

## **Abstract**

Academic literature and activism focused on Mexico's export (maquiladora) industry have yielded tremendous insights into the gendered nature of work and strategies for women's organizing in the era of economic globalization. Given the increasingly difficult political and economic context for women workers in Mexico, this paper argues that there is a need for a broad, national movement advocating for all women workers, from those in the maquiladoras to domestic employees or even those in the informal sector. In an effort to understand how such a movement could develop, this paper argues that women can build on the strategies of two groups of women workers with different organizational experiences—those in the maquiladora and traditional unionized sectors. In doing so, this paper argues that while one tendency in transnational organizing is to move away from the state as a primary target of organization, the state remains one of many competing sites of authority in the global economic era and an important target for women labor activists.

## **Biography**

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## **Why Bother with the State?: Transnational Activism, Local Activism, and Lessons for a Women Workers' Movement in Mexico**

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# Why Bother with the State?: Transnational Activism, Local Activism, and Lessons for a Women Workers' Movement in Mexico

## I. INTRODUCTION

There is a great deal of literature about the maquiladora industry in Mexico, its role in the global economy, and the role of women workers within the industry. Not surprisingly, there is also a great deal of literature about the maquiladora industry as a site of workers' activism—especially transnational activism—against the exploitative nature of economic globalization. Because of the high level of women's participation in the maquiladora workforce, literature on the industry has focused intensively on the exploitation of women and their struggle against that mistreatment.<sup>1</sup> Given the dramatic effects of economic globalization on the female workforce and vice versa, the maquiladora sector has been an important area of study that has produced a dynamic literature on the gendered nature of work, the challenges that women face as workers, and the successes and obstacles to women's (transnational) organizing around workplace issues.<sup>2</sup> Indeed, the maquiladora sector has been shown to be one of the most vibrant sectors of women's and worker's organizing in Mexico.

Looking at the country as a whole, the economic and political context for women workers' organizing is becoming increasingly difficult for any single group. Mexico has been hard hit by the global economic crisis (World Bank 2009),<sup>3</sup> and women have been dramatically affected, comprising the majority of the newly unemployed. Moreover, women continue to find themselves in the most precarious forms of "flexible" employment, where they can be fired easily in response to market fluctuations and have little opportunity to unionize (Rivas Ayala 2010). Politically, Mexico continues to be a hostile place for labor activism, as evidenced recently by President Felipe Calderón's dismantling of the powerful, Mexico City-based electrician's union (Rivas Ayala 2010). Mobilization for women workers' rights remains necessary in this difficult economic and political context. In this paper I ask a largely unstudied question: how can a national Mexican women workers' movement build on the activism exemplified in the maquiladora sector to include other, less well-known or organized sectors in order to create a vibrant, nation-wide movement that can more forcefully advocate for women workers in today's noxious environment? The answer, I argue, starts by examining the strategies of different sectors of women workers for insights about effective and important organizational strategies.

For another perspective on women workers' experiences and organizing, for example, we might look to Mexico City, the political capital and home to the headquarters of many major labor unions and federations. There, a loosely affiliated network of union women has been active since the 1990s in political advocacy for the rights of women workers. Although this network, which I refer to as the Mexico City Network (MCN), has brushed with the transnational advocacy that is critical in the maquiladora industry, the targets of its activism are largely domestic, specifically labor unions and state institutions.

Although activists in both the maquiladora sector and the MCN have recorded modest successes in advocating for women workers' rights, neither group has made significant steps in securing women's rights when measured in terms of changes to labor laws that better support women's capability to join the workforce under conditions of equality, enforcement of rights already accorded by federal law, or significant (widespread) and lasting changes to the practices

of labor unions and workplaces. Moreover, although non-governmental organizations (NGOs) concentrating on women workers' rights abound, a national movement of women workers organizing on behalf of all women has not emerged.

The goal of this paper is to explore the lessons we can draw from both maquiladora and MCN activists that can provide us with a better model for organizing a broad national movement that would advocate on behalf of all women workers in a democratizing country deeply embedded in the global capitalist economy. Moreover, developing a model of activism that draws lessons from transnationally- and domestically-oriented groups allows us to critically examine the role of the state as an actor in the global economy with the capacity to effect important protections for workers. I argue that an activist movement supporting all women workers in Mexico must draw lessons from both groups of activists and engage on multiple fronts. It must cultivate transnational networks that work within the institutions of the global economy—North American Free Trade Agreement (NAFTA) labor guidelines, multinational corporations (MNCs)—to make demands for the enforcement of workers' rights. It must also engage with the state to transform public policy and economic policy. And it must engage within domestic civil society to pressure powerful civil society actors to work on behalf of women's rights. Given the web of actors and spheres that enable and comprise the (global) economy, a movement primarily engaged with only one part of this web is unlikely to be effective.

This paper proceeds in seven sections. After discussing the methodology in section two, section three presents a theoretical discussion of views of the state's role in workers' activism. Section four examines the heterogeneity of women's experiences in the Mexican work force and establishes some areas that can unite diverse women in a common context of struggle. Section five presents a comparison of women workers' organizational strategies in the maquiladora sector and Mexico City Network. Ideas for building a national women workers' movement are presented in section six, and section seven provides a few points of conclusion.

## **II. METHODOLOGY**

For the comparative analysis presented here, I have employed two methods. First, data on the two sectors' organizational strategies are primarily based on a literature review that includes academic literature and reports from NGOs and activists. Second, the literature review of the MCN is combined with interview data from a larger qualitative study of the organizational strategies of Mexican women workers. For this study, I conducted 45 semi-structured interviews with union activists, NGO workers, policy makers, and academics. In selecting interview participants, a snowball sampling method allowed me to obtain the names of women and men who were/are active in promoting the rights of women workers in Mexico. Most participants were primarily active within Mexico City unions, although some have been engaged in transnational activities or with groups of non-unionized women. Interviews were conducted over several trips to Mexico between 2002 and 2008. The objective of this larger study is to understand the strategies that women workers are employing, in the absence of a strong national women's movement, to demand a meaningful citizenship that recognizes and values the role women play in the paid and unpaid workforce. For the present analysis, I used a sample of these interviews—representing NGO workers, unionists, community organizers of domestic workers, and policy makers—to support aspects of the literature review.

In drawing a comparison of the organizational strategies of the maquiladora sector and the Mexico City Network, one objective of this analysis is to recognize the heterogeneity of women

workers in Mexico. The paper suggests that regardless of the organizational strengths of any one sector of workers, developing a broad women workers' movement requires recognizing their diverse experiences. Recognizing this diversity of experiences allows us to better understand previously unnoticed or unstudied information and provides a more holistic picture of women workers in Mexico (Harding 2004). As it stands, the two literatures discussed in detail here offer us different perspectives on the critical sites of workers' activism in the era of economic globalization.

### **III. WORKERS' ACTIVISM AND SHIFTING VIEWS OF THE STATE**

Global civil society and transnational activism are an important component of globalization<sup>4</sup> and, consequently, a great deal of literature has focused on the conditions under which global civil society and transnational activism emerge, why they succeed or fail, and what they signify in contemporary global politics. Much of the significance of transnational activism touches implicitly or explicitly on the changing nature of the state as the primary actor in the international system. In their seminal work on transnational activism, Keck and Sikkink (1998) saw the rise of transnational activist networks as challenging state sovereignty. In the boomerang pattern they describe, local activists whose advocacy at the domestic level is blocked move into global civil society where they generate allies among international non-governmental organizations (INGOs), intergovernmental organizations (IGOs), and other governments, who then exert pressure back on the state in question. These networks thus emerge as significant players in the international system.

Sidney Tarrow (2005) likewise argues that we live in an era of emerging transnational activism. What we see emerging, Tarrow suggests, are more activists who are moving (at least temporarily) beyond national activism and who "mobilize domestic and international resources and opportunities to advance claims on behalf of external actors against external opponents, or in favor of goals they hold in common with transnational allies" (43). Tarrow argues that these activists neither begin nor end their activist careers engaged in global projects and continue to see national change as central but who recognize the importance of reaching out globally to achieve particular goals.

Neither Keck and Sikkink nor Tarrow focus their discussion of transnational activism exclusively on activism in response to economic globalization, but much of the literature does this. Moreover, whereas Keck and Sikkink and Tarrow remain focused on the state as important in transnational activism, much of the literature on workers in the global economy de-emphasizes (though does not eliminate completely) the importance of the state in transnational activism of workers. This is because of the widely held view among critics of economic globalization that requirements of the global economy predispose governments to act in favor of global capital rather than workers (Huber, Rueschemeyer, and Stephens 1997; Tilly 1995; see also Strange 1996). Instead, the literature highlights the ways labor activists have begun to target corporate actors through unionization drives, civil society pressure, and legal actions (Bandy 2004; Bandy and Bickham Mendez 2003; Juárez Nuñez 2002; Seidman 2007, 17).<sup>5</sup>

As Gay Seidman discusses in her study of transnational boycotts, this shift away from targeting the state owes to two main reasons. First has been the strategy of framing the issue of labor rights as human rights. She notes that human rights discourses "appeal to global audiences and universal standards" (2007, 2) and can be powerful in uniting an activist network to respond to labor abuses (2007, 3). In addition to their discursive power, human rights frameworks exist in

international and regional legal accords. Where these accords exist, such as in the North American Agreement on Labor Cooperation, a side agreement to NAFTA, activists can call on them to ensure the protection of workers' rights when national governments fail to do so (Goergen 2008). Second is the widely held belief that "a highly competitive global economy undermines national states' capacity—and perhaps their will—to protect citizens at work" (Seidman 2007, 26). Therefore, targeting the powerful actors in the global economy—the MNCs—is often viewed as a more effective and immediate way of improving workers' lives and combating workplace abuses and discrimination. Victoria Carty (2003) emphasizes that while state-mandated labor standards such as freedom of association and minimum wages exist, the only way to guarantee that they are respected is through transnational activism. She states that "by establishing greater control over global capital people can establish greater control over their economic lives." In other words, while the state's regulations are important, it is by targeting capital (i.e., MNCs) that workers can guarantee the enforcement of state regulations. Whether focusing on international human rights frameworks or MNCs themselves, transnational activists frequently move beyond the state as the target of activism.

At the other end of the spectrum, plenty of literature draws attention to the important role of the state in protecting workers' rights. David Held argues that contrary to what we might expect, given the discourse about globalization and its negative effects on workers, political institutions continue to have a strong role in mitigating the effects of economic globalization (2004, 4-5). As a case in point, Murillo and Schrank (2005) show in their analysis of labor laws passed since the transitions to democracy in Latin America, that these laws have largely been favorable to the collective rights of unions. They argue that in countries characterized by "labor-mobilizing, or corporatist, contexts," political parties traditionally backed by labor unions continue to seek their electoral support by catering to their collective interests in labor reforms. There is, they argue, an important electoral return for supporting their traditional constituents, even in an era of declining labor strength.<sup>6</sup>

Gay Seidman argues that states are central for a number of reasons. For one, government regulation is a necessary step to improve working conditions, as regulation provides a standard that can be enforced on employers. Relatedly, she notes that all the institutional and legal mechanisms that are used to protect workers from abuse are situated locally and are usually accepted as legitimate by employers (2007, 22). Importantly, she emphasizes the importance of strong democratic institutions as a means of protecting workers' rights, concluding her study by suggesting "that transnational campaigns might create more lasting protections for citizens at work if they reconceptualize their targets, seeking...to strengthen democratic states and their capacity to enforce national labor laws" (Seidman 2007, 133).

The importance of strengthening the democratic nature of the state and other domestic actors in the pursuit of strong workers' rights is illustrated by Maria Lorena Cook (2007). Like Murillo and Schrank, Cook shows that domestic actors—the state and labor unions—have considerable influence over the direction of labor policy. In the case of Mexico, Cook argues, strengthening labor rights and social protections for workers in the formal and informal sectors, and those who move in between them, must involve the participation of labor unions. This in turn will require changes to the labor law that foster greater union democracy and allow for more meaningful dialogue between the state, unions, and employers (2007, 202).<sup>7</sup> If the state, political parties, and powerful domestic actors do matter, then a shift in the interests of those actors could have a correspondingly positive effect on workers' rights. If those actors are also advocates of the rights of women workers, we might expect greater attention to these in public policy.

How, then, do we reconcile these two positions on the role of the state in workers' activism? Does the state remain an important player, or should labor activists shift their focus to international, corporate targets? Studies about the changing role of the state in the global economy provide some clues. As Saskia Sassen (2006) and Aihwa Ong (2006) have argued, the state has actually played a crucial role in constructing the global economy. Although its role may have changed, it has not become irrelevant. Far from it. Sassen begins *Territory, Authority, and Rights* by noting the endogeneity trap that characterizes much of the literature on globalization. Studies of globalization tend to be confined to its characteristics—global processes or institutions—rather than its causes (2006, 4). The “global,” Sassen argues, is the result of a messy path dependency in which the capabilities of institutions that have strengthened the state have become integral in creating the global economy. She says, for example, that “‘the rule of law’ is a capability that was critical to the strengthening of national state authority to institute national economic protectionism. But today it is also critical to the global economy in order to open state economies” (13-14). In this example, a state institution—the rule of law—is critical to the creation and functioning of the global economy.<sup>8</sup>

Shifting the focus from institutions to policy, Ong (2006) discusses how particular decisions of the state enable economic globalization. In her study of neoliberalism in Asia, she discusses the idea of “graduated sovereignty,” wherein the state’s deliberate actions create areas where the state loses some of its sovereignty. For example, Ong describes cross-border zones, or “growth triangles,” which are zones where labor, technical, financial, and logistical resources are available in contiguous states. Growth triangles create regional hubs of economic activity that foster greater comparative advantage in the global economy. Ong argues that “the state temporarily cedes control of these zones, and the subjects within them, to quasi-state authorities” (89). In Ong’s example, the state is taking deliberate action that weakens its sovereignty in the pursuit of economic growth via globalization rather than being weakened by globalization (88-89). Like Sassen, Ong shows that globalization has not eliminated the importance of the state so much as created competing sites of authority and power—multinational corporations and international legal frameworks among them—over the lives of workers.

The ultimate lesson to draw from this discussion is that if there are multiple sites of authority and power over workers, then building a movement to advocate for the rights and interests of women workers must take them all into consideration as sites and targets of action. A women workers’ movement must build on transnational advocacy directed at corporations’ international legal frameworks. Such a movement must also include efforts to shift the interests of the state, as well as powerful labor unions, toward strengthening labor and social protections for all women workers. As I will discuss in sections IV and V, both maquiladora activists and the Mexico City Network are taking such steps, but a stronger national movement would build robust coalitions between them and other groups of women workers.

#### **IV. THE DIVERSITY OF WOMEN WORKERS IN MEXICO**

The need for a holistic movement of women workers that combines transnational and domestic activism owes to the great diversity of women workers in Mexico, not all of whom are affected directly or similarly by the process of economic globalization. According to the most recent data from Mexico’s Instituto Nacional de Estadística, Geografía e Informática (National Institute of Statistics, Geography and Information, or INEGI), approximately 42% of Mexican women, or about 17.1 million, are economically active.<sup>9</sup> This figure represents a steady increase

since 1970, when only 17.6% of women were economically active (INEGI 2009, 273-75). A significant portion of economically active women (45%) work in the service industry, particularly as vendors and in food service (298). About 11% of Mexican women, or 17.1 million, work in domestic service (empleadas del hogar) (291). According to data from INEGI, approximately 29% of women are active in the informal sector (Ponce Meléndez 2009).<sup>10</sup> Comparatively, the number of women who work in the maquiladora sector is quite small. About 0.57 million (3%) women work in maquiladora factories (INEGI 2006). As discussed in more detail below, these women have diverse experiences as women workers.

### *The Varied Experiences of Women Workers in Mexico*

Studies of the maquiladora industry and the NGOs organizing in the industry have documented well the experiences of women and the difficult conditions of their work. A statement by the Mexican NGO Comité Fronterizo de Obreros (Border Committee of Workers, or CFO), sums up the situation of maquiladora workers this way:

Maquiladora workers, especially women, live in poverty and are constantly victimized by the climate of abuse in the maquiladora workplace. Extremely low wages, health risks on the job, constant violations of Mexico's labor code, a lack of respect for the workers' dignity, an absence of the freedom to form and join unions of our own choosing, and environmental degradation are the most important problems we face (CFO n.d.).

More specifically, workers in the maquiladora industry can experience poor working conditions ranging from the quality of food to occupational health and safety issues (e.g., repetitive stress injuries). They can be subject to sexual harassment and violence as well as forms of gender discrimination like pregnancy testing and dismissal for pregnancy. Although women make up a significant percentage of the maquiladora workforce (49.1%), they are concentrated in the lower paid assembly-line jobs and, therefore, earn lower wages on average than men (CFO 2009). Moreover, penalties can be harsh for tardiness and missed days. The maquiladora industry is dominated by so-called “white” unions, which do not engage in genuine collective bargaining and promote labor stability and subservience ahead of workers' rights.<sup>11</sup> The fact that these unions are legally recognized makes organizing difficult, and workers face threats, dismissal, and even violence in response to labor resistance. Finally, the mobility of MNCs means that there is an ever-present possibility of plants closing—often without paying legally mandated indemnity and benefits (Juárez Nuñez 2002; Salzinger 2003; Bandy 2004).

As difficult as the situation may be for maquiladora workers, other women workers in Mexico may have worse experiences. According to the Mexican government's Coordinator for Public Relations and Social Communication, for many domestic service employees, conditions are “the most extreme but least regulated and protected under the law” (Inmujeres 2008). Despite being regulated by the Federal Labor Law, they note, few domestic service workers are covered by any kind of social security. They work on average 10-hour days (2 hours more than the legal maximum). They have an average hourly wage (17.8 pesos) far below the average wage (26.3 pesos) of economically active women. They also suffer from sexual harassment. Unlike the maquiladora industry, where much vibrant organizing takes place, the nature of domestic work makes it difficult to organize. Furthermore, many domestic service workers are young, indigenous women who do not speak Spanish, which makes them more vulnerable.



According to one former domestic service employee who now helps to organize other women, the exploitation of domestic service workers owes largely to the way that society undervalues domestic labor. Domestic service workers, she notes, “have a great deal of experience in the household sphere; however, their work is undervalued. It’s not even valued by the women who hire them. And [they] bring with them this lack of consciousness about the value of their work, and, obviously, this means that they aren’t going to demand the rights they have as women workers” (personal interview, Mexico City, 6/2007). While there are NGOs in Mexico that organize domestic service employees, organization is difficult because of the precarious nature of domestic labor, the solitary nature of the work, women’s lack of Spanish, and the difficulty many of them have, as mothers, to find the time to engage in organizational activities. And yet, even domestic service workers, who are formally covered by the Federal Labor Law, may be in a better position than the 29% of economically active women who work in the informal sector, with no legal protections whatsoever.

At the other end of the spectrum, even the most “privileged” women workers—formal sector workers in unions that engage in genuine collective bargaining—have unique experiences of discrimination. These include sexual harassment, unequal pay for equal work, unequal access to training and promotion, and pregnancy discrimination (Brickner 2005). Unions, though strong political players in which women have played an historically important role, are notoriously patriarchal and even hostile to women seeking recognition of women’s rights. Theresa Healy (2008) argues that Mexican unions have followed in the spirit of caudillismo. That is to say that they are led by strong men (read: powerful secretaries general) who not only exert total control over the rank-and-file, but also identify with a traditional gendered division of labor in which only men would serve in leadership ranks. In this context, it is not surprising that female union leaders are rare; that many find it difficult, if not impossible, to act as feminists in their unions; and that advancing any kind of women’s rights agenda in the union can be met with indifference and even hostility (Brickner 2005). In other words, even the most privileged women workers face an uphill battle in participating in the workforce and advancing their interests as women.

Despite the differences in working conditions faced by these (and other) groups, common interests emerge that could unite women across different sectors, in what Chandra Mohanty refers to as a “common context of struggle” (2003, 107). Common interests start with fair and equitable wages, adequate childcare, freedom from harassment and discrimination,<sup>12</sup> healthy and dignified working conditions, the enforcement of existing rights, the ability to organize free from discrimination and harassment, and social security benefits that are not tied to employment status. Moreover, Mexican women workers can find a common interest in calling for economic development policy rooted in social justice and that encourages growth in the formal sector.

As I show in the subsequent two sections, both maquiladora and traditional union workers have engaged in mobilizations in support of these and other demands. However, there is yet to form a broad movement that takes these demands forcefully to both the transnational and domestic levels. We can, therefore, learn much from both strategies about building a stronger women workers movement.

## V. COMPARING THE ORGANIZATIONAL STRATEGIES OF TWO SECTORS OF WOMEN WORKERS

### *Activism in the Maquiladora Sector*

Mark Anner and Peter Evans describe two different “complexes” driving transnational activism in Latin America. The “basic rights” complex involves organizations “that work in concert to improve the balance of power that workers confront as they struggle to gain basic rights in oppressive, labor intensive industries” (Anner and Evans 2005, 35). The second complex is engaged in a defense of “democratic governance in the hemisphere against the antidemocratic threat posed by the neoliberal governance model embedded in the FTAA [Free Trade Area of the Americas]” (Anner and Evans 2005, 35). Arguably, activism in the maquiladora sector represents the heart of transnational labor activism in Mexico.<sup>13</sup> Moreover, maquiladora sector activism represents the former complex, with actors focused specifically on the conditions of workers and their communities’ needs.

A wide array of organizations—labor rights groups, women’s groups, churches, and labor unions—are active in organizing the maquiladora sector. A few organizations are frequently cited as major protagonists. The Coalition for Justice in the Maquiladoras (CJM), based in Texas, represents a coalition of more than 120 different organizations from Mexico, the U.S., and Canada. The Border Committee of Workers (CFO), based in Piedras Negras, Coahuila, is an organization of current and former maquiladora workers organizing in Mexico’s border states. The Centro de Apoyo al Trabajador (Worker Support Center, or CAT), based in Puebla, Puebla, is comprised of individual activists defending labor rights with a gender perspective. Other major organizations that have been active in the maquiladora sector include the Mexican Frente Auténtico de Trabajo (Authentic Workers’ Front, or FAT), American-based United Students against Sweatshops (USAS), and U.S. unions like the AFL-CIO and United Steelworkers.

Two important things are worth emphasizing here about maquiladora-sector activism. One is that it includes both labor organizations and NGOs focused on other issues, such as women’s rights (Carty 2003). Second, although some organizations like the CFO and the CAT are comprised of primarily local activists working locally, maquiladora activism is transnational at heart (Carty 2003; Bandy 2004), owing to the role of the industry in the global economy. In Ong’s (2006) terms, the maquiladora industry, particularly on the U.S.-Mexican border, is one in which the Mexican state has ceded authority to corporate actors who are not held accountable for poor working conditions and labor and environmental regulations. The border zone thus lends itself naturally to transnational activism, both logistically and because the type of industry is itself a product of globalization (see Staudt and Coronado 2002). As Bandy and Bickham Mendez note,

Maquiladora activism is growing in intensity and scope, due to the many social and spatial advantages of the border context: NAFTA and economic restructuring in both nations brought the attention of activists to maquiladora issues; border society is local and transnational simultaneously, allowing transnational networking; and border culture is bi-national and bi-lingual, allowing for closer and more frequent collaboration (2003, 175).

Maquiladora activists have used a variety of strategies in support of a “basic rights complex,” many of which target non-state actors like MNCs. Targeting non-state actors is rooted in the previously noted argument that in the era of economic globalization states are one of many sites of economic authority, and one with perhaps waning influence. As such, activists must take on the powerful actors that are located in/across other geographic contexts. Or as Carty (2003) argues, “in some instances, non-state actors can increase their capacity to play a role in domestic and international politics. This depends on their ability to operate outside of national borders, and to simultaneously target the local, national and international levels.”

A review of some of the literature on maquiladora sector activism reveals five major strategies. First, there have been efforts to promote corporate codes of conduct. Beginning in the 1990s, some MNCs began to establish corporate codes of conduct regarding labor practices which they and their subcontractors would voluntarily uphold. Since they were voluntary, they had limited influence on investors (Carty 2003; Bandy and Bickham Mendez 2003, 176). However, when codes of conduct exist, labor activists have used them to hold MNCs and their subsidiaries or subcontractors publicly accountable for poor labor practices (Juárez Nuñez 2002).

Second, labor organizations have used litigation to sue corporations for violation of labor laws. Bandy and Bickham Mendez (2003) cite a case in which local Mexican NGOs, with support of the United Automobile Workers union, successfully sued American United Global (AUG) on sexual harassment charges. Importantly, the suit took place in Los Angeles rather than in Mexico because Mexican labor law does not include an explicit law against sexual harassment (Bandy and Bickham Mendez 2003, 176).<sup>14</sup>

Third, maquiladora activists have used trade law and other international institutions to pressure for greater regulation of the maquiladora industries (Goergen 2008). The National Administrative Office (NAO) was created as a commission to investigate complaints about violations of labor standards in NAFTA countries. Organizations have filed complaints with the NAO to pressure states into complying with their own labor laws. An early complaint was filed with the NAO in Mexico by Human Rights Watch in 1995 after an investigation revealed rampant pregnancy discrimination in the maquiladora sector. In response to this case, General Motors factories completely discontinued their practice of pregnancy testing (Bremer 1999, 573-74). Although international frameworks like the NAO can facilitate cross-border organizing (Anner and Evans 2005, 34), as in the example of Human Rights Watch, it has little power to force responses by corporations or NAFTA governments and has “has yielded little social justice” (Bandy and Bickham Mendez 2003, 176).

A fourth strategy of maquiladora activists has been unionization drives. Bandy (2004) argues that unionization drives have been the major focus of the CJM in the past five years. Independent, rather than “white,” unions provide maquiladora workers with an important voice in bargaining with the employer, but unionization drives are incredibly difficult in Mexico, let alone in the maquiladora industry. Resistance, sometimes violent, from traditional unions, state, and federal government institutions can make it difficult to get a new union recognized. Moreover, the mobility of international capital means that even if a unionization drive is successful, the factory can close. To date, there has been one major unionization success story in the maquiladora industry—the mobilization in Puebla by workers at the Korean-owned Kukdong plant. The Kukdong unionization drive represented transnational activism par excellence, as the workers were joined in their struggle by the CAT, the USAS, and the AFL-CIO (Juárez Nuñez 2002; Bandy 2004; Carty 2003; CAT 2001). And, given the difficult context for independent union organizing, this was a remarkable success.

Finally, perhaps the most successful strategy of transnational activism has been transnational worker-to-worker exchanges and conferences, which allow workers in all three NAFTA countries to get to know one another and find common ground in their struggle for labor rights. Bandy argues that there are four important outcomes from these programs: they shift discourse from national to international labor rights issues; they politicize and mobilize workers, creating a larger movement; they encourage strategic action among a broader coalition of labor rights activists; and they generate hope and solidarity (Bandy 2004, 417-18).

Women have been important players in all of these forms of activism, and it has been noted that successful activism in the maquiladora industry must necessarily address issues of women's rights because of the important role women play as industry workers (Fruendt 2002). That said, gendered tensions exist in maquiladora sector organizing. As noted above, Mexican unionism is male-dominated, and women have had difficulties having their voices and interests heard. As maquiladora activism shifts toward unionization as a major strategy, and as unions become more involved, women's voices and interests become more marginalized in the struggle. As Bandy and Bickham Mendez note,

At the local community level, women *promotoras* have been among the most successful organizers, educating and empowering citizens with inclusive social movement agendas for economic justice. ... [Women] have claimed that community-based concerns, particularly those of women workers regarding environmental health, reproductive freedoms, and workplace harassment have been slighted as larger industrial unions, predominated by men, have begun to shape the agendas of cross-border coalitions (2003, 177).

Despite this growing tension, there have been important successes in the maquiladora sector. Through transnational activism, maquiladora workers and their allies have waged successful campaigns for unionization, pushed for better wages and working conditions, held corporations legally accountable for violations of law, raised awareness of women's, human, and labor rights, and created solidarity among activists in the three NAFTA countries. These are all important successes and offer insights into how to target activism against powerful non-state actors. A movement defending the rights of all women can build on these strategies by learning from other groups of women workers with different organizational strengths.

#### *Activism in the Mexico City Network (MCN)*

One such group of women workers and their allies have been active in Mexico City since the 1980s, when the debt crisis and the 1985 earthquake focused attention on the challenges faced by women workers in the capital.<sup>15</sup> Work in Mexico City on behalf of women workers continues to be carried out by many organizations, but much of the organizational work is done by a loosely affiliated group of women unionists, NGO professionals, and academics who are largely, though not exclusively, affiliated with three organizations: the Red de Mujeres Sindicalistas (Union Women's Network, or RMS), the Unión Nacional de Trabajadores (National Workers' Union, or UNT), and the Friedrich Ebert Foundation (FES). Founded in 1997, the RMS is a network of unionized women from the Mexico City area that develops and carries out training for women in unions on issues such as leadership, sexual harassment, and occupational health.<sup>16</sup> The UNT is the second largest trade union federation in Mexico,

representing an estimated 1.5 million workers. It has been an advocate for breaking Mexico's corporatist state-labor relationship and democratizing unions. The Friedrich Ebert Foundation is a German-based NGO with offices around the world promoting democracy. Its Mexico City office has long been dedicated to union democracy. The MCN does not work as a single unit: different groups are involved in different projects, sometimes they working collectively and sometimes with other actors. Importantly, since the 1990s, activists within the MCN have been involved in a wide array of programs advocating the rights of women workers.

Although the majority of women in this network have experience with unionism, it is important to emphasize that unionized women represent a very small percentage of the workforce. In 2002, INEGI estimated that approximately 8.2 percent of women belong to a union (INEGI 2002). Although the report did not specify, this would presumably include women in white unions, who are unionized in name alone. INEGI has subsequently stopped providing this data in its yearly report, *Mujeres y hombres* (Women and Men). While it is difficult to say with any certainty how many women are unionized, we can say, based on total rates of unionization, that it is a small percentage of the female economically active population (EAP). Nevertheless, the organizational experiences of union women in the MCN provide interesting insights on strategies for advocating women's labor rights in Mexico.

Women in the MCN have adopted four major strategies to advocate the rights of women workers in Mexico. First, there have been programs aimed at conscientization of women workers about issues such as labor rights, women's rights, the concept of gender, sexual harassment, and occupational health. For example, the training programs of the RMS, in accordance with the organization's goals, are designed to "develop a gender consciousness among unionized workers" and "work to eliminate segregation and other forms of discrimination in the union and the workplace" (Canadian Auto Workers 1998, 11). In short, conscientization programs are designed to help women understand various issues that affect them as workers and to begin to understand ways of organizing.

Second, there have been specific programs aimed at transforming unions into organizations that respect and promote the rights of women workers. The initial program of the RMS, for example, was to give women leadership training so that they could effectively and confidently take on leadership positions within their unions and use those positions to advocate for women workers. The success of these programs is debatable. Some women have been able to use ideas gleaned from the RMS to raise awareness of issues (e.g., sexual harassment) within their unions, but others have argued that there have been no real changes to the makeup of union executives despite the training activities of the RMS (Brickner 2006, 2009). The masculine character of labor unions remains intact and difficult to change (Healy 2008), but the FES has also been involved in trying to effect union transformation. In 2007 it began working with the UNT on a program to promote gender mainstreaming (*transversalidad de género*) in the union statutes of its affiliates. Through its work with the UNT, the FES hopes to foster greater gender sensitivity alongside its commitment to union democracy (personal interviews with Svenja Blanke and Mercedes López, Mexico City, 5/10/2007 and 5/4/2007).

Third, there have been public campaigns and other efforts to raise awareness about issues affecting women workers and workers in general. In 2000, some members of the MCN took part in a collaborative effort to raise public awareness about sexual harassment. One of the outcomes of this collaboration was a guide to sexual harassment published by the Grupo de Trabajo Contra el Hostigamiento Sexual (Working Group against Sexual Harassment) (GTCHS 2000). More recently, the RMS produced a weekly radio program, "Onda Sonora." This "space for women on

the radio” was dedicated to providing news about labor issues, raising awareness of issues affecting women and workers in general, and putting a spotlight on different kinds of women workers.

Finally, women in the MCN have been involved in trying to effect change at the level of public policy. In 2002, during a period of executive and legislative debate about reforming Mexico’s Federal Labor Law, women from the network were involved in developing a proposal for labor law reform written from the perspective of women workers. Members of the group lobbied the left-leaning Partido de la Revolución Democrática (Party of the Democratic Revolution, or PRD) to have elements of their proposal included into the PRD’s own proposal (Zúñiga Elizsalde 2004; Brickner 2006). More recently, members of the MCN have been involved in pushing for legislative protections of domestic workers (Cruz Jaimes 2009). In a different way of trying to affect public policy, in 2006 the FES sponsored a year-long diploma program to train union women in skills they would need to run for elected office. The reasoning was that for there to be legislation and public policy measures that adequately responded to the needs of women workers, women workers themselves needed to be involved in generating those laws and policies. As part of the program, participants generated a list of important policies that would bolster women’s labor rights and sent it to all political parties (López, González and Lau Jaiven 2006).

## **VI. FORGING A NATIONAL WOMEN WORKERS’ MOVEMENT**

The MCN shares with maquiladora activists a desire to build a broader movement in support of women workers, their rights, and interests. The two sectors of activists share some strategies, including consciousness-raising about rights and efforts to make unions responsive to the needs of all workers. (In the case of the MCN by encouraging women’s participation; in the case of the maquiladoras through unionization drives.) Beyond that, the MCN has been much more active in targeting the federal government for change, through its efforts to lobby parties for changes to the Federal Labor Law and its innovative program to train women to run for elected office. These efforts are rooted in the recognition that public policy will only reflect the interests of women workers if they are actively involved in developing that policy. The state, in other words, is a major target for the MCN in a way that it has not been for the maquiladora activists, whose activism has been directed much more at transnational targets—MNCs and international legal frameworks.

Despite their differences, and the fact that both groups combined represent a relatively small percentage of the female EAP, the two groups offer important insights on a holistic set of strategies that might be used in a more coordinated way to advocate for the rights of women workers. First, both the state and non-state actors are important targets for activism. In the era of economic globalization, non-state actors like MNCs have a great deal of power over individual workers and their communities. It is imperative that they are held accountable for their actions and the consequences of those actions. In this sense, efforts to enforce codes of conduct or bring legal action through international channels is important for increasing the accountability of MNCs. Transnational allies are crucial to this effort. Teaming with politically experienced labor and consumer activists in the U.S. and Canada strengthens this effort and underscores the importance of cultivating these transnational allies.<sup>17</sup>

Secondly, as we learn from the MCN, action targeting the state is fundamental no matter how powerful MNCs and other international economic actors are. It is still the state that has the

ability (if not the interest or will) to establish and enforce workers' rights and other regulations. Changing policy in a way that favors workers is not an easy task in the era of economic globalization and neoliberalism, but it is not an impossible one. As discussed above, such changes require that key players in the state support workers' rights and/or have important constituents among the working classes to which they must respond. This means that more voices in various state agencies must represent women workers, so that they can influence and guide policy decisions and legislation.

It also means that, thirdly, unions are important. What we learn from both groups of activists is that unions continue to have an important role as advocates for workers, but they must also be advocates for women workers. That is why it is not only important for unionization drives to occur, but that those drives be influenced by women workers and women's rights NGOs. It is also why groups like the RMS and the FES must continue to work within established unions to encourage women to take on leadership positions and to encourage gender mainstreaming in union policy. There is no doubt that tension exists between the caudillo style of union leadership and the activism of women workers, but that cannot be a deterrent to having unions involved in a women's labor movement. In fact, arguably, targeting women will help to strengthen unions because women are an important part of the workforce that has not been historically organized in large numbers (Blanke 2008). Finally, a national movement must continue efforts to grow its base domestically and transnationally through conferences, worker exchanges, and conscientization programs.

Since many of these things are already happening at one level or another, what's the problem? In a sense, the multiplication of sites of authority, as noted by Sassen and Ong, presents challenges as well as opportunities for collective action. Having more actors to target—from MNCs to unions to the federal government—also means that collective action may be thinly spread among these sites of collective action. In recent Mexican history, substantive gains for women's rights have been the result of intense social pressure combined with congressional support for requisite policy change. For example, Linda Stevenson (1999) has argued that the passage of sex crimes legislation resulted from a strong public outcry against police violence and a critical mass of women elected to the legislature who shepherded the reform through congress. In other words, a focused social effort against a target that is amenable to change (or that at least can be pressured into change) is needed.

There is no question that civil society associations promoting the rights of women workers exist in Mexico. In fact, Stevenson's (2004) analysis of collective action against pregnancy discrimination in the Mexican workplace showed that there was a significant amount of activism by a plethora of transnational actors, who were beginning to integrate with domestic social networks. Although Stevenson argues that this represented the beginning of a more vibrant women's labor movement (2004:91-92), others suggest that there is ultimately very little collaboration between activist groups. According to one of the founding members of the RMS, while it would be beneficial for labor and women's activists to construct a common agenda, this is not done because there is so much work to do that each organization can focus on its individual projects and does not need the help of other organizations (personal interview, Mexico City, 5/8/2007).

While this disjointed approach may allow organizations to engage in their own sites of activism, the current political climate in Mexico is hardly sympathetic to women's and labor rights activism and requires a more collective response. As noted, in what was considered a serious blow to the labor movement, on October 11, 2009, Mexican president Felipe Calderón

disbanded Mexico City's state-run electricity company and with it the powerful electrician's union that represented 4,000 women. In this political climate it will take more than individual organizations pursuing disjointed projects to mobilize women's and labor activists on behalf of all women workers, especially the most marginalized women who are not necessarily represented by those organizations.

So, how does this broader mobilization begin to happen? It is perhaps here that all Mexican women need to take a page from the maquiladora activists and begin a national program of worker-exchanges and conferences, allowing more women from the MCN (and other activist networks around the country) to take part in maquiladora sector organizing and vice-versa. Doing so would hopefully allow women in these sectors to build greater solidarity and begin dialogues about ways to network and advocate for women in other economic sectors—domestic service and the informal sector, for example. Some cross-sector organizing is already occurring: the RMS has done programs with maquiladora workers in Oaxaca and Ciudad Juárez; some members of the MCN have participated in the CJM; a federal deputy who has long been active in the MCN has taken up the cause of domestic service workers while in office; and the FES also has supported the work of women in the maquiladora sector (including publishing literature on the industry). The importance of including a diversity of workers' voices into the organizational strategies of women labor activists is clear from the response of one domestic service worker activist to her participation in a FES leadership workshop. She noted: "I saw that there's a lack of understanding about many things. For example, those who were there, unless I spoke about the problems of domestic workers, unless I spoke about the importance of valuing domestic work, no one knew" (personal interview, Mexico City, 5/2007). For this participant, the program allowed the women to get to know the challenges they faced. This is particularly significant given the diversity of women in the Mexican workforce.

To facilitate a broader exchange of ideas and organizational strategies among this diversity of women workers, women labor activists might take a page from a recent form of political organization, the *Constituyente Feminista* (Feminist Assembly, or CF). The CF was formed by Rosario Ortiz, a former federal deputy and founding member of the RMS, as a forum for women of left-leaning political parties and civil society organizations. The CF has served three important functions. First, through the CF there have been a series of informational workshops on issues of concern to women in the process of institutional reform in Mexico, such as occupational health, violence and impunity, and NAFTA. Second, the CF has created a space where women can discuss proposals for reform. Third, it encourages the women involved to have an official position on institutional reform. Indeed, the unofficial blog of the CF lists six general demands for institutional reform: a gender perspective running throughout the reforms; legal mechanisms to eradicate inequality; constitutionally guaranteed women's rights; a secular state; and models of governing that are democratic and economically just.<sup>18</sup> A *Constituyente Trabajadora* (Women Workers' Assembly) could create a space for women in all sectors of the economy, as well as their allies in government, organized labor, and the women's movement, to discuss the key challenges facing women workers in Mexico, the goals for change, and ways to use their current strategies of organization in order to bring broader social pressure to bear on various political and economic actors in order achieve those goals.



## VII. CONCLUSION

When it comes to understanding women's labor activism, much attention has been focused on the maquiladora industry and the transnational activism that has emerged as a result of the industry's location in the global economy. Maquiladora activists provide an important voice for women workers precisely because of their location at the heart of Mexico's export sector. Given the diverse experiences of Mexican women workers, I argue that there is a need to build on the activism of women in the maquiladoras in order to represent them all in a nationwide women's labor movement. When we expand our focus to these other sectors, we see the continued importance of the state and labor unions as important targets for activism, in addition to multinational corporations and other transnational actors.

As I have shown, Mexican women worker activists have a deep arsenal of organizational strategies to advocate for the rights and working conditions of women workers. We can draw lessons from both the maquiladora activists and those in traditional union organizing, on ways to mobilize more broadly on behalf of the less organized and more vulnerable women workers. I have also argued that in the current political and economic climate it is important for women to begin to forge a more unified movement, applying more collective pressure to diverse targets. Creating a more unified movement from the disjointed activist groups that exist will be a challenge, but in the absence of a government strongly committed to economic justice and rights of women workers, collective mobilization targeting all sites of economic authority will be instrumental in ensuring that all women can engage in all sectors of the Mexican workforce in fair and equitable conditions.

## NOTES

<sup>1</sup> Note that this is not merely in terms of the large percentage of women in the workforce but also because of the way that industrial production has become gendered in the current economic era. On this point, see Salzinger (2003).

<sup>2</sup> For an excellent survey of the research trends on women in the maquila industry, see De la O Martínez (2004).

<sup>3</sup> The economic recession in the United States has had dramatic effects in Mexico, which sends over 80% of its exports to the US and receives over \$25 billion in yearly remittances from Mexicans working there. Declining levels of trade (30%), remittances (12.6%), and foreign direct investment (45%) contributed to a 9.2% drop in GDP and a loss of over 500,000 jobs in 2009 (World Bank 2009, 1).

<sup>4</sup> The term globalization is used in a variety of ways. For the purposes of this paper, I argue that globalization refers to greater global interconnectedness, while economic globalization refers to greater interconnectedness of individual national economies. Neoliberalism, which is often conflated with economic globalization, refers to an ideology advocating the withdrawal of the state from market intervention, where that would include policies about economic actors and redistributive policies geared towards citizens.

<sup>5</sup> Specific strategies used by transnational activists in Mexico will be discussed more thoroughly in section V.

<sup>6</sup> They argue that in non-corporatist states, transnational pressure (from other state governments or labor unions) can influence pressure for governments to adopt union-friendly labor laws—an argument for transnational activism (Murillo and Schrank 2005).

<sup>7</sup> At this time, the likelihood of this change is remote because although the PRI no longer has a hold on the presidency, it has retained a level of political influence, along with Mexico's dominant labor federation, the CTM. Because the CTM has little incentive for or interest in breaking with some of the institutions that have led to its power, it has blocked proposals to democratize the labor law. "The result," Cook says "has been a failure to advance on democratic labor reform despite Mexico's 'democratic' transition" (Cook 2007, 192). Cook's analysis of the strength of the PRI and CTM in actually *blocking* labor law reform underscores that domestic politics matter even in the era of economic globalization.

<sup>8</sup> The importance of state institutions like the rule of law in enabling economic globalization has been a theme of several World Bank *World Development Reports* (see World Bank 1997, 2005).

<sup>9</sup> This includes women who study and/or do unpaid domestic labor in addition to paid employment. The majority of women in paid workforce in Mexico are employed in the service sector ([www.inegi.gob.mx](http://www.inegi.gob.mx); <http://www.cfomaquiladoradoras.org/english%20site/numeralia.en.html>). It is also important to

note that although child labor is illegal in Mexico, government statistics on the economically active population (EAP) include individuals 14 years of age and older (see [inegi.gob.mx](http://inegi.gob.mx)).

<sup>10</sup> It should be noted that informal sector activity is not necessarily distinct from work in the service sector or domestic service.

<sup>11</sup> Cirila Quintero Ramírez (2004, 288-92) estimates that 63% of maquila workers are unionized; however, the effectiveness of the unions in bargaining for workers' wages and benefits is dependent on geographical location and the historical strength of unions in a given area. For example, she notes that in Matamoros unionization rates have hit 100%. Matamoros has a history of strong unions, and this has made the maquila unions in Matamoros effective in bargaining for wages and benefits that improve on the requirements of the Federal Labor Law. On the other hand, union rates in Ciudad Juárez—not coincidentally, the heart of the maquila industry—are as low as 12%. Ciudad Juárez unions are weak and fall into the category of “white” unions (or “subservient” unions per Quintero Ramírez). As such, workers in Ciudad Juárez are unlikely to receive wages and benefits above legal requirements. In short, it is difficult to generalize about Mexican unions.

<sup>12</sup> Importantly, women workers must be free from discrimination based on sex, ethnicity, physical and mental ability, and sexual orientation.

<sup>13</sup> It is important to note that activism in the maquila sector is not exclusively transnational in nature. Improving the working conditions and rights for maquiladora workers must include activism within a number of transnational and national spaces. To take one example, achieving stronger protections against sexual harassment is a shared responsibility that requires changes in union and work site practices as well as stronger national legislation. Moreover, activists can draw on international women's rights frameworks, such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), to legitimize their demands for sexual harassment protections (De la Cruz 2004; Stevenson 2004). That said, the maquiladora sector provides the best example of transnational activism among women workers in Mexico today.

<sup>14</sup> There is a law against sexual harassment in Mexico's criminal code, but not in civil law such as the Federal Labor Law.

<sup>15</sup> On women's activism after the earthquake, see Carrillo (1990).

<sup>16</sup> The RMS does have transnational characteristics in that it has collaborated with trade unions in Canada and Holland for training and funding. It has also been involved with transnational activism in the maquiladora industry. The focus of its efforts are solidly national, however.

<sup>17</sup> I would like to thank an anonymous reviewer for suggesting this point.

<sup>18</sup> For information on the CF, see its unofficial blog: [constituyentefeminista.blogspot.com](http://constituyentefeminista.blogspot.com). For the list of feminist demands for institutional reform, see the October 4, 2007 post.

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# GENDER, DEVELOPMENT, AND GLOBALIZATION PROGRAM

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*Gendered Perspectives on International Development* recognizes diverse processes of international development and globalization, and new directions in scholarship on gender relations. The goals of *GPID* are: 1) to promote research that contributes to gendered analysis of social change; 2) to highlight the effects of international development policy and globalization on gender roles and gender relations; and 3) to encourage new approaches to international development policy and programming.

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