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### Author

Herrera, Juan Carlos

### Publication Date

2010-07-07

ISSC WORKING PAPER SERIES 2007-2008.43

**At the Day Labor Hiring Zone:  
The Politics of Immigrant Illegality and the Regulation  
Of Informal Labor**

**by Juan Carlos Herrera**

Department of Ethnic Studies  
University of California, Berkeley  
July 7, 2010



INSTITUTE FOR  
THE STUDY OF  
SOCIAL CHANGE

Juan Carlos Herrera  
Department of Ethnic Studies  
University of California, Berkeley

**[jherrera@berkeley.edu](mailto:jherrera@berkeley.edu)**

Drawing from ethnographic fieldwork and media analysis of anti-day laborer mobilizations, this paper explores the discourse surrounding the “problem of day laborers” which represents *jornaleros* as a contaminant of street corners and the visible embodiment of immigrant illegality. I argue that such a discourse has lived material effects that translate into myriad constraints on day laborers’ relations of production and other aspects of their lives, which ultimately limit their ability to navigate different geographical and socio-economic scales. In this paper, I explore two different approaches for solving “the problem” posed by day laborers: 1) punitive anti-immigrant tactics and 2) more caring, progressive, pro-immigrant methods. Contrary to many studies that argue that undocumented workers are in the shadows of the state, I interrogate different state-sponsored projects that seek to shape the conduct of illegal immigrants through practices of spatial discipline, immigration enforcement, and other political technologies of rule.

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## Introduction

In the last decade, policy analysts, social scientists, and the media have constructed an elaborate body of knowledge about day laborers including detailed accounts of the age, place of origin, and employment rates of this population (Valenzuela 2001a, 2003; Theodore et al. 2006; Theodore 2007; O'Brien 2007). Much of the academic literature on day laborers is survey-based and focuses on documenting the demographics of this population rather than offering ethnographically situated accounts of day laborers.<sup>1</sup> Nearly all of the literature documents the widespread popular debates about the “problem” that day laborers pose for cities throughout the nation. Residents, city governments, and merchants accuse day laborers of causing a public nuisance by creating traffic congestion; deterring customers from entering businesses; and loitering. In these debates, day laborers, popularly known as *jornaleros*, have been objectified and described as undesirable subjects or as defenseless victims in need of proper stewardship and care. Though many studies identify these debates surrounding day laborers, few offer an in-depth analysis of the grounded, day-to-day experiences of day laborers living in U.S. communities and navigating these spaces. In most academic and public policy accounts, day laborers are portrayed primarily as transient workers and not understood to be a central component of the very communities in which they live and look for work.

Through an ethnographic study of two day labor hiring zones and media analysis of anti-day laborer mobilizations, this paper presents the hiring zone as a social-spatial milieu produced by the relationships that *jornaleros* construct with each other and their employers as well as the

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<sup>1</sup> Three exceptions to this are Purser's (2009) study of boundary formation between day laborers; Walter et al.'s (2004) study of the effects of injuries on day laborer masculinities; and Pinedo Turnovsky's (2006) study of the day-to-day practices that day laborers engage in at street corners.

disputes surrounding the “problem of day laborers.” I argue that social-spatial relationships matter and rather than understand *jornaleros* as despatialized transient laborers, it is more productive to locate them within a particular political and economic context. This localized approach is critical for understanding the contextual nature of day laborers’ experiences and how disputes surrounding the “problem of day laborers” manifest in different places.

The fact that numerous city governments, merchants, and residents alike are mobilizing to eliminate, control, and/or regulate the day labor hiring zone reveals how day laborers are subjects of governmental rationalities and other modes of power. In this paper, I describe how state and non-state actors render day laborers a sector of the population to be monitored, policed, and regulated. State actors include agents such as the police, federal immigration officers, and local city officials, as well as social workers and school administrators. I define non-state actors as representatives of non-profit organizations, residents, merchants and other entities (including day laborers) not directly tied to state. The analysis that I present below is primarily concerned with how state and non-state actors in various assemblages and entanglements employ different tactics to fashion a particular type of day labor behavior and idealized forms of employment solicitation. The analysis also illustrates the fundamental spatiality of Michel Foucault’s elaborations on power. Thinking about the conflicts surrounding “the problem of day laborers” in this fashion allows us to understand the power-laden process through which worker subjectivities are formed by competing practices of spatial discipline.

The predicaments that arise from the organization of people and space through the use of political technologies are key to Foucault’s analytic of governmentality. Foucault (2007) defines governmentality as a field of power that seeks to shape human conduct by calculated means, and with a concern for the ultimate wellbeing not of individuals, but of the population as a whole. As

Donald Moore (2005) describes, “rather than using force to dominate, the governing of subjects is productive in nature and employs political technologies to guide, encourage, and orchestrate actions among subjects whose agency becomes deployed—rather than destroyed—by government” (8). The act of governing subjects through indirect means involves a carefully planned interaction of what Foucault (2007) calls the relationship between “men and things.” Government is concerned about people’s relationships with “things like wealth, resources, means of subsistence, and, of course, the territory with its borders, qualities, climate, dryness, fertility, and so on” (96). Foucault argues that the target of government is to fabricate, organize and plan a milieu such that geography and relationships in space are of fundamental importance. Moreover, such a milieu is not designed or orchestrated by an omnipotent and violent state, but rather shaped by a diverse set of actors and institutions—both state and non-state entities.

Some of the most productive applications of Foucault’s analytic of governmentality have interrogated how states relate to populations via political rationalities and how the state itself is spatialized (Ferguson and Gupta 2002; Moore 2005; Kosek 2006). For Foucault (2000) the modern state’s power is both totalizing and individualizing. That is, as a kind of political power, the state serves the interests of a totality (i.e. the nation), or more specifically, a class or group (332). Yet as Foucault further elaborates, state power is also individualizing and employs a technique called “pastoral power” originally used in Christian institutions. Like the pastor who took care of and knew details about the members of his congregation, the modern state also employs mechanisms by which it penetrates at the level of the community, family, and the self. Such pastoral forms of power are performed by numerous entities representing different institutions that both guide individuals and develop knowledge about people.

The modern state functions in a similar way with regard to day laborers and recruits various non-state entities to penetrate different social, psychic, and geographic spaces. To achieve an efficient social-spatial milieu that does not include and/or limit the congregation of laboring men on street corners, many cities seek to shape the conduct of day laborers through tactical practices of spatial organization and routinized regulatory procedures. State and non-state actors give significant contour to the experiences of undocumented workers such as *jornaleros* by limiting their available options for work and their ability to settle down, form families, and build a life for themselves in their new home. I show this by first outlining the different projects that seek to “control” and “protect” day laborers and then by demonstrating that different political, economic, and anti-immigrant climates matter in shaping both the attempts and tactics used to monitor and police day laborers. I explain how two seemingly different strategies for solving “the problem of day laborers” equally constrict day labor solicitation, discipline hiring zones, and create and regulate *jornalero* subjectivities. I then describe the way in which the state, through the use of its immigration enforcement and deportation tactics, enacts direct forms of disciplining day laborers, instills fear, and engenders a sense of spatial immobility on this population. Such forceful and direct forms of restraint, I argue, work in partnership with less direct and non-violent forms of governmental technologies of power.

### **The Day Labor *Parada* and Methods**

To demonstrate how *jornaleros* come to be subjects of technologies of power, I study the dynamics of the day labor hiring zone. Known as the *parada* to most day laborers, the hiring zone is a geographical area usually located along sidewalks and street-corners where men

congregate to solicit work. The *parada*, however, is much more than just a physical space where potential laborers desperately await employers; it is a place of multiplicities and interrelations, where men socialize with peers, recreate and reinterpret hierarchies of power, and establish and refine repertoires for daily survival and subsistence.<sup>2</sup> The *parada* serves as a medium for power relations and as a site of multiple contradictions: It is, simultaneously, the object of community battles over appropriate uses of public space; a target of immigration control and police harassment; a vehicle for the exploitation of workers by employers in search of the cheapest and most flexible kind of labor; and the site where some men's luck can change for the better by landing a permanent job. The *jornalero parada* is thus virtually agentic—becoming a key faultline in many community debates and acquiring a subjectivity of its own.

I spent a four-month period visiting two adjacent *paradas* in East Oakland, which I will refer to as the International and the Railroad sites, respectively. These day labor hiring zones are both located in a predominantly Latino, immigrant, and working class neighborhood of East Oakland, California. The men who solicit work here are predominantly Mexican and Guatemalan, and most are recently arrived immigrants who are adjusting to life in the United States. Though only two city blocks separate these two *paradas*, they are completely different and attract distinct kinds of *jornalero* populations. At the International site, most of the men are Mexican and non-indigenous Guatemalans. At the Railroad site, the day laborers are almost exclusively indigenous migrants who come from rural regions of Guatemala and are often not fluent in Spanish. Most of the men are here without their families. They are as young as sixteen

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<sup>2</sup> Massey (2005) argues that place must be understood as first and foremost about interrelations. As she argues, “space is a product of interrelations; as constituted through interactions, from the immensity of the global to the intimately tiny”(9).



and usually no older than thirty.<sup>3</sup> These men live and work in the same community and live within a twelve-block radius of the *paradas* where they look for work on a daily basis. As residents of this Oakland district, these men serve as the biggest clientele for the local restaurants, grocery stores, and convenient shops.

I interacted with the men as they looked for work, sat with them as they chatted with friends, and accompanied them on their daily trips in and out of the street corner. I did not follow the men to work; instead, I focused my analysis on the kinds of interactions, activities, and stories that I heard from the men at the *parada*. In addition to this period of fieldwork, I also volunteered for two years at a free clinic located near the *paradas*, which serves mainly day laborers.

### **The “Problem” of Day Laborers, the State, and the Regulation of Immigrant Illegality**

In much of the academic literature as well as media and public policy discourse, undocumented workers such as day laborers are often understood to be at the margins of the state and engaged strictly in the informal economy (Valenzuela 2003, 316; Zolniski 2006). Castells and Portes (1989) characterize the informal economy as a “specific form of relationship of production” unregulated by legal and governmental institutions (10-13). Zolniski (2006) contends that informal economic activities are those “income-generating occupations that escape the control of the state and local government authorities.” These activities, he argues, are a common feature in Latino immigrant neighborhoods (73). The use of the word “escape” betrays the analyst’s assumption that the state does not monitor or seek to govern the subjects that

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<sup>3</sup> By family I mean their immediate relatives such as spouses, mothers, fathers, or siblings. However, these men create alternative notions of family whereby they build strong friendships with a group of men that become their source of support. For a detailed elaboration of homo-social notions of family see Shah 2001.

engage in the informal economy. Indeed, some analysts argue that the lack of institutionalized permits or forms of employer verification such as licenses, social security numbers, and formalized bureaucratic procedures are evidence that the state does not regulate the informal economy of undocumented labor. This line of argumentation wrongly presupposes that the state is the only entity concerned with forms of regulation or surveillance. And by demarcating the exceptionalism of the state's (lack of) relation to the informal economy, these arguments also construct a mutually exclusive division between the informal and formal economies.

Contrary to these perspectives that render the state as blind to these spaces of informality, my fieldwork reveals that undocumented immigrants live their lives going in and out of the formal and informal economy and being simultaneously invisible and highly visible to different state and non-state agents.<sup>4</sup> Many day laborers reported going to work with licensed contractors who, on paper, engaged strictly in the “formal” economy, but in practice, hired “informal” day laborers to cut costs. In many cases day laborers also reported their earnings to the state hoping that by paying income taxes they could prove their respectability as workers, which, in the future, could potentially help them formalize their immigration status.

*Jornaleros*, like other “illegal” workers, are in fact members of communities whose activities become subject to both state and non-state agents that seek to shape their laboring practices. A brief review of different political and economic contexts reveals the diverse ways in which day laborers become the object of governmental rationalities. Across the U.S., local responses to this “problem of day laborers” fall within two categories: 1) repression and restriction of day laborers, and 2) a kinder form of policing day labor activity through the establishment of day labor centers. In the section below, I explore both of these modes of state

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<sup>4</sup> Day laborers represent one of the most recent trends in informal workers in the U.S. For more detailed studies on the informal economy and informal workers, see López-Garza 2001, Zlotniski 2006, Sassen 1991, Castells and Portes 1989.

regulation of the informal economy and labor, and the techniques, modes of operation, and partnerships with non-state entities through which this occurs. I argue that efforts to control or even render intelligible “the problem of day laborers” demonstrate that illegal immigrants are by no means outside of the state’s sphere of influence or regulation. In fact, as De Genova (2002) argues, “illegality” is a “juridical status that entails a social relation to the state” such that migrant “illegality” is fundamentally a political identity created and maintained by the state (422).

### **Punitive Responses to Day Labor Solicitation**

In anti-immigrant contexts, city officials, residents, merchants, and activist groups blame the federal government for the increasing concentration of male day laborers in their cities. They argue that the presence of day laborers in American cities is proof that the federal government is not adequately controlling illegal immigration. The “failure” of the federal government then requires more localized state agencies as well as non-state groups to work together to police immigrant illegality. Local forms of control include city ordinances that make it illegal to solicit work at different sites or impose fines for employers who hire workers on specific street corners (Valenzuela 2001a). Some merchant organizations even hire private security guards to monitor day laborers who solicit near businesses. In these different punitive responses to day laborers, opponents of street corner solicitation demand the spatial delimitation of the *jornalero parada* and bolster their claims by constructing deviant and pathological *jornalero* subjects.

In many small towns and conservative anti-immigrant urban contexts, the spectacle of racialized “illegal” men procuring work on the streets becomes framed as antithetical to the “American way.” As one reporter describes, day labor centers are “increasingly flash points in

communities coast to coast, as residents and anti-immigrant groups take matters into their own hands and nonimmigrant workers complain that they're getting pushed out of jobs"(Solis 2007). The reporter then cites a member of the Minuteman project who argues that day labor sites "aid and abet" illegal immigrants. In another example, the mayor of Hazleton, Pennsylvania, recently became a national figure after he cracked down on business owners and landlords who hired undocumented immigrants (O'Brien 2007). Mayor Lou Barletta has been key in orchestrating anti-day labor restrictions and in critiquing other cities that harbor "illegal" workers by using city money to fund formal hiring centers. When commenting on the new day labor anti-soliciting ordinances in Hazleton, Mayor Lou Barletta argued that "illegal immigration is destroying small cities" and that he will do anything to prevent such destruction—especially actively policing day laborers (ibid.). The mayor's comments as well as the mobilizations against day laborers reveal the construction of these men as "un-American" (i.e. non-white) and an unwelcomed "invasion."

Though some conservative cities established day labor centers to attempt to better "control" *jornaleros*, these approaches quickly came under suspicion. In cities like Herndon, Virginia, a D.C. suburb, voters were infuriated to learn that taxpayer money was used to fund a day labor center. They mobilized to throw out of office the mayor and council members who had established the center a year earlier. After ousting pro-day laborer city officials, voters elected new officials who adopted a more punitive day labor stance, which includes a strict anti-solicitation ordinance. The city has also made English its official language and has strengthened ties between the local police force and federal immigration enforcement agencies (O'Brien 2007). One of the new council members, Dave Kirby, commented on the new changes: "We have a pretty serious overcrowding problem in our town, and a lot of people don't want to admit that a lot of that has to do with illegal aliens in town and the day labor center that attracts them"

(ibid.). According to Kirby, day labor centers are a threat to small towns because they send a welcome message for “illegals” and divert city funds away from deserving “legal” residents. Kirby constructs day laborers as foreign invaders and a fiscal strain on local state governments. As a result of state intervention in the policing and enforcement of anti-day laborer ordinances, *jornalero* subjectivities become sutured with “illegality” and spatialized at the *parada*.

Mobilizations to regulate day labor solicitation dramatically blur the distinction between officials of the state and non-state entities. In 2006, for example, officials in the south Orange County community of Lake Forrest agreed to let property owners pay a security guard to patrol day laborers who gathered at the edge of a strip mall (Delson 2006). The intended goal of the private security guard is to witness violations and file trespassing complaints for property owners in order to have the police or city government intervene in the affair. Sue Waltman, one of the property owners of the strip mall commented, “This isn’t an anti-immigration thing. It’s an anti-trespassing deal. Our problem is not that they are here, but there are a lot of unsavory things that go along with them being here all the time” (ibid.). According to Waltman, the property owners are not concerned with the immigration status of day laborers but rather their illegal behavior or “unsavory things” that occur at the *parada*. For Waltman, the mere presence of *jornaleros* on privately owned property is illegal. She argues that security guards are simply there to “put eyes on the problem” and collaborate with state officials. The presence of these private security guards in collaboration with officials of the state fundamentally serves to render visible the actions and characteristics of day laborers.

Like private security guards intent on surveilling day laborers, the Minuteman project has also served as a key non-state group invested in patrolling day laborers. Though the Minuteman project is often assumed to operate only at the border, representatives from this group have been

increasingly involved in battles against day laborers in cities across the country. In Lake Forrest, the same community that supports the hiring of private security guards to patrol day laborers, members of the Minuteman project stepped up protest, shouting at workers and taking photographs of employers who hire day laborers (Delson 2006). According to a reporter for the *Los Angeles Times*, members of the Minuteman project are also active in local city council meetings where they express their frustrations about day laborers. Minuteman spokesperson, Robin Hvidston remarked, “What we want there is aggressive enforcement. These people are trespassing on private property and they are causing traffic problems. If they are here illegally, they are also breaking federal law” (ibid.). The Minuteman’s actions both resemble the policing conducted by state agents and seek to influence the legislative processes fundamental to the state democratic procedures.

As this overview of punitive responses to day laborers illustrates, opponents of day laborers construct them as triply problematic people who simultaneously engage in lewd and illegal behavior on street corners, break trespassing codes by congregating on private property, and violate federal immigration laws. Furthermore, the day labor *parada* becomes constructed as a site of illegality, where racialized *jornalero* subjectivities coalesce with juridical constructions of immigrant illegality and local understanding of lewd behaviors taking place at street corners. Though illegal workers are popularly assumed to be in the “shadows” of the state, undocumented *jornaleros* are in fact policed and patrolled by an entire assemblage of state and non-state actors. In these instances, where the political and economic environment harbors anti-immigrant sentiment, such political technologies deploy more punitive and direct tactics of policing and patrol.

## The Care of Day Laborers and Restrictions on their Mobility

Less punitive approaches to solving the “problem of day laborers” are emblematic of how progressive, pro-immigrant communities come to delimit *jornalero* laboring practices. The Bay Area is easily considered the antithesis to the repressive anti-immigrant Minutemen territory previously described. Oakland, the most populated city in the East Bay, has a reputation for being proudly liberal and a city that welcomes immigrants, as illustrated by its official status as a sanctuary city.<sup>5</sup> Furthermore, the Latino district of Fruitvale, where my fieldwork took place, is home to a vibrant collection of non-profit organizations that cater to a predominantly immigrant population. Given this context, it would be counterintuitive to completely prohibit day laborers from soliciting work on the streets or forcefully patrol them using the police or private security guards. Not only would this incite the anger of an entire assemblage of local pro-immigrant activists, but it would also upset a slew of private employers who eagerly hire day laborers instead of more expensive formal laborers.

Despite its liberal tendencies, the development of several day labor *paradas* was viewed as presenting a conflict with the redevelopment plans of the Fruitvale district that took shape in the late 1990s. As this once marooned inner city district in Oakland sought to dislodge itself from its status as an underdeveloped, poverty-stricken barrio, both state and non-state entities raised concerns about the daily “unorganized” congregation of single men. A member of Day Laborers Together<sup>6</sup>, an organization that advocates for *jornaleros* in Oakland, told me of how critical the situation became between 2000 and 2004 when redevelopment plans came to fruition.

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<sup>5</sup> Many liberal cities have chosen to become sanctuary cities to affirm their commitment to protecting the civil rights of all immigrants. The City Oakland declared itself a sanctuary city on May 15, 2007 and established a resolution: 1) Calling on the federal government to impose a moratorium on federal immigration raids and to adopt fair comprehensive and humane federal immigration reforms 2) Affirming that Oakland is a city of refuge for immigrants and 3) Declaring the city’s policy against local enforcement of civil immigration laws while permitting cooperation with federal agents in situations involving public and serious crimes. See Oakland City Council 2007.

<sup>6</sup> Day Laborers Together is a pseudonym

At 35, Jose Olivares is a seasoned activist who has been organizing as a day laborer for over ten years. Jose describes the conflict:

The local businesses were the first to complain about us *jornaleros*, especially the people at the thrift store where many men stand to look for work [at the International site]. They complained that *jornaleros* were harassing their customers, urinating on the streets, etc. This is a matter of aesthetics; they are concerned with the kind of image that their stores have. They claim that *jornaleros* that stand in front of the stores create a bad image and deter customers. The thing is that we are also customers there. I buy all my clothes from the thrift store and I buy my food at the different grocery stores in the area. (Interview with the author, 20 March 2007.)

Jose, like other *jornaleros*, found himself the object of attacks from residents, business owners, and city officials. Not surprisingly, Jose and other workers were outraged by new restrictions placed on their solicitation practices, and they argued that day laborers, as residents and customers of the Fruitvale district, had the right to solicit work on any street corner of their choosing. As Jose recounted, members of Day Laborers Together, with the support of more established non-profits, challenged the city's first attempts to prohibit day labor solicitation. They organized marches, rallied in front of city government offices, and sought to make their demands heard by both city governments and merchant organizations.

Day laborers are a recent phenomenon in the history of Fruitvale. In my interviews with residents, most people date the mass influx of day laborers to about the late 1990s. One resident of Fruitvale for the past 16 years, Lucia, who is a hairstylist by trade, told me about this kind of shift: "Before 2000, there were day laborers in Fruitvale but few. They looked for work in only like two different locations. But after 2000, I don't know exactly when it started happening, but there were so many *jornaleros*. You started to see them along Foothill next to the Walgreens, and then along High Street. They were just everywhere." Lucia has seen the change in her clientele and also a shift in the locations of businesses in the Fruitvale: "There are now many more Guatemalans that are coming here to Fruitvale. Just look next door there is a Guatemalan



restaurant and a bakery. Many of my clients are also Guatemalan.” Not only are the incoming immigrants no longer just Mexican, they are also primarily male.

As redevelopment efforts resurrected the once decayed streets of Fruitvale’s commercial sector, merchants and residents raised concerns about the “unorganized” congregation and circulation of day laborers. A new multi-million dollar subway station was erected and the merchant sector along the main street, International Boulevard, received a massive facelift. In envisioning a particular kind of redevelopment, planners, city officials, and community-based organizations sought a specific kind of flow of people, goods, and capital. They were primarily concerned with attracting new consumers and their money to the redeveloped zone. The day laborer form of soliciting work—which requires standing on the streets and waiting for work throughout the Fruitvale district—came in direct opposition to the specific branding of progress that redevelopment plans wanted to secure. Such a vision was heavily influenced by a powerful merchant sector that sought to harness further economic growth in the region.

These preoccupations with the efficient government of subjects within a given territory mirrors the concerns raised by early European officials in charge of planning the development of modern towns at the turn of the 17<sup>th</sup> century. As revealed in the recent English translation of Foucault’s 1989 lectures entitled *Security, Territory and Population*, (STP), Foucault’s understanding of governmentality stems fundamentally from a desire to appreciate the organization and politics of space and the ways in which populations are administered in historical-spatial contexts. Foucault’s explorations begin with the development of modern European towns. As the once closed and walled off European towns begin to enter into new relationships with other places, “what was at issue in the eighteenth century was the question of the spatial, juridical administrative, and economic opening up of the town: resituating the town in

a space of circulation”(13). The problem was how to manage the type of circulation that occurred in and out of space. This was especially the case in the 18<sup>th</sup> century when newer towns were being constructed to facilitate greater circulation of goods and people, both within the town, and on external roads where goods could be exchanged. An important problem for towns in the 18<sup>th</sup> century was surveillance of bad types of circulation, since rigid walls no longer fortified the towns. Foucault contends that a different problem emerged which was not about fixing or enclosing territory, “but of allowing circulations to take place, of controlling them, sifting the good and the bad, ensuring that things are always in movement...in such a way that the inherent dangers of this circulation are canceled out” (65). What was needed were mechanisms by which to govern at a distance, where the focus on territory and people would no longer be sufficient, nor a possibility, and the wellbeing of the population needed to be secured.

Illustrating some of the strategies that Foucault describes were used to open up and develop modern European towns, Oakland city officials, residents, and merchants sought to position the Fruitvale district into a space of circulation. As the Fruitvale was branded a redeveloped space of progress and economic growth, concerted attempts were made to keep a particular kind of behavior—the day laborer form of soliciting work and sociality—surveilled and contained, or as Foucault describes, “within socially and economically acceptable limits and around an average that will be considered as optimal for a given social function” (Foucault 2007, 5). The concern became how to manage the day laborer sector of the population in an appropriate and ethical fashion, so as to diminish the potentiality of this kind of “bad” circulation of people.<sup>7</sup> Governmental forms of power do not seek to eliminate a particular activity or occurrence. Instead, the concern focuses on maintaining an appropriate bandwidth of

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<sup>7</sup> Attempts to manage day laborers also coincided with newly activated concerns to monitor and police sex workers who also solicit employment on Fruitvale’s streets.

permissible behaviors and actions. Unlike a more punitive treatment of day laborers, such as seeking to eliminate them from the streets at all costs, this more calculated approach pivots on the careful calibration of different agents, tactics, and strategies of efficient spatial organization to better manage day laborer solicitation practices. This adaptive and caring approach is key to the regulation of day laborers in liberal, progressive, pro-immigrant environments.

To solve the “problem of day laborers,” the city of Oakland created an official city-sponsored Day Labor Center (ODLC) to manage *jornalero* activity and behavior. Other pro-immigrant cities throughout the U.S. have done the same and, in most cases, in partnership with non-profit organizations, church groups, or other non-state entities. In Oakland’s neighboring city of Hayward, for example, the city helped to create a center with the assistance of a local church that had long been providing services to day laborers. Filipia, a founding member of the new day labor center in Hayward, explained: “They [the city] gave us \$80,000 to start the center because they plain and simple wanted the men out of the streets. They wanted more order, less men on the streets. They do not care for them, they just don’t want to see them.” Although they may be the outcome of a benevolent act, day labor centers funded by city governments can in fact become mechanisms for greater management of subjects. But rather than the city government taking direct control of these projects, they are subcontracted to local nonprofit organizations who do the work of the state (Postero 2006; Ferguson and Gupta 2002). The state (in its various dispersed and capillary forms) does not just directly police day laborers. It also attempts to fashion a particular kind of immigrant laborer—one that is out of sight and out of mind—and that behaves and solicits work within a certain bandwidth of permissibility.

These day labor centers are by no means oppressive instruments of authority deployed to shape the conduct of day laborers. Rather, they are centers that seek to care for and transform

*jornaleros* into proper subjects. Furthermore, they seek to bring the day labor hiring site within some degree of formality. As Theodore et al. (2006) argue, worker centers offer the most promising policy intervention to “restore the floor under the day labor market” as they serve as spaces “where day laborer hiring is more formalized, transparent, and where labor standards, including wages and earnings, are better protected” (408). Some day laborers experience this as productive (and positive) kinds of activities or habits. For example, many of the day laborers report having learned many things at the city-sponsored day labor center, such as how to perform a certain kind of skilled labor and how to be attentive to their health (Purser 2009). Other day laborers report a greater degree of safety at day labor centers, as they can rely on the center to protect them against unscrupulous employers and assist them in any kind of difficulty they face (Martin et al. 2007). The art of government is not about forcing subjects to do the will of some kind of authority figure or sovereign, but rather to encourage them to choose certain paths over others, to guide conduct towards one end while foreclosing other possibilities. By addressing the issue in this matter, local city governments appear to be attentive to the demands of their constituents; they claim to solve the problem of day laborers. Similarly, they appease their pro-immigrant and progressive constituents by caring for and supporting undocumented laborers. State-sponsored regulation of the informal day labor market is thus invested in maintaining an efficient social-spatial milieu through selective practices of spatial discipline as well as the calibration of different tactics and careful orchestration of diverse actors and constituents.

### **Day Laborers and The Conduct of Conduct**

Representatives of the Oakland Day Labor Center (ODLC) and city officials argue that their efforts have “solved” the day laborer problem. The resolution, however, does not equate with getting rid of *jornaleros*, for they continue to congregate in huge numbers at various street

corners throughout Fruitvale. Rather, such interventions on the spaces that dictate where men can and cannot look for work has attempted to fashion a bandwidth of acceptable conduct, a range of permissible outcomes and relations. Such attempts to guide the conduct of day laborers includes their relations with each other, their relations of production, and their sedimented relationships to the very physical spaces where they solicit work.

One of the first goals of the ODLC is the spatial segregation of day laborers. The office is located in the industrial hinterlands of Oakland—far removed from the meticulously kept and polished image of the merchant corridor. It is situated in the middle of abandoned warehouses and storage places and located away from the newly face-lifted commercial artery of International Boulevard. On my first visit to the ODLC I realized that few day laborers actually solicit work here. Instead, most *jornaleros* wisely gravitate towards the highly transited boulevards.

I had often heard day laborers complain about how the ODLC was run-down and was simply too isolated and removed from the heavily transited streets. But what appears to be a run-down, under-funded, and underutilized day labor center has an incredible entangled history that demonstrates the different claims to space enacted by disparate actors that make up this community. I learned of this history in my interview with Lucía, the coordinator of the ODLC. Lucía is a lively woman of nearly fifty who has worked as an organizer in Fruitvale for over 15 years. Lucía described how the Day Labor Center emerged in the following fashion:

In 1994 our city council member was really worried about what was going on with the day labor community because this group was growing rapidly. They [the city] started to create a program to help them. At that time, the Day Labor Center was just a place for the men to get work. The solution was not just to find them work. When I came here [in 2000] I expanded the program so that we could cover all of their needs and those of their families. There were many complaints from the merchants, from residents, because, well, day laborers would commit violations—urinating on properties, alcohol and drug use, and so we decided to give them a *designated* area. It is like seven blocks, they have an enormous amount of space. But they like soliciting work on High Street. And there

we have problems with the merchants. Really the merchants don't really complain unless the day laborers cause problems or tamper with their property. But now we are not only thinking about the merchants, but of the *danger*. . . that drug dealers, child molesters, and rapist infiltrate as day laborers—and that is a serious problem.<sup>8</sup>

In this description of the Day Labor Center's creation, Lucía explains how the center was formed for the welfare of day laborers, their families, the wellbeing of merchants, and the population as a whole. I want to call attention to the process by which such welfare is to be achieved. First, the city created a day labor center and a designated solicitation space, which renders "illegal" the procurement of work in non-designated areas. As Lucía described, the designated area comprises a total of seven city blocks along a less heavily transited street and away from businesses. According to Lucía, the reason for partitioning off this area as a designated day labor zone is to *protect* the day laborers themselves and to surveil not only the day laborers, but also employers and prevent potential criminals from passing as day laborers. Lucía's comments throughout our interview heavily emphasized this kind of surveillance as one of intended protection. When day laborers come to solicit work at the designated area, they are promised that they will go to work for registered employers who will not cheat them. Employers are equally assured that the day laborers they employ are registered and thus are good workers with skills and *not* criminals or ex-offenders. By urging workers to stay within the designated area (and potentially penalizing them for procuring work outside this zone), the day laborer center would serve to protect and care for a greater number of people.

Isolated from the transit and commercial hub of Fruitvale, the designated area seems to have its own kind of jurisdiction, whereby the Day Labor Center staff apparently patrols the traffic of both employers and employees. Such patrolling also entails a gathering of information of the day labor population that traffics this area. The city, for example, requires ODLC to keep

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<sup>8</sup> Lucía Rodríguez, Interview with the Author, 4 December 2007, Oakland, California.

statistics on the kinds of people that come in and out of the center and the designated area as a whole. According to city agreements with Community Partners<sup>9</sup>, the non-profit that runs the ODLC, the center must maintain current data of employers and laborers served and gather information such as the demographics of the center's participants. Furthermore, Community Partners must "establish an outreach strategy that focuses on the ethnicity, gender, and work culture of the Oakland casual labor population, with special emphasis on the Fruitvale District." This is an example of the kind of numerical technologies enacted by the state in its local city government manifestation which are used to generate knowledge about a particular sector of the population so as to better manage them. Like the pastor who took care of and knew intricate details about his congregatino, the state provides, cares for, and knows facts about its population. The city of Oakland, however, solicits the help of Community Partners as a nonprofit organization to collect information about *jornaleros* that locates them within the radar of governing technologies.

Day labor centers such as the ODLC perform a dual function of both caring for *jornaleros* and keeping them under control. According to a city of Oakland document granting Community Partners a contract to operate the ODLC from July 1, 2007 to June 30, 2009 for a total of \$388,000 for the two year contract term, the program "is considered a viable mechanism for controlling the large numbers of men and women who congregate on street corners in the Fruitvale District" (City of Oakland 2007). The language of control is an interesting way to describe the kind of protection that Lucía asserts her center creates. The same document, however, continues by stating that "another concern is based on the well-being of the day laborers themselves, who are prone to being exploited by unscrupulous contractors, with little or no legal recourse" (2). Day laborers are thus both a nuisance and victims of discriminatory

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<sup>9</sup> Community Partners is a pseudonym.

practices of employers. The nonprofit agencies serve to couch the directed policies of city officials—the control of day laborers and the informal economy they engage in—within a language of care, protection and proper stewardship. Furthermore, the mission of the community-based organization is to “maintain an effective working relationship with casual laborers, local police department, local churches, community organizations, labor unions, government agencies, local resident groups, and local businesses, in order to promote civic harmony and community participation in an effective Day Labor Program” (ibid. 2).

These strategies revolve around the construction of a particular kind of day laborer: one who is both defenseless (i.e. exploitable) and potentially deviant. To ensure their wellbeing and appropriate behavior, day laborers require the care of both the state and nonprofits. To solicit work on the street, *jornaleros* must seek work in the designated area and conduct themselves in an appropriate fashion: they should not consume drugs or alcohol on street corners, avoid littering, and limit their visibility near businesses. Like the previous examples of punitive solutions for the “problem of day laborers,” Oakland’s development of the ODLC for the care of day laborers also pivots on the construction of specific *jornalero* subjects and the elaboration of new entangled relationships between state and non-state actors. Despite the fact that this pro-immigrant environment does not readily deploy punitive forceful political technologies, similar characters and competing interests defined by merchants, residents, city governments, and activists come to contour the different tactics employed to delimit day labor solicitation. As in the previous punitive responses to day labor solicitation, *jornaleros* in this progressive and pro-immigrant environment, like other undocumented workers often understood to be at the shadows or margins of the state, are indeed subjected to different forms of state and non-state regulation.



## The Micro-Practice of Governmental Forms of Power

The reluctance of many day laborers to attend ODLC reveals the contradictions in attempts to govern subjects. It demonstrates that *jornaleros* themselves do not easily subject themselves to the demands of a highly dispersed and incoherent state or its non-profit partners. Workers go against city sanctions and look for work in areas that they identify as having the most access to potential employers. Day laborers also construct elaborate codes of conduct that serve to shape how men behave at the *parada*. These codes establish a range of permissible wages and behaviors, and help to filter the racial composition of a particular *parada*. In their own regulatory practices, *jornaleros* both comply with certain demands made by opponents of street-corner solicitation and add their own rules.

The workers have a grounded understanding of the geographies associated with where they solicit work and they have sedimented relations with these places based on the interrelations that such *paradas* enable or foreclose. When I asked workers to list the various *paradas* they knew of, they quickly provided an impressive list of all the places as well as a cost and benefits analysis of soliciting work at a particular location. Furthermore, the men spoke about the very organic construction of *paradas* and the fact that like other places, *paradas* are always in formation (Massey 2005, Lefebvre 1992).

*Juan:* So are there other places where men look for work around here?

*Carlos:* All over the place. You go to Foothill and there are men on every street corner. High Street as well. Before it only used to be along the railroad tracks but now it is along the entire High Street.

*Juan:* But how do the employers know where to go? I would get pretty confused.

*Carlos:* Well, it depends on who goes with them. For example, if I go to work with this man, and then he drops me off near a corner on Foothill, next time he goes to pick me up there. And little by little, more men start to congregate in this area, and a new place to hire men is born. It happens all the time.

The creation of *paradas* is thus inherently connected to the kinds of relationships that day laborers form with employers. These statements reveal that most employers also do not obey the city-sponsored ordinances. As the men explain, new *paradas* are constantly forming based not only on the *jornaleros*' desires but also on the employers' actions.<sup>10</sup> This kind of organic formation of *paradas* as well as the constant movement of workers that these men describe makes governing such places even more difficult and conjunctural.

My fieldwork reveals that men do not just go to look for work in a particular area just because it is "available" or because it is the location closest to their homes. I routinely asked many of the men why and how they chose to look for work in a particular *parada*.

*Juan*: How do you decide which site to go to? Why is it that you all continue to come here at International?

*Mario*: See it's where you have the most luck. For me, I go to the site that has treated me the best. Here, at this place, I have been able to get my good little jobs here and there (*me han salido mis buenos trabajitos*).

*Carlos*: Yes, it's about where you feel comfortable, and where they pay good. Back there in by the railroad tracks for example, many of the employers want to pay you less. All the Asians (*los chinos*) want to pay 7 or 8 dollars an hour. Over here [International], if anyone goes for under \$10 we kick him out. Everyone knows that and they know if they want to work for less, they should look for work in another spot.

These instructive comments demonstrate the process by which men choose to look for work in a particular location and the forms in which day laborers themselves police the *parada*. These are not senseless decisions. They are educated choices based on where more work and better pay can be found, which illustrate the relationships of affect between the men and their respective *paradas*. Furthermore, day laborers have racialized understandings of employers based on which racial groups they feel pay higher rates. Asian employers are understood to be the worst possible

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<sup>10</sup> Another important actor in the formation of day labor *paradas* is the existence of a booming home improvement industry, led primarily by giant home improvement stores that on a daily basis seek to attract customers. Home improvement stores thus become prime sites for *paradas*, where men await as customers come to buy supplies and simultaneously pick up labor.

bosses because of the low pay that they typically offer and the long hours that they expect from workers. According to the laborers, these racialized employers are also aware of the kinds of laborers that frequent specific *paradas*. That is, they are conscious that certain *paradas* have a code of conduct that specifies the minimum hourly rate that day laborers will work for.

The laborers revealed that there are specific sets of regulations that they themselves construct to maintain the conditions of the *paradas* (Valenzuela 2001b). Not only do these rules set a minimum pay for each *parada*, but they also attempt to shape the behavior of the workers. According to *jornaleros* who I interacted with, certain *paradas* have a bad reputation because they attract too many drunken *jornaleros* and drug users. At the International *parada*, the men prided themselves on maintaining a drug and alcohol free environment. When workers spotted a drunk, they sought to send him home or attempted to quiet him. The workers understood that they could not do drugs or alcohol at International and some actually chose to “take a break” from the *parada* and wandered off to other regions where they would consume their alcohol or drugs away from the scrutiny of the other *jornaleros* at the International site. This *parada* thus maintained a certain degree of formality and prestige and often men contrasted it to other less appealing *paradas*. This preoccupation with maintaining a clean and controlled *parada* reveals the way in which day laborers come to police their own behaviors at the *paradas*. Furthermore, day laborers make their decisions about which *parada* to frequent based on their assessment of the moral character of each of the street corners available. The obsession with maintaining a “decent” environment reveals how the desire of the state, merchants, and nonprofits to shape the conduct of day laborers becomes internalized by the workers themselves. They have come to understand that proper comportment at the *parada* results in less harassment from opponents of day laborer solicitation on street corners.

Though day laborers upheld certain regulations that were complicit with state and non-state desires to regulate their laboring practices, they also created distinct types of rules. My fieldwork also entailed interacting with men at an adjacent *parada*, located approximately one block west of the International site. In contrast to the International site, this *parada* had a completely different feeling and a distinct *jornalero* demographic. The men were predominantly indigenous Mam and Quiché speakers from Guatemala as opposed to the mainly non-indigenous day labor contingency at International. Whereas at the International site the men were congregated in one specific place, the men at this second site were dispersed. It always appeared as if things were a lot more informal and the area appeared to be some kind of hinterland in the *jornaleros*' labor geographies.

Many people who were looking for work at the International site commented that the men at this second site were more prone to suffer from abuse and, most importantly, lowered wages by agreeing to work far below the \$10 wage minimum set at the International site. The men at this second site, argued my informants from International, were desperate for any kind of work and thus much more vulnerable to employer abuse. While none of the men would make the claim that racism was at play in producing this kind of spatial segregation of indigenous and non-indigenous day laborers, I contend that such segregation reveals that certain codes, regulations, and internal rules guided the conduct of day laborers.

These types of regulations imposed by day laborers demonstrate that the state is not the only governing body on the *parada*; day laborers are subjected to multiple kinds of governmental attempts at control, some of which lie outside the demands or objectives of the state. The description presented above demonstrates that attempts to govern such a complex set of relations

are not simple or straightforward. Furthermore, the state is not the only agent with the power to shape the conduct of subjects.

### **Day Laborers' Lived Experiences of Immigrant Illegality and Immobility**

Thus far, I have described the various ways in which a governmental mode of power has been mobilized as an indirect, less oppressive means to shape the conduct of day laborers in East Oakland. The deployment of governmental forms of power, however, does not foreclose the possibility of direct use of force or violence. Indeed, Foucault identifies three modes of power: sovereignty, discipline, and governmentality. Such a triad is not to be viewed as a linear progression of one over the other, with governmentality at the apex. Rather, Foucault understood these concepts as different modes of power that operate in entangled processes. They should be viewed as differentially applied and enacted based on different temporal and spatial conditions—a contingent process that Donald Moore (2005) aptly calls a triad in motion which enables him to locate “shifting alignments and contingent constellations of power rather than a single ruling rationality” (7).

This characterization of power is especially useful for thinking about the U.S. state which is itself comprised of different scales (federal, state, local) and embodied by different agencies and actors. Often, some scales of government enact policies that are in direct opposition with another. Oakland's status as a sanctuary city, for example, establishes that the city will protect undocumented immigrants and not report them to federal agencies. However, the city of Oakland cannot impede federal immigration officials from entering and policing undocumented workers. Though progressive, pro-immigrant cities like Oakland and San Francisco choose not to help “control” illegal immigration, this does not guarantee that forceful and even violent federal immigration enforcement tactics will not take place. As Foucault demonstrates, different

modes of power can operate simultaneously, though one might be privileged over another for a particular social-spatial milieu. Indeed in my interactions with day laborers in Oakland, I also came to understand the more direct and even violent ways in which day laborers and other undocumented workers are disciplined by different regulatory techniques of state power. In what follows, I describe in detail other disciplinary and even forceful mechanisms adopted by the U.S. Homeland Security State that day laborers confront (De Genova 2010).

The high visibility of *jornaleros* while soliciting work, for example, makes the *parada* one of the preferred sites of immigration raids. Day laborers in East Oakland constantly alerted me to the prevalent fear of deportation that they experience—the contingency that shapes the conditions of possibility of recently arrived undocumented immigrants. In the summer of 2007 many of the men spoke of immigrant raids, of the pervasiveness of ICE (Immigration and Customs Enforcement) raids at day labor sites in the neighboring cities of Richmond and San Rafael. This specter of deportability—imbued with fear and anxiety—loomed high in the minds of many men.

So strong was the fear of deportation that some of the *jornaleros* decided not to look for work in Berkeley, another place where it was rumored that the *migra* had visited. At the time of my fieldwork, day labor work in Oakland was scarce and so I asked why people would not go to other cities such as Albany or Berkeley where I was told work was more abundant and wages were better. One man responded by expressing his fear of going to look for work in other areas: “I used to go [to Berkeley] but since they are doing all these immigration raids lately I’d rather not even get close. They got a lot of men in Berkeley last week. *La migra* picked up these men from the *parada* just like that without any reason. I’d rather be standing here without work than to get sent back to Mexico.” While extra work might be found in more affluent cities, a reported

immigration raid effectively steered people away from these locations. Whether factual or fictitious, the stories of these immigration raids created real limitations on the mobility of these undocumented workers as well as a heightened sense of fear. These stories also reveal how the specter of deportation is mapped onto particular spaces such as the day labor *parada*, which in turn become catalogued as geographies of fear that workers either avoid or enter with caution. As residents of Oakland, day laborers also spoke about their daily preoccupation with the potentiality of an immigration raid in their homes. Often, they did not understand that the local police was in fact a separate entity from immigration officials. One recently-arrived Guatemalan man, Cypriano, spoke to me about a raid that had just occurred in the apartment building of a friend: “The *migra* came and looked like police officers. They knocked on the door and when no one answered they almost tore it down. They were looking for some people in my friend’s apartment building. They got those people but they also took anyone else they found.” As Cypriano describes, while ICE officials came for a particular person, they assumed that all others in the apartment were undocumented regardless of their actual legal status. For a recently arrived immigrant who has yet to fulfill his immigrant dream (and is still in debt from his passage to the U.S.), the specter of deportation arouses much more than fear—it forecloses all potential fruits of the sacrifice that migration entails. These are the particular situations in which a person’s illegality becomes activated and fashions a degree of immobility as a result of being subjected to heightened policing by various state or non-state actors.

### **Driving Checkpoints and Geographies of Fear**

Immigration raids as a form of state infiltration in the day-to-day lives of undocumented immigrants are but one modality of limiting mobility. While most day laborers do not have cars,

when they do drive, they also have to do so with caution. Police often set up routine *retenes* or checkpoints at particular intersections where they verify that drivers are driving with a valid drivers license. These are routine checks, conducted at random, in which cars are stopped at a particular intersection and a number of the cars are selected for a more thorough inspection. So pervasive are these checkpoints that Spanish language radio will announce where such *retenes* are taking place—alerting its listeners to avoid these locations at all costs. While these checkpoints are not directly aimed to target “illegals,” many undocumented people have been subject to these routine inspections. Jesus, who is a day laborer, recounted, “[The *retenes*] take place everywhere here in Fruitvale. I have seen *retenes* on International Boulevard, on Foothill, in Alameda, like around 79<sup>th</sup> and 80<sup>th</sup> street. On all of International Boulevard.” Such “inspections” usually require drivers to produce driver’s licenses and proof of insurance. Of course day laborers are usually unable to provide such documentation and this results in their vehicles being taken away. As Jesus elaborates, “*Retenes* happen a lot here, and for the most part people get their cars taken away. This past month, for example, I borrowed a friend’s car and I was driving it by the Kelley Moore Paint Store on International and there on High there was a *reten* and I was so nervous, but luckily the police never pulled me over. I was lucky. They take away your car, and they leave you stranded.” When I asked Jesus if this made him afraid, he responded rather matter-of-factly that no, he just understands this to be the fact of living in this country without papers—and being subject to losing your car if the police catches up with you. He even cited other instances where he had simply been able to avoid encounters with the police or immigration officials: “On 35<sup>th</sup>, in a park, they were telling me that they had gotten lots of people there. Last Sunday immigration visited that store Mi Pueblo. They just went in to investigate some things and then left. I saw them and just continued my shopping.”



Jesus's comments show that whether effective or not in producing immigrant immobility, state-sponsored forms of policing and patrolling serve to contour a specific form of existence where one's illegality is always at play.

Thus, just as city officials, local businesses, and potential employers are concerned with the proper circulation of day laborers, *jornaleros* themselves are cautious about their own movements in and out of Oakland. Their illegal status limits their own mobility, and the presence of ICE officials and driving checkpoints in Oakland creates geographies of fear that are to be avoided at all costs. Such tactical navigation in and out of different kinds of spaces points to the ways in which day laborers and other undocumented immigrants adopt various strategic maneuvers to live their life as "illegals." Furthermore, the kinds of interactions with ICE officials detailed above reveal that governmental forms of power often work in partnership with more direct and violent forms of disciplining.

## Conclusion

National disputes about "the problem" of day laborers demonstrate that *jornaleros* and other undocumented workers are subjects of governmental rationalities and other technologies of power. Though it is commonly believed that undocumented labor hides within the crevices of the informal economy, this paper demonstrates the various ways a dispersed state and its non-state allies render this population visible. Debates about the propriety of day labor solicitation and the practices of both city governments and its non-profit partners to discipline the *jornalero parada* reveal the sophisticated methods by which the state maintains informal laborers within its governing radar. Rather than understanding *jornaleros* as transient de-spatialized laborers, it is important to locate them as members of communities and thus subject to a diverse set of attempts

to govern their actions and behavior. Far more than laborers, *jornaleros* are family members, consumers, activists, and residents of the neighborhoods where they solicit work.

These findings about the management of the informal economy of labor, both through forceful (and often violent) punitive measures as well as indirect (and often productive) methods, have relevance for how we theorize power relations in “advanced capitalist” countries. Some scholars too often suggest that in societies such as the United States and Western European countries, the study of violence in the form of disciplinary and sovereign power has less relevance given that in these contexts, citizenship has been expanded in radically egalitarian forms (as evidenced by the existence and application of anti-discrimination state policies). The study of violence and excessive use of force is located elsewhere—in the third world or other “developing” nations. By highlighting the increasing presence of internal and informal mechanisms of control that operate on day labor hiring zones, I have sought to demonstrate how political technologies designed to punitively control “immigration,” such as ICE raids, driving checkpoints, and anti-immigrant vigilante actions have a complicated co-existence with less forceful and more indirect ways of governing. This study demonstrates that sovereignty is applied with greater force on certain “illegal” bodies that are seen to pollute or contaminate (Inda 2005). Often the rule of law is enacted more heavily on groups that cannot easily contest such forms of power because they lack access to formal citizenship and are labeled criminals for their “illegality.” The experiences of day laborers and other “illegal” immigrants highlight that enforcement of immigration policies is practiced by both state and non-state actors in formal and informal spaces beyond the border that entail contested practices, procedures, and lived experiences.

This study also suggests, following a Foucauldian analytical framework, that power should not be analyzed solely as something possessed by an omnipotent and de-spatialized state. While Foucault (2000) acknowledges the state's ability to centralize and orchestrate its power, he emphatically argues that "power relations are rooted deep in the social nexus, not a supplementary structure over and above 'society' whose radical effacement one could perhaps dream of" (345). Power for Foucault is first and foremost about relations. Power exists, "only as exercised by some on others, only when it is put into action, even though, of course, it is inscribed in a field of sparse available possibilities underpinned by permanent structures" (340). As the experiences of day laborers on the *parada* reveal, the state does provide some permanent structures that shape *jornaleros*' conditions of possibility for economic and social ascent. These state structures, however, are not the sole actors in these relations of power or the single governmental agents. There are other agents and institutional bodies, bound by complex relations that seek to shape the actions, behaviors, and conduct of subjects.

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**INSTITUTE FOR  
THE STUDY OF  
SOCIAL CHANGE**

2420 Bowditch Street #5670  
Berkeley, CA 94720-5670

tel: 510-642-0813  
fax: 510-642-8674

email: [ISSC@berkeley.edu](mailto:ISSC@berkeley.edu)  
web: <http://issc.berkeley.edu>