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**Organizing the Slaves of the 21<sup>st</sup> Century: Mexico's First Independent and Democratic Farmworker Union Fighting Rural Authoritarianism in the Context of Global Capitalism**

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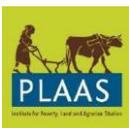


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# Organizing the Slaves of the 21<sup>st</sup> Century: Mexico's First Independent and Democratic Farmworker Union Fighting Rural Authoritarianism in the Context of Global Capitalism

*James Daria*

On March 17, 2015, tens of thousands of *jornaleros* (rural salaried farmworkers) began a three-month long general strike that brought agricultural production to a grinding halt in the valley of San Quintin, Baja California, Mexico. The striking workers, mostly indigenous migrants from southern Mexico, called themselves the “slaves of the twenty-first century” for being displaced from their communities of origin to work ten- to twelve-hour shifts seven days a week for an average daily wage of 120 pesos (roughly US\$7) without the benefits and protections afforded by law. A key component of their demands included the derogation of the secretive collective bargaining agreements with pro-business, government-imposed labor unions and the creation of a democratic alternative. On January 12, 2016, the National Independent Democratic Union of Agricultural Workers (SINDJA) officially received recognition as Mexico's first independent, grassroots farmworker union.

In Mexico there are more than six million *jornaleros*<sup>1</sup> who live in conditions of extreme poverty and who are denied basic labor and human rights. Through a year of ethnographic fieldwork in the valley of San Quintin my research documents how transnational corporations conspire with corrupt local governments and authoritarian unions in what Saskia Sassen (2014) labels “predatory formations.” In Mexico, predatory formations include complex dynamics of the old authoritarian-corporatist state in a context of neoliberal globalization. The contradictory relationship between remnants of the authoritarian populist post-revolutionary government and global agribusiness represents a weakening of Mexico's fragile democratic institutions as well as the wages and protections of proletarianized ex-campesinos in conditions of extreme precarity. Agricultural workers must be included in visions for an emancipatory rural politics and it is displaced, indigenous workers like those of San Quintin that offer practical alternatives to mobilize against entrenched forms of authoritarianism in the context of global capitalism.

## **Global Agricultural Enclaves**

The current phase of capitalism has two logics according to Sassen (2014: 18). First, there is a reshuffling of existing financial and monetary arrangements linked to privatization and deregulation that allows transnational corporations to transcend national barriers and exploit peripheral areas. The fresh fruit and vegetable market, organized by medium and large transnational corporations, has expanded throughout the developing world. It is a global network of production and consumption traversing multiple countries and continents. These areas of intense export agricultural production have been labeled “global agricultural enclaves” by Natalia Moraes, Elena Gadea, Andres Pedreño y Carlos de Castro (2012). What global agricultural enclaves all have in common is intense use of wage labor, extreme flexibility in the employment of the workers, and production oriented towards seasonal discontinuity of the products cultivated that are highly responsive to changes in markets. In this relationship, the developed world is the consumer and the developing world is the producer and thus a north/south division is created along mostly pre-existing borders or lines of equality – in the case of San Quintin this is represented by the US/Mexican border.

Teresa Rojas Rangel (2009: 46-53) argues that there were three main phases of modernization and industrialization in Mexico during the 20<sup>th</sup> Century: traditional agrarian development (1800s-1940),

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<sup>1</sup> Encuesta Nacional de Ocupación y Empleo. <http://www.inegi.org.mx/est/contenidos/proyectos/accesomicrodatos/encuestas/hogares/regulares/enoe/15/>. This figure is an official estimate; many estimates by pro-migrant groups place the figure much higher.

modern development (1940-1970) and agrarian development association with globalization (1970-present). The agricultural model associated with globalization represents a shift away from import substitution and state intervention in areas of social welfare towards an emphasis on exportation, new production technologies and a diversification of routes of internal and external migration. The results of this model have been a reduction in public spending on agriculture and a de-nationalization or dismantling of institutions supporting local, regional or even national agricultural production. As small producers are unable to produce enough and generate enough capital to compete, they must migrate and work in the agro-export zones. This further impoverishes the communities of origin changing the social and economic fabric of their communities, undoing the social fabric of rural communities.

Global agricultural enclaves depend on a large mass of rural to rural seasonal migration. This is due to the economic dynamism of intensive agricultural production of horticultural products for the export market. This type of economic activity necessitates a large supply of manpower for more extended periods of time. Besides bringing in a seasonal harvest, migrant labor must be available year round for activities such as planting, weeding, watering and other activities. In Mexico, it is the indigenous populations that fulfill the necessity of a large, exploitable seasonal workforce and do most of the hard work: prepare the land, plant, pick, etc. whereas the mestizos do less heavy labor and enjoy more stable employment. Largest number of indigenous migrants in zones of attraction comes from Oaxaca, Guerrero and, more recently, Chiapas (Granados Alcantar 2005).

Agricultural labor in agro-export enclaves is both feminized and ethnicized (or racialized) as women are incorporated into the workforce at unprecedented rates. In their communities of origin, women perform some of the agricultural duties within the sexual division of labor of the household and seldom are wage earners. In agricultural enclaves women and children are increasingly incorporated into wage labor. The ethnicization (racialization) of agricultural work is the result of the agricultural company's need to reduce labor costs to the largest extent possible in order to compete globally and thus the recruitment of vulnerable populations (socially, economically and politically). This is a combination of institutional and cultural factors that combine to pull vulnerable populations into flexible jobs and explains why these populations are subject to the violation of their rights and privileges by these corporations (Moraes, Gadea, Pedreño y de Castro 2012: 22). Instead of migration, which places too much emphasis on individual agency, or displacement, which requires a simple line of causality, Sassen (2014) describes the unwanted massive movement of the marginalized as an "expulsion" whose brutality is hidden by the complexity of the global economy.

## **Predatory Formations**

The second logic of the current phase of capitalism, according to Sassen, is the transformation of places into extreme zones of profit extraction by these corporations in conjunction with local, historically rooted and culturally distinct forms of authoritarian control. This is not possible, however, without what Sassen (2014: 13) calls "predatory formations." These formations are a mix of local and transnational elites organized by highly advanced and complex assemblages. Predatory formations are fueled by financial capital leading to forms of acute concentration of wealth that heretofore has been unprecedented. This is not possible without authoritarian and repressive forms of social, political and economic control at a local level. Far from incidental to the generation of capital by transnational corporations, local authoritarian processes are an important part of these predatory formations and a key aspect to the imposition of transnational regimes of flexible accumulation.

In global agricultural enclaves like the valley of San Quintin, state corporatist labor unions, holdovers from Mexico's once prominent authoritarian populist post-revolutionary regime, are the primary predatory formations that repress worker organizing, lower wages and deny agricultural workers legally mandated benefits and protections like disability and overtime pay. These company-controlled, corporatist labor unions, often times referred to as, *sindicatos charros* (*cowboy unions*), or *sindicatos de proteccion patronal* (*employer protective unions*) are authoritarian, hierarchical and corrupt. When a company opens a business in Mexico, the company employs the charro union to create a collective bargaining agreement that favors the employer and then hires the workforce who must submit to the

rules and regulations established by the business and the union. The union does not consult the workers, does not deduct dues, nor is there a democratic process of governance. Instead, the business hires the union and pays the union employees a salary – in other words the union is at the service of the employer and not the workers.

State corporatist labor regimes arose in Argentina, Brazil, Mexico, Chile and other Latin American countries in the 1930s and 1940s. State corporatism refers to the level of state control over the formation and structuring of labor relations. In rapidly developing and industrializing countries with a small but increasingly important urban working class, the state sought to mediate relations between labor and capital to ensure a stable process of capital accumulation on the part of private industry in a regulated process of development. Thus the institutional design of labor unions denied them autonomy and internal democracy through hierarchical leadership models and exclusion clauses (Bensusán 2016; Bensusán and von Bülow 1997).

Although Mexican workers were afforded important rights in the constitution (the right to strike, the prohibition of scab labor, etc), it did not permit ample independence and autonomy for organized labor. Instead, the state took an active role in the formation and development of labor unions. Thus, exclusion clauses and the imposition of collective bargaining agreements rendered an independent and autonomous labor movement impossible. As well, as the major unions were state-sanctioned, their power was diverted and controlled by the official party in power thus limiting political plurality and shop floor democracy. This is especially the case in Mexico where one party ruled continuously for over 70 years (1929-2000) (Bensusán 2016; Bensusán and von Bülow 1997).

Mexico, according to Bensusán (2016; 135), displays a “rigid” but “flexible” corporatism. It is rigid in the sense that it creates great difficulties for the emergence of independent unionism. However, it is flexible in that the state has utilized unions in order to circumvent Mexican labor law and protect the interests of the employers. Thus, imposed labor leaders can collude with employers to simulate worker consent and “collectively bargain” even before a company sets up shop and hires workers. Given exclusion clauses and a lack of transparency, labor conflicts are prevented through the union’s role in social control. According to Bouzas Ortiz (2009: 32):

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

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

With waves of democratization sweeping Latin American countries ending military dictatorships and authoritarian one-party rule, labor relations have not always undergone a concomitant process of democratization leaving intact authoritarian forms of social control over labor in benefit of both the state and the private sector. Despite rapid political and economic changes as Mexico embraced neoliberalism in the 1980s and 1990s, a short-lived political transition (2000-2012) and shallow process of democratization, labor relations and collective bargaining arrangements have changed little (Bouzas Ortiz 2009). In fact, recent analysis has shown that 90% of collective bargaining agreements in Mexico are “contratos de protección” with “sindicatos blancos” (Muñoz Ríos 2016). As Carlos de Castro (2014) argued, the transnational agro-export business in global agrarian enclaves are evident of a “de-democratization” of labor relations and social norms.

The valley of San Quintin is no exception to this rule. The most important pro-business corporatist union is the Sindicato Nacional de Trabajadores, Obreros de Industria y Asalariados del Campo (SINTOAIAC), a branch of the Confederación de Trabajadores de México (CTM) which has contracts with Andrew & Williamson - a major agricultural producer based in San Diego California. On some farms the Confederación Regional de Obreros Mexicanos (CROM) has strong presence. For example, Driscoll's – the world's largest distributor of berries – controls the Mexican affiliated growers such as Berrymex who enjoys collective bargaining agreements in place with the CROM.

According to Zolniski (2012: 174), the main purpose of the corporatist unions on farms in the valley of San Quintin is to prevent labor unrest and the growth of independent unionism. Garduño (1989:201) documented the abuses of corporatist unions and the detrimental impact they had on the labor conditions of jornaleros in the valley in the 1980s. Although written decades ago, so little has changed that the following passage could have been written yesterday.

In the case of the union organizations, such as the CNC, CTM and CNOP, despite the fact that they have numerous groups of affiliated jornaleros, they lack any kind of organizational work given that the affiliation of the worker is forced, as demonstrates the fact that in the totality of the camps the union members do not know their union representative, have never been called to attend an assembly, and furthermore no one knows the acronyms of the organization to whom they belong. The function of the unions is limited, therefore, to mediate the autonomous mobilizations of the indigenous through some type of improvement in the camps, taking advantage of situations of overwhelming inconformity.”

Even today the jornaleros of the valley of San Quintin do not know if they are represented by a union and if in fact they are which union they belong to and what are the contents of the contract that regulates their labor.

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

## **SINDJA**

The general strike of 2015 that brought the valley of San Quintin to a grinding halt and left supermarkets shelves empty in various parts of the United States was the result of decades of transnational organizing. Political processes with origins in home communities like those of rural Oaxaca combined with the social and economic remittances of migration to and from the United States provided the transnational context to local community organizing around migrant settlements, water, housing and indigenous cultural preservation.

During the strike and subsequent negotiations, the jornaleros presented the state and federal government with a fourteen-point list of demands including better wages and an end to sexual harassment and assault of women farmworkers in the fields. The first point of the list of demands reads as follows: “Revocation of the collective bargaining agreements signed by the CTM, CROC and CROM ... given the profound violations of our labor and human rights.”<sup>2</sup> In this way, the ethnic-community movement put in first place the collective bargaining rights of the jornaleros of the valley of San Quintin. The subsequent granting of the federal register of an independent jornalero union was one of the few achievements of the general strike and subsequent jornalero movement.

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<sup>2</sup> Pliego petitorio de la Alianza de Organizaciones.

On November 28, 2015, the constitutive assembly of the Sindicato Independiente Nacional Democrática de Jornaleros Agrícolas (SINDJA) was held in Tijuana. Affiliated with the Union Nacional de Trabajadores (UNT), a federation of independent unions throughout Mexico, the first truly democratic grassroots farmworker union was born. SINDJA represents a historic event in the history of Mexican unionism as for the first time in history popular pressure forced the federal government to recognize an independent farmworker union. Although not numerically significant just yet, as the union has around four thousand affiliates across the country with over a thousand in the valley of San Quintin, the jornaleros now have the legal personhood and organization framework with which to fight for dignity in the fields.

## **Conclusion**

Jornaleros throughout Mexico, not just in San Quintin, suffer significant abuses to their human and labor rights at the hands of transnational predatory formations rooted in particular localities with unique political histories. What the jornaleros have in common as a class of salaried agricultural workers is a basic denial of their rights to freedom of association, to collectively bargain and to have a voice in their workplace. Although local actors like small, medium and large farms are the first order of labor suppression and exploitation within the framework of Mexican labor law and national union federations, US based multinational corporations could not effectively extract enormous profit from these ventures without their complicity in these predatory formations. Distributors like Driscoll's, the world's leading distributor of berries, employ the corporatist "charro" unions that exist on the farms of their subsidiaries like Berrymex whose role is to keep wages low, suppress worker organizing and protect the interests of the company. Currently, the SINDJA union has declared an international boycott against Driscoll's until the corporatist union is derogated and workers are free to decide on a collective bargaining agreement with the union of their choice.

When the jornaleros of San Quintin rose up in 2015 to declare they were tired of being the "slaves of the 21<sup>st</sup> Century" their use of the word slavery effectively equates the negation of their human dignity at the hands of these transnational predatory formations. As Carlos de Castro (61) argues, a legal framework regulating labor relations that allow workers to have a some control over the conditions of their labor is not simply about matters related to production but also as a member of a greater political community, not simply as a worker who sells his or her labor power on the market, but as an individual granted legal and social rights linked to citizenship and participation. "The systematic negation of their union rights," remarked Hubert C. de Grammont, "consists in a legal exclusion of such magnitude that, more than creating a second-class citizenry, as is often affirmed, negates the universal concept of the citizen with the same rights and same duties under the law."

Thus an emancipatory rural politics must be rooted in resistance to the gendered and racialized exploitation of rural agricultural workers and that provides concrete material benefits achieved through class-based organization. Although not a "new" concept, labor unions are necessary in the rural environment given the spread of global agricultural enclaves throughout the rural world. What is "new" about the case of San Quintin is the importance of locally entrenched racial/ethnic and gendered dynamics of new modes of industrial organization in a highly seasonal and migratory population that fall outside of classical urban, industrial unionism and its concomitant politics. As union density falls in urban areas and unions are put on the defensive, salaried agricultural workers are providing new visions of organizing for an emancipatory rural politics.

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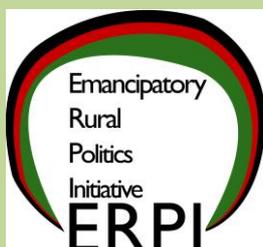
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**The Emancipatory Rural Politics Initiative (ERPI)** is a new initiative focused on understanding the contemporary moment and building alternatives. New exclusionary politics are generating deepening inequalities, jobless 'growth', climate chaos, and social division. The ERPI is focused on the social and political processes in rural spaces that are generating alternatives to regressive, authoritarian politics. We aim to provoke debate and action among scholars, activists, practitioners and policymakers from across the world that are concerned about the current situation, and hopeful about alternatives.

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