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**STRUCTURAL VIOLENCE AND WORK INJURY:
THE EXPERIENCE OF UNDOCUMENTED DAY LABORERS
IN SAN FRANCISCO**

by

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Chapter 1: Introduction

This study, an ethnography of injury among undocumented day laborers, is intended to broaden our perspective on health. In Western medicine, the clinical gaze has traditionally focused narrowly, restricting itself to the patient's body and perhaps selected social "risk factors." Understanding the circumstances and experience of injury among the day laborers demands that we expand this gaze to a realm that physicians are generally reluctant to acknowledge – the effect of large scale social forces on the experience of health. As we shall see, the experience of injured day laborers is massively affected by their economic status and the fact of being undocumented. All aspects of their injury – from their experience of the workplace and the cause of their injury, to their health care and convalescence, to the impact of their injury on family dynamics – are pivotally shaped by their marginalization in this society.

Broadening the Clinical Gaze: the Disease-Illness Distinction

The traditional Western biomedical model restricts attention to the individual patient's body, focusing on the bones that are broken or disks that are slipped. While phenomenally efficacious in the treatment of certain diseases, critics have argued that its emphasis has been "reductionistic," that such intensive focus on the smallest unit of analysis – the individual enzyme or cellular receptor – has limited the attention devoted to understanding the patient's social world (Eisenberg 1977).

Responding to this debate, medical anthropologists propose a distinction between *disease* and *illness* (Eisenberg 1981; Kleinman 1988). Disease they define as “disordered physiology,” the literal physical problem in the body. This is the mutated DNA that causes cancer, the atherosclerotic plaques in the arteries or the narrowed airways that cause shortness of breath.

Illness is the individual’s *experience* of the disease. The concept recognizes that the meanings and implications of a given disease are determined by a wide range of individual factors. For example, a patient with lung cancer may believe that her disease is God’s retribution for past behavior. Another patient with the same tumor may associate their cancer with 40 years of smoking. Their beliefs about the etiology of their disease will shape the meanings they ascribe to their condition and their emotional experience of illness. While these patients share the same disease, their illnesses or experiences of disease are very different.

The disease-illness distinction articulates and formalizes a concept that astute clinicians have understood for centuries: that a patient’s personal characteristics and social world transform disease, making each illness unique. Ironically, the importance of context was acknowledged in the early 20th century by Sir William Osler, considered to be one of the founders of Western medicine. He counseled, “it is more important to know what sort of patient has the disease than what sort of disease the patient has” (Bryan 1999).

Many clinicians do buck the trend towards reductionistic disease-focused medicine. Providers striving for an empathic partnership with patients make their patient’s social worlds a central priority. They acknowledge that a patient’s spirituality,

beliefs about their disease's etiology and general disposition play an important role in the course of their illness, not to mention more prosaic concerns like whether they will take their medication.

Critical Medical Anthropology: Disease as a Social Product

While it is an improvement on the traditional biomedical approach that casts humans as the sum of their biology, the disease-illness distinction remains reductionistic. It is critiqued for “a narrowness of vision,” in that it focuses on rituals, beliefs and symbols to the exclusion of political-economic context (Singer 1990). Analyses based on the disease-illness distinction can focus entirely on the individual and the individual's immediate social world; this sidesteps the glaring issues of how class relations, power, social control and ideology generate and shape illness. By narrating suffering and sickness without acknowledging the larger social and political forces that shape health and illness so powerfully, this approach lets biomedicine and society off the hook. An apolitical and ahistorical view of suffering and health obscures our understanding of the social relationships that underlie environmental, occupational, nutritional and residential conditions – these, of course, are crucial determinants of health (Singer 1990). As this thesis will demonstrate, social relations do more than simply inform the experience of disease; they can be instrumental in *generating* disease and injury.

While an awareness of the importance of health beliefs and “culture” has reached the clinic to varying degrees, understanding of the social determinant of health has not. The overarching large-scale social forces that often underlie local conditions

like unemployment, poverty and violence are rarely noted or critiqued. Racism, institutional injustice and structured inequality are simply not part of the everyday parlance of physicians.

There are a variety of reasons for this. First, though powerful, the links between large-scale social forces and individual health are not necessarily obvious. How does being undocumented affect the experience of injury? Answering this question – the central challenge of this thesis – requires more than a casual understanding of the injured worker's life experience. Second, physicians in community practice are consumed by the complexity of both treating the disease and thinking about the local social context: how will Mr. Garcia afford his medication, how will Mrs. Jones exercise if she is afraid to leave her house? Finally, physicians shy from the political implications of health. Medicine is envisioned as an evidence-based, scientific, apolitical endeavor. Critiques of the large-scale social structures that frame the lives of patients are a challenge to the status quo which the culture of medicine generally defines as outside its purview.

This ethnography is a demonstration that health *is* political, that patients' experiences of injury and disease are profoundly affected by large-scale social forces. By documenting the forces that shape the experience of injury for day laborers, it will offer a window on the social rootedness of suffering.

Social Suffering and Structural Violence

Suffering is universal. All people ultimately experience suffering. It stems from different causes and has different manifestations: losses or disappointments cause

suffering as do violence and physical pain. Some forms of suffering are attributable to acts of God, i.e. the pain of parents whose child is born with severe congenital defects. Such suffering seems generally unavoidable, the result of bad luck and an unfortunate genetic makeup. This “natural” suffering forms the backdrop of apparently randomly distributed “normal” suffering to which we are all vulnerable.

Other forms of suffering are the result of human volition. War is a social, not a natural, phenomenon. It is an organized effort to maim, destroy and degrade other human beings. The consequent suffering can be called “social suffering” because it is not a random, unavoidable occurrence. Rather, it is the product of a social phenomenon, the result of social processes. Social suffering results not only from acts of dramatic and cataclysmic violence but also from established social conditions that damage individuals. The suffering of blacks under apartheid in South Africa is an example of suffering that was socially generated. State mediated violence, racism, poverty and humiliation led to intense social suffering. Such suffering is not an inherent part of being human; it is generated by social forces and social structures.

Researchers studying the causes and distribution of social suffering describe the forces that generate it as structural violence. The concept of structural violence grew from the liberation theology movement and the anti-colonial resistance movements of the 1970s. Responding to repressive governments and extreme poverty, researchers argue that chronic political and economic inequality that systematically causes suffering for particular segments of the population is more than a political-bureaucratic action; it constitutes an invisible form of violence (Farmer 1996). They posit that conditions of poverty and inequality do not necessarily arise spontaneously and “naturally.” If not

actively planned and orchestrated as in apartheid, these conditions are often actively maintained and reinforced by the inaction and not-so-benign neglect of governments and societies. These researchers argue that establishing and maintaining conditions in which children die of hunger is as violent as shooting the same children with a gun. As we will see in the following chapter, the circumstances of day laborers in San Francisco should be considered structural violence.

Structural violence *is* a political construct – it is intended to rattle the cage. The objective is to force us to recognize the systematic injustices that become normalized and taken for granted in our society. As we live in close proximity to suffering, suffering becomes routine and no longer noticed. In this society, homelessness is an example. Confronted on a daily basis with the intense suffering of people living on the street, we become accustomed and are no longer appalled. We grow comfortable with our response, whether that is giving money or walking past. Their suffering becomes a normal, expected part of our world and it is no longer morally troubling. Nancy Schepper Hughes cites Wittgenstein, “The things that are the hardest to perceive are often those which are right before our eyes and are therefore simply taken for granted” (Scheper-Hughes 1996). By labeling these conditions, structural violence calls our attention back from the drama of wars, cataclysms and disasters; it forces us to recognize the undocumented and everyday “small wars and invisible genocides” that take place among us (Scheper-Hughes 1996).

The utility of this construct for clinical practice is that it reorients our attention towards the *causes* rather than simply the consequences of social suffering. Clearly a physician cannot change large-scale structural forces in the course of interacting with

any individual patient. Then why should physicians consider these issues in the course of daily practice?

The reasons are twofold. First, in order to establish empathic partnerships with patients we must understand the broad context, the dynamics and forces that shape their lives and experience of disease. As we shall see, the effects of structural violence in the lives of the day laborers are simply too important to be ignored. Treating these men without considering their structural context is treating the disease without attention to the illness. Second, by explicitly recognizing and articulating how structural violence impacts the lives of individuals, we challenge those conditions and lift the veil of normalcy from the "small wars and invisible genocides" that take place among us. In doing so we can act as our patients' advocate in a larger social arena. We will be not just responding to the consequences of structural violence, but exposing and challenging it.

A final introductory note to structural violence is that it is not to be mistaken for conspiracy theory. The concept does not propose that the circumstances experienced by the day laborers are the result of premeditated and intentional planning. There is no "czar of immigrant oppression" designing structures with the intent of causing suffering. Rather these circumstances of structural violence have evolved gradually, in a piecemeal fashion, through the support of an ideology that classes undocumented migrants as an unwanted burden, undeserving of rights and protections. Despite the clear historical record to the contrary and a growing economic dependence on undocumented labor, U.S. society refuses to recognize that a reciprocal social relation exists. This myth that undocumented workers are unneeded and unwelcome and the

attendant rhetoric of hostility and exclusion creates the environment in which systematically oppressive structures are generated. Clearly a full exploration of the dynamics shaping migration is warranted; this is the focus of the following chapter.

Fieldwork and Methods

The objective of this study is not simply to show that the day laborers are subject to conditions of structural violence. It is to reveal the nuances and subtleties of how these forces play out in the lives of individual injured workers. Paul Farmer asks, “By what mechanisms do social forces ranging from poverty to racism become *embodied* as individual experience?” (Farmer 1996). The common overarching structural forces that day laborers face are embodied differently in the lives of different workers. The concept of structural violence does not demand that we treat day laborers as a homogenous mass. Its impact is seen everywhere from the broadest level of behavior in the labor market to the most intimate and personal experiences of family and emotion. By examining the ways that structural violence resonates through the lives of different day laborers, we will begin to understand how it shapes the experience of their injuries.

In order to access this diversity and uniqueness of experience, this study was conducted with a traditional ethnographic approach. I attempted to immerse myself in the world of day laborers as far as I, a university educated white male, could. Here I will simply provide a brief overview of the evolution of my fieldwork; it is my hope that a more organic sense of my relationship with the day laborers I spent time with will be conveyed through the portraits I present in the course of this thesis. Over a period of

three years I worked an evening a week in a Department of Public Health free screening clinic in San Francisco's Mission district. There I met day laborers as well as other undocumented people living in the community and it was this work that inspired the questions of this thesis.

I formally started fieldwork during the summer of 1999 by spending time at the Day Labor Program of San Francisco, a non-profit city funded labor exchange site that matches day laborers with prospective employers. I also spent time in a homeless shelter used almost exclusively by Latino men, most of whom are day laborers. At both sites, my entry was brief; Margarita Loinaz, MD and Katrina Peirce, FNP introduced me to day laborers and to the directors of each site. From that point I was on my own. I explained who I was and the purpose of my study, and made sure each worker understood that by talking with me they were participating in my project.

In the early part of the project, a typical day of fieldwork went as follows: I would go to the Day Labor Program at 7:30 or 8 in the morning. I would stand with the men in the parking lot outside the program's trailers, drinking bitter coffee, eating doughnuts and chatting as we waited to see who on the list would get work for the day. As the morning progressed, the likelihood of work and the number of workers gradually declined. Much of the time I spent there was unstructured and I approached it with no agenda other than to gain a "feel" for the pace and dynamics of life as a day laborer. I spent a great deal of time kicking a flat soccer ball on the asphalt, watching television, arguing about religion or politics and learning to swear in Spanish. I was occasionally drafted to translate when an employer arrived while the Program's director was away or to answer phones.

When I had gained a sense of familiarity and trust in the community I began to broach health topics. Ultimately I tape recorded semi-structured interviews with several injured men that I got to know at this site. These and my other interviews were conducted in at various sites: in a corner of the trailer, in the park, in the emergency room of San Francisco General Hospital, on the stoop of a house and in restaurants. None of the men received any financial remuneration although I did generally pay for lunch if we conducted the interview in a restaurant. The names of all of the men cited in this study have been changed.

In the evenings I would go to a homeless shelter in a church on Van Ness Street. In this shelter, day laborers are guaranteed a space night after night for up to three months as long as they arrive before 7 p.m.. Once in for the evening, workers cannot leave without permission. Conditions are rudimentary and rules are strict. There is absolutely no drinking alcohol or using drugs and lights are turned off at 10p.m.. Thirty-five men sleep in a single unheated room on plastic mattresses. They must be up, finished with assigned clean-up chores and ready to leave by 6am.

Despite the stringency of these rules, the shelter was a socially warm and congenial place. The shelter staff was made up of Central American immigrants; they maintained a safe environment and often acted as advocates for the workers, encouraging those who had been mistreated in the workplace to exercise their rights and helping people find needed health services. This is not, however, to suggest that there were not conflicts between men living in the shelter and staff.

The evening time in the shelter had a mellower tone than interactions on the street or at the Day Labor Program. Workers are literally enclosed behind a steel gate;

this is simultaneously constrictive and protective. Although some workers chaff at their restricted mobility and the boredom of being locked in night after night, there was also a sense that the shelter was a refuge from the uncertainty of life on the street. Because most men stayed for their entire allotted three months, a sense of familiarity and community developed.

Events of the evening depended on the particular group of men present and the season of the year. In the summer we sat outdoors and talked or played ball games; in the late fall and winter, men tended to be indoors, watching TV or lying on their mattresses. My position in the community varied depending on the particular individuals living in the shelter. In general, I was amazed at the warmth of the reception that I experienced. Several dynamics may account for this. One is the captive audience phenomenon. Evening after evening, workers in the shelter have no place to go and nothing to do; my arrival was something new and different. To a certain degree, I was viewed as a curiosity. Many workers were curious that a *gabacho* or white guy like me would be interested in their stories. Their isolation from mainstream U.S. life is startling. Many said that they had never sat down and had a real conversation with a *gabacho*; their interactions had been limited to directions exchanged on the job. In terms of fieldwork, this was both useful and limiting. I was quite relieved that many workers wanted to spend time with me, but some treated me with a deference and formality that made me uncomfortable. Many workers were quite concerned with what I thought of day laborers and Mexicans in general.

We spent a great deal of time chit chatting about topics that soon became quite familiar: how hard it is to learn English, the differences between U.S. and Mexican

families, what it is like to cross the border and how beautiful the land and women are in their home town. I found that certain workers and I gravitated towards one another. Thus with a few workers I developed a deeper, longer-term relationship. Over months of talking with these men we exchanged more significant aspects of our lives and it is primarily these relationships that form the basis of the analysis to follow.

In the fall, after I had established relationships with a number of men, I received permission from the UC Berkeley Committee for the Protection for the Protection of Human Subjects to accompany them in other aspects of their lives. I began spending time waiting with a group of workers on a corner of Cesar Chavez Street for employers that would drive by and offer them work. Many hours of waiting gave me a glimpse of the competition, boredom, occasional elation, pride and humiliation that these men experience on the street.

As relationships evolved, my role did as well. I began accompanying a number of injured workers to their doctor's appointments at San Francisco General Hospital in order to translate and spent one long, long night in the Emergency Department with a worker who had stepped on a rusty nail while doing demolition work. I helped several workers negotiate in wage disputes with employers.

My data collection consisted of field notes on the time I spent accompanying the day laborers and cassette recordings of interviews with 11 day laborers who had sustained varying degrees of injury.

Notes on the Study Population

A more complete portrait of the day labor population will be presented in Chapter 3, but a few details are necessary to set the stage. I worked with Latino men who stand on the street corner waiting for work. They self-identify as day laborers. This is not a formal job category and it is difficult to define the population with precision. The category is somewhat fluid and many men move in and out of this labor market. For example, some men find longer-term work and return to the corner only periodically when they are not working enough hours.

The specific group that was the focus of this study was injured day laborers. As will be discussed in Chapter 4, these workers frequently work in high-risk jobs and injuries are common. Their injuries can reasonably be broken into three levels of severity. Cuts and scrapes and aches and pains are virtually ubiquitous. Workers slice their hands laying carpet, smash fingers with tools in carpentry, are injured by construction debris in demolition, strain their backs while moving furniture, etc.. In general, the majority of these injuries are minor. They tend not to have an enormous impact on the workers' experience unless they persist and worsen. Workers accept this type of pain as the backdrop to their life as workers in the U.S..

There are more serious injuries that occur in the same types of work. Serious musculoskeletal injuries are common. Workers fall off ladders or scaffolds and break bones. They injure their backs while lifting heavy objects. Burns from tar are common and can be severe. A number of workers have sustained serious musculoskeletal injuries and are in a sort of uncertain limbo. Unable to perform heavy labor but not completely disabled, they bide their time, working only the lightest jobs while waiting

to recuperate. A majority of the workers whose stories appear in this study are in this situation.

Finally truly grievous injuries and deaths occur for day laborers. Thankfully, none of the workers that I spent time with experienced an injury of this severity. It is clear however that such accidents take place. Workers told stories of friends who had been crippled or even killed on the job or while living in the U.S.. What happens when workers are severely injured is somewhat uncertain. Most workers suggested that when there is no hope of continuing to work in the U.S., injured laborers return to their home communities. That suggestion is borne out by one of the workers I spent time with; after several disks in his back herniated as he was working in a fish processing plant in Washington, he returned to his home where he spent nine months bed-bound. The experience of severely injured day laborers is one important gap in this ethnography; these men are not present in San Francisco so could not contribute to this study.

Another important “gap” is the experience of women. In the course of my fieldwork I did not encounter a single female day laborer; this study was conducted entirely with men. In the analysis of social suffering and structural violence it is crucial to recognize the experience of women. Of the six million undocumented people in the U.S., roughly 50 percent are women (Schur 1999). These women participate in less conspicuous parts of the informal economy. Rather than stand openly on the street corner, they work inside, in child or eldercare, in cleaning, in sweatshops, etc..

While the experience of undocumented women shares similarities with the lives of day laborers there are crucial differences that make women’s circumstances even more difficult. For example, as will be discussed in Chapters 4 and 5, leaving the

family to labor far away fits the male mystique of a bold and independent patriarch, taking great risks to provide for the family. By contrast, the social norm in many Latin American countries does not condone the woman leaving her children. Forced by economic circumstances to migrate, many undocumented women leave their children with relatives for years while they provide from abroad. This can be particularly wrenching for Latinas.

The process of migration for women is also significantly more dangerous. The level of violence, particularly sexual violence along the border is extreme. Based on reports of the patients attending a community clinic in the Mission, rape is staggeringly common as women cross the border.¹ As we discuss the circumstances and social suffering of the day laborers it is essential to retain an awareness of the suffering of the less visible undocumented women.

Multiple Layers of Social Context

Injuries for the day laborers affect and are affected by processes taking place on multiple levels of social context. The largest level of context are the political, economic and historical conditions that define the position of undocumented laborers in the U.S.. Chapter 2 will address this broad context and explicate the ways in which these conditions constitute structural violence.

The large processes of structural violence are manifested in the lives of injured day laborers through interactions at more local levels of context. For example, the

¹ Personal correspondence with Margarita Loinaz, M.D., associate Professor of Medicine at the University of California, San Francisco and Director of the Day Labor Clinic, a municipally funded free medical clinic.

injured day laborer is situated in a local context of homelessness, street violence and unpredictable and dangerous workplaces. Chapter 3 will examine how life on the street impacts the experience of injury. What special pressures do the competition, the disappointments and the shame of standing on the corner put on injured day laborers?

Chapter 4 will focus specifically on the workplace. It will explore what types of work day labors perform and how their options and behavior in the workplace are shaped by the fact that they are undocumented. There are a variety of ways in which workers' lack of power in the labor market exacerbates the risks that they are exposed to in the workplace. Finally, Chapter 4 will examine several injuries that took place among the men I spent time with and document the emotional and practical responses that day laborers make to injury.

Another layer of context surrounding injuries is workers' family dynamics. Despite being alone far from home, most day laborers are not emotionally removed from the processes taking place in their home communities. Affection, responsibilities and conflicts do not cease because the son or husband is not physically present. Injury to the worker has crucial implications for the worker's position in and relationship to the family as well as the family's socio-economic status. While considering the impact of structural violence on the individual worker, we must recognize the ways in which large-scale social forces affect intimate family relationships; these family dynamics then shape the individual experience of injury. Chapter 5 examines these interactions between structural violence, the individual injured worker and their experience of family.

Chapter 6 focuses on day laborers' resilience and resistance to conditions of structural violence. Previous chapters emphasized the ways in which structural violence is inscribed in the lives of injured workers. Emphasizing the responses of workers to their circumstances, Chapter 6 recognizes that day laborers are not passive "victims" of structural violence. It analyzes the practical and emotional strategies injured day laborers use to cope with their circumstances. Chapter 7 concludes this study with a discussion of final observations on the lived experience of structural violence.

Chapter 2: The Structural Context of Injury

The Practice of Exploitation and the Rhetoric of Exclusion

Day laborers bear the consequences of this society's schizoid relationship with undocumented migrants. On one hand, as is evident in our fields, restaurants and factories, undocumented workers have become vitally important to the American economy. As a force of six million low wage workers, they are critical to the current economic boom. In March of 2000, Federal Reserve Board Chairman Alan Greenspan warned that widespread labor shortages would cause inflation. He proposed only two solutions: "to infinitely increase the rate of capital flows into the United States" – a factor that the federal government cannot control – or "to continuously augment immigration quotas" (Freedberg 2000).

On the other hand, despite this reliance on immigrant labor, a rhetoric of exclusion dominates public discourse. The U.S. refuses to recognize that a reciprocal social relationship exists. Instead, this society casts itself as a victim, overwhelmed by swarms of unwanted and unneeded brown foreigners. It is a myth that activates racial and xenophobic middle class "panic buttons." This fiction that the U.S. is an unwitting victim of unwanted immigrants has profound effects. It allows the demonization of immigrants as "parasites" and perpetuates the harsh circumstances that they experience. It is the cover under which conditions of structural violence have evolved and are maintained.

There is a fundamental duplicity in this society's relationship with undocumented people. The undocumented are reviled, yet, as we shall see, Congress

has consistently refused to take steps that could reasonably be expected to reduce the entry and employment of undocumented aliens. While the public rages against “illegals,” business interests assure that the supply of low-wage labor is not interrupted. It seems that we combine the rhetoric of exclusion with the practice of exploitation.

This duplicity is the cause of their social suffering. It is the justification by which six million people that work, pay taxes and contribute to this society are systematically denied rights and protections. Ultimately it is the social organization of what it means not to have immigration papers in America that subjects this particular group to suffering. This categorization is the root of the structural violence that this paper addresses.

The structural violence of immigration policy takes a number of obvious and concrete forms. As we shall see, it exposes undocumented migrants to intense hardship and danger while crossing the border. It restricts workers to the most dangerous and undesirable work in the U.S. and limits their ability to demand better and safer working conditions. Being undocumented forces day laborers to live and work in fear. Because it restricts their ability to contact authorities, they are the targets of fraud in the workplace and crime on the street. Structural violence is also manifested more subtly, though no less powerfully, in personal and intimate spheres of workers' lives. As will be addressed in Chapter 5, the effects of structural violence resonate in the worker's family dynamics and his conception of himself as father and provider.

This chapter will present the large scale structural context of injury for day laborers. We need to examine the deep historical, economic, political and cultural

conditions that underlie the presence of migrant laborers in San Francisco. It will address the roots and maintenance of the structural violence that workers experience.

The initial task is to address the forces of migration. What combination of forces and circumstances move an 18 year-old boy to leave his family in Mexico to live on the streets of San Francisco? Does this process of migration have implications for workers that are injured? We will then consider the day laborers as a part of a *system* of migrant labor and examine what role U.S. society has in shaping this system. Next, this chapter comments on how migrants fit into historical patterns of immigration, then considers the effects of modern immigration policy. The evolving role of migrant workers in the “new economy” is considered and the chapter concludes with observations on structural violence in their lives.

Thus this chapter focuses on how the larger processes surrounding the lives of the day laborers contribute to a context of structural violence. In the subsequent chapters we will return to the central theme of this thesis: how those structures affect the individual’s lived experience of accident or illness.

A Theoretical Perspective on Migration

The experiences of Segundo, a day laborer I met when he sliced his hand while working laying carpet, provide a starting point.

Segundo is a slim 24 year-old indigenous Mayan man living in a homeless shelter in the Mission district. He was raised in a small farming community in the mountains of Chiapas, the poorest and southernmost state of Mexico. By local standards his family was well off; most importantly they owned their own land and had a number of cows that assured a steady income.

Over the past decade a series of disruptions rocked both Segundo's community and family. On New Year's Day, 1994, a band of guerilla fighters demanding land reform and improved opportunities for indigenous people began an armed uprising against the Mexican government. This Zapatista uprising drastically altered life in Segundo's community; violence and the army presence disrupted transport of agricultural products and bitter rifts appeared among community members as individuals chose sides. On the heels of the rebellion came a series of unrelated blows. Outbreaks of "white flies" and root fungus destroyed successive harvests. Whether as a result of these pests or due to soil depletion, Segundo and other members of his community explain that "the corn and chile just would not grow." Meanwhile the price of chile, the region's primary cash crop, plummeted.

Superimposed on this backdrop of community strife came a series of personal and family crises. First Segundo's sister, then his older brother, became ill. The brother's condition was particularly severe and he passed several months in the hospital, seemingly on his deathbed, before recovering. Because his father had died and Segundo was the oldest healthy male, the responsibility for managing his family's circumstances fell to him. As the cost of treatment grew beyond the family's means, Segundo was forced to sell all of their cattle and a good deal of the land.

As the family's economic security evaporated Segundo and his wife experienced a personal catastrophe. His 17 year-old wife became pregnant for the second time the baby was born with hydrops fetalis. A doctor told them that an incubator in a larger town might save the boy's life but Segundo's family had run out of assets and the baby died.

Bearing responsibility for his own as well as his parent's family with increasingly dire economic straits and no local prospects, Segundo began to consider what he had "never imagined" – emigration to the United States. Segundo's community had little experience with emigration – Segundo recalls that only in the past two years did local people begin to travel to the U.S.. Returning to their communities in Chiapas, these "pioneers" spread word of the economic possibilities in the U.S. and sparked a flood of migrants.

Traveling to the frontier with boyhood friends and a younger brother, Segundo found a "coyote" or guide that would smuggle them to the U.S. for \$1,200 apiece. Crossing the border required a frightening and dangerous two day trek through the desert. Segundo and his group avoided the helicopters, jeeps, motorcycles, movement sensors and dogs of the border patrol by hiding by day and walking by night.

In San Francisco, Segundo lives in a homeless shelter with 60 other men. The men must leave by 6am and Segundo goes to the corner where he waits with hundreds of immigrants in hope of finding work. He watches carefully, hoping to pick a van or truck that may be seeking workers out of the endless stream of automobiles. In a classic post-modern Northern California juxtaposition, this indigenous farmer waits for casual minimum wage employment beneath a looming 40 foot tall billboard of the drag queen Ru Paul advertising Webex.com.

Segundo's story confronts us with paradoxes. What are these migrant laborers doing in urban San Francisco, the epicenter of the high technology and Internet revolution? Are they somehow integrated in this burgeoning economy or is their presence an anachronistic relic of an earlier more physical labor intensive means of production? Why does the government that fought to prevent Segundo's entry tolerate his conspicuous presence in the city? What led Segundo to immigrate and what does he hope to achieve through his labor here? How does this strange confluence of economics, immigration politics, and Segundo's personal circumstances affect his experience of at least temporary disability?

To generalize on the basis of Segundo's experience, we need a theory of immigration. The "push-pull" model is well known; it proposes that unpleasant social and economic circumstances called "factors of expulsion" push immigrants from poor countries while "factors of attraction" draw migrants to the U.S. (Portes 1990). Immigrants are believed to make cost-benefit calculations, weighing the projected advantages and risks of migration (Massey 1998). Details consistent with this model virtually leap from Segundo's story: war, poor economic opportunities in Mexico, crop pests and health care costs that bankrupted his family are all compelling "factors of expulsion." The affluence and high wages of the U.S. is an obvious attraction.

While capturing elements of the process, the simple "push-pull" model is insufficient. The objection most commonly raised to "push-pull" is that it reduces the individual to a pawn devoid of community, steered only by the winds of economic fortune. Noting that there are many poor countries whose citizens do not emigrate to the U.S., these scholars argue that income differences do not make migration inevitable

(Portes 1990). In fact, the empirical evidence points in the opposite direction.

“Undocumented migrants do not come from the poorest and most backward Mexican communities, but from those that are most dynamic and rapidly developing. . . .

International migration, in short, does not stem from a lack of economic development, but from development itself” (Massey 1998).

The alternate explanation these scholars propose is “transnational communities.”

This explanation strives to recognize the role of community and family ties in the immigration process (Basch). Segundo’s circumstances fit this model as well. Before his neighbors ventured to the U.S. and returned with positive reports, Segundo had never considered migration to be an option. Segundo has now become part of a transnational family and community. Despite thousands of miles of distance his family remains his *raison d’être* for working here. The dynamics, responsibilities and economic circumstances of his family will determine how long he remains.

Transnational theory captures another element of Segundo’s story but - like “push-pull” - fails to account for key aspects of his experience. Both models fail to acknowledge the “host” country’s role in the process. “Push-pull” particularly casts the U.S. as a passive actor whose bounty inadvertently draws burdensome immigrants from poorer countries (Portes 1997). This is consistent with the popular view of immigrants as parasites feeding on the host country’s wealth. It does not engage the possibility of a reciprocal relationship. It refuses to consider that the receiving state’s own political structures, labor markets and immigration policies could contribute in significant ways to shaping the flow of migration.

Neither the “push-pull” nor the transnational model account for the paradoxes of Segundo’s story. For example, the INS expends vast sums in fruitless efforts to prevent immigrants from crossing the desert. Why does it not pick up the laborers like Segundo who stand openly on street-corners? Why is there no concerted effort to prevent the employment of undocumented workers, to eliminate the “pull” factors? The answer lies in the schizoid relationship with undocumented immigrants described above. Despite public hostility towards immigrants, Congress does not take strong measures because these immigrants are critical to our economy. The models of immigration discussed above fail to acknowledge this because they do not recognize Segundo as part of a *system* of migrant labor. I will argue that the laborers on Cesar Chavez street have gathered not by random happenstance, but that they work in a migratory labor system with an underlying structure, organization and regulation.

Theory for a System of Migrant Labor

Burawoy has compared California farmworkers and South African mineworkers who are both part of long-standing patterns of migrant labor (Burawoy 1976). He concludes that the defining characteristic of a system of migrant labor is separation of the processes of “maintenance” and “renewal.” Maintenance he defines as the day to day sustenance required to support “productive” or wage-gaining workers. Renewal is the reproductive processes by which new workers are generated. Renewal processes include creating and supporting a family, education and healthcare of children, caregivers and elders. Under normal circumstances we make no distinction between maintenance and renewal; a worker typically labors (the maintenance function) and

experiences family life (the renewal function) in the same location, so the processes seem as one. In a migrant labor system, however, when the worker migrates to a foreign country for employment, these processes are geographically separated.

Separation of maintenance and reproduction has enormous advantages for the receiving country. Reproductive and renewal costs are significantly higher in the U.S. than in the developing world. Rather than provide for those costs, the U.S. is able to externalize those costs to the worker's country of origin. Costs of child rearing, education and pediatric health care are measured in pesos rather than dollars. They are paid for with Mexican tax dollars and infrastructure or shouldered by Mexican families. For example, while Segundo works in San Francisco his child is raised and cared for by his wife and family. Costs of education and healthcare are the responsibility of Mexican rather than U.S. society. Thus the U.S. government and employers need only maintain migrant workers during their period of employment.(Burawoy 1976). The externalization is reflected in migrants' wages. They can accept pay that domestic workers would not because they pay the costs of reproduction in a foreign, cheaper country (Burawoy 1976).

This separation does not arise spontaneously out of economic realities; it is artificial and must be actively maintained by the host state. Burawoy notes, "economic structures by themselves cannot enforce the separation of worker from family but must be supplemented by structures of coercion"(Burawoy 1976). In California, the most important mechanism leading to the separation of worker and family is the severe restriction on passage from Mexico to the U.S.. Contact between worker and family is prevented with the most obvious form of coercion: the guns, helicopters and technology

of the Border Patrol. The level of hardship along the border and cost of passage are such that fewer migrants are now willing or able bring dependents such as their wives, parents or children than in earlier decades.

U.S. immigration policy was not explicitly designed with the sadistic intent of dividing families or with the stated objective of “profiteering” by externalizing costs to Mexico. This policy evolved through the push and shove of American electoral politics. The orientation of immigration policy is primarily set by U.S. economic interests that rely on low-wage undocumented labor. As we will see below, the business community has demanded and received policies that tacitly condone the presence of undocumented people in the workplace.

However, local communities – particularly in border areas of Texas and California – have protested bitterly that they are forced to bear the costs of reproduction for these workers. They complain about the costs to do three things: “incarcerate, medicate and educate” (Marinucci 1999). These are states with huge voting blocks, and as public clamor grew, elected officials responded to the expressed concerns (1999). The result was Operation Gatekeeper and Hold the Line in 1994 which launched a new era of increased militarization along the border. In subsequent years, the number of agents assigned to the border was increased from 1,300 to 2,200 and will be more than doubled again to 5,000 agents by the year 2001 (1999). Ultimately, the question of whether the immigration policies were designed to externalize costs and divide families or not is not crucial. The important fact is that functionally they do exactly that, and thereby cause social suffering.

Consequences of Coercive Border Control

The state's coercion along the border has ramifications that are even deeper and more profound than reducing labor costs for U.S. businesses. In a variety of ways, the militarization of the border colors life for day laborers even once they are safely within the U.S..

Because crossing the border has become so difficult and expensive, most undocumented immigrants like Segundo arrive heavily indebted. Segundo gathered the funds for his passage by borrowing from relatives and friends. Only once Segundo repaid the debt did he begin to make economic progress. In a city this may take six weeks; in an agricultural job it may take months. Until the debt has been paid back, these migrants are functionally indentured.² This limits day laborers ability to assert themselves in the workplace or leave dangerous or abusive jobs.

The increased cost and danger of crossing the border make the consequences of deportation loom much more starkly. Five years ago an experienced migrant would have little trouble crossing the border by him or herself. Consequently, apprehension meant little more than inconvenience, several days of lost work and the modest cost of return passage. In fact, before border security was tightened in 1994, it was reportedly not unusual for laborers to return to Mexico for holidays and visits to family. The cost and difficulty of passage now makes that inconceivable. Today deportation can be catastrophic. Only if the worker can gather the requisite \$1,200 can they return via another difficult and dangerous passage. While apprehension is unlikely in San

² In some cases undocumented immigrants are *literally* indentured to employers. The INS has reported and prosecuted numerous cases of immigrants held "in peonage" until they worked off their debt. (Rural Migration News, 5(4))

Francisco, laborers must live with the gnawing anxiety that they are “illegals,” subject to arrest. Like the debt, this intimidation reduces workers’ capacity to assert themselves in the workplace. As we shall see in later chapters, the day laborers are often too intimidated to exercise the few legal rights they have.

These factors that increase economic pressures on day laborers have the effect of making the undocumented into more desperate and therefore more diligent and docile workers. In an ethnography of an Iowa meatpacking plant, Grey focused on high worker turnover among Mexican employees. He found that their frequent departure is a form of resistance to difficult working conditions (Grey 1999). The high cost of the journey to the U.S. certainly limits that form of protest. The INS has in fact noted that undocumented laborers have begun to stay in the U.S. longer since the advent of Operation Gatekeeper (Freedberg 1998). Thus state coercion in the form of heightened border security has not only rigidly enforced the separation between maintenance and renewal processes; but the coercive control of the movement of migrants also becomes a form of control over their work. Ostensibly an effort to prevent the entry of migrants, the coercion at the border has the effect of tightening the screws on already vulnerable workers.

The implications of a policy of tight border security run still deeper. More aggressive enforcement in populated areas has shifted crossings to the deserts and hills of Arizona and Texas. This passage is much more physically demanding and dangerous. Migrants speak of great hardships: walking for days, sometimes with little or no food or water, enduring bitter cold and searing heat. They talk of seeing bodies

and being assaulted.³ In a very real way this passage has acted as an insidious form of “natural selection.” Only young, healthy, motivated individuals are capable of the journey. Populations with a limited capacity for manual work that could potentially be a burden to our society – children, the elderly, the disabled – are excluded. Functionally, this acts as a mechanism by which our society culls and selects only the fittest bodies to work in the fields, streets and restaurants. One would have to be quite cynical to suggest that it was designed as such, but from the perspective of those enduring this hardship it hardly matters. The fact is that this society actively maintains the conditions that cause hundreds of deaths each year. This is structural violence. The vast majority of those migrants that die are not literally shot or run over by the Border Patrol, but their deaths *are* in large part due to the Border Patrol’s aggressive tactics.

Historical Roots of Migrant Labor in California

The presence of day laborers in San Francisco also must be understood in a historical context. Of all states of the union, California has been perhaps the most shaped by flows of immigration.⁴ A complete historical perspective must begin with the arrival of the Spanish and the destruction of native peoples. Immigration to California is not a modern phenomenon, but a constant process of evolving populations over hundreds of years. More recently, immigrant labor has been instrumental in the development of California as an agricultural powerhouse. Since its inception,

³ In 1998, Imperial County, California, an area that had previously experienced little immigrant traffic because of extremely difficult terrain cited about 100 immigrant deaths due to exposure and exhaustion. Faced with a budget crisis, the Board of Supervisors has considered cremating the corpses to avoid the \$927 cost of burying them individually. (San Francisco Chronicle, September 11, 1999)

agricultural work has required a large pool of temporary unskilled laborers. In this mecca of high technology, agriculture remains largely unaffected by mechanization. The “stoop labor” performed by workers bent double while picking vegetables continues today as it did a hundred years ago (Calavita 1992). What has changed is the faces of agricultural workers.

The Chinese were the first in a series of immigrant labor pools. Dominant in the late 19th century, they were displaced by restrictions on Chinese immigration. Whites dislocated by the depression of the 1890s briefly worked the fields before an influx of Japanese immigrants took their place (Burawoy 1976). Migratory Mexican workers began to make up a larger percentage of the workforce around 1915 and have remained the primary labor reservoir to this day.

The development of this system of migratory Mexican labor merits closer scrutiny. California was, of course, Mexico before it became the United States; the workers I spent time with frequently argued that because of this, it is I, not they, that is truly the immigrant. The Mexican-American War in 1842, however, turned the tables, classifying Mexicans as foreigners. Immediately following the war, rapid growth of the new U.S. province created a labor shortage and California’s growers and railroad interests turned to a solution that has been used almost continuously in the succeeding 160 years: recruitment of Mexican workers. Recruiters ventured south, offering workers free passage and advances on their future wages. Portes notes, “Mexican immigration thus originated in deliberate recruitment by North American interests and was not a spontaneous movement”(Portes 1990).

⁴ A 1996 Census Bureau report found that one fourth of California’s population was born in a different

For generations after the annexation of California, trade and labor flowed freely and without restriction at the U.S.-Mexican border. The demand for Mexican labor waxed and waned with U.S. economic cycles but never evaporated (Bustamante 1997). It was only in 1924 with the passage of the National Origins Immigration Act that the Border Patrol was formed and the term “illegal immigrant” was coined (Portes 1990). Nonetheless, significant restrictions on movement were not in place until after the Second World War (Portes 1990).

With entry of the United States into the World War II, the labor glut of the depression turned into a severe labor shortage. The by-now-customary response was to recruit Mexican workers. In 1942 Mexico and the U.S. signed a bilateral treaty establishing a seasonal migrant labor program (Radelat 1999). In an explicit recognition of their purpose and value the migrants were called *braceros*, literally people with arms. This treaty included a variety of protections for workers: a standard wage, requirements that employers provide fair housing, access to a non-profit canteen and a minimum number of work hours that workers would be guaranteed (Burawoy 1976). In reality these stipulations were frequently ignored and conditions were often dismal (Ferriss 1999).

At the end of the war growers found that the program to be to their advantage and successfully lobbied for its extension (Calavita 1992). Rhetoric from the time unabashedly acknowledged the growers’ dependence on migrant workers.

The basic dilemma faced by farm employers, particularly those with farm operations requiring seasonal hands in large numbers, is this: they want a labor supply which, on the one hand, is ready and willing to meet the short-term work requirements and which, on the other hand, will not impose social and economic problems on them or on the

country. (San Francisco Chronicle, April 9, 1997)

community when work is finished. This is what is expected of migratory workers. The demand for migratory workers is thus twofold: To be ready to work when needed; to be gone when not needed. [U.S. President's Commission on Migratory Labor 1951 as cited in Burawoy]

The desire to separate the maintenance of workers from the costs of their renewal and reproduction (borne in Mexico) is explicit; the aim was to exploit the worker's labor without bearing any responsibility for their long term well being. Although the language used in policy debates today is more veiled, the fundamental logic and motivations are unchanged. The economic and political might of the U.S. relative to Mexico allows it to continue using undocumented labor as a readily available but ultimately disposable resource.

Over the next 22 years 4.5 million Mexican men labored in the U.S. via the Bracero program and California growers developed a voracious appetite for Mexican labor (Ferriss 1999). By the early 1960's, more than seventy percent of workers picking tomatoes and other vegetables in California were Mexicans participating in the Bracero program (1999). However, the program had become notorious for the substandard living and working conditions and Congress halted it in 1964 amid a storm of criticism from both sides of the border (Radelat 1999).

After decades of work relationships, migratory networks between Mexican communities and California growers had become firmly established and, not surprisingly, the entry and employment of migrant workers did not cease (Freedberg 1998). As Calavita notes, "a relationship of symbiosis between Mexican immigrants and U.S. employers had become entrenched" (Calavita 1992). The reliance on undocumented labor in agriculture has actually increased dramatically in recent years.

In the early 1980's approximately 20-25 percent of farm labor was undocumented; that percentage is now 50 percent and rising (1999). The demand for immigrant labor has fueled enormous increases in the flow of migrants. Apprehensions of undocumented people is an indirect measure; the number increased from 71,000 in 1960 to 345,000 in 1970 to over a million a year in the 1980s and more than 1.5 million in fiscal year 1999 (1999) (Freedberg 1998).

Modern Public Policy towards Undocumented Immigrants

Judged on its stated intent – preventing the entry of undocumented migrants – the federal and state response to immigration from Mexico has been an almost unmitigated failure. Massey remarks, “U.S. immigration policy with respect to Mexico has been spectacularly unsuccessful. It is hard to imagine a more inept, self-contradictory and self-destructive policy” (Massey 1998). Such a statement takes at face value the assertion that immigration policy is actually designed and intended to reduce illegal immigration. A review of modern policymaking suggests that this is not necessarily the case; while politicians practice the rhetoric of exclusion, the policies they enact are widely acknowledged to stand little chance of limiting the entry of undocumented people. Thus, while indeed inept and self-contradictory, U.S. immigration policy is not self-destructive.

The patchwork of laws governing immigration is the legacy of decades of political struggle between a wide range of interest groups. Despite intense public clamor for a crackdown on illegal immigration, an unusual coalition has successfully weakened most legislation. This coalition includes organizations of growers, chambers

of commerce, civil liberty groups and politicians representing minority and immigrant populations (Collier 1998). Agricultural and business interests have fiercely opposed measures that would limit their ability to hire undocumented workers, while groups representing minorities have feared harassment of people of color.

One of the central issues in immigration policy is employer sanctions in the form of penalties for businesses that knowingly hire undocumented workers. Most observers maintain that as long as undocumented workers can find work in the U.S. they will continue to enter the country (Bustamante 1997; Massey 1998; Branigin 1999). Immigration and Naturalization Service Director Doris Meissner concurred in an interview: "You can't totally do the job at the border. It must be coupled with workplace disincentives, so that people will realize that if you cross the border, there isn't a job waiting for you" (Collier 1998). Despite this consensus, Congress has been unwilling to implement these measures.

The Immigration Reform and Control Act [ICRA] of 1986 is a stunning example of how the political process leads to laws that appear to "get tough on undocumented immigrants" without actually taking measures that would prevent the employment of undocumented workers. Passed amid widespread concern over steep increases in illegal immigration, ICRA was represented as a measure that would limit unauthorized migration while assuring a stable workforce for agriculture. Two linked provisions were supposed to accomplish these goals. First, undocumented workers with a demonstrated history of work in agriculture were allowed to apply for residency papers, and, second, stiff fines would prevent growers from hiring new undocumented workers.

The second provision was subverted before the bill left Congress. Agricultural interests successfully assured that growers would be required to only nominally review some form of U.S. identification; they would bear no responsibility for assuring that the documents were actually authentic. This did not reduce the employment of undocumented workers, but it did spur the development of a booming industry in counterfeit documents. Agricultural interests were also able to insert a provision into ICRA that shielded growers by allowing them to hire workers through labor subcontractors. An estimated one-third of California's 700,000 farm laborers are now employed by these contractors. Growers are exempt from responsibility for violations of immigration, labor or worker safety laws committed by the contractors (Collier 1998).

What limited employer sanctions remain are stripped of meaning by lack of enforcement. The INS has a mere 291 inspectors nationwide to enforce these sanctions (Freedberg 1998). Although willing to triple the budget of the Border Patrol, Congress has refused to fund additional INS inspectors for internal enforcement (Collier 1998). In the Spring of 1999, the INS officially shifted to a new interior enforcement strategy which explicitly de-emphasizes workplace enforcement. Employer sanctions are given lowest priority. In place of enforcement, the document calls for building "relationships" that will result in "employer cooperation" (Branigin 1999). The unwillingness to enforce workplace immigration laws during a labor shortage is reflected in INS arrest statistics; in 1999, of the six million undocumented people living and working within the U.S., the INS arrested only 8,600 for the purposes of deportation (Uchitelle 2000). In the same period, the Border Patrol made over 1.5 million arrests of immigrants crossing the Southern border. Robert L. Bach, Associate Commissioner for Policy and

Planning at the INS was explicit about the reasons for lack of enforcement, “It is just the market at work, drawing people to jobs, and the INS has chosen to concentrate its actions on aliens who are a danger to the community” (Uchitelle 2000).

Representative Elton Gallegly, Chairman of the Congressional Task Force on Immigration Reform remarked that the employer sanctions were “at best, a joke.” The bumbling approach to immigration does have an element of comedy; however the human consequences of U.S. policy make it a dark comedy indeed. The impact of these social structures on undocumented people and their experience of injury is, of course, the topic of this study. Congress’s unwillingness to implement meaningful employer sanctions, despite the general acknowledgement that they would be effective, is a testament to the fundamental duplicity of this society’s relationship with undocumented people.

While the failure of employer sanctions was engineered, the result of the Special Agricultural Worker provision granting amnesty to undocumented workers was an unpredicted and almost astonishing outcome for a bill intended to limit immigration. Projected to encompass 200,000 workers, the Special Agricultural Worker provision ultimately granted residency to more than 1.2 million undocumented people (Freedberg 1998). Perhaps even more ironic is that upon receiving their papers, most of these workers left agriculture (Freedberg 1998). As noted above, since the passage of ICRA, the percentage of undocumented workers in the agricultural workforce has grown from 25 to 50 percent.

Following the enactment of ICRA, momentum in the immigration policy arena shifted to California. In 1994, in the midst of a recession and backlash against illegal

immigration, California voters approved Proposition 187, which attempted to bar the state from providing illegal immigrants with health care or educational benefits⁵ (1999). Cued by the strength of anti-immigrant sentiment in California, Congress passed even harsher legislation in 1996 as part of a welfare reform bill. This law would have severely limited even legal immigrants' use of food stamps, welfare and Supplemental Security Income (McLeod 1998). These cuts were later almost entirely rescinded.⁶

In lieu of meaningful workplace enforcement of immigration law, Congress has invested heavily in the Border Patrol, attempting to turn migrants back at the border. Critics have noted that support for increased Border Patrol is politically popular because gives the appearance of being "tough" on illegal immigrants (Collier 1998). The glamour of new fences, helicopters and motion sensors does not, however, obscure the open secret recognized by virtually all experts: increased severity at the border does not halt the flow of migrants (Bustamante 1997; Massey 1998; Hanson 1999). As ineffectual as these measures are in stopping entry, they do have immense repercussions for undocumented people. The militarization of the border has created conditions of hardship and violence that take a brutal toll on undocumented migrants.

⁵ Proposition 187 was never implemented. Large sections were initially declared unconstitutional and Governor Gray Davis dismantled the remaining sections through an administrative process. A very similar proposition has been proposed for the November 2000 ballot. (San Francisco Chronicle November 3, 1999)

⁶ Although neither effort was successfully implemented, these laws are stunningly consistent with Burawoy's analysis of migrant labor systems. Addressing circumstances in which workers and families are geographically separated, he introduces the isolation of maintenance and renewal processes. These laws would have separated renewal from maintenance even for migrants who have brought their families here. As in the traditional migrant system, the host society would externalize (by refusing to pay) the renewal costs (health care, education of children) of undocumented people.

Reviews of modern immigration policy breed cynicism. By in large, it appears that policymakers engage in rhetoric and gestures that serve political purposes without any realistic possibility of disrupting the flow of undocumented laborers.⁷ Popular and dramatic steps such as increased militarization of the border and denial of benefits are legislated, perhaps with the implicit recognition that they will be ineffectual. Democrats find that internal enforcement antagonizes minority constituencies, civil rights groups and civil liberty organizations. Republicans are pressured by business and agricultural interests to avoid measures that would threaten the labor supply. Gimpel suggests that “anything oriented toward restricting legal or illegal immigration ... will ultimately be defeated by big business. Whenever there is some reasonably serious attempt to reduce legal or illegal immigration, or to impose employer sanctions, what you see at hearings at either side of Capital Hill is business lobbyists cornering politicians ... and eventually watering down restrictions to the point where they are useless” (Gimpel 1999). Steps such as employer sanctions that could potentially serve the stated goal of limiting illegal immigration are avoided. This systematic manipulation to ensure an easily exploitable labor pool takes place at the cost of immense suffering for undocumented migrants. It is structural violence.

⁷ Exceptions to the pattern of hostility toward undocumented immigrants do exist. One example is efforts by the Clinton Administration to extend anti-discrimination rights enforced by the Equal Employment Opportunity Commission to undocumented laborers. Immigrants discriminated against on the basis of race, sex, age or religion would have the same rights of redress as legal workers. (San Francisco Chronicle, October 29, 1999)

The Role of Day Laborers

Thus far the historical analysis has focused on migrant farm laborers because they are the largest group of migrants and much of the political and economic dynamics that affect migrants has revolved around this group. It is now appropriate to return to the specific population at issue – urban day laborers who work in the informal⁸ economy – and examine the political and economic context through which they are incorporated in this society.

Implicit in the myth that undocumented workers are unwanted and unnecessary is an assumption that immigrants are “hangers-on,” not truly integrated into the economy, but scavenging for leftovers. Particularly in the giddiness of the new technology-based economy, there is a sense that the U.S. has transcended manual labor, that, in the future, production will take place in cyberspace. It is obvious that undocumented migrants work in “dirty and primitive” fields like agriculture but they are generally not considered integral to the new immaculate and sweat free information economy.

This is not the case. Immigrant labor (whether documented or undocumented) is not an aberrant legacy of some more primitive economic state but is part and parcel of the California’s modern economy. An “invisible” mass of low profile workers underlies production even in high-tech fields. For example, of the entire microelectronics labor force in Silicon Valley, 30% performs low-skilled low-paid operative jobs (Zolniski 1994). In the lowest niche, assembly jobs, between 75 and

95% of the workers are women who have immigrated to the U.S. from developing countries (Zlolniski 1994). Of all of the low wage clerical and operating jobs at high technology enterprises in Silicon Valley 80 % are held by Latinos (Zlolniski 1994).

These high-tech businesses are not only dependent on immigrant formal employees; organizational features make them indirectly reliant on the informal immigrant labor of men like Segundo. Zlolniski explains that in the 1980s, high-tech firms in Silicon Valley restructured and subcontracted peripheral operations such as janitorial services to outside businesses. While in part an effort to cut costs and streamline operations, the trend toward subcontracting was also a response to ICRA. Before ICRA, the major high-technology firms employed regularly employed undocumented immigrants as janitors and in other low-wage positions; ICRA threatened legal consequences for continuing the practice (Zlolniski 1994). The result was that the same undocumented workers continue to clean the offices but are now formally employed by subcontractors. This, of course, mirrors the response of agricultural growers to ICRA; in both industries, subcontractors are used as shields to insulate employers from legal responsibility. The practice of subcontracting led to lower wages and poorer working conditions (Collier 1998).

Such restructuring has generated an explosion in the growth of subcontracting of cleaning, landscaping, construction and painting work. Many of the subcontracting businesses span the boundary between formal and informal enterprise; they perform services for established formal businesses but employ mostly undocumented laborers

⁸ Zlolniski defines informal economic activity as "the production and/or sale of licit goods and services outside of the regulatory apparatus of the state."

and often fail to comply with safety standards. These subcontractors are among the primary employers of day laborers.

The integration of undocumented laborers into the modern high-tech economy further belies the myth of the undocumented immigrants are unwanted outsiders. Zolniski concludes “the introduction of a flexible labor force in the formal economy, the growth of subcontracting practices in numerous industries, and the proliferation of subsistence-oriented informal economic activities are the product of the structural forces that define the restructuring of the U.S. economy”(Zolniski 1994). The immigrants do not generate the flood of low-wage jobs. Transitions and restructuring in the U.S. and particularly the California economy have generated a thirst for unskilled labor; immigrants respond to the demand for their labor. Thus in a sense even undocumented immigrants like Segundo should not be considered “alien” as they occupy a role that is integral to the new patterns of economic development.

Revisiting Structural Violence

This review of the historical, political and economic context reveals the degree to which these workers are systematically placed in unique circumstances of powerlessness and exploitation. The U.S.’s justification for these conditions lies in our denial that undocumented workers and our communities are engaged in a reciprocal social relation. This denial ignores the clear historical record that locates Mexican labor as an integral part of California’s development. It also evades the importance of informal and low wage immigrant labor in the California and particularly Bay Area local economy. Bustamante calls the denial a unilateral exercise of power: it is the

refusal of this society to acknowledge the rights of its most vulnerable laborers because it is inconvenient to do so (Bustamante 1997). The rhetoric of exclusion and expulsion is belied by the reality of mutual dependence between undocumented workers and their employers in the U.S..

Inherent in the denial that our relationship with undocumented laborers is reciprocal is a denial of responsibility for their wellbeing. Undocumented immigrants are defined as unwanted and therefore undeserving of protections or services. A widespread sentiment exists to the effect of “they shouldn’t be here anyway. If they don’t like their treatment they should go home.” Proposition 187 was based on the presumption that immigrants were attracted to California by the state’s largess. Its implicit message was that if conditions became uncomfortable enough for immigrants they would return to Mexico. This is an ideology that denies their humanity and legitimizes exploitation and injustice.

This concept is the organizing principle by which conditions of structural violence are generated. There is no explicit conspiracy to discipline undocumented workers and reduce their power in the labor market. However, the dominant ideology that undocumented workers pose an unwanted social burden and are therefore unworthy of protection creates an environment in which harmful measures are considered acceptable. It defines them as a sub-population of six million who are systematically denied rights. In this context, exploitation of undocumented people might even serve a valuable social goal (driving away the “unwanted” immigrants).

These policies and structures like the militarized border impact the lives of San Francisco’s day laborers on a variety of levels. They inform the local context of

everyday racism, homelessness, violence, dishonest employers and humiliation that exist on the street corner. The structural conditions imposed upon these workers have intense ramifications for their family dynamics as well. The remainder of this thesis will explore the ways in which structural violence is mediated through these more micro and personal levels of context to affect the day laborers' experience of injury.

Chapter 3: The Emotional Landscape of the Street Corner

Dynamics of Day Labor

To understand the myriad and varied ways in which injuries resonate in the lives of day laborers we need to “feel” the world of these migrant workers. With an empathic sense of the struggles and pressures they face we will better understand how social context alters the experience of ill health. This chapter will examine how this local context of homelessness, competition for jobs, violence and insecurity affects workers’ experience of injury.

At 6:45 on a Tuesday morning clusters of Latino men begin to appear along the corners of Cesar Chavez Street in San Francisco. Despite a fine mist, they take places along the curb, scanning the river of passing vehicles. Their hope is to catch the eye of potential employers, inducing them to pull over. The workers’ best strategy is to look competent, strong and alert which means no sitting, talking or relaxing. The tension is palpable. These are the critical hours when workers are most likely to be picked up for the day so all attention is focused on the van that might be a mover or the pickup that looks like a contractor. The coveted jobs come early in the morning – the painter that needs three additional workers for an entire week, the landscaper looking for another assistant. The workers are acutely aware that these are the jobs that might evolve into a trabajo de planta, a regular job with consistent hours and predictable income.

So when a vehicle slows they rush forward, crowding around the doors. Sometimes high velocity bargaining takes place – “How many workers? How much you pay?” – but just as often the driver simply points and nods to several men and they climb in not knowing for what work or what pay.

By 10am the anticipation of the early morning begins to ease; the remaining workers start to relax and settle in for what is likely to be another day of waiting. There is still the hope that someone will stop, perhaps someone who needs help moving a piano or a landlord that needs boxes moved, but these pay less for fewer hours and are unlikely to lead to multi-day employment.

By noon ennui descends along Cesar Chavez. The rush hour flood of cars has slowed and workers struggle to kill time. A few persistent men remain posted on the curb waving their arms when they make eye contact with a motorist. Some young men toss bottlecaps, betting whose will land closest to a target. Others sit on the sidewalk and talk or doze. By 4 pm only the most dogged remain – the others have gone to wander in the city or to Dolores Park to lie in the grass and wait for the day to end.

Characteristics of the Day Laborers

Basic demographic data provides a starting point for describing the day laborers. There is a paucity of quantitative information on the day laborers in San Francisco, but the Center for the Study of Urban Poverty at UCLA collected data on almost 600 day laborers in Los Angeles. Their findings seem quite similar to what I observed in San Francisco. The majority of the day laborers are young, poorly educated, undocumented Latino men. They found that 77% are Mexican and 20 % are Central American. Ninety-five percent were undocumented when they entered the US. The mean age of day laborers in Los Angeles is 33 but there is also a significant population of older men; almost 15% of day laborers are older than 48. Fifty six percent had received six or fewer years of education.

Such data provides a useful basic picture but it does not reveal the complexity and diversity of the day laborers. Despite their common race and language, the men standing on the corners of Cesar Chavez Street come from a variety of backgrounds and circumstances. Capturing the range of circumstances and cultures seems best accomplished by introducing some of the injured men with whom I spent time; these particular men are my most important sources.

Fernando is a 35-year-old overweight man from Vera Cruz, Mexico. He worked for many years there as a piano teacher, but in the economic crises of the early 1990s, he found that he could not support himself. He took a job as a security guard in the offices of an oil company, but found that even with his wife's income as a nurse, they were barely making ends meet. His decision to come to the U.S. was prompted by his mother's health crisis; she was diagnosed with "cysts" in the brain. The family faced a

choice between surgery at the public hospital using a standard procedure, or surgery in a private hospital with the most modern equipment. They chose the latter and Fernando's mother emerged successful, but the cost of the operation left them with a debt of \$5,000 U.S., what to them is an enormous sum. Fernando came to the U.S. to keep the family solvent. During his initial eight months in San Francisco, he was able to provide for his family; he began paying the debt to the hospital and was even able to support his wife as she returned to school for an advanced nursing degree. In September he experienced a setback. As he was riding his bicycle to work, Fernando ran into the car door that a driver had opened. He tumbled into the street and separated his shoulder. When I met Fernando he had been unable to work for six weeks.

Estefan is a 27 year old farmer from the same community as Segundo in rural Chiapas. His is among dozens of young indigenous men in the U.S. for their first time. In the shelter where I did my fieldwork there were at times as many as 15 men from Estefan and Segundo's or surrounding communities. Estefan's background is much like Segundo's. His family lives in poverty; low crop prices make farming almost pointless. Estefan feels particularly responsible for his wife and their three small children. He explains that their diet is restricted to staples; there is no money to buy new clothes or pay for the children's education. By working in San Francisco, Estefan hopes to invest in land and cattle which will provide a sustainable income. Being indigenous marks Estefan and Segundo as different in the day labor community; they are dark skinned and among themselves speak their native language rather than Spanish. The racism and marginalization they experience as indigenous people in Chiapas is reenacted in the shelter and on the corner here in San Francisco. Other workers frequently told me how

“ignorant and backwards” *los indios* or indians are. I began talking with Estefan about health because he had a series of accidents while roofing; he twice fell off ladders or scaffolding and crushed his hand with a bucket of tar.

Francisco is a 46 year old former businessman from Hidalgo. After a childhood in poverty, he began his own furniture store and over the course of years it became a thriving business. He explains that his life collapsed when his wife disappeared with the bulk of their assets and another man. He was left with their baby daughter.

Francisco gave his child to his mother, spent six years drinking abusively and the business folded. He describes these years as “lost in alcohol,” so drunk that he often literally slept in the gutter. In recent years, he has stopped drinking and has reconciled with his mother and daughter. He has made many short trips to the U.S., working in Minneapolis, Chicago, Los Angeles and San Francisco. The impetus for this trip was actually a birthday party. Francisco is on the margins of a social class in Mexico in which an enormous 15th birthday party or quinceañera is expected. Unable to provide the thousands of U.S. dollars required to entertain hundreds of guests, Francisco chose to make yet another trip North to raise the required money. An exacerbation of an earlier back injury prevented him from completing his commitment to his daughter; we will examine the emotional and familial ramifications of his injury in Chapter 5. Here in San Francisco, he lives in a large homeless shelter.

Mario is a 44 year old man who has worked most of his life as a laborer in Mexico City. Like Fernando, both he and his wife were working but they could still not provide for their three children. Mario was essentially working as a day laborer in Mexico and said that in recent years he was lucky to work three days a week. He came

to the U.S. two years ago and has slowly become established. He lives in a two bedroom apartment with seven other people, a situation that in the scale of day laborers is relatively comfortable. His work in the U.S. has been spotty. At times he stands on the corner and works day labor, but he has also had jobs that last for weeks or months. He was able to consistently send \$250 home a month until he developed an infected cyst on his lower spine. It was treated surgically and I interviewed him as he recuperated at home, waiting to return to work.

These four men are somewhat representative of the diversity of experience among the day laborers. Although most are young and poor, the details of their lives are complex and varied. I met a 16 year old boy on his first trip away from home and a veteran migrant who has traveled and worked for decades all the way from Alaska to South America. Former combatants from opposite sides of the wars in Guatemala and El Salvador wait together for work. Some came to the U.S. after their release from prison or are eluding the Mexican police. There are teetotaling evangelists and alcoholics and heroin addicts. Some young men are middle class Mexicans without responsibilities seeking adventure; others like Estefan have left loved ones in grinding poverty in a desperate effort to improve their lives. Some came to San Francisco because they heard it is a place it is safe to be gay.

Their purposes are as different as their backgrounds. Estefan aspires to buy a field of his own and perhaps some cows. Others hope to earn enough to continue their university education. Fernando finds himself working to repay family debts; some are supporting only themselves. Mario intends to stay in the U.S. for several years; Estefan and Francisco, like most others, plan to return home within months.

Their preparedness to cope in this society is similarly varied. At one extreme are the few who speak excellent English and are well versed in local San Francisco politics. The majority, however, speak little or no English and have little familiarity with the laws and customs of this society. This lack of “common sense” has an enormous impact on their experience living and working on the street. New arrivals often spend anxious days scanning for the Immigration Service whereas migrants with more experience are comfortable in the knowledge that the INS does not conduct raids in San Francisco. Similarly their capacity to interact and assert themselves with employers differs. Less seasoned workers are more likely to be defrauded by employers whereas more “street smart” laborers recognize the signs of a scam and avoid the employer.

The day laborers differ in their social support networks. A lucky few have relatives who are longer-term residents of San Francisco. That provides not only a place to live but access to a network of friends and neighbors who might link them with employment. It also means that after a day of waiting in the rain for a job that never came they have a family to whom to return. Others have immigrated with friends or relatives but many are traveling alone.

The social support available to day laborers is reflected in their housing. Apart from the few who live with family members, the day laborers must fend for themselves in the brutal San Francisco housing market. The first option is homeless shelters like the one where I did my fieldwork. There is also a casual housing network in which Latino families take in boarders who pay between \$200-300 on mattresses with five or six to a room. These situations can be difficult to find so many men spend at least some

time sleeping on the streets. For immigrants unfamiliar with the written and unwritten rules of homelessness, sleeping outdoors can be terrifying. One morning, one of my informants told me that he had been turned away from the shelter for the first time. He spent the entire rainy night walking; he thought that if he stopped to lie in the bushes the police would catch him. Some day laborers live in the bushes along the side of Highway 101 in a narrow gap between the rushing cars and a sound dampening wall.

A final difference among the day laborers is their health. Many are healthy and young without outstanding health concerns. Many others, however, have health problems and very few if any receive consistent primary care. The laborers I met struggled to work with a variety of musculoskeletal conditions: back pain, knee pain, shoulder pain, arthritis and gout. Others had problems with vision or chronic rashes. Some had chronic conditions such as asthma, diabetes and HIV.

It is clear from this superficial introduction to the day laborers that generalizing will be dangerous. The objective of this thesis is not to represent the day laborers as a monolithic homogenous whole. Instead I will outline some of the common struggles they face and examine how these processes influence their experience of injury.

Community Dynamics on the Street Corner

Capturing the street corner ethos is challenging because it is a dynamic environment and, to a certain degree, each street corner is its own micro-community with its own customs and standards. For example during the course of my fieldwork, the corner immediately beyond the highway exit was crowded with men who sought work aggressively. If a vehicle pulled up it was immediately thronged with men; they

had a reputation for taking wages that other men would not. The men standing on the corner where I spent time were a relatively consistent group that was less aggressive and would turn down work that paid less than \$7 an hour or paid too little for the griminess or the physicality of the labor.⁹ Several blocks further, in front of a paint store, was a group known to be highly skilled carpenters and painters. It was reputed that they demanded a significantly higher wage. Even further along was a group that drank and smoked pot throughout the day.

Competition

Despite the differences a few commonalities exist. First is competition among workers. Underlying workers' behavior on the street and in the workplace is an awareness that there are simply more workers than there are jobs. Mario, the laborer from Mexico City, explained.

Y el trabajo nunca es indispensable uno. En cualquier momento se aloca el patrón luego te manda a la jodida. Se va uno y hay 20 que andan solicitando ese mismo trabajo aunque sea mal pagado. Se van a trabajar allí por la necesidad.

At work you are never indispensable. At any moment the boss will get pissed off and tell you to get the hell out. You go and 20 others come asking for the same job even though it's badly paid. They'll go to work there because they need to.

A selection process takes place when an employer pulls up and leans out to pick workers. What do the workers believe they are seeking? English speakers always have first priority they report. Workers with good communication skills are thrust forward to find out what kind of work is offered and what will be paid. Employers are much more

⁹ The first reaction of many is – \$7 is not so bad. This hourly wage is diminished by the number of hours workers spend waiting idle. In extraordinary weeks a worker might find work on Cesar Chavez 4 days a

likely to choose English speakers with whom they can communicate. These English speakers get to choose whether they will take the job or wait for a better prospect, and then the employer begins choosing from the remaining crowd.

Opinions vary about the “type” of worker that *los patrones* want. Young strong men who have endurance most say. Mario, who is 44, explained,

De los cuarenta para allá - dice no pues - ahora si hay que mocharle y correr de nueva. Pero muchas veces ya es difícil porque lo que ya se camino, se camino y lo que no se obtuvo ya no se va nunca a obtener. Pero nunca se pierde la fe, la esperanza que vendrán tiempos mejores...

After forty you have to accept [that you are less likely to be chosen] and keep trying. But a lot of the time that is difficult because what has past has past and you'll never obtain what you haven't already gotten. Even so you can't lose faith, the hope that better times will come.

Others disagree, saying that employers want the youngest strongest workers only for jobs like roofing, demolition and moving. For more delicate work like laying floors or painting they argue that employers want older men who are more patient and less impulsive. All agree that “a worker should look like a worker,” in work clothes and boots, but cannot afford to look *vago* or derelict and unclean. Any evidence of disability would mark a worker as unemployable so day laborers should not limp or show any sign of pain. Any association with drugs or alcohol similarly dooms a worker's chances.

Some workers ascribe great significance to the choices *patrones* make and rejection can be wrenching. Rejecting the possibility that being chosen was a matter of luck, Mario explained, “*Elegén porque revisan. Son como psicológicos. Ven la forma de*

week, but they also experience days or weeks without any work at all. A standard wage is about \$8 an hour or up to \$10 an hour for dirty and dangerous work like roofing.

ser de todos... - they examine. They are like psychologists. They look at the type of person you are."

Estefan, the 27 year old indigenous farmer from Chiapas, reflected on the competitiveness of the street corner.

Pero también en el trabajo hay mucha competencia. El que ya tiene muchos años esta allí ya tiene patrones. Tiene distintos patrones pasen no más. Cuando este lo conozco este, ve que allí esta la persona que esta allí pasa y dicen "no tu" aunque uno no tiene trabajo y corre uno pues de nada sirve y como que da vergüenza si no nos llevan. Llega la Raza y hay un montón y esta uno hey yo, yo y aveces no se va uno porque no era escogido. Se siente uno aguitado. Se aguita uno. Porque a mi no me vas a decir que no te aguitas pues los que sabe, los que saben hablar ingles como digo hay mucha preferencia para los Americanos....

But also for work there is a lot of competition. Those that have lived here for years know the bosses. Certain bosses come by to pick them up and when they have a friend they'll say "not you" even though you don't have a job. They'll run you off like you're no use for anything and it makes you ashamed when they don't choose you. The Raza [the day laborers] get here and there is a ton and it is – one worker! Hey! Me! Me! – and sometimes you don't go because you weren't chosen. You feel crushed. It makes you discouraged. I am not going to say that you don't get discouraged because those that know, the people that can speak English get much more preference from the Americans.

Crime and Violence

Another pressure that permeates life on the streets is fear. For several reasons the day laborers seem disproportionately subject to violent crime. One is that their status as recent migrants is conspicuous on the streets. Longer-term residents told me that the way they walked, talked and interacted gave them away as recent arrivals lacking in "street smarts." Because they themselves are "illegal" and technically fugitives, day laborers are often extremely reluctant to contact authorities. Perhaps it is understood on the streets that these immigrants will not call the police when they are the victims of crime.

Their “innocence” can lead to victimization. The Mission district is divided by two *cholos*, or gangs, the Norteños and the Sureños, each with its own colors, styles and strategies for staking out territory. Immigrants unaware of these subtleties unwittingly provoke conflicts by wearing the wrong clothes or looking too closely at the wrong person. Filippe, a 32 year old Mexican man, showed me a backpack he bought used on the street, not realizing that the writing penned on the back was gang related. A week later, walking on a sunny afternoon on 24th street, one of the Mission’s biggest commercial streets, he heard teenagers yelling. Unaware that he was the object of their spite, he continued walking until he was knocked down by a blow from behind. The encounter amounted to no more than pushing and yelling, but Filippe felt unnerved and humiliated that teenagers could do this to him in front of bystanders. The sudden and unanticipated nature of the attack particularly disturbed Filippe and contributed to his feeling that he is never safe while walking the streets.

Compounding the safety problem is the fact that most of the day laborers carry large amounts of cash. Because many are homeless and immigrants cannot open a bank account without California identification, there is no safe place to store money. The money transfer services charge a lower commission for higher dollar amounts, so workers carry their wages for weeks before wiring them home. I was astonished at how frequently workers would open their wallets to reveal \$600, \$800 or \$1,000 in cash. The fact that day laborers carry cash is common knowledge and causes them to be targeted for robbery. One evening I arrived in the shelter to find Jorge, a friend of Segundo and Estefan’s from Chiapas, despondent. In three months of work he had amassed \$1,400. After being dropped off by a employer at 24th and Mission, the very

center of activity in the area, he made the misjudgment of exposing the contents of his wallet. A group of young men saw the cash and robbed him. That evening he spoke wrenchingly about his failure as a father and husband, that in seven months away from home he has scarcely managed to repay the cost of his passage.

The incidence of violent crime for this subpopulation is hard to estimate, but it seems high. Among the 60 men in the shelter where I spent time there was one man under medical care for a stab wound and another who had been shot in the arm. Many told stories of beatings and robbery.

The day laborers also seem targeted by scam artists preying on their unfamiliarity with our social system and apprehension about contact with authorities. One distraught worker consulted me about a set of English videotapes that he had considered buying. Over a period of weeks a representative of what was purportedly a publishing company phoned him trying to sell instructional tapes. He was considering buying them for his son in Mexico. After several lengthy conversations the caller concluded that Luis had committed to purchase the set. The caller said that Luis had entered into an oral contract that was recorded on tape and would have to pay \$1,200. The caller demanded the money before the videos were delivered; if Luis did not produce the money government agents would be contacted to begin an investigation. Despite the fact that Luis was planning to return to Mexico in only two months he was extremely concerned about the possibility of "trouble with the law." The next time the caller phoned to demand payment Luis gave him my phone number, explaining that I was his legal advisor and he should talk with me. The calls ceased immediately. As we

shall see later some employers use equally nefarious tactics to manipulate and defraud workers.

Regardless of their actual incidence, the threats of violence and fraud play a key part in the psyche of the day laborers. Unnerved by the stories about crime and anxious to avoid conflict, many men restrict themselves to locations known to be safe, rarely venturing beyond the street corner and the shelter or rented room.

Ivan, a 30 year old tractor driver from Hidalgo explained,

Pero sí esta cruel. No puedo aguantar - siempre lo mismo. No mas del trabajo al cuarto. No hay suelto como hay allá. Allá se puede andar de las dos de la mañana, las tres, no hay problema. Ya no hay, como aquí - las bandillas. Allá no hay nada de problema. Aquí - no... Tiene que andar con cuidado. No es igual. Por ejemplo - si pasa un problema, toda la gente, algunos que es de otro pueblo, sale a ayudar. Por ejemplo - si aquí uno ve algunos pebandose, pasa y no hace nada. Y allá sí.

It is cruel. I can't handle it – always the same. Just from work to the room. There is no freedom like there is there [at home]. There you can walk around at two, three in the morning, no problem. There aren't gangs like there are here. There there is no problem, but here you have to watch yourself. It's not the same. For example – if there is a problem, everyone, even from other towns, come out to help. For example – here if you see people fighting you just pass by and don't do anything. But there you do.

The anxiety about violence is compounded by the transitional nature of the day labor community. Workers are constantly arriving and leaving, finding permanent jobs or losing them and returning to the street corner. The group on the street corner thus changes from week to week. Trusted old faces disappear and strangers replace them. Because the community is fluid it is difficult to establish stable supportive connections. Workers say the best strategy for avoiding trouble is to keep to yourself. Fernando, the 35 year old piano teacher who is working to pay for his mother's brain surgery, explained,

La otra vez fuimos a una Misión. Estaban dando desayunar y este yo me entere y dije vamos a ver por primera vez vamos a comer a una Misión no? Pues resulta que había personas que acababan de comer y dejaban la charola con sus cosas sobre la mesa. Entonces dicen las señoras por favor les va decir a sus compañeros que cuando se levanten tiren el contenido de la charola y que lo boten a la basura y que dejen allá la charola. La reacción de todos fue: no! No meterse en problemas. Y tienen razón porque nunca sabe uno como van a reaccionar. Oh sea - daba uno su sensibilidad ellos reaccionan de manera agresiva y andando uno en la calle le puede pasar algo, cualquier cosa puede pasar...

The other day we went to a soup kitchen where they were serving breakfast and I thought – so this is the first time we’re going to eat in a soup kitchen. What happened was that there were some people who had just eaten and left their trays with their things on the table. The women [working there] asked us if we could please tell our friends that when they got up they should throw away what is left of their food and leave the tray next to the trash. The reaction of everyone was – no! Don’t get yourself into trouble [by saying anything to the litterers]. And they’re right because you never know how they are going to react. Because of their sensibilities they might react in an aggressive manner and walking in the street something happens to you, anything might happen to you...

Mario echoed this.

Yo me llevo bien con todos, con todos. Ya que sea el mas cabecilla hasta el más menso. Con todos mi relación es... no me meto en bronca. Si dices ese carbón que aquello es negro y aunque sea blanco - no pues que buen color. Dales siempre si punto vista exacta y no te metas en controversias.

I get along with everyone, with everyone. From the brainest to the dumbest. I relate to everyone because I don’t put myself in conflicts. If that guy says – that’s black – even though it’s white – well, what a fine color. Always give them their exact point of view and you never get involved in controversies.

Many workers subscribe to this philosophy and it contributes to a sense of isolation. Since it is unclear whom you can trust and whom you cannot it is safest to avoid engagement. I was consistently surprised at how little men whom I saw together day after day on the same corner knew about each other. More than once I found myself introducing people who had stood side by side for a week, yet did not know each other’s names.

This perspective on the dynamics and emotional world of the day laborers would be incomplete without noting that the street is not always cold, miserable and desperate. Workers did spend free time playing soccer, going to movies, going downtown to peoplewatch. Some talked about how they had developed or deepened friendships through adversity. Despite the competition and desire to avoid “getting involved in other people’s business” some workers found a sense of community in the Mission.

Mario explained:

Si te fijas todo lo de la Misión son puros Latinos y uno habla de sus cotorreo, uno habla de sus cotorreos. Vas a alguna taqueria casi la mayoría son Latinos te identificas con todos aunque uno sea de otro país, de otro país, otro sea de otro país todos nos identificamos porque somos iguales. Casi la mayoría - chaparitos pansones, cachetones, bigotones, barbudos unos sin barba otros sin bigote pero todos casi por lo regular son morenos. Si dices casi estoy en mi tierra porque todos hablan el español.

If you notice, all of the Mission is pure Latinos and everyone is joking around and bullshitting. You go to a taqueria and almost everyone is Latino. You identify with them even though this one is from this country and that one is from another country because we’re all the same. Almost everyone – short ones, fat ones, chubby cheeked, ones with beards, mustaches – almost all are dark. You say, I’m almost in my own country because everyone speaks Spanish.

Unpredictability

Yet another feature that contributes to the dynamic of the street is the impermanence and unpredictability of life as a day laborer. Mario reflected, *No se sabe lo que el día de mañana que pasar. Porque la vida no la tienes comprada.* You never know what will happen from one day to the next – nothing is guaranteed in this life.

Because roofing, painting and landscaping provide the bulk of jobs, employment is weather dependent. A string of storms might mean no income for a week. Even in the best of times employment is spotty. A week of work might be followed by a week

of staring at the passing cars. Workers are aware, however, even in the slowest times that at any moment they might get their break. The carpenter who needs a new assistant, who will pay \$12 an hour for 40 hours week after week, might arrive. But workers are also aware that the worst can happen at any time. The scaffolding might collapse, the ladder can fall or they might burn themselves with tar and they will be left in dire straits.

Living circumstances are yet another source of insecurity. Will there be room in the shelter? Where will I sleep when my three months is up next week? Even the rented rooms are inherently unstable arrangements. As casual, unregistered accommodations the landlord can raise the rent with impunity. In other cases, house dynamics force workers to leave. And finally the most obvious source of insecurity that dictates so much of their experience – they are undocumented. They live in a foreign country where they do not speak the language and are technically considered fugitives. Workers are of course acutely aware of their legal status and are also aware of the public rhetoric that vilifies them as parasites. To many this is a deeply unsettling; the psychic toll that this imposes will be addressed at further length below.

The combination of these pressures – the competition among workers, the threat of violence, the insecurity and instability of daily life – contribute to an underlying anxiety. It is an extremely tenuous existence, a life with no safety net. The rewards are potentially great; lucky workers find a regular job and make money that they can take home and educate their children, buy property or start a business. But the risks are great as well. This sense of risk generates a gnawing tension that is evident in interactions on the street and in the experiences of individual workers.

Coping with Life as a Day Laborer: the Individual Emotional Experience

Pride

The intense stresses and insecurities of the street can generate an emotional maelstrom. The emotional reactions are as variable as the men themselves, but a few common themes emerge. First is a sense of pride. They talk about the pride they feel at enduring and surviving. Francisco, the 46 year old former businessman who came to raise money for his daughter's birthday, talked of the ordeal of crossing the border. It is important to keep in mind that Francisco made this journey despite a chronically bad back.

Aunque no estoy trabajando tengo el lujo de haber ganado la batalla porque ahí en la frontera te encuentras con la inmigración que esta de piso - como dicen las perreras. Y luego después con lo que andan en caballo y luego que los avientan por el aire que balan a las montañas esos relampaguean, recorren toda la noche recorren todos los cerros. Las patrullas, los civiles... Cuantas cosas tienes que pasar!!

Even though I am not working I have the luxury of having won the battle because I made it across the border. There along the border you run into the immigration on foot – the ones with the dogs. And then there are those that ride on horses and later those that fly through the air beating the mountains like lighting. They are searching, searching the mountains all night long. The patrols, the police. So many things you have to get past!

Mario talked about the emotional cost of the border and the lessons he gained through the experience.

Si pues se sufre porque hay que pasarse unos dias, dias sin probar alimentos, pero se valora lo que tiene uno. Se valora la familia cuando uno esta sufriendo, se valora los hijos se valora muchas veces cuando uno se enojaba con ellos, cuando uno pues las maltrata que aveces los familiares te dan uno. Entonces todo eso cuando uno pasa algún troncioso en la vida aun una cosa no deseada entonces si piensas en ellos. Muchos lloran hasta el mas valiente llora... de la soledad, de la soledad y de lo que están sufriendo...

You suffer from passing days without eating, but you start to value the things that you have. You value your family when you are suffering, you value your sons, you value all the times that you were angry at them, when you mistreated them like families do. It is when you have a setback in life that you think more in them. Many cry – even the strongest cry... from the loneliness and what you are suffering...

Roberto is a young man from the state of Sinaloa. His story comes with a note of macho bravado.

Yo tengo 20 anos. A mi, compárame con los que andan tomando. Allí ellos tienen 40,30 anos pero checa mis experiencias las de ellos. A mí me paso lo que te platique - he pasado hambre he pasado desveladas, he pasado humilladas, he pasado digamos 3,4 días sin bañarme he, he, he jale comidas He comido cosas ya echadas a perder y no me he deprimido porque soy fuerte. No por eso voy a agarrar el puto pomo he tomando. Porque? Me voy a hundir mas si somos jóvenes para echarme a perder. Has dado cuenta que para mí unos de esos para mi no vale nada. Mi sacrificio, el mío... bueno en mi mente de todo lo que he pasado debo de ver mi beneficio mis beneficios los debo de tener...

I'm 20 years old. Compare me with those drunks. There they are 40, 30 years old and compare my experiences with theirs. All the things I told you about happened to me – I've gone hungry, gone nights without sleeping, been humiliated, gone 3,4 days without washing, I've wolfed down food. I've eaten things thrown away rotten and it hasn't depressed me because I'm strong. For this I am not going to grab the fucking bottle. Why? I'm just going to sink deeper and I'm too young to lose myself in that. Do you realize that for me that's worthless? My sacrifice, mine... well, I think that everything that I have endured is going to pay off. It had better pay off...

Many workers echoed Roberto's pride at maintaining an upright moral stature. They talked about the temptation to drink and the easy availability of drugs. Another temptation is selling crack on 24th street, jobs that are easy to come by and reportedly pay up to \$200 a day. Considering the reception they receive in this society is it perhaps remarkable the degree to which undocumented workers subscribe to the local standard of conduct. Fernando said,

Es bonito que uno viva pero que viva uno dentro de los parámetros de decencia y los parámetros de la comunidad. que uno se pueda brindar. En cierta forma da gusto cuando decir - yo vivo así..... Como te diré... es como un código moral o un código interno.

It is good to live within the parameters of decency and the parameters of the community. It's the best that one could give to one's self. In a certain way it makes me feel good to say – I live like this. How should I say this – it is like a moral code or an internal code.

Finally workers take pride in their successes. When they do find work and are able to send money home it is a vindication of their struggle. To have sent money means that you are succeeding in the role of patriarch, provider. This is a source of immense satisfaction. In Mexico, venturing to the U.S. for work is respected as a constructive, legitimate and important contribution to the household. Men and women who make the arduous and dangerous journey North are appreciated and admired for their sacrifices. The position of migrant workers in the communal imagination is perhaps captured in Western Union commercials aired in Chiapas. Stirring music plays as dignified Mexican men and women in Chicago, Detroit, Houston glance up soulfully from their assembly lines into the camera. A voice-over explains that they entrust the money they have earned for their families through their sacrifice to Western Union.

Shame

Unfortunately the street is just as often the site of frustration and despair as satisfaction and pride. Marginalized and alienated, these workers must display themselves as conspicuously as possible along one of the city's most busy thoroughfares. Many workers reported a great sense of shame at standing on the street corner both because they feel dirty and unpresentable and because of the judgments they believe passers by make of them.

A powerful dynamic on the street is the perception that there are two types of laborers: the *vagos* (the lazy degenerates) versus *los que trabajan* (those that work).

This is perhaps based in the fact that there are corners where Latino men drink openly and deal drugs. The aura of menace and delinquency that emanate from these sites captures the public imagination and are key markers in the symbolic geography of the Mission. In general, overt drinking and drug dealing take place on corners isolated from the corners where day laborers wait. There is a significant rate of alcoholism and drug abuse among the men waiting for day labor as well, but these hopeful workers tend not to use these substances openly while waiting.

Workers – even those who drink and use drugs – are vociferous about distancing themselves from the *vagos* and feel that they are misunderstood. Fernando explained his perspective.

Ya estamos encasillados [typecast], a pues es cosa de Latinos. Esos Latinos con su ideología. Ganando mala fama por culpa de algunos tantos que también aun en sus países de origen ni los han de querer, pero que han tenido la suficiente habilidad para poder llegar acá pasando lugares este inhospidostos burlando ahora si la vigilancia. Países no, pero ya ni allá los quieren. si por ejemplo un borrachito que no hace nada mas que esta perdiéndose en el alcohol. Allá tampoco los quieren, no sirve...

We're typecast. They think – typical Latinos. We have gotten a bad reputation because of a few idiots who aren't wanted even in their own countries that have had enough ability to get here, passing through inhospitable places, laughing at the law. Even in their own countries they are unwanted. For example a drunk that doesn't do anything more than lose himself in alcohol. They aren't wanted there either, they're good for nothing.

Workers gave many examples of why they felt that passers-by consider them trash. They were particularly insulted when passers-by asked to buy drugs. Workers said that cars occasionally stopped and solicited sex.

Confounding their desire to distinguish themselves from the *vagos* is the fact that many laborers are homeless and perform heavy dirty labor. Many men said that

they would be ashamed to be seen in their communities in the state they grow accustomed to here. Young Roberto explained,

Aquí uno anda como si fuera un mendigo, mal vestido, mal comido, mal bañado... Mira me a mí como tengo mi cara por eso me entiendes... tu los ves todos cochinos o cuando los agarraran en el campo todos cochinos y así van caminando sin bañarse tres días y si ni un dinero en la bolsa.

Here you walk around as if you were a dirtbag, badly dressed, without eating, without bathing... Look at me! Look at how my face [bad acne]! You understand? ... You see them [immigrants] filthy like pigs or when the immigration catches them in the fields, they're all filthy and there they go without bathing for three days, without even a dime in the pocket.

In this state of public display of their bodies and heightened self-consciousness, relatively small physical defects become magnified in importance. A 27 year old professional musician from Mexico, has congenital nystagmus a disorder of the ocular muscles in which his eyes twitch rapidly from side to side. He was extremely concerned that people thought he was using drugs and because of his self-consciousness was unable to look strangers in the eyes. Compounding the problem was the fact that the vibration of his eyes increased as he grew anxious; this made his cosmetic problem feel to him like a moral failure. He was aware of the degree to which his impairment and inability to meet the eyes of a potential employer hurt him in the street corner labor market. There is little charity or tolerance in the exchange of labor; employers select for what seem to be the fittest, most stable bodies.

The anxiety over appearance is exacerbated by treatment laborers receive while in the workplace or in the community. One of the indigenous immigrants from Chiapas told me of the shame he felt when a woman picked him up to work in her garden. Before allowing him into her car she laid newspapers across the back seats to keep him from dirtying her vehicle's interior.

While waiting on the street corner the day laborers are often subject to abuse.

Many laborers develop the impression that they are loathed by passers-by. Asked what city residents thought of him Estefan explained:

Si, pues piensan, no - este es un borachos como digo hay mucha competencia ósea de que no que estos son puras para fumar mota o flojos no quieren trabajar. Se desespera y piensa uno en lo ve la gente. Hay mucha desesperación en la Army de que hay veces pasan no mas por burlar hey!, paisa échenle ganas y que ganas Si, los mismos Latinos entre no pasan Hey! Échenle ganas! O no mas esta uno allí parado allí no mas pasan por fregar o hay gabachos que pasan no mas y te sacan el dedo así que si les gusta estar parado. A uno allí no se desespera uno así como un muchacho que tengo un primo aquí que llevo los primeros días aquí no se desesperaba a las nueve ya se venia a las diez no ya no quería estar allí le daba vergüenza. Le daba vergüenza pasaba así siempre un gabacho que le mostraba así Que estaba bueno que el estaba parado allí pero le daba vergüenza el estar parado allí Ya ni modo lo que quiere es uno trabajar y tengo.....

Well, they think – look at that drunk. They’re pot smokers or bums that don’t want to work. You get discouraged when you think about what people think. There is a lot of desperation on Army [Cesar Chavez]. Sometimes they pass and just to mess with us yell [in Spanish] Hey! Countryman! Get your ass in gear!... Yeah – it is Latinos like us that pass and – get your ass in gear! Or you’re just standing there, and just to fuck with you or there are white guys that come by and stick out their finger [middle finger] like this. As if they would like to be standing here. It gets you down. Like this kid – this cousin of mine – he got here and during his first days got so discouraged. By ten o’clock he didn’t want to be there it made him so ashamed. It made him ashamed when that white guy would pass and give us the finger. It is good, it is good that we are standing here but it makes you ashamed. Yeah – whatever, no big deal. All you want to do is work....

Estefan’s comment captures the conflict between the sense of pride at having come to work and the anguish at their position in society. Estefan’s recollection is typical in another way as well. In general, workers were reluctant to acknowledge the emotional toll that working as a day laborer takes. While in the transcript Estefan talks of “his cousin” and concludes that it is “no big deal,” the intensity of his affect makes it clear that Estefan is affected on a visceral level.

The laborers are often painfully cognizant of the gap between them and the rest of American society. Philippe, the man who was beaten because of the gang writing on his backpack, told me about a day he spent in Dolores Park watching people with their dogs. Hungry, he began to fantasize about what would happen if one of those fat dogs would bite him. He could sue! Laughing about schemes he was concocting he finished angrily – “here in San Francisco dogs live better than Mexicans!”

Despite the intensity of these feelings, the prevailing mood at the street corner is generally not of shame. A more common reaction to the days of waiting is boredom. The days of boredom can sap a worker’s feelings of purpose and achievement. Asked what the hardest part of being in the U.S. had been Ivan replied, “*No más piensa uno en el trabajo.... Viene uno a lograr algo, no a gastar demasiado*” “You only think about work... You come to achieve something, not to waste”

This questioning of purpose is particularly true in the context of injury. When laborers can no longer work they quickly begin to question their reason for being in the U.S. and must face the possibility that the financial, physical and emotional sacrifices they made to get here were wasted. Speculating about when he would be able to work again Mario mused,

que no sea muy lejos porque si no me tendré que regresar a mi país. Ya sin trabajo no aguanto. Yo soy una persona de acción porque si no trabajo me siento mas mal. Ahorita por lo de mi enfermedad francamente esto es otra honda no es pro flojera no es por huevonada no es porque no tenga trabajo no es porque el trabajo no este no es porque un patrón me corrió no es porque esto o lo otro. Es mi enfermedad, punto. Allí estoy bien - en este mes. Pero el otro? Hay que pensar en el otro como va a venir. El otro va a hacer así indeciso. Ojalá sea así temporal y se aplaque el temporal y que este bueno y si no esta bueno hay que soportarlo...

[the ability to work] had better not be too far away because I will have to go back to my home. Without work I can’t stand it. I’m a person of action because if I don’t work I feel worse. Right now because of my illness it is a different story. It is not because I’m

soft, not because I'm a wimp, not because I don't have work, it is not because of work, it is not because the boss fired me, not for this or that. It is my sickness, period. There I'll be well – in this month. But the other? I have to think of what is going to happen then. Is the other going to be this way, this uncertain? God willing, this is temporary and it will calm down that it will be good and if it is not I'll have to endure.

Francisco addressed the impact of his back injury.

Pero si me ha limitado a desarrollase un poquito. Yo se que ahorita a me siento un poquito desesperado porque no trabajo. No, no, no mando dinero para México. Pero que voy a hacer? Si me desespero ni voy a resolver mi problema de la espalda. Eso es todo Lo que tengo que hacer aguantar es un pocito, nada más. Eso es todo lo que tengo que hacer aguantar. Si veo que no voy a poder trabajar. Tengo que ver como le hago para regresarme.... Ya con unos \$200 ya me regreso.

But yes it has limited my development a bit. Right now I feel a bit desperate because I'm not working. I don't send money to Mexico. But what am I going to do? If I despair I am not going to resolve my back problem. That is it. What I have to do is put hang in there. Yeah, I see that I am not going to be able to work. I have to see how I am going to make it back.... If I can get \$200 I can get back

Yet another common emotional facet of life as a day labor is loneliness. Unlike many other immigrants that come with family, very few of the day laborers had family members in San Francisco. When they did have family here it was virtually always cousins or siblings rather than spouses and children. Estefan talked about his family.

Estar fuera de la familia es un gran sacrificio. Hay veces va uno como que va tranquilo pero en la mente siempre piensa, yo pienso en mis hijos, siempre diario ...a diario estoy pensando que estuvieran haciendo mis hijos o quien sabe que les paso osea que les va a pasar mañana no, no lo esta uno mirando es difícil.

To be away from the family is a big sacrifice. There are times when you are calm but in your mind you are always thinking. I think about my sons, always, everyday. Everyday I am thinking about what they are doing or who knows what has happened to them, or what is going to happen tomorrow. Not to be there watching them is hard.

Mario voiced a similar sentiment.

Si tienes alguna enfermedad tu familia te ve observa, te da alientos para sobresalir y así no solamente que tengas pues para la tarjeta pues telefónica y ya les hablas. Y si no lo hay aunque quieras hablarles muchas veces la soledad afecta a uno - de ilegal porque te digo como te dije hace un rato no los hombres más hombres lloran porque la

soledad es cabrona también. Aunque muchas veces la sonrisa la tenemos en los labios pero por dentro

If you have some sickness your family takes care of you. They feed you and nurture you, not like here where you only have a telephone card and you talk to them. And sometimes if you can't afford a card and you want to talk to them the loneliness gets to you. For us illegals... Like I said a minute ago, even the manliest men cry because the loneliness is a bitch. Even though a lot of times you'll see a smile on our lips, inside...

The sense of isolation is exacerbated by the fact that these men are restricted to the margins of society by their legal status. Restriction was a theme that emerged repeatedly. Workers like Estefan referred to restrictions on their movements,

Chiapas es más tranquilo. Sales a donde tu quieras... Tienes mas libertad. Salgo donde voy pero aquí pues porque es uno inmigrante no tiene uno papeles y por eso uno trabaja con desconfianza.... Pues pienso estar con mi familia, tener libertad... aquí como es algo como encerado no estas con tu familia no mas dedicas al trabajo, al trabajo, al trabajo. No disfrutas nada de tu familia...

Chiapas is more calm. You can go where you please.... You have more liberty. I go where I want but here because you are an immigrant and you don't have papers you have to work in uncertainty. I think about being with my family, having freedom. Here it is like something enclosed, you're not with your family, you just work, work, work and never enjoy your family.

Mario expressed the same sentiment,

Como no somos legales entonces siempre tenemos que andarnos cuidando de uno a otros. Ósea cuando yo pase la frontera de este lado siempre andarse vigilando de la migración de los verdes... Si, es pesado porque no andas libre no te sientes libre en si te sientes algo prohibido porque en si, en si no es libre porque aunque esta jaula sea de oro nunca deja de ser prisión. Aunque no camines te trompieras y siempre hay que estar a las vivas con el temor que te vallan a chingar ahí por hay...

Because we are not legal we always have to be watching out.... From the point of crossing the border you always have to be watching out for the greens [immigration]. It is hard because you don't travel freely and you feel like you have done something wrong. You are not free because even though it is made of gold this place will always be a prison. Even though you're not doing anything wrong, you always have to live with the fear that they are going to screw you...

These conflicting emotional reactions to life on the street – the pride at surviving honestly and providing for the family, the shame and humiliation, the discouragement and loneliness – seem to shift with the worker's prospects. Not surprisingly, workers who spent a week in the cold January rain without working became disheartened. Similarly, those laborers that found steady employment were generally much more upbeat about their presence in the U.S.. It is work that provides these laborers with a sense of purpose and makes the stresses they experience tolerable. In the same sense that they are in an economically and legally tenuous situation the workers are in an emotionally vulnerable state.

The dynamics experienced on the street are intimately linked to structural violence. It is their status as undocumented people that largely prevents day laborers from working in the formal sector, in jobs that would be better paid, more predictable and safer. As we saw in the previous chapter, immigration laws do not prevent their employment, but they do force undocumented immigrants to work in precarious situations. It exposes them to the uncertainty, fraud, humiliation and abuse that takes place on the street corner. Similarly, it is this society's refusal to formally acknowledge the presence of undocumented workers that prevents them from taking basic steps that would improve their security such as opening a bank account to store their money or contacting the police when they have been assaulted. Structural violence is mediated on the local level by through these mechanisms; it is the inscription of structural violence on the lives of the day laborers.

Chapter 4: Injuries and the Workplace

Work is the central focus and preoccupation of day laborers. “We didn’t come to vacation; we came to work” is a common refrain. The circumstances and conditions under which they labor have a correspondingly determinative impact on their experience of injury. As we shall see, the ramifications of injury or disability are shaped by workers’ lack of security, protection and power in the workplace. This is a crucial mechanism by which conditions of structural violence can be seen to impact the lives of individual workers. The vulnerability of day laborers in the workplace is dictated by the political and economic structures outlined in chapter two. In this chapter, we will explore the ways in which workplace dynamics alter the experience of ill health for these migrants.

The first task is to define more precisely the nature of day labor: the types of work they perform, the economic relationships with employers and what legal protections exist for workers. A discussion of the workers’ attitudes and adaptations to this work environment follows. Finally, we will examine the case study of an injured worker to illustrate the ramifications of structural violence in the lives of individual workers.

Work Conditions for Day Laborers

Like so many aspects of the day labor experience, the experience of these migrants in the workplace is variable. The extremes range from a mythologised few who manage to join middle class America, to workers who are subjected to dangerous and degrading conditions and cheated out of weeks of labor. While acknowledging

these extremes, this section will focus primarily on the “typical” work experience, drawing on the observations heard again and again in conversations with day laborers.

The work that day laborers perform is quite diverse. At the risk of oversimplification, it can be divided in two types of employment: “odd jobs” and heavy physical labor. The “odd jobs” tend to be short-term projects on behalf of individuals or casual employers. For example, during my fieldwork, the workers I spent time with were hired to sell T-shirts on the Golden Gate Bridge, collect trash at the AIDS Walk, clean out someone’s basement, stock produce at a fruit stand and distribute fliers on windshields and doorknobs. This type of work is less common than harder physical labor and is infrequently the cause of injury. It is not the focus of this discussion.

The great bulk of the employment the day laborers find is heavy physical labor in construction, landscaping or moving. The employers who come to the street corner to recruit workers rarely represent large formal construction enterprises. More commonly employers are small businesses that are contracted for roofing, carpeting, remodeling or demolition projects. These contractors seem to rely on the day workers because their labor needs are variable. Often they will hire several workers for the labor-intensive phases of a project – for example, excavating a foundation – then lay them off several days or weeks later when the bulk of the work is finished.

Characterizing the employers is difficult because this study was conducted from the perspective of laborers on the street corner, and my personal contact with employers was very limited. However, a few generalizations can be made on the basis of the workers’ stories and the interactions I observed on the street corner. Many of the employers are themselves recent immigrants. I was often called over to a potential

employer's pickup or van to translate, to discover that the employer spoke only Chinese or Vietnamese.¹⁰ Consistent with Zlotniski's observation that there is a continuum of formality among employers in his study of casual labor in San Jose, the employers of day laborers in San Francisco range from bonded, insured and state-licensed contractors to fly-by-night landscaping or demolition operations.

Common patterns of injury are associated with different work environments. Workers laying carpet slice their fingers while cutting material with sharp blades. Workers laying hardwood floors or working in construction may smash their fingers using unfamiliar tools. Laborers moving furniture or other heavy loads experience musculoskeletal injuries. Workers doing demolition are injured by construction debris or are exposed to asbestos. Workers in a variety of fields are exposed to irritating dusts and fumes.

The most dangerous job however is roofing. Estefan recounted some of the risks of working with hot tar.

Siempre las personas que trabajan siempre trabajan con dos pensamientos - que tal si les pasa algo? Porque es peligroso. Es peligroso como si tu trabajas en el quero, lo que es la maquina del chapote, bien sea que te quemas. Allí es lo más natural de un accidente que pase es solo que te quemes o que te aplaste así. El chapopote como son cosas así pesadas y como son bastante ya sea que tu mano o tus pies te aplaste eso es lo peligroso. Sea que te caes subiendo de la escalera subiendo materiales. O bien sea que arriba como son hay partes que son unas reglitas de pura madera así no. Hay veces que están muy delgadas y están medio podridonas así y que traen como un bote de basura encima y abajo se va. Yo me paso dos veces... pues aveces se les trata de decir - oiga -necesitamos guantes, oiga necesitamos mascarillas. Hay algunos que estan concientes y si dan guantes, mascarillas pero otros no.

The people always work with two thoughts – what if something happens to you. Because it is dangerous. Like if you work at the burner, that's the machine with the tar.

¹⁰ The characteristics of various ethnic groups as employers were a frequent source of debate. Some workers argued that certain groups are inherently dishonest abusive bosses; others countered with their own examples and argued that race was not a factor.

It's certain that you are going to get burned. The natural thing that'll happen to you there is that you'll get burned or you smash yourself like this... The buckets of tar are heavy and will smash your hands or feet. That's dangerous. It might be that you fall while you're climbing a ladder carrying material. Or up high there are parts with wood supports like this. And sometimes those supports are really narrow and half rotten and if you come carrying a bucket of trash, down you'll go. That happened to me twice... Sometimes we try to tell them – listen – we need gloves. Listen – we need masks. There are some that are conscientious and they give gloves and masks, but others no.

His testimony is backed by data from the Federal Bureau of Labor Statistics.

Construction is the single most dangerous industry in the U.S.. Of the construction trades, roofing and sheet metal work were tied for the most hazardous, with one in five workers suffering injuries or illnesses attributable to their work in a given year (Personick 1992). The most common injury among construction workers is fractures due to falls (Personick 1992).

Falls and near falls from scaffolding and ladders are common among day laborers. Roberto, the 20 year-old, broke ribs falling from a fruit tree in Washington with a shoulder bag full of peaches. His uncle, also staying in the shelter, had fallen three stories when a scaffold broke. His left elbow was broken badly and he has regained only limited mobility.

Structural Determinants of Risk for Day Laborers

Construction and roofing are inherently dangerous, and there are factors that particularly exacerbate these risks for day laborers.

High Turnover, Poor Training

For employers, day laborers are a flexible resource; they are available when needed but employers have no ongoing commitment to them. Employers have little

incentive to invest time training and preparing workers who will be employed for a short time. Thus, despite the fact that most workers arrive without experience and perform hazardous duties like transporting hot tar up and down buildings, they receive little or no training. Training is also limited by language barriers; workers rarely speak English and employers are generally not fluent in Spanish. Workers must learn on the job from their peers. Basic techniques such as lifting heavy loads with the legs and a straight back are often unknown to immigrants who formerly worked as taxi-drivers or teachers in Mexico

Lack of Physical Preparedness

The fact that men are standing on the corner does not necessarily mean workers are experienced, fit and physically prepared for hard labor. Fernando, the 35 year old man who worked in Mexico as a security guard and piano teacher, recounted his first weeks working in the U.S.. He laughed at his initial softness but the point remains that an overweight music teacher is at great risk for musculoskeletal injuries when he begins using a jackhammer.

Después de haber tenido manos ahora si de terciopelo esas manitos, el primer día que trabaje fueron nueve horas continuas agarrando pala y pico! Ese día hasta vomite la comida del esfuerzo! Pero rápido me puse ósea el cuerpo se adapta a las circunstancias.... Nueve horas con la pala es bastante pesado. Cuando yo llegaba a acostarme a dormir ya no te digo que me dolía porque hasta los huesos me dolían. (risas) Y ya después ayude con eso - como se llama - que es eléctricos que tiene que sirve para remover la tierra - jaw hammer. Estuve como quince días ya para ese tiempo olvídate ya en quince ya estaba yo ya me sentía yo un hercules (risas)

After having had hands of velvet, these little hands, the first day I worked we went for nine straight hours with pick and shovel! That day I almost threw up from working so hard! But quickly I got, well, the body adapts to the circumstances.... Nine hours with pick and shovel is really hard. When I would go to lie down at night – I tell you – even my bones hurt. (laughing) And after that I worked with that – what do you call it – one

of those electric things that breaks up dirt – a jackhammer. Spent about 15 days, and after that – forget about it – I felt like Hercules. (laughing)

Workers are also vulnerable due to simple unfamiliarity with the work environment. Risks that local people perceive are often unacknowledged by immigrants like Segundo, the young indigenous man from rural Chiapas introduced at the start of Chapter 2. During his first weeks in California Segundo was hired to clear brush. He explained that he thought – *finally something I know how to do* – as he rolled up his sleeves and spent several days in a patch of poison oak.

Inadequate Safety Equipment

The dangerous lack of training and preparation is often made worse by inadequate safety equipment. Fernando, like Estefan, has worked in roofing.

Yo he andado en roofin, yo he andado arriba en unas casas que tienen tres pisos sin ningún aditamento de seguridad, ni arnes. Hasta hay quienes que ni siquiera te dan guantes, ni siquiera te dan algo para cubrirte del polvo... Entonces yo que sé de seguridad - lo veo increíble pero esta bien. Esta bien porque hay uno mano de obra que lo hace, no? Que le pagan poco, poco con relación al nativo de aquí no? Pero ese que gana poco le va a servir para ayudar a su familia. Entonces por ese lado esta bien, pero desde el punto de vista de seguridad este no esta bien porque si esa persona sufre un accidente ahora si no va a haber ni seguro nada para que le ayude a esa persona... Todo por el afán de ahorrar dinero aveces.... Lo que sucede que aveces el indocumentado va a trabajar bajo muchos riesgos que un este un Estado Unidense no lo haría. Y también eso sucede debido al dinero.

I have worked in roofing and I've been three stories up on top of houses without a single piece of safety equipment, no harness or anything. There are some that won't even give you gloves or something to cover yourself from the dust... So, with what I know of safety – I think it is incredible, but it's ok. It's ok because because someone has to do it, no? Someone that they pay little, little relative to a native of here, no? But what little he makes will be enough to help his family. So for that reason it is ok, but from the point of view of safety it is not good because if that person has an accident there is not going to be insurance, nothing that will help that person.... All this to save some money... Sometimes undocumented people have to work under a lot of risk that an American wouldn't do. And that also happens because of money.

These conditions clearly violate Federal regulations for roofing, which require gloves, masks, extensive “fall protection systems” like harnesses and set stringent standards for ladders and scaffolding (Johnson 1998). The literature recognizes the roofing industry as poorly compliant with safety regulations, attributing unsafe conditions to “extreme competitiveness of the home building and roofing industries, unsafe worker behavior... and a lack of knowledge” (Johnson 1998).

Paying by Productivity, Hiding the Injury

An additional feature that puts the day laborers at heightened risk of injury is that employers often pay by productivity rather than the hour, creating an incentive for workers to rush. When Segundo sliced his thumb while cutting carpet I asked what he did to take care of his wound. He said that he hid it from the boss and kept on working, wrapping it to avoid bleeding on the carpet. Because he was paid by the yard laid rather than by the hour or day he was reluctant to stop working.

Injured workers must frequently work despite their disabilities. A young Salvadoran man with a strained wrist compared himself to a horse with a saddle sore. He thought that if he could only stop working to let his wrist heal he would be fine, but he was concerned about supporting his family in El Salvador and paying his rent in the U.S. so he continued working despite the pain. This would seem to predispose to further injury.

The confluent circumstances of inherently dangerous work, high turnover with negligible preparation or training and economic incentives to rush put day laborers at high risk for injuries. This increased risk is an expression of their structural

circumstances. It is, after all, political structures that dictate the ways in which undocumented immigrants are able to participate in the U.S. economy. The refusal to recognize and legitimize their participation in this economy denies these immigrants entry into more protected sectors of the labor market. They are relegated to dangerous, largely unregulated jobs that native born workers will not accept. Their vulnerability is in large part a result of social and political decisions made by U.S. citizens – whether or not those decisions are conscious or their effects intended.

Economic Relations between Worker and Employer

The particulars of the economic relationships between workers and employers have a great impact on the workers' experience of injury. Some lucky day laborers find employers who treat them honestly and respectfully. One of the men in the shelter found work as a carpenter's assistant to an Irish contractor. He is paid \$13 an hour for a 40 hour week which is well above the local standard and reports that he is treated as a respected and equal member of the crew. This was by no means the exception. There are a number of employers that treat workers decently given the current structural circumstances. This final caveat is crucial, for an individual employer's beneficence blunts but does not erase the marginality of the worker's position.

There are also a large number of unscrupulous employers. As noted in the preceding chapter, it is often the newest and least acclimated immigrants that fall prey to fraud. Particularly striking was the large group of recent first-time migrants from Chiapas. As I spent time with them they began to tell me about their experience working in the U.S.. Somewhat ashamed of their guilelessness, they explained that

shortly after their arrival they worked 12 hours a day for three weeks without pay for a man in Daly City. He finally paid them not what he had promised but \$200 apiece or about \$10 a day. Despite several months in San Francisco, a number of these men continued to earn \$40 for an eight hour day which is below the Federal minimum wage, let alone the local standard of approximately \$7 an hour. One man explained that he knew it was too little but said “we have no other options; we have no friends here.”

This level of vulnerability combined with naivete was initially incomprehensible to me, but after seeing it repeatedly I began to understand. A combination of desperation and wishful thinking can lead workers to stick with an exploitative or abusive boss. One common scenario is that employers change the conditions. Having agreed to pay cash for the day when they picked up the worker on the street corner, employers declare at the end of the day that they will pay by the week. Unwary workers can be strung along with promises of future payments. Thus unscrupulous employers take advantage of workers’ desire to hold a job, no matter how unpleasant. Several workers remarked that anything is better than standing waiting on Cesar Chavez.

Legal Rights of Day Laborers

The fraud and injuries experienced by the day laborers prompt the question – what legal recourse do they have? The answer is perhaps surprising. If an employer has workers’ compensation insurance (which some do) then workers are covered regardless of their immigration status. This enables injured day laborers to sue for the cost of medical treatment and two thirds of the wages lost due to disability. When

cheated out of wages, undocumented workers can seek recourse through the Department of Justice, Labor Commissioner.

Local resources are available to assist day laborers. The Day Labor Program, one of my field sites, acts as an advocate for day laborers, arranging referrals and supporting victims of fraud. El Centro Legal de la Raza and Instituto Laboral de la Raza, both located within walking distance of Cesar Chavez Street, provide low cost or free legal services specifically oriented towards the day laborers. Considerable barriers remain however. While these organizations provide pro bono legal services, workers must pay the costs of investigation. Wage claims can be particularly difficult to establish due to the casual nature of day labor. Both worker and employer generally prefer to exchange cash. Except when workers are hired through the Day Labor Program there is almost never a formal contract that stipulates the conditions of employment and payment. When picked up on the street, workers sometimes learn no identifying information at all, not even the employer's name.¹¹

The strain of living on the streets can also limit the capacity of day laborers to pursue their grievances. As noted in the previous chapter, many of the day laborers are homeless, coping with dangerous and unpredictable work in a foreign country where they do not speak the language and are classed as fugitives from the law. Day-to-day aspects of survival – obtaining work, food, shelter – can be consuming. Despite the fact that the INS is conspicuously absent in San Francisco, most day laborers are extremely wary of encounters with authority and are reluctant to enter their names in formal

¹¹ The Day Labor Program conducts an outreach program that attempts to empower workers. It provides pocket sized notebooks in which workers are encouraged to document all information possible: license plate numbers, addresses, hours and dates worked, etc..

documents. A young man from Honduras who had been injured while demolishing a house, told me “*no quise perjudicarme* – I didn’t want to get myself in trouble [by filing a claim].” Many workers are isolated, lacking trusted companionship that would sustain and guide them through a protracted suit. Finally, some workers are transient, remaining in the city for only months before moving back home or elsewhere in the U.S.. This discourages them from initiating a lawsuit that could take months or longer to resolve. It is simply not a stable situation from which to organize and mount a prolonged legal effort.

Coping in the Workplace

Workers’ responses to these difficult work situations are complex. The intense economic pressure and the constant awareness that other labors will willingly take their place puts pressure on workers to endure unpleasant circumstances. Their position is tenuous; employers often feel little commitment to individual workers and have little compunction about dismissing them.

As discussed above, this dynamic is made even more stressful by the fact that new immigrants are often unfamiliar with the work environment. One man explained how difficult it was to work as a carpenter’s assistant when he did not know the names of tools in English. The worker felt panicky when the carpenter asked him to retrieve an implement; he thought that picking the wrong tool would expose him as incompetent and unqualified. This tension is exacerbated by the lack of training and fact that employers frequently dismiss workers. The feeling of inadequacy in the workplace can

be unsettling. Fernando explained that feeling that he did not know what he was doing is the hardest thing he has faced in the U.S..

Osea yo conozco del campo. Vengo del campo. Que yo este conciente de que lo estoy haciendo bien. Y aunque uno comete errores una y otra vez se corrigen. Que por ejemplo aquí... si mancha uno algo porque uno no sabe... Como cuando se mancha una pared o la alfombra, no es tan fácil arreglarlo y el patrón se enoja.

I know things about agriculture. I come from the country. There I know that I am doing things right. And if you do make a mistake you can correct it. But here for example... If you stain something because you don't know... Like if you stain a wall or the rug, it is not so easy to fix and the boss gets angry.

The stress of inadequacy in the workplace is undoubtedly most intense for those who are injured since they must frequently work despite disability. Workers make different accommodations for their injuries. Fernando separated his shoulder while biking to work when a driver opened his car door in his path. After his injury Fernando initially took only the "lightest" jobs like cleaning and handing out fliers. As time passed, he could not pay his rent and Fernando was forced to take whatever jobs he could find. He found a job moving furniture up and down stairs while trying to disguise the fact that he had only one functional arm.

Francisco described a similar anxiety – that at any moment his employer would realize how bad his back is and dismiss him.

Estas pensando si el patrón te dice - hey tráeme ese bulto de cemento - y que le digas no lo hago. En un momento que le digas hey no lo hago porque esto no puedes decir hey no lo hago porque esto te va a decir estoy malo de esto. No, no puedo. Te va a decir - eh para afuera! Si de fácil es lo que le dice.

You're thinking: what if the boss says to me – hey bring me that cement block – and you have to say I can't do it. At the moment that you say I won't do it because of this... Really you can't say that. No, I can't. He is going to say to you – get out of here! That simply – that's what will happen.

Having found a job, laborers feel intense pressure to maintain it. Workers frequently complained that employers were verbally abusive. Mario explained that he did his utmost to avoid antagonizing the boss.

Siempre el patrón tiene la razón. Siempre. Aunque este muy equivocado, este muy pendejo el siempre tiene la razón. Porque es el que paga. Y el que paga manda.

The boss is always right. Always. Even though he might be really wrong, a real asshole, he is always right. Because he is the one paying. And the one that pays says what goes.

This is not to suggest that the day laborers are passive victims. There were many examples of resistance on the part of workers. Not infrequently the workers at the corner where I did my fieldwork would reject a prospective employer's offer. We watched one man in a pickup truck roll slowly towards us, stopping briefly at clusters of men who shook their heads and sent him on. Arriving at our corner he offered \$6 an hour to clean tar debris off a roof. The workers rejected the offer, asking for \$10, and he continued on, seeking workers further down Cesar Chavez Street. After the man departed, the workers explained that the work was too hard, too dirty and too dangerous for only \$6 an hour.

After burning himself several times and smashing his finger while roofing, Estefan refused to return to the job. He was concerned with his safety and what would become of his family if he were injured, but the decision was also rooted in the disrespect he felt subject to in the workplace.

No quiero que se mi infecte. Que tal si me pasan mas cosas no?... y duele bastante y tiene agarrado un poco maduración y pues por eso ya no voy a ir con él. Voy a buscar un trabajo un poco más liviano, bueno no digamos liviano pero que no haya regaña. Es que el se enoja por poca cosa. Ya sea que tu no estas haciendo bien una cosa pero hay como aveces que como uno no sabe hacerlo igual uno así, así pues aveces nos dicen quita eso y si después no les gusta es cuando te regañan.....

I don't want it [his finger] to get infected. And what happens if more things happen to me?... It hurts a lot and is still tender so because of that I'm not going to go with him. I'm going to look for a lighter job. Well, let's not say lighter, but one where there isn't so much yelling. It's that he gets angry for little things. It might be that you are not doing something right, but there are, like sometimes when not everybody knows how to do things equally. So sometimes he'll say – get this out of here – and if he doesn't like you is when he'll yell.

Despite these negative aspects of the work environment, workers frequently express pride in their work. As discussed in the previous chapter, they proudly identify themselves as laborers. In fact, one of the highest praises they use is to call one of their compatriots *muy trabajador* or a solid worker. Their self-conception as hard working providers for the family seems to be their bulwark of self-esteem that counters the humiliation they experience as they offer themselves on the street corner. They frame their experience as an honorable sacrifice; while they may be ashamed to stand disheveled and homeless on the corner, they are proud of their work ethic. The importance of this self-conception as worker makes the experience of injury and disability all the more unsettling; the sense of purpose that was sustaining the worker emotionally can collapse.

The day laborers are generally aware of their role in the U.S. economy and many are proud of the contribution they make. Fernando of the separated shoulder explained,

El lado bueno es de que puede haber mano de obra dispuesta a lo que el resto de la sociedad no quiere hacer. Como este - hay trabajos que se necesitan usar las manos y la pala y no hay de otra. Si una persona necesita mudarse ya sabe a que calle tiene que ir y allí va a encontrar cargadores no. Pues aveces cuando se trata de fuerza de trabajo manual allí pueden encontrar la mano de obra no?

The good side is that there are workers available to do what the rest of society doesn't want to. Like this – there are jobs where you need to use your hands and a pick and shovel, there is no other way. If a person wants to move, they know which street they have to go to to find movers, no? So sometimes when it is a matter of force, a matter of manual labor, right there they'll find their worker, no?

This theme of undocumented immigrants eager to do the work U.S. residents would not do was common. Francisco was vociferous about not threatening U.S. workers.

Yo me encontrado compatriotas tuyos que me agarran y nos dicen ustedes nos vienen a quitar los trabajos. Yo no vengo a quitar el trabajo a los - disculpe la palabra - a los flojos. A los flojos no le vengo a quitar el trabajo, ni vengo como se llama a meterme en tu trabajo. Si tu agarras trabajo y no quieres trabajar, no vale. Si yo estoy obligado a ir si esa vacante esta ahí puesta pues yo voy y la ocupo. Por que yo vine a trabajar. Pero yo nunca he ido - "hey, yo quiero que me des ese trabajo que tiene aquella persona." Cuando? Estaremos locos para ir quitarte el trabajo. Si tu no tienes trabajo es porque eres flojo le digo. Pero yo no te he quitado nada. Nunca le, hemos quitado ningún trabajo a nadie.

I have run into compatriots of yours who grab me and tell us that we came to steal their jobs. I am not here to take jobs from those – excuse the word – lazies. I’m not here to steal jobs from the lazy or – how do you say this – put myself in their position. If you take a job and don’t want to work, that’s no good. Yes, I’m obligated to go if the job is vacant and I’ll take it. Because I came to work! But I have never said – “hey, I want you to give me that jobs that that person is doing.” When?? We would have to be crazy to steal jobs. If you don’t have a job it is because you’re lazy I say. But I have never taken anything from you. Never. We haven’t taken any job from anyone.

Mario offered the final and most forceful perspective on the matter.

Nosotros los mejicanos muchas veces no digamos los gringos son los pinches huevones. Esos no se van al campo. No se rajan la madre como nosotros. Siempre hay puros latinos. Fíjate en los campos de cultivo - puro Latinos, puro Latinos. No ves ningún Asiático no ves ningún Afro-Americano, no ves ningún Americano, norteamericano siempre vas a ver puros Latinos rajándose la madre. Pero así las oficinas vas a ver puro gringo, puro gringo pero vete al campo nunca vas a ver un gringo allí chinganease el lomo...

Mexicans like us, a lot of the time we will say that the gringos are fucking weenies. They don’t go out to the fields. They don’t work themselves to the bone like us. It is always pure Latinos. Take a look at the growing fields – pure Latinos, pure Latinos. You don’t see a single Asian, a single African American, a single American, North American. You’re always going to see pure Latinos busting their ass. But in the offices, there you’re going to see pure gringos, pure gringos. But go to the fields and you’ll never see a gringo there fucking up his back.

The word Mario used for back is *lomo*, a term more commonly used for farm animals or a cut of meat than for humans. It suggests the hurt of being relegated to society's bottom rung. While workers gain a sense of pride from feeling that they are the toughest, they must also confront the fact that their value to this society exists solely in their brawn, and their ability to disappear when no longer needed.

Jesus's Roofing Accident

Day labor is an inherently precarious lifestyle. In flush times like the months in which this ethnography was conducted,¹² the economic and structural risks can be masked. A worker might find a string of relatively lucrative jobs, rent a room and send money home to his family. Under these circumstances the anxiety of the daily struggle for work is relieved and the stresses of being a migrant seem bearable. Unfortunately, this apparent stability is often punctuated by bad weather and joblessness, evictions or, worst of all, accidents.

Jesus's is a typical case. I met twenty eight year-old Jesus in the Santa Marta shelter where he was staying with Segundo and a number of other young men from his small agricultural community in Chiapas. We spent some time together playing soccer; after his accident he told me more about his family and circumstances. He came from a family which by local standards was relatively well off. However when his father, whom Jesus felt had always favored his other brothers, divided the land, Jesus was left with the smallest portion. Married with three small children, Jesus could not support the family locally. He traveled to Mexico City in search of work and was away from

¹² Summer 1999 – Winter 2000

home for months at a time. Having raised the necessary capital, he joined his brother and a group of friends on their trip to the U.S..

In his first months in San Francisco, Jesus did well. He and several of his friends found work with a roofing contractor and were soon working almost every day of the week. In the six weeks prior to his accident, Jesus made \$2,000 which he sent home to his wife via Western Union. He instructed her to buy cattle. After speaking with her on the phone later, he proudly announced that she had purchased nine cows.

Jesus's work environment was tense, however. His employer, the same that Estefan complained about, was the cause of bitter complaints among the Chapenecos. The issue was not initially safety or pay, but the boss's temper. They said that he was constantly shouting at them, rebuking them for the smallest errors. The tension came to a head when the boss whom Jesus called "John" dismissed four of the Chapenecos and refused to pay them. Jesus recounted the scene.

Chinga tu madre - not tomorrow - dame el dinero! Se espanto el John. Si me corres de este trabajo págame de una vez.... Y el chavo de José te lo digo – "mucha gente me lo has maltratado a mí. No me vienes a decir así." No mas le agarro un palo de fierro yo te lo doy así que ni me das lata ni te doy así. Que si me das lastima ni té do y aunque lastima también. Hasta agarro el palo y le quiere echar el palo también. Momento el pago saco y hasta ya no alcanzaba de todas los trabajadores el que lo corrió, el que lo corrió.

"Fuck you – not tomorrow – give me the money!" That scared that John. "If you are running me out of this job you pay me now!" The kid Jose, this is what he said, "a lot of people have mistreated me. Don't come telling me that [you won't pay]" So he [Jose] grabbed an iron bar – "I'll give you this! If you don't give me any crap I won't hit you. If you are screwing me I'll screw you back." And he was going to do it too until he paid the people he was firing what he owed them.

Jesus was not fired, perhaps because as he said, "*Yo hago todo lo posible que el quiere. Si me dice – vete por aca – me voy.*" I do everything possible that he wants. If

he says – go over there – I go.” He remained on the job but his frustration grew. The boss John hired replacement workers and paid them more

Yo me quede triste en mi trabajo porque no mas yo me quede solo. Yo le dije a Martín el manager de nosotros. Ole Martín le dije. No es posible lo que esta haciendo el John, le dije. De que casualidad otras personas vienen a trabajar acá con nosotros y los trae a John los paga \$100 y nosotros nos esta pagando \$70 dólares. Y, porque hace así? O él trabaja mas? Y porque no me paga igual? Y porque no nos paga mas a nosotros? Y porque no paga tan siquiera \$80. Dile a John porque él nos hace estos. Y que dijo Martín? " John se puso a reír de nosotros."

I was sad at work because I was there alone. I talked to Martin, the foreman. Listen Martin, I said. It is not possible what John is doing. How can other people who came to work with us get paid \$100 a day when he is paying us \$70. Why is he doing that? Are they working more? Why doesn't he pay me equally? Why doesn't he pay us more? Why doesn't he pay us at least \$80. Tell John to do this for us. And what did Martin say? "He started laughing at us."

Several days later Jesus had his accident. John told him to move a large bucket of tar that was stuck to the roof. As Jesus pulled to lift it, his back foot slipped and he fell forward onto the roof. At the same time the bucket tipped forward, spilling hot tar on his face, neck, arms and legs.

Pense que ya estoy muerto! No mas lo que yo hice - haayy! Estaba ya el manager de nosotros Martín. "Hay papa" le dije. No mas esa palabra fue la que dije y hasta se espantaron. Ya me vieron toda mi camisa de negro toda mi camisa, mi pantalón mis zapatos saliendo todo los humos de chapopote. Hay papa! dice. Rapidito lo agarro así al Martín porque me esta quemando Y hasta vino lo agarro mi pantalón porque esta bien mal de chapopote... Pero como arde! Hasta yo llorando shshs, se cerro mi ojo así de chapopote. Hasta agarro una soda, coca y lo aventó en mi cara. Uh, horrible estaba 5.50. temperatura estal de caliente el chapopote. 5.50 esta la temperatura...: Me dolió mucho. En el momento me perdí.

I thought – now I am dead! I just did this – haaayy! The foreman Martin was there. Hay papa” I said to him. That was the only thing I said and it scared him. They saw my whole shirt black, steam from the tar coming from my shirt, my pants, my shoes. Hay papa – I say. Right away he grabbed me like this because I am burning. He grabbed my pants because they were covered with tar.... But how it burned!! So bad I was crying, my eye was closed, covered with tar. Martin grabbed a soda, a coke, and blew it on my face. Uh, horrible. It was 550 degrees hot that tar. 550 degrees was the temperature. It hurt so much. In the moment I was lost.

Of John, Jesus said, *"No mas se quedo parado allí. Llévalo al hospital – lo dijo a Martín y él me trajo en camión. El patrón se quedo en el trabajo."* - He just stood there. "Take him to the hospital" he said to Martin and he took me in the truck. The boss stayed at work." In the hospital the tar was scraped from Jesus's face, neck and feet. His face was approximately 60% covered with second degree burns but he had closed his eyes and had no ocular damage. His body was protected by his long shirt and pants but tar penetrated his tennis shoes and large blisters formed on the tops of his feet and ankles. He was discharged that evening to the shelter where he was living. When I saw him the following evening he was in intense pain.

The managers of the shelter were extremely concerned and made special dispensations to accommodate Jesus. They found a bed in a shelter that was closed during the day and allowed him to remain there undisturbed. He ultimately spent approximately two weeks bed bound, leaving only to go to the wound clinic at the hospital. I visited him frequently during those next weeks. Other laborers began to urge him to file a worker's compensation case. Initially Jesus was hesitant.

Si no me quiere pagar pues que bueno. No estoy llorando por dinero no mas le pido gracias a Dios, gracias a Dios que no quede siego. Con dinero nadie lo puede pagar él ni mi vida, nadie, nadie ni con dinero nadie lo puede pagar en mi vida.

If he doesn't want to pay me, well, whatever. I'm not crying for money. I just thank God, thanks to God that I did not go blind. With money no one can pay for my life. No one. No one. No one can pay for my life.

As time went on Jesus grew less hesitant and finally became convinced that he deserved compensation. Now three weeks after the accident he had had no contact with his former employer. He asked me to accompany him to see his boss and assist him in translation. As we drove to the job site, Jesus nervously fretted over what sum to

demand. He seemed to lack a frame of reference for such negotiation. Other workers had told him that he would easily get \$50,000. He said, “that’s not much is it?” In the popular mythology of worker’s compensation \$50,000 is a paltry amount. Everyone seems to have heard of someone who received tens of thousands of dollars for a seemingly insignificant injury.

We arrived in the predawn at the fenced yard where the trucks and tar trailer were stored and waited for John. Workers slowly ambled up. Martin greeted Jesus warmly; other workers eyed the scars on his face warily. Eventually John arrived and after opening the gate for the workers he came to speak with us. A middle aged slim Vietnamese man, John was initially reluctant to talk with us, but changed his mind when he realized I was not a lawyer. He told us that Jesus had no legal claim. He said that “the same thing” had happened to him 11 times before and he had never paid a significant amount, even when a worker spent a month in the hospital. He assured us that he had an excellent lawyer who was experienced at defending these claims. He mentioned that he knew Jesus is undocumented. Softening, John said, “but I care for my workers.” And that is why he would offer Jesus \$500 cash on the condition that Jesus come back to work for him.

Jesus was frustrated and angry. We walked away and talked it over. Hopes of riches dashed, Jesus felt that if he received nothing for his pain and scarred face he should at least be paid for the three weeks of work he missed. Then he grew discouraged, saying he did not want to initiate “anything complex” and that the boss would have to answer to God so maybe he should accept the offer. He decided to take more time to think it over.

Jesus concurred with my suggestion that we meet with a lawyer. What transpired was a good example of the psychological barriers that can prevent the day laborers from exercising their legal rights. Having never consulted a lawyer before, Jesus seemed intimidated, but we made an appointment and agreed to meet at the Instituto Laboral de la Raza. I arrived several minutes before our appointment and went inside to wait. I waited for 45 minutes past our arranged time but Jesus never came. As I waited, I talked with the stylish young Latina paralegal. I was explaining the story “I think he is nervous about seeing a lawyer...” and she interrupted – “that’s ridiculous! Then why did he make an appointment?” When I visited Jesus the next day I learned that he arrived, but was reluctant to enter without me. He had waited outside, I waited inside and we did not see each other.

It struck me that the barriers were many fold. Jesus is an indigenous farmer with a grammar school education from the most impoverished state in Mexico, a state renowned for the extreme marginalization of its indigenous population. He speaks with a sing-song Spanish accent that other Mexicans find amusing. Having worked and traveled in Chiapas, I was aware of the social chasm that exists between indigenous people and professionals or authorities. While he had heard stories of the potentially vast sums to be made through worker’s compensation, Jesus had also heard of workers cheated of their settlements by crooked lawyers. He had no grounds with which to distinguish the non-profit Instituto Laboral de la Raza from any other law firm. Worse yet, the paralegal’s abrupt, straightforward and unsympathetic style was not the type of communication that would have reassured Jesus. Despite the fact that she was Latina, the gap in communication styles would have strained trust.

I went several weeks without seeing Jesus. On my next visit he seemed somewhat withdrawn but looked better. Tight pink scars streaked down his face and neck. I asked him about his claim and he reluctantly told me that he had gone back to work for John. While I had not pushed him, he was undoubtedly aware that I had hoped he would fight. I asked what happened and he said that he had gone to *pedir perdón* or ask forgiveness from John. Jesus said that his former employer was initially hostile but when he realized that Jesus wanted to work he became warm. Jesus says that the boss has been treating him better – giving him light work and training him for greater responsibility.¹³ A devout evangelical Christian, Jesus said that it was sad and depressing to dwell on the past; God's will was that he look forward rather than back.

Jesus's experience reveals some of the darkest aspects of day labor. His structurally mandated position as an undocumented worker forces him to accept the dirtiest and most dangerous jobs in this society at low pay. Economic conditions generate pressure that subverts his attempts at protest. His social marginalization limits his ability to utilize the resources that are potentially available. His advantage is that while his injury is painful and disfiguring, he, unlike others, is not permanently disabled. Contemplating the prospect of permanent disability, Jesus mused.

Porque siego - ya no estamos completos. Quedas no, no no pido eso, le pido gracias a Dios. Para Dios, ni no me va a servir ya. Con una mano queda, no me va a servir. Con un pie me quedo ya no me servir a Dios. Mejor de una vez que me lleve de una vez para que no me quede sufriendo... Estoy triste. Si me quedo siego, pues en realidad - yo pienso - lo que yo pienso, yo pienso yo solo lo que yo haría si no pudiera ver, pues matarme yo solo..

Because, blind – then we are not complete. You're left... no, no, no... I give thanks to God. I would not be fit to serve God. Left with one hand, I would not be fit. With one

¹³ I asked Estefan, who also worked for John, whether conditions had improved. He laughed and said no, Jesus is still treated just like the rest of us.

foot I would not be fit before God. Better that I go all at once that I am not here suffering... I am sad. If I were blind, well, in reality – I think, I think that I would do it, if I couldn't see, I would kill myself.

We can only speculate about what happens to the workers who are injured more severely.

Chapter 5: The Only Arm of the Family

Despite the miles that separate day laborers from their homes, their experience of injury is powerfully shaped by the dynamics and circumstances of their families. These dynamics in turn are pivotally altered by the conditions of structural violence that confront the workers, demonstrating how deeply the effects of structural violence permeate and color the lives of individuals. The consequences of socially sanctioned poverty and inequality for undocumented migrants are manifested not only in the workplace or the local context of the street corner, but also in the most personal and intimate of spheres: in the dynamics between worker and family.

The hypothesis of this study is that injuries experienced by undocumented workers do not occur in isolation of the social context. The experience of injury affects, and is affected by, processes taking place in the interconnected spheres of large scale structural forces, family and community dynamics and the local street environment in San Francisco. The preceding chapters have illustrated the processes by which social forces place day laborers at increased risk of injury and have shown the profound effects of the local context of homelessness, violence and unpredictability on the individual experience of injury.

This chapter moves on to examine the intersection between family, injury and structural violence. It is perhaps a more subtle level of analysis. There is a straightforward link between this society's categorization of undocumented migrants as a group that is not entitled to workplace protection and the fact that day laborers perform dangerous unregulated jobs that put them at high risk of injury. The effect of structural violence on the family is more opaque; it is mediated through the preexisting

emotional landscape of a relationship between wife and husband or child and parents. The suffering that results is simultaneously personal (because it is experienced on the most intimate and private levels) and social (because it is so strongly influenced by oppressive social structures). Although it cannot be measured in broken bones or days of work missed, the effect of structural violence on the family is quite real – for workers it can be the most painful and intense aspect of their experience of injury.

Responsibilities to Family

With very few exceptions, the day laborers I spent time with bear the responsibility of supporting family; most cite their family as the primary reason for venturing to the U.S.. Most commonly, laborers work to support the nuclear family – their wives and children who remain in the home community. Money sent home is used to buy land or a home, start a business, buy animals or pay for the education of children. A variety of other obligations exist as well. Fernando's mother had "brain cysts" and the family paid \$5,000 U.S. on credit for her successful surgery. Until his accident Fernando worked to repay the debt and paid for his wife's tuition at nursing school as well.

A few workers have family in the U.S.. A forty eight year-old man is a single father of a teenage son who lives with family friends and attends high school in San Jose. Among the most serious and focused of the workers I met, he is on his feet the entire day waving at cars. On weeks when he has worked, he visits San Jose to spend time with his son; at the end of less lucrative weeks he feels obligated to spend his weekends on the street as well. Obligations to the family are not always a question of

children going hungry. Francisco is on the margins of a social class in Mexico in which an enormous 15th birthday party or quinceañera is expected. Unable to provide the thousands of U.S. dollars required to entertain hundreds of guests, Francisco chose to make yet another trip North to raise the required money. An exacerbation of his back injury prevented him from completing his commitment to his daughter; we will examine the emotional and familial ramifications of this below. A 54 year-old man who has spent 30 years wandering the U.S. and Mexico as a laborer has an unusual situation. Unmarried with no dependents of his own, he sends his income to a sister in Texas. She disburses it as needed in the form of grants to the extended family throughout Mexico.

The character of financial support differs somewhat with the worker's length of stay in the U.S.. The bulk of day laborers intend to stay in the U.S. between six and 18 months before returning home. A few workers have been separated from their families for much longer. A Salvadoran man I met in the shelter has supported his family from a distance for 22 years. He fled the civil war at the age of 18 and made his way to the U.S.. He worked for the past 10 years as a welder in Los Angeles but the company closed and he came to San Francisco where he had to resort to day labor. On behalf of his family, he paid for the construction a house he has never seen and now longs to return to El Salvador.

The Masculine Role of Patriarch and Provider

Workers typically have deeply internalized gender roles that require them to perform as patriarch and provider. In conversation after conversation about why they immigrated to the U.S., workers focused on the man's responsibility to do what he must

in order to care for the family materially. Mario found that even with his wife working he could not support his five children in Mexico City.

P: La economía como por el 90 y tantos 92, 93 empezó a bajar... y pues si ósea si trabajaba pero ya no salía como antes. A veces trabajaba una semana por no trabajar dos. Así me he ido...

N: Y, que es lo que ganaba cuando trabajaba allá en Méjico?

P: Osea, pues ni cincuenta, cincuenta, sesenta pesos diarios es lo que ganaba yo en ese tiempo en ese entonces...

N: Diez dólares?.

P: Seis dólares. Seis dólares, Cinco dólares si cuando bien iba porque aveces pues como no había trabajo pues había que buscarle pues aveces pues baja yo mis precios a cuatro dólares, cinco dólares diarios...

N: Y, como podía apoyar a una familia como con cuatro, cinco dólares, seis dólares al día?.

P: Porque mi esposa siempre me a ayudado. Osea ella trabaja también y ver ya no también que realmente ya no salía para los gastos mas necesario. Por eso me tuve que venir para acá.

P: In 90 and then also in 92 and 93, the economy started to go down... I was working, but not like before. Sometimes I would work a week and then I wouldn't have anything for two weeks. That was what it was like...

N: And how much money were you making when you were there in Mexico?

P: Something like fifty, sixty pesos daily was what I was making.

N: That's about ten dollars?

P: Six dollars, six dollars. Five dollars. That was when I was doing well, because sometimes there wasn't any work and then I had to look harder and lower my prices to four or five dollars a day.

N: And how could you support a family with four, five, six dollars a day?

P: Because my wife was always helping me. She was working also but even then we saw that we weren't meeting the basic needs. That's why I had to come here.

For Mario the fact that he could not provide for the family and his wife was forced to work as well was a source of desperation and shame. Exacerbating this is the fact that the family is unable to afford their own home; they live with Mario's mother-in-law. Living and working in San Francisco, Mario is able to send home \$250 to 300 each month, which means his wife no longer has to work. This economic progress has come at an emotional cost that will be discussed below.

Estefan describes a scene of rural rather than urban poverty.

E: *No, pues viene uno con el interés uno de sacar uno, de alivionarse uno con la familia. Allá en Chiapas allá casi no hay. Mucho mas antes se daba un poco. Lo que sembraba uno como frijol o ya sea el chile pero ahora ya hace 5 anos ya no da nada. Hay mucho plaga...*

N: *Cuál es la situación de económica de tu familia?...*

E: *No pues este de que este, aveces cuando uno se enferma no hay dinero. Con todo lo que trabaja uno a veces no hay para comer. No nos pagan bien. Osea es una miseria es poco muy poco muy poco lo que gana uno. A veces no mas saca uno para el lonche y todo pero para que prosperes o para que te levantes... Por eso viene uno con interés de superar un poco acá.*

E: No, you come with the idea of getting yourself out, lightening things for the family. There in Chiapas there is nothing. Much earlier, the land gave a little. We planted beans and chile but now it has been five years that the land doesn't give anything. There is a lot of plague...

N: What is the family's economic situation like?

E: No, sometimes when someone gets sick there is no money. Despite the fact that you are working sometimes there is not enough to eat. They don't pay us well. Really it is a pittance, it is little, very little, very little that you make there. Sometimes you just make enough for your lunch, but to prosper and lift yourself up [you can't]....That's why you come here, with the goal of raising yourself up a bit.

It is clear that for most workers providing for the family is primarily the man's responsibility. Mario's circumstances in which the wife worked as well were unusual. More typical was Segundo's comment that "*el hombre es el unico brazo de la familia* – the man is the only arm of the family." Providing for the family seems central to their definition of manhood and fatherhood. Workers generally perceive themselves as self-sacrificial, working and enduring in a distant land for the sake of their families. This role as provider is both thrust upon them by circumstance and embraced as a source of pride and manhood.

The Double Bind of Conflicting Responsibilities

The execution of this role of patriarch and provider conflicts with another important role that day laborers envision for themselves – that is the role of protector

and guide of the family. This is a function of fatherhood that requires them to be physically present in the home. Estefan felt needed in the home to protect the family.

Ser un padre necesitas... Por eso también me voy porque ya tiene un año que salí y ya también a mis hijos quiero ir a verlos. Como también cuando uno no está allí no es igual. Bueno tiene su mamá pero no es igual como un padre. No como si le pasa algo a los hijos de volada se resuelve o si se enferman yo tengo que pensarlos donde llevarlos. Digo una mujer casi que no es igual... Si tienen su responsabilidad también pero siempre un padre es más. Un padre pues es la cabeza de la familia por eso piensa uno, por eso que ya me voy. Pues están chicos todavía mis hijos. Si estuvieran grandes pues sería ya es otra cosa ya se saben cuidar pues. Están apenas tiernos...

To be a father you need... This is the reason I am going to go, because it has already been a year since I left and I would like to go and see my children. When you're not there it is not the same. Well, they have their mother but it is not the same as a father. No, like if something happens to the children you're there right away to take care of it or if they get sick I have to think where to take them. I'm saying that a woman just isn't the same.... Yes they have responsibility too but the father is always more. A father, well, is the head of the family and because of that I think, because of that I am going to go. They're still young. If they were big, well, it would be a different story because they could take care of themselves. They're so small and tender...

Estefan's perspective points to a conflict felt by many day laborers. They are in a double bind between conflicting visions of fatherhood; economic necessity and their role as providers forces them to migrate North for work but their self-conception as guide and protector of the family demands that they be in their homes. They are forced to choose between supporting their families materially by leaving the home and supporting them emotionally by being present for day-to-day family life. These fathers are absent for many of the significant moments of parenthood: birthdays, when children first walk or enter school and even occasionally childbirth. Workers talked about the pain of being distant for these events as well as the stress of being absent in times of family crisis. A worker's son has a seizure disorder and he worried about being away from home during a medical emergency. The same worker's eldest son decided that he would like to work with his hands and dropped out of school only eight months before

he would have received his credentials as a teacher. The worker, who said that he had spent a lifetime working with his hands so that his son would not have to, fumed “*Yo voy por abajo, él va por arriba* – I am going downward, he is going upward.” Were he there, he said, his “firm fatherly hand” would have prevented his son from straying.

Some workers feel that by coming to the U.S. they have “abandoned” their families. When Fernando, the tractor driver, says this, he means not that he has abandoned them materially, but that he has deserted them emotionally.

No mas con así estarme sobando. Yo no sé si es de mis nervios o porque he dejado a mi familia también abandonada... Pues no abandonada. Porque así tienen todo, les doy todo lo que ellos me piden. Tengo que luchar acá para salir adelante... Bueno, si somos muy pobres. No tenemos demasiado dinero.

I’m just floundering here. I don’t know if it is my nerves or because I left my family abandoned... Well, not abandoned. Because they have everything. I give them everything that they ask for. I have to struggle here to take us forward.... Well, we are very poor. We don’t have much money.

This tension between these two roles of fatherhood can be wrenching. The structural situation is such that by completing one responsibility these workers are abdicating the other. Estefan wrestled between his affection and desire to be present with and protect his family and his responsibility to provide for them materially.

Me da tristeza, me hablan “vente ya papi vente ya...” “Ya vengo ya vengo no mas” les digo. “No, vente papi. Te quiero mucho. Vente a comer gallina, vamos a tomar posole” dicen. “Yo voy” les digo pero nunca voy... Si, pues dice “no pues, vente ya. Mira tus hijos.” “No” yo le digo. “Pues quiero ahorarme otro poco más” le digo. “Vale mas que estés con tus hijos” me dice y eso es todo... Aha, vale mas tener sus hijos que el dinero. Si el dinero mientras se puede hay que aprovechar. Pero si ya no se puede pues ya que le hace uno siempre es más importantes son los hijos y los padres en la vida. Pues porque si tu te vas solamente en el dinero... Si siempre es importante pero si tu solo piensas en el dinero también es algo difícil es algo problemático...

It makes me sad. The children tell me [by phone] “come home Papi, come home already.” “I’m coming, I’m coming” I tell them. “No, really come home Papi. I love you a lot. Come and we’ll eat chicken, we’ll have posole,” they say. “I’m going” I tell them, but I never go.... Yeah, well, she [his wife] says, “come home now. Come see

your children.” “No” I tell her. “I want to save a little bit more” I tell her. “It is more important that you are with your children” she tells me and that is that... Ah, it is more important to have your children than money. Yes, when you can, you have to take advantage of the opportunity [to make money] but the children and your parents are always the most important thing in life. Because if you go around only thinking about money... Yes it is important but if you only think about money, that is something bad, that is a problem.

Estefan decided that being present with his family was the higher priority; within a week of the interview he returned to Chiapas. As he left he acknowledged that it was likely that economic circumstances would force him to make another trip. Mario also recognized that a trade-off had been made between his material things and emotional connection.

Pues, se puede decir que en los materiales, ya se están saltando pero otro punto que la carencia de la ayuda pues que se requiere en una familia. Como pues ayudarles en las tareas. Muchas veces el apoyar, no, a los hijos el llevarlos al campo o algún parque o algún este o algún centro social pues en eso si pues no están bien. Porque aveces me dicen pues “cuando regresa otra vez no?” Pero ahorita no se puede. No estés pensando si se arregla lo de algún trabajo.... Yo tengo fe, no, de buscar un trabajo fijo y mas o menos que este bien pagado para ahorarme un dinero y comprarme un terreno y hacerme una casa para llevármelos para no estar este...

Well, you could say that materially they [wife and children] are jumping ahead, but from another point of view they lack the help that a family requires. Like helping in their homework. A lot of the time the support for the kids, taking them out to the country or to some park or some social center, well, in this they are not good. Because sometimes they say, “when are you coming home?” But right now I can’t. I am thinking that if I can arrange some work... I have faith, that I’ll look for a regular job that is more or less well paid to save money and buy a field and build a house so I can take them there so we don’t live like this...

This tension between the conflicting roles of the father as a distant financial provider and emotional supporter and guide is stressful for day laborers under any circumstances. To a certain degree it accounts for their very vocal pride at their work ethic and earning for the family; to offset the emotional sacrifice and justify the “abandonment” of family, workers need to celebrate their productivity.

Failing at Both Roles of Fatherhood

When a worker is injured and can no longer work, the delicate balance they had established collapses. Suddenly they are failing at both tasks of fatherhood. They were maintaining a trade-off; they would not be present in the home to perform the traditional patriarchal role of support and guidance but they would provide financially from afar. With injury, the trade-off backfires. This challenges aspects that are integral to their identity as fathers and providers. Particularly in the local context of the street corner where so much emphasis is placed on being a robust and healthy worker, injury can be emotionally devastating.

Serious injury is not only a blow to manhood and virility, it is an economic catastrophe. Injured workers are faced with the prospect that all the sacrifices they had made to get to the U.S. – the danger and hardship of crossing the border, the debt they incurred to finance the trip, the strain on the family – might not pay off after all. If the injury is serious it represents the end of a dream, the dream of buying land or starting a business or educating the children. With hindsight what seemed like a bold venture to take the family forward now appears to have been dangerous folly and they frequently blame themselves.

They wonder: how will they return empty handed or worse, indebted? How will they support their family when they do return and cannot work? Will the family blame them for their own (and, by extension, the family's) misfortune?

The most immediate question is what will they tell the family? Workers with severe disability presumably have no choice but to share the news. The injured workers

I spent time with however, had various degrees of moderate disability whose prognosis was often unclear. The implications of a sliced finger or a sprained ankle are straightforward: perhaps several days of rest and then a return to work. The situation for workers with an injured back or a separated shoulder is less certain. Initially it is not clear how severe the injury is. How long should they rest? When can they return to work without re-injuring themselves? Should they return home to their country or wait in the U.S. to recover and continue working?

Accepting the changed circumstances is tremendously difficult, but communicating with the family is perhaps the greatest challenge of all. Injured workers are reluctant to be entirely honest with their family, often minimizing the injury, other times not mentioning it at all. Workers cite a number of issues – concern that the family will worry, uncertainty about how serious the injury is – but the pain and shame of admitting “failure” seems to be an underlying factor as well. Workers are aware of their family’s expectations. Workers hope to improve the family’s economic status and the spouse or parents undoubtedly share this dream. Faced with the dismal task of breaking the news, many workers simply avoid it.

Francisco badly injured his back in a fall on the job 8 years ago in Mexico. While in San Francisco he re-injured his back while shoveling gravel. I asked him what he had told his daughter (who was awaiting news about her 15th birthday party) and his mother.

Bueno. Que de mi accidente, si saben, pero que ahorita no puedo trabajar? noooo. Hablo a mi casa pero nooo. Que puedo hacer? Si les digo me van a decir - ya vente. Y yo sé que si les digo saben que, mándeme dinero, lo mandan pero no es el caso. No es el caso de sí acabo de llegar ya me voy a regresar? Que vida. Tengo que aguantar un pocito. Ya mi idea es que no me recupero en unos 15 días mas, no tiene caso quedarme. Si, me voy... Hay que darle un tiempicito...

Well... about my accident, yeah, they know about that, but that I can't work right now? Nooo. I talk to them but noooo. What can I do? If I tell them, they are going to say – “come home.” And if I tell them – you know what, send me money [to get home] – they'll send it but that is no good. It is not right that if I just got here, and now I'm going to leave? What a life! I have to endure a little. Now my idea is that if I don't get better in 15 more days, there is no sense in staying. Then I would go... I have to give it a little time...

Francisco stayed and slowly his back improved. He found work cleaning after events at the Cow Palace but it was only several days a week and he could not find other light work to fill his remaining time. Eventually he concluded that he needed to tell his daughter that he would not have the funds to pay for her birthday party.

Ella lo sabe y yo le digo hija te voy a fallar. Ella ya sabe de mi accidente ella sabe que estoy mal. La que no sabe es mi jefa como ella padece del corazón no le puedo decir. Se preocupa mas y no quiero que le valla a pasar se algo. No quiero que le pase nada. A mi hija si. Porque ella si lo aguante nada mas tiene 15 años...

[my daughter] knows and I tell her “daughter, I'm going to fail you.” She already knows about my accident and knows that my back is bad. The one that doesn't know is my mother; she has a bad heart and I can't tell her. She will worry more and I don't want anything to happen to her. I don't want anything to happen to her. For my daughter, yes, she can take it because she is just 15 years old.

Happily, Francisco's daughter responded well. “*No papa pues esta bien, nada mas. Me dice nada mas recupérate y si crees que no puedes estar alla vente a ver aqui.*

– No papa, it's ok, don't worry.” She said, “just get better and if you can't be there, come back here and see us.”

Obfuscation about the injury has an unfortunate tendency to lead to further deceit. If the worker is not straightforward about his injury he soon has to justify why he is not sending money home as he used to. Workers can find themselves trapped by their earlier dishonesty.

Mistrust and Accusation

These intensely difficult conversations about injury and disability take place in the context of long distance relationships that are beset with the complexities that plague most long distance intimate relationships. Couples are separated for months or years, talking on the phone only every week or several weeks. There are tensions, misunderstandings and arguments. In his second year of separation from his wife, Mario is well versed in the nuances of carefully moderated conversation. He feels that every word is weighed for potential disloyalty. He discussed the dangers of sounding too ebullient which might threateningly suggest that he was enjoying his time in the U.S. or too low which might lead the family to believe that he did not enjoy talking with them.

La reacción del estar con ellos la reacción que si ya no te quiere o te quiere o esta enojada o algo le hicieron pero por eso uno esta con ellos para darles el animo. Necesario porque aveces el animo esta muy abajo o aveces el animo esta muy elevado entonces también hay que bajarlo a su estado normal. Porque es malo que este muy altos o que este muy bajos. Osea a que todo este parejo que todo se vea bien suave...

The reaction of talking with them, the reaction that now she doesn't love me or she loves me or she is mad or something they did, but that is why you have to give them some spirit. It is necessary because sometimes the energy is really low or sometimes the energy is really high so it is important to lower it to its normal state. Because it is bad to be really high and bad to be really low. So everything is even keel, so that everything is nice and mellow.

Exacerbating these communication problems is the contrast between the family's perception of life in U.S. and the reality that workers live. Returning migrants tend to downplay the negative and the U.S. is sometimes perceived as a comfortable place to make easy money. This perception combined with the challenging communication can give rise to suspicion and doubt. Estefan talked about some of the suspicion that had arisen during his 8 months in the U.S..

Yo sé que cuando uno esta allá piensa que todo es suave. Trabajas es un trabajo muy suave y nada mas estas... Hay veces que cuando manda uno el dinero hay veces piensan que no les manda uno todo, que uno va gastando todo aquí. Como le he platicado a mi familia, le digo no crean que yo estoy gastando el dinero acá. Yo todo lo que gano mando. Hago todo lo posible de mandar todo. Me quedo con poquito dinero. Piensan ellos que esta suave - no... Piensan que uno pasa uno bien tranquilo. Por eso que viene mucha gente de, de Chiapas...

I know that when one is there you think that it is all easy. That you work in an easy job and you're just... Sometimes when you send the money, there are times when they think that you're not sending all of it, that you're going around spending it here. Like I said to my family, I tell them, "don't think that I am spending the money here. Everything that I make, I send." I do everything I can to mail it all. It leaves me with very little money. They think that it is soft here.... They think that you are having a relaxing time. That is why so many people from Chiapas are coming...

Francisco echoed Estefan's perspective. *"No vine a vacacionar. Vine a trabajar. Pero la familia, si piensan - ya te fuiste a vacación. No vine a vacacionar. I didn't come to vacation. I came to work. But the family, yeah, they think – you went on vacation. I didn't come to be on vacation."*

The natural tendency of unallayed suspicion to grow and fester is not limited to money. The unique underlying dynamics and history of a relationship inform the concerns of both parties. For example, Francisco is a recovering alcoholic. He knew that if he did not send money but also did not return home, his family would suspect that he was drinking again. Several months after he reinjured his back, he was still not able to do heavy labor and therefore his income was minimal. His sense that his family would doubt his sobriety was one of the key factors that caused him to return to Mexico.

Sexual infidelity is another concern, particularly when an injured worker stops sending money home. Workers know that the family or community members will suspect that he has found another partner and is spending money on her. These

concerns are not baseless. Some workers patronize prostitutes and others who have been in San Francisco longer have girlfriends or even a second wife here. Sexual infidelities on the part of the wives left behind are not uncommon either. Because he knew I am a medical student, Segundo's younger brother who was also living in the shelter asked me about the aching chest pain he felt in the evenings. He explained that it happened when he thought about his wife who had left him while he was in the U.S. several months before. He had been told that bad thoughts could cause your body to hurt – was that true?

Jesus's wife had faced accusations of infidelity several years earlier while he was working in Mexico City. On what he called "the blackest day of my life" Jesus was told; his wife denied the story, saying that a neighbor had come and attempted to seduce her but she stopped him. The incident led to violence; Jesus attacked the neighbor with a rock and was beaten badly before being arrested. Bad blood continued after the incident. Jesus remarked ominously that several of the other Chapenecos from his community also living in the shelter were pleased to see him burned. They reportedly said that it would have been better had he been killed. This final point is suggestive of how community strife from thousands of miles away can color the experience of injury here in San Francisco.

These suspicions that the worker is withholding money for another woman or for alcohol can drive deep wedges into families. As time passes and mistrust builds, workers find that it can be harder and harder to face their family. Speaking with the perspective of a worker who had made many trips to the U.S., Francisco explained that

eventually the injured worker either feels that they can not return home or their family rejects them.

Si, si que te hace sentir mal. Son personas que no resisten, el estar enfermos y que no pueden trabajar o el no estar sin dinero y si dejaron a sus familias esperando y ya no van a poder regresar. A lo mejor porque por decir si yo dejo pasar por ejemplo ahorita por decir el tiempo... A me puedo aguantar un ano mas pero ya pasando un ano mas y si no trabaje ese ano mas a mi familia ya no me va a querer. Ya me va a rechazar. Entonces si ahorita yo tengo este problema yo prefiero llegar y decirles sabes que ya vine, jefa, no hice nada y traigo esto...

Yes, it is something that makes you feel bad. There are people who can't handle it, that get sick or can't work or have no money and they leave their families waiting and soon they won't be able to go home. What I'm saying is that if you let too much time pass, for example if I could wait out a year more, but beyond a year and if I can't work this year, my family is not going to want me. They are going to reject me. So right now, if I had this problem, I prefer to go there and say to them – I came, mother, I didn't get anything done...

While none of the workers I spent time with acknowledge having left family permanently or feeling that they would be unwelcome in their homes, there is a popular perception that not uncommonly the separation never ends. Workers talked about compatriots who continually said they would return "next year" but never do. Certainly in Mexico stories are commonly exchanged of men who go North never to return.

It is difficult to determine the degree to which these tensions are attributable to the structural situation that forces men to leave their families and labor thousands of miles away. Presumably some of the tensions day laborers feel in their long distance relationships with wives or parents were at least latently present before they emigrated. However it is also reasonable to assume that structural violence and the extreme stress they experience with injury exacerbate these tensions. Fernando talked about how distance and his injury has contributed to his impending breakup with his wife.

Mira yo le hablaba por teléfono cada quince días pero es lógico que la distancia provoca problemas no? Y entonces no ya ahorita es evidente que puede haber una

ruptura, no? Por la distancia. Pues ella lógico que me digo que ya empezaba a dudar no? Y tu sabes que si aquella la has apoyado económicamente y de repente ya no la apoyas nada, empieza a dudar - algo pasa, quizá hay otra mujer...Y este quizás truene la relación, no? Y este, eso si difícil que estemos juntos porque no es fácil que yo la quisiera traer para acá aunque ella ya tuviera su título profesional.

I talk to her every two weeks, but it is logical that the distance causes problems, no? So now it seems like there might be a breakup. Because of the distance. Well, it's logical I think that she has started to doubt, no? You know that if you have supported her economically and then all of a sudden there is nothing, she starts to doubt – what's going on, maybe there is another woman... And that might ruin the relationship, no? It is hard for us to stay together because even though I want to bring her here it would be hard for her to enter, despite her professional degree.

Fernando had considered the other obvious option to save his marriage, returning to Mexico, but felt bound by the family debt caused by his mother's brain surgery.

De que yo regrese allá esta difícil por los problemas económicos. O sea yo si voy, voy a arreglar mi vida con mi esposa, no? Tengo consciencia ósea ya operaron a mi madre ya la operaron, pero si mi padre ahora si se siente sin el apoyo se puede enfermar de los nervios o del corazón porque es una deuda muy grande... Entonces es difícil tomar la decisión. La lógica me dice que es probable que truene mi relación sentimental con ella, debido a la distancia, al tiempo. Ya que tu sabes una pareja conciencia cuando están juntos pero cuando ya no...Y también por el otro lado yo no puedo abandonar a mi padre así no mas su suerte porque mis padres me dieron el ser. Y gracias a Dios mi mama esta viva no? Y pues no le veo futuro a la relación que inicie allá. O sea es una inclusijada si me voy a apoyar en ella, abandono a mis padres con esa deuda que deben. Si me quedo acá... si me quedo acá, aquí lento pero seguro que voy a pagar la deuda no... Pero lógico que esa deuda se va a pagar más rápido sin que se incrementen los intereses tanto no? Y este lo más probable es que pierda a mi esposa. Yo creo que si voy allá va a ser allá mas para firmar el papelito. No hay otra no? Porque ella no es mueble verdad.

For me to go back would be difficult because of the economic problems. Well, if I go I would arrange my life with my wife, no? But I'm also aware of my mother's operation and if my father felt left without support right now he might have nerve problems or heart problems because it is a really big debt... So it is hard to make the decision. Logic tells me that it will probably ruin the relationship with her, because of the distance and the time. You know how a couple pays attention to each other when they're together, but when they're apart... And also, on the other side I can't abandon my father like this, because it was my parents that brought me into this world. And thank God that my mother is living, no? So I don't see a future to the relationship that I

started there. I can't to support her and abandon my parents with the debt that they owe. And I'll be able to pay that debt more quickly without the interest building up. So it is most likely that I will lose my wife. I think that if I go back it will be mostly to sign the papers. There is no other option, no? Because she isn't a piece of furniture, right?

Fernando's story is a powerful reminder that the toll of structural violence must be measured in more than economic statistics and damaged bodies. Their structurally established position prompts day laborers to travel here to perform the most dangerous and unprotected jobs in our society. When they sustain injuries, the ramifications permeate all aspects of their lives.

On a personal level, injury disrupts the delicate trade-off workers establish between performing their patriarchal role in the household and supporting the family from afar. When they are injured and no longer perform either role, their self-conception as man and father are threatened. What happens if Segundo, the worker that called himself *el unico brazo de la familia*, or the only arm of the family, is injured and disabled? As we have seen, a common response is denial and poor communication. The resulting stress and suspicion can take a devastating emotional toll on families and marriages.

A final note in viewing the experience of injury and the reach of structural violence is that this study has directly assessed only the individual experience of social suffering for injured day laborers here in San Francisco. This is but a small slice of the consequences that result from their accidents. When a worker is injured the ramifications ripple outward to affect families and communities throughout Mexico and Central America. To be inclusive, the toll should include the secondary effects of the structural violence: the children that are not fed or educated, the home that must be

sold, the effect on community dynamics and more. A suggestion of the extent of these secondary effects is offered by Parkes and Tricks, who investigated an auto accident in Oklahoma in 1999 in which 13 undocumented migrants from rural Chiapas were killed. Visiting the home community of these men, they found their families in desperate straits. The families face debts of up to \$2,000 for their husbands' or sons' transport to the U.S. without any viable source of income. The conclusion is clear: the impact of structural violence and the experience of injury should not be evaluated in a local individual context; to make sense of these processes we must take a broad perspective.

Chapter 6: Resistance and Coping

The Lived Response to Structural Violence

The preceding chapters document how the structural violence of immigration policy and this society's relationship with undocumented laborers impact workers' experience of injury and ill health. Thus far the focus has been rather unidirectional. We have considered how structural violence dictates the day laborers' vulnerability to economic exploitation and injury in the workplace. We have analyzed how local manifestations of structural violence – crime, unpredictability and homelessness – are translated into everyday suffering for injured workers. And we have considered how the influence of structural violence on family dynamics shapes the emotional experience of injury.

The missing link is the workers' responses to structural violence. We have considered the workers only as the objects and recipients of injustice. To leave the ethnography at this point would perpetrate a grave misrepresentation. While their lives and choices are shaped in critical ways by their structural circumstances, the day laborers are hardly passive pawns of economic and political currents. Their very presence here marks them as particularly independent, proactive and risk taking individuals. Faced with economic pressure in their home communities¹⁴ they choose to emigrate, the option that is potentially the most lucrative, but is also the most dangerous and uncertain.

¹⁴ As noted in Chapter 3, motivations for migration are variable. The vast majority of day laborers have immigrated for economic reasons, whether that is raising the funds to have a 15th birthday party or simply feeding dependents. There are some day laborers who have come for other reasons: to evade the Mexican police or threats of violence, for sexual self-expression, etc..

In Chapter Two, militarization of the border was discussed as a form of natural selection that culls the healthiest and most motivated workers. In the same way, it also selects for the most self-sufficient and resilient. All aspects of the passage demand independence and fortitude; migrants must raise funds, find an honest *coyote* or guide among the chaos and swindlers of a border town and endure the hardship and danger of a border crossing. Once here, they subsist with very limited money in a society where they do not speak the language, are classed as fugitives and are generally socially isolated. The men and women able to navigate these challenges are possessed of remarkable resilience. Construing them as “victims” would be a simplification and a disservice. Rather we should view them as individuals enduring and resisting the consequences of structural violence. This chapter will look specifically at their resilience. How do workers maintain their dignity and pride under conditions of homelessness, abuse and crime? Are there ways in which workers resist exploitation and dangerous or abusive work? By what means do workers cope with injury under these circumstances?

Resistance

Resistance is manifested on multiple levels. For day laborers, mobility can be a form of protest and opposition. The process of immigration itself is often an act of resistance to circumstances of literal or structural violence in their own home communities. Some day laborers moved from war and violence in Guatemala and El Salvador. The recent migration of large groups of indigenous men from Chiapas is

certainly prompted by the intensity of racism and structural inequality in that contested state.

Mobility is a form of resistance in the workplace as well. As Grey noted in his study of Mexican immigrant workers in a pork processing plant, leaving the job can be a form of protest of dismal conditions and a lack of control in the workplace (Grey 1999). Accounting for the 80 percent turnover among Mexican workers in the plant, he found that these migrants exercised an option the Anglo workers did not have; having worked six or eight months, they simply returned to their home communities.

This is the case among San Francisco's day laborers as well. The majority of workers are "sojourners" that come for a matter of months rather than "settlers" who remain permanently. Their goal is to "*sacar un feriasito* - make a little money" then return home to their families. In a sense, being a migrant is a form of resistance to their structural position in this society. Rather than join this society for the long term and permanently accept their status as poor and undocumented, these workers choose to maintain roots in their home community. Here they are subject to social opprobrium, but in their home communities they retain their standing and sense of belonging. By limiting their involvement with the U.S. to an economic exchange, they indicate their refusal to be defined by the standards of this society.

The injured workers that have been the focus of this study are exemplars.

Francisco has made many journeys over a number of year to various parts of the U.S..

When I asked if he had ever considered remaining in the U.S., Francisco responded,

Bueno, yo por ejemplo yo no hice eso de pensar en quedarme en Los Estados Unidos porque, para empezar, tenia una familia pequeña, no mas que una mama y una hija. Y mi mama ya estaba grande y mi hija pues estaba muy chiquilla. Pues no tenia caso pensar en que yo me iba a venir. Lo único que pense es yo voy y yo vengo, yo voy y yo

vengo. Y eso es lo que he hecho. Mi meta es venir, ganarme un peso y llevármela. Eso es lo que he hecho, nada más.

I never thought about staying in the United States because, to start with, I had a small family, just a mother and a daughter. And my mother was already old and my daughter was very little. So it didn't make sense to think about coming here [to stay]. The only thing I thought is I come and go, come and go, come and go. And that's what I've done. My goal is to come, make a dollar and then take it home. And that's what I've done, no more.

Estefan is a first-time migrant, but he is also reluctant to establish long term ties to the U.S.. His departure for Chiapas in December was motivated by frustration with conditions of life in this country. Sleeping on a thin mattress on the cold concrete floor of a homeless shelter, Estefan was discouraged with the lack of work and the feelings of shame and uselessness he experienced while standing on the corner. He grew increasingly concerned about safety when Jesus, his neighbor from Chiapas, sustained his burn. When he smashed his hand with a tar bucket on the job, he decided enough was enough and he left.

Workers also resist when they refuse to accept work they deem underpaid for the degree of physicality, dirtiness or danger. Prospective employers not uncommonly come to the corner offering a wage that is too low and find no takers. It may be that workers decline these offers in hopes of finding a more lucrative position, but I have seen this take place on days when it is clear that the majority of workers will spend the day waiting unsuccessfully. When they reject these offers, the workers' tone is indignant; they say that such a wage is just "not right."

At times resistance can take the form of violence or threats of violence. In Chapter 4, Jesus recounted how a fellow worker was prepared to attack John, the boss that had fired him and refused to pay for the day. Ricardo, a 20 year old man

introduced in Chapter 3, recounted what happened after he fell from a ladder picking fruit in Washington and broke his ribs.

Y luego que me dolía el brazo que le fui a decir al mayor domo. Le fui a dar la razón de que no podía trabajar y dijo que lo iba a anotar como pendientes. Pero nunca lo anoto y me estaba apurando y yo le dije yo ya no voy a trabajar. A mí me duele mucho el brazo. Agarre el morral y se lo avénte en la cara y le dije sabes que vete mucho al diablo a mí me duele mucho el brazo. Yo no voy a seguir trabajando. A mí me duele mucho mi brazo y mi pecho para estar ahí arriba. Pues ya me dijo go y me fui...

Later my arm was hurting so I went to tell the foreman. I went to tell him why I couldn't work and he said that he was going to write it down so he would be aware of it. But he never wrote it down and he was rushing me and I said to him I'm not going to work anymore. My arm hurts a lot. I grabbed the fruit bag and dumped it in his face and said to him "you know what – go to hell! My arm hurts a lot. I'm not going to keep working. It hurts my arm and chest a lot to be up there." So he said "go" and I went...

Refusal to acculturate and accept their categorization as *vagos* or bums is a more subtle form of resistance to structural violence. The pride that day laborers take in their work and in their toughness is in opposition to the U.S. social norm that identifies them as outcasts. Francisco explained why he had not learned English despite spending years in the U.S. over the course of many trips.

Yo aquí en este país, nunca me he gustado aprender el ingles. Sabes porque? Por no oír tanta, tantas cosas que luego a veces nos dicen. Para no oír tantas cosas que aveces nos dicen. Porque si yo sé que están diciendo cosas malas entre mí digo "no sé lo que estas diciendo" Hay nos vemos y el se queda con sus palabras. Por eso no me gusta el Ingles...

Here in this country, I have never wanted to learn English. You know why? So I don't have to hear all stupid, stupid things that they say to us. So I don't have to hear all the things that they are saying to us. Because yeah, I know that they are saying bad things but I just say "I don't understand what you are saying." So we just stand there looking and they stay there with their words. That's why I don't like English.

Francisco's refusal to learn English is both a defense from abusive treatment and a form of resistance. He is signaling this society – I will do your work and you may treat me badly, but I won't join you. You can't own me. I will maintain my identity

and position as a Mexican. Such forms of resistance are integral to maintaining dignity while on display on the street corner. Quantitative studies confirm that this strategy might help migrants' mental health. A study of mental illness among migrant farmworkers found that the likelihood of mood disorders and drug and alcohol dependency increased with acculturation to the U.S.. Similarly, the "settlers" who made the U.S. their primary residence had rates of alcoholism that were twice that of the "sojourners" who maintained their homes in Mexico (Alderete 2000).

Coping with Injury

Resistance is an important response by healthy workers to structural violence, but when workers are injured they face a different paradigm. Rather than insulating themselves from abuse in the workplace and on the corner, injured day workers must focus on coping and coming to terms with the consequences of their injuries. The preceding chapters have detailed features that affect this process: the local context of homelessness, the attempts to hide the injury on the street corner and in the workplace and the influence of family dynamics on the experience of injury. What remains is to explore the strategies individual workers use to cope under these circumstances.

Workers generally acknowledge the depth of their discouragement and strain only obliquely, stressing the need to keep a stiff upper lip and make the best of a bad situation. There is an ethos of not showing weakness, and workers strive to contain their feelings of discouragement. Francisco and I talked as he considered the consequences of re-injuring his back. He was deeply dismayed by his setback and the prospect of telling his daughter that he would not be able to fund her birthday party, but

struggled to maintain a positive outlook. As he repeated that “you can’t let yourself get discouraged” it was clear that this was more an admonishment to himself than an assertion that he was feeling positive.

E: *Si me desespero, me desespero...*

N: *Pierde todo, no?*

E: *Pierde uno la cabeza y para que? No tiene caso como te dijo de fracaso en fracaso No puede uno - como se llama - no puede uno desesperarse. Si yo me desespero que puedo hacer? Si yo te digo ahorita siento desesperación y veo una cartera de donde yo pudiera sacar unos \$100 a \$200 dólares... No! No, no, no. Económicamente ahorita ando sin dinero si pero no me voy a quejar porque aquí hay comida. Hay comida lo que quiera. No te quedas sin comer. No hay problema. Nada mas esperar la recuperación, conseguir un trabajo. Como dicen aunque estoy derrotado aparentemente pero piensa uno en el futuro...*

E: If I get discouraged, I’ll get discouraged...

N: You lose everything, no?

E: You go crazy and what good comes from that? It doesn’t make sense to focus on the failures. You can’t – how do you say this – you can’t get discouraged. And if I get discouraged, what am I going to do?? If I tell you now that I’m desperate and I see a wallet that I could grab one or two hundred dollars from... No! No, no, no. Economically right now I’m wandering around with no money but I’m not going to complain because there is food. There is food wherever you want [in the homeless shelters]. You don’t go hungry. There’s no problem. I just have to wait until I get better and can get a job. Like they say, even though it seems like I am in a jam, you have to think in the future...

On the street mental and physical toughness is respected and weakness is suspect. Workers on the street tend to assume that men who are injured were either careless or engineered their injuries to take advantage of workers’ compensation insurance. Injured workers that I spent time with in the shelter were often concerned that the other men in the shelter not know about the extent of their injuries. Injured workers like Francisco often find that they are castigated for weakness rather than supported by other workers.

Pues los mismos amigos - hey vaqueton que no vas a ir a trabajar?? Me dicen a mí. Pues es que todavía ando mal. No sé, pues no mas para ir a barrer. Si pero no es para ir a cargar pesado cabron. Lo que busco no es pesado le digo entiéndame – no crean

que soy flojo. Ya hora que he ido dice "hijo de la chingada y ahora hasta el Chino te quiere a ti que a toda la Raza." Dice "yo pense que tú eres vaqueton." "No vaqueton soy por mi espalda" le digo "pero tengo que descansar tengo que estar reposando... A nadie" le digo "yo no quisiera que tuvieran lo que yo tengo. Porque si les pasa esto no sé, se matan." Le digo "Porque es una cosa que no se puede ni trabajar."

So even your friends, – “hey lazy, you’re not going to work” – they say to me. “It’s because I’m still not well. I don’t know, the only thing I can do is sweep. I can’t pick up heavy things, man. I’m looking for something that is not heavy” I say. “Don’t think that I’m a wimp.” And now that I’ve gone [back to work] they say “son of a bitch. That Chinese guy [the boss] likes you better than anyone.” They say “I thought that you were lazy.” “I’m not lazy, it’s my back.” I tell them “but I have to rest, I have to take it easy... I wouldn’t wish what I have on anyone” I say, “because it happens to them, I don’t know. It would kill them” I say. “because you can’t even work.”

Workers feel strongly that a man should not complain or show weakness; rather, they should bear the burden of injury with stoicism. Like Estefan, Fernando took pride in his resilience, arguing that the burden of his disability would have caused most men to crack.

N: *Como te ha afectado emocionalmente de tener ...*

H: *de estar desabilitado? Si yo hubiera estado mas joven con menos experiencia en la vida, pues, estaría desecho emocionalmente no? Mira. Hay una gran fortaleza interna mía no que no me permite que eso me destruya. Porque mientras que este yo vivo a un hay esperanza no? Aunque haya malos tiempos le busco la forma de ponerle la buena cara. Y cuando me voy acostar a dormir no me voy acordar de todo lo que sucede si no capas que me tiro un tiro no. (Risas)*

N: How has it affected you emotionally to be...

H: To be disabled? If I had been younger with less experience in life I would be falling apart emotionally, no? Look. There is a great internal strength that I have that won’t let me self-destruct. Because as long as I am living, there is hope, no? Even though there are bad times, you have to look for a way to put a good face on it. And when I lie down to sleep I am not going to think about all that has happened to me because if I did I would be ready to shoot myself... (laughing)

Perhaps because of the social importance of toughness and stoicism, workers are reluctant to acknowledge the emotional consequences of injury. Workers like Francisco who was teased and called lazy are challenged by the social stigma that comes with being unable to work. As a consequence injured laborers tend to be socially isolated

and feel compelled to “put a good face on the situation.” Much of the bravado rings false. Fernando laughed about being ready to shoot himself but he was in fact deadly serious. Between his injured shoulder, his failing marriage, responsibility for his parents’ mounting debt and his inability to pay the rent or buy food, Fernando was coping with tremendous stress. Six weeks later when he was once again able to work and had started repaying his debts, he acknowledged this.

Cuando paso la accidente, olvídate, los nervios se me pusieron de punta al ver la terrible realidad que yo no iba a ser capaz de ni siquiera poder sostenerme. Y peor pues al saber que allá quedaba todo paralizado la cuenta creciendo con los intereses, pero más preocupado, como dice un dicho, Dios te dice, ayúdame que yo te ayude va, ósea que yo para ayudarlo al que primero me debía de ayudar yo, entonces ahora si, tuve que emplear ahora si un poco la sicología para mi, primero para que no quisiera yo de suicidarme para tratar de superar un poco la tristeza y la depresión.

When the accident happened, forgetaboutit, when I saw the terrible reality that I was not going to be able to sustain even myself it put my nerves on edge. And worse was knowing that they are waiting there paralyzed, with the debt growing with the interest. But like God says – God helps those who help themselves. I mean that to help them, first I needed to help myself. So I had to use a little psychology to help myself, first so that I would not want to kill myself, and to try to get above the sadness and depression.

Faith and Perseverance: A “Sick Role” for Injured Workers

Despite some reticence about acknowledging their personal suffering, workers had a clear conception of the way one should “bear up.” In talking with Francisco, Fernando, Mario, Jesus and other injured day laborers about how they coped with stress, conversations generally revolved around the themes of faith, perseverance and hope for the future. Mario said,

Hay que tener siempre la constancia el estar siempre realmente con la esperanza con fe porque hombre sin fe es pato sin agua. Entonces siempre hay que tener fe en lo que venga. Yo hasta ahorita siempre he tenido fe y más o menos están yendo las cosas.

You should always have perseverance, always really have hope and faith because a man without faith is a duck without water. So you always have to have faith in what will happen. And up till now I have always had faith and things are going more or less.

Mario described a fairly agnostic faith in the future, but other workers are deeply religious. Jesus is an evangelical Christian. Before his injury I was unaware of the depth of his religious convictions; it had simply never come up in conversation. In the aftermath of the burn, his relationship with Jesus Christ became central. Virtually all conversations ultimately led to the central role of God. Jesus cited his faith as the reason that he would not pursue a worker's compensation claim. He felt that it was not his place to judge the employer, that John would be judged by a higher power.

Many others echoed Mario's conviction that they needed to be persevere, that rather than become discouraged they should be patient and strong and wait for their bodies to heal. For some, persevering means pushing themselves harder, hustling a bit more. Francisco was an exemplar. His work at Cow Palace where he cleaned seats was intermittent and unpredictable. Nonetheless he awoke in the homeless shelter every morning at five am and spent a precious dollar to take the bus to the stadium in hopes that his employer would have work for him. If there was no work, he took the bus back and went to the Day Labor Program where he signed up on the daily list of available workers. If his number was high and it appeared that he would not find work through the program he would make the trek to Cesar Chavez where he waited with the other day laborers.

This final option was particularly low yield because most of the jobs that men find on the corner involve heavy physical labor that Francisco could not do because of his back. When I mentioned that it seemed like luck determined who gets a job and

who does not, Francisco angrily retorted, "*La suerte, la suerte tu la traes. Porque si tu accionas la palabra clave es acción. Tu debes de buscarla no ella va a venir a ti.* –

Luck, luck is something that you bring. Because when you act, the key word is action.

You have to look for luck, she is not going to come for you."

Responses to the Stress of Injury

Workers' actual responses to being injured varied. Some manage the stress by distracting themselves with exercise, music, English classes, etc.. Fernando talked about the solace he found in music and exercise.

Mi refugio para entretenerme pues un poco de música no? No mas con escucharla, tocar con eso me tranquilizo un poco para contrarrestar un poco el estress. A veces salgo a correr como ejercicio para que la adrenalina ahora si este corra por me cuerpo me sienta yo vivo y también combatiendo un poco el estress. Y pues ahí si quiera estoy vivo no tuve otro accidente que me dejara sin trabajar porque para mí fue desesperante tener la fuerte urgencia de trabajar y no poderlo hacer.

My refuge to take care of myself is a little music. Just listening or playing calms me down and helps reduce the stress. Sometimes I go out to run for exercise so the adrenaline runs through my body and makes me feel alive which also helps with the stress. I hope that for as long as I live I'll never have another accident, one that will keep me from working because for me it was desperate to have the strong desire to work and not be able to do it.

Other workers like Mario focused on the past and on the community of friends he has developed here.

Pues no queda otra en refugiarte en tu mismo dolor nada más. Refúgiate de tus momentos gratos para mortiguarlos los recuerdos feos. Recuérdate lo bueno que hiciste en la vida los ratos gratos, momentos que paseaste y que se pasan aquí también porque aquí también se viven gratos momentos – la amistad de algunas personas, el convivió con otras, el cotorrear en, en ir al cine ir al parque a ver (risas) ver a las chicas y las grandes ir al dolores a ver a las margaritas...

There is nothing else to do but take refuge in your pain. Take refuge in the good moments to kill the bad memories. Remember the good things that you did in your life, the good moments, times when you went on trips and the times that you go out here

because here also you live good moments – the friendship of some people, living with others, joking around, going to the movies, going to the park to watch the girls (laughing).

Fernando and Mario's responses are the most functional. Other laborers become depressed or begin using drugs and alcohol. This study is not a study of clinical depression and my aim is not to diagnose workers with psychiatric illnesses. However it is clear that the conditions of life for day laborers, and particularly injured workers extract a high psychic toll. Particularly when the weather becomes wet and the afternoons dark, the tone in the shelter where I spent time grows sullen and brooding. At times specific incidents were the cause of crisis; men despaired after being defrauded by an employer, becoming the victim of street crime or having an argument with their spouse over the phone. But there were times when workers seemed despondent simply due to the strain of everyday life as an undocumented worker.

Emotional suffering is manifested in several ways. One is somatization. Workers under stress frequently complain of *nervios* and list the physical consequences that it causes: headaches, muscle pains, stomach aches. One worker was concerned about the shooting pains he feels in his right arm. These began spontaneously as he crossed the border; he was not sure if they are due to "coldness" that he experienced during his passage or *nervios* and his worry about his family. Katrina Peirce, a nurse practitioner from the San Francisco Department of Public Health who holds a weekly screening clinic in the shelter, concurs that many of the complaints that she fields are stress-related somatization.¹⁵

¹⁵ Personal correspondence with Katrina Peirce, FNP, SF Department of Public Health

Another reaction to stress is alcohol or drug use. Several of the men I spent time with were periodic binge drinkers. They would drink perhaps only once a month but when they did they were drunk for days, sleeping in the street because the shelter would not accept them. For some, I could detect no discernable event that inspired the binge, but for others it was clearly stress related. One of the workers I spent a great deal of time with had injured his back in a fall while working in a fish cannery in Washington. He had filed a worker's compensation claim and was awaiting the judgment, working what light jobs he could to send money home to his family. He told me that he was a recovering alcoholic but I had never seen him drink and assumed that he was stable in his sobriety. One evening I was shocked to see him on the street almost falling down drunk. When we saw each other several days later he explained that his wife had not deposited the money he had been sending in the bank and their house was robbed. Several thousand dollars were stolen and he was furious with her.

Many workers confirmed the link between emotional stress and drug and alcohol abuse. Mario explained that it provides a momentary escape,

Pues, es por lo mismo de no enfrentar a la realidad, para tener una fuga momentánea de la realidad de que estas aquí. Muchas veces que tengas unos \$500 a \$600 dólares que te pesan en si que les hago? Compro crack. No me va a hacer mal porque no compro coca me va a livianar o si no este como se llama - la mota - chingo de chingaderas que hay ahorita no? En el mercado, cerveza, vino y todo eso. Entonces no mas son fugas que hace uno nada mas

It is for the same reason, to avoid confronting reality, to have a momentary refuge from the reality that you are here. A lot of times you have \$500 or \$600 weighing down your pockets so what do I do? [imitating workers who use drugs] "Buy crack. It's not going to hurt me because I'm not buying cocaine, it will lighten me up." [sarcastically] Or that other one, what do you call it? Pot. So many ways to screw yourself up, no? In the market there's beer, wine and all that. So they're just escapes that people take.

Another enticement of drugs is that selling drugs can provide a viable economic alternative to working as a day laborer. Word on the street was that the people selling crack on 24th street make \$200 to \$250 a day and positions are always available. To my knowledge none of the workers I spent time with sold drugs. They were all aware of the opportunity, but vociferously defined themselves in opposition to this *vago* lifestyle.

Responses to Structural Violence Revisited

From this review of some of the ways that day laborers cope with their conditions, it should be evident that responses to structural violence are richly nuanced and individualized. As has been argued repeatedly, structural violence is inscribed differently in the lives of individual workers. The circumstances of exploitation, poverty and inequality are shared but their manifestations in the lives of the men I spent time with are different.

This is not to suggest that there are not commonalties. Workers overtly resisted their circumstances to varying degrees, but their means of protest were similar. Workers signaled their unwillingness to accept an inferior position in this society by maintaining their mobility. Limiting their involvement in a society that rejects them, many laborers strive to keep the interaction on a purely economic level; they make a bit of money and return home as soon as possible. Resistance was similarly implicit in Francisco's refusal to learn English – by maintaining his incomprehension he is able to deflect some of the hostility directed at him.

Workers responses to the stress of injury show both similarities and variability. A socially recognized "sick role" exists among day laborers; workers are expected to

cope by dint of their faith, perseverance and hope for the future. The injured workers I spent time with struggled to conform to this model, suppressing feelings of anxiety and discouragement. The outcomes of this struggle are variable; as we have seen, some workers successfully manage their anxiety by relying on companions, diversions or religious faith. Others fall into cycles of depression, somaticization and substance abuse.

The lesson is that oppressive structural forces become integrated differently into the fabric of different workers' lives. The worker's individual experience of structural violence then colors their experience of and response to injury.

Chapter 7: Conclusion

This study has documented the intimate connections between day laborers' experience of injury and their social and structural circumstances. It is clear that for these men, their health and suffering are fundamentally *social* phenomena. As clinicians, when we attend to day laborers in the clinic, it is essential that we recognize more than simply their "disease," the broken bones, burned skin and lacerated fingers. Ultimately these are simply physical manifestations of larger and deeper processes affecting their lives.

To understand their world, we need to acknowledge the political context of their health. The structural violence of North-South economic relations and U.S. immigration policy has absolutely pivotal ramifications in their experience of injury. Large scale national and international forces are brought to bear on individual day laborers through the mediation of more local levels of context; structural violence is inscribed in the lives of these workers on the street corner, in the workplace and through their family and community dynamics.

Roots of Structural Violence

The structural violence of U.S. immigration policy has evolved through a democratic process – a process in which undocumented people have few allies and their suffering is deemed irrelevant. At the most basic level of analysis, these structures are designed to facilitate the exploitation of cheap undocumented labor while giving the impression of aggressive enforcement.

Underlying this policymaking is an ideology that defines undocumented people as unwanted and unneeded. Ignoring the historical record and the crucial role of undocumented workers in certain U.S. economic sectors, this society denies that a reciprocal social relationship exists. This denial allows U.S. society to abdicate responsibility for workers' health, safety and well-being. With the attitude "they shouldn't be here anyway," this society refuses to offer basic protections and rights.

It is a disingenuous and self-serving stance. Immigrant labor (whether documented or undocumented) is not an aberrant legacy of some more primitive economic state or a parasitic economic drain. Rather, low wage immigrant labor forms an important part of our current booming economy. Transitions and restructuring in the U.S. and particularly the California economy have generated a thirst for unskilled labor; immigrants respond to the demand for their labor. They occupy a role that is integral to the new patterns of economic development. In this sense they should not be considered "aliens;" while they are systematically denied political rights, they are well integrated in our economy.

Day laborers are in a double bind; while de facto included in U.S. society and economy, undocumented workers are explicitly excluded from most rights and protections, and forced to live in poverty and fear. If the objective were to assure a desperately poor, disempowered and exploitable labor pool it would be hard to design a more optimal structure. This is not to suggest that immigration policy was expressly designed with such malevolent intent. Ultimately, in terms of the social suffering it causes, it is not important whether these structures were premeditated or not. The

functional result is the same and this society bears the responsibility for maintaining these structures.

The Impact of Structural Violence on the Lived Experience of Injury

The objective of this study has been to document the embodiment of structural violence, to record, in ethnographic detail, the nuances of how large scale social forces are manifested in the lives of individuals. We have seen that the structural violence described above impacts the lives of injured day laborers in innumerable ways, from direct literal violence while crossing the border to subtle tensions in workers relationships with loved ones. Multiple layers of social context are affected by structural violence and these contribute to the experience of injury.

The Local Context: Competition, Uncertainty, Violence, Shame and Pride

As discussed in Chapter 3, the day laborers' immediate social context is the unstable world of the street corner. Their experience of this environment is a product of both local conditions and the legal and political structures that define what it means to be "undocumented." Virtually all aspects of their lives in San Francisco are affected by their immigration status. Because they cannot join the formal economy, they face perpetual uncertainty and total lack of security. Each day they must begin again, facing the street corner competition in hopes of gaining a day's wages. It forces them to display themselves on the street corner, exposing themselves to humiliation and abuse. Lack of papers classes them as "fugitives," and, as such, they are apprehensive about

contact with authorities. This extreme marginalization and the fact that for lack of papers they cannot open a bank account makes them the target of street crime and fraud.

Injuries in the Workplace

Lack of papers also fundamentally alters their experience of working. Because they are undocumented, day laborers must accept the jobs and pay that native born workers will not. The work that they perform – roofing, construction, demolition, house painting – are inherently among the most dangerous trades in this economy. Being undocumented simply adds to the risks. Employers treat undocumented workers as a flexible resource, using them as needed, and dismissing them when finished. Because of the high turnover and language barriers, day laborers receive very little formal training. Even in the most hazardous trades, like roofing, they simply learn on the job from their peers.

Being undocumented also limits workers' flexibility in the labor market; in general, they work for whomever is willing to pay. The employers that pick up undocumented workers on the street corner tend to be small independent contractors operating on the margins of formal enterprise. They seem to largely evade health and safety regulations – Jesus, Fernando and Estefan's descriptions of their work environment included egregious violations of state and federal safety standards.

Certain employers also take advantage of the fact the fact that most day laborers are undocumented and are unlikely to contact authorities when they are cheated. The most recent and guileless immigrants are caught in scams that more experienced migrants know to avoid: working for weeks without pay, working for sub-minimum

wage. In the Center for the Study of Urban Poverty report on day laborers in Los Angeles, over 50 percent of workers self-reported that they had been cheated or defrauded by employers.

The fact that workers are undocumented and a crowd of laborers waits to take their place drastically reduces their bargaining power in the workplace. A particularly striking example was Jesus's employer John. When Jesus demanded compensation, John said that because Jesus is undocumented he knew Jesus had no rights.

While this is not literally true, it is a testament to the intimidation of living and working without papers. In fact, limited legal protections in the workplace *are* extended to undocumented workers. The reality, however, is that their undocumented status makes it very difficult to exercise those rights. Jesus's case is again an excellent example of the psychological and institutional barriers that undocumented people face.

Effects on Family Dynamics

The structural violence of immigration policy has important effects on a worker's relationships with family; in turn, these family dynamics play a major role in shaping the worker's experience of injury. Stringent control of the border enforces separation of a worker and his family. The worker finds himself in a double bind; by providing materially for the family, he is fulfilling one of the roles of fatherhood and manhood, yet by being so far from home, he is abdicating another – his responsibility to be present in the home. This bind grows worse when a worker is seriously injured because he can complete neither responsibility. Suddenly he is failing at both tasks of fatherhood.

Injury to an undocumented worker in the U.S. can also represent a catastrophic economic blow to the family. The worker's investment of time, effort and money is lost and they must consider returning home disabled without means of supporting the family. These devastating blows must be communicated to the worker's spouse or parents via telephone in the context of a long-distance relationship that is already under strain. Workers find it difficult to be entirely honest and when the flow of money homeward stops, suspicions flare. Thus, injury for a day laborer may lead to intense interpersonal strain on the family.

These stories are a reflection of how deeply structural violence can affect the lives of day laborers. The toll of structural violence can be assessed not only in economic indicators and broken bodies, but is also expressed as jealousy, mistrust and broken relationships.

Lessons from the Day Laborers

Two central conclusions arise from this review of the lived experience of structural violence. First is that consideration of a patient's social world is an absolutely crucial component of clinical care. While this ethnography did not focus on the day laborers' experience of clinical medicine, it is nonetheless clear that focusing on only their *disease* (an injury) would be a grave disservice. Their disease is integrally connected to the larger social processes that orient their lives; its implications are deep and broad. Addressing the disease alone would miss the forest for the trees.

This ethnography makes plain the political nature of health for the day laborers. It is clear that we cannot construe a worker's fall as just a factor of rotten scaffolding.

That worker's injury is also the product of the immigration laws that restrict him to dangerous and unregulated jobs and the employer that refuses to invest in safety equipment or training. Clinicians are charged with the responsibility of advocating for the health of their patients. In this context, that means not merely treating the disease, but naming and exposing the forces that systematically damage undocumented immigrants. By recognizing and explicitly acknowledging the political roots of health for this population, we can perhaps begin to peel away the veil of normalization and indifference that surround these "everyday injustices."

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