited to informal retail, though the organization’s main base is second-hand
clothing vendors, including those in San Antonio Abad as well as in various tianguis around Mexico City. The FNCI also has members outside the Federal District in the State of Mexico and the state of Puebla, but their membership is purely formal, in the sense that these organizations do not participate in the activities of the parent federation.

The objectives of FNCI have been defending the right to sell in public spaces, and to obtain for its members services and resources of support from public authorities. To date FNCI and its leadership have been successful in achieving these objectives and goals.

The National Association of Artisans of Coyoacán (ANAC) is a smaller organization which organizes only artisan merchants in the historic center of the Coyoacán neighborhood. The ANAC emerged as a split (one of several) from ANAURMAC, the first organization of artisan merchants in Coyoacán, in the mid-nineties. While the Coyoacán Craft Tianguis was operating, ANAC obtained different achievements for its members, particularly defending its members’ vending space from other vendor organizations as well as from authorities seeking to evict vendors. But government intensified its push in 2008, and all vendors were evicted. After a year of fighting, ANAC and other commercial organizations won the right to occupy a building offered by the government, but continued to claim the right to sell again in the square. Now after five years of resistance the organization is weakened, vendors remain in the building constructed to house the market (without certainty of space in the long run), and the ANAC is at the point of accepting this solution.

The Institute of Popular Education of Southern California (IDEPSCA) originated in Los Angeles in 1984 as a popular education organization, first among Central American migrants (mainly from El Salvador) who fled the civil wars of that time (IDEPSCA 2013). IDEPSCA then expanded to include migrants from other Latin American countries, especially Mexico. It launched its day labor work a few years later, and in 1992 opened its first day labor center in Pasadena, a suburb of Los Angeles (Calderon, Foster, and Rodriguez 2005). It began a process of collaboration with other civil associations, such as the Coalition for Humane Immigration Reform Los Angeles (CHIRLA), and the City of Los Angeles to open more centers. CHIRLA, another organization founded by Central Americans, itself had launched in 1988 the first campaign for day laborer rights. CHIRLA won the fight with the City to establish the first day labor center in the U.S. in 1989, and then opened more centers. However, the City later ended its contract with CHIRLA, at which point CARECEN and IDEPSCA took over the management and operation of the day labor centers (Dziembowska 2010, Narro 2009). At the height of its day labor work, IDEPSCA managed six centers, but as a result of recent budget cuts today it operates only four.

CARECEN, the Central American Resource Center, was founded by a group of Salvadoran refugees as a service center and organization for Central Americans in Los Angeles and gained nonprofit status in 1983. Like IDEPSCA, CARECEN manages several programs besides organizing day laborers. It began organizing day laborers in 1988, around the same time as CHIRLA (CARECEN 2013). CARECEN has operated several centers (including the Pasadena center we visited, now operated directly by NDLON), but at the time we write has only one, in Pico-Union, a Central American neighborhood, near the office of CARECEN.

The National Day Labor Organizing Network (NDLON) emerged as a coalition after a process of incubation in Los Angeles. Several organizations (CHIRLA, IDEPSCA, CARECEN) began to coordinate their efforts in the nineties, and in 1999-2000 IDEPSCA conducted a leadership school that attracted participants from organizations nationally. NDLON was formed in 2001 as a national network, initially under the auspices of CHIRLA, and finally became an independent nonprofit in 2008 (Dziembowska 2010). At each step of this evolution, links between Salvadoran leaders played a vital role, and indeed the Salvadoran Pablo Alvarado, co-founder of IDEPSCA, advanced from CHIRLA organizer to founder and...
current director of NDLO. That said, the member organizations of laborers NDLO are open to any
nationality or ethnicity. NDLO coordinates struggle at all levels including making federal claims for the
rights of day laborers. However, it is still is based in Los Angeles.

B. Levels of organization

The morphology of these organizations is very similar in both countries, although they serve different
groups. In the Mexican informal trade organizations, there are three levels of organization. The basic
unit is the organization in a specific place, like a public square. Above this, there are groups focused on a
particular type of commerce (in a given geographic area): for example in the case of FNCI, *vagonero*
associations, tianguistas who sell used clothing, etc. And, at the top there are federations, such as the
FNCI.

Regarding American day labor organizations, again there are three significant levels. The basic unit is the
single day labor center or even the corner where day laborers congregate in cases where there is no
physical center. Then there are organizations like IDEPSCA and CARECEN, which can cover several
centers and corners in addition to other programs and areas of work. From what we know, the centers
are not organized according to specific types of work, in fact, the centers we observed included
construction workers (mostly men), domestic work (mostly women), and cleaning (both). At the top
level, there is a single association, NDLO, although there are few centers outside NDLO, e.g. two
centers operated by the Youth Policy Institute (YPI) in Los Angeles (YPI 2013).

C. Terrain of activity

In both sets of cases, there are four areas of concern, including common elements but with different
emphases. The main field of action for the two groups, which in a sense defines the identity of the
organizations, is to defend the fundamental rights of the workers concerned. The most basic right is
precisely the right to exercise their profession in the public space. Both FNCI and ANAC have grown and
matured in struggles to defend this right before the government and the police. In the United States in
the late eighties, as a backlash to the concentration of migrants on corners to solicit work, several
municipalities in Southern California began to adopt laws banning the soliciting of work in public places.
Organizations like IDEPSCA, CARECEN, and CHIRLA pursued a triple strategy—legal processes,
negotiations, and protest—to overturn these policies.

But the situation of day laborers dictated other lines of action in defense of rights. As the laborers are
employed and not entrepreneurs, CARECEN and IDEPSCA devote much time to claims by individual
workers (or groups who worked for the same employer) of basic rights under existing labor laws:
payment of wages (employers sometimes fail to pay), payment of at least the legal minimum wage, and
overtime pay for work. Another issue that sometimes has dominated the attention of day labor
organizations in the United States is immigrant rights and immigration reform. CHIRLA began its
organization through assisting workers in obtaining amnesty after the Immigration Reform and Control
Act of 1986. In 2005, the Sensenbrenner bill, which would have intensified the crackdown on
undocumented migrants, contained clauses directed against day laborers, and in the following years
there were attacks of anti-immigrant groups like the Minutemen, and state laws, starting in Arizona, to
send local police to enforce federal immigration law. The Bush administration (2001-08) began a policy
of raids aimed at workplaces, and the Obama administration (2009-present) has intensified raids and
widespread integration of local police in the enforcement of federal immigration law under a program
called Secure Communities. In response, groups and especially NDLO have turned to defending the
rights of migrant laborers and demand immigration reform; according to Fine (forthcoming) NDLO now
puts first priority on immigration reform.
The second level of action is to support economic advancement of informal workers. Here there is a divergence between the two sectors in the two countries. For vendors, the main economic instrument is restricting supply (via negotiation, requests of the authorities, or direct confrontation), to avoid a surplus of vendors. In the United States this is a central practice of construction unions, but organizations of day laborers, who also work in construction, have chosen not to restrict supply. Instead, they allow day laborers who do not respect the standards set by the centers to compete on the market by accepting lower standards (Fine, 2007 and forthcoming). In fact Calderon, Foster, and Rodriguez (2005) describe the successful internal struggle of a center in the city of Pomona to end a policy of restricting competition, and remove the leaders who advocated this approach, in favor of coexistence with competitors and the free movement of workers between the center and the surroundings where workers are hired outside the purview of the center.

Although day labor centers and the organized street corners do not seek to forcibly restrain competition, they do try to win the agreement of the workers in a corner or parking lot to demand a prescribed salary. In addition, organizations invest a lot of effort in other competitive strategies. They offer customers a quality guarantee, prohibit the consumption of alcohol or drugs by day laborers, and in exchange ask clients for a fixed salary, a specified list of tasks, and contact information in case of any problem with the compensation. They also publicize the availability of workers through posters, newspaper advertisements, and websites such as Craigslist. They offer English classes, training in construction methods, and classes in occupational safety and labor and civil rights to help workers get ahead. In relative terms IDEPSCA puts more effort into economic strategies while CARECEN puts more effort into political strategies—but overall the two organizations are dedicated to both strategies.

The third level of action is to provide ancillary services. The FNCI has secured municipal support for housing, education, and sports activities of their members. Meanwhile, the organizing process of U.S. day labor organizations such as CHIRLA and then NDLON has included a soccer league, a theater, and a band. CARECEN and IDEPSCA also give participating day laborers access to health services, family and personal counseling, and some limited food assistance.

Fourth and last, and here again there are significant differences, some of the groups develop leadership among members as an important activity. The two Mexican organizations follow different paths in this regard. The ANAC demands participation in meetings, regularly schedules workshops in facilitation and participatory techniques, and rotates certain responsibilities in the organization. The FNCI, in contrast, derives its strength as an organization from the influence and connections of its top leader and the unity and discipline of members. Thus the leadership is relatively concentrated and there is no need seen to develop leadership skills more widely. Among the day labor organizations in the U.S., all of our case study subjects seek to promote membership involvement in decisions, but there are different degrees of investment in cultivating and teaching leadership. At the level of entire organizations, IDEPSCA may invest more than others in this line of work (through more general meetings, workshops, and popular education pedagogy)—members even identify as “IDEPSCOs”. CARECEN seems to have cultivated more active participation by a workers’ committee. CARECEN’s day labor center staff attributes the level of commitment of its membership to the high concentration of Central Americans, who have a stronger tradition of progressive politics and broad political participation.

To summarize, all organizations utilize a combination of advocacy, improving the economic situation of workers, provision of services, and in some cases developing new leaders. Due to their location in public places, they prioritize the defense of rights, especially the right to ply their trade in public spaces. But in the U.S. cases, since the organizations have won the right to solicit work, the employment and
immigration status of day laborers implies that fights for labor and migrant rights become ever more pressing.

D. Strategies

The informal street vendor associations in Mexico work in part like a chamber of commerce, although work in the street primarily involves working owners, typically unpaid family members, and in some cases a few waged assistants. Nonetheless, the center of gravity is the work of vending, not property owners’ interests, since the proprietor does not own the selling area, and occupies a precarious place in the economy and spatial configuration of the city. Moreover, at times vendors see themselves primarily as workers, and their main fight as for the right to work. This viewpoint is universal, and depends in part on the ideology of the organization. In any case, only a small number of informal retailers are truly petty bourgeois for whom the main relationship with street vending is ownership of a set of stands worked by wage workers. Thus, the predominant form of street vendor movements should be considered movements of workers—though not wage workers—for the right to ply their trade.

The centerpiece of Mexican street vendors organizations’ strategy is to negotiate with public authorities. The ANAC and FNCI also seek to negotiate the right to sell and to get services. They use different tools in the negotiation process. In the case of FNCI, the organization has a large membership and has leaders, particularly David Arévalo, sophisticated in electoral bargaining with parties and individual politicians, so electoral support is their biggest card to play. They also use their contacts with the media, and sometimes turn to protest. On the other hand, ANAC relies more on protest, demonstrating their legitimacy as a group of artisans, and embarrassing the authorities.

The day laborers organizations of Los Angeles utilize a broader range of strategies, taking a form that researchers have characterized as a combination of labor intermediaries, union and community organizations (Fine 2007, Theodore 2009, 2010). Like intermediaries (temporary worker agencies, training institutions) they serve workers who seek employment by regularizing and making transparent the distribution of jobs among applicants, by assisting in the acquisition of new skills, and by formalizing the contract in terms of salary and required tasks. But also like intermediaries, they serve employers by selecting skilled and capable workers and maintaining a predictable supply of labor. Acting like unions, the centers try to raise wages and other employment standards, and to defend workers’ rights.

But the parallels with community organizations are perhaps their most interesting aspect. Dziembowska (2010), Narro (2010), and Theodore (2009) explain the success of day labor organizations as a result of two elements with roots in community organizing movements instead of other organizational models. First, the organizations began by using, and still use, popular education techniques to engage laborers and foster a sense of ownership in the organizations, cultivating a loyalty that goes beyond an instrumental level. So, the leadership development previously discussed is a fundamental and core activity of these organizations. Second, from the beginning, at the neighborhood level where a center is located or day laborers concentrate on a street corner, the common practice has been to maintain an ongoing dialogue with every actor with an interest in the situation (including business owners) which transforms into negotiation when conflict emerges.

In addition to popular education and multilateral dialogue, day labor groups use a variety of other strategies. Litigation has been widely used, for example, or filing lawsuits for unpaid wages cooperation with the Mexican-American Legal Defense Fund (MALDEF) to contest (with great success) municipal laws against soliciting work in public (Cummings 2011). Sometimes they also press for legislative changes. Locally, for example, they won an ordinance that requires large home improvement stores (mainly Home Depot) to establish a hiring center in their parking lots. At the national level, the greatest example
is immigration reform: advocating to prevent punitive laws like the Sensenbrenner proposal, and to make a reform sympathetic to the needs of migrants and particularly laborers.

To press for legislation, or changes in regulations, administrative practices, and policing, like the Mexican vendor groups the U.S. day labor organizations use protest, negotiation and dialogue. Negotiation is used primarily at the level of the municipality, for example to obtain permission to stay in one place and get resources to open a center or provide services. The dialogue, again, is used primarily at the neighborhood level.

E. Alliances

Alliances differ by organizational level, and correspond to the main strategies the groups use. In the FNCI, due to its more vertical organizational structure, with bargaining power concentrated at the top of the group, alliances—with political parties, journalists, and others—are likewise concentrated in the upper levels of the organization. The ANAC does not have the same concentration of power and thus forms horizontal alliances with peer organizations. In no case are there alliances with unions, because in Mexico unions only organize formal workers (although there are exceptional cases like the Authentic Labor Front, which extends the organization to self-employed producers).

Among day labor organizations in the United States, all three organizational levels form alliances. At the national level, NDLON has as its most important allies the civil rights organization MALDEF and the main trade union federation in the country, AFL-CIO (earlier, there was also a strong alliance with the second federation, Change to Win [CTW], but the union that formed the bridge between NDLON and CTW, the Laborers’ International Union of North America [LIUNA] moved to the AFL-CIO).

The alliance with MALDEF follows naturally from the litigation strategy, but the example of the AFL merits more explanation, especially in the context of the lack of union allies in Mexico. At first worker centers and unions in Los Angeles viewed each other with suspicion (Milkman 2010), and there are still many difficulties worker center-union collaborations (Fine, 2007 and forthcoming). For example the Laborers’ Union acts like a union, excluding non-members from its workplaces, but as we explained, day labor organizations adopt a principle of non-exclusion, which has hampered the functioning of some organizations locally shared by the two partners. But in the midst of these inauspicious circumstances, the two sides have established a series of agreements, culminating in the 2006 NDLON-AFL-CIO cooperation agreement. A leader of the day labor movement explained that the driver for formalizing the alliance was, and is, an existential crisis for both organizations. For the AFL-CIO and its member unions, the crisis is the loss of members (particularly acute for the Laborers’ Union whose members work in jobs that require less training) and the defection of the unions most active in organizing new members to Change to Win in 2005. To NDLON, the crisis was the Sensenbrenner bill and the threat of anti-immigrant laws and anti-day laborers. In the agreement, NDLON gained access to massive political and financial resources, and the AFL-CIO acquired an affiliate which has been able to successfully organize a large and important group of workers where traditional unions have not.

At the level of individual day labor organizations, the groups form political alliances with municipal and other pro-immigrant groups as well as groups that can offer specialized expertise, such as lawyers (e.g. in a coalition to design and implement a law against wage theft) or health care providers. At the level of the center, the main form of alliance is expressed in the multilateral dialogue with neighbors.

F. Models

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Mexican informal commerce has three main models of organization. The first is downright organized crime organizations, in which the relationship of the organization to its members is extortion. The second model, and a common one, is patronage or clientelism. The FNCI participates in patronage in ways that have gained much for its members, through the exchange of promises of votes and support in political campaigns for adoption of policies favorable to the membership. The third model is democratic organizations, such as the ANAC. The ANAC has committed to give voice to their members without regard to party affiliation. In fact, ANAC leaders are critical of all parties. Democratic associations such as ANAC are rare.

From what we know, day labor organizations in the U.S. are confined to the last two models. The groups we studied are all democratic but, as mentioned in the section on the Terrains of Action, there are variations in the degree of leadership development. All have more or less active member participation, and focus on the cultivation of active members. But these organizations do not exhaust the organizational types of day laborers in the U.S. A leader in the movement said there are two models of such organizations: the empowerment model used by all our case study organizations, and the service provision model. According to this source, the service model is more vertical and conforms to the conventional model of social service NGOs. He claimed that the groups with the empowerment model are affiliated with NDLON. We assume that in Los Angeles the Youth Policy Institute (YPI), operator of two centers, can be classified under the service model.

G. How they respond to changes in environment

The organizations we studied have undergone massive changes in their environments. What interests us is their ability and willingness to adapt and to react to these changes. Politically, the most significant change the FNCI dealt with was the change in Mexico City’s government from the Institutional Revolutionary Party (PRI) to the Party of the Democratic Revolution (PRD) in 1997, when government in the Federal District began to be elected rather than appointed. Like the vast majority of popular organizations in Mexico, the FNCI had a symbiotic relationship and strong patronage ties with the PRI which for decades exercised one-party rule. But FNCI responded pragmatically to this policy shift in Mexico’s capital, and has successfully negotiated with PRD governments, even after supporting their rivals in elections. Another challenge for both organizations came in 2008 with an intensified policy of preserving historic centers (including Mexico City’s main historic center and Coyoacán). Again the FNCI adapted its strategy and managed to stay in the Center. Meanwhile the ANAC has had greater difficulty, and it seems their truce with the authorities implies their acceptance of the enclosed space offered as an alternative to their accustomed place in the public square.

For day labor groups in the U.S., the most formidable political challenge has been escalating persecution of the eleven million undocumented immigrants in the country, along with the delay of any more progressive immigration reform, which we described earlier as an existential threat to the day labor movement. This change struck first at the state level in Arizona and then in other states such as Alabama, but as a leader described, there has also been an “Arizonification” of federal immigration policy. This change in the political landscape called for a national response, and indeed NDLON negotiated the alliance with the AFL-CIO, redirected its resources to block restrictive policies, to advocate for comprehensive reform, and to mobilize local organizations to likewise redirect their activities. To date the U.S. has not yet adopted an immigration reform, but so far day labor organizations have survived, and with the support of a broad coalition and the increasing weight of the large Latino voting bloc, it seems likely that a reform will to be adopted this year.

Another challenge facing day laborer groups is the Great Recession, which precipitated the virtual collapse of the construction sector. When there is not enough employment, competition and even
despair undermine solidarity and reduce the ability of the centers to provide adequate opportunity for a critical mass of workers. The economic decline also reduces government resources, which has resulted in funding cuts to city-funded centers. Organizations in Los Angeles reeled from this economic assault with centers closing, downsizing, and losing membership with the reduced opportunities for employment. Survival for these organizations depends on the future of the U.S. economy.

Thus, for the most part these organizations have shown an impressive ability to adapt to changing circumstances. The FNCI clientelist model has successfully adapted to a new party and a new policy (or at least a new implementation of existing policies). The participatory model of ANAC, effective in the mobilization of membership, however, has placed limits on the size, scope, and connections of the organization, leaving it weak against overwhelming repression. The reaction of the U.S. day labor organizations to anti-immigrant policies appears to have been effective, and their strategic efforts to build a base and broader coalitions have allowed them to successfully mobilize resources and allies despite their relatively small size and the fact that their organizations remain limited in other respects. However, their ability to last in a tough economy is unclear.

V. Discussion and Conclusions: Comparative lessons to understand the self-organization of informal workers

There are striking similarities between the two national sectors compared in this study. In each case, the activity is seen by many as a nuisance, but also serves useful and even necessary purposes. There are disputes over the use of public space. Mexican street vendor associations and day laborer organizations in the U.S. are both compelled to develop political power, because they lack economic power. To build political power, they seek a balance between negotiation and confrontation, using both to the extent that is appropriate. In each case, organizations function from the neighborhood level to the metropolitan or even national level.

But there are limits to the isomorphism of the cases, and the differences become clear through comparison. Mexican street vendor associations focus on politics proper, while U.S. day labor groups devote much energy to internal leadership development and dialogue with neighbors. The ANAC, with its focus on encouraging participation, is a partial exception in the case of Mexico. Correspondingly, the most common form of organization among Mexican street vendors is patronage (again, the ANAC is exceptional), whereas U.S. day laborers are mainly organized in a participatory manner (although the YPI is an exception, and there is variation in the degree and nature of the participation in member associations).

In Mexico City street vendors come together with dual identities, as proprietors and as non-waged workers. This duality results because most vendors are not wage workers, but rather small business owner, although it would be difficult to characterize their activity as “entrepreneurial” when most often it constitutes a survival strategy combining small amounts of capital with large amounts of labor. Day laborers in Los Angeles, by contrast, are indeed wage workers (though piece rates are not unheard of) and unite as such. But day laborers are not organized as employees in the narrow sense of a union, but instead also integrated into activities typical of labor intermediaries or community organizations. Thus, in both cases there are elements of hybridity in the organizations.

The main struggle in our Mexican cases is precisely for the right to sell in public, and also for the monopoly on this right in certain places. Day laborers in the United States also fought for the right to seek employment in public areas. But they avoid a monopoly on this right, with an organizational model that recognizes the permeability between the job search in a center and outside of the center, and that
puts a high value on friendly relations with the entire population of day laborers. Most importantly, they seek to intervene in debates about immigration policy, as the vast majority of day laborers are migrants, many of them undocumented. Another distinction in the field of public policy is that the Mexican vendors use protest, negotiation, or the promise to vote as their main tools of political pressure, while in the U.S. day laborers also frequently use litigation and legislation.

The differences in organizational form and strategy in both cases arise from the history and institutional environment of each movement. The history of informal street vendor organizations in Mexico is that they were born out of the struggle for the right to sell. The organizations sought, and seek, to effectively eliminate and overcome these challenges. Leaders are vendors, or sometimes lawyers or political operatives (and sometimes gangsters) who know how to navigate the political system. The U.S. day labor movement, by comparison, was organized by leftist Salvadoran refugees in the United States, who sought to organize Salvadoran populations and then migrants from other countries by applying models of popular education and community organizing, models that had been incubated in Central American resistance movements. This different trajectory leads to two important differences in outcome. By drawing on traditions from other countries, they provided new solutions to organizational problems mainstream unions and community organizations in the United States had not been able to solve. But also, being an immigrant population and largely undocumented, day laborers are always vulnerable, and lack the right to vote. Without the vote, the clientelist/patronage model is much less attractive.

Environmental divergences also help explain organizational differences. In Mexico, seven decades of PRI corporatism consolidated a patronage system and the PRD continues to maintain this status quo in the Mexico City government. This political matrix is more hospitable to organizations that accommodate to patronage. Enforcement of the law is quite discretionary: it can be applied selectively and with much flexibility. In American cities there are also patronage systems, but day labor workers can’t vote, making these patronage structures largely irrelevant for them. U.S. cities are closer to the rule of law—though of course still with discretion and selective enforcement of the law—which means the organizations place more importance on litigation and legislation. In the United States, changes in the wording and application of immigration law have been very consequential for day laborers. For example, the amnesty program in the reform of 1986 (IRCA) and provisions for re-settlement of Central American political refugees gave permanent residency or citizenship to many leaders of the day labor movement. But as previously explained, increased repression against immigrants in recent years has forced changes in strategy.

Another distinction is found in the origins of the two lines of work. In Mexico, selling on public streets is a centuries old tradition with pre-Hispanic origins, which gives it certain legitimacy. In the United States, there was a history of day laborers in the early 20th century, but it was not a well-known tradition when it was reinitiated by the new wave of migrants who practice it in the late 20th century. New policies—whether permissive or restrictive—were called for in response to these activities viewed as new (and often unwelcome).

It also worth noting some parallels and divergences found in the most important alliances of the two movements, and the determinants of success and failure. Regarding alliances both began with localized struggles and formed the partnerships appropriate to this form of struggle. In Mexico, street vendor groups based on a patronage model such as the FNCI created vertical alliances with politicians as sponsors. Democratic street vendor groups like ANAC created horizontal alliances with peer organizations. In the United States, day labor groups began their work in their local areas, allying with supporters in local government and local community organizations. But then the day labor fight became national as they became part of the heated debate over immigration policy. This change of scale
required NDLON to establish a partnership with the civil rights organization MALDEF and to seek an agreement with the AFL-CIO.

To analyze the determinants of success, again it is useful to distinguish between two types of struggle. One type is highly localized. Here unity can be maintained for self-organization and active participation, and dialogue with the affected community, as practiced by the ANAC and the U.S. day labor organizations. In a hyper-local environment, participatory strategies can even work even more effectively than vertical strategies associated with a powerful partner. But broader changes in policy can require new strategies. In Mexico City, the launch of a centralized policy to “cleanse” the historical centers and in the United States the increase in anti-immigrant repression against and the spread of state laws against immigrants called for coalitions with large and powerful allies. To achieve such alliances one must have something to offer to a desirable partner. In Mexico, the change favored a patronage model based on the exchange of votes for support, and put more autonomous organizations like ANAC on the defensive. In the United States, NDLON could offer the AFL-CIO an ability to organize “unorganizable” workers, and the two have intervened jointly in the immigration debate.

Thus changes in the political environment may change the requirements for success, and alter the fortunes of organizations. But economic changes can do the same. The U.S. economic downturn still presents a formidable challenge to the day labor movement.

These comparisons suggest some implications for a more general analysis of informal worker organizations. Common challenges, such as control over public space, tend to result in elements of convergence in the practices of these groups. Above all, one should expect an important role for politics, because most informal workers, organized or not, have little economic power. The institutional and political environment is important, as evidenced by the influence of corporatism in Mexico and the weight of immigration law in the U.S. But the history and ideology specific to an organization and its founders and top leaders also matter. Success demands sources of new strategic ideas, and also flexibility in an economic and political landscape constantly in flux. Creativity and flexibility are essential, but so is strength to prevail. For these organizations, when faced with large scale challenges, this strength comes primarily from its alliances with already powerful groups. The similarities and differences between Mexican associations of street vendors and U.S. day labor organizations teach us much about the limitations and the potential of organizing informal workers.
References


