NARROWING THE CITIZENSHIP GAP FOR UNDOCUMENTED IMMIGRANTS:
A CASE STUDY OF THE MID-MICHIGAN WORKER CENTER


by

Alice B. Gates



A dissertation submitted in partial fulfillment
of the requirements for the degree of
Doctor of Philosophy
(Social Work and Sociology)
in The University of Michigan
2011




Doctoral Committee:

      Professor Lawrence S. Root, Co-Chair
      Professor Margaret R. Somers, Co-Chair
      Professor Lorraine M. Gutiérrez
      Assistant Professor Sandra R. Levitsky

2011

ACKNOWLEDGEMENTS

TABLE OF CONTENTS

LIST OF FIGURES

Figure

LIST OF TABLES

# LIST OF APPENDICES

Appendix

**CHAPTER 1**

INTRODUCTION

_____

**Background**

This dissertation explores the emergence of Worker Centers and their role in

organizing and supporting undocumented immigrant workers in contemporary U.S.

society.  I first learned about Worker Centers as an organizational form in 2006, during

my second semester in graduate school.  Having worked in labor and community

organizing for the previous eight years, I had observed the organizational mismatch

between today's labor unions and a growing population of immigrant workers seeking

institutional support addressing workplace problems.  Earlier, in 2000, I had been hired

by the Oregon AFL-CIO[1] to carry out community-based research assessing the local

immigrant community's openness to unionization.[2]  Over a period of four months, I

conducted 76 interviews with Latino immigrants living and working in the Portland

metropolitan area and asked them to describe their work histories as well as their

---

[1] The Oregon AFL-CIO is a state labor federation affiliated with the national American Federation of Labor-Congress of Industrial Organizations (AFL-CIO).
[2] I held this position from October 2000-April 2001.  My work was supervised by the Oregon AFL-CIO's Director of Research and Education, Lynn-Marie Crider, and the position was funded by the Wayne Morse Center for Law and Politics at the University of Oregon (see http://waynemorsecenter.uoregon.edu/_pages/fellowships_grants/_past%20project%20grants/1999-2000_rich_poor_politics.html).

1

experience with and opinions about unions—either from their home country or in the

U.S.  The message was consistent across my interviews:  Immigrants were experiencing

frequent and often serious problems at work.  They felt isolated and had few places to

turn for help.   One of the more interesting findings was that, in our sample, many of the

interviewees expressed interest in unions—or any organization that could help them

address workplace problems.  These findings should not have been surprising.  This

small-scale project confirmed what scholars (Delgado, 1993; Milkman, 2006) had argued

for the last two decades—specifically, that immigrants are often more open to

unionization than are their native-born counterparts.  The state labor federation, hoping to

encourage more active organizing of immigrant groups, presented the results of the

research to a meeting of union presidents and officials.[3]   But findings alone did not

translate into action.  Even the most sympathetic of union leaders confronted structural,

cultural, and political obstacles to bringing immigrants—particularly if they were

undocumented—into their ranks.[4]

Certainly, there were visible examples of unions having success in organizing

immigrants.  During the 1990s, as part of a larger movement to revitalize labor in

Southern California, The Service Employees International Union (SEIU) succeeded in

organizing thousands of undocumented immigrants in their "Justice for Janitors"

campaign (Milkman, 2006; Waldinger, 1998; Erickson et al., 2002).  A lesser-known but

significant victory was also won in 1992, when Mexican drywall hangers (also in Los

---

[3] Unpublished manuscript: Alice B. Gates and Lynn-Marie Crider, (2001), *Immigrant Participation in the Oregon. Workforce: A Qualitative Study of the Work Experience of Latino Immigrants in the Portland Metropolitan Area*.
[4] Throughout this dissertation, I use the terms "undocumented" and "unauthorized" interchangeably.  "Unauthorized" is technically more correct, since it refers to the condition of entering the country—or staying beyond the time permitted by one's visa—without inspection or authorization.  "Undocumented" is commonly used in community settings.

Angeles) partnered with the Carpenters' union to win one of the first collective

bargaining agreements for immigrant workers in residential construction (Milkman,

2000). However, these cases were exceptional. In most communities, the barriers to

organizing immigrants were high. What would it take, I wondered, to capture the

untapped energy and enthusiasm of this population? Were mainstream labor unions in

the best position to organize immigrants? Could membership-based community groups

effectively organize around workplace issues? These were some of the questions that

took shape over the next few years and motivated both my practice, in supporting

immigrant workers fighting for better wages and conditions, and my research,

culminating in this case study of the Mid-Michigan Worker Center (MMWC).[5]


**Why Worker Centers?**

Worker Centers are independent, local, and largely grassroots organizations of

low-wage workers and their allies. While immigrant workers have always organized for

improvements in their working and living conditions, Worker Centers are a relatively

new organizational form that has expanded most notably since the mid-1990s (Fine,

2006) and are distinguished by several characteristics. (1) They are rare examples of

workers' organizations that are not union-based. While they may be supported by

mainstream labor unions, Worker Centers do not represent workers within the tradition of

labor relations in the United States, nor do they pursue collective bargaining agreements.

(2) They are *hybrid* organizations, combining several activities—organizing around

workplace issues, advocating on workers' behalf with local governments and agencies,

---

[5] With the exception of a national labor leader who wished to be identified by name, the names of all organizations and research participants have been changed. To preserve individuals' anonymity, I have changed identifying details where necessary.

and providing direct services.  (3) Worker Centers focus on some of the most marginalized and excluded groups of workers:  undocumented immigrants and other low-wage workers in manual and service jobs—individuals who, in policy or practice, are typically outside of the purview of mainstream labor unions.

Worker Centers are emerging in response to a variety of changes in the organization of work and the institutional environment.  Economic restructuring has dramatically altered the relationships between workers and employers through decentralization and the increased use of subcontractors, temporary, and contingent workers.  These transformations have also shaped the kinds of jobs available, wages, and other compensation.  The decline of manufacturing, the growth of service sector jobs, and the diminished capacity of labor unions have all contributed to what Juravich calls the "degradation of work" (2009).  Today, workers face unprecedented levels of job insecurity, depressed and stagnant wages, and a diminished voice in the terms of their employment.

Transnational migration also contributes to the conditions for Worker Centers' emergence. With immigration levels at an all-time high, the need for new types of workers' organizations is apparent.  The International Organization for Migration estimates that more than 200 million people are living and working outside of their home countries.[6]  Regardless of whether their reasons for emigrating are related to economic conditions in their home countries, their status as noncitizens in their host society makes them vulnerable to exploitation and abuse.  At work, they are among the least likely to speak up about problems, since they risk not only losing their jobs but also being

---

[6] Retrieved on May 31, 2011 from the International Organization for Migration website, http://www.iom.int/jahia/Jahia/about-migration/facts-and-figures/lang/en.

deported if the employer chooses to retaliate by contacting federal immigration authorities.

Worker Centers emerged as creative and flexible institutional responses to these changing conditions.  The Worker Center that is the focus of my research is a very local response to the problems experienced by undocumented immigrants in an urban Mid-western community.  This research offers some insight into the larger questions posed previously about unions' role in and capacity for organizing immigrants.  My analysis illuminates the complexity of organizing workers under the economic, social, and political conditions emerging from the globalization of labor markets.  Specifically, this dissertation addresses the following questions:

1.  How do Worker Centers integrate different aspects of their organizational antecedents (i.e., labor unions, Settlement Houses, community organizing groups, ethnic agencies) in their advocacy work with immigrants?

2.  What ethical and practical dilemmas arise in Worker Centers' rights promotion activities with unauthorized immigrants?

3.  What can Worker Centers tell us about changing conceptions of membership, belonging, and citizenship in the context of a globalized society?

In addition to these research questions, I also wanted to understand generally the importance of this organization in the lives of immigrant workers and other participants (i.e., volunteers, organizers, allies).  In sum, what were the consequences—intended or not—of the Worker Center's activities?  Drawing on my experience with the MMWC, I designed a qualitative case study to answer these questions.  Multiple methods were used, including participant observation, in-depth interviews, and organizational document review.

The rest of this chapter introduces my conceptual framework and situates my project in the conversation on "noncitizen citizenship" (Gordon, 2005, p. 237) and the citizenship gap (Brysk, 2002). The concept of hybridity illuminates key aspects of Worker Centers as multipurpose organization and highlights both the possibilities and tensions surrounding the combination of social action and social services. As Worker Centers blur the boundaries between different approaches to social change and bring undocumented immigrants together for critical conversations, they also become sites for empowerment and belonging. This case study addresses both empirical and theoretical gaps in our understanding of how *exclusion* is generating new forms and expressions of citizenship. After discussing my objectives in this dissertation, I conclude this chapter with a brief overview of the remaining chapters.

**Conceptual and theoretical orientation**

*Hybridity*

In isolation, the different elements of contemporary Worker Centers—organizing, advocacy, and services—are neither new nor unique. Worker Centers acknowledge that they are drawing on multiple traditions, including those of labor unions, mutual aid societies, ethnic services, community organizing, and alternative service organizations (Fine, 2006). Worker Centers distinguish themselves from some of their contemporary counterparts by their combination of distinct but overlapping approaches to change. Like the settlement houses of the early 20th century, Worker Centers link the empowerment of recent immigrants and a focus on workplace problems to a broader project of social change (Scanlon, 1999; Chandler and Jones, 2003). Jane Addams, Florence Kelley, and

other key Settlement House leaders were attuned to the problems of poor and working class immigrants in rapidly industrializing U.S. cities.  Moreover, they understood the need for engaging in collective action and capacity building while also providing services and education to a vulnerable population (Fabricant and Fischer, 2002).  There is much debate around the issue of whether and how settlement houses worked to suppress the heritage of immigrants and assimilate them into the dominant Anglo-American society (Iglehart and Becerra, 1995).  Bracketing these concerns, their concept of community centers as mechanisms for building social capital and strategic solidarity across different segments of the community remains relevant.  According to Yan, the settlement house, "with its inherent humanistic, inclusive, and democratic nature…may be a sound and effective community-based third sector [organization] for rebuilding communities in the global era" (2004, p. 52).

To call Worker Centers organizational hybrids requires explanation.  The concept of hybridity has multiple definitions in the organizational studies and nonprofit literature. Some of the more traditional definitions refer to hybridity as (1) the combination of multiple sectors (nonprofit and for-profit) within a single organization, (2) the combination of units that are differently classified under the tax code, (3) agencies that have different service orientations and clientele (e.g., mental health and substance abuse), (4) organizations that draw on resources from multiple sources, and (5) the blending of bureaucratic and collectivist decision-making structures (Minkoff 2002).  Together, these definitions illustrate the lack of consensus on what is meant by organizational hybridity. My study adopts the definition of hybrids formulated by Debra Minkoff as organizations that reflect "combinations of different elements—structural or institutional—that

represent modes of more or less formal adaptation to environmental uncertainty" (2002, p. 382). Like Minkoff, whose work examined social change organizations and the tensions generated by combining services and action, my research is similarly concerned with the integration of these different functions and activities in the process of serving vulnerable populations.

Cheryl Hyde's work on social movement organizations considers the tension in organizations that engage in transformative social action (e.g., through advocacy and organizing) and also serve a client population (1992, 2001). She concludes that hybridity—combining action and services—can be helpful to organizations because they are more adaptable in a hostile or unstable environment. Building on Hyde's earlier work, Minkoff (2002, 2005) examined these dynamics in organizations led by women, African Americans and other minority groups. Prior to the 1960s, many of these organizations provided services to members but failed to challenge the political institutions and arrangements that produced the need for services in the first place. Social movement politics (as well as changes in the political and resource environments) transformed them into hybrid organizations that did both—offering services to individuals and families and engaging in collective action, through organizing or policy advocacy. Minkoff concludes that their hybridity allows them to "manage environmental uncertainty and episodic change" (p. 383). Specifically, these organizations benefit from established resource flows and the legitimacy of already existing models.[7] At the same

---

[7] Bradshaw et al. (1994) also raise the practice implications of hybrid models of community organizing. They discuss the strengths and limitations of Alinsky and feminist organizing models for working with communities of color and conclude that a combination of elements from each model would be better adapted to the unique histories and contexts of racial-ethnic minority communities.

time, hybrid organizations faced challenges in defining their organizational identities and achieving equal legitimacy with multiple institutional sectors.

These concepts raise a number of questions related to today's Worker Centers and their impact on the lives of immigrant workers and their role in the institutional environment. Calling on the earlier analyses of Hyde and Minkoff, my research looks at the benefits and drawbacks of hybridity for today's Worker Centers. Specifically, I ask: How and why are Worker Centers emerging as hybrid organizations, and what are the consequences of this configuration? How do Worker Centers decide on the relative emphasis between organizing and services? Is hybridity a necessary feature of Worker Centers, given that they are working with an under-served and largely invisible population? In seeking answers to these questions, my project illustrates the benefits and challenges of organizational hybridity in contemporary community practice.

*Citizenship*

Worker Centers have been studied in the context of labor movement revitalization (Ness, 2005) and as examples of "non-market based" approaches to organizing workers (Sullivan, 2010). The academic and popular discussions of Worker Centers (Fine, 2006; Tait, 2005; Sen and Mamdouh, 2009; Jayaraman and Ness, 2005) have focused on their relationship to unions or on the unique organizing strategies used by Worker Centers in the absence of collective bargaining rights. Worker Centers undoubtedly signal important changes in the labor movement, but the existing research has tended to overlook the broader social and political implications of Worker Centers—specifically, insights they offer into the dynamics of contemporary citizenship. My findings suggest

that, beyond attempting to shape the conditions of work, Worker Centers are intervening in the politics of global capitalism by narrowing the "citizenship gap" (Brysk, 2002) for undocumented immigrant workers.[8]

Since the 1990s, there has been an explosion in the scholarly interest in citizenship.[9] Once understood to be nested within the nation-state, the study and practice of citizenship has been transformed by events of the recent decades, most notably the increasing pace of globalization and the growing economic and political interdependence between nations and regions. The consequences of European integration provide a window into some of these changes. Yasemin Soysal's work in the early 1990s documented the experiences of Turkish guestworkers in Western Europe and found that they were claiming citizenship rights based on their host society's membership in the European Union (EU). With no meaningful claim to national labor or citizenship rights in their host country, guestworkers sought recognition and redress through international labor and human rights standards adopted by the EU community (standards to which the host countries, in most cases, were bound by their membership in the EU). This expression of what Soysal termed "postnational citizenship" challenges the assumptions that (a) national collectives are the only "authentic sites for the realization of claims-making and civic participation" (Hedetoft, 2002, p. 143) and (b) that national citizenship continues to be source of rights.[10]

---

[8] The "citizenship gap" (Brysk, 2002) refers to spaces in which transnational migrants lack legal status in countries where they reside and work, often for decades at a time. See page 10 of this document for further discussion.

[9] Kymlicka and Norman (1994) document this "explosion of interest" in citizenship in their 1994 survey article.

[10] Soysal writes, "As an identity, national citizenship—as it is promoted, reinvented, and reified by states and other societal actors—still prevails. But in terms of its translation into rights and privileges, it is no longer a significant construction" (1994, p. 159).

Building on Soysal's core insights, scholars have since advanced different

iterations on postnational citizenship. In *Transnational Villagers,* for example, Peggy

Levitt (2001) documents the multiple, simultaneous expressions of citizenship for

immigrants in the U.S. who also remain socially, economically, and politically active in

their home countries.  Others advance the idea that citizenship has been

"deterritorialized" and "denationalized" (Sassen, 2002, 2004; Bosniak, 2000, 2007).

Going further, Saskia Sassen (2001) argues that global cities—not nations or

supranational entities like the EU—are now primary sites for citizenship.  Many of these

(and other) discussions are concerned with the supposedly diminishing authority of the

state and the marked growth of multinational corporations in the context of global

capitalism.  While relevant, I am bracketing the question of state authority and instead

focusing on the practices of ordinary people, community organizations, and how they

experience and practice citizenship under these conditions.

Particularly useful for my analysis of undocumented immigrants is the concept of

a "citizenship gap" (Brysk, 2002, p. 10) defined as the spaces in which individuals who,

because of migration and global capitalism, fall "between the cracks" of legal standing

and protection (Brysk and Shafir, 2004, p. 3).  As noncitizens, undocumented immigrants

are particularly vulnerable, since they are only partially protected by existing law.  In the

United States, almost one-third of the foreign born population (estimated at 11.2 million

out of the 37 million immigrants) is undocumented, and many of them are long-term

residents in U.S. communities (Passel and Cohn, 2011).  Even though (as I discuss in

Chapters 4 and 5) they are protected by certain labor and constitutional laws, their

precarious legal status and their fear of being deported make them reluctant to seek

redress when their rights are violated.  In the absence of any legal apparatus or mechanism to claim legitimate rights, my research suggests that the immigrants at the Mid-Michigan Worker Center go beyond the existing laws to claim certain entitlements based on a sense of human dignity.

Globalization and transnational migration pose obvious threats to the human rights of immigrants.[11]  However, one of my assumptions in using the lens of citizenship is that globalization, while also creating the conditions for exploitation and abuse, contributes to what Sassen calls "operational, conceptual, and rhetorical openings" for a new kind of citizen politics (2002, p. 16).   In fact, using the language of citizenship to talk about a formally excluded population contributes to their recognition as full human beings.  As Rygiel explains (2011):

> The language of citizenship invokes agency with respect to subjects who are frequently depicted in the popular imagination, media, and government policy as being something other than political beings (e.g. as victims, criminals, or simply rendered in dehumanized terms as unwanted or dangerous masses or floods). The lens of citizenship draws attention to the ways in which migrants assert themselves as political subjects by making claims against certain perceived injustices and inequalities and through collective action, articulating a vision of a different future (often in the name of equality or justice). (p. 6)

While my analyses draw on a single case of organizing among undocumented immigrants in the United States, these findings have implications for migrants and other groups (e.g., Romani communities in Europe, former felons in the United States) who fall into the citizenship gap based on their exclusion from formal recognition as full political subjects and human beings.

---

[11] Maher (2002) specifies threats posed to migrants by "exploitative trafficking networks that profit from migrants' vulnerabilities, coercing them into circumstances that lead to life threatening dangers, slave-labor conditions, or forced prostitution" (p. 19)

**Goals and contribution**

I researched and wrote this dissertation with several audiences in mind. For social science audiences, this research adds to a small but growing literature on Worker Centers in the United States (Gordon, 2005; Fine, 2006; Sullivan, 2010)[12] and sheds light on the experiences of undocumented immigrants, an under-studied and often misrepresented population.[13] In my analysis, I came to see that I was also linking empirical and theoretical conversations—about citizenship, human rights, labor, organizations, and empowerment—in new ways. Situating my study of the MMWC in the literature on organizational hybridity and citizenship, for example, rather than the more familiar context of labor movements and revitalization, yielded important insights about the challenges and possibilities of organizing people with precarious legal status. My findings also generate new perspectives on the experiences of rightless individuals in the United States.[14]

For social work audiences, this research foregrounds two concerns—labor and immigration—that were once at the core of community practice. Through the settlement house movement in the late 19th and early 20th centuries, social work pioneers (such as Jane Addams, Florence Kelley, and Lillian Wald) engaged with neighborhood concerns

---

[12] Most research on Worker Centers has focused on larger organizations in major immigrant destinations: New York, Los Angeles, and Chicago.

[13] Two outstanding examples of scholarship on undocumented immigrants in the U.S., including Mae Ngai, (2004) *Impossible subjects*: *Illegal aliens and the making of modern America* and Ruth Gomberg-Muñoz (2011), *Labor and Legality: An ethnography of a Mexican immigrant network*. The following non-academic texts also provide insightful description and analyses of the experiences of today's undocumented immigrants: David Bacon, (2008), *Illegal people: How globalization creates migration and criminalizes immigrants*, Peter Orner, (2008) *Underground America: Narratives of Undocumented Lives*, and most recently, Gabriel Thompson, (2010)*Working in the Shadows: A year of doing the jobs (most) Americans won't do.*

[14] Much of the citizenship literature has focused on the experiences of noncitizens in the European Union and the destabilizing effects of European integration on previously state-centered experiences and understandings of citizenship.

around workplace problems, housing, and education for working families. Beyond providing services to individuals, settlement workers engaged in organizing, promoted unionization (particularly among women workers), and fought for protective labor legislation. Since then, labor and workplace issues have received much less attention in social work education, despite the fact that today's social workers are practicing in a context that, in many ways, resembles the pre-New Deal era (Milkman, 2006). Also over the last five decades, the connections between social work and organized labor have attenuated (Scanlon and Harding, 2005; Reisch, 2009). This research seeks to awaken interest among today's social workers about these largely neglected but urgent issues.

The findings of this research are also relevant for an audience of organizers and activists. When I was an organizer, I longed for the time and resources to reflect on the struggles and lessons of my experiences. As a graduate student, I have benefited from the chance to do this—and to study an organization and a topic about which I care deeply. I look forward to translating these findings into a format that will invite dialogue with other organizers and engaged academics.

**Chapter outline**

The dissertation consists of six chapters. Chapter 2 introduces the Mid-Michigan Worker Center (MMWC) as my primary case and provides an overview of my research methodology. Included in this chapter is a discussion of my relationship to the MMWC as a volunteer and board member and how this influenced my research design, data collection, and analysis. I discuss the benefits of my member role (e.g., unique access to

14

a hard-to-reach population) as well the challenges and limitations associated with the role I played in the early history of the organization.

In Chapters 3-5, I present findings and analysis on different aspects of the MMWC. Each chapter is organized around a central dilemma related to the structure and function of Worker Centers. Chapter 3 examines the relationship between two sometimes opposing approaches to change—organizing and social services. My analysis responds to two related questions. (1) How did organizational leaders (i.e., organizers, volunteers) and participants (i.e., immigrant worker members) negotiate the tensions between collective action and direct services? (2) How did the social and political environment—specifically, the dramatic increase in immigration enforcement—shape the MMWC's configuration of services and organizing? While some theories suggest that organizing and services are incompatible, my analyses reveal a synergy—a productive tension—between the two and suggest possibilities for capitalizing on this tension. Using the concept of hybridity, I demonstrate how Worker Centers advance their agenda by strategically combining services, to address members' immediate needs, and organizing, to develop their leadership and transform the conditions of their work and lives.

Chapter 4 examines the dilemmas surrounding a specific intervention offered by the MMWC: community legal education in the form of "Know Your Rights" workshops. By providing information on rights and the law, these workshops were designed to empower undocumented immigrants in their interactions with employers and law enforcement. My analysis reveals a more complicated process and potentially harmful consequences. To achieve its intended goal, rights education must acknowledge the indeterminacy of the law and the reality that social context profoundly shapes one's

ability to claim rights. A larger problem is also highlighted: Without citizenship rights, it is difficult, if not impossible, to mobilize the specific labor and constitutional rights which formed the basis of the "Know Your Rights" workshops.

Following this discussion of rights, Chapter 5 explores the role of Worker Centers in mediating the exclusion felt by undocumented immigrants. By providing the experience of inclusion and solidarity, the MMWC contributes to their rehumanization. Worker Centers are important sites where excluded people are asserting their right to humane treatment, but they fall short of addressing citizenship gap for undocumented and other noncitizen workers. In Chapter 6, I reflect on these conclusions and suggest possible directions for future research on and practice with Worker Centers.

# References

Bacon, D. (2008). *Illegal people: How globalization creates migration and criminalizes immigrants*. Boston: Beacon Press.

Bosniak, L. (2007).  Being here: Ethical territoriality and the rights of immigrants. *Theoretical Inquiries in Law, 8*(2), 3-389-410.

Bosniak, L. (2000).  Citizenship denationalized.  *Indiana Journal of Global Legal Studies, 7*, 447-510.

Bradshaw, C., Soifer, S., and Gutiérrez, L.M.  (1994).  Toward a hybrid model for effective community organizing in communities of color.  *Journal of Community Practice*, *1* (1):25-41.

Brysk, A. (Ed.)  (2002). *Globalization and human rights*. Berkeley: University of California Press.

Brysk, A., & Shafir, G. (2004). *People out of place: Globalization, human rights, and the citizenship gap*. New York: Routledge.

Chandler, S. K., & Jones, J. (2003). "You Have to Do It for the People Coming": Union Organizing and the Transformation of Immigrant Women Workers. *Affilia, 18*(3), 254.

Delgado, H. L. (1993). *New Immigrants, Old Unions: Organizing Undocumented Workers in Los Angeles*. Philadelphia: Temple University Press.

Erickson, C. L., Fisk, C. L., Milkman, R., Mitchell, D. J., Wong, K.  (2002).  Justice for Janitors in Los Angeles:  Lessons from three rounds of negotiations.  *British Journal of Industrial Relations, 40* (3), 543-567.

Fabricant, M., & Fisher, R. (2002). *Settlement houses under siege: the struggle to sustain community organizations in New York City*. New York: Columbia University Press.

Fine, J. (2006). *Worker centers: organizing communities at the edge of the dream*. Ithaca, N.Y.: Cornell University Press.

Gomberg-Muñoz, R. (2011).  *Labor and legality:  An ethnography of a Mexican immigrant network.*  Oxford University Press, USA.

Gordon, J. (2005). *Suburban sweatshops: The fight for immigrant rights*. Cambridge, Mass.: Belknap Press of Harvard University Press.

Hedetoft, U.  (2002).  *The postnational self:  Belonging and identity.*  Minneapolis: University of Minnesota Press.

Hyde, C. (2001). The hybrid non-profit: An examination of feminist social movement organizations. *Journal of Community Practice, 8* (4), 45-67.

Hyde, C. (1992). The ideational system of social movement agencies: An examination of feminist health centers. In Hasenfeld, Y. (Ed.), *Human services as complex organizations* (pp. 121-44). Newbury Park, Calif.: Sage Publications.

Iglehart, A. P., & Becerra, R. M. (1995). *Social services and the ethnic community*. Boston: Allyn and Bacon.

Jayaraman, S., & Ness, I. (2005). *The new urban immigrant workforce: Innovative models for labor organizing*. Armonk, N.Y.: M.E. Sharpe, Inc.

Juravich, T. (2009) *At the altar of the bottom line: The degradation of work in the 21st century.* University of Massachusetts Press.

Kymlicka, W. & Norman, W. (1994). Return of the citizen: A survey of recent work on citizenship theory. *Ethics, 104* (2), 352-381.

Levitt, P. (2001). *The transnational villagers.* University of California Press.

Maher, K. H. (2002). Who has a right to rights? Citizenship's exclusion in the age of migration. In Brysk, A. (Ed.), *Globalization and human rights* (19-42). University of California Press.

Milkman, R. (Ed.). (2000). Organizing Immigrants: The Challenge for Unions in Contemporary California. Ithaca: ILR Press, Cornell University Press.

Milkman, R. (2006). *L.A. Story: Immigrant Workers and the Future of the U.S. Labor Movement*. New York: Russell Sage Foundation.

Minkoff, D. C. (2002). The Emergence of Hybrid Organizational Forms: Combining Identity-Based Service Provision and Political Action. *Nonprofit and Voluntary Sector Quarterly, 31*(3), 377-401.

Minkoff, D. C., & McCarthy, J. D. (2005). Reinvigorating the Study of Organizational Processes in Social Movements. *Mobilization: An International Journal, 10*(2), 289-308.

Ngai, M. M. (2004). *Impossible subjects: Illegal aliens and the making of modern America*. Princeton, N.J.: Princeton University Press.

Ness, I. (2005). *Immigrants, Unions, and the New Labor Market*. Philadelphia: Temple University Press.

Orner, P., & Andes, T. (2008). *Underground America: Narratives of undocumented lives*. San Francisco: McSweeney's Books.

Passel, J. S. & Cohn, D.  (2011).  *Unauthorized immigrant population:  National and state trends, 2010.*  Pew Hispanic Center.  Retrieved on May 1, 2011 from http://pewhispanic.org/reports/report.php?ReportID=133

Reisch, M. (*2009*). Social Workers, Unions, and Low Wage Workers: An Historical Perspective,    *Journal of Community Practice*, 17(1-2), 50-72

Rygiel, 2011.  Bordering solidarities: Migrant activism and the politics of movement and camps at Calais. *Citizenship studies*, 15(1), 1-19.

Sassen, S. (2004). Local Actors in Global Politics. *Current Sociology, 52*(4), 649-670.

Sassen, S. (2002).  Sassen, S.  (2002).  The repositioning of citizenship:  emergent subjects and spaces for politics.  *Berkeley Journal of Sociology, 46*, 4-26.

Sassen, S. (2001). *The global city: New York, London, Tokyo*. Princeton, N.J.: Princeton University Press.

Scanlon, E., & Harding, S. (2005).  Social Work and Labor Unions. *Journal of Community Practice, 13*(1), 9-30.

Scanlon, E. (1999). Labor and the intellectuals: where is social work? *Social Work, 44*(6), 590-593.

Sen, R., & Mamdouh, F. (2008). *The accidental American: Immigration and citizenship in the age of globalization*. San Francisco: Berrett-Koehler Publishers.

Somers, M. R. (2008). *Genealogies of citizenship: Markets, statelessness, and the right to have rights*. Cambridge, UK: Cambridge University Press.

Soysal, Y. N. (1994). *Limits of citizenship: Migrants and postnational membership in Europe*. Chicago: University of Chicago.

Sullivan, R.  (2010).  Organizing workers in the space between unions:  Union-centric labor revitalization and the role of community-based organizations.  *Critical Sociology, 36*(6), 793-819.

Tait, V. (2005).  *Poor workers' unions: Rebuilding labor from below*. Cambridge, Mass.: South End Press.

Thompson, G. (2010). *Working in the shadows: A year of doing the jobs (most) Americans won't do*. New York: Nation Books.

Waldinger, R., Erickson, C., Milkman, R., Mitchell, D. J. B., Valenzuela, A., Wong, K. et al. (1998). Helots no more: A case study of the Justice for Janitors campaign in Los Angeles. In Bronfenbrenner, K., Friedman, S., Hurd, R., Oswald, R. & Seeber, R. (Eds.), *Organizing to win: New research on union strategies* (pp. 102–120). Ithaca:  Cornell University Press.

Yan, M. C. (2004).  Bridging the Fragmented Community. *Journal of Community Practice, 12*(1), 51-69.

**CHAPTER 2**

THE MID-MICHIGAN WORKER CENTER (MMWC):
CASE AND METHODS

———————————

In 2006, Janice Fine published *Worker Centers:  Organizing communities at the edge of a dream,* the first comprehensive study of Worker Centers in the United States. Fine's study identified over 135 Worker Centers in the United States, most of them founded since the mid-1990s.[15]   In addition to mapping their growth, Fine conducted a mailed survey of 40 Worker Centers and a more in-depth, in-person survey of nine centers across the U.S.  This seminal overview documented the organizational mismatch between today's immigrant workers and most mainstream labor unions.  It was in the context of this Worker Center growth that the Mid-Michigan Worker Center was born. This chapter introduces the Mid-Michigan Worker Center (MMWC) as a case and describes the research methods.

*University connections*

As independently run and "profoundly local" organizations (Tait, 2005, p. 129), Worker Centers are, by definition, unique.  One of the distinguishing characteristics of the MMWC comes from its origins in and strong ties to a major midwestern university. Most Worker Centers begin as a project of an existing organization—an ethnic NGO

———————————

[15] Fine estimates that in the number of Worker Centers grew from only 5 in 1992 to over 130 by 2005.

(23%), religious organization (22%) unions and union organizing drives (14%) or legal

service organizations (9%) (Fine 2006, p. 15). The MMWC was founded by a small

group of university-based activists who had little experience with Worker Centers and no

organizational home. The idea of starting a Worker Center in the Mid-Michigan

community grew out of a university-sponsored conference on immigration and work held

in January 2006. Sponsored by student organizations and academic departments, the

conference generated conversation about what could be done locally to address the issues

that immigrants and their families faced. Two of the invited speakers, José Oliva and

Jennifer Gordon, talked about Worker Centers as a viable structure for organizing and

supporting immigrants. Gordon had recently published a book, *Suburban Sweatshops*

(2005), about her own experience founding and leading the Workplace Project, a Worker

Center in Suffolk County, Long Island. Having read her book in preparation for the

conference, many of the students were primed for a discussion of Worker Centers.

The conference generated excitement among students (and a few faculty) about

the possibility of starting a Worker Center in their community, a community that had

experienced substantial growth in the numbers of immigrants in the previous decade.

Several undergraduate students who had attended the conference decided to use a class

project (for their class on Mexico-U.S. Relations) to begin collecting data on the

experiences of immigrants in their community. The students interviewed workers in a

variety of industries and heard stories about the problems immigrants were experiencing.

Two community groups—a Latino tutoring organization run by students and faculty, and

the Hispanic ministry at a local church—helped students identify interviewees. In the

process, these organizations developed interest in the ad-hoc group, which began to call

itself the Worker Center Initiative (WCI).  By April of 2006, the WCI had expanded to include workers who had participated in the interview project, religious leaders, community leaders from a (quiescent) Latino cultural organization, and additional students from the undergraduate, graduate, and law schools.  With this critical mass, the group decided to move forward with the vision of starting a Worker Center.  How, precisely, did the MMWC draw on University resources?  Table 2.1 summarizes the key arenas in which the human, social, and financial capital were leveraged to support the development of the MMWC.

*Powered by student volunteers*

The absence of paid professional staff distinguished the MMWC from other Worker Centers.  From its founding in 2006 to December of 2008, the Worker Center relied on student and community volunteers to carry out the bulk of its work.  While Americorps volunteers (all undergraduate students and recent graduates) were considered quasi-staff and provided with a stipend, they did not bring experience in running a nonprofit organization.  The oversight and supervision of these main volunteers was conducted on a volunteer basis by faculty, graduate and law students, and MMWC board members.[16]  This staffing pattern is notable also because it contributed to discontinuity in the MMWC based on the rhythms of an academic year.  At the end of the term, when student volunteers left or graduated, the connections that had developed with community members were weakened or lost.

---

[16] The official board of directors was elected in January 2007.  Prior to that time, organizational decisions were made by the leadership team, which consisted of the founding members: community leaders, a faculty member, several undergraduate and graduate students,  and one restaurant worker.

*A virtual center?*

Although the term "Worker Center" implies a physical location, the Mid-Michigan Worker Center lacked a dedicated physical space. This configuration was largely intentional: early on, the leaders decided that, rather than establish an office or a drop-in center (common to other Worker Centers), their priority was to be out in the community talking to workers. Rather than waiting for workers to come to them, the MMWC volunteers would meet workers in various locations—as they were leaving work, in the workers' homes, or at one of several local churches. The MMWC purchased a cell phone, recorded a bilingual (English-Spanish) message, and established a schedule for volunteers to take turns answering the phone and returning messages. In this sense, the MMWC was unlike most other Worker Centers in the U.S. in that it existed not in a physical location but as a network of volunteers using donated spaces.

In August 2006, the MMWC started holding meetings in the basement of a local church that was in a central location more convenient for workers and community members. The church also provided a locked filing cabinet in their offices where volunteers stored written materials (e.g., workers' rights information, referral lists, and call logs). In December 2006, the monthly member meeting was held in a public library, and beginning in January 2007, the meetings were held at a local union hall that

**Table 2.1** University resources and the Mid-Michigan Worker Center

| Area | Examples of University support for the MMWC |
|---|---|
| Funding | **University Center for Diversity grant (May 2006), $20,000**<br>- *Americorps volunteers:* This grant was used to fund three full-time volunteers during the summer of 2006. Using the established Americorps program through the University, the MMWC funded 3 full-time student volunteers from June-August 2006, and one full-time Americorps volunteer from September 2006-May 2007.<br>- *Federal work study:* The MMWC also leveraged money from this award to hire 2-3 students (September 2006-December 2007) as part of the federal work-study program, which allows the participating organization to pay only a portion of the student employees' wages.<br><br>**Sociological Initiatives Foundation grant (Nov 2006), $15,000**<br>- Successful proposal prepared by sociology faculty and sociology graduate student |
| Volunteers | *Student volunteers were recruited from campus organizations:*<br>- Immigrant rights awareness group<br>- Student labor activist group<br><br>*And through academic coursework*<br>- Sociology service learning course on community organizing<br>- Undergraduate course on Mexico and U.S. Relations<br>- Independent study projects with individual faculty analyzing data from worker interviews (2006) and surveys (2007-08)<br>- Social Work course on grantwriting and fundraising (e.g., used to develop a fundraising plan and proposal for MMWC) |
| Professional training | Students also received credit for participation in the MMWC as part of practicum placements, service learning courses, and clinical training<br>- Social work field placement (Master's)<br>- Law students in the general clinic<br>- Spanish language internship program (undergraduate) |
| Technical assistance | Professionals and faculty from the following areas provided (pro-bono) technical assistance for the MMWC:<br>- University Poverty Law Center: consultations with staff attorney on legal matters<br>- Clinical program at the Law School: consulted with MMWC on nonprofit management and institutional development; provided supervision of current law students who conducting community legal education at MMWC meetings.<br>- Social Work faculty: consulted in an advisory capacity in shaping community-based research project surveying low-wage workers |

was now under-used because of the closing of an auto parts plant. Meetings were held at the union hall from January 2007 through December 2008.

**Research design**

*Member roles in research and my relationship to the MMWC[17]*

My participation in the formation and operations of the Worker Center provided valuable perspectives on its history and evolution; it also influenced my methods for data collection and it helped shape my analytical choices. In March of 2006, I was contacted by one of the faculty members who was involved in the Worker Center Initiative and overseeing student research on local conditions for immigrant workers. He had been put in touch with me by a colleague at the university's Labor Studies Center, where I was completing my social work field placement. Prior to graduate school, I had worked with immigrant community organizations and labor unions in the Pacific Northwest. Though I had not heard of Worker Centers per se, I was interested in connecting with this group of activists, and I accepted the invitation to attend the next meeting of the Worker Center Initiative.

Over the next two months, as the organization started to take shape, I grew more involved —initially, by working with the undergraduate students who were doing outreach with workers to identify potential leaders and learn about workplace problems. I provided volunteers with basic training in how to conduct one-on-one meetings and answered their questions about organizing and outreach. Beginning in August 2006 I took a more active role by facilitating several meetings of the MMWC leadership team, which consisted of the original founders and newer recruits—faculty, students, workers,

---

[17] My understanding of these issues is informed by Adler and Adler (1987).

and community leaders.  My experience organizing in immigrant communities and running bilingual meetings (in English and Spanish) allowed me to take on a more prominent role, internally and externally.  I assisted in the design and facilitation of the larger monthly meetings as well as meetings of what would eventually be the board of directors.

Originally, my involvement in the MMWC was motivated by my personal and political commitments to workers' rights, racial and economic justice, and humane treatment of immigrants.  During those first six months, however, I became increasingly curious about the role of Worker Centers in the labor movement generally and how they fit (or did not fit) into the existing models for organizing vulnerable populations.  My curiosity grew along with my involvement (in January 2007, I was elected to the first board of directors), and I decided that the MMWC would be the primary site for my dissertation fieldwork.

Although my involvement had distinct advantages in terms of access to information, there are also potential drawbacks to being embedded in a field site as a member or participant.  My relationship to the MMWC has undoubtedly shaped my research questions and analysis, but I argue that this connection should be viewed as an asset rather than a liability.  My intention in designing this interpretive case study was to understand this emerging organizational form, its role in the community and in the lives of the workers it served, and how their experience with the MMWC affected how they think about their marginal role in the global marketplace.  In that sense, the research offers an unusually intimate perspective on the growth of a new kind of organization and its dynamics in contemporary society.

My connection to participants and to the organization provided me with unique access to rich sources of data and facilitated my observation of and interviews with members of a hard-to-reach population—undocumented immigrants. If these connections as well as my history of leadership within the organization raise questions about my objectivity or neutral stance as a researcher, I would argue that my experience gave me first hand understanding of the structure. Moreover, I have had the benefit of conducting much of the analysis years (2009-2011) after my most active participation (2006-2008). The passage of time has provided some analytical distance from the site and participants and given me the space to reflect on organizational decisions—including those in which I was a participant. This distance has allowed me to observe the MMWC not as an insider or outsider but, as a researcher, with a set of questions and concerns different from the time when I was an active participant.

For example, in Chapter 3 I discuss the organizational tensions between leaders' emphasis on *organizing* and workers' desire for *services.* At the time, as a volunteer organizer, I was advocating for a more organizing-focused mission but struggling with the reality that members wanted and needed access to basic services. My analysis, conducted four years later, revealed a different dimension to this struggle—and affirmed the benefits of dispassionate analysis. I conclude that this tension between two modes of community work—organizing and services—is analytically productive: it suggests a new perspective and implications of Worker Centers as hybrid organizations.

This example is one of many that illustrate how I have recognized and reconciled my changing relationship to the research subjects and the organization. Whenever possible, I make note of these insights in the text of the dissertation. I am

certain that my relationship to the organization, workers, volunteers, and allies shaped the

questions I asked, the conversations I recorded, and the meaning extracted from these

interactions. These caveats are not intended to neutralize any bias stemming from my

relationship to the MMWC but rather as a series of acknowledgements. In the spirit of

public sociology and community-engaged research, it is my hope that this dissertation

will shed light on the different processes that individuals and organizations face in the

struggle for liberation.


*Data collection*

This project involved three types of data collection: participant observation, in-

depth interviews, and organizational document review (See Table 2.2). This section

describes the process of collecting and analyzing data. I conclude the chapter with

reflections on the ethical considerations of conducting research with undocumented

immigrant populations.

*Participant observation:* As an active volunteer with the MMWC, I was able to

participate in a variety of organizational activities. My primary field research draws on

meetings   and the informal conversations I had with workers and other volunteers. Over

a period of 28 months (August 2006-December 2008), I attended approximately 16

monthly membership meetings of the MMWC. These meetings were approximately two

hours in length, and took place on Sunday afternoons, from 4:00-6:00 PM. I often

arrived early to assist with setting up the room (i.e., turning on the heat, setting up tables,

putting out refreshments, coordinating other volunteers), and would stay after the

meetings to have informal conversations with members and volunteers. I documented

my observations through jottings written during the meetings, whenever possible,  and I
wrote up full field notes that evening or in the days following the meeting.  I also include
my notes and reflections on meetings held to plan the monthly meetings or other events.
These meetings usually involved other volunteers, but sometimes also included workers
who participated on the steering committee to design and help lead the monthly member
meetings.

**Table 2.2**  Overview of data collection, sources, and dates

| Data collection method | Specific sources | Dates |
|---|---|---|
| Participant Observation | Monthly meetings (36 hours)<br>Extraordinary meetings (8 hours)<br>Planning meetings (10 hours)<br>Informal conversations (12 hours) | 2006:  August-December<br>2007:  January-December<br>2008:  January-August |
| In-depth interviews | Immigrant Workers (n=14)<br>Volunteers or "organizers" (n=14)<br>Service providers (n=16) | 2009:  August-December<br>2010:  March-April |
| Document review | Types of documents reviewed:<br>- Training materials<br>- Flyers<br>- Handouts<br>- Mission statement, etc.<br>- Fundraising proposals<br>- Minutes from BOD | 2010:  June-December<br>2011:  January-February |

*In-depth interviews*:  I conducted 44 interviews with three different subject

populations (see Table 2.3):[18]

>    (1)  Immigrant workers who participated in the MMWC[19]
>
>    (2)  Organizers and volunteers in the MMWC
>
>    (3)  Service providers and other institutional representatives (not affiliated with
>    MMWC)

My recruitment of interview participants was aided by my visible role in the monthly

meetings and the trust that I had developed with other volunteers and workers over the

years.  The MMWC shared contact information (phone numbers) for the key members

and volunteers.  When I was recruiting for interviews in 2009, I called most of the

potential respondents to invite them to participate.[20]  Once I had determined that someone

met the eligibility criteria (see Table 2.3), I asked the person if s/he would be interested in

participating in a research project on Worker Centers and immigrants.  I explained that

the interview would be confidential, and that no identifying information would be

recorded or stored.  Of the first two groups—workers and volunteers/organizers—

everyone I invited expressed interest in the project and agreed to participate in an

interview.  I attribute their interest  (and willingness to be interviewed) largely to the

connections I had built through my participation in monthly meetings. [21]

---

[18] Unless otherwise noted, all quotes presented in the text of the dissertation are from interviews. Direct quotes from my fieldnotes are indicated with a footnote.

[19] Interviews with immigrant workers were conducted by me in Spanish.  I achieved fluency in Spanish through living and studying in Mexico and Central America, and working with Spanish-speaking populations in the U.S., I became a certified interpreter in 2004.

[20] For several of the volunteers (largely students and faculty) with whom I had a working relationship, I used email rather than a phone call to make the initial invitation.

[21] I was also aware that my previous relationship with many participants might make them feel pressured to participate in the research.  To address this concern, I explained that the purpose of the research interviews was distinct from the operation of the MMWC and clarified that their decision to participate or not would have no effect on their relationship to the organization.  I also explained their rights as research participants to cease participating at any time, with no explanation, and with no fear of retaliation.  Before the interview, I reiterated their rights (as laid

The interviews took place in a variety of locations. I gave individuals several options and allowed them to choose the place where they would feel most comfortable. The options included conducting the interview in a public place (e.g., restaurant or coffee shop, public library, church), in a respondent's home, or any other safe place where s/he felt comfortable. Of the workers, two-thirds of the interviewees chose for me to interview them in their homes, and the rest opted for a public library or restaurant. Several interviews of volunteers and service providers took place over the phone, either at the request of the interviewee or because s/he was no longer in the area. Interviews lasted from an average of 54 minutes (range 31-75 minutes). I reinterviewed three of the workers and one service provider. These second interviews were shorter, ranging from 15-50 minutes.

The questionnaire for these in-depth interviews included specific questions as well as themes and topics I hoped to cover (See Appendix A). Examples of questions include:

> What do you think are the biggest problems or struggles experienced by immigrants in our community?

> What is the biggest problem immigrants experience in the workplace?

> How did you first get involved in the Worker Center?
> Do you remember who told you about the first meeting? What did they say?
> What were your first impressions of the Worker Center meetings?

> What were some things that you wish the Worker Center had done better or differently?

> You participated in a great majority of the meetings of the WC. What kept you coming back?

---

out on the consent form) and gave them several opportunities to ask questions and express concerns about their participation or the research in general.

**Table 2.3** Description of interview sample by subgroup

| Subsample and size | Criteria for inclusion | Description of sample | Dates of interviews |
|---|---|---|---|
| Immigrant workers ("participants" or "members")<br><br>N = 14 | Immigrant workers who participated in at least 6 monthly MMWC meetings in the course of one year | Ages: 28-57<br>Male: 8<br>Female: 6<br><br>**Countries of origin:** Mexico, Guatemala, Honduras, Costa Rica, El Salvador<br><br>Interviews conducted in Spanish | 2009: Aug.-Oct.<br>2010: Mar.-Apr. |
| Volunteers, organizers, leaders<br><br>N = 14 | Volunteers, organizers, and leaders include board members and those who participated actively (2-4 hours/week) in the MMWC during at least 4 months in one year. | Ages: 21-55<br>Male: 7<br>Female: 7<br><br>**Categories:** undergraduate and graduate students; Americorps volunteers (students/recent graduates); professionals (faculty, attorneys, religious leaders).<br><br>Interviews conducted in English. | 2009: Sep.-Nov. |
| Service providers<br><br>N = 16 | Service providers must have contact with or concerns about services available to immigrants and/or other low-wage workers. | Age: (data not collected)<br>Male: 7<br>Female: 9<br><br>**Types of agencies/organizations:** Direct service providers in domestic violence, public health (e.g., maternal/infant nurse), services to farmworkers, sectarian social services, local law enforcement, union leaders involved in Worker Center efforts.<br><br>Interviews conducted in English (n=15). One interview conducted in Spanish. | 2009: Oct.-Dec.<br>2010: Mar.-Apr. |

These questions were used to guide the conversation, but I did not hesitate to ask other questions on related topics.  Also, I encouraged respondents to elaborate on their responses as much as they wanted.

All but two interviews were recorded.  For one interview, the digital recorder I was using malfunctioned, and in the second, the respondent said that she preferred not to have the interview taped.  For these interviews, I took notes and then immediately wrote up the interview when it was over.  After each interview, I sat down and wrote up field notes, which included specific parts of the conversation, a description of the setting, anything unusual about the beginning or ending of the interview, the person's body language, and my overall impressions of the person's affect or other data that could not be captured in the audio recording.  These interview field notes were filed next to the transcript of the audio recording.

*Transcription and translation:*  I transcribed 28 of the 44 of the interviews I conducted.  The remaining interviews were transcribed by two undergraduate volunteers (both of whom  received credit for their research assistance) and two private transcriptionists whom I paid from my research funds.  The interviews in Spanish were transcribed (by me and by one of my paid transcriptionists) but not translated into English.[22]  With the transcripts in hand, I listened to each interview again and made needed corrections.  I translated the excerpts from interviews presented in the dissertation.  In doing so, I occasionally consulted with two professional interpreters,  one is a native speaker of Spanish and the other has near-native fluency in Spanish and is a native speaker of English.

---

[22] I chose to code these interviews in the original Spanish and then translate excerpts for the dissertation.

*Document review*:  I was given access to all of the electronic copies of MMWC's files for this time period.  I restricted my analysis to a subset of the documents most relevant to my research questions:

- Training materials:  These include materials from other Worker Centers and immigrant rights and workers' organizations (i.e., National Immigration Law Center, National Employment Law Project, Casa de Maryland, Interfaith Worker Justice, Coalition for Humane Immigrant Rights Los Angeles) that were utilized by the MMWC in their rights promotion activities.

- Flyers:  These included the advertisements for meetings or events (for example, a community immigration forum co-sponsored by the MMWC) produced and distributed by the MMWC.

- Handouts:  These include information about the MMWC, Worker Centers, or specific laws or rights that the MMWC distributed to members, either in house visits or at monthly membership meetings.

- Mission statement and other foundational documents (e.g., "What is a Worker Center?")

- Fundraising proposals:  These include six proposals to funders (largely private foundations) describing specific projects and goals, and the organization's public description of itself.

- Minutes from leadership team and Board of Directors (BOD) meetings:  These include meeting minutes from May 2006-December 2008.

*Analysis and interpretation*

My analysis involved a combination of deductive and inductive approaches (see Emerson, et al., 1995).  My experience with workers' organizations and my reading of the literature on immigration and labor movements influenced my research questions and proposal to study the MMWC.  However, the newness of Worker Centers as organizations and my own recent introduction to them helped me approach analysis with an inductive frame for looking for new or unexpected themes.   Data collection, analysis, and writing in qualitative research are not discrete processes but rather overlapping and

iterative.   Throughout the data collection phase of my research (2006-2009) I was developing initial impressions of my data. Some of my earliest theoretical points were raised in my notes written when I was attempting to describe and make sense of a puzzling incident or conversation.[23]

I began to do more systematic coding of interview and organizational data in 2009. For the interviews, I began with an open-coding technique:  having entered several interview transcripts into HyperResearch, a qualitative software analysis program, I conducted line-by-line coding and from these (more than 300) detailed codes, I began developing a shorter list of focused codes.  At the same time, I was also reading through printed copies of my transcripts and fieldnotes.  I soon found that hand-coding these hard copies was a more effective and satisfying process than using software.  I formatted my interview transcripts using a technique shared by Nancy Riley, Professor of Sociology/Anthroplogy at Bowdoin College.[24]  Riley suggests using a 3-3.5" margin on the right side of the paper to leave room for writing longer codes.  I added to her technique by using a color coding system that involved writing focused codes close to the text in black or grey and then pulling out concepts and themes and writing them closer to the margin in red (or another color) ink.

I coded the interviews not chronologically but by subpopulation.  When I completed the hand-coding for the first group (immigrant workers), I wrote up case summary notes.  This document included a short (half page) summary of each interview, preceded by a list of focused codes and/or themes from the interview.  If there were

---

[23] One of these conversations was the inspiration for Chapter 4, my examination of the darker side to rights consciousness.

[24] In 2009 I attended a two-week class on qualitative methods taught by Dr. Nancy Riley, Professor of Sociology at Bowdoin College, as part of the Survey Research Center summer program at University of Michigan.

particularly powerful or surprising excerpts from the interview, I copied these into the case notes. I repeated this process for the other two subgroups: volunteers/organizers, and service providers. Throughout this process I was writing integrative memos linking codes and discovering themes across the data. As I moved from codes to themes, the story started to take shape. For example, a set of focused codes included "workers teaching other workers," "taking action," "campaigns," "standing up for myself," and "collective support." Together, these codes reflected a larger theme—*organizing*— that became the central focus of Chapter Three. Once I had identified major themes, I used color coded post-it notes to mark the source of this theme on the transcript (e.g., red = human rights, blue = "compañerismo" and mutual support).

*Ethical considerations*

Human subjects research with undocumented immigrants, as with any vulnerable population, requires special consideration when it comes to maintaining confidentiality and protecting the identities of research participants. While volunteers and service providers were asked to read and sign a written consent form, the immigrants who participated in the study received the same form (in Spanish) but did not sign the form. I took this step to minimize the number of written records with the names of potentially undocumented research participants.

One concern that I hadn't anticipated at the start of my research relates to the rising level of risk many of my research subjects experienced in their everyday lives. While unlikely, the possibility existed that, while driving to an interview, a research subject could be pulled over by local police. If the person was driving with an expired license (or no license at all), s/he could be arrested and even detained or deported by federal

37

immigration authorities.   To minimize the possibility of this happening, I offered to meet respondents at a location that would eliminate the need for them to travel.  For example, one respondent who wanted to be interviewed immediately after work suggested that we meet at a McDonald's across the street from her job.

Although I did not provide monetary compensation to interviewees, I was aware of the enormous power differential between myself and my subjects.  A white, European-American, upper middle class, English-speaking U.S. citizen, I had access to institutional resources and information.  My informants were Mexican and Central American immigrants with precarious legal status, few material resources, and in some cases, very little formal education.  While I could not bridge this enormous gap in positional power, I was conscious of the fact that participants were sharing important and valuable information with me—information that was crucial to the development of my research and conclusions.  I took advantage of opportunities to reciprocate by providing assistance and information that would be similarly valuable to research participants.[25]  For example, Don Carlos had actively participated in the MMWC for 18 months, and he was the first person I interviewed as part of this research.  Several months after the interview, he called me because he had been invited to apply for a job as a manager at the family style restaurant where he worked as a busser.  The regional supervisor explained that Don Carlos would have to take a test on some of the managerial practices.  While they would allow him to take the test in Spanish, the only manual they had for him to study was in English.  Don Carlos asked if I could help him by translating some of the key parts of the manual.  I agreed, and he met me to deliver the manual. Several days later, I provided

---

[25] Swartz (2011) provides a useful discussion of reciprocity in qualitative research with vulnerable populations.

him with a 5-page summary—a Spanish translation—of the main sections of the manual. (He took the test and got the promotion.)

Other examples of reciprocity were less involved. When I interviewed Victor, he mentioned that one of his friends was having trouble getting his final paycheck from an employer, and he asked if I could help. I provided him with the name and contact information for the public interest attorney at the University's law clinic. In our interview, Lucia expressed sadness that her oldest son, now graduating from high school, was ineligible for most financial aid and scholarships for college because he was undocumented. I shared with her a list of resources compiled by the Mexican American Legal Defense and Education Fund (MALDEF) for undocumented students who wanted to pursue higher education. I cite these examples as ways in which I attempted to mitigate the power differential between participants in the research and myself as a researcher. It is also my hope that these steps reinforced the trusting relationship that I had developed previously with informants and invited their open communication—two elements upon which my research depended.

*Limitations*

This research design allowed me to produce detailed descriptions of the Mid-Michigan Worker Center and conduct interviews with vulnerable populations in which to discuss sensitive topics (e.g., living as an undocumented immigrant and how it affects one's life). While this method is well suited to the research questions, there are several limitations worth mentioning.

Future research could test or enhance the validity of these findings by examining the dynamics of other similarly sized Worker Centers, and expanding the interview sample to include larger numbers of immigrant workers, volunteers, and service providers.  Although I interviewed everyone who was available and still residing in the area, the sample size is relatively small.  In addition, my sample is biased in favor of those who were supportive of the MMWC and Worker Centers in general.  For example, I was unable to interview respondents who attended one MMWC meeting and then never returned.  One of the strengths of qualitative, community-based approaches to research is the opportunity to involve communities in the analysis and interpretation of data.  While my initial analyses shaped the questions I asked in later stages of data collection, I did not systematically conduct member-checking or validation with my respondents.  In spite of these limitations, the data I collected provide rich detail and unique perspectives on the situation of undocumented immigrants and the growth of the MMWC.

# References

Adler, P. A. & Adler, P.  *Membership roles in field research.*  Newbury Park:  Sage.

Emerson, R. M., Fretz, R. I., & Shaw, L. L.  (1995)  *Writing ethnographic fieldnotes.*
   Chicago:  University of Chicago Press.

Fine, J. (2006). *Worker centers: Organizing communities at the edge of the dream*.
   Ithaca, N.Y.: Cornell University Press.

Gordon, J. (2005). *Suburban sweatshops: The fight for immigrant rights*. Cambridge,
   Mass.: Belknap Press of Harvard University Press.

Swartz, S.  (2011).  'Going deep' and 'giving back':  strategies for exceeding ethical
   expectations when researching amongst vulnerable youth.  *Qualitative Inquiry,*
   *11*(1), 47-68.

**CHAPTER 3:**

NAVIGATING THE TENSION BETWEEN ORGANIZING AND SERVICES:
"YOU CAN'T DO ONE WITHOUT THE OTHER"[26]

————————————

In the fall of 2006, just months after its founding by a group of community

members and students, the Mid-Michigan Worker Center (MMWC) was on the verge of

what would be its biggest workplace justice campaign. It began when two workers from

a Pita Bread Factory, Sofia[27] and Don Lucas, both immigrants, approached an MMWC

volunteer who teaches English classes in the evenings at a local church. Sofia had been

injured on the job and could no longer work. She was receiving some form of

compensation but wanted to know more about her legal rights.[28] The volunteer invited

Sofia and Don Lucas to attend the October membership meeting of the newly formed

MMWC. These monthly meetings provided a supportive community in which workers

could discuss problems at work and explore potential solutions. At each meeting,

MMWC volunteers provided training on some aspect of workers' rights and facilitated

————————————

[26] Quoting Arturo Rodríguez, President, United Farm Workers. Personal communication, April 30, 2011. In our conversation, I asked him to reflect on his experiences dealing with the tension between organizing and providing services.

[27] All interview respondents have been given pseudonyms.

[28] It was unclear whether Sofia was receiving workers' compensation or informal, under-the-table payments from her employer.

exercises designed to build workers' confidence in dealing with their employers.[29]

Don Lucas was in his late 40s and had been working at the plant for more than three years. Originally from Honduras, he had been living in the area since 1998. In addition to his full-time job at the Pita Bread Factory, he worked three days a week at a McDonald's, attended English classes two nights a week, and cared for his teenage son. In his home country, he had been active in a number of union-led strikes at the bottling plant where he worked, and he served on the leadership board of his neighborhood council.

In October 2006, the third ever meeting of the MMWC took place on Sunday afternoon in the basement of a local church. The topic for the training was wage and hour laws, and the goal was for participants to learn to identify possible minimum wage and overtime violations at their workplaces. After explaining some of the basic provisions of the Fair Labor Standards Act (FLSA), Kim, an attorney who volunteered several hours a week with the MMWC, led the group in an interactive exercise. Together they calculated the lost wages of a hypothetical worker whose employer was not paying the legally required overtime premium. Participants also calculated the weekly, monthly, and yearly income that would be lost by a worker who was being paid a sub-minimum wage. Workers shared their own experiences of being cheated out of a portion of their wages, and they discussed the possible responses to the situation. Toward the end of the meeting, volunteers distributed booklets in which workers could note their hours and encouraged everyone to keep careful track of their hours to ensure they were being paid correctly.

---

[29] Chapter 4 provides a more in-depth examination of the content and consequences of the training component of MMWC meetings.

In late November, workers at the Pita Bread Factory learned that a customary holiday bonus had been canceled—because of "quality problems," according to the managers. Don Lucas called the Worker Center to see if there was anything they could do. After listening to his story, the MMWC volunteer explained that he (Don Lucas) should begin by talking with other workers at the plant to assess their interest in taking action. Accompanied by MMWC volunteers, Don Lucas started meeting workers in their homes after their shifts and on their days off. These conversations revealed problems far beyond the canceled bonus—including mistreatment by supervisors, favoritism, sexual harassment, health and safety issues, lack of adequate training, concerns about pregnancy leave, line speed-ups, and restrictions on bathroom breaks. As the list of problems grew, so did the group of workers interested in taking steps to improve their conditions. By January 2007, the effort that started with a single worker, Don Lucas, had grown to include over 12 workers. The possibility of a campaign excited MMWC leaders and volunteers, since it meant that the organization was beginning to realize its mission—to target bad employers and improve conditions through collective action.

Although the process resembled a union organizing campaign, several differences distinguish the MMWC effort. First, the MMWC was not seeking recognition as a labor organization nor was its primary goal a collective bargaining agreement between workers and management. Instead, the MMWC sought to support workers in their demands for improvements, but there was no plan for how any potential wins would be enforced. And unlike unionization (which is covered under the National Labor Relations Act), the employer was under no obligation to negotiate with the workers or the MMWC. A second key difference involves the prominent role of allies, supporters who did not work

at the plant. While workers were leading the effort and making key decisions, at times, the numbers of allies—students, community members, religious leaders—equaled or exceeded the number of workers in the organizing effort. A final difference had to do with resources. Relative to even the most austerely run unionization campaign, the MMWC operated with almost no budget. For its first nine months, the MMWC's only staff was a part-time Americorps volunteer. The rest of the organizing and technical support was provided on a volunteer basis by students, faculty, and community members.

The February monthly meeting followed a series of home visits and other attempts to reach out to workers on other shifts, a group which included native-born white and African-American workers and French-speaking Algerian immigrants. This attempt was met with limited success, and ultimately it was the Spanish-speaking workers who drove the organizing campaign. At the February meeting, the leaders of the newly formed organizing committee presented their list of demands to the 30 members present at the meeting and invited them to sign the letter as allies and supporters. Written first in Spanish, the letter was translated into English and French, and it was signed by 24 workers at the plant and 28 supporters.

The following week, a delegation of MMWC representatives—workers, board members, and clergy—went to the factory to deliver the letter to the owner. At first, the factory owner expressed concern about the workers' complaints and stated that he was willing to meet with them to address the problems in the plant. But soon after the initial meeting, the owner's attorney advised him to cease any contact with the workers or the MMWC regarding the letter. The volunteer attorneys working with the MMWC tried again to persuade the company to meet directly with the workers, but the owner refused.

Over the next few months, the company made a few changes to improve the conditions. For example, the supervisor who was accused of mistreating workers was moved to a different shift, and as a result, workers' concerns about favoritism and sexual harassment diminished.[30] But the owner's refusal to meet with the workers quashed the organizing momentum. Workers lost interest in pursuing changes, and by early summer, several of those who had been involved in the campaign quit their jobs at the factory out of frustration.

Then, in July 2007, Don Lucas and three other workers who had led the campaign earlier that year were fired from their jobs at the plant. The manager gave no reason other than 'they didn't want to work there anymore,'[31] but to workers and allies it seemed like a clear case of retaliation. By September 2007, almost all of the Spanish-speaking workers had been let go and replaced with non-immigrants. Barely a year after the MMWC had begun, the first and only effort at collective action had failed. "This was the closest we ever came to doing a campaign," remarked one Board Member, "and it was not a success." He continues:

> It didn't succeed in improving conditions. In fact, coincident with the [Pita Bread Factory] campaign, a number of our members got fired. I don't really attribute that to the campaign in it of itself, but I do attribute it to the larger context at the time, which was, you know, that the anti-immigrant stuff was stepping up and this employer of the . . . company apparently wanted to sell the company and he figured he could sell it more um easily for a better price if he could tell the new buyer that all of his workers were legal, had documents. So you know I'm not sure. We'll never know for sure, but I mean it's quite possible that the people who

---

[30] In a 2010 interview one of the respondents, who had been a leader during the campaign (and was among those who quit prior to the July 2007 firings), claims that the campaign did have the effect of improving conditions for those who stayed behind. Having spoken to someone who was still there, she claimed that the remaining workers had seen several changes—a $1/hour raise, air conditioning inside the plant, and safety shoes provided by the company. (Interview with Salomé, Worker.)

[31] Interview with Salomé, Worker.

were fired would've been fired anyways because they were undocumented. But anyway, the fact that they were fired, and they were our people among others, killed the campaign, and killed it in a way which certainly could have been interpreted as 'Oh wow, you guys got these people fired.' I don't know whether that interpretation became widespread in the community, I mean if it did, I didn't hear it, but it could've been widespread . . . so it didn't help, that's for sure.
  —Neil, Volunteer


MMWC leaders took this defeat seriously, although (as indicated above in Neil's comments) it is difficult to assess how much the campaign damaged the MMWC's reputation.

The workers who were involved were less sweeping in their assessment. Salomé, another key leader (who quit following the company's refusal to meet with workers) views the process as a partial—if symbolic—victory:

It was worth it because [pause], at least they listened to us. I mean, it's like – they understood that if—when there's support [for workers], they have to listen.
  —Salomé, Worker


Salomé locates the success not in the outcome but in the process of speaking out and drawing support from the MMWC in order to confront the employer. In her account, the organizing effort forced the employer to acknowledge conditions that had existed for years in the plant. She claims that, until the workers spoke out, the owner did not take notice of the problems; after the organizing attempt, he could no longer ignore the reality of the working conditions.

Though disappointed, Don Lucas tried to make the best of the situation. Rather than look for another job, he increased his hours at McDonald's and enrolled in an intensive ESL class at the local community college. With the help of law students and faculty, he pursued a National Labor Relations Act (NLRA) claim against the Pita Bread

Factory, and by early 2008, the company had agreed to settle the case.[32] With the

settlement money, Don Lucas returned to Honduras.

The volunteers who were involved in the Pita Bread Factory campaign tend to

downplay its importance in the MMWC's history, perhaps because it happened so long

ago or because the organization doesn't want to relive the defeat. The outcomes of this

attempt at workplace organizing are not atypical. In most sectors (and in all non-union

jobs), workers who speak out against poor conditions risk retaliation and firing. The

overall effects of the campaign—loss of interest, frustration, and fatigue—are also fairly

typical. What is somewhat surprising (in light of the dismal prospects for organizing

success) and what this chapter seeks to explore is how and why the MMWC continued to

emphasize organizing, even as it did more to provide individual services to members.

This organizing story foreshadows the dilemmas that the MMWC would

experience during its first two years. The MMWC's founding occurred at the onset of

what has turned out to be the most aggressive immigration enforcement campaign in

recent history. This fact has crucially shaped the MMWC's organizational trajectory.

Over those two years, the MMWC struggled to achieve a balance between (a) building a

base of power through organizing and (b) meeting the increasingly urgent and individual

needs of its members. Resource constraints on the organization further limited its ability

to achieve its desired goal of empowering workers to deal effectively with their

employers.

---

[32] Don Lucas claimed that the employers were retaliating against him for leading the organizing effort.

**Understanding the tension: "social services or social change?"[33]**

For more than five decades, activists and scholars have debated the benefits and drawbacks of different community-based approaches to social change (Piven, 1966; Perlman, 1979; Withorn, 1984). More recent research has explored the implications of mixing elements of civil society, social movement, and nonprofit service organizations (Cohen, 1994; Hasenfeld & Gidron, 2005; Stoecker, 1995; Brooks, 2005). These discussions often come down to the perceived underlying tension between two approaches — organizing and services. Specifically, many organizers and others more oriented to collective action have asked whether organizing—a transformative approach—is compatible with services that, while addressing immediate and often individual needs, do little to challenge the underlying imbalance of power that create the need for services. In his 2007 essay "Social service or social change?," Paul Kivel focuses attention on this issue by asking whether "efforts to provide human services maintain or even strengthen social inequality?" (p. 129). In the rest of his essay, Kivel develops the now familiar argument that—to the extent that providing services gets in the way of challenging those in power and engaging in political struggle—service provision undermines the "power-building orientation" necessary for grassroots social change (Brooks 2005, p. 262). As the debate continues, the institutional environment for community practice is changing. This chapter seeks to offer, through the context of the MMWC, a new perspective on how the current social and political landscape shapes community practice. My analysis offers insights that may transform the "services vs. organizing" debate into a broader conversation about hybrid, alternative approaches to change in a 21st century context.

---

[33] Kivel, 2007.

As a new element of the community infrastructure, Worker Centers are evolving as hybrid organizations, combining organizing, services, and policy advocacy to support low-wage immigrant workers. Integrating aspects of their organizational antecedents (e.g., settlement houses, mutual aid societies, unions), Worker Centers are extending the reach of mainstream organizations to new constituencies and redirecting their attention to the workplace as a site of struggle. The configuration and orientation of today's Worker Centers make them an important source of innovation for contemporary civil society. One of the lessons explored here is that the vulnerable and legally ambiguous position of undocumented immigrants may be inspiring new organizational forms and methods that blur the boundaries between organizing and other approaches to social change.

At the heart of this debate are allegedly competing assumptions about people and the role of communities in directing social change. The argument goes that while services resolve people's immediate problems, they fail to address the root cause of the problem, defined (from an organizing perspective) as the power imbalance between *haves* and *have-nots*. Aside from directing limited resources away from political struggle, a focus on services may dissuade an organization from using more militant tactics that may jeopardize public support for services. Perhaps more importantly, organizers argue that services have a domesticating effect on a community. The services ameliorate individual concerns, and in doing so, dampen the impulse for individuals to question why they are in a subordinate position and join together in collective action.

The conceptual distinction between organizing and services is blurry in practice. Community-based research confirms that among disenfranchised groups, full participation in an organizing effort may depend on first getting individuals' basic needs

met. In his 2005 analysis of the Association for Community Organizing Research Network (ACORN) campaign to organize workfare workers, Fred Brooks (2005) argues that strategically integrating individual services strengthened the organizing effort, since the instability of the participants' lives presented a barrier to their leadership development. Other research on ethnic and feminist social movement organizations suggests that providing services (particularly to underserved or excluded populations) constitutes "another means of challenging mainstream methods" (Hyde 2000, p. 35). This logic is consistent with radical casework (Fook, 1993) and empowerment perspectives (Gutiérrez, 1996), which propose that services can be provided in such a way to strengthen collective capacity and dismantle the hierarchy of provider and client.

Drawing on interviews, participant observation, and organizational documents, this chapter traces the shifting emphasis at the MMWC away from organizing and toward services. The dramatically changing context for organizing undocumented immigrants from 2006 to 2008 facilitated this shift. The opening vignette about the Pita Bread Factory sets the stage for exploring three questions in the rest of the chapter: (1) how did the MMWC enact its orientation toward organizing, and what dilemmas did this create over time for the organization and its members? (2) How did the changing environment influence the relative emphasis on organizing and services (3) What lessons does the MMWC offer about organizational hybridity in a contemporary context? My conclusions suggest a new perspective on how we think about organizational hybridity in the pursuit of economic and social justice.

**Becoming an organizing organization**

Like many Worker Centers, the MMWC understood itself to be a hybrid

organization.  One of the undergraduate students who participated in the founding of the

MMWC remembers the appeal of this approach:

> We talked a lot about "Worker Centers" as being this really unique nexus of
> advocacy, organizing, and direct service.  And I wonder if for some people it was,
> really the attraction to—an opportunity to provide legal services and ESL services
> and other kinds of direct support.  And for others of us it was maybe an extension
> of advocacy into the realm of organizing, but it seemed like there was something
> particular about those three things coming together in one institution that really
> attracted the group of us who were part of that early conversation.
> —Beth, Volunteer

Combining these elements in a single organization was innovative, and Worker Centers

aimed to take advantage of this flexibility.  But, as Beth's quote illustrates, the decision to

be a multipurpose organization also introduced tension at the outset about how to channel

organizational resources and make strategic decisions across these different areas.

For the MMWC, the tension revolved around the desire by leaders to emphasize

organizing above and beyond individual services.  In one of its earliest funding proposals,

the organization stated its core goal was  "to alter the balance of power between

employers and workers, in favor of the workers, in our area—to rebuild some of the

worker power that unions once possessed."[34]

Many immigrant and refugee organizations focus on assisting individuals and

families in navigating the systems in their new host society (rather than organizing them

to take collective action).   Even as it acknowledged the hybrid configuration of activities,

---

[34] Source:  Organizational documents, MMWC Funding proposal, 2006.

the MMWC understood itself to be primarily an "organizing organization."[35]  This

orientation was influenced by the composition of volunteers and early leaders who came

to the MMWC with labor and community organizing experience.  In Leah's words:

> Our Worker Center was really, really adamant about making sure that organizing
> was a huge part of what we did. Because we have people there who came out of
> unions and came out of those types of organizations. But I know some of the other
> Worker Centers in the [national network] were much more focused on service and
> to some extent advocacy, and you know, they can make a difference and it's
> definitely a place where people can go to get services . . .  but it wouldn't be the
> same type of organization.
>         —Leah, Volunteer

While MMWC leaders embraced the hybrid approach to workers' struggles, they firmly

asserted that the organizing focus made them unique.  Leah contrasts the MMWC with

other Worker Centers that focus on services and advocacy and subtly suggests that while

all three of the activities are important, there is something special about organizing, and

without that focus, "it wouldn't be the same."[36]

What does it mean to be an organizing organization?  To the volunteers and

leaders, organizing was the process of building power by developing the leadership of

workers, waging campaigns against bad employers, and engaging those most affected in

advocating for better policies and laws.  But by emphasizing organizing, the MMWC was

also describing itself in terms of what it was not.  A flyer distributed to new members

read:

---

[35]  Source:  Organizational documents, MMWC brochure (2006).

[36] Certain structural features of the MMWC aided the organization in maintaining its focus on
organizing and limiting its ability to provide individual services. See Chapter 2, "A virtual center?"
for more detailed discussion of these features.

> We are not a social service organization.  We don't work for workers but rather with workers. [37]

This insistence that it was not a social service agency reflects the skepticism of some community organizing traditions, and specifically, the view that services often involve "doing for others" rather than teaching them to "do for themselves" (Fine 2006, p. 72). The logic of this critique is two-fold.  First, when an organization provides services, the assumption is that individuals become clients or consumers of services rather than agents: they get used to receiving help rather than analyzing and addressing the root causes of their problems.   Second, when the organization channels its staff and volunteer time into providing services, it diverts resources away from longer-term transformational goals. To avoid the perception of being a service organization, the MMWC presented itself as wholly committed to organizing through discourse and practice.

*Discourse*

The discursive focus on organizing is evident in the analysis of organizational documents in which leaders and board members describe the organization, its mission, and its accomplishments. The MMWC draws on an organizing frame by underscoring the collective nature of workers' problems and the solutions to their problems.  In its early literature—prepared for workers and allies—the MMWC explains how and why an organizing strategy is called for:

> In the Worker Center, we know that when there is a workplace problem that affects one person, that problem also affects others . . .  the best way of resolving

---

[37] Source:  Organizational documents, What is a Worker Center?—Spanish, Sep. 2006. (Translation into English)

problems is through organizing and building power as a group.  In the Worker Center we will work together – alongside other workers and center staff – to resolve our problems and improve our conditions of work.[38]

To this end, MMWC volunteers started the organizing work by looking for "workers with problems" (Source:  WC Initiative meeting minutes, May 2006).  The next step was not to fix these problems, but to (1), identify potential leaders, and (2), see if there were a group of workers  (in a sector or in a specific workplace) with problems who wanted to take action. The following excerpt, the "organizing update" from the minutes of the June 2006 WC Initiative meeting, reflect this early focus on finding groups of workers (rather than individual workers) with problems:

> Cases and Actions
> —We're working on helping an individual from a packing plant and getting in touch with others at the plant to see who may be interested in improving conditions
> —We're still working with [a Detroit Worker Center] as picket line support for Hope Global workers' organizing drive, and when things get going again with unpaid wages at the restaurant in Waterford we'll help with that. [39]

The ultimate goal of these actions was to develop a campaign, either against a specific employer or group of employers.  In the process, the MMWC hoped to train workers in organizing principles and practices.

---

[38] Source:  Organizational documents, MMWC Welcome Statement—Spanish, 2006. (Translation into English)
[39] Source:  Organizational documents, Worker Center Initiative meeting minutes, June 30, 2006.

*Campaigns*

From the outset, the MMWC was eager to launch a campaign. The centrality of campaigns for the MMWC is revealed in minutes from board meetings and fundraising proposals. While the MMWC shifted its orientation several times during its first few years, the fundraising proposals (see Table 3.1) reflect a consistent push to identify issues and develop campaigns to win workplace justice or policy changes.

Taken as discourse, fundraising proposals offer a unique perspective on an organization's self-understanding. The genre of these proposals is aspirational. They describe what the organization seeks to do and they show how the organization wishes to be perceived by outsiders. Fundraising proposals are also directly influenced by the criteria and preferences of the funder. Despite the limitations of these data, it is interesting that in these documents the MMWC advances "campaigns" as the primary method for institutional change. As Table 3.1 shows, the specifics vary: One proposal requests funds for research to inform future campaigns (Nov. 2006); another develops workers' leadership so that they can identify and lead campaigns (Feb. 2007); another proposes a specific campaign based on research conducted with restaurant workers (Feb. 2008). To suggest that the need for a campaign is "especially dire" (Feb. 2008) further supports the idea that the MMWC viewed campaigns as central to their organizing success. The relative success of the MMWC in securing funds through these proposals suggests that funders, too, supported campaign-driven organizing. In this sense, the MMWC's organizing focus, expressed here through the language of campaigns, was also a product of the resource environment, and specifically, foundations' interest in funding worker-centered campaigns.

Many of the volunteers look back at the decision to launch the Pita Bread Factory campaign and question its wisdom. One of the key volunteers remembers her concerns from the beginning:

> When we started looking at organizing the Pita Bread Factory, I remember, being told—well look, this is an experiment, let's see what happens . . . I know for myself, I didn't really feel like . . . we were really going to have much of an ability to win. And . . . it bothered me, because being there with the workers who were really scared and taking those risks, and not feeling sure myself? . . . at the end of the day some good things happened there, but um a lot of not good things ended up happening there, and you know, we—I don't know, looking back, did the Worker Center really do any good there?
> —Leah, Volunteer

With so few resources, how did the MMWC expect to provide the support to a vulnerable group of workers in their fight against a major employer? In spite of these obstacles, the push to do a campaign persisted. While there were alternative approaches available (for example, adopting an individual case strategy, assisting workers one by one with wage claims or other problems) the MMWC continued to talk about its vision in terms of collective change through campaigns against employers or to change laws.

**Table 3.1** Organizing discourse in MMWC fundraising proposals (2006—2008)

| Mo/Year | Type of Foundation / Purpose/Goals / Outcome and amount | Excerpts from proposal narrative |
|---|---|---|
| Nov. 2006 | Applied social science research foundation | "The data we collect on common problems faced in workplaces . . . will help us to plan **campaigns** that go beyond challenging discriminatory employer practices.  If, for example, we discover that the most common problem in the restaurant sector (regardless of employees' race or national origin) is employer failure to pay extra for overtime work, we may suggest to the MMWC Board that we make that failure the focal point of a **campaign**.  Again, we can more easily win public support for such a **campaign** if we can back it up with high quality data and analysis." |
| | To fund community-based survey of low-wage workers | |
| | Successful $15,000 | |
| Dec. 2006 | Faith-based, community development foundation | "This goal [of improving the conditions for workers in our community] can best be achieved through a **campaign** that builds the capacity of leaders, engages new workers in our organization, and solidifies support from institutional and individual allies. Such a **campaign** aims to pressure local employers to act affirmatively in providing a safe work environment free from discrimination and intimidation." |
| | To fund general operations, to hire staff organizer | |
| | Not funded | |
| Feb. 2007 | Fellowship for alumni of private college | "Worker leaders will learn basic organizing skills, including one-one-meetings (or organizing conversations), facilitation skills, mapping a workplace/site, power analyses, identifying issues, negotiations, and campaign development. These skills will be introduced in trainings and then put into practice on the ground, as organizers in training identify potential issues for future **campaigns**, and expand the membership base of the MMWC." |
| | To fund leadership development for emerging worker-leaders | |
| | Successful $21,000 | |
| Feb. 2008 | Private charitable foundation | "The MMWC's Restaurant Workers' Rights **campaign** will help fight for a living wage and acceptable workplace standards for restaurant workers. This **campaign** will unite and empower low-wage workers, as well as provide an opportunity for the community to take action on a local issue of interest to the general public—restaurants. The need for a **campaign** in [the Mid-Michigan] restaurant sector is especially dire." |
| | To fund hiring of staff organizer, who would launch a restaurant workers' rights campaign (based on survey research, above) | |
| | Successful $15,000 | |

*Developing indigenous leaders: "Every worker is an organizer"*

In its earliest stages, the MMWC articulated that workers should lead the

movement to improve the conditions at their workplace. In describing its philosophy to a

potential funder, the MMWC wrote that

> Our model for leadership reflects a belief that every worker is an organizer.
> Indeed, workers are in the best position to solve their own problems; leadership
> development provides the tools that will better enable them to do that. [40]

To that end, the MMWC created processes through which workers would develop and

direct the organization. Its desire to be a worker-led organization was sometimes

overshadowed by the participation of professionals (that is, middle and upper-middle

class individuals) in the organization's decisions and activities. While the presence of

non-immigrants and non-low wage workers in shaping the MMWC was undeniable, the

Board of Directors (elected in January 2007) reflected a commitment to worker

leadership. The Board consisted of a few traditional board-of-director types—a religious

leader, university professors, a small business owner—but in other ways it broke the

mold. The number of young people reflected the MMWC origins as part of a student

activist group. And almost half of the board consisted of Latin American immigrants

working in a variety of low-wage industries. Table 3.2 illustrates the diverse composition

of the MMWC Board of Directors. While the organization struggled to navigate

differences of language, nationality, age, culture, and class, this diversity reflects the

organization's consistent aim to provide places for workers to shape the organization and

exercise leadership. In its organizational practice, the MMWC further operationalized its

---

[40] Source: Organizational documents, MMWC funding proposal, Dec. 2006

**Table 3.2**  Composition of MMWC Board of Directors, elected January 2007

| Name, age | Country of origin<br>Ethnicity | Occupation in the U.S. |
|---|---|---|
| Antonio, late 30s | Nicaragua<br>Latino | Hispanic outreach coordinator for local church |
| Neil, early 50s | United States<br>European-American | University instructor |
| Beth, early 20s | United States<br>European American | University student |
| Zoe, early 20s | United States<br>European American | University student |
| Raquel, late 30s | Costa Rica<br>Latina | Small business owner |
| Oscar, mid-20s | United States<br>Latino | University student |
| Kim, early 30s | United States<br>Multiracial | Public interest attorney |
| Anita, early 30s | United States<br>European American | University student |
| Lisa, late teens | United States<br>European American | University student |
| Luisa, early 20s | Mexico (6 years in U.S.)<br>Latina | Cashier, fast food restaurant |
| Don Lucas, late 40s | Honduras (8 years in U.S.)<br>Latino | Line worker, Pita Bread Factory; food prep, fast food restaurant |
| Miriam, late 40s | El Salvador (11 years in U.S.)<br>Latina | Seamstress, alterations business |
| José, late 20s | Mexico  (3 years in U.S.)<br>Latino | Laborer, residential construction |
| Isabel, early 40s | Mexico  (5 years in U.S.)<br>Latina | Cleaning private homes |
| Roberto, late 30s | Peru (2 years in U.S.)<br>Latino | Food prep and busser, two chain restaurants |

commitment to worker leadership by engaging its immigrant members in outreach

activities designed to educate the wider community about workers' rights.  Beginning in

September 2006, the MMWC held a series of workshops for members in how to do

outreach through door-knocking and house calls with coworkers (see Appendix B).

As described in the following funding proposal, the MMWC integrated the outreach into

the monthly membership meetings:

> At Workers' Rights Committee [monthly] meetings . . . members receive training on a specific aspect of workers' rights and then, in teams, go to talk with workers in their homes (in low-income apartment complexes and trailer parks), sharing information about their rights and the MMWC as well as gathering information about new workplace problems. [41]

Rather than employing professionals or outside volunteers, the MMWC sought to train and support as many worker leaders as possible to recruit new members and learn to identify organizing issues through these one-on-one conversations.

At the November 2006 meeting, Rosario, an animated Guatemalan woman who had attended several MMWC meetings with her husband and children, suggested that one of the outreach teams go to her old neighborhood, "La Guatemalita." A housing complex on the East side of town, "La Guatemalita" (literally, "Little Guatemala") had acquired its name because over half of the units were occupied by Central American families, the majority of whom came from the eastern region of Guatemala. Accompanied by two other volunteers, Rosario led her team in doing house visits with individuals and families living in the one-story duplexes. In prior door-knocking efforts, when cold-calling people in apartment complexes and trailer parks, the volunteer organizers typically stood in doorways or in stairwells talking about the MMWC and getting information about the persons' work experiences. But with Rosario as a guide, the team was invited to sit down in the living rooms as people shared their stories and asked questions of the volunteers. In this sense, Rosario's knowledge of and connections to the community served to deepen the conversation about workplace problems and employment rights. In a more

---

[41] Source: Organizational documents, MMWC Funding proposal, Dec. 2006

mainstream community agency, Rosario might have been treated as a client or consumer of services.  In the context of the MMWC, she was an organizer.

The strategy for talking with people about their problems reflected the organizing principle that workers have to take responsibility for the problems rather than expecting someone else to solve them.  During house calls, volunteer organizers engaged people in conversations about issues at work but did not offer to resolve their problems (see Appendix B).  Lisa, one of the volunteers on Rosario's La Guatemalita team, remembers that

> One woman really want[ed] to talk to us about how her employer had committed some, what she thought was some discriminatory act, maybe— I don't remember if it was—fired her? Or cut her pay, or something along those lines, and she wanted help . . . and we said, you need to come to the meeting.
> — Lisa, Volunteer

By encouraging people to come to a meeting rather than helping them on the spot or referring them to another provider, the MMWC reiterated its purpose:  to provide a place for workers to learn from each other, see their individual problems in a broader context, and develop strategies to address the lack of power they experienced in dealing with their employers. [42]

The door-knocking efforts had only modest success in recruiting new members. Most of the people who came to monthly meetings were there because someone they knew had invited them.  However, the impact of door-knocking on the volunteers (both immigrant workers and students) who participated in the outreach should be noted.

---

[42] In the instance that a worker had an emergent legal (or other) problem, the person was referred to the MMWC attorney, who was able to provide free consultation and assistance for workers with problems that could not wait until the next monthly meeting.

According to Antonio, a founding board member and active participant in MMWC outreach, the MMWC went beyond simply transmitting information to workers but succeeded in "empowering workers to—not only to know this information but to deliver it themselves. And so people really began to learn this in a way that they began to teach others."[43] Through the formal outreach and more informal conversations that happened in homes, churches, and workplaces, the MMWC was training people to talk about workers' rights and inviting them to be part of a larger conversation about how to improve the situations workers in the community.

These examples illustrate how the MMWC functionally emphasized organizing by using organizing language and by creating spaces for workers to lead and shape the organization's activities. In practice, however, the MMWC acknowledged that the needs of its members extended beyond the workplace and that some of their problems would not be addressed through an organizing strategy alone. The following excerpt from a proposal[44] prepared in early 2007 acknowledges this reality:

> While grassroots organizing and collective action form the core of our work, our long-term strategy also includes advocacy and, to a limited extent, services. We will improve the conditions for low-wage workers by increasing enforcement of existing laws and advocating for changes in local and state policies to favor low-wage and immigrant workers. Legal services also contribute to our overall goal of supporting workers in defending their rights. We currently work with a staff attorney from the [university based poverty law program] to assist workers in making claims against employers for lost wages, harassment and discrimination, and other legal violations.

---

[43] Source: Interview. Antonio, Volunteer
[44] Source: Organizational documents. Fundraising proposal, Feb. 2007

This explanation—how the MMWC combines services ("to a limited extent") and advocacy—reflects the blurring distinctions between approaches to change.  While the preceding section presents ways that the MMWC tries to emphasize organizing over and above other activities, analysis of MMWC documents and activities over the two year period (2006-2008) reveals more ambivalence about the feasibility of achieving change solely through organizing and collective action.

**Toward a hybrid model**

During most of its first year, the MMWC's commitment to organizing around workplace issues appeared unwavering. MMWC leaders estimate that by January 2007, they had reached out to more than 200 workers through canvassing apartment buildings and trailer parks.  And despite the failed attempt at organizing workers at the Pita Bread Factory, the MMWC had succeeded in helping a group bring a collective grievance to their employer.   That experience offered two lessons that would inform the MMWC's subsequent activities. One lesson had to do with capacity.  Because it depended on volunteers, the MMWC struggled to do what is required in an effective campaign—strategic research on the company and plant, securing support from outside unions and other organizations, and building a big enough base of workers to wield power with the employer.  A second lesson had to do with the social and political context of the Worker Center and the increasingly precarious position of many of its members.  The organizing attempt—and its outcomes—foreshadowed the reality that, while conditions for organizing undocumented immigrant workers were already difficult, they were about to get worse.

Across the country, politicians and communities were expressing concern about the growing population of (so-called) "illegal aliens" and their allegedly negative effects on communities.  Residents in Mid-Michigan experienced this hostility directly through the surge in immigration enforcement (specifically, the detention and deportation of unauthorized immigrants by federal Immigration and Customs Enforcement beginning in 2007).  Local hostility also was evident in the state's 2008 decision to require proof of legal status to get a driver's license or state identification card.   Together, these conditions pulled the MMWC away from its original mission "to help [our community's] low-wage workers identify and advance their common interests . . . through organizing and collective action."[45]

While the MMWC continued to maintain a public focus on organizing and workers' issues, the organization was experiencing a change.  Increasingly, the MMWC was spending less time organizing workers and more time helping them get access to mainstream services or responding to urgent immigrant-related concerns.   For analytical clarity, I will discuss these two activities—direct services and policy advocacy—as distinct, although in practice the activities were happening simultaneously.  By exploring the shift from organizing to services and policy, this analysis highlights a central tension in community practice with any disadvantaged group:  how to balance two activities—(1) building power through grassroots organizing, and (2) meeting the immediate needs of individuals and families.

*Addressing the service gap*

---

[45] Source:  Oragnizational documents, MMWC funding proposal, 2006.

Despite the expressed focus on organizing, the MMWC leadership acknowledged that part of its mission to support immigrant workers involved providing some services.[46] The initial focus on services was two-fold: to help with workplace problems that required individual legal assistance (i.e., wage theft by employers) and to provide English as a Second Language (ESL) classes. In the summer of 2006, MMWC volunteers designed an ESL curriculum with organizing examples and content around workers' rights (e.g., how to talk to your boss about errors in your paycheck). The semi-weekly ESL classes at the local Methodist church began using the curriculum, and the MMWC also shared their workers' rights focused ESL program with a newly formed Worker Center in Southwest Detroit.

By developing work-related examples for the ESL classes, the MMWC program combined this educational service with its philosophy of organizing and empowerment, since a central goal of the classes was to improve people's ability to speak for themselves and defend their rights at work. The MMWC also assisted on occasion by interpreting and translating for MMWC members with limited English proficiency. Salomé recalls that while the organization was "dedicated to teaching," it also provided support with individual problems:

> They [MMWC] have a lot of bilingual people, and often that's an incentive for people. If I have a problem, they can help me. They're completely dedicated to teaching, but also deal with whatever problem comes up . . . you call there and you say, 'I need help explaining this [to a supervisor]' and that was my case. Now I don't have that problem

---

[46] By services, I am referring to both tangible and intangible goods that function to help an individual and/or family. See Minkoff (2002): "Services include tangible goods and/or benefits, such as health care, financial aid, individual legal representation, and vocational training. Resources include intangible goods and/or benefits, such as education about legal issues, referral to welfare services, information about relevant issues, and knowledge of other individuals' experiences" (p. 398).

> because I learned English, but when I first arrived and I had a problem at work, I couldn't explain it. I called [the MMWC], and . . . Leah [a volunteer] went with me and explained the problem, and because of that [my boss] took my concern more seriously.
> —Salomé, Worker (translated from Spanish)

As this example illustrates, assisting with language issues blurs into other forms of help and advocacy. In Salomé's case, it is unclear which aspect of the intervention, laid out in the following possibilities, made the difference: (1) The MMWC clarified the problem and facilitated a solution by addressing the language difference between employee and her employer; (2) as an outside organization, the MMWC motivated the employer to address the problem rather than risk negative publicity or legal claims; or (3) because she was accompanied by the MMWC volunteer, Salomé felt more empowered in the conversation with her boss. This story illustrates the multiple, overlapping dimensions of a single service.

Although these individual interventions did not directly advance the goal of building collective power, this kind of service was an opportunity to develop the skills and confidence of emerging leaders in the organization. Carlos, a 57-year old Guatemalan immigrant, had been attending the MMWC meetings since just before the Pita Bread Factory campaign in 2006. For four years he had worked the lunch shift at a family style chain restaurant doing food prep and bussing tables. In November of 2007, he called Anita, a MMWC volunteer, to ask for help with a problem he was having in getting time off from work. He had been saving his vacation for two years, and now he wanted to schedule his time off during an upcoming visit by his daughter (whom he had not seen in more than five years). In 2009, Carlos recalled the incident from the previous year:

> The managers were very racist, very discriminatory . . . I had to practically beg them to give me the time off that I had earned, and they didn't want to, and I got really angry with them and I kept on them, asking for my vacation.

A meeting was arranged for a Monday morning before the lunch shift. Carlos and Anita sat on one side of the booth, across from the supervisor, a white woman in her 20s. Carlos describes what happened that day:

> [Anita] came with me to the restaurant to talk with the managers . . . the manager that day, she agreed that—yes, that I had earned the vacation, but that the reason they hadn't let me take time off was that there hadn't been time—there was no one to cover me—but that wasn't really the reason. It was that . . . since we don't have the same rights as American workers here, they're always manipulating us . . . they think they can do whatever they want.
> —Carlos, Worker (translated from Spanish)

As a result of this meeting, Carlos was able to schedule his vacation for the days he wanted, and he took the opportunity to request other changes to his schedule. Carlos spoke to other workers about how he had been helped by the MMWC, and he continued to participate in and lead portions of the monthly meetings. In this example, we see how the organization parlayed an individual service into a leadership development opportunity.

Providing individual services unrelated to workplace problems also became an entry point for immigrants to learn about workers' rights and to get involved in the MMWC. One of the key MMWC volunteers, Kim, worked as a staff attorney for the poverty law program at the local university. She recalled that workplace issues would surface in a variety of interactions and settings with her clients (who very often became members of the MMWC as a result of their interactions with her):

What was . . . very common was to be filling out, let's say, the application for someone for public benefits, and in that case you have to help them fill out the income information for their family, so, you know, they ask a lot of questions, about, the number of hours worked, and hourly wage, so then, you know, you would notice, like 'Ok, let's say your husband's working in this establishment, and they're paying him six dollars an hour, which is a sub-minimum wage, and he's working 50 hours a week. You know, are you aware that the minimum wage is such-and-such, and overtime is such-and-such?'
—Kim, Volunteer/Attorney

In cases like this one, Kim provided the client with legal services (giving them information about the law and what they are owed, or assisting them with a legal claim), but she also talked with them about the Worker Center and invited them to the next monthly meeting.  The service was performed with an eye to teach the individual about her rights and address workers' isolation by involving them with the MMWC community.

The lines between services and organizing grew blurrier as the MMWC received increasing numbers of requests for help with non-workplace issues.  It was becoming clear to leaders and volunteers that the demand for Spanish-language services far exceeded the capacity of the existing community infrastructure.  Community members were calling the MMWC with pressing concerns regarding public benefits, consumer issues, utility bills, and immigration.  Members would often linger at the close of the monthly meeting to ask questions of volunteers who had more knowledge of community systems—questions like:  Why were my children's food stamp benefits cut off?  Can I get health insurance through the County health plan?  How do I register my children for school?   Even when volunteers lacked the specific knowledge to answer a question, they were often willing to research the answer or act as an intermediary.  What mattered was

that the MMWC had become a trusted organization among Spanish-speakers in the Mid-

Michigan community: immigrants were telling their family members and friends to call

the MMWC with whatever issue—workplace related or not—and they were assured that

their calls would be answered.

Given the organization's expressed focus on organizing around workplace issues,

it is worth asking why—and how—did the MMWC provide individual services for such a

wide variety of problems. One possible answer to this question is the institutional

context, and specifically, the enormous gap between the demand for services by Spanish-

speakers and the capacity of existing institutions. In interviews with local service

providers, there was consensus on one critical aspect of this work: Local agencies had

failed to adapt to the changing demographic—specifically, a dramatic increase in the

numbers of Spanish-speaking residents in the last ten years. The following excerpts from

interviews with service providers reflect this weakness. In the first set of comments,

Barbara, an attorney who works with low-income families reflects on the change in the

immigrant population and the lack of response by the social service system.

> **Barbara:** . . . before it seemed a little bit like, you know, once in a while I would have a Spanish speaking client . . . you know, I had a couple from southwest Detroit, you know, it seemed like there wasn't a huge community um in this county when I first got here [in 1997]. Um and what [community] there was had no social services willing or able to help them, even understanding that they were there. And now the [immigrant] population seems to have grown a ton and still there are no service agencies willing or able to understand or help them.

> **Alice:** Mm-hmm. Um what do you think that's about?

> **Barbara:** Um many things that I can't say on tape . . . I think um there aren't Spanish speaking staff people in a lot of places, and so the assumption is, *we don't get calls in Spanish so they [Spanish-speaking clients] aren't out there*, instead of any kind of familiarity with—*why call if you're not going to be able to communicate and stuff?*

70

Barbara's experience is echoed by Carmen, a social service provider in a

private nonprofit agency. Born in Mexico, Carmen has lived in the U.S. for

most of her life and has been in Ann Arbor since 1974. In addition to operating

a small business, Carmen functions as an informal resource—an information

clearinghouse—for the Latino immigrant community. She comments on the

demographic changes she has witnessed:

> Well there didn't used to be very many people that spoke Spanish. If you
> ran into somebody at the grocery store, you'd like go right over and talk
> to them because, like, 'Oh!, [breathes in, as if surprised] you speak
> Spanish!' Well if you did that now, you'd never get anything done.
> Because it's every other person you run into. So a large influx of
> immigrants.
> —Carmen, Service Provider

Like Barbara (above), Carmen's biggest frustration is with the lack of language

access for Spanish-speakers. Below, she gives an example of how the

Department of Human Services (DHS) fails to meet the community's need for

Spanish-speaking professionals:

> The Department of Human Services—*that* is like one of my pet peeves.
> On the application [for benefits] it asks, do you need an interpreter?
> 'Yes, I do.' 'What language?' 'Spanish.' Do they even give you a form
> in Spanish? No. When you ask for one, they tell you they don't have
> any. There are boxes of them in the back. I got a hold of a box of those
> and I hand them out. You request a hearing, and you say, 'Yes, I need an
> interpreter.' You go to the hearing, there's no interpreter. And then it has
> to be postponed until they can get an interpreter—Well [with emphasis]
> hello, it was right there on the form. 'Yes, I do need an interpreter.'
> — Carmen, Service Provider

Even outside of the context of a benefits hearing (described above), language access at

DHS is, in Carmen's view, "non-existent. Even though they have a language line phone

sitting right there, nobody uses it."[47]  Employed by a domestic violence shelter (unrelated

to DHS), Carmen commandeered a box of the Spanish language forms and distributes

them herself, since she observed this gap in public service to Spanish-speakers.[48]

These examples illustrate the mismatch between the population and the existing

social service system.  In the face of this gap, and because the MMWC had attracted a

large number of bilingual volunteers, many community members sought help with a

variety of problems.  The MMWC ended up providing more direct services and brokering

help for individuals with outside organizations.  These services included assisting

members with consumer issues (utility bills, car insurance), translating documents from

English to Spanish, calling a landlord or property manager for help with a housing issue,

and legal services unrelated to work.  The growing demand for services raised a practical

issue for the MMWC related to balancing organizing and other activities:  Specifically,

could the MMWC do both organizing and services well?  And in this case, could it

provide services without getting overwhelmed?

*Policy advocacy*

On January 22, 2008, the state Attorney General issued a decision that would

profoundly shape the MMWC and, more importantly, the lives of its members.  This

ruling made it impossible for anyone without proof of legal residence or citizenship to

obtain or renew a State Driver's License or Identification Card.  The state policy

---

[47] Source:  Interview.  Carmen, Service Provider.

[48] Undocumented immigrants and many legal permanent residents are ineligible for government funded cash assistance (e.g., Temporary Assistance to Needy Families, Supplemental Security Income), but their citizen children are eligible for and do receive certain benefits—most notably, food stamps and health insurance.  Hirozaku Yoshikawa's new (2011) book, *Immigrants raising citizens:  Undocumented parents and their young children*, explores these issues in greater depth.

restricting access to driver's licenses was part of a larger "immigration regime." [49] As the

national concern over illegal immigration was growing, local and state governments were

beginning to take action. The National Conference on State Legislatures reported that in

2008, 190 bills relating to immigration passed state legislatures and 175 laws were

enacted in 39 states. [50] The situation of undocumented immigrants—and anyone helping

them—was growing more complicated. By April of 2008, Immigration and Customs

Enforcement (ICE) had stepped up its game: In March and April, ICE detained more

than 20 individuals in the Mid-Michigan community. Most of those detained were

eventually deported back to their home countries—Mexico, Guatemala, and Honduras.

Local ICE spokesman, Gregory Pallmore, quoted in a local newspaper article, puts the

situation in a larger context:

> There is a greater focus on enforcement nationwide, and there's no longer
> a safe haven in [this state]. Gone are the days when individuals without
> valid status can hide here in the wings. We have teams conducting active
> fugitive operations around the clock, and from 2006 to 2007 the [major
> metropolitan] area of operations more than doubled its physical fugitive
> apprehensions. And we expect these increases to continue (Millitzer,
> 2008). [51]

These practices produced a wave of fear in the immigrant community. Research shows

that even people who are here "legally" (i.e., with the proper authorization) are affected

by increased enforcement, since they are embedded in social and family networks that

include undocumented individuals.

---

[49] I have adopted Bank-Muñoz's concept of an "immigration regime," defined as as "broad
societal politics, which include state policies, labor market conditions, and the anti-immigrant
climate (which is racialized)" (2008, p. 65).
[50] National Conference of State Legislatures, retrieved on May 31, 2011 at
http://www.ncsl.org/default.aspx?tabid=13108.
[51] "Fugitive," in this case, refers to anyone who has disobeyed an order of an immigration judge
(e.g., if you fail to show up for an immigration hearing, you are considered a "fugitive".)

Around the country, Worker Centers have been instrumental in shaping local policy in favor of immigrant workers.  For example, in Austin, Texas, the Workers' Defense Project/Proyecto de Defensa Laboral spearheaded efforts to defeat local and state legislation seeking to criminalize the solicitation of work by day laborers and prevent the establishment of day laborer organizing centers.[52] Similarly, since 2006, the Cincinnati Interfaith Workers' Center in Ohio has been lobbying the mayor's office and city council, seeking similar protections for day laborers.[53]  In addition, Worker Centers have participated in and led campaigns for increasing the minimum wage (or establishing local "living wages"), and many Worker Centers belonging to the Interfaith Worker Justice national network are collaborating around policies to address wage theft by employers.[54]

In its original vision, the MMWC saw itself as having a role in shaping local policy related to immigrant workers' rights.  But by this time, workplace issues were fading into the background.  Immigrants were less concerned with improving their situations at work and increasingly nervous about being pulled over by police on their way to and from work.  Under these conditions, the MMWC restricted its advocacy focus:  Any affirmative policy work would have to address the basic safety issues that immigrants were experiencing.

---

[52] For more information, see http://www.workersdefense.org/index.php?p=27&lang=en

[53] For more information, see http://www.cworkers.org

[54] Wage theft refers to the illegal nonpayment or underpayment of wages by employers. Examples of wage theft include failure to pay minimum wage or overtime; forcing workers to work off the clock; workers not receiving their final paychecks; misclassifying workers as independent contracts to avoid paying minimum wage and overtime; and not paying workers at all.  (Bobo, 2009)

*Policy Work*

In the summer of 2007 (following the Pita Bread Factory organizing effort but long before the escalation of ICE enforcement) the MMWC began what would be its primary attempt at policy advocacy. In May 2007, the MMWC convened a meeting of concerned community leaders to begin lobbying for a local ordinance that would prevent racial profiling and prohibit local law enforcement from collaborating with or assisting ICE during its efforts to detain unauthorized immigrants. In 2003, a local municipality had passed a "Sanctuary City" resolution condemning racial profiling by the police. Specifically, the resolution "oppose[d] measures that single out individuals for legal scrutiny or enforcement activity based solely on their country of origin and/or religion."[55] The non-binding resolution was insufficient. Not only was it unenforceable, but it also lacked specific language prohibiting local police cooperation with ICE during enforcement activities.

In pursuit of a stronger policy, the MMWC worked with other community groups to press for a city ordinance. This process involved working with potential allies outside of the MMWC as well as involving workers in shaping the policy. In March 2008, the MMWC monthly meeting was led by law school students who were working with a volunteer MMWC attorney. The students designed a small group activity in which the MMWC members contributed ideas for an anti-profiling ordinance. The goal was to use these ideas to draft language for the ordinance and present it to city council members for support. The larger group discussion revealed that the concerns of the community were

---

[55] Taken from the city council resolution, "Resolution to protest the eroding of civil liberties under the USA Patriot Act [Public Law 107-56] and related federal orders since 9/11/01"

beyond the reach of a anti-profiling city ordinance. Parents were worried about being separated from their children in the event that they (the parents) were detained, and many people expressed the isolation that came with being afraid to drive—or anxiety about driving without car insurance, since they were unable to purchase insurance without a valid license. Even the best anti-profiling ordinance would not address this larger issue—that undocumented immigrants were being pushed even farther to the margins of society.

The policy advocacy group, originally convened by the MMWC, continued to work on the local ordinance. In April 2008, a MMWC board member, Alejandra, spoke during the public comment period of the council meeting, arguing that police cannot enforce federal immigration law. To that end, she presented the group's concerns and advocated for passing an ordinance explicitly barring local police from collaborating with federal immigration enforcement (ICE). While the effort to reshape the 2003 anti-profiling resolution never generated enough momentum to secure a clear victory, MMWC leaders do not describe this process as a total failure. Their efforts brought the initial group of concerned citizens together, and when the policy work began in earnest, the MMWC made sure that those most affected—undocumented immigrants and their families—could participate in shaping the proposal. The success lay in the MMWC's work to foreground the issue of immigrant rights, even if it failed to affirmatively shape local polices and practices.

*Policy education*

For much of 2008, the MMWC monthly meetings focused on educating people about how current laws and policies (like the restriction on driver's licenses) would affect

them, and what to do if they were confronted by police or ICE. This focus is reflected in the topics of the monthly MMWC meetings as presented in Table 3.3. By contrasting the themes and activities at the meetings in 2007 (which reflected the initial focus on workplace organizing) with the 2008 meetings (which demonstrate the focus of helping people cope with the increasingly hostile climate for immigrants), this table illustrates the organizational transformation. In 2007, the content and form of meetings were generated by changes workers were seeking at the Pita Bread Factory and with an eye to developing worker leadership for future campaigns. In 2008, the meetings were more didactic, geared toward teaching community members how to avoid contact with ICE and training them in "harm reduction" strategies in the event that they were arrested or detained.[56] A comparison of the first quarter of 2007 and the same period in 2008 reveals a shift in the substance and focus (see Table 3.3).

**Transforming the tension—toward a Social Justice Ecosystem**

My analysis suggests that the MMWC responded to the changing political and resource environments by more fully embracing a hybrid orientation to its work. In contrast to the argument that social services undermine social change (e.g., Kivel, 2007), the MMWC demonstrates that service and organizing are compatible—and even complementary. Framed around three questions, this concluding section examines the implications of hybridity for research and practice. First, how did its hybrid configuration influence its ability to achieve its goals? Second, how did its hybrid configuration shape the relationship of the MMWC to the broader social service system?

---

[56] Efforts to protect family members and ensure a smooth detention and removal (i.e., deportation) are considered part of the "harm reduction" approach.

**Table 3.3** MMWC meetings by topic for 2 comparable 4-month periods, 2007 & 2008

| Month | Content of monthly MMWC meetings | |
| --- | --- | --- |
| | **2007** | **2008** |
| January | *Training:* identifying and responding to harassment and discrimination in the workplace<br><br>• Report from Luisa, a worker member who shares her experience of getting help from the MMWC (in early January 2007) in dealing with a problem supervisor.<br>• Election of Board of Directors<br>• House calls (door-knocking at apartment buildings following the meeting) | *Training:* Know Your Rights when dealing with law enforcement: at home, at the workplace, on the street<br><br>• Role plays of three different ICE/Police scenarios<br>• Question and answer |
| February | *Training:* role plays of how to approach other workers, how to approach employer<br><br>• Pita Bread Factory: organizing committee from factory presents list of demands and asks allies to sign letter | *Training:* What to do if you're stopped by the police<br><br>• Presentation and discussion with candidate for county sheriff about racial profiling<br>• Members share experiences of dealing with police |
| March | Update from Pita Bread Factory leaders | *Policy workshop:* Interactive workshop designed to get community input on anti-profiling ordinance, in response to this question: What can we do as a community to prevent racial profiling and protect immigrants' rights? |
| April | Advertise and recruit for summer "Leadership Institute" for MMWC members | *Training:* How to take the necessary steps to protect the rights of your children/spouse if you are detained or wish to remove them from the U.S. (e.g., preparing powers of attorney, applying for passports, your rights as a mother or father) |

Third, are there ethical dimensions to hybridity when working with an extremely vulnerable population?  Hybridity, while not a panacea, becomes a moral imperative as much of an institutional choice when working with undocumented immigrant communities.  With this conclusion in mind, I close with recommendations for practitioners and scholars concerned with understanding and shaping a community's infrastructure to better meet the needs of its most vulnerable members.

*The promise and pitfalls of hybridity*

The literature on hybrid organizations suggests that hybridity can make an organization more resilient in the face of an unstable or hostile environment.  In Minkoff's analyses of national service and advocacy organizations, she suggests that their hybridity may have protected them from instability in the political and resource environments (Minkoff, 2002, p. 382).  By combining established and newer organizational models, hybrid organizations benefit from established resource flows at the same time that they take risks and experiment with innovative approaches.  In this sense, they can draw on the legitimacy of existing institutional models without having to limit their approach.

The MMWC achieved almost instant legitimacy with the university community as a result of the involvement of faculty and students in the founding and direction of the MMWC.  Its university ties, in turn, facilitated access to resources, including funding and

administrative support for Americorps volunteers and federal work-study jobs for students. University ties also lent credibility to the MMWC with its funders, particularly those interested in community-based research. In addition, the involvement of local labor activists in the MMWC facilitated a $5000 solidarity contribution from a local educators' union.

Another obvious benefit of combining different approaches is the flexibility it offers to organizations to mix and phase their activities according to community needs. In the case of the MMWC, as immigration became the most salient issue for immigrant workers, the organization adapted. Rather than focusing exclusively on workplace issues, the MMWC placed more emphasis on helping its members navigate the increasingly hostile environment for immigrants. That said, the flexibility also created challenges for the MMWC in articulating a clear multidimensional identity. As the preceding history illustrates, the MMWC struggled to maintain a self-understanding as an "organizing organization" while it found itself providing more individual services in response to the immediate and pressing needs of its members.

*Long-term change, short-term action*

In the MMWC, the tension around providing services and organizing went beyond the practical issues of capacity and resources. A larger issue with integrating these approaches was a strategic one: Could the MMWC maintain its focus on systemic change—on shaping policy and practice of government and employers—and simultaneously respond to the human service crises resulting from the escalation in immigration enforcement? John, an Americorps volunteer with the MMWC who was involved in the policy advocacy during the summer of 2007, describes how this conflict

surfaced in the policy work group.  In my interview with him, he described the competing

perspectives on how the MMWC should respond.  He remembers the tension unfolding in

a conversation between Evangelina, a leader in the immigrant community, and other

members of the policy committee:

> She [Evangelina] just kept saying 'We got it backwards, you gotta do—you gotta
> help with something right now, and just take immediate action and not build any
> particular network or have long term strategies for—what we can do, like we just
> gotta have a phone tree and that's the first thing to, in case somebody gets arrested
> so that we can light up the phones and start right away,' which is kind of a
> different path than we [the MMWC] were interested in taking . . . So that whole
> spectrum of practicality for me just—ready, fire, aim—just solve things right now
> and not worry too much about the structure of them—to—the Worker Center was
> more in the middle, like there are practical things that we need to do, but it needs
> to be more grassroots and more middle to long term.
> —John, Volunteer

John characterizes the different approaches along a "spectrum of practicality" and

situates the MMWC in a space between "practical" (immediate, urgent) issues and

"middle to long term" change.  For the MMWC, the issue was not (as the debates about

organizing and services suggest) about whether doing one undermined the other;  it was

that, in the face of ICE detentions and deportations, organizing for long-term change was

beginning to seem impossible.

*A new division of labor:  An immigrant rights coalition is formed*

The growing concern over ICE detentions prompted a group of concerned

individuals from within and without the MMWC to begin meeting to discuss the impact

of immigration enforcement on the community.  They began by documenting the stories

of individuals and families who had been affected by ICE raids and providing them with

resources and support, including material help with basic needs (especially important

when the person detained was a primary breadwinner)—groceries, diapers, rent money—

and legal assistance for individuals in custody and their families.   The MMWC

supported the creation of the coalition, and many of the same volunteers and leaders were

involved in the coalition's earliest stages.  Neil, a MMWC board member, comments on

the overlapping missions and shared volunteers between the coalition and the MMWC:

> From a Worker Center point a view, we lost a little bit of energy when we lost
> those good people [to the coalition], and they put all of their efforts into
> something else, but truth is . . . we would have—if they hadn't done that, then the
> Worker Center would have needed to pay more attention to it than it did.  We had
> a bit of a division of labor once they created the new organization, and so the
> energy would have been devoted to it one way or another, you know, so I think it
> was a net—a net gain probably that they . . . built on what was going on in the
> Worker Center and took it to the next level really in another organization
> —Neil, Volunteer

This division of labor transformed the issue to some extent by allowing the MMWC to

restore its focus on workplace issues and organizing opportunities.  The creation of the

coalition, however, did not substantially alter the conditions for organizing or address the

community's fear.

*Solving the people problem*

"Once they're detained, it's like they've vanished."[57]

Mainstream community organizers tend to recite the principle that social power

comes in two forms:  organized money and organized people.  Rooted in the organizing

tradition of Saul Alinsky (1989 [1971]), this saying reflects a core belief that in order to

influence political decisions (and compete successfully with the well-resourced interests

of people in power), poor and working class communities must build a strong base of

---

[57] Interview.  Carmen, Service Provider.

people who share a common purpose. Although the MMWC did not draw consciously or

directly from Alinsky-style organizing, the MMWC principles—and the objectives that

flowed from them—were the same:  to organize undocumented immigrant workers into a

powerful base so that they can improve the conditions of their work and improve their

families' situations.

The systematic growth of anti-immigrant sentiment, policies, and practices

created conditions that undermined the ability to bring people together for any purpose,

much less for organizing against the status quo.  The director of a well-attended ESL

program in the Mid-Michigan community remembers the chilling effect of ICE activity

on participation:

> A year and half ago, we began to get a big peak in  . . . ICE activity.  And there
> was so much fear that the community became literally invisible again.  For a
> while.  To the point where—the ESL program—you know how we have like at
> least 15 people in each level?  Well, we had two people show up.  Two or three
> people show up on each level, and then one night we just had three people total
> show up.  And I was like 'What is going on?'  People were . . . gripped with fear.
> —Antonio, Volunteer/Service Provider

While the intensity of fear diminished over time (and people eventually returned to the

ESL classes), this example illustrates what I call the "people problem":  If your source of

power is organized groups of people, what can you achieve when "the people" are afraid

to meet?  Moreover, how do you organize a constituency whose members are being

physically removed from the community by federal law enforcement?  While the exact

numbers of people detained and deported are not known (ICE will not release this

information), the aforementioned immigrant-rights coalition responded to more than 170

cases of individuals requesting assistance with ICE related problems between 2008 and 2010.[58]

This is not to suggest that organizing undocumented immigrants is futile, or that there is nothing to be done on the local level in the absence of comprehensive immigration reform. On the contrary, as Worker Centers across the U.S. have demonstrated, there are many opportunities for intervention: (1) Policy change at the local level can improve community conditions by ensuring that all people feel secure in reporting crimes to the police (that is, without fear of being reported to ICE). (2) Community legal education can prevent contact with ICE and protect people by informing them of their rights if they are apprehended. (3) Legal services assists people who have been detained by delaying deportation and/or assisting them in getting a bond. To varying degrees, the MMWC engaged in all three of these activities, but—as illustrated in the preceding examples—dealing with immigration-related issues of individuals and families overwhelmed the MMWC's intended focus on workplace issues and undermined attempts to build a powerful base of immigrant workers.

In its inception, the MMWC expressed a vision and commitment to community organizing, defined by Kathy Partridge, the Executive Director of Interfaith Funders as "the deliberate practice of recruiting and empowering community leadership: uniting people to define problems, craft solutions, and press decision makers to improve the lives of a neighborhood, city, or socioeconomic group."[59] Its attempts to realize this mission

---

[58] The more than 170 cases reported as of August 2010 include a variety of incidents. Some of the cases involve multiple individuals, and some involve apprehension by police or ICE, detention, or deportation. Other cases involve questions that community members had about a particular situations related to immigration (and did not involve deportation or removal).
[59] From her 2009 essay, "What do community organizers do?" Retrieved at http://www.uspolicy.be/headline/what-do-community-organizers-do.

began in September 2006 with the house-call training and subsequent outreach efforts, both of which involved workers and volunteers knocking on doors in low-income neighborhoods and asking their neighbors and friends about problems at their jobs. Within 18 months, the conditions had rendered this approach ineffective and obsolete. Rather than encouraging immigrant workers to initiate conversations about workplace problems, the MMWC had adopted a defensive stance. My interviews with immigrant workers revealed that what they most remembered from the MMWC was not about labor rights but about the right—and recommendation—to not open the door (in an attempt to avoid contact with ICE). For example, one MMWC member recalls:

> It was one of the lessons that always stuck with me, because there was so much fear. When someone knocks on the door, they open it and it turns out to be police or immigration, and they didn't know that they had the right not to open the door. This is one of the things that really sticks with me—I'm saying, [laughing] they might arrest me somewhere else, but at the door? Never!
> —Osvaldo, Worker

Though he is laughing, the substance of his comment is serious. Several individuals in the community were detained by answering their door and finding that the person on the other side was an ICE agent, waiting to arrest them. This sentiment was echoed by other respondents, who claim that the MMWC's most salient message was a cautionary one: If you are undocumented, you are not safe. You should not drive, and you should not open the door. Under these conditions, the thought of door-knocking or cold-calling potential members seemed absurd.

In the history of organizing oppressed groups, this issue is not new. Organizing efforts have always confronted the issue of fear and retaliation—from employers, union busters, law enforcement, immigration officials, or vigilante groups. In the Civil Rights

movement, African American leaders and their allies were regularly subjected to intimidation and violence in an attempt to extinguish their organizing efforts for racial justice. In the Mid-Michigan area, ICE did not appear to be targeting specific community members because of their involvement in the Worker Center. Nevertheless, the enforcement had measurable effects on the MMWC's ability to organize the immigrant community. Given the possibility that a traffic stop could result in a detention or deportation, many immigrants were afraid to drive and limited their trips to only the necessary tasks: going to and from work, buying groceries, and taking their children to school.[60]

The current situation presents a unique set of constraints that community members, activists, and organizers must understand when working with undocumented immigrants. This case alone raises a number of practical and ethical questions: How can organizing meetings happen when people will not to them for fear of being pulled over by the police and ending up in the hands of ICE? When undocumented workers decide to risk their security by challenging an abusive employer or standing up publicly for a new policy, what responsibilities does the community organization assume in extending protection to workers? To what extent, if at all, does the leadership development process differ when working with undocumented immigrants?

*A social justice ecosystem*

In light of the current conditions for undocumented immigrants in U.S society, hybrid organizations play an important role for vulnerable populations. In social work,

---

[60] The limits of the public transit system in the state exacerbated the effects of the driver's license law.

self-determination and promoting social justice are core principles. Hybridity—defined here as the mixing and phasing of different approaches to social change—is one way to realize these goals. When the law (in theory and in practice) fails to protect vulnerable populations from abuse, what can be accomplished through community organizing and direct services? Can social workers or other mainstream providers engage in services without pressing for systemic change in the policies and practices that produce inequality? Conversely, can organizing efforts postpone helping individuals with their basic needs when their constituents are effectively excluded from mainstream institutions? This case suggests that not only are these combined approaches compatible, but also that the current conditions favor a hybrid configuration that integrates multiple approaches according to the needs and capacities of the community.

Existing organizations may benefit from actively blurring the boundary between organizing and services. Interviews with two national leaders of labor and immigrant worker organizations suggest that the anxiety about being focused on organizing is outdated. Their comments suggest little concern about where Worker Centers fit along the organizing spectrum. Referring to the different models of organizing and supporting workers, Ai-jen Poo, Director of the National Domestic Workers' Alliance, explains:

> I would not say that one [model] is better than the other one is – you know – I think there is a lot of diversity within each model. And I think what is important is to try to draw the elements that we think are important to building a working class movement that is really vibrant and can actually act as a social force for progressive change, and that includes a range of organizational forms and models . . . I don't care if it's a workers' center or union or whatever you want to call it, I just think workers need to be organized. (Poo, 2010)

Like the settlement houses and mutual aid societies of the 20th century, Worker Centers demonstrate the synergy between organizing and services. Arturo Rodríguez, President of

the United Farm Workers explains that for excluded populations, services are a necessary part of empowerment.  When asked directly about the role of providing services in organizing, he explains his approach and its rationale:

> If somebody comes to you with a problem, I do something right away.  Why? Because then they will be able to say, 'I trust this person.  He's willing to take action' . . . You have to build trust with people.  You're not going to get them to take risks if they don't trust you. (Rodríguez, 2011).

Rodriguez's comment reflects the complementary relationship between the two modes of change. Providing services is an opportunity to build trust with an excluded community. And trust is the foundation of any successful organizing effort.

The example of the MMWC provides organizers and scholars the chance to rethink organizational boundaries in response to a changing political economy. The services vs. organizing debate is not entirely obsolete, but, as this case demonstrates, a deeper conversation is warranted—one that is framed around the multiple organizational forms and practices that are needed to support undocumented immigrants and other vulnerable workers.  Rather than pinning one's hopes on a single approach or organizational model, scholars and activists would benefit from imagining the these as parts of a social justice ecosystem—an integrated whole that addresses the symptoms of human suffering while also transforming society to reduce the causes of human suffering.

## References

Alinsky, S. D. (1989; 1989, c1971). *Rules for radicals: A practical primer for realistic radicals*. New York: Vintage Books.

Bank-Muñoz, C. (2008). *Transnational tortillas: Race, gender, and shop-floor politics in Mexico and the United States*. Ithaca: Cornell University Press.

Bobo, K. A. (2009). *Wage theft in America: Why millions of working Americans are not getting paid—and what we can do about it.* New York: New Press, Distributed by W.W. Norton & Co.

Brooks, F. (2005). Resolving the dilemma between organizing and services: Los Angeles ACORN's welfare advocacy. *Social Work*, 50 (3), 262-270.

Cincinnati Interfaith Workers' Center website, http://www.cworkers.org/

Cleaveland, C. (2010). "We are not criminals": Social work advocacy and unauthorized migrants. (report) *Social Work*, 55(1), 75-81.

Cohen, M. B. (1994). Overcoming obstacles to forming empowerment groups: a consumer advisory board for homeless clients. *Social Work*, 39, 742-749.

Fine, J. (2006). *Worker centers: Organizing communities at the edge of the dream*. Ithaca, N.Y.: Cornell University Press.

Fook, J. (1993). *Radical casework: a theory of practice.* Allen & Unwin Academic.

Gutierrez, L. (1996). Multicultural community organizing: A strategy for change. *Social Work*, 41(5), 501.

Hasenfeld, Y. & Gidron, B. (2005). Understanding multi-purpose hybrid voluntary organizations: The contributions of theories on civil society, social movements, and non-profit organizations. *Journal of Civil Society*, 1(2), 97-112.

Hyde, C. (2000). The hybrid non-profit: An examination of feminist social movement organizations. *Journal of Community Practice*, 8(4), 45-68.

Iglehart, A. P., & Becerra, R. M. (1995). *Social services and the ethnic community*. Boston: Allyn and Bacon.

Interfaith Workers Justice website, http://iwj.org/index.cfm/wage-theft

Kivel, P.  (2007).  Social service or social change?  In Incite!  Women of Color Against Violence (Ed.), *The revolution will not be funded:  Beyond the non-profit industrial complex*.  South End Press.

Milkman, R.  (2006).  *L.A. Story:  Immigrant workers and the future of the U.S. labor movement*.  New York:  Russell Sage Foundation.

Militzer, J.  (2008).  Immigrants on ICE.  *Ann Arbor Observer*, June 2008.

Minkoff, D.  (2002).  The emergence of hybrid organizational forms:  combining identity-based service provision and political action.  *Nonprofit and voluntary sector quarterly*, 31, 377-401.

Nossiter, A.  (2008).  Hundreds of workers held in immigration raid.  New York Times, August 25, 2008.

Passel, J. & Cohn, D.  (2011).   A portrait of unauthorized immigrants in the United States, 2010.  Washington, DC:  Pew Hispanic Center.

Perlman, J. E. (1979).  In F.M. Cox, J.L. Erlich, J. Rothman, & J. E. Tropman (Eds.), *Strategies of community organization*  (403-425).  Itasca, IL:  F.E. Peacock.

Piven, F.  (1966).  Participation of residents in neighborhood community action programs.  *Social Work*, 11, 73-80.

Poo, Ai-jen.  (2010).  Interview.

Rodríguez, Arturo.  (2011).  Personal communication.

Saulny, S.  (2008).  Hundreds are arrested in U.S. sweep of meat plant.  *New York Times*, May 13, 2008.

Stoecker, R.  (1995).  Community, movement, organization:  The problem of identity convergence in collective action.  *Sociological Quarterly*, 36(1), 111-130.

Tait, V. (2005). *Poor workers' unions: Rebuilding labor from below*. Cambridge, Mass.: South End Press.

Vela, S. & Wallbank, D.  (2007).  Illegal immigrants can't get licenses; AG opinion reverses policy on Michigan driver's licenses.  *Lansing State Journal*, December 28, 2007, A1.

Withorn, A.  (1984).  *Serving the people:  Social services and social change*.  New York:
    Columbia University Press.

Workers' Defense Project website, http://www.workersdefense.org/

Yoshikawa, H.  (2011).  *Immigrants raising citizens*.  Undocumented parents and their
    young children.  Sage.

# CHAPTER 4

## DEPORTED WITH DIGNITY:
## DILEMMAS OF RIGHTS CONSCIOUSNESS FOR THE MMWC

_____

*"Legal constructs shape our very imagination about social possibilities.
Among the most important of liberal legal conventions . . . are what we
call rights—those legal forms that designate the distribution of legitimate
social entitlements and burdens among citizens" (McCann, 2004, p. 507)*

*"Undocumented status is not simply an instrumental liability that hinders
access to institutional rights, but is also a legal definition that emphasizes
an individual's labor function in society while imposing cultural and
psychological barriers to accessing rights" (Gleeson, 2009, p. 676).*

*"[O]ne's sense of empowerment defines one's relation to the law in terms
of . . . rights/no-rights" (Williams, 1991, p. 148).*


Central to the mission of most Worker Centers is the subject of rights. By

definition, Worker Centers address the needs of populations who, based on their

immigration status or the industries in which they work, lack certain legal protections.

To protect these workers from abuse and exploitation, Worker Centers mobilize their

constituents and supporters to improve the laws and put pressure on employers who

violate them. In 2007-2008, the MMWC offered a series of "Know Your Rights"

workshops targeted to the needs of undocumented immigrants. At first, the workshops

focused on labor and employment law (e.g., the right to minimum wage and overtime).

By late 2007, workplace issues had been replaced by a more pressing set of problems

related to immigration enforcement.  Like other U.S. communities, the Mid-Michigan

community was experiencing a sharp increase in the detention and deportation of

undocumented immigrants by Immigration and Customs Enforcement (ICE).  In

response, the MMWC shifted the focus of the Know Your Rights (KYR) workshops to

deal with general concerns about immigration enforcement.

The January 2008 workshop began with a 10-minute video produced by the

Coalition for Humane Immigrant Rights Los Angeles (CHIRLA), a regional immigrant

rights organization.  The video depicts three situations in which immigrants are

confronted by local police or immigration officers.  The scenarios illustrate the *dos* and

*don'ts* of dealing with law enforcement and offer suggestions for how to avoid detention

and deportation.  The message is clear and simple:  *"Stay calm.  Keep quiet."*  In the

video, one scenario depicts a Korean immigrant who is pulled over by the police while

driving.  The police officer approaches the car and knocks on her window.  She unrolls

the window, and their conversation, described in the following transcript of the video,

begins:

> **Police:**  License, registration and proof of insurance, please.
>
> **Woman:**  Okay, I'm getting the registration. (*She reaches in the glove compartment and hands the officer the registration.  She places her hands back on the steering wheel and stares straight ahead*.)
>
> **Police:**  Driver's license and proof of insurance, please.
>
> *The woman does not move or look at the police officer.  Her hands are on the steering wheel and she maintains her gaze.*
>
> **Police:**  I need to see your driver's license.  (*He pauses, but she does not move*.) What is your name, Miss?  (*Again, he pauses, but she says nothing.*)  I'm asking you a question.
>
> **Woman:**  Do I need to answer you?

**Police:**  You need to tell me your name.

**Woman:**  Min Young.

**Police:**  Step out of the vehicle please.  Stand right over here. *(He gestures to one side of the vehicle.)*

*She opens the door, steps out and stands next to the car, facing the officer, but not looking directly at him.*

**Police:**  Where were you born?  (*Pause*)  Do you have a green card?

**Woman:**  (*Slowly and calmly.*)  I will not answer that.  I want to speak to a lawyer.

**Police:**  I'm going to impound your car.  Your court date is here on your citation. *(He hands her the ticket.)* You're free to go.

*The scene concludes:  distraught, the woman walks away from her car.  The two narrators appear and debrief the scene and its messages.*

**Narrator 1:**  So, the local police can't ask you where you're from or what your immigration status is?

**Narrator 2:**  Cops can ask you whatever they want, but whatever you say can be used against you.

**Narrator 1:**  It's okay to say your name — just don't say anything else.

> —CHIRLA, Know Your Rights video[61]

The video, which includes other examples of undocumented immigrants who avoid detention by refusing to answer questions, sparked discussion among the participants about best practices for dealing with law enforcement.  In the discussion following the video, participants question the wisdom of remaining silent.[62]

> Jesús, a Mexican man in his late 20s stood up and shared his experience when he was pulled over for a traffic violation.

---

[61]This video is currently (2011) retrievable at the following link: http://www.youtube.com/watch?v=5_Z_Z5tSsUs

[62] Field notes, MMWC monthly meeting, January 2008.  *Dialogue translated from Spanish.*

"I was stopped by the police, and the officer asked me, 'Are you an immigrant? Are you legal?' I said, 'Yes.' Then he asked me, 'Do you speak English?' and I said, 'Yes.' Then the officer said, laughing, 'Hablo también español.' I gave him my license, and he asked a few more questions — where did I work — then gave me a ticket and told me I was free to go." Jesús explains that, although he is "illegal," he decided in that moment not to answer the officer's question directly or truthfully.

"So how do you know if you should remain silent, or if you should lie?" asks a woman across the room. The question suggests only two options: say nothing — and risk arrest — or claim to be a legal resident, even if, in doing so, you misrepresent yourself to police. Before any of the organizers have a chance to respond, Griselda, a Guatemalan immigrant who has lived in the area for fifteen years, offers her opinion.

"If you can defend yourself by talking, [you should] speak to the police."[63] Others nod in agreement, and Griselda adds, "By remaining silent, you give them more reason to suspect you."

One of the volunteer attorneys acknowledges that yes, you risk arrest if you refuse to answer questions but reiterates that it is better to remain silent, get arrested, and seek legal counsel than to get caught lying to the police or ICE about your legal status. The debate continues and others share stories of undocumented friends or family members who have cooperated with police and thus avoided arrest and detention. The lawyers acknowledge that some people may have gotten away but explain that it is less and less likely that you can get away with "faking" your status, given the increasing cooperation and linked databases between police and ICE.

This vignette illustrates the complexity of providing community legal education in general, but it also speaks to the particular challenges of doing rights education for a group with ambiguous legal status. The purpose of this workshop was to support and empower undocumented immigrants—by providing them with information to clarify the law and to develop their sense of themselves as having certain rights, despite not having legal residence. The outcome, as illustrated in this exchange among immigrant

---

[63] Translated from the original Spanish, "Si te puedes defender hablando, dialoga con la policia." The literal translation of "te puedes defender" is "to be able to defend yourself." However, this phrase can also be understood more idiomatically to mean, "I do all right" or "I get by."

participants and organizers, is not so clear. We are left wondering if the participants

develop a greater understanding of their rights and whether they are empowered by this

discussion. This example raises questions of whether and how advocates present

information, and the extent to which rights education acknowledges the gaps between the

laws on the books and the laws as they are experienced. Additionally, this story affirms

two key dimensions of legal consciousness: (1) the idea that rights are contextual, and

(2) that individuals rely on multiple sources (e.g., anecdotes, media, personal experience)

in deciding when and how to assert their rights (Ewick and Silbey, 1998). In the

discussion described above, we see individuals negotiating between competing

understandings of the law. You may have the right to remain silent, but—as some

sources suggest—by speaking, you may do a better job of defending yourself and

avoiding arrest or detention. This chapter explores these dilemmas in the context of the

MMWC.

Despite growing interest among labor activists and sociolegal scholars in

subordinate groups, only a few studies have examined the experiences of undocumented

immigrant workers and how they navigate a complicated web of legal rights and

exclusions.[64] Among these are Jennifer Gordon's (2005) description and analysis of

undocumented immigrants mobilizing in New York State (during the 1990s) for the

passage of the Unpaid Wages Prohibition Act. Gleeson's more recent (2009) study

analyzes rates of rights mobilization among undocumented immigrants experiencing

workplace discrimination. Both studies reveal the critical role of nonprofit organizations

in "equip[ping] undocumented workers with skills and confidence to assert their

---

[64] Recent publications (popular press) are shaping the popular discussions around unauthorized immigration: David Bacon's (2008) *Illegal People*, Gabriel Thompson's (2009), *Working in the Shadows,* Peter Orner's (2008), *Underground America: Narratives of undocumented lives.*

workplace rights" (Gleeson, 2009, p. 690).   My research adds to this literature by exploring how undocumented immigrants—as a case of people with marginal legal status—draw on the organizational resources of a Worker Center to learn about their rights and possibilities for mobilization.

**Rights and rights consciousness**

This chapter examines the consequences of "Know Your Rights" education as implemented in the MMWC.  I am interested in the following questions:  (1) How do undocumented immigrants become aware of their rights as workers, as immigrants, and as people? and  (2) How do they "imagine and act on" these perceptions of rights? (McCann, 2004, p. 508).  For years scholars and activists have debated the utility of rights for social change.  In the area of law and social movements, many have argued that legal rights provide the basis for institutional change (e.g., through enacting rights in policy or using rights violations in litigation) but also for their discursive and symbolic power (McCann, 2004; Nielsen, 2004).  Legal rights are associated with a "perception of entitlement" that emboldens individuals and groups on the margins (Scheingold, 2004, p. 131).

Critical legal scholars in their so-called "critique of rights," on the other hand, suggest that rights are of limited use because of their indeterminacy, their individualistic focus, and the politically debilitating consequences for movements when rights are finally recognized (Tushnet, 1989).[65]   Other scholars have focused more on the role of how

---

[65] On this last point, Tushnet explains that after a right is recognized (e.g., by a Supreme Court decision), political actors lost the "weapon with which they have been most comfortable and indeed successful, that is, the appeal to rights" (1989, p. 413).  Using the example of *Roe v. Wade,* Tushnet explains that while the Supreme Court decision recognized women's reproductive

courts shape the utility of rights in social change. Rosenberg, for example, argues that court decisions generally reflect but do not produce political support for social reform (1991). In response, minority and feminist scholars have articulated a "critique of the critique of rights" which suggests that critics overlook the differential impact of rights talk for subordinate groups. Explained by legal scholar Patricia Williams, "For the historically disempowered, the conferring of rights is symbolic of all the denied aspects of humanity" (cited in Tushnet, 1989, p. 417). For the disenfranchised, being able to assert one's self as a rights-bearer can change one's relationship to dominant society and the political process.

The role rights consciousness in emancipatory social change seems self-evident in the context of civil rights, women's liberation, and other progressive social movements. But is there another, darker side to rights consciousness? Research in general has not explored the liabilities of rights consciousness on the level of community organizations engaged in rights promotion with vulnerable groups. My data show potential unintended consequences of the "Know Your Rights" workshops that encouraged people to assert their rights in ways that put them at greater risk of detention and deportation, thus undermining the empowerment goals of the organization. It is beyond the scope of this chapter—indeed, this dissertation—to analyze the range of possible factors contributing to this misperception or overestimation of rights. However, I argue that by encouraging a "critical analysis of the law and rights,"[66] the MMWC cultivated an oppositional consciousness that—while empowering on a social-psychological level—was out of sync with the social and political context.

---

rights, it also sharpened and intensified the anti-choice movement and thus may lead to decreased recognition of rights in the long run.

[66] Interview, Kim, October 2009

Drawing on ethnographic observation, in-depth interviews, and document analysis, this chapter explores the possibilities and limitations of rights consciousness in the context of the MMWC's "Know Your Rights" workshops. My data consist of interviews with participants and organizers and fieldnotes from participant observation in ten, 90-minute "Know Your Rights" workshops from September 2006 to May of 2008. As a volunteer organizer, I assisted with the preparation and facilitation of several workshops, although the majority of the content was led by attorneys and law students who volunteered with the Worker Center. In addition, I analyzed organizational documents, which included training materials and curriculum that the MMWC borrowed from national and regional organizations.

The chapter begins with descriptions of content and process used in the "Know Your Rights" workshops and includes examples from training materials used in the MMWC. The workshops, which took place largely as part of the monthly meetings of the Midwest Worker Center, served two primary functions. First, they responded to the absence of reliable information about workplace and immigration rights for a growing population of immigrant workers. Second, the workshops advanced a critical view of existing laws and practices. This second function grew out of the Worker Center's organizing orientation discussed in Chapter 3. In spite of clear goals, this intervention may have had unintended consequences for participants by encouraging them to assert rights in ways that actually increased their vulnerability. This analysis demonstrates the disjunction between the goals and outcomes of the "Know Your Rights" workshops and explores the ramifications for individuals, families, and the community.

**An emergent typology of rights**

Until now, I have used the term "rights" generically—much like my informants—who were less concerned with philosophical foundations and more interested in how ordinary people experience rights, denials of rights, and violations of rights. My data reflect this phenomenological understanding of rights, but analysis requires finer distinctions.  In Table 4.1, I develop a typology of rights by listing and coding each instance the term is mentioned by an interview subject (Table 4.1, Column 2).  I coded the examples into three categories, both legal and normative (1) workers' rights, based in existing contracts or labor and employment law, (2) constitutional rights, and (3) human rights.  In Table 4.2, using the same three categories, I list the laws and institutional mechanisms for enforcement and oversight.  In presenting this typology I am not arguing that these rights can be successfully claimed, or that the laws guaranteeing these rights are enforced evenly or at all.  Rather, the typology serves as a model for understanding how my research subjects talk about rights the potential for disparate interpretations of rights by informants.[67]

---

[67] These tables are *not* meant to be an exhaustive list or thorough categorization of rights.  This typology is based narrowly on instances when informants talked about rights.

**Table 4.1** An emergent typology of rights

| Category of rights | Rights mentioned by respondents (using their own language) |
|---|---|
| Labor and employment | Minimum wage<br>Overtime<br>Right to fair treatment/freedom from discrimination |
| Constitutional rights | Right to remain silent<br>Right to an attorney<br>Right to refuse to open the door<br>Right to ask for a warrant signed by a judge before allowing ICE/Police to enter your home |
| Human rights | Right to be treated with dignity<br>Right to vacation |

(1) *Labor and employment rights.* The first category includes rights related to labor and employment. Given the mission of the Worker Center, it is not surprising that the MMWC's educational workshops included discussions of the right to minimum wage and overtime—two laws that are frequently violated in the low-wage service sector. Many people are surprised to learn that even thought they lack proper work authorization, undocumented immigrants who are employed are still protected by many federal and state labor laws. [68]

(2) *Constitutional rights.* The second category, constitutional rights, appeared in the "Know Your Rights" workshops dealing specifically with police and ICE. As

---

[68] Passed in 1938, the National Labor Relations Act, which grants collective bargaining rights to workers, does not formally exclude workers based on legal residence or citizenship. However, the NLRA effectively excluded many African American and immigrant workers by explicitly denying collective bargaining rights to agricultural, domestic, and railroad workers. There are many cases illustrating how immigrants have successfully vindicated their right to organize (e.g., the example of Don Lucas winning an settlement through an NLRB claim for retaliation), but advocates agree that in the last ten years the climate for pursuing labor and employment claims has grown more hostile. The 2002 Supreme Court decision in *Hoffman Plastic Compounds vs. National Labor Relations Board* reduced the remedies available to undocumented immigrant workers who are fired in retaliation for organizing. Under this ruling, employers are are not required to reinstate or make workers whole through backpay. (The decision is retrievable at http://www.law.cornell.edu/supct/html/00-1595.ZO.html.)

illustrated in Figures 4.1-4.2, the emphasis is on the constitutional rights relating to

arrest and prosecution: Fifth amendment and Miranda rights, rights relating to

unlawful search and seizure, and the equal protection clause of the 14th amendment.

At this point, a reader might ask:  Why would undocumented immigrants be protected

by any part of the constitution?  After all, they violated federal immigration laws of

the country by entering without inspection or overstaying a visa.  They are non-

citizens in the country illegally.  Their claim to constitutional protections, and the

rationale used by immigrant rights advocates, lies in the language of the Constitution,

which grants rights to all *people or persons,* regardless of citizenship status or lawful

residence.  According to this logic—which has been repeatedly affirmed by the

court—undocumented immigrants facing arrest enjoy the same rights to due process

and equal protection as a legal resident or citizen.[69]

(3)  *Human rights.*  I coded as "human rights" any claim that had to do with rights based

on personhood as opposed to membership in a particular group or recognition by the

nation-state.  Local and state laws have begun to implement human rights standards,

---

[69]The right to equal protection has been upheld for several decades.  In 1982, the Supreme Court ruled in *Plyler v. Doe* that school districts could not discriminate against immigrants, and that all children—undocumented or not—have the right to free public education.  Justice Brennan wrote in the majority opinion that "Whatever his status under the immigration laws, an alien is surely a 'person' in any ordinary sense of that term. Aliens, even aliens whose presence in this country is unlawful, have long been recognized as 'persons' guaranteed due process of law by the Fifth and Fourteenth Amendments" The ruling is retrievable at http://www.law.cornell.edu/supct/html/historics/USSC_CR_0457_0202_ZO.html.  Civil rights laws also apply to undocumented immigrants. The Equal Employment Opportunity Commission publicly states its commitment to enforcing Title VII of the Civil Rights Act by prosecuting discrimination of all workers, including undocumented immigrants.  (See, for example, EEOC press release from 2002:  http://www.eeoc.gov/eeoc/newsroom/release/archive/6-28-02.html)

**Table 4.2** Institutional bases for labor, constitutional, and human rights

| Category of rights | Laws and conventions | Enforcement and interpretation (United States) |
|---|---|---|
| Labor and employment rights | **Fair Labor Standards Act (1938):** guarantees federal minimum wage and overtime. Exclusions: tipped workers (e.g., some restaurant workers, carwash attendants, nail salon technicians). <br><br>**National Labor Relations Act (1935):** guarantees right to collectively bargain the conditions of your employment to most workers. (Excluded: agricultural workers, domestic workers, railroad workers) <br><br>**Civil Rights Act (1964):** Title VII prohibits discrimination in employment matters on the basis of membership in a protected class: race, color, national origin, religion, sex, creed. | **Government agencies:** <br>• Department of Labor (Fed. and state) <br>• Occupational Safety and Health Administration <br>• National Labor Relations Board (Federal <br>• Equal Employment Opportunity Commission <br><br>**Other mechanisms of enforcement:** <br>• Unions with collectively bargained contracts <br>• Legal settlements may result in a third-party (e.g., an NGO) being charged with oversight and enforcement of the terms |
| Constitutional rights | **Consitutional rights**: The Bill of Rights applies to all person(s) or people in the United States, regardless of citizenship status. | Supreme Court <br>Lower courts (appeals) |
| Human rights | Universal Declaration of Human Rights Local and state laws and policies (e.g., human rights ordinances) | InterAmerican Court of Human Rights International Labor Organization Localities (e.g., city human rights commission) |

even though there are virtually no U.S. courts (or any other legal apparatus) prepared to hear claims of human rights violations.

This basic typology provides a backdrop for presenting my data. This table

requires much more specification, but—as a starting point—it begins to capture the range of what "rights" mean to different informants and in different contexts.  By showcasing these differences—among labor, Constitutional, and human rights, and their distinct philosophical and institutional foundations—the table also reveals my informants' emphasis on specific labor and constitutional rights, rather than normative human rights.

**Context and content for "Know Your Rights" education**

In 2007, the marked increase in immigration enforcement had generated demand among MMWC members for specific content relating to immigrants' rights in dealing with police and ICE.  As the MMWC shifted its focus away from workplace issues, organizers began drawing on materials distributed by national and regional organizations, including the National Immigration Law Center (NILC), the National Employment Law Project (NELP), Coalition for Humane Immigrant Rights Los Angeles (CHIRLA), and other organizations.  Designed by and for community organizations and Worker Centers, these materials constituted the foundation of the MWC's Know Your Rights workshops.  While there was slight variation across the curricula, the basic thrust of the materials was the same and suggested a similar set of assumptions about the purpose and content of rights promotion.

One of the most widely used training materials was a six-page page booklet co-authored by three organizations: Casa de Maryland (a Worker Center focused on immigrant day laborers), Detention Watch Network, and the National Lawyers' Guild.  The booklet, titled ¡*Protéjase de las redadas de inmigración!* (Spanish version, translated as "Protect yourself from immigration raids!") was light on text but included cartoons and images on every page (see example, Figure 4.1) depicting scenarios in which

immigrants learn about their rights and defend themselves—in several examples, by

choosing to remain silent or demanding to speak with an attorney.  Wallet cards were

another standard tool in the "Know Your Rights" training (see Figure 4.2).  In the

CHIRLA video discussed in the introduction to this chapter, we see an immigrant

confidently hand one of these cards (see Figure 4.2) to an officer who is interrogating

him.

**Figure 4.1**    Image from *Know Your Rights!* booklet



YOU HAVE THE RIGHT TO...
✓ REMAIN SILENT.
✓ SPEAK TO A LAWYER.
✓ MAKE A PHONE CALL IF YOU ARE ARRESTED.

IF YOU ARE QUESTIONED BY THE POLICE KNOW YOUR RIGHTS...

**Source:**  Casa de Maryland, et al., 2008

These materials shaped the MMWC's approach to teaching community members

about their rights.  The message, like the CHIRLA video, is reduced to simple *dos* and

*don'ts,* and it does not attempt to communicate any subtleties in how laws might be

enforced in a given situation.  Of course, this simplification is necessary.  Organizations

and lawyers cannot cover the range of possible scenarios, and they must avoid giving

specific legal advice to individuals, at least in the context of community legal education.

While understandable, this oversimplification may cause problems, since it suggests a

standard, fixed application of the law and one-dimensional interpretation of immigrants'

legal rights.

**Figure 4.2**  Example of "Know Your Rights" wallet card

**¡CONOZCA SUS DERECHOS!**
Si Inmigración o la policía lo detiene:

✔ Pase la tarjeta al agente y guarde silencio.

✔ La tarjeta explica que usted quiere ejercer su derecho a no contestar preguntas sin consultar con un abogado

**KNOW YOUR RIGHTS!**
If you are detained by immigration or the police:

✔ Hand the card to the official, and remain silent.

✔ The card explains that you are exercising your right to refuse to answer any questions until you have consulted with a lawyer.

**ESTIMADOS SEŃORES:**

Deseo ejercer mi derecho a guardar silencio y no contestar preguntas. Si me detienen, solicito comunicarme de inmediato con un abogado. Quisiera ejercer, además, mi derecho a no firmar nada sin consultar con mi abogado.

Gracias.

**TO WHOM IT MAY CONCERN:**

Please be informed that I am choosing to exercise my right to remain silent and the right to refuse to answer your questions. If I am detained, I request to contact an attorney immediately. I am also exercising my right to refuse to sign anything until I consult with my attorney.

Thank you.

**Source:**  Casa de Maryland, et al., 2008

In its first year, the MMWC designed Know Your Rights workshops around basic

workers' rights: minimum wage, overtime, health and safety, and discrimination.  In

November 2007, the MMWC held its first "Know Your Rights" workshop focused

specifically on immigrant rights and law enforcement.  This workshop was led by Kim, a

volunteer and one of only two Spanish-speaking attorneys practicing in the area.

On the newsprint hanging from the wall, Kim wrote the following numbers:

1981-1990:   200,000

She explained that in that 10 year period, 200,000 immigrants had been deported, which averaged out to 20,000 deportations a year.  Then she asked participants to take a guess at the current numbers: "How many people do you think are deported a year now—in 2007?" asked Kim.  Participants shouted several guesses.

"Ten thousand."
"Fifty thousand."
"Eighty thousand."

No one guessed that in a single year (2006) there had been over 200,000 deportations.  Some people seemed shocked, but others nodded their heads as if to express agreement—or perhaps resignation.[70]

As this description indicates, some people were surprised but others had already sensed the impact of the increased enforcement efforts, as they had friends and family who had been affected.  Despite some variation in how ICE removals are reported, there was and continues to be a clear upward trend.  In the last decade, the number of removals has more than doubled (see Table 4.3).   In light of this context, what did the Know Your Rights workshops aim to do, and what did they ultimately accomplish?  The following section draws on my analyses of interview data and organizational documents, including training materials.

---

[70] Source:  Fieldnotes, 2007.

**Table 4.3** Removals[71] by Immigration and Naturalization Service (INS) and Immigration and Customs Enforcement (ICE), 1990-2009

| Year | Removals |
|------|---------:|
| 1990 | 30,039 |
| 1991 | 33,189 |
| 1992 | 43,671 |
| 1993 | 42,542 |
| 1994 | 45,674 |
| 1995 | 50,924 |
| 1996 | 69,680 |
| 1997 | 114,432 |
| 1998 | 174,813 |
| 1999 | 183,114 |
| 2000 | 188,467 |
| 2001 | 189,026 |
| 2002 | 165,168 |
| 2003 | 211,098 |
| 2004 | 240,665 |
| 2005 | 246,431 |
| 2006 | 280,974 |
| 2007 | 319,382 |
| 2008 | 358,886 |
| 2009 | 393,289 |

*Source:* Department of Homeland Security, *Yearbook of Immigration Statitistics, 2009.* Data tables retrieved at http://www.dhs.gov/files/statistics/publications/YrBk09En.shtm

---

[71] The Department of Homeland Security defines "removals" as follows: "The compulsory and confirmed movement of an inadmissible or deportable alien out of the United States based on an order of removal.  An alien who is removed has administrative of criminal consequences placed on subsequent reentry owing to the fact of the removal." (Source: *Immigration Enforcement Actions, 2009,* retrieved at http://www.dhs.gov/xlibrary/assets/statistics/publications/enforcement_ar_2009.pdf)

**"Information . . . the only weapon we could offer"**

> Y trataba de decirle a la gente "Vamos! Vamos a aprender algo que la verdad no sabemos, verdad? Te van a enseñar lo que uno piensa que a lo mejor sabe, pero no sabe. Y te van a ayudar a que te sientes seguro de ti mismo."
>
> I would say to people, "Come with me [to the meeting]! Let's go learn about something that we really don't know much about, ok? They'll teach you things that you might think you know, but you don't know. And they'll help you feel more confident, more secure in yourself."
> —Osvaldo, Worker (Original Spanish, English translation)

The complexity of how immigrants are—and are not—protected by the laws on the books poses challenges for advocates deciding what content to include and how to share information about rights with undocumented immigrants. Among MMWC volunteers, members, and legal professionals, there was one point of agreement: when immigrants lack information about their rights, they are more vulnerable to exploitation and abuse. In the words of one volunteer, "information [was] . . . the only weapon we could offer."[72] In discussing the purpose of the Know Your Rights training, Kim—a lawyer who facilitated several workshops—explained:

> I guess . . . [the] desired goals [were] just . . . you know give, give people . . . some basic information, like in terms of . . . their rights. Um, so you know, what kinds of questions—you know the fact that you don't have to answer questions [from police] . . . the fact that . . . if a stranger knocks at your door, you know, don't open it . . . just that type of basic sort of information.
> —Kim, Volunteer/Attorney

At their most basic level, Know Your Rights workshops were designed to be a reliable source of information for a population who lacked access to more formal legal services.

---

[72] Interview, Oscar, Volunteer.

This was an important motivator for many MMWC members. Twenty-eight year old Jaime, who had worked at several restaurants during his four years in Michigan, explained that the Worker Center was the only place where people were talking openly about the rights of immigrants in this country and providing needed information and "orientation."

> There are things you just ignore, being here, and you think that if you say something, you're going to get in worse trouble because you never know what rights you really have, right? Because you're not [legal] and you think—well, if I say this, maybe I'm going to get in trouble with my boss, or I'm going to get fired, et cetera. So this orientation was very important to be able to speak up a little more at work and to learn about what you can and can't do.
> —Jaime, Worker (translation from Spanish)

Jaime recalled that before the Worker Center existed, he would sometimes ask his friends for advice on workplace problems, but the result was often worse:

> You might ask a friend for his opinion, and he'll tell you something like, "Don't bother—there's no way you're going to win, anyway, so why create more problems for yourself?" It's like, he's practically making you more afraid than you already were, when it comes to dealing with your employer. That's why no one ever does anything.
> —Jaime, Worker (translation from Spanish)

Jaime's comments were echoed by other respondents, who stated that they depended on the MMWC for help in understanding changes to the law, and when and how to assert their rights.[73] Beyond providing information, the workshops provided a counter-discourse to the assumption that undocumented immigrants have no rights, and they equipped people with tools to make informed decisions.

As Jaime's comments suggest, many undocumented immigrants are unsure of their

---

73

rights, or assume that—because of their legal status—they have no rights.  The Worker

Center sought to counter that assumption.  Lisa, who was involved as a volunteer since

the beginning, recalls the message she hoped to convey:

> Even if you're . . . an illegal immigrant, you still have rights in the workplace. . .
> just because you're an illegal immigrant doesn't mean that you can't get help or
> can't—or shouldn't be treated right
> —Lisa, Volunteer

Echoing Lisa's comments, another volunteer remembers that the MMWC was providing

an alternative to the dominant framework for understanding rights.  Much of the

programming was designed

> To assuage people's fears . . . that were being promoted by their employers . . .
> that they shouldn't ask for something because they could get deported.  And we
> were really trying to fight against that idea, and keep people in the know about
> what they deserved in the workplace.
> —Beth, Volunteer

This information was transformative for some members.  Osvaldo, a Mexican

immigrant who had been living in the community for 11 years, describes the changes he

experienced as a result of learning about his rights in the Worker Center meetings:

> Before, I used to feel . . .  inhibited.  I felt afraid, like I couldn't ever speak out, or
> speak up.  I felt like—they are the—in the workplace, they are the bosses and they
> are paying us, but it shouldn't be that way.  It's one thing for them to pay us for
> the work we do, and it's another entirely for us to have to kneel at their feet.  It
> shouldn't be that way.  We're all human beings, we're all people.  And I think
> they need to recognize that we have equal value . . . the message of the Worker
> Center was all about defending yourself.  Against the many injustices that are out
> there, so to speak.  Right?  Mainly, it's to not give in to their demands to work
> overtime without paying you, to ask for vacations, that you should have the same
> rights as . . . Americans, right?
> —Osvaldo (translation from Spanish)

Osvaldo experienced a particularly profound transformation as a result of his

111

participation in the Worker Center.  To a different degree, many other respondents

echoed Osvaldo's experience of empowerment.

The two attorneys and four law students who were most involved with the

workshops emphasized not only the psychosocial benefits as described above by

Osvaldo, but also the preventive function of rights education.  Given the prevalence of

misinformation, Know Your Rights workshops helped people anticipate problems or plan

in advance:

> I think of know your rights to some extent as preventive law, so that, you know,
> how to give people skills so that if they see themselves in that situation . . . so that
> they don't make the wrong decisions.
> —Alejandra, Volunteer/Attorney

In dealing with police and law enforcement, the "wrong decision," according to

Alejandra, was to run away, since it would immediately create more legal problems.  She

insisted that it is better that people understand their rights under the law.

## Toward a "critical analysis of rights"[74]

While a primary purpose of the rights education was to provide information, the

workshops    also became spaces where participants engaged in discussion of the laws

and how they were enforced.  As Kim recalls,

> Our intent when we did the rights education wasn't . . .  just to give . . . like a
> treatise on what the laws were, but to open up a kind of conversation and
> dialogue, and sort of this critical analysis of rights and how people experience
> them.
> —Kim, Volunteer/Attorney

As the opening vignette, describing MMWC participants' reactions to the CHIRLA

---

[74] Interview, Kim, Volunteer/Attorney.

video, illustrates, participants in these workshops were not passive recipients of

knowledge but actively critiqued the law (and its limitations) as well as the advice they

were given by organizers.  Recalling that same workshop, Kim describes the group's

conversation:

> There was sort of this question of like, well what do you do if they ask you
> about your status and stuff like that, and one guy was saying how, you
> know, he sort of got away—you know—by saying that he was a citizen even
> though he wasn't . . . and then I feel like the group just sort of had a
> conversation about that, like about whether that would be a smart thing to do
> in that situation even though technically, you know, they're technically
> illegal, but that's something that's gonna, sort of, save your ass and, you
> know, what are the risks of them actually being able to find out that you
> were lying, and in that case they didn't, but just like having a conversation
> about that.
> —Kim, Volunteer/Attorney

Organizers also encouraged discussion about the discrepancy between the laws on the

books and how people experience them:

> We always talked about that . . . the gap between sort of the law we have and all the
> injustice, and how that plays out.
> —Kim, Volunteer/Attorney

In this sense, organizers and workers viewed legal rights as a resource but understood

that the laws as written did not guarantee them just treatment.  As Kim suggests (above),

the workshops sought to develop participants' understanding and critique of existing laws

and practices.  Lisa, a student volunteer who was involved in the monthly meetings,

describes the different types of information shared through the rights workshops:

113

> Some of it was technical . . . but I also, like I said, it felt like very human rights talk.  Like, you deserve this and this.  I mean, it was supposed to be empowering.  I remember it trying to focus on being empowering as well as having technical, like 'No, literally, this is what the law says.'  So I remember it incorporating both components.
> —Lisa, Volunteer

In this excerpt, Lisa contrasts the "technical" elements ("this is what the law says") with the "human rights" elements ("you deserve this and this").  In sociolegal terms, the workshops were both descriptive—what *is*—and normative—what *ought* to be.  First, what rights do you have under the existing laws?  How can you mobilize these rights?  And second, what rights *should you have*?  Where do existing laws or enforcement practices fail to adequately protect you and your family?  This dual function—describing the law and promoting a critical view of it—did not constitute a contradiction for organizers or participants, but the "critical analysis of rights" left a lot of room for interpretation.  And, even among individuals who are similarly marginalized, there is a significant variation in how they see themselves in relation to the law (Ewick and Silbey, 1998)

For many of the organizers, the critical analysis advanced the organizing goals of the Worker Center.  Discussing the limitations of existing laws provided a forum for participants to express dissatisfaction with the status quo.  Understanding where the law fails was part of shaping workers' oppositional consciousness:

> If people have some sense of—even if people know they don't have the rights, they can still say, 'I choose to argue for a bathroom break—even if there is no law that says I have a right to a bathroom break.'  Cause then you can say, you know, 'The law doesn't go far enough, the law's unfair, and I'm going to choose to go beyond what the law requires you [the employer] to do.'
> —Alejandra, Volunteer/Attorney

In this example, Alejandra describes one possibility—that by encouraging a critique the laws, naming them "unfair" or inadequate, organizers plant a seed for future mobilization. In my own experience, labor unions will certainly educate workers about their legal rights, but in developing a contract platform, organizers will ask workers to make a list of everything they want to see in a their dream contract. The assumption—in the case of the Worker Center and labor unions—is that the laws will never be enough, and they should not circumscribe your demands.

As the opening vignette illustrates, participants actively engaged in discussion of what the law says and how it is enforced. They were not afraid to share their own interpretations and experiences, and they developed critiques of not only the law but also the advice they received in the workshops. This description is entirely consistent with the empowerment mission and vision of the MMWC. However, the critical orientation to rights may have had perverse consequences by leading participants to misinterpret or overestimate their rights.

**When the critique goes too far**

The seed of this chapter and my curiosity about the potential darker side to rights consciousness grew from an informal conversation Carlos, one of my respondents who participated in every monthly meeting of the MMWC for about 18 months. In the summer of 2008, I was at a picnic organized by MMWC volunteers, and Carlos was reflecting on what he had learned from his experiences with the Worker Center. He explained that he felt empowered at work from learning what employers and police can and cannot do. To illustrate his point, he told me the story of helping his nephew, who

had recently been fired from his job at a carwash: "I explained to him, 'They can't do that—they can't just fire you for no reason.'" Carlos' response puzzled me, since—on face value—it was inaccurate.[75] Without a union contract, employers can legally fire you for any reason or no reason, provided that they are not in violation of any other (e.g., civil rights) laws. I had been to the same workers' rights training as Carlos, and this made me all the more curious about the basis for his perspective on employers' and workers' rights.

Much later, in thinking about the dilemmas of "Know Your Rights" education, I reflected on this puzzling moment. How did the context of our conversation (informal picnic, perhaps having good feelings about the Worker Center, which had organized the event and subsidized the meal) influence his comments, or his characterization of his own reported speech? Also, did it matter that there was no evidence that anyone acted on this (inaccurate) information? What had he meant when he said, "they can't just fire you"? Was there a basis in law for his claim? I recalled one training on workplace discrimination and civil rights laws that included information on wrongful termination based on membership in a protected class. Organizers had been careful to explain that while all employees—undocumented or not—are covered by civil rights protections, the process for claiming these rights was an arduous one and involved significant investment and risk on the part of the claimant. Still, was it possible that this discussion had led Carlos to understand that employers 'can't just fire you for no reason'?

I wasn't satisfied with the conclusion that Carlos was simply confused about the substance of the law. After all, many native-born U.S. Workers over-estimate their labor

---

[75] Fieldnotes, 2008. Original conversation in Spanish.

rights, especially when it comes to issues of at-will employment.[76] Perhaps there was something more to his claim. In stating, 'they can't just do that,' was he reflecting a deeper level of dissatisfaction with the employers' practices—legal or not? This story exemplifies what I see as potentially problematic aspects of rights education, especially when working with a vulnerable population. First, rights consciousness does not automatically or directly facilitate mobilization in the way that organizers intended. Second, participants overestimate their rights, and by taking action on these perceived rights, they may put themselves at risk.

With these dilemmas in mind, I analyzed interview data and found other examples where participants claimed rights that are not specified in any state or federal law—for example, the right to take breaks during the workday, the right to vacation, and the right to equal treatment. In my interview with Jaime, he told me that he attended the MMWC meetings to learn more about his rights.

> **Alice:** Was there a time when you learned something about your rights that . . . you hadn't known before?
>
> **Jaime:** About my rights.
>
> **Alice:** Yes. Or how things work here in the U.S.—it could be about your rights or the laws or
>
> **Jaime:** Yes, yes. Yes . . . [the right] to have—um—breaks, having free times during the workday. [77]

Later in the same interview, he talked about how his understanding of the right to minimum wage led him to ask his boss directly for a raise. Expressing some hesitation, he talks about other rights.

---

[76] Unless employees are working under an employment (union or other) contract, they are presumed to be employed "at will" and can be terminated for any reason provided that it is not illegal.
[77] Translated from Spanish.

> For example, your right to pay—to be paid a minimum wage. Well . . . there are always "intermediaries" between you and the boss. There's the manager, who a lot of times is not so helpful, and he'll just blame the boss. But one day I had the chance to talk directly with my boss about getting a raise, and it went well. It was good. He said okay. But with regard to [pause]—I have a right to . . . vacation days? Or maybe I am—I can take breaks, all of those things.
> —Jaime, Worker (translation from Spanish)

Jaime was not alone in his interpretation of the labor laws. Several respondents, much to my surprise, described learning about the right to vacation.[78]

Osvaldo describes the workshops more globally as about asserting rights and defending oneself against unjust treatment:

> The message that Worker Center tried to give was that you should learn to defend yourself, right? Against unjust treatment. Mainly, to not give in—[to demand] that they pay you, say, overtime, that you should ask for vacation, that you have the same rights as anyone who is a citizen.
> —Osvaldo, Worker (translation from Spanish)

Echoing Osvaldo, Victor described learning how to defend himself in dealing with officials—law enforcement, managers, employers—and to believe that he has the same rights as anyone else.

> We learned there what to say to an official, and how to defend yourself. Not to be afraid of anyone. That's one. Two, not to be afraid of my manager, or of the boss, because—even though we're immigrants, whoever we are, we have the same rights as an 'American.' That's what I learned from the Worker Center meetings.
> —Victor, Worker (translation from Spanish)

When asked, Victor denied having ever been in a position to "defend himself" using these lessons but added that he (like Carlos) has encouraged others to take action:

---

[78] While the Universal Declaration of Human Rights recognizes the right to leisure, there is no indication that these comments were based in this or any other international human rights doctrine.

118

I've had friends or coworkers who—I've seen that they were being mistreated, and that—I've said to them, 'You should complain, you can do something, you can sue [your boss]!' . . . but have I?  With my boss, no—I've never spoken up.
        —Victor, Worker (translation from Spanish)


These examples, each dealing with asserting one's rights in the workplace, illustrate the multiple conclusions that participants drew from the Know Your Rights workshops.  Even with this limited sample, my preliminary analysis suggests a tenuous link between the intervention (rights education), understanding (rights consciousness), and action (mobilization of rights).   At times, rights are understood aspirationally—for example, when participants make statements suggesting that while unrecognized, there are certain rights that they have by virtue of being human.[79]  In other cases, participants assert themselves as equal rights bearers.  Victor, for example, states unequivocally, "Even though we're immigrants . . . we have the same rights as an American."  At other times, participants understand that while they have certain rights, they are not in a position to claim them.  Recall Osvaldo's statement (p. 110), where he states that the MMWC encourages immigrants to demand their rights to overtime, vacation, and any other rights that U.S. workers have.  When I asked him if he was paid overtime, he said no.  In his eleven years of working at the same family style restaurant, he had been given a raise exactly one time and was currently earning $11/hour.

---

[79] Chapter 5 will elaborate on the implicit human rights framing of respondents' claims.

**Osvaldo:** They don't pay us what we deserve, what they should for the work that we do. They don't pay overtime either. Never—or vacation days.

**Alice:** And what happens if you ask for vacation?

**Osvaldo:** Well [laughing], they fire us. No, and—it's easier [for them] to say, "*Adios!*"

Osvaldo states that he cannot claim any of these so-called rights without risking being fired. This kind of exchange was typical. While people understood that they deserved a certain pay and/or benefits, they knew the reality that claiming these rights was futile. In many of my conversations and interviews, immigrant workers reported that they knew they had the right to be paid overtime. But when I asked, not one of my respondents had ever received the legally mandated overtime. And no one had requested that of his or her employer. Labor law is often misunderstood. American workers tend to overestimate the legal protections they have on the job. It should not be surprising, then, to see the multiplicity of interpretations and the inherently contradictory understanding that yes, you have certain rights, but no, you can't claim them without risking retaliation.

*Critiquing immigrants' rights*

A more problematic aspect of the rights education has less to do with employment rights and more to do with exercising one's rights with ICE and the police. The series of *Know Your Rights* workshops which took place from November 2007 through April 2008 focused on technical aspects of the law: 4th and 5th amendment rights (protecting persons against unlawful search and seizure and guaranteeing their right not to incriminate themselves), and civil rights, especially with respect to racial profiling. In this section, I explore the possibility that, in focusing *Know Your Rights* education on these substantive

and procedural rights, this intervention could contribute to participants' confusion and, at times, a distorted understanding of their rights. These workshops, in effect, may have given people a false sense of security. My analysis thus raises a fundamental question: Why teach someone about a right that they supposedly have if they can't actually claim that right in practice?

In the closing scene of the CHIRLA "Know Your Rights" video (described in the Introduction, pp. 2-3), the two narrators are summarizing the key recommendations for dealing with police and ICE. They begin: "Remember—we all have rights, whether we are undocumented or not." After reviewing the specific *dos* and *don'ts*, the female narrator states confidently, "We have a constitutional right to remain silent, organize, and fight for change!" This message is arguably confusing. Remaining silent and organizing are not mutually exclusive. However, in light of the aggressive enforcement and inhumane treatment of immigrants by ICE and police, what are the consequences of reiterating one's constitutional rights?[80]

I am not suggesting that organizers naively encouraged people to seek out law enforcement in order to assert their constitutional rights.[81] In my fieldwork, I observed that organizers were doing everything possible to acknowledge the complexity of teaching people about their rights when (a) their rights were fairly limited, and (b) the context for mobilizing these rights was unpredictable and quickly changing. They conveyed the fact that while everyone has certain rights on the books, the spaces for

---

[80] Evidence from across the country confirms that ICE and police have violated certain standards for how to treat detainees. Local accounts gathered by an immigrant rights coalition document violent behavior by ICE that included kicking in doors and excessive physical force when detaining individuals.

[81] In fact, many of the interventions were designed to help people avoid contact with police or ICE—for example, but pretending that you are not at home if ICE knocks at your door, or refusing to open the door unless they can provide a warrant signed by a judge.

exercising these rights depended on a variety of factors.

When it came to dealing with ICE and police, the organizers were also aware that there were limitations to the usefulness of rehearsing what to do, given the number of contingencies and the very fear and panic that people experience in that situation. Alejandra, one of the attorneys who supervised some of these workshops, explains that while the training reminded  people to remain calm and ask to speak to a lawyer, the situation may play out quite differently:

> I don't know if most of us go through a rational process of, 'All right, this is what I was taught to do.'  Maybe if you rehearse it enough . . . ?  It gets internalized, but I think most people . . . when you feel threatened . . . this adrenaline survival instinct takes over, and it's hard to say that most people would think back to that training and internalize it.
> —Alejandra, Volunteer/Attorney

As an example of how people behave irrationally under stress, Alejandra recalled her own experience of being mugged.  Despite knowing that she should not resist, she chased her assailant as he ran away with her purse because, she says, "I needed my keys!"[82]

Despite these limitations in the methods of rights education, the assumptions remained that people were better off knowing that they had certain rights.  Emanuel, a law student involved in the trainings (and himself the son of Mexican immigrant farmworkers), explained the need to educate people about their right to remain silent:

---

[82] Interview, Alejandra, Volunteer/Attorney.

You know that this [police officer] is a person with a gun, with bullets, you know, that can kill. That does not mean that you have to tell them everything that they want to hear. You know, this is a person who could um harm people, and perhaps in your country they did that, and perhaps in your country you tell them what they want to hear, but you don't have to speak. You know? It's a constitutional right. Whether you're in the right or the wrong, it doesn't matter. You don't have to speak. Wait until you get an attorney who will explain everything—all your rights, you know?
   —Emanuel, Volunteer

Emanuel's comments illustrate the benefit of providing new immigrants with an orientation to the U.S. legal system and their rights. But the message is far from clear. The implication is that you may avoid harm by exercising your constitutional right not to speak to law enforcement without an attorney present. But this approach also depends on your having access to knowledge and resources to obtain legal counsel. Does it still make sense to remain silent if you lack these resources?

In late 2007 and 2008, the escalation of immigration enforcement was having a chilling effect on the community. At the time, however, the extent of enforcement (and the human services crises it produced) was only beginning to be felt and understood. In hindsight, we can reasonably ask about the Worker Center's approach—cultivating a critical perspective of the law and nurturing a sense of entitlement to fair treatment. In my 2009 interview with a long-time community member and head of a Latino-serving organization (who had himself attended MMWC meetings in 2006-2008), Rodrigo explains his concerns with promoting rights consciousness.

> **Rodrigo:** Part of the problem is that there is such extreme repression right now, that any type of resistance is practically useless.

> **Alice:** What do you mean by "repression"?

> **Rodrigo:** . . . I'm talking about, for example, in the community many times [organizers] came to tell people what to do in the event of a deportation—"Ok, don't open the door, don't answer any questions," etc. But when they did this—some of the people who suffered through this experience, and the police didn't respect any kind of law, the ICE agents, who supposedly had no right to open the door? They kicked in the door, they beat people up, and they deported them just the same, so in the community there's this sense that there were consequences . . . that [when] they resisted, it provoked even greater repression. [83]

Rodrigo was among those who were openly concerned about the effects of these

workshops and how it positioned people to react in situations with law enforcement.

Later in the interview, he described examples of how asserting one's rights could lead to

greater harm:

> I [spoke] with people individually—people who had received information about their rights, etc., and they had already examples of [instances] in which they had tried to assert their rights, and including—it was counter-productive sometimes because the police exercised even greater force with Latinos who knew their rights. And the worst, they told me, was that many times ICE uses police officers who are Latinos, who speak Spanish, and they are the angriest when they see illegal immigrants who know their rights and demand respect, and so really the ones who remained silent were worst off.
> —Rodrigo, Service Provider (translated from Spanish)

It is difficult to corroborate Rodrigo's accounts, since many potential informants who had

contact with ICE or police ended up detained or deported. But Rodrigo's concern was

echoed by other community members. Andrea, who has since organized a network of

urgent responders in the event of ICE raids or detentions, shared her concerns about the

complexity of rights education in the political and institutional context:

---

[83] Translated from Spanish.

> I have feelings about telling people to do things that… there's a corrupt system… that is likely not going to respond well. I mean — when we tell people to do things to empower them, we're trusting a system to accept that, when you know, ICE, as well as a lot of other [law enforcement] have not proven themselves to be accepting of people's attempts to exercise their human rights . . . I think people have the right to know what their rights are, but would I recommend that you do this? Not necessarily. I feel really ambivalent about it, honestly.
> —Andrea, Service Provider

It is important to put these cynical interpretations in context. When I conducted these interviews in September-October 2009, there had been over 180 families in the immediate area who were affected by ICE detentions, deportations, and workplace raids.[84] Nevertheless, their concerns are legitimate: how do you empower people within a corrupt and abusive system?

Some of the volunteer organizers held out hope that knowing your rights on the books, even if they weren't enforced, could be helpful in a detention situation. Oscar, a law student who had been involved in trainings (and was, himself, the son of immigrants), talked about the experience of migrating to get to the U.S. and the enormous investment that immigrants make in coming here:

> If you go through all that misery just to get here, and you cross the border, you know in the back of your mind that you're constantly under threat that you're gonna get detained and sent back. At the very least, you will not have thought that all of that suffering was in vain [pauses] knowing that they can't get rid of you so easily. That they can't flagrantly violate your rights and get rid of you . . . and so you would hope that even when you're being handled for breaking the law, which you did, that it would be in a way that was somewhat mindful of your dignity and somewhat mindful of your rights. Unlike in your home country.
> —Oscar, Volunteer

---

[84] Confidential reports shared with me by immigrant-rights coalition in Mid-Michigan community.

Oscar's comments reflect an uncomfortable reality for undocumented immigrants and their advocates. In some cases, the moment to know—and claim—your rights, is during arrest and deportation. In this sense, organizers recognized the limitations of the context and proceeded in best way they knew how.

Emanuel, who was born in the U.S. but whose parents were undocumented immigrant farmworkers from Mexico, shares Oscar's belief that in the context of an abusive system, rights consciousness can still be beneficial—to the extent that being "in the know" about your rights may protect you from certain abuses.

> There's no guarantee—even if you know your rights, if you stay silent, if you do everything that we suggested in our workshops—that you would be—uh—treated more fairly. I mean, abuse is rampant, in . . . all aspects of the immigration and law enforcement system in the U.S. But I think that you—armed with this knowledge, you can at least intimidate the officer or any person that might feel tempted to, uh, just flagrantly violate your rights—and do so without thinking, because they know they can get away with it and you're not aware of certain things. It keeps them in check, you know? It makes them go back to the books and actually follow procedure because they know that you're—that you're . . . in the know. . . And while it won't guarantee that you'll be given a fair shake, it at least insures that, uh, that law enforcement officials, immigration officials . . . anybody involved in the whole detention and removal process is gonna treat it seriously . . . So in that sense it's not much, but I think it's something.
> —Emanuel, Volunteer

Emanuel vacillates on the benefits and drawbacks of demonstrating rights consciousness. At first, he suggests that "armed with this knowledge," someone who is detained may deter a law enforcement officer from "flagrantly violat[ing]" their rights, but then he back-pedals. Showing that you know your rights may influence law enforcement to follow procedure: "it's not much, but . . . it's something," he concludes.

When it comes to asserting your rights, there are no guarantees. Alejandra, an attorney who has worked with community groups for over 25 years, concludes that,

despite the risks, it is important for people to know their rights, even if the opportunities

to claim them are minimal:

> I still think . . . [rights education] is worth doing, because I think that people deserve to know what the laws are, and people deserve to know what—how they should be acting as it relates to those laws, even if in the end you can't control them at that moment, I think it's still the right thing to do to have—to communicate to people what their rights are, and to communicate to people what they should be doing. I think it's more manipulative to say I'm not gonna— 'Oh, they're lost anyways,' than it is to say, 'Well, we can try, and maybe it will work and maybe it won't.' Will it work in 100% of the cases? Probably not. Will it work in every instance? Probably not.
> —Alejandra, Volunteer/Attorney

The preceding examples illustrate the shared doubts among volunteer organizers—

Alejandra, Oscar, and Emanuel—about the usefulness of rights education. Their

comments as well as the more cynical views expressed by Andrea and Rodrigo point to

the indeterminacy of law and rights. Whether one is successful in claiming rights

depends largely on the context in which rights are asserted and laws are enforced. This

point also addresses a broader debate about whether, in the absence of wider societal

change, laws and rights are useful tools for social movements (Rosenberg, 1991). This

tension is worth underscoring: To what extent can organizers and advocates empower

people and encourage them to assert their rights while also acknowledging the

complicated nature of rights in lived experience?

This chapter's aim has been to explore how the lack of legal status of

undocumented immigrants influences perceptions of rights. Recalling the typology of

rights presented in Table 4.1, we are reminded that—in the context of the Worker

Center—the discussions focused on specific rights in relation to employment (e.g., the

right to a minimum wage) or law enforcement (e.g., the right to remain silent). Up to

now, my analysis has focused largely on these examples, exploring the disjunction between the pedagogical content and individuals' interpretations of their rights and the harmful consequences for undocumented immigrants who choose to assert these rights.

But my focus on the practical dimensions overshadows a larger, more fundamental issue: none of the specific rights (refer to table) matter if the group in question lacks *citizenship rights*, by which I mean the rights that derive political and social membership in both the nation-state and civil society (Somers, 2006, 2008). The question is not simply how unauthorized persons can claim constitutional rights during arrest or detention, or whether they can compel courts to rule in their favor during a labor dispute. Rather, this tension between how to "organize and fight for change"[85] while also exercising your right to remain silent distracts us from a larger conceptual problem.

The real dilemma for undocumented immigrants has less to do with the content of rights education and more to do with whether undocumented immigrants are recognized as moral equals and fully human members of society and nation-state (Somers, 2008). Only this prior membership and inclusion makes it possible to claim any rights at all without risking deportation. This is what Margaret Somers calls, borrowing from Arendt, "the right to have rights" (Somers, 2008; Arendt, 1951). Building on this puzzle, the next chapter will take up the issue of exclusion and the role of Worker Centers in creating spaces for membership and belonging.

---

[85] From the CHIRLA "Know your rights" video: "Remember, we have the constitutional right to remain silent, organize, and fight for change."

**Dignity—a poor proxy for rights**

> It seems terrible, because, is that all there is? I mean, you can endure the Tren de la Muerte[86] just so that you can be removed with a certain amount of dignity. You know? It doesn't seem worth it, but—what can you do? You know that— crossing over—you know in the back of your mind that at any moment you can get detained and removed. So I saw our role in a very limited sense as providing that sense of dignity.
> —Oscar, Volunteer

The title for this chapter, "Deported with dignity," is—of course—meant to be ironic; after all, constitutional rights to due process and equal protection are only so useful when you are in a county jail cell awaiting transport to a federal immigration detention center, or your legs and hands are shackled as you walk to your immigration hearing.[87] Oscar's comments (above) illustrate the tension I have explored in this chapter. Specifically, MMWC organizers wanted to empower undocumented immigrants and promote their rights consciousness. However, the current conditions severely constrain the possibilities for an emancipatory outcome.

The intricacies of rights promotion for undocumented immigrants have multiple consequences. By recognizing the potentially negative consequences of consciousness-raising rights education, my analyses suggest the need to complicate our understanding of how people come to see themselves as rights-bearers, whether and how they act on this self-understanding, and to what effect. The nature of my data, drawn from organizers and immigrants who largely avoided contact with ICE and police, allows me only to speculate about some of these possibilities. Without access to people who directly

---

[86] "Tren de la muerte" or "Death train" refers to the cargo train beginning in Chiapas and running through Mexico to the U.S.-Mexican border. An estimated 20,000 Central Americans and Mexicans immigrate to the U.S. every year on this train, which demonstrates the human cost and suffering associated with border crossing.
[87] Immigrants in the Postville, Iowa raid (May 12, 2008) were shackled as they were escorted to the "Cattle Congress" where immigration hearings were held (Grey et al., 2009).

experienced detention and deportation, I cannot adequately support claims about the consequences of mobilizing these rights. Despite these limitations, my analyses point to new directions for research and practice on the possibilities for rights-claiming among vulnerable populations.

For one, there arise a series of new questions for organizers, advocates, and others engaged in consciousness raising and community legal education.[88] These include:

- *Context.* In describing the law and presenting information about rights, what is the significance of social context and its effects on how the laws may be interpreted or enforced? On acknowledging the social context and its effects on how laws may be interpreted or enforced? Do facilitators of these workshops acknowledge that rights on the books not be enforced or vindicated? (I am not discounting the discursive or symbolic power of rights—but if a right cannot be claimed because of political, social, or other factors, this should be acknowledged.)

- *Informed consent.* Do organizers adequately acknowledge the risks involved in asserting one's rights? The indeterminacy of the law means that no one can predict how a certain situation with employers or law enforcement will unfold. Does it then make sense to use a cookie-cutter approach to "Know Your Rights"? Introducing the concept of harm reduction may be helpful in shaping how information and recommendations are presented. By harm reduction, I mean that organizers could present a variety of possible responses and acknowledge that in certain circumstances, however entitled, one may choose *not* to claim a right because it may result in greater harm.

---

[88] Note: In making these recommendations I am not suggesting that the MMWC organizers workshop facilitators failed to acknowledge these complexities. It's a question of emphasis: did they adequately acknowledge the indeterminacy of the law, the social context?

- *Reflexivity.* A final question for practitioners has to do with *reflexivity:* How can one engage in systematic reflection about an organization's goals, activities, and how they respond to changes in the environment? Is it enough to promote, in the words of Oscar, a "sense of dignity"?

Second, there are theoretical implications for challenging assumptions that rights are good for liberation. In the case of the undocumented immigrants who participated in the Worker Center, two findings stand out: 1) consciousness of themselves as rights-bearers tended to increase, but not in predictable ways. In fact, their awareness of rights did not necessarily correspond to the pedagogical content of the rights education. Also, 2), rights education as described here is not well calibrated to the contemporary immigration regime. Clearly, there are times when choosing not to assert one's rights is associated with greater self-determination. My last chapter builds on these ideas in exploring how the ideational elements of the Worker Center push toward new dimensions of citizenship and belonging.

I conclude that the "Know Your Rights" approach to empowerment was not well calibrated to the current social context and—in particular—the contemporary immigration regime. Organizers claim to provide a "sense of dignity" by reinforcing the idea that one has rights, even if one is undocumented, but dignity is a poor proxy for rights. By failing to adequately acknowledge the context in which individuals will exercise their rights, the rights education may unwittingly encourage individuals to take risks that will result in their arrest, detention, or even removal. A more promising finding (elaborated in Chapter 5), is that rights education activates a sense of universal

131

personhood and human rights values.  While insufficient, this condition is a crucial

ingredient to long-term social change:  rights consciousness may have perverse effects in

the short-term by exaggerating the opportunities for mobilization, but in the long-term it

contributes to emancipatory social change by transforming excluded individuals into

rights-bearing subjects.

# References

Casa de Maryland, Detention Watch Network, & National Lawyers' Guild. 2007. Protect yourself from immigration raids (booklet). Download available at Casa de Maryland website: http://www.casademaryland.org/storage/documents/KYR%20booklet_English.pdf

Coalition for Humane Immigrant Rights Los Angeles (CHIRLA). *Know your rights* video. Preview available on CHIRLA website: http://www.chirla.org/knowyourrights

Delgado, H. L. (1993). New immigrants, old unions: Organizing undocumented workers in los angeles. Philadelphia: Temple University Press.

Ewick, P., & Silbey, S. S. (1998). The common place of law: Stories from everyday life. Chicago: University of Chicago Press.

Gleeson, S. (2009). From rights to claims: The role of civil society in making rights real for vulnerable workers. *Law and Society Review, 43*(3), 669-700.

Gordon, J. (2004). Suburban sweatshops: The fight for immigrant rights. Cambridge, Mass.: Belknap Press of Harvard University Press.

Grey, M. A., Devlin, M., & Goldsmith, A. (2009). *Postville, U.S.A.* Boston, MA: GemmaMedia.

McCann, M. W. (2004). Law and social movements. In Sarat, A. (Ed.) *The Blackwell companion to law and society,* (506-522). Malden, MA: Blackwell Publishing Ltd.

McCann, M. W. (1994). Rights at work: Pay equity reform and the politics of legal mobilization. Chicago, IL: University of Chicago Press.

Nielsen, L. B. (2004). The work of rights and the work rights do:

Orner, P., & Andes, T. (2008). Underground america: Narratives of undocumented lives. San Francisco: McSweeney's Books.

Rosenberg, G. N. (1991). The hollow hope: Can courts bring about social change. Chicago: University of Chicago.

Sassen, S. (2003). The repositioning of citizenship: Emergent subjects and spaces for politics. CR: The New Centennial Review, 3(2), 41.

Schaffer, K., & Smith, S. (2004). Human rights and narrated lives: The ethics of recognition. New York: Palgrave Macmillan.

Scheingold, S. A. (2004). The politics of rights: Lawyers, public policy, and political change. Ann Arbor, Mich.: University of Michigan Press.

Somers, M. R. (2008). Genealogies of citizenship: Markets, statelessness, and the right to have rights. Cambridge, UK: Cambridge University Press.

Somers, M. R. (2006). Citizenship, statelessness and market fundamentalism: Arendtian right to have rights. In Bodemann, Y. M. & Yurdakal, G. (Eds.), *Migration, citizenship, ethnos* (35-62). New York: Palgrave Macmillan.

Thompson, G. (2010). Working in the shadows: A year of doing the jobs (most) americans won't do. New York: Nation Books.

Tushnet, M. (1989). Rights: An essay in informal political theory. *Politics and society, 17*(4), 403-451.

Williams, P. J. (1991). The alchemy of race and rights. Cambridge, Mass.: Harvard University Press.

**CHAPTER 5**

TRANSFORMING EXCLUSION:
WORKER CENTERS AND THE DILEMMA OF CITIZENSHIP RIGHTS

―――――――――――

June 23, 2010:  It was a Wednesday afternoon, and more than 300 community

activists were gathered in a large meeting room at Cobo Hall in downtown Detroit.  They

were there as part of the  U.S. Social Forum to inaugurate a new organization:  the

Excluded Workers Congress.  This convening involved leaders and members of Worker

Centers and community-based organizations from across the country.   The meeting was

organized by groups of workers who are excluded from workplace protections and

mainstream labor organizations, either by design or by default.  Agricultural and

domestic workers, for example, were left out of the National Labor Relations Act (passed

in 1935), which gave collective bargaining rights to most other workers.  Others

experience *de facto* exclusion:  for example, Southern workers in right-to-work states

confront enormous obstacles in their fight to organize and form unions.

This meeting was historic:  For the first time, workers were coming together

across race, ethnicity, nationality, citizenship status, sector, and region to create strategies

for expanding the right to organize.  At the front of the room stood two long tables on a

raised platform. Seated behind the tables was a panel of representatives from the nine

sectors making up the Excluded Workers Congress (see Table 5.1). The moderator explained that the purpose of the panel was to share "innovative strategies that some organizations . . . have begun to use to organize despite the exclusions they face in their various industries, sectors, and workplaces."[89]

The meeting began with a history lesson: Ai-jen Poo, the director of the National Domestic Workers' Alliance (NDWA), explained that the exclusion of certain groups of workers from labor laws reflected a joint legacy of racism and sexism. Domestic workers—almost exclusively African American and immigrant women of color—were formally excluded from the National Labor Relations Act and the Fair Labor Standards Act (passed in 1938). In 1974, domestic workers achieved the right to be paid the minimum wage, but they still lack some of the most basic workers' rights, including protection from discrimination and harassment by employers. Despite some incremental changes, Poo explained, labor laws and institutional practices continue to disadvantage workers at the bottom of the occupational hierarchy.

Each of the nine sectors had selected a representative to sit on the panel and speak about a specific concern for workers in their industry. One of the members of the panel was the director of a day laborer Worker Center in the Pacific Northwest. When it was his turn to speak, he recounted a recent organizing campaign by his members, largely undocumented immigrants from Mexico and Central America. They are, for the most part, male, poor, and disconnected from the mainstream. The director himself is an

---

[89] Fieldnotes, June 25, 2011.

**Table 5.1** Nine sectors in the Excluded Workers Congress, 2010 U.S. Social Forum

| Sector | Organization(s) |
|---|---|
| Domestic Workers | Domestic Workers' United (New York)<br>National Domestic Workers' Alliance (National network) |
| Farmworkers | Coalition of Imokalee Workers (Florida)<br>CATA (Pennsylvania, DelMarVa) |
| Tipped workers in restaurants and other industries | Restaurant Opportunities Center (National network; local oragnizations in 13 major cities) |
| Guestworkers | Alliance of Guestworkers for Dignity (New Orleans) |
| Day Laborers | National Day Laborers Organizing Network (West Coast and Texas) |
| Southern Workers in right to work states | Black Workers for Justice (North Carolina)<br>Mississippi Workers' Center for Human Rights (Mississippi)<br>Southern Human Rights Organizers' Network (Southeastern U.S.) |
| Taxi Drivers | New York Taxi Workers' Alliance (New York) |
| Workfare Workers | Community Voices Heard (New York) |
| Formerly Incarcerated Workers | All of us or none (National) |

indigenous Guatemalan immigrant who, upon arriving in the U.S. in the 1980s, worked as a day laborer before he began to organize other workers. Through organizing, the day laborers collectively decided that while the legal minimum wage was $8.40, they would establish a new floor—$10/hour—and require that potential employers agree to this minimum. From the mayor's discretionary funds, the organization received a small space and a trailer on a lot near the street corner where workers waited for work each morning. Having a physical center—a gathering place—aided in the organizing efforts and provided a central location to do workers' rights education and assist individuals with problems. This day laborer center had, since its opening, helped more than 42 workers

with cases of wage theft, and that workers reported improved conditions and lowered

amounts of abuse by employers.[90]

After hearing stories of struggle and success from several other panelists,

members of the audience were invited to turn to the people next to them to discuss their

own experiences and hopes.   During these small group conversations, the room was

buzzing with excitement, but what followed was even more dramatic—the story of the

Domestic Workers Bill of Rights.  The story was told by members of Domestic Workers

United (DWU), a New York Worker Center of African, Caribbean, and Latina domestic

workers—nannies, housekeepers, and caregivers for the elderly.  Members of DWU

described the six-year campaign to develop and secure a set of legal protections for

domestic workers in the state of New York.  The day before (June 22, 2011), the New

York State Assembly had voted to pass this legislation, and by July 1, 2010, it would be

official.  Reversing more than 70 years of exclusion from labor laws, the Domestic

Workers Bill of Rights was not as comprehensive as workers and organizers had wanted,

but it was a beginning.  Signed into law by Governor Paterson on August 31, 2010, the

legislation is the first of its kind and includes the following provisions: establishing an

eight-hour work day and providing overtime; granting workers one day of rest per week

and three paid days off per year; and several key workplace protections (see Table 5.2).[91]

---

[90] Castro suspects that organizing efforts discouraged employers who consistently violate workers' rights from soliciting workers, since the workers involved in the organization not only demanded a higher minimum wage but also documented employers' information to facilitate complete payment for hours worked.

[91] These provisions are extended to all domestic workers, regardless of immigration status.

**Table 5.2**  Key provisions, Domestic Workers' Bill of Rights, State of New York[92]

| Category | Provisions of 2010 law |
|---|---|
| Work Hours | • Establishes 8 hours as a legal day's work<br>• Overtime at the rate of 1 ½ of the regular rate of pay after 40 hours for live-out domestic workers and 44 for live-in domestic workers. |
| Day of Rest | • One day of rest in each calendar week (should try to coincide with a worker's day of worship)<br>• Overtime pay if a worker agrees to work on her day of rest |
| Paid Days Off | • After one year of employment, entitled to 3 paid days off |
| Workplace Protection | • Protection against workplace discrimination based on race, gender, sexual orientation, national origin, disability, marital status, and domestic violence victim status<br>• Protection against sexual harassment by employer<br>• Protection against harassment based on gender, race, national origin, and religion<br>• Covers full-time and part-time (pending legislative revision) domestic workers for temporary disability benefits |

In describing their organizing effort, DWU leaders recounted the struggle and acknowledged that, at times, they worried that their fight was futile.  It seemed impossible to win labor protections for a group of immigrant women of color, many of whom were undocumented, working in isolated homes of their employers.  They pushed on despite these worries, and as a result, they were able to realize at least part of their collective vision.

At this inaugural meeting of the Excluded Workers Congress, the Domestic Workers Bill of Rights stood out as a concrete win for excluded workers—and proof that organizing for better laws was possible, even for undocumented immigrants.  But the

---

[92] Domestic Workers United, retrieved on May 12, 2011 from
http://www.domesticworkersunited.org/rightsandresources.php

EWC was much more than a platform for celebrating victories. The conversations about struggles and success continued long after that meeting, and in December 2010, the EWC released its own report, *Unity for dignity: Expanding the right to organize to win human rights at work.*[93] The report documents organizing successes in each of the nine sectors, and—as the title suggests—frames the struggles of excluded workers in terms of human rights. Citing the Universal Declaration of Human Rights (UDHR), the International Convention to End all forms of Racial Discrimination (ICERD), and other international agreements, the EWC articulates its purpose as a departure from earlier generations:

> The Excluded Workers Congress is imagining an entirely new framework for organizing. Instead of seeking refuge from antiquated labor law, excluded workers are asserting that they have the human right to organize.[94]

While it is yet unclear how the "human right to organize" will be enforced, the EWC's approach is attracting the attention and support of mainstream labor. The AFL-CIO, arguably the most mainstream of labor federations in the U.S., participated in a recent conference sponsored by the EWC on promoting the human right to organize.[95] While there, AFL-CIO President Richard Trumka signed agreements pledging material and other support to two member organizations, the National Domestic Workers Alliance and National Guestworkers Alliance (Soriano-Castillo, 2011).

The story of the Excluded Workers' Congress sets the stage for this chapter, which explores how immigrant workers and organizers experience and negotiate exclusion in the context of the Mid-Michigan Worker Center. My analysis looks at two

---

[93] This report is available online at
http://www.excludedworkerscongress.org/images/stories/documents/EWC_rpt_final4.pdf
[94] Excluded Workers' Congress May 1 statement received on April 29, 2011.
[95] From May 10-12, 2011, in New York City, the EWC held the first international conference on the human right to organize. For more information, see
http://www.excludedworkerscongress.org/events

questions: (1) What does the Worker Center accomplish by bringing excluded people together? (2) What role do human rights perspectives play in this context?

Using the lens of exclusion and theoretical perspectives on citizenship, this chapter tells a story of *dehumanization* and *rehumanization*. It begins with a description of the kinds of exclusion immigrants (in this study) experienced and then examines how, through the processes of coming together around these shared experiences, the MMWC created the conditions for members to reassert their common humanity. Despite their status as unauthorized and only partially recognized, immigrants in this study developed a sense of themselves as political subjects as they engaged in critical conversations about the policies and practices that shaped their lives. Beyond the substance of these conversations, the MMWC became a crucial source of mutual support for workers on the margins of society. The MMWC nurtured what I call the *affective* dimension of citizenship—that is, a sense of belonging, solidarity, and collective identity, all of which is grounded in the implicit understanding that human beings have the right to dignity, regardless of their legal or political status. While this is a far cry from full recognition by the nation-state and inclusion in civil society—prerequisites to citizenship rights (Somers, 2006, 2008)—the affective dimensions of citizenship should not be discounted.

The major contribution of Worker Centers is in their inclusion and *rehumanization* of undocumented immigrants—that is, addressing the social dimensions of their exclusion. Like the citizenship schools of the Civil Rights movement, Worker Centers resemble "movement halfway houses" (Morris, 1994) that nurture the political consciousness and subjectivity of a marginalized group. However, lacking the

institutional resources and infrastructure of a larger movement organization, Worker

Centers will be hard pressed to achieve the institutional changes they seek.

**Theoretical perspectives on exclusion and the citizenship gap**

Undocumented immigrants are defined largely in terms of negatives: They are

not citizens, and they are not legally present. While most immigrants retain *de jure*

citizenship in their home countries, they are effectively denied what Susan Coutin refers

to as the "practical rights (residency, political participation, and freedom from

persecution) accorded by their citizenship" (Coutin, 2000, p. 590), and it is this

precarious condition that often drives their decision to emigrate.[96] Once in the United

States, without any meaningful claim to protection from the nation-state in which they

live and work, they are effectively stateless. In *The Origins of Totalitarianism,* Hannah

Arendt (1951) describes the situation of the newly stateless minority populations in the

years following World War I. For Arendt, citizenship—that is, recognition by the nation-

state as a political subject—is a prerequisite to all other rights. I conclude the previous

chapter by laying out this dilemma: Without citizenship rights, how can undocumented

immigrants begin to claim specific labor and constitutional rights that were the subject of

the "Know Your Rights" workshops?

Arendt provides a jumping off point for my analysis of undocumented immigrants

in contemporary U.S. society. Exclusion from the mainstream functions for them much

in the way that Arendt postulates: without state recognition, undocumented immigrants

---

[96] I do not mean to suggest that labor migrants are necessarily among the most destitute members of their home countries. Research shows that transnational migration requires some amount of financial, human, and social capital. Moreover, as Maher points out, the tendency to overstate the desperation of labor migrants "serves to legitimate their lesser entitlement to rights . . . It appeals to structural disparities in the global economy in order to explain why Third World 'aliens' should be grateful for the opportunities available to them in a First World economy rather than expecting the full range of human rights" (2002, p. 35)

are at risk of losing their recognition as full human beings.  But there are important

differences between Arendt's and my cases.  First, despite the seriousness of today's

dehumanizing influences, undocumented immigrants are not threatened with annihilation,

nor do they face denaturalization—since, to lose citizenship rights, one has to have them

to begin with.   Another difference has to do with where statelessness is experienced.

Undocumented immigrants are internally stateless; in fact, it is their very presence in the

U.S. which renders them effectively stateless.

Margaret Somers' discussion of Hurricane Katrina victims illustrates some of the

dynamics of internal statelessness.  The individuals and families who were "left behind"

when the rest of the city was evacuated to higher ground were U.S. citizens with fully

intact political rights.  However, their statelessness resulted because they lacked two key

requisites—embeddedness in civil society and in the market.  According to Somers,

citizenship has been transformed from a relationship of "noncontractual reciprocities

based on the rights and responsibilities of equal inclusion" (2008, p. 72) into a contractual

relationship based on market exchange—more specifically, the exchange "of *equivalent*

goods or services between *unequal* market actors" (p.69).  The "left-behind" had nothing

of value to exchange.  They were

> People who were kept invisible for so long . . .  the old, the sick, the poor, the
> disabled, the very young, the mentally challenged, the isolated, the single
> mothers, the African-Americans – all those who, well before Hurricane Katrina,
> had been the disposable and socially excluded of New Orleans. (Somers, 2008, p.
> 64)

The parallel between Katrina victims and undocumented immigrants is, again, only

partial.  Undocumented immigrants are very embedded in the economy.  Despite growing

enforcement against employers who hire unauthorized workers, the demand for

immigrant labor remains high.  Undocumented immigrants, however, lack the foundational citizenship right of political rights and recognition.

The differences between undocumented immigrants and these other cases—truly stateless, denaturalized minorities (Arendt) and the "left-behind" (Somers)—should be noted, but these perspectives shed light on the broader dynamics of exclusion in contemporary society.  Together, these examples all point to the dilemmas of the "citizenship gap"  (Brysk, 2000), defined as the space where transnational migrants live and work without full recognition or protection by any nation-state.  This concept ties together the different experiences of statelessness in contemporary societies shaped by globalization of markets and the blurring of national political boundaries.  The MMWC is operating in this space and seeking to narrow the citizenship gap for undocumented immigrant workers.

**The contours and consequences of exclusion**

> El mensaje violento, represivo de parte de las autoridades federales y locales los ha transformado en gente que vive en miedo.
>
> The violent, repressive message on the part of federal and local authorities has transformed them into a people who live in fear.[97]
> —Rodrigo, Service Provider (original Spanish, English translation)

While far from monolithic, the condition of being undocumented is shaped by common experiences of fear, isolation, and exclusion. Carmen, a long-time community member and service provider, describes the vulnerability of undocumented immigrants in the Mid-Michigan community:

---

[97] Interview, Rodrigo, October 2009 (translation from Spanish)

When the general population is being pushed to the margin already—
guess what? The ones that were at the margin just fall off the edge of the
earth.
        —Carmen, Service Provider

In this comment, we hear echoes of Arendt's claim about the expendability of stateless

persons and the accompanying risk of dehumanization. Speaking of Jewish populations

made stateless following World War I, she writes:

Once they had left their homeland they remained homeless, once they had
left their state they became stateless; once they had been deprived of their
human rights they were rightless, the scum of the earth. (Arendt, 1951, p.
267)

This section describes where and how undocumented immigrants experience exclusion

and explores some of the consequences. I examine several modes and domains of

exclusion—from economic supports and services, workplace protections and remedies,

and other mainstream institutions.

*Economic exclusion*

      Unauthorized immigrants have poverty rates almost double the rate of the general

public, with one-third of undocumented children and one-fifth of undocumented adults

living at or below the poverty level (Passel and Cohn, 2009). Adding to this marginal

economic position is the reality, as expressed by many of my respondents, that the

poverty of immigrants is often invisible to mainstream society.[98] With only limited

access to mainstream economic supports and services, the human suffering associated

---

[98] This problem is not, however, unique to undocumented immigrants. African-Americans, Native
Americans, and other racial ethnic minority groups also experience disproportionately high rates
of poverty, but their poverty is often well hidden from public view.

with their poverty often goes unrecognized and unaddressed. According to Linda, an

MMWC supporter who has worked with the Latino immigrant community through her

church ministry for more than 10 years:

> As hard as it is to be homeless, if you're undocumented on top of being homeless? There just aren't that many options open to you. Because some services will not be available to you . . . There's some shelters that won't take people in if they don't have papers and different things because they can't—because they get government funding.

Linda then recalled the consequences of these restrictions on a specific family:

> Last year at this time I was working with a family. They ended up leaving and moving to another state but they were living in a trailer with no heat, and last year — in December . . . it was really cold and it snowed . . . They literally had no heat and they were living there because they had no other place to live, and they were—every night—they would heat up, they had gas on their stove so they were heating up pots of water and then they would use the steam to help warm up the house. That's what they did. Until it got to the point where it's just so cold that, um, that just wasn't an option to live there any more.
> —Linda, Service Provider

This story is in no way unique to undocumented immigrants. Latino (non-immigrant),

African American and Native American communities all experience disproportionately

high levels of poverty and, similarly, face obstacles to supportive services. However, in

the context of our interview, Linda's comments reveal a concern that social isolation

compounds precarious legal status and prevents people in even the most desperate of

situations from seeking help.

*Workplace exclusions and wage theft*

As I discussed in Chapter 4, labor and employment laws provide only partial

coverage for undocumented workers, and even when one can prove a legal violation,

there are often limitations to the remedies available. What do these partial protections

mean in the lives of the immigrants in this study? In MMWC meetings and in my interviews, the most common violation of workplace rights was "wage theft" (Bobo, 2009). This includes not getting paid for part or all of the hours worked and occurs in a variety of ways: not receiving a final paycheck, getting shorted on hours, not receiving mandated overtime pay, or not getting any payment at all. Carmen who has worked with immigrant families for over ten years, frequently sees such cases:

> There's all kinds of abuse that goes on because people are afraid of having immigration called on them. It could be at work. They could be being mistreated at work, and they're not gonna say a word. They could be working 20 hours of overtime and not getting paid for it, and they don't feel they have the recourse.
> —Carmen, Service Provider

Victor's experience, which was typical of my respondents, illustrates Carmen's point. A Mexican immigrant, Victor has lived in the U.S. for over more than seven years, and has worked in maintenance at a local motel for the last four years. I asked him if he had experienced any problems at his job:[99]

> **Victor:** Me? No. The only—I guess the only real problem I have is this. Since I started working there—it's been 4 years. I work there, and I'm always there, seven days a week, and they never pay me overtime.
>
> **Alice:** They've never paid overtime.
>
> **Victor:** Never. And I have to be there—there's some law that says I have to be there seven days a week. And they've never once paid me overtime.
>
> **Alice:** On average, how many hours do you work per week?
>
> **Victor:** I work on average between 110-130 hours every two weeks.
>
> **Alice:** So it's more than 40 hours a week. And in this job, how many times have you gotten a raise?
>
> **Victor:** Once.
>
> **Alice:** How much do you earn now?

---

[99] Dialogue translated from original Spanish.

**Victor:** Now I make $8.50.

The experience of wage theft was so common among my respondents that, like Victor, people at first often failed to mention it as a workplace problem. They had resigned themselves to the reality that they would not be made whole, and that this was an unfortunate but expected behavior on the part of employers.[100]

Yanira, a Guatemalan immigrant who had been in the U.S. for two years when I interviewed her, is the sole employee of a cleaning company owned and operated by another woman. After I turned off the recorder and was getting ready to leave, she stated that her biggest frustration with all of her jobs is not getting paid.

> 'I'm not someone who likes to speak up,' she said, 'so I shouldn't complain. Maybe someday I'll have the courage to say something to her,' referring to her current boss. Yanira sounded almost apologetic, suggesting that it was just 'the way [her boss] is (her 'forma de ser') and that she probably didn't even have the right to complain. Her problem was that, because Yanira doesn't drive, her boss picks her up at the start of the workday and together they drive to the homes they clean. Quite often her employer makes stops to run personal errands, and this extends Yanira's work day by an hour or more. Yanira resents the extra (unpaid) time away from her family.
>
> Remembering her previous job, which involved taking care of an elderly woman in the woman's home, Yanira said: 'The work was okay, but there were some problems.' When her daughter got sick and Yanira called to say that she couldn't come to work, her employer fired her on the spot. 'The worst part is that I never got paid,' she added, explaining that she was owed for four weeks of work (or approximately 160 hours).[101]

Whether or not these actions constitute *legal* violations of workplace norms and rights, Yanira feels that this treatment is unjust. Not wanting to put herself or her family at

---

[100] Research on the experiences of low-wage workers confirms that wage theft is an extremely common problem (Bobo, 2009; Bernhardt, et al., 2009)

[101] Fieldnotes, September 11, 2009.

further risk, she never pursued a legal claim for the back wages, and she is reluctant to say anything to her current employer for fear of being fired.

*"Modern-day slaves"*

Enrique, a Mexican immigrant[102] who has worked in the auto industry for several decades and now volunteers with an immigrant-rights organization and with several Michigan Worker Centers, characterized the workplace abuse as a form of "indentured servitude."[103]  Illustrating Arendt's point, Enrique explains how the lack of formal recognition by the nation-state creates conditions for exploitation:

> Not having a legal position . . . or a document to be able to demand—to demand fair wages, for example, good working conditions.  And I'm not talking about ridiculous, making ridiculous demands, but I'm talking about the very basic issue that all workers are entitled to [and] because of their undocumented conditions these undocumented workers become modern-day slaves.  That they cannot go to the Department of Labor and say, 'Look, I'm being exploited.  This employer owes me for three weeks or a month or six weeks worth of wages,' and these workers have no recourse.
> —Enrique, volunteer

While wage theft was the most frequent violation, there were also extreme cases of abuse that went unmonitored and unpunished.  Carmen recalls one case:

> I work with a woman who was sexually accosted by her manager, and he was doing this to all the female employees, and most of them went along because those that did not comply to his requests got their hours cut.  [This woman] finally lost her job as a result, that particular job.  And she didn't feel like she could say anything because if he was found out, they would know it was her.  And then all of other women will lose their job.  And so it's layers and layers of silence and isolation.
> —Carmen, Service Provider

---

[102] Enrique came to the U.S. In the 1980s and was able to adjust his legal status.
[103] Interview, Enrique.

Again, without legal standing, immigrants are reluctant to speak out against abuse by their employers.

*Driver's licenses and birth certificates*

If the exclusions from workplace protections (and the resulting abuse) were worrisome, the lack of access to state driver's licenses and identification cards created a sense of desperation among the immigrants in my study.  In Osvaldo's words, access to driver's licenses was "the most urgent problem facing the community."[104]  My interviews took place 18 to 24 months following the January 2008 decision by the state attorney general to restrict driver's license applications and renewals to only those who could prove legal residence.  The consequences of this were both material and symbolic.  Unlicensed drivers could no longer get car insurance but they still had to drive.  If they were pulled over while driving without a license or insurance, they were ticketed—or worse:  They could be arrested, and the practice by local police of sharing information with federal immigration authorities could mean that a simple traffic violation could result in detention and deportation.  For many respondents, the consequences extended beyond these practical problems.  It was, in effect, was codifying their exclusion from mainstream society and access to even the most basic recognition.  Without my asking, several informants offered up information about when their license had expired, or when it was set to expire. The movement from "*valida*" (valid) to "*vencida*" (expired) was a sobering one, and it caused people a great deal of anxiety. In reflecting on his recent difficulty in finding an apartment for himself and his family, Victor says,

---

[104] Interview, Osvaldo (September 2009)

> I don't have any problems with my neighbors.  I don't cause any trouble.  But it
> was almost impossible to find an apartment. Why?  Because I'm illegal.  Because
> I don't have papers.
> —Victor, Worker (translation from Spanish)

He eventually found an apartment in a complex where many Central American and

Mexican families live, but his frustration lingers.   Osvaldo is similarly upset and spent

almost 10 minutes of our 60-minute interview explaining how many problems this has

caused for him and his family:

> Living without [identification] you feel [pause] naked, you could say, because
> you     feel . . . real fear. You're afraid—it's not that you don't feel fear—you do.
> But what can you do?  You can't just not go to work.  You can't simply decide
> not to go out at all.  You're constantly afraid, but there's nothing to be done. We
> just keep going.
> —Osvaldo, Worker (translation from Spanish)

Osvaldo and Victor reveal emotional dimensions of the problem.  Angry and afraid, they

"just keep going."[105]

Some scholars have argued that by engaging in the most basic forms of social

participation, undocumented immigrants are engaged in the practice of citizenship and

receive some forms of recognition.  Sassen, for example, explains:

> The daily practices by undocumented immigrants as part of their daily life in the
> community where they reside—such as raising a family, schooling children,
> holding a job—earn them citizenship claims in the US even as the formal status
> and, more narrowly, legalization may continue to evade them.  There are
> dimensions of citizenship, such as strong community ties and participation in
> civic activities, which are being enacted informally through these practices.
> These practices produce an at least partial recognition of them as full social
> beings.[106] (2002, p. 12)

---

[105] Interview, Osvaldo (September 2009)
[106] Whether or not these practices ever produced—as Sassen claims—even "partial recognition"
of undocumented immigrants as "full social beings" is debatable.

While Sassen's description may have accurately described the situation for undocumented immigrants at the time of her writing, the current (2011) immigration regime has transformed even the most basic participation in society into a risky endeavor. If "raising a family" and "holding a job"—the daily practices of citizenship, according to Sassen—require one to drive while undocumented and risk detention and deportation, it is questionable whether these same practices still produce any recognition of undocumented immigrants as "full social beings" (Sassen, 2002, p. 12).

The restriction on driver's licenses and state IDs produced just such a problem for dual status families—that is, undocumented parents of children who are citizens by virtue of being born in the United States. Lilly, a program administrator at the county health department, was the first of my respondents to explain that undocumented parents were having difficulty obtaining the birth certificates of their U.S. citizen children. The issue had been discovered in a local community forum designed to examine the experiences of African Americans and Latinos in health care systems (sponsored by the state Department of Community Health). In 2009, undocumented immigrant women who had given birth at the local university hospital had been denied birth certificates for their babies. The explanation given to them was that because the mothers lacked state ID, the office of vital records refused to release the birth certificates to them.[107] In my interview with Barbara, an attorney who serves the Spanish-speaking immigrant population, she explained the mechanics of the problem:

---

[107] While I was unable to speak with any immigrants directly affected, the same problem was mentioned independently in my interviews with other service providers (Interview, Barbara, 2009; Interview, Lilly, 2009; Interview, Sarah 2009).

> We have several clients who have trouble getting birth certificates for their children because they don't have valid ID, picture ID. So even if you're the mom, if you don't have a valid picture ID, you can't go to vital records and get a copy of your [child's] birth certificate, so they'll call us [legal services] and say 'I don't know how to get a copy of the birth certificate,' and we'll try to, you know, help them figure that out. If you're the dad and you're not married, if you don't have a valid ID you can't even sign the paternity affidavit so that you're on the birth certificate. And a lot of people don't have valid IDs because they can't get driver's licenses anymore.
> —Barbara, Service Provider/Attorney

The previous examples illustrate the contours of exclusion as well as some of the material and social consequences for undocumented immigrants and their families. Respondents were forthcoming about their fear as anti-immigrant hostility was growing. My interview with Victor took place two days after President Obama's address to Congress about health care reform (on September 9, 2009) in which Congressman Joe Wilson shouted "You lie!" after Obama's comments about "illegal immigrants."[108] Victor had watched the (Spanish-language) news coverage of the event. He said to me, even before our interview began, "*Nos tienen tanto odio*." (Translation: "They hate us so much.") His comment, signaling his awareness of being a member of a group perceived to be undeserving, raises questions about the process through which excluded people are dehumanized. Barbara's comments, shared in the context of our interview, shed further light on this dilemma. Speaking about undocumented immigrants, she says:

> They are not like evil little cockroaches scurrying around the outskirts of our society, you know? They are people whose kids go to school with your kids and who need to go to work and who are here to work and they might not have valid documents but, you know, that doesn't mean that everything they do is against the law.
> — Barbara, Service Provider/Attorney

---

[108] Obama's comments were in the context of discussing health care reform. He said, "There are also those who claim that our reform will insure illegal immigrants. This too, is false—the reforms I'm proposing would not apply to those here illegally." (See Hulse, 2009)

Barbara is arguing that undocumented immigrants must be *rehumanized* by

acknowledging their participation in and connections to mainstream society.  They are

not "evil little cockroaches" but "people whose kids to go school with your kids."

Barbara reiterates the importance of social inclusion in making us fully human.  More

research is needed on the psychological and social processes through which

dehumanization occurs, but the analysis presented here indicates a process that

transcends simple discrimination.[109]  If exclusion is at the root of dehumanization (and

its consequences), inclusion and connection play central roles in *rehumanizing* members

of a marginal group (see Somers, 2008).  In describing the desired effects of the ESL

classes, supported by the MMWC, Linda explains that

> The [ESL] classes we offer help to create community, and so people come to class
> to learn English but they also have a good time with each other, and . . . it's a
> space where people feel like they're people, you know?  Not dogs or, you know,
> whatever.
>   —Linda, Service Provider

Linda's suggestion poignantly confirms that the experience of dehumanization is real.

Although she is talking about the desired result of a community intervention (ESL

classes), she reveals that undocumented immigrants are in need of a place "where [they]

feel like they're people . . . not dogs."

**Recognition and rehumanization through "compañerismo"**

  In Chapter 4, I suggested that one benefit of the *Know Your Rights* workshops

was providing a space where undocumented immigrants could talk freely about their

---

[109] See David Livingstone Smith (2011) for further discussion of hated groups are frequently
compared to animals

experiences, good or bad.  Further analysis revealed that the social support and coping

function of these workshops—and Worker Center meetings in general—should not be

under-estimated.  The Worker Center played an important role, operating as one of the

only spaces where individuals experienced a sense of belonging—a place where "they

feel like they're people," in Linda's words (see above).  Spanish-speakers talked about

"compañerismo," referring to the camaraderie, kinship, and togetherness they

experienced at Worker Center meetings.[110]  English-speakers, like Alejandra, discussed

the role of community and creating the possibility for mutual support among members:

> What I think was probably the best about those meetings, um—you know, this
> may not sound right, is the sense of community that there was around there . . . I
> think there was, at least my sense from the workers that there was a coming
> together, a sense of community, a sense of support, a place where they could
> come and even if there wasn't a solution to the problem, because I think for a lot
> of problems there weren't solutions, certainly as you know, we were talking about
> people's status, or even when the state changed the driver's license laws . . . I
> think there was a sense of support at those meetings.
>     —Alejandra, Volunteer/Attorney

Alejandra's comment suggests that when the Worker Center could not provide concrete

assistance ("for a lot of problems there weren't solutions"), participants benefited from

the social support.

I observed two complementary processes related to social support and inclusion.

First, the Worker Center connected undocumented immigrants directly to members of the

mainstream who were concerned about injustice.  Students, faculty, attorneys, clergy,

professionals, and community members often made up one-quarter to one-third of the

total numbers in attendance at a given monthly meeting.  As I discussed in Chapter 3,

---

[110] Sometimes interpreted as "comradeship" or "camaraderie," there is no precise translation for *compañerismo*.  In much of Latin America, the term indicates a quality of connection that goes beyond companionship, suggesting a political alliance and solidarity.

there were practical benefits to these connections.  Meetings were a place where Spanish-

speakers could find bilingual volunteers to help them with translation or interpretation.

Immigrant workers learned more about the legal and social service system and at times

gained access to specific services as a result of the relationships and knowledge.[111]  In

addition to these instrumental benefits, more than one respondent explained that the

numbers and variety of people who were interested was a motivation for them to attend.

Carlos (who is Guatemalan) continues,

> I met a lot of people—Mexicans, university students, really good people—and
> some important people who came to some of the meetings.[112]  And that—well, it
> made us that much more excited, and it gave us [pause] a little more motivation to
> keep coming back, because I felt like that was a big support for us.
> —Carlos, Worker (translation from Spanish)

Like Carlos, Guillermo—whose sons were deported in early 2009—was heartened to see

so many  "Americans" who took an interest in the situation facing undocumented

immigrants and their families. [113]

Students played a prominent role in every aspect of the organization, and

participants valued these connections with students especially.  "Something that made me

trust the Worker Center was that the majority of its main leaders were students," Carlos

said in our interview.  He explained that he had worked with student groups in his native

Guatemala, and that he generally felt that students were likely to be "on the side of the

---

[111] Future research should examine the transformative elements of these relationships for these
allies and professionals.  The scope of this project is limited to looking at the role of the Worker
Center in creating inclusion for a marginalized group.

[112] Carlos is referring to the MWC meeting where a candidate for Sheriff came to speak to
members about racial profiling.  At this meeting, the Sheriff presented his own perspectives on
how best to deal with police, and Carlos then spoke about his own experiences and observations
of how immigrant members of the community were treated by police.

[113] Latin American immigrants referred to non-immigrants as "Americanos."  This term can also
refer specifically to white ethnic populations in the U.S.

people." Whether or not his assumptions about the political leanings of these student activists was accurate, Carlos felt their enthusiasm and support. Students had performed the majority of the work to get the Center up and running, and they continued to play a crucial role in conducting outreach. In my interviews, seven of the 14 workers interviewed mentioned by name the student who had invited them to their first meeting or assisted them with a particular question or problem. Miriam (from El Salvador), explained that the nature of the relationships helped people to feel less isolated:

> People felt supported—you feel like, or—you don't feel quite so alone when there's a group that says, "We're with you, and whatever is going on, we'll support you ... We maybe can't solve every problem, but yes, we'll stand with you. We're not going to abandon you."
> —Miriam, Worker (translation from Spanish)

As the climate for immigrants worsened and the solutions became fewer, these connections were one of the only sources of support the Worker Center could offer.

A second and not entirely separate process involved the Worker Center's role in strengthening intra-community relationships among immigrants. Despite being in structurally similar situations and speaking a common language, Spanish, many of the participants in the Worker Center would not have developed relationships or turned to each other as a source of support.[114] Recalling the activities in typical meeting, Jaime describes the camaraderie he experienced and how it felt:

> We talked, we greeted each other, we played games, and we had—how should I say it?—there was a sense of brotherhood [*hermandad*]. And it felt good. You felt . . . protected. I don't know how to say it, but you felt something good.
> —Jaime, Worker (translation from Spanish)

---

[114] The Worker Center succeeded in bringing together different ethnicities and nationalities within the Latin American immigrant community. Participants came from Mexico, Guatemala, Honduras, Costa Rica, El Salvador, Chile, Colombia, and the Worker Center made efforts to encourage interactions across nationalities.

Lucia was among the workers elected to the Board of Directors in January 2007. Being

included in the deliberative process and decision-making about the organization

contributed to her experience of *compañerismo:*

> We spent a lot of time discussing things, then trying to agree on what else we would like to see the Worker Center do. I liked that . . . that sense of, I don't know, being able to help . . . And the *compañerismo* that we shared. That was really nice.
> —Lucia, Worker (translation from Spanish)

Osvaldo puts it in slightly different terms. The Worker Center created the conditions for

mutual support and collective identification:

> At the Worker Center, if you have papers or not—there, we're all equal, right? . . . It's not based on who has papers or who doesn't. It's simply that [pause] we're united. And always, being united, with more people, I've always thought . . . that when we're together, we're a lot stronger. If we're alone, we're powerless. We can't do anything when we're alone.
> —Osvaldo, Worker (translation from Spanish)

Osvaldo does not provide more specifics as to how being united makes the immigrant

community "a lot stronger," or what he means by "we can't do anything when we're

alone." But he is convinced that being together, and being treated as equals, makes the

community stronger and the possibilities greater. Victor shares Osvaldo's sentiments:

> For me, being a member of the [Worker Center] is like—it's like, we all benefit equally. It's like—it's a big support, like a great wall that can't be so easily knocked down.
> —Victor, Worker (translation from Spanish)

While fairly global, these comments signal the importance of democratic inclusion for

participants. For a population that is "fairly invisible"[115] and, according to their own and

---

[115] Interview, Barbara.

158

others' accounts, lives between "layers of silence and isolation,"[116] these connections

enhanced individual well-being.

But while participants benefited from the mutual support and "compañerismo,"

relationships alone are not sufficient to address the problems people were experiencing at

work or with law enforcement. In fact, one could argue that the safety and comfort people

gained from being a part of the Worker Center community functioned to help them

tolerate or *cope* with—rather than challenge—unjust conditions.[117] However, I want to

suggest an alternative: specifically, that what we are observing is a process through

which membership in a collective—based on exclusion from the mainstream—nurtures

their political subjectivity. They experience a type of *affective citizenship,* rooted in

feelings of belonging and a sense of solidarity. [118] Despite their precarious legal status,

immigrant participants saw themselves as "citizen-subjects" (Schaffer and Smith, 2004)

who were entitled to certain benefits and rights, including freedom of expression and

association.

In the remaining portion of this chapter, I explore aspects of how this

rehumanization occurs. As I have argued, the very act of coming together—

collectivizing the exclusion—was crucial. Containing elements of human rights

perspectives and values, the discourse of the Worker Center was also a key ingredient.

While the explicit content of MMWC meetings was focused on legal rights (as discussed

---

[116] Interview, Carmen.

[117] According to some critics, smaller "everyday" acts of resistance which fail to transform relations of power may undermine systemic change by "provid[ing] temporary relief" and "mak[ing] insufferable conditions tolerable" (Ewick and Silbey, 2003:1330). See also Handler, 2004.

[118] I am drawing on definitions of affective citizenship forwarded by Mookherjee (2005) and Fortier (2010), who explains the transformation from affective subject to citizen this way: "The 'affective subject' becomes 'affective citizen' when its membership to the 'community' is contingent on personal feelings and acts that extend beyond the individual self as well as beyond the 'private' realm of family and kin, but which are directed to the community" (Mookherjee, 2005, p. 22)

in Chapter 4), the Worker Center was also providing a platform for normative human rights.

**Human rights—movement toward political subjectivity**

The Mid-Michigan Worker Center never explicitly stated its orientation toward universal human rights, but each subpopulation in my sample expressed some variation on human rights logic, which I define as those rights based on *being human* and not tied to membership in a particular nation-state. Though not exhaustive, this section illustrates a range of perspectives from two different sets of actors: (1) immigrant workers and (2) organizers, volunteers, and allies.[119]

*Immigrant workers*

Immigrants may be more familiar than their U.S.-born counterparts with human rights perspectives, given that—outside of the U.S.—many other governments recognize and adopt human rights frameworks. The experience of migration, and having multiple frames of reference, may also lead immigrants to advocate for rights based on what they perceive to be just or moral rather than relying on the rights as specified in positive law. In my interviews with immigrant workers who were involved in the Worker Center, two themes emerged in their conversation about the origin and scope of their rights as workers and people.

The first theme, *shared humanity*, comes from a set of codes relating to instances where informants talked about their common conditions as human beings and the

---

[119] This subset of my sample (2) includes some immigrants who hold professional positions.

entitlements deriving from this connection.  Earlier in this chapter (see p. 110), I

recounted Osvaldo's frustration with the lack of dignity he experienced at work:

> It's one thing for them to pay us for the work we do, and it's another entirely for
> us to have to kneel at their feet.  It shouldn't be that way.  We're all human
> beings, we're all people.  And I think they need to recognize that we have equal
> value.
> —Osvaldo, Worker (translation from Spanish)

His frustration leads to a normative statement:  "*Todos somos humanos,*" he says

(Translation:  "We are all humans.").  To this shared humanity he attributes a position of

"equal value," entitling him and his coworkers to be treated with dignity.

Salomé expressed a similar view, that "as human beings, we have the same

rights."  Here she was talking about the benefits of the Worker Center as an intermediary

or advocate for workers:

> As a person, I think you have the right to say, at least, 'I need someone who can
> represent me,' or someone who—because truthfully . . . as a person, I think, as
> people, as human beings, we have the same rights.  I am a human, just like you—I
> eat, I bathe, I work, I can buy a house, a car.
> —Salomé, Worker (translation from Spanish)

Her explanation for this common set of rights is intriguing:  she points to the behaviors

related to basic physical needs ("I eat, I bathe, I work") but also suggests that the

common behavior of consumption ("I can buy a house, a car") indicates a shared human

condition and potentially a basis for laying claim to the same rights.

My last example comes from a conversation with Claudia, a restaurant worker

originally from Mexico who has been active in several Michigan Worker Centers,

including the MMWC.  Unlike previous examples, which ground human-ness in common

needs and desires, Claudia urges a return to a more fundamental understanding that neutralizes some of divisions between groups:

> Woman, man, black, white, lesbian, gay, heterosexual—these are all titles that we give ourselves, but I am a human being. I am a human being. That's the only title that matters.
> —Claudia, Worker (translation from Spanish)

Claudia's activist background and experience in social movements undoubtedly influences her argument which privileges being a "human being" above any other social identity. In these comments, she cements the claim to a common human experience.

A second theme, *transcending borders,* calls on individuals' understanding that certain rights and entitlements follow them as they migrate across national boundaries. Camilo shares the story of a time when his employers challenged his right to demand a raise:

> I do the same job as everyone else . . . even though I do the best work, [my employers] are always yelling at me, snapping their fingers at me. And once I asked for a raise. They just laughed and said, '*What do you mean asking for a raise—you don't have papers—why? You don't have that right.*' I said, '*Okay, well.*' But I think that I do have the right, whether I'm—if I'm Mexican, whatever, civil rights here or in my country, they're the same. Whether or not I have papers. But they just laughed—and never gave me a raise. And it was when I left—when I told them I was quitting, that's when they offered to give me a raise: '*We'll give you $650 more a month if you stay.*' I said, '*I don't believe you. Even if you gave me a thousand dollars, I wouldn't work here anymore.*'
> —Camilo, Worker (translation from Spanish)

Camilo's analysis reflects a belief that he has the same rights (what he refers to as "civil rights") in the U.S. as he would in his native Mexico. The denial of these rights—and the general indignities he suffered at this job—were a source of pain and humiliation. Like Camilo, who (at the end of the story) asserts his right to better treatment, Carlos also insisted that he doesn't have to accept abusive treatment on the part of his boss. Some of his friends have told him, "You just have to take it—just make do," but he resists, saying,

162

"I don't think it has to be that way.  Every person who arrives in a country has rights.  It doesn't matter how you got here."[120] Salomé arrives as a similar conclusion:  "I at least have the right to be listened to, if something happened.  At the very least, I have the right to be heard . . . *because I am here*."[121]  These examples illustrate popular expressions of cosmopolitan norms (Benhabib, 2004) and deterritorialized citizenship (Bosniak, 2007) of political and social theory.

*Organizers and allies*

Among organizers and allies, human rights discourse was more explicit.  *Shared struggle* and *responsibility* were among the most prominent themes.  Andrea, a volunteer and supporter of the MMWC, describes the current situation for undocumented immigrants:

> I think of it as a human rights issue . . . last I knew the Constitution says, 'We the people,' not, 'We the citizens.' Therefore, I feel that people who have their feet on this land deserve all the rights that anyone else is afforded. And I also understand that most of us are, have immigrant heritage, and that . . . all immigration is a struggle. To come across an ocean is a struggle, to come across a border is a struggle, but our ancestors were not barred from coming to this country, and the legal processes around that were not—were doable.
> —Andrea, Volunteer/Service Provider

Andrea's comments (like Salomé's, above) suggest that she sees rights as derived not from citizenship but from residential presence or "territoriality" (Bosniak, 2007).  She goes on to make the connection between today's immigrants and the immigrant family histories of U.S. citizens.   In talking about what she calls the "broken immigration

---

[120] Interview, Carlos (August 2009), translated from Spanish.
[121] Interview, Salomé (November 2009), emphasis mine, translated from Spanish.

system," she continues to explore the relationship between immigrants and citizens and the responsibilities emanating from those connections:

> Why are we responsible for that [broken immigration system] as Americans? Because as U.S. citizens, because our policies, our economic and political policies have very much helped to impoverish—to help the manifestation of the poverty that's happening in these, in these countries. Our NAFTA, and our CAFTA[122] policies have deregulated so much so that um you know big businesses have taken advantage of um of the markets and the small farmers are going out of business, and people are coming to this country because they can't survive, so you know, it's a big global issue. We all are responsible.[123]
> —Andrea, Volunteer/Service Provider

While Andrea sees a connection in the role of her government in structuring inequality, Alberto, a volunteer and activist, frames the issue in moral terms. He claims that the Worker Center operates from a "principle" of promoting the well-being of vulnerable people. In our conversations about the community legal education, I asked him to explain why he thought Worker Centers took on the task of educating people about their rights. He responds:

> Why intercede for a child that's being neglected, or abused, you know? If he or she is going to go back to being neglected and abused by the parent, or by foster care system? Why give money to the homeless if you don't know what he or she is going to do with it, you know? It's a matter of principle.[124]
> —Alberto, Volunteer/Service Provider

These analogies require unpacking. Comparing the Worker Center's role to that of a children's advocate (or Child Protective Services) suggests so many possibilities—first, that immigrants are powerless, in need of protection, and—legally—the equivalent of

---

[122] NAFTA refers to the North American Free Trade Agreement, implemented beginning in 1994. CAFTA refers to the Central American Free Trade Agreement.
[123] Interview, Andrea.
[124] Interview, Alberto.

164

disenfranchised minors. This comparison also suggests a compulsory quality to the intervention. Adults in positions of power have moral and sometimes legal obligations to report suspected abuse or neglect. For Alberto, the duty to act is similarly mandated for those who observe abuses toward undocumented immigrants. His second example is more enigmatic. "Why give money to the homeless if you don't know what he or she is going to do with it?" This comparison raises questions about paternalism in the role of helping vulnerable populations. By linking these two examples, and returning to what he calls the "principle," Alberto suggests that acting on behalf of this marginal group is simply the right thing to do.

Rodrigo, the coordinator for a Latino tutoring program, is more explicit in his framing of the issues. He offered several critiques of the specific activities of the MMWC but emphasized the importance of the struggle on behalf of undocumented workers:

> This whole fight is for human rights. The struggle to change the immigration laws, to stop the deportations and put—that [employers] would pay people for all of the extra hours that they work, or give them paid vacations, these are all human rights that everyone deserves . . . It's logical that you, as an active part of society—as someone who works, contributing 8-9-10 hours in your work life, etc., some things should just be guaranteed—things that right now seem incredible, like—for example, access to health care, or that your children can attend a good school, that you have enough food to eat. For me these are inalienable rights that everyone ought to have. These are human rights.
> —Rodrigo, Service Provider (translation from Spanish)

Rodrigo's comments explain his understanding of the basis for and substance of human rights. "As an active part of society—as someone who works," everyone deserves certain basic guarantees—health, food, work, safety and education for one's children.

165

While these sentiments were repeated by informants in every subgroup, the parameters of human rights remain ill-defined.  But this lack of a clear definition for human rights is only part of the problem.  Arendt would remind us that without *citizenship rights*—that is, without membership in and recognition by the nation-state as political subjects—human rights are precarious and unenforceable.  Arendt's skepticism about human rights, however, should be understood in the context of her writing.  Samantha Power, in a recent essay, suggests that Arendt could not have predicted that the widespread appeal of human rights would generate  a "resonance that has resulted more in the bottom-up promotion of human rights than the top-down protection envisaged in 1948" (Power, 2004, p. 9).[125]  Power's argument aside, human rights talk in the context of the Worker Centers does little to remedy the formal political exclusion of undocumented immigrants.  As the preceding examples illustrate, both workers and organizers expressed implicit—and sometimes explicit—commitments to human rights values.  This commitment functioned to reaffirm common human experiences, entitlements, and needs.  The MMWC facilitated a feeling of belonging and solidarity by strengthening relationships within and across communities.  Through this process of mutual support and an ethic of shared human suffering and resistance, the MMWC nurtured the political subjectivity of its members.

---

[125] Power notes that in 1975, the year of Arendt's death, Amnesty International had a budget of only $860,000: "Arendt could not have envisaged a day when a non-state entity like Human Rights Watch would spend more than $22 million per year, and would conduct its own rigorous field investigations to shame criminal officials, their abettors, and the world's bystanders" (p. 9)

**The need for social movements—institutionalizing the transformation**

While the process of rehumanization described in the previous sections was transformative for individual workers, this outcome falls short of the goals of institutional change set by the MMWC. Political subjectivity and the affective expressions of citizenship in the rights claims of participants are necessary but insufficient to bring about the desired changes—specifically, "to help [our community's] low-wage workers identify and advance their common interests . . . through organizing and collective action."[126] The MMWC is not part of a mass movement, but the growth of Worker Centers and their consolidation in national networks such as the Excluded Workers Congress point to another possibility: that Worker Centers are, for undocumented immigrants, today's "movement halfway houses" where marginalized groups come together for political formation. Aldon Morris (1994) described the movement halfway houses of the Civil Rights movements as "an established group or organization that is only partially integrated into the larger society because its participants are actively involved in efforts to bring about a desired change in society" (p. 139). He continues,

> What is distinctive about movement halfway houses is their relative isolation from the larger society and their absence of a mass base. This generally means that such groups are unable to bring about wide-scale change or disseminate their views to large audiences. Nevertheless, in their pursuit of change, movement halfway houses develop a battery of social change resources such as skilled activists, tactical knowledge, media contacts, workshops, knowledge of past movements, and a vision of future society. What they lack is broad support and a visible platform (Morris, 1994, pp. 139-140).

Morris argues that movement halfway houses, such as the Highlander Folk School (HFS), acted in synergy with a growing mass movement in support of civil rights. Through the citizenship schools, HFS provided a foundation for pulling together black leadership,

---

[126] Source: Oragnizational documents, MMWC funding proposal, 2006.

providing a visible model of integrated society, and developing trained staff and a mass education program (which was later adopted by the Southern Christian Leadership Conference).[127]

Today's Worker Centers are performing similar functions in providing spaces where undocumented immigrants and allies can come together to improve their situations. In the process, immigrant workers develop confidence and skills, as illustrated in the examples (in Chapter 3) of workers who were trained as organizers to conduct outreach and bring new workers into the organization. Worker Centers also ask participants to engage in critical analysis of current policies and to articulate the limitations of existing laws. Finally, Worker Centers provide the setting where undocumented immigrants recuperate a sense of themselves as rights-bearers and full human beings—a sense that is arguably threatened in the current political context. But in the absence of a mass movement like the emerging civil rights movement in the early 1960s, can Worker Centers be expected to bring about institutional change? My analysis suggests that while small, independent Worker Centers—like the MMWC—perform an important function, they lack the resources—specifically, the infrastructure and mass base of a social movement organization—to achieve lasting changes for an excluded group of workers.

The Excluded Workers Congress and other national organizations of Worker Centers suggest a more hopeful conclusion. While explicitly drawing on human rights principles and doctrine, these organizations are pursuing change at the national and even state level. In my interview with Ai-jen Poo, the former director of Domestic Workers United and now leader of the National Domestic Workers Alliance, she explained the

---

[127] See also McFadden, 1990.

connections between human rights and state legislation in the absence of citizenship

rights:

> The exclusion of domestic workers in the labor law . . . has played such a prominent role in the disenfranchisement of the workforce and the sort of dehumanization of the work force.  I think the legacy of slavery of that exclusion is a part of – makes this a real sort of human rights issue, about basic human dignity.  And so we thought that what we needed to do through this legislative effort was to assert the humanity of the work force and the sort of material necessity of the work, and that there should be comprehensive protections that recognize that.  So not only assert that it should be included, but actually assert its significance and the incredible injustice that has been . . . reflected in the exclusion over time.
> —Ai-jen Poo, National Domestic Workers Alliance

Before the Domestic Workers  Bill of Rights was passed, the almost exclusively female

immigrant workforce in this sector had fewer labor rights than virtually any other group

of workers.  DWU used human rights language to make the argument that *all workers*

deserve certain basic protections—and demonstrated that in the absence of these

protections, individual workers were vulnerable to extreme forms of abuse that could not,

under current law, be prosecuted.  The legislative victory operated in tandem with a more

important process:  the *rehumanization* of a racially and economically subordinated

group.

The examples discussed in this chapter have focused on undocumented immigrant

workers, but Worker Centers are also forming around the needs and struggles of

domestic, native-born workers.  For example, the New Orleans Worker Center for Racial

Justice (NOWCRJ) was founded in the aftermath of Katrina to address the exploitation of

trafficking of Indian guestworkers hired as welders and pipefitters in the shipbuilding

industry.  But the New Orleans organization quickly expanded to include other

vulnerable groups of immigrants and citizens alike.  Currently, NOWCRJ organizes three

populations—day-laborers, guestworkers, and homeless residents—"to build movement

for dignity and rights in the post-Katrina landscape"[128]  One of its projects, STAND for

Dignity, directly addresses the exclusion of native New Orleanians from mainstream

politics.  Its description states:

> As survivors, we believe unity and self-determination are our most viable
> solutions.  Now more than ever, when City, State, and Federal government have
> turned their backs, we believe grassroots leaders must come together to take
> collective action to change our condition.  We seek to transform all systems of
> exploitation and racism through organizing the power of the working poor.  To
> this end, we pledge to ensure the rights of workers and residents to return and
> recover.[129]

Whether or not poor people will ever achieve full recognition as citizens is debatable, but

these examples suggest that Worker Centers are an important new element in the social

justice ecosystem that links the struggles of excluded workers.  Alone, Worker Centers

are not enough—but they are creating openings for a pragmatic approach to

institutionalizing human rights—not through international treaties and courts but through

grassroots organizing with the goal of rehumanizing excluded groups through laws and

policy at every level.

---

[128] See New Orleans Worker Center for Racial Justice website:  http://www.nowcrj.org/
[129] STAND with Dignity, NOWCRJ website, retrieved on May 31, 2011 from
http://www.nowcrj.org/about-2/stand-with-dignity/

# References

Arendt, H. (1951). *The origins of totalitarianism.* New York: Harcourt Brace Jovanovich.

Benhabib, S. (2004). *The rights of others: Aliens, residents, and citizens*. Cambridge ;New York: Cambridge University Press.

Bernhardt, A., Milkman, A., Theodore, N., Heckathorn, D., Auer, M., DeFilippis, J., González, A. L., Narro, V., Prelshteyn, J., Polson, D., and Spiller, M.  (2009) *Broken laws, unprotected workers:  Violations of employment and labor laws in America's cities.*  Russell Sage Foundation.  Retrieved on May 31, 2011 from *http://www.unprotectedworkers.org/index.php/broken_laws/index*.

Bloemraad, I., Korteweg, A., & Yurdakul, G. (2008). Citizenship and immigration: Multiculturalism, assimilation, and challenges to the nation-state. *Annual Review of Sociology, 34*, 153.

Bobo, K. A. (2009). *Wage theft in America: Why millions of working Americans are not getting paid—and what we can do about it*. New York: New Press, Distributed by W.W. Norton & Co.

Bosniak, L. (2007).  Being here: Ethical territoriality and the rights of immigrants. *Theoretical Inquiries in Law, 8*(2), 3-389-410.

Bosniak, L. (2006). *The citizen and the alien: Dilemmas of contemporary membership*. Princeton, N.J.: Princeton University Press.

Brysk, A. (2002). *Globalization and human rights*. Berkeley: University of California Press.

Brysk, A., & Shafir, G. (2004). *People out of place: Globalization, human rights, and the citizenship gap*. New York: Routledge.

Coutin, S. B. (2000). *Legalizing moves: Salvadoran immigrants' struggle for U.S. residency*. Ann Arbor: University of Michigan Press.

Ewick, P., & Silbey, S. S. (2003). Narrating social structure:  Stories of resistance to legal authority.  *American Journal of Sociology, 108*(6), 1328-1372.

Ewick, P., & Silbey, S. S. (1998). *The common place of law: Stories from everyday life*. Chicago: University of Chicago Press.

Fine, J. (2006). *Worker centers: Organizing communities at the edge of the dream*. Ithaca, N.Y.: Cornell University Press.

Fortier, A.  (2010).  Proximity by design? Affective citizenship and the management of unease. *Citizenship Studies* 14:1: 17-30.

171

Gordon, J. (2004). *Suburban sweatshops: The fight for immigrant rights*. Cambridge, Mass.: Belknap Press of Harvard University Press.

Grey, M. A., Devlin, M., & Goldsmith, A. (2009). *Postville, U.S.A.* Boston, MA: GemmaMedia.

Handler, J. (2004). *Social citizenship and workfare in the United States and Western Europe: The paradox of inclusion.* Cambridge University Press.

Hulse, C. (2009). In lawmaker's outburst, a rare breach of protocol. *New York Times,* Sep. 9, 2009.

Levitt, P. (2001). *The transnational villagers*. Berkeley: University of California Press.

Mookerhjee, M. (2005). Affective citizenship: Feminism, postcolonialism, and the politics of recognition. *Critical Review of International Social and Political Philosophy, 8*(1):31-50.

Morris, A. D. (1984). The origins of the civil rights movement: Black communities organizing for change. New York: Free Press, Collier MacMillan.

McFadden, G. J. (1990) Septima P. Clark and the struggle for human rights. In Crawford, V. L., Rouse, J. A., & Woods, B. (Eds.), *Women in the civil rights movement: trailblazers and torchbearers* (85-97). Bloomington: Indiana University Press.

Poo, Ai-jen. (2010). Interview.

Power, S. (2004). The lesson of Hannah Arendt. *New York Review of Books.* April 29, 2004.

Sassen, S. (2002). Sassen, S. (2002). The repositioning of citizenship: emergent subjects and spaces for politics. *Berkeley Journal of Sociology, 46*, 4-26.

Schaffer, K., & Smith, S. (2004). *Human rights and narrated lives: The ethics of recognition*. New York: Palgrave Macmillan.

Smith, D. L. (2011). *Less than human: why we demean, enslave, and exterminate others*. New York: St. Martin's Press.

Somers, M. R. (2008). *Genealogies of citizenship: Markets, statelessness, and the right to have rights*. Cambridge, UK: Cambridge University Press.

Soriano-Castillo, E. (2011). Excluded workers, AFL-CIO build addition to the house of labor. *Labor Notes,* retrieved on May 31, 2011 from http://labornotes.org/blogs/2011/05/excluded-workers-afl-cio-build-addition-house-labor

Soysal, Y. N. (1994). *Limits of citizenship: Migrants and postnational membership in Europe*. Chicago: University of Chicago.

**CHAPTER 6**

CONCLUSION AND IMPLICATIONS:
NARROWING THE CITIZENSHIP GAP?

_____

The purpose of this dissertation is to examine Worker Centers as emerging sites for

social and political resistance for undocumented immigrants and their allies. Using data

from a qualitative case study of the Mid-Michigan Worker Center (MMWC), I analyzed

the formation of the MMWC and key moments in the organization's history and explored

how the dramatic increase in immigration enforcement influenced the MMWC's form

and function.  No single case produces conclusions that apply uniformly to the large,

growing, diverse population of Worker Centers in the United States.  My findings have

implications for future research on Worker Centers as well community practice by

advocates, organizers, and service providers.

*Summary of findings*

Each of the three main chapters addresses an empirical or theoretical dilemma.  I

begin by tracing the organization's trajectory during its first two years, 2006-2008.  Over

this period, the MMWC struggled to balance its leaders' desire for it to be an "organizing

organization" with the reality that immigrant worker members want and need individual

services. In the MMWC, this tension is a productive one, and my analyses demonstrate that, in contrast with some prevailing views, organizational hybridity—that is, combining social change and social services—is an effective and ethical response. While not without its pitfalls, this kind of hybridity shows promise for social change organizations working with vulnerable populations who are excluded from mainstream supports.

Examining one of the key interventions offered by the MMWC, "Know Your Rights" workshops, I conclude that rights consciousness and empowerment training may have results that are counter-productive. While the workshops are designed to encourage individuals to assert their rights, my data suggest that participants' interpretations of the pedagogical content does not map onto the intended goals. Two central problems are identified: (1) As a result of the "critical analysis of rights"[130] taking place during the workshops, some workers may overestimate their rights and act in ways that puts them at risk. (2) In offering technically correct information about positive law and rights, the workshops fail to address the reality that law is indeterminate—that is, we cannot predict the ways in which the laws will be applied or enforced. Moreover, the rights workshops failed to account for the social context, which became increasingly hostile to undocumented immigrants during this research, and how it shaped the possibilities for mobilizing rights. My findings add to the ongoing debate about the utility of rights for disenfranchised groups.

Building on the notion of citizenship as "the right to have rights" (Arendt, 1951), Chapter 5 explores the dilemmas of exclusion and rightlessness in the context of the MMWC's advocacy and organizing. Drawing on Arendt (1951) and Somers (2008), my analyses confirm the danger of being excluded from citizenship rights. Through various

---

[130] Interview, Kim, Volunteer/Attorney

forms of exclusion, undocumented immigrants are at risk of being dehumanized as the dominant society increasingly refuses them recognition as social beings deserving of the full range of rights. In the face of this exclusion, the MMWC creates conditions for workers and organizers to engage in resistance. They resist dehumanization by asserting their human rights and basic entitlement to human dignity. In the absence of institutional power, these sentiments have little traction legally and will not substantially transform the basic conditions of undocumented immigrants' lives. However, networks of Worker Centers have been able to consolidate resources and win concrete victories, such as the passage (in 2010) of the Domestic Workers' Bill of Rights in New York State.

This project identifies and explores key elements in the situation undocumented workers and an organizational form that has emerged to address that situation. The data presented here depict only a partial picture of the MMWC and further collection and analyses may elaborate and test these conclusions. With this caveat in mind, we can conclude that Worker Centers are important sites of resistance and spaces where undocumented workers are achieving some recognition as political subjects. As dynamic, new organizations that are less constrained by organizational histories, tradition, and forms, they are well-positioned to push the boundaries and enact creative responses to contemporary problems.

*Implications for research and practice*

One of the many questions relates to the durability of Worker Centers as organizations: Are Worker Centers a lasting element of the social and community infrastructure? Or are they ephemeral? As a low-resource community-based

organization, the MMWC struggled throughout its short history to remain viable.  Like

any organization, the MMWC experienced highs and lows in funding support and

community interest.  Its configuration as a volunteer-run organization with no dedicated

staff or office is a symptom of its lack of an institutional base.  Despite this

precariousness, at this writing, the MMWC continues to exist after following several

different trajectories.  Since 2010, the MMWC has allied itself with two national

networks, and its focus is two-fold:  (1) organizing and supporting domestic workers, and

(2) assisting workers who have experienced wage theft from employers. That the

MMWC has survived for five years, however, does not answer the question of longevity

or permanence; however, the MMWC's history, development, and survival in this short-

term prompt another set of questions:  Will Worker Centers, in their current

configuration, achieve the institutional change goals they set for themselves?  Similarly,

what kinds of Worker Centers are most likely to prosper and grow?

My analyses and reflections lead me to conclude that the MMWC—a local,

independent, and small Worker Center—performed a crucial function in terms of raising

issues publicly and shaping community conversation about the mistreatment of

undocumented workers.  It also provided the space and conditions for undocumented

immigrants to share in and transform the experience of exclusion into something more

positive.  At the same time, the MMWC was limited in its ability to change the behaviors

of employers or press for better enforcement of labor laws.  I am not suggesting that the

benefits of the MMWC were only psychological.  I am inspired by the analysis of Ai-jen

Poo, a national leader of domestic workers organizations.  Here she explains the different

contributions of Worker Centers of varying sizes and types:

People often frame workers centers as sort of unstrategic and scrappy and small in scale . . . that's probably true of some Worker Centers, but I think that—that there are probably reasons for why Worker Centers evolve in different ways and I think that they're all pretty different.  But I also think that there are a whole bunch of Worker Centers that are really strategic and intentional about their organizing and are able to have a real impact in things that are . . . both things that are very concrete and measurable and things that are less.  Like shifting the debate, changing the way people understand certain kinds of workers or certain work.  You know, I think there have been a lot of outcomes of this work that have been less [pause], that have been undervalued that I think are very valuable.  (Poo, 2010).

This explanation of the different kinds of Worker Centers resonates with my analyses.  Although the data presented here do not focus on the public education impact of Worker Centers, it is evident that the MMWC  "shift[ed] the debate," in Ai-jen Poo's terms, for immigrant workers, their allies, and for other community members.   Future research should consider measuring the impact of Worker Centers on the communities in which they work.  Specifically, how do Worker Centers transform the public discourse and consciousness around the issues of work and immigration?[131]

The stories of the Excluded Workers' Congress and Domestic Workers United presented in Chapter 5 reveal the capacity of larger, sectorally-focused organizations to bring about change.   I do not, however, want to endorse the binary of Worker Centers as either "unstrategic and scrappy and small" or "strategic and intentional . . . and . . . able to have an impact" (Poo, 2010) nor do I want to overstate the importance of the national network at the expense of the local organization.  One national labor leader I interviewed

---

[131] *Postville, U.S.A.: Surviving diversity in small town America* (Grey et al., 2009) provides an excellent example of how communities are changed both by immigration and organizing in support of immigrants.  This social history is written about the community of Postville, Iowa, following the raid of a meat-packing plant which resulted in the arrest of over 300 Guatemalan immigrant community members on May 12, 2008.

explained that while they have been effective, national networks alone are not enough. Just as the local union is the heart of the national or international union, the local Worker Center must be a vital, democratically run organization for the national network to have any influence. He explains: "The [national] networks aren't just about being able to project the voice of workers on the ground—it's also about bringing resources to local centers to build capacity."[132] Resources can include hiring staff, coordinating joint training programs, and providing the structure for conversations about strategy and long-term goals. As I argue in Chapter 5, the national networks provide the social movement infrastructure to work with the smaller Worker Centers and connect their members to a broader, institutionalized struggle.

While Worker Centers are an important part of the institutional landscape for excluded workers, their effect on the growing "citizenship gap"—the limbo experienced by undocumented immigrants who lack legal standing where they live and work—is minimal. Worker Centers nurture the political consciousness of members but do not address their exclusion from the most fundamental right of all: "the right to have rights" (Arendt, 1951; Somers, 2008). Despite this empirical reality, these analyses raise important theoretical issues and questions about the contours of citizenship in global society. For example, how does the experience of internal statelessness in a contemporary North American context influence the mechanisms for resistance on the part of the stateless? And what lessons can U.S. community organizations learn from the experiences of stateless populations in the European Union? Unlike previous studies of noncitizens organizing for change (e.g., Soysal, 1994), undocumented immigrants in the MMWC did not call on supranational entities (e.g., the Inter-American Court on Human

---

[132] Interview, national labor leader, 2010.

Rights) or international human rights doctrine (e.g., the Universal Declaration of Human Rights) in asserting their rights.   What, then, can Worker Centers tell us about deterritorialized and postnational expressions of citizenship for undocumented immigrants in the U.S.?  Future research should examine these theoretical concerns and engage with the growing sociology of rights (see, for example, Somers and Roberts, 2008).

In addition to these questions, subsequent research on Worker Centers should address (1) questions relating to effectiveness of the MMWC as an organization, (2) the role of power and privilege, both internally—within the leadership—and externally, among leadership and community members, funders, and supporters, and (3) issues of gender, race, and intersectionality.  In the future, I hope to engage some of these research questions and introduce participatory methods to the study of Worker Centers.  Applying the principles of Community Based Participatory Research (Wallerstein & Duran, 2008), such a project could be mutually beneficial—by generating new knowledge of Worker Center while also developing the skills and leadership of community members.

At this point, we can think of Worker Centers as necessary but insufficient to bring about the desired changes for undocumented immigrant workers.  It is unclear which Worker Centers, if any, will be permanent features of the labor movement and social service system.  As Fine wonders in the introduction to her book, are Worker Centers simply a "port in the storm"—a place for vulnerable workers to gain assistance and orientation (2006, p. 6)?  We cannot predict their future, but today's Worker Centers are signaling an important change—specifically, that immigrant workers are organizing in spite of their exclusion.  In personal communication a national labor leader (who is

affiliated with immigrant workers' organizations) stated that Worker Centers are "not waiting for unions to organize them. If the law excludes them, they'll find a way to change the law. If the law isn't being enforced, they'll figure out a way to enforce it."[133]

Illustrating this point are recent actions by the National Guestworkers Alliance (NGA). Originally a project of the New Orleans Worker Center for Racial Justice, NGA represents guestworkers who come to the U.S. on temporary visas. The conditions of their legal residence ties them to a single employer, and, as a result, they have very limited rights. In May 2011, NGA helped organized groups of guestworkers file lawsuits against seven employers for violations of workers' rights.[134] Violations ranged from breach of contract, failure to pay minimum wage, and retaliation to racketeering, human trafficking, psychological coercion, and assault and battery. This litigation includes one suit brought by the Equal Employment Opportunity Commission against Signal, International—a shipbuilding firm—accused of discriminating against Indian guestworkers on the basis of race and national origin.[135]

"Who [sic] does the migrant maid call when she is assaulted or exploited?" (Brysk and Shafir, 2004, p. 209) This question, asked rhetorically by Brysk and Shafir in *People out of Place*, is meant to illustrate their conclusion that existing institutions are insufficient to guarantee the human rights of people, like the "migrant maid," who fall into the citizenship gap. Without robust enforcement mechanisms, global citizenship and human rights will remain an aspiration. My analysis leads me to a similar, but qualified,

---

[133] Personal communication with national labor leader, May 2012.
[134] For a list of lawsuits filed on behalf of NGA workers in May 2011, see http://www.guestworkeralliance.org/category/litigation/
[135] All workers, including undocumented workers and guestworkers, are protected under Title VII of the Civil Rights Act. For more information on the EEOC v. Signal case, see http://www.guestworkeralliance.org/2011/05/eeoc-v-signal-international-llc/

conclusion about Worker Centers. "Scrappy and small" (Poo, 2010), the MMWC did its best to facilitate empowerment of undocumented immigrants but failed to provide a long-term solution—that is, concretely improved positions for its members. Worker Centers may not provide the institutional "levers of accountability" (Brysk and Shafir, 2004, p. 209) needed by undocumented immigrant workers to vindicate their human rights. However, given the dispersion of Worker Centers and their networks,[136] I suggest a new answer to Brysk and Shafir's question: Who does the migrant maid call when she is assaulted or exploited? For the moment, she calls a Worker Center.

---

[136] As of 2011, the National Domestic Workers' Alliance includes over 30 different Worker Centers of domestic workers in California, New York, Massachusetts, Florida, Michigan, Maryland, Texas, and Colorado

# References

Arendt, H. (1951). *The origins of totalitarianism.* New York: Harcourt Brace Jovanovich.

Brysk, A., & Shafir, G. (2004). *People out of place: Globalization, human rights, and the citizenship gap*. New York: Routledge.

Grey, M. A., Devlin, M., & Goldsmith, A. (2009). *Postville, U.S.A.* Boston, MA: GemmaMedia.

Poo, Ai-jen. (2010). Interview.

Somers, M. R. (2006). Citizenship, statelessness and market fundamentalism: Arendtian right to have rights. In Bodemann, Y. M. & Yurdakal, G. (Eds.), *Migration, citizenship, ethnos* (35-62). New York: Palgrave Macmillan.

Somers, M. R., & Roberts, C. (2008). Toward a new sociology of rights: A genealogy of 'buried bodies' and citizenship rights. *Annual Review of Law and Social Science, 4*, 385-425.

Wallerstein, N. & Duran, B. (2008). The theoretical, historical, and practice roots of CBPR. In Minkler, M. & Wallerstein, N. (Eds.), *Community-Based Participatory Research for Health* (25-45). San Francisco: Jossey-Bass.

*I'd like to begin by ι*

Where are you from
How long have you ___ __ _____.
Why did you decide to immigrate to the U.S.?
What kind of work do you do now?

What other work have you done before your current job?

Do you have family here?

What do you think are the biggest challenges or problems experienced by immigrants in our community?

What is the biggest problem faced by immigrants in the workplace?

*Other trusted institutions*

Since you arrived in Michigan, I want you to think about the different groups or persons to whom you went for help with problems.  Where did you go?  How did they help you?

Where would you go – or who would you talk to – if you had a problem at work?

*The next few questions focus on your experiences in the Worker Center.*

*Getting involved in WCWC:*
How did you first get involved in the Worker Center?  Do you remember who told you about the first meeting?  What did they say?

What were your first impressions of the Worker Center meetings?

What were the biggest successes of the Worker Center?

What did the Worker Center do well?

Did you ever receive help with a specific problem from Worker Center volunteers?  *Tell me that story.*

What were the benefits you or others received from the Worker Center?

(to people who remained active)  You participated in a great majority of the meetings of the WC. What kept you coming back?

Why did undocumented workers come to trust the Worker Center? Why should they have trusted the WC?

Was there ever a time when you used the information or skills you learned in a WC meeting to solve a problem at work or in the community?

Did you ever share the information from a Worker Center meeting with friends or family members? If so, what did you say about the Worker Center?

Did you ever invite someone to participate in the Worker Center or attend the meetings? What did you say?

What were some things that you wish the Worker Center had done better or differently?

What are the biggest unmet needs in the community?

*Opening, or getting in the* ̄
Hi, I'm (your name) and thi̶                                                          ▮ Workers'
Center, a new group that is                                                          ork.

Do you work here in ▮?

*(Wait for reply)*

\*\**Questions to draw people out about their experiences*\*\*
Where *do* you work?  What kind of work do you do there?
How has that experience been for you at (X) job?

*Talking about the workers' center*

A workers' center is a place where workers and community supporters come together to solve problems
at work.

For example, the ▮▮▮▮▮ Workers' Center could
   • educate people about their rights at work
   • provide free legal help for people who get treated wrong at work
   • help people find out what companies are hiring and keep records about what companies have
     violated workers' rights in the past
   • teach ESL classes
   • refer people to trustworthy lawyers for non-work problems like immigration issues

Which of these activities would you be most interested in participating in?

Are there other things you think the worker center should do?

*Asking for their participation and commitment:*

The workers' center only can do these things if people participate.
*Are you willing to come to a meeting on October 14 at  2 p.m. at the* ▮▮▮▮▮▮
▮? \*\*at this point, give them the **flyer**\*\*

*Transportation/Location:*  Do you know where the church is? Here's the address and the map - do you
know where that is?  Do you have transportation or do you need a ride?

*Phone number:*  What's your phone number so we can call and remind you before the meeting?
*Inviting their family/friends/coworkers:*   Are there other people you can tell about this meeting? Who?
Do you need flyers for them?

*Childcare:*  Will you need childcare at the meeting?   How many kids would you bring, and how old are
they?  **THANK YOU, See you on Oct. 14!**

\*\**Write up any more notes, move onto next door*\*\*