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# Transnational Activism in North America

*Edited by* Laura Macdonald · Christina Gabriel ·  
Jeffrey M. Ayres




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ISSN 2662-2483                      ISSN 2662-2491 (electronic)  
International Political Economy Series  
ISBN 978-3-031-95815-1              ISBN 978-3-031-95816-8 (eBook)  
<https://doi.org/10.1007/978-3-031-95816-8>

This work was supported by Carleton University and the Social Sciences and Humanities Research Council of Canada.

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## ACKNOWLEDGMENTS

The editors of the volume would like to thank the Social Sciences and Humanities Research Council of Canada (SSHRC) for the Insight Grant (Grant number 435-2017-087), which funded much of the research and analysis and contributed to the production of this volume. The researchers funded under this program were the three editors, as well as Eduardo Mendoza Cota and Hepzibah Muñoz Martínez, who were essential members of the team. We appreciate the support of Kathleen Staudt, Raúl Pacheco-Vega, and Kimberly Nolan, who provided helpful comments and feedback on the project. We are also grateful for the award of an SSHRC Connections grant (Grant number 611-2022-0344), which funded a workshop held in Ottawa in May 2023, where these researchers and some other invited scholars and activists presented their draft chapters that resulted in this edited collection. We thank everyone who participated in the workshop for their helpful comments and feedback.

We also thank Carleton Political Science Ph.D. students James Patriquin and Rafael Palma Mungoli, who provided essential support to the workshop and the research project. Thanks to Delaram Arabi, who provided essential assistance with editing the manuscript. Thanks to Carlisle Froese for providing the index. We appreciate support from Carleton University's Faculty of Global and Public Affairs, particularly Kyla Reid, who provided incredible support for our research proposals.

Finally, we also thank the Canadian Centre for Policy Alternatives (CCPA), Stuart Trew, Senior Researcher at the CCPA who provided

important support to the workshop, and Trish Hennessy, the Editor of the CCPA publication *The Monitor*, who edited a special section of the October 2024 edition of *The Monitor* that included contributions from some of the authors in this collection.

# PRAISE FOR *TRANSNATIONAL ACTIVISM IN NORTH AMERICA*

“As the top-down North American economic regional integration project begun decades ago deteriorates in the face of US tariffs and threats to Canadian and Mexican sovereignty, this timely collection reveals the alternative, bottom-up building of multi-scalar transnational activism for labor, indigenous, migrant, women’s, human, and ecological rights across the region.”

—Anne Sisson Runyan, *Professor Emerita, School of Public and International Affairs, University of Cincinnati, USA*

“Transnational activism is a critical part of the North American regional landscape, compensating in many ways for the dearth of institutions forged under the auspices of NAFTA and more recently the US-Mexico-Canada Trade Agreement. As Trump-induced fractures of the North American region continue over the coming years to undermine prospects for cooperation, this book highlights how transnational civil society initiatives will be critical to the character and endurance of regional ties that can benefit people and communities across Mexico, the United States, and Canada.”

—Eric Hershberg, *Professor Emeritus, Department of Government and Center for Latin American and Latino Studies, American University, Washington, DC*



“This important edited collection includes analysis from leading experts who are referred to by activists who are the forefront of struggles for a more progressive and truly fair trade regime in North America. Social activism has been immensely rich since the beginning of the negotiations of NAFTA in the early nineties, and this book represents a great effort to document and relive many of these experiences, from the viewpoint of progressive actors. This analysis should support upcoming struggles, precisely in one of the most complex times of the relationship between our three countries.”

—Manuel Perez Rocha, *Associate Fellow, Institute for Policy Studies in Washington, Associate of the Transnational Institute (TNI) in Amsterdam, and regular contributor to Mexican newspaper La Jornada*

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## LIST OF ACRONYMS

ACN	Action Canada Network
AFL-CIO	American Federation of Labor-Congress of Industrial Organizations
AFSC	American Friends Service Committee
AMLO	Andrés Manuel López Obrador
APG	Americas Policy Group
AWA	Agricultural Workers Alliance
BIP	Border Industrialization Program
BÚSCAME	Searching for the Disappeared Mexico
CATEM	Confederación Autónoma de Trabajadores y Empleados de México
CAW	Canadian Auto Workers Union
CBP	Customs and Border Protection
CDM	Centro de los Derechos del Migrante, Inc.
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CERB	Canada Emergency Response Benefit
CFO	Border Committee of Female Workers/Comité Fronterizo de Obreras
CIDE	Centro de Investigación y Docencias Económicas (CIDE)
CILAS	Centro de Investigación Laboral y Asesoría Sindical
CJM	Coalición Pro Justicia in las Maquiladoras
CMDPDH	Mexico's Commission for the Defense and Promotion of Human Rights
Comexi	Mexican Council of Foreign Relations
CONOCER	Mexican government's educational certification agency

CROC	Revolutionary Confederation of Workers and Peasants
CSO	Civil Society Organization
CTM	Confederación de Trabajadores de México
CUSFTA	Canada-United States Free Trade Agreement
CUSMA	Canada-US-Mexico Agreement
DHS	Department of Homeland Security
ESDC	Employment and Social Development Canada
EU	European Union
FAT	Frente Auténtico del Trabajo
FTA	Free Trade Agreement
GAC	Global Affairs Canada
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GEMA	Género y Empoderamiento de la Mujer para la Acción
IACHR	Inter-American Court of Human Rights
ILC	Interagency Labor Committee
IMF	International Monetary Fund
IMSS	Instituto Mexicano del Seguro Social
INAMI	Instituto Nacional de Migración
INEGI	National Institute of Statistics and Geography
IRCA	Immigration Reform and Control Act
ISDS	Investor-to-State Dispute Settlement
ISF	Immigration Services Funding
IUF	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations
LAWG	Latin America Working Group
LMIA	Labor Market Impact Assessment
LMM	Labor Movement of Matamoros
LSOM	Liga Sindical Obrera Mexicana
MAWs	Migrant Agricultural Workers
MEIF	Mecanismo Extraordinario de Identificación Forense
MMIWG	Missing and Murdered Indigenous Women and Girls
MORENA	Movimiento de Regeneración Nacional
MPJD	Movimiento por La Paz con Justicia y Dignidad or Movement for Peace with Justice and Dignity
MPP	Migrant Protection Protocols
MWAC	Migrant Workers Alliance for Change
MWHEWG	Migrant Worker Health Expert Working Group
NAALC	North American Agreement on Labor Cooperation
NACEC	North American Commission for Environmental Cooperation
NACLK	North American Commission for Labor Cooperation
NAFTA	North American Free Trade Agreement
NALS	North American Leaders Summit



NAOs	National Administrative Offices
NEB	National Energy Board
NGO	Non-Governmental Organization
NOW	National Organization for Women
OECD	Organization for Economic Co-operation and Development
OHCOW	Occupational Health Clinics for Ontario Workers
PAN	Partido Acción Nacional
PMPJ	People's Movement for Peace and Justice
PRD	Partido de la Revolución Democrática
PRI	Partido Revolucionario Institucional
PSF	Pueblo Sin Fronteras
RQIC	Réseau Québécois contre l'Intégration Continentale
RRLM	Rapid Response Labor Mechanism
SAWP	Seasonal Agricultural Worker Program
SEIU	Services Employees International Union
SERAPAZ	Servicios y Asesoría para la Paz A.C.
SINTTIA	Sindicato Independiente Nacional De Trabajadores Y Trabajadoras De La Industria Automotriz
SITPME	Sindicato Industrial de Trabajadores en Plantas Maquiladoras y de Exportación
SJOIIM	Sindicato de Jornaleros y Obreros Industriales y de la Industria Maquiladora
SNB	National Search System
SNITIS	Sindicato Nacional Independiente de Trabajadores de Industrias y de Servicios
SPP	Security and Prosperity Partnership
STIMIN-CTM	Sindicato de Trabajadores de la Industria Maquiladora de la Industria de Nacional de Accesorios y Maquinaria Pesada y de la Manufactura de Muebles Metálicos de Coahuila CTM
T-MEC	Tratado entre México, Estados Unidos y Canadá
TFWP	Temporary Foreign Worker Program
TPP	Trans-Pacific Partnership Agreement
TTIP	Transatlantic Trade and Investment Partnership
UAZ	Universidad Autónoma de Zacatecas
UE	United Electrical, Radio and Machine Workers of America
UFCW	United Food and Commercial Workers Canada
UNAM	Universidad Nacional Autónoma de México
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNS	United Nations System
USAID	US Agency of International Development
USMCA	United States-Mexico-Canada Agreement

USTR	U.S. Trade Representative
USW	United Steelworkers
WOLA	Washington Office on Latin America
WTO	World Trade Organization



## CHAPTER 1

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# Introduction: Transnational Activism in North America

*Laura Macdonald, Christina Gabriel, and Jeffrey M. Ayres*

The North American region has gone through a tumultuous period in the last couple of decades, with multiple overlapping forms of vulnerability and anxiety, as well as diverse forms of civil society interventions and social movement mobilizations. On the one hand, the re-negotiation of the North American Free Trade Agreement (NAFTA), U.S. President Donald Trump's threats to build a wall at the U.S.–Mexico border, the COVID-19 pandemic, and continued restrictions on migrant mobility throughout the region have disrupted supply chains and endangered workers and upended the lives of migrants and refugees throughout the region. At

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L. Macdonald et al. (eds.), *Transnational Activism in North America*,  
International Political Economy Series,  
[https://doi.org/10.1007/978-3-031-95816-8\\_1](https://doi.org/10.1007/978-3-031-95816-8_1)

the time of the writing of this introduction following Trump's inauguration for his second term in January 2025, the combination of multiple social media posts and interviews where Trump has mused on the desirability of Canada becoming the 51st state, his on again off again threats to impose tariffs on both Canada and Mexico, and escalated threats around deportation of undocumented migrants in the U.S., have tested severely the bonds between the three countries established over the course of several decades of continental integration. On the other hand, new forms of activism supportive of migrant rights emerged during and since Trump's first term along the Canada–U.S. and U.S.–Mexico border, and the renegotiated NAFTA, the United States–Mexico–Canada Agreement (USMCA),<sup>1</sup> contains new provisions on environment and labor rights, which has provided opportunities for civil society activism. Trump's new threats during his second term could also give further rise to new forms of transnational solidarity and cross-border cooperation, although he may succeed in fostering divisions.

This volume studies, from diverse perspectives, the implications of recent changes in the North American region for generating new forms of national, binational, and trinational activism in a range of areas, including labor, migrant rights, and human rights activism. In turn, we also compare the opportunities and constraints on transnational activism across these sectors, providing insights into the conditions of globalization and transnational contestation in the twenty-first century.

In an earlier volume edited by Jeffrey Ayres and Laura Macdonald (2009a), contributors studied forms of transnational contentious politics (Tarrow, 1996, p. 874) in the North American region. They sought to challenge much of the literature on North American regionalism,, which focused overwhelmingly on the role of elite actors, whether states or private firms, in driving integration, and which overlooked the role played by actors located in civil society. They showed how citizen groups from Canada, the U.S., and Mexico have “contested the exclusionary model that marked the NAFTA negotiation process, and have demanded greater attention to transparency, legitimacy and representation” (Ayres & Macdonald, 2009b, p. 10). During the post-NAFTA period, some civil society actors engaged with the environmental and labor institutions established in the side agreements to the NAFTA, the North American

<sup>1</sup> The agreement is formally known as the Canada–United States–Mexico Agreement in Canada and the Tratado entre México, Estados Unidos y Canadá (T-MEC) in Mexico.

Commission for Environmental Cooperation (NACEC), and the North American Commission for Labor Cooperation (NACLCL). Other civil society organizations (CSOs) were less focused on the NAFTA agreement and its associated institutions and engaged in more informal and diverse forms of transnational cooperation and collaboration.

If history had followed the teleological destiny predicted by some early theorists of regionalism, we might have seen a deepening form of regional integration that led to higher levels of political, social, and economic cooperation and stronger institutions with more space for civil society participation (Macdonald, 2023; Pastor, 2011). In contrast, the form of regionalism that was promoted in North America was heavy on economic integration and perpetuated the dominance of the U.S. in the region. In this context, civil society actors in the three countries have still reached out to counterparts across borders to cooperate around common challenges, but, as some contributions to this volume show, their forms of interaction have not necessarily been regional in scale, and are often intermittent, informal, and more localized. At the same time, the neoliberal project, which NAFTA exemplified, has faced challenges not just from progressive but also from far-right individuals and groups, and may be unravelling in the current moment, posing new challenges for CSO cooperation.

This volume provides essential analysis to understand the changing contours and dynamics of transnational activism in the North American region in the period leading up to the re-election of Donald Trump, up to the beginning of his second non-consecutive term in November 2024. It is the outcome of a research project funded by the Social Sciences and Humanities Research Council of Canada that brought together researchers, including the three co-editors of this volume, from Canada, the U.S., and Mexico, to analyze the recent evolution of transnational activism in the North American region, with a focus on labor rights, migrant rights, and human rights in Mexico.

## CONCEPTS AND DEFINITIONS

Scholars focusing on transnational activism emphasize the importance of cross-border mobilization. These forms of activism have taken on greater salience in the face of the growth of multilateral organizations, international institutions such as the World Trade Organization (WTO), and the emergence of regional trade agreements such as NAFTA. With these

changing shifts in the locus of power, as della Porta and Tarrow (2005) observe, came the expansion of transnational collective action, which they define as “coordinated international campaigns on the part of networks of activists against international actors, other states or international institutions” (p. 2). They draw our attention to three processes that characterize transnational activism: “*diffusion*, ... the spread of movement ideas, practices, and frames from one country to another; *domestication*, ... the playing out on domestic territory of conflicts that have their origin externally; and... *externalization*... the challenge to supranational institutions to intervene in domestic problems or conflicts” (della Porta & Tarrow, 2005, p. 2, emphasis in original). Similarly, campaigns have been characterized as transnational based on how transnationalism finds expression in activist campaigns whether as “transnational *sources* of problems, transnational *outcomes*, and transnational *processes* of collective action” and “just one of these elements is required to make activism transnational” (Khagram et al., 2002, emphasis in original, as cited in Ford, 2022, pp. 170–171). Consequently, it has been observed that advocates participating in transnational activism perceive they are part of cross-border struggles even when they are not directly involved with their counterparts at different scales or different national contexts (Ford, 2022, p. 171).

Jean Grugel (2004) argues, however, that civil society activism is shaped by a variety of actors, including the state, and secondly, that it is problematic to consider the line between “national” and “transnational” forms of activism as fixed (p. 38). But additionally, national contexts within North America are marked by unequal distributions of power and wealth. This point is particularly salient as there are considerable differences between the member states of North America, with the United States dominating trade and investment relations between the three states. Transnational activism is not innocent in this context, and to some extent reflects these power differentials, even if many activists may attempt to bridge these divides and fight against power imbalances.

Probing transnational activism prompts us to consider the dynamics of scale and scale shifting. Conceptualizations of geographic scale draw our attention to how places are constituted by practices and organized in various relational forms—regional scale, national scale, and global scale. Power and resources are unevenly dispersed across these relational spaces. “Scale as a technology of bounding certainly has its uses, for effectively it allows us to divide up space around particular cultural and political markers” (Herod & Wright, 2002, p. 6). Social movement scholars note

how collective action happens at various levels and is often characterized by the strategy of scale shift defined as “a change in the number and level of coordinated contentious actions leading to broader contention involving a wider range of actors and bridging their claims and identities” (McAdam et al., 2001, p. 331). In sum, social movements can operate at many scales at the same time. Groups can organize at one scale to create openings and opportunities at other levels. “International institutions offer international opportunity structures which interact with domestic political opportunity structures to produce particular types of environments for transnational collective action” (Sikkink, 2005, p. 171).

This shifting ideological terrain has led to a profound restructuring of the terms that underpin North American economic integration. And this shifting regional context, as this volume documents, has generated new forms of collective action in areas such as labor rights, migrant rights, and human rights. Thus, contributions in this volume focus on various aspects of contentious politics in the last twenty-five years of regional economic growth. As defined by McAdam et al. (2001), contentious politics refers to “episodic, public, collective interaction among makers of claims and their object when (a) at least one government is a claimant, an object of claims, or a party to the claims and (b) the claims would, if realized, affect the interests of at least one of the claimants” (p. 5).

## HISTORY OF TRANSNATIONAL ACTIVISM IN NORTH AMERICA<sup>2</sup>

As discussed in the opening chapter in this volume by Jeffrey Ayres, transnational activism in North America has gone through several phases. The launch of trade liberalization negotiations in the late 1980s galvanized a wave of domestic and transnational activism across a diverse range of groups, including labor unions, environmentalists, women, faith-based organizations, and human rights activists. These were a response to the new forms of regional and bilateral free trade agreements (FTAs) that were part of the international shift toward neoliberal principles such as free trade, deregulation, privatization, and cutbacks to public services. NAFTA was the first in a long series of new trade agreements that

<sup>2</sup> See also Macdonald, forthcoming and Macdonald (2020).

responded to efforts by the United States to reassert its economic dominance in a world in which new competitors like the European Union, India, and Japan were emerging and blocking U.S. efforts to insert its objectives into multilateral trading sites like the General Agreement on Tariffs and Trade. In an article written in 1994, Ricardo Grinspun and Robert Kreklewich (1994, p. 4) argued that these free trade agreements served as “a conditioning institutional framework that promotes and consolidates neoliberal restructuring. These international treaties serve as a mechanism whereby domestic ruling groups, with the encouragement of the United States government, can advance economic and social reforms that are inherently anti-democratic” (p. 33).

The first example of this type of FTA was the Canada–United States Free Trade Agreement (CUSFTA), which was signed by U.S. President Ronald Reagan and Canadian Prime Minister Brian Mulroney in 1988. The agreement galvanized vociferous opposition from a range of Canadian social movements, including labor unions, environmentalists, human rights activists, women’s organizations, faith-based organizations, and others who formed the Pro-Canada Network (PCN), later renamed Action Canada Network (ACN)<sup>3</sup>. The federal election of 1988 became a sort of referendum on the free trade deal in Canada, but Canadian social movements were not able to elicit interest from American counterparts in this period, and activism remained national (along with a separate coalition that was established in Quebec). Mulroney’s narrow electoral win in 1988 guaranteed the implementation of the new accord (Ayres, 1998).

National activism expanded to transnational activism when the United States and Canada signed a trilateral free trade deal with Mexico in 1993. Civil society organizations in the three countries viewed NAFTA as a threat to many of their shared values and objectives. These groups engaged in both more institutionalized and non-institutionalized processes of transnational political activism that challenged the trajectory of North American integration for over a decade. The first steps toward transnational opposition to NAFTA were taken before the negotiations on the new agreement started. Canadian activists began establishing new ties with Mexican civil society representatives after the CUSFTA was signed,

<sup>3</sup> A parallel network was established in Quebec, which came eventually to be known as the Réseau Québécois contre l’Intégration Continentale (RQIC), and which collaborated actively with the ACN and the other coalitions in North America.



convinced that it was likely that Mexico would soon join the Canada–U.S. agreement. Representatives of labor unions, churches, development organizations, and others began sharing analysis of the threat a neoliberal North American FTA would present to common values and interests such as sovereignty, protection of the environment, labor rights, and Indigenous rights (Macdonald forthcoming). Canadian civil society activist John Foster, who was a participant in these coalitions, argues: “The development and experience of the coalitions and their alliance was the key transitional moment in a process of internationalizing the consciousness and strategies of key constituent organizations, including labor, environmental, and feminist groups, among others” (2005, 214).

Subsequently, participants in these Mexican and Canadian organizations began meeting with U.S.-based civil society allies. During the negotiations on NAFTA, organizations from the three countries regularly met and shared strategies, engaging in research, analysis, lobbying, and popular mobilization to combat the agreement. In this phase, U.S. civil society participation increased rapidly, as Americans became concerned about the impact of integration with Mexico on good blue-collar jobs and environmental standards, particularly in the U.S.–Mexico border region. Fears of Mexican migration to the United States were stoked by right-wing politicians like Pat Buchanan, while politicians from the Democratic party also voiced concerns about the agreement, although they avoided the xenophobic discourses of the Republicans and emphasized economic and environmental threats. The election of Democratic president Bill Clinton in 1994, who had opposed NAFTA in his campaign, led to the inclusion of labor and environmental side accords linked to the agreement. The side accords lacked effective mechanisms for enforcement, but did provide some opportunities for transnational cooperation around labor and environmental issues (Nolan Garcia, 2011; Pacheco-Vega, 2015a, 2015b; Torres, 2009; Ayres and Kay chapters in this volume). Research on this “first wave” of North American contention flourished, linking the formal discussions over NAFTA, and eventually, the Security and Prosperity Partnership (SPP—2000–2005) to civil society mobilization and collaboration across the region (Ayres & Macdonald, 2009a, 2012; Compa, 2001; Fox, 2002; Graubart, 2009, 2010; Kay, 2005; Massicotte, 2003; Stillerman, 2003). Over time, however, civil society actors’ engagement with these regional institutions lost momentum as the side agreements, particularly the weaker labor one, failed to propel

progressive changes across the region, and Republican administrations in the United States withdrew funding.

The first Trump Administration's decision to launch talks to renegotiate NAFTA in 2019, resulting in the United States–Mexico–Canada Agreement, which entered into force in 2020, reactivated some transnational civil society engagement, strategization, and collaboration, and rekindled some of the themes debated intensely in the 1990s. Much of this work has centered on the labor provisions in the USMCA, which included innovative new mechanisms for enforcing labor rights, at least in Mexico, and which sparked new forms of transnational collaboration between labor unions and activists in the three countries (see Ayres, Kay, and Quintero Ramírez chapters in this volume). However, a focus solely on the renewal of cross-border civil society activity linked to NAFTA re-negotiations would be short-sighted. As other contributions to this volume show, regionalization processes have continued to develop for years outside of formal economic integration processes, with non-state transnational processes involving increased labor mobility, human rights campaigns, and informal migration flows developing beyond and below the state within and across the three North American societies. While we know more now about the mobilization of groups across Europe around European Union (EU) policies and regulations (Bieler & Morton, 2004; Imig & Tarrow, 2001; Marks & McAdam, 1996; Marks & Steenberg, 2004; Tarrow, 1995), we have much more to learn about transnationalized North American civil society activity in the context of over twenty-five years of regional economic integration.

## UNDERSTANDING TRANSNATIONAL ACTIVISM IN THE NORTH AMERICAN REGION

This volume brings together case studies of transnational activism from the North American region. While regions are often seen as the outcome of geography, they are, in fact, constructs of various cultural, social, and political processes (Davies et al., 2024, p. 320). For instance, Turtle Island is the Indigenous name that refers to the shared geographic space the states of Canada, the United States, and Mexico now occupy. As Isabel Altamirano-Jiménez (2012) has astutely observed: “Indigenous history... did not start with European colonization and ... North America did not come into existence because of NAFTA” (p. 28). She emphasizes the role colonialism played in shaping and transforming Turtle Island with the

imposition of sovereignty and borders dividing the continent's peoples and promoting exclusionary forms of membership (Altamirano-Jiménez, 2012, p. 35). In a similar vein, Julián Castro-Rea (2012) emphasizes the many and varied ties between the member countries of North America that predated the recent round of continental economic integration, and that have shaped their respective development not the least of which are Canada and Mexico's historic and ongoing concerns with U.S. expansionism (p. 2). But additionally, and importantly, as Davies et al. (2024) point out, focusing on regional dimensions as distinct from the national frame and the global also allows the possibility of considering a number of different and multiple scales including borderland contexts and diasporas as well as "regionally rooted ideas, identities and practices" (pp. 320–321).

Trade agreements such as the USMCA and its predecessor NAFTA not only engendered a continental economic relationship between their three member countries, Canada, the U.S., and Mexico, but also prompted new visions of a North American Community (Pastor, 2011) and a region where borders could fade into significance (DePalma, 2001). Today, these visions may seem overly idealistic in the wake of Donald Trump's powerful reassertion of American sovereignty, securitization of borders, and gestures to Manifest Destiny. Although they have taken startling new forms under the Trump administration, elements of protectionism, nationalism, and American exceptionalism had already begun to erode the neoliberal assumptions that were the basis of the NAFTA agreement before Trump's second term began. During his first administration, Trump's America First rhetoric, efforts to build and expand dramatically a physical wall on the Mexico–U.S. border, family separations, temporary protective status eliminations, and an acceleration of deportations, all undermined the spirit of liberalized trade, investment, and even hoped-for movement of peoples as envisioned by post-NAFTA deep integration analysts. Trump also adopted a radical shift in trade policy, pulling out of the Trans-Pacific Partnership, undermining the World Trade Organization, and launching a trade war with China (and briefly imposing tariffs on steel and aluminum imports from Canada and Mexico). The Biden administration, for the most part, avoided the insular protectionism and xenophobia of the first Trump administration, but refused to rejoin the renamed Comprehensive and Progressive Trans-Pacific Partnership, or to negotiate new trade deals. It also adopted heterodox economic principles

in the form of massive spending on a green industrial strategy (Sinclair & Trew, 2022).

## THE OUTLINE OF THE BOOK

This book represents an important contribution to understanding the evolution of transnational activism in the region in the twenty-first century. Contributors to this volume were asked to address gaps in our knowledge about this phenomenon by responding to the following questions: What does your chapter contribute to our understanding of the nature of transnational activism in North America? Who are the relevant activist actors that you highlight and what are the relationships between them (within and across borders)? Finally, what potential exists for the emergence of a more transformational, just, and inclusive region, in part because of the work of these activists?

In Chapter One, Jeffrey Ayres examines the North American trade protest cycle in detail to show how transnational activism in North America has changed since the first trade protest cycle involving CUSFTA. He characterizes the USMCA era as the third major trade protest cycle after the mobilizations against CUSFTA in the mid-1980s and NAFTA in the 1990s. He focuses specifically on the USMCA debate, negotiations, ratification, and implementation to address transnationalism in the current conjuncture, pointing out that while it may not have been as “deep and broad” as previous struggles, it nevertheless shared characteristics of a protest cycle. He analyzes this third protest cycle by linking Tarrow’s (2005) work on the new transnational activism with more recent scholarship on social resilience. He carefully details various instances where groups in Canada, the U.S., and Mexico used contentious tactics—global framing, internationalization, externalization, and transnational coalition formation—to demonstrate how transnational activism moves beyond episodic cross-border collaborations. In doing so, he observes that mobilizations around the USMCA were more “diverse and complex” than earlier protest cycles. These struggles, Ayres argues, were concrete instantiations of social resilience where people refused to live with the effects of a neoliberal trade agreement.

The next two chapters in the book examine different dimensions of transnational activism related to labor organizing and labor rights. In chapter two, Tamara Kay revisits work she did in the early 2000s (Kay, 2005, 2011) on the way in which NAFTA had the unexpected effect

of catalyzing labor transnationalism by creating a transnational political opportunity structure that favored cross-border cooperation. The result was the construction of new types of cooperation and networks of protest as a result of their participation in anti-NAFTA coalitions, and new direct ties between labor unions in the three countries. Some of these relationships declined after NAFTA was adopted, and as the North American Agreement on Labor Cooperation (NAALC—the side agreement on labor) proved ineffective in promoting labor rights. She argues, however, that the renegotiation of NAFTA created a new political opportunity structure that enabled activists to engage with each other and build transnational ties. This outcome was partly the result of ongoing struggles on the Mexican scene that resulted in a constitutional reform adopted in 2017 that dismantled many elements of the long-standing corporatist system of control over Mexican unions. The election of Andrés Manuel López Obrador in 2018 from the center-left Morena party ensured that the constitutional reforms were enacted into secondary laws that created an independent and more transparent labor regime in Mexico, a decades-long aspiration of democratic reformers. Then, during the renegotiation of NAFTA, activists used what Kay calls a new “transnational trade-negotiating field” to improve labor protections in the agreement. Democrats and the U.S. labor movement exerted pressure on Congress, informed by long-standing relations between the independent, democratic labor movement in Mexico and allies in the United States and Mexico. Transnational activism thus played an important role in the inclusion of a labor chapter and a new Rapid Response Labor Mechanism (RRLM) in the renegotiated agreement. As she discusses in her chapter, the RRLM, as well as funding provided by the U.S. and Canadian governments, have resulted in a much quicker and more effective means of promoting worker rights in Mexico than the old NAALC complaint mechanism.

In Chapter Three, Cirila Quintero Ramírez analyzes other aspects of the dynamic of transnational labor organizing in the North American region. In contrast with Kay, who focuses on national-level dynamics and the transnational collaboration around the NAFTA and USMCA agreements and their implementation, Quintero examines the specific nature of struggles in the *maquiladora* sector. This sector is made up of factories mostly located in northern Mexico near the U.S.–Mexico border, which hire workers to perform labor-intensive, low-paid work to assemble parts imported from the U.S. and then export the final

product back to the U.S. or other countries. These plants have tended to hire female workers, who can normally be paid lower wages than male workers, and who are not traditionally represented by Mexican labor unions. Instead, more informal labor movements and labor CSOs have emerged to attempt to represent workers and promote their interests, often with female leaders and strong female participation, which influences the character of their transnational engagement. She discusses the growing tendency toward female leadership of these new forms of labor organizing and argues that transnational solidarity has proved to be a key ingredient in sustaining progressive female leadership over the decades, contributing to the current prominence of female leaders. Nevertheless, she argues that new forms of organizing and the implementation of the labor mechanisms in the USMCA have had mixed results. In one case she examines, transnational ties have helped support the emergence of more progressive female leaders committed to women workers' empowerment. In another case, in the city of Matamoros, she argues, female leadership has been associated with a more traditional top-down style of leadership traditionally associated with male labor leaders. She also documents some limitations of the RRLM process, which in one case resulted in the closure of one factory where the old protection union had been rejected by the workers and replaced by an independent union. Any renegotiated USMCA, she argues, should promote female leadership in unions and address some of the weaknesses of the existing agreement.

Isabel Altamirano-Jiménez and Arsenio González Reynoso's contribution to this volume in Chapter Four highlights the struggle of two Indigenous groups: the Secwepemc Tiny House Warriors in British Columbia, Canada who challenged the Kinder Morgan Trans Mountain Pipeline construction, and the United Front of Nahua Communities in Puebla, Mexico, who defended water by challenging a water bottling plant that illegally tapped water. Altamirano-Jiménez and González Reynoso's approach to these cases is premised on an understanding that land and water are not just resources, but, as they outline, "entities that come into relationship shaping Indigenous people's political practices." Thus, they elaborate how the Secwepemc Tiny House Warriors' struggle epitomizes a clash between two opposing conceptions of land: "territory as relationships and land as property." Secwepemc women embarked on a multifaceted campaign in 2017 called *Tiny House Warriors: Our Land is Home*. They sought to build broader solidarity links with other Indigenous movements. As part of the campaign, tiny homes were built along

the proposed pipeline route. This act to “re-inhabit traditional territory challenged the nation state’s authority over unceded land and drew attention to the housing shortage. Similarly, Jiménez and Reynoso also describe how the United Front of Nahua Communities challenged the Mexican government’s authority over water, arguing that water is not a commodity. Indigenous activists became water defenders and occupied and transformed a company water plant into a community space. These two struggles, characterized by care-taking practices, offer different understanding of what is at stake and embrace a relational politics with “more than the human world.”

Several chapters in this volume examine diverse forms of transnational activism around issues of migration in the North American region. In Chapter Five, Christina Gabriel and Laura Macdonald examine the ways in which activists promoting migrant rights responded to the COVID-19 pandemic that broke out in 2020 and the disproportionate impact COVID-19 had on temporary migrant agricultural workers in Canada. A large number of these workers are Mexicans who work on a temporary basis in Canada under the Canada–Mexico Seasonal Agricultural Worker Program (SAWP). Gabriel and Macdonald explore the ways in which the pandemic drew attention to existing injustices in the treatment of these workers (and heightened them) but also created new political opportunities for activism in favor of migrant workers’ rights. For the most part, this activism took place at the domestic scale, but the organizations involved were also able to expand their transnational ties in this period. Gabriel and Macdonald draw upon social movement theorist Donatella della Porta’s book (2022), *Contentious Politics in Emergency Critical Junctures*, to understand the impact of COVID-19 on social movement activism. Della Porta analyzes the COVID-19 crisis as an emergency critical juncture that gives rise to opportunities for new forms of activism and contestation of existing policies. The chapter examines the cases of three organizations within a broader migrant civil society in Canada, who attempted to promote the rights of a transnational labor force. Their opportunities for transnational activism are constrained because of migrants’ precarious status, long hours, and confinement to the farms where they work, as well as their fear of deportation if they are identified as troublemakers by their employers. Nonetheless, the three organizations profiled in this chapter were able to adopt two narrative frames that were produced by the COVID-19 critical juncture, that of “essential worker” and “health injustice.” Even though the three groups represent

different forms of organizing, the employment of these narratives by all three of them helped draw Canadians' attention to the exploitation faced by these workers in a way they had not achieved before, despite decades of activism on their behalf. At the same time, however, they failed to achieve fundamental changes to the elements of the SAWP program that were responsible for migrants' exploitation and precarity.

In Chapter Six, Jorge Eduardo Mendoza Cota highlights transnational migrant activism at the San Diego-Tijuana border region by mapping the activities, mandates, and experiences of non-governmental organizations (NGOs) providing services to migrants on both sides of the border. These NGOs are shaped both by complex transborder economic and social ties that exist in this area and by current migration trends and policies. His empirical case focuses on eight organizations in California and Tijuana who, he suggests, have created transnational social networks. His starting point is to probe how they engage in transnational activism. Drawing on in-depth interviews, he highlights organizational characteristics, transnational activities, achievements, and challenges. His findings indicate that these organizations are engaged in a range of activities from legal services to social and health services. He observes that while these activities may be at the local scale, organizations also engage in transnational activities that have local, national, and international impacts. Additionally, Mendoza emphasizes the importance of language capability in English and Spanish in engaging transnational advocacy. As he documents, the NGO client population were Spanish-speaking migrants and, in some instances, coordinators needed to work on both sides of the border. Importantly, he also highlights how organizations are engaged in transnational activism by forging ties across borders. The chapter concludes by elaborating on some of the challenges NGOs are encountering.

Veronica Øverlid's analysis in Chapter Seven focuses on migrant caravans made up of people from El Salvador, Guatemala, and Honduras who are trying to move north to the United States seeking protection. She asks what the caravans and the response to them can tell us about regional integration and transnational activism. In addressing this question, she draws the links between the externalization of migration control, where borders are pushed outward, and internalization, a process associated with Tarrow's conceptualization of transnational activism. She focuses on two competing tendencies. On the one hand is the process of militarization and securitization that aims to curtail irregular migration imposed from



the top down and is deeply implicated in migrant immobility and vulnerability. And, on the other hand, there is the grassroots response, from below, by migrants and their advocates who strive to challenge these terms. The caravans, which seek safe routes, are one response to the barriers and dangers engendered by the externalization of borders. But other responses include the work of civil society organizations to assist people travelling in caravans. Importantly, Øverlid's contribution also underscores how migration policies, bordering regimes, and the criminalization of migrants impact grassroots solidarity and activism as questions of strategy and capacity produce "significant ambivalences and complexities" and leads to divisions among different groups. She concludes by observing that North America, insofar as borders, migration, and mobility are concerned, remains a contested space.

Chapters Eight and Nine in this volume focus on transnational activism in support of human rights struggles in Mexico. In their Chapter Eight contribution, Hepzibah Muñoz-Martínez and Grace Mahogany Fernández Morán document the ways in which families of the disappeared in Mexico have mobilized between 2006 and 2024 to search for missing family members and advocate for improved government institutions and mechanisms to identify victims of the violence and bring to justice the perpetrators of the violence. They argue that, in contrast with some of the movements studied in this volume, such as the labor movement, the mobilization of the families of the disappeared is not so much about bridging large trans-regional scales, but primarily about connecting local spaces in a form of "translocal" resistance (Voigt-Graf, 2004). They identify the obstacles to transnational connections and how the families' economic and health needs and emotional pain and sorrow intertwine with local, national, and international structures of power. This translocal organizing forms the basis of connections they have developed over the years with U.S. and Canadian CSOs and efforts to raise the families' concerns in trilateral and bilateral meetings between Canada, Mexico, and the United States. The chapter draws upon the lived experience of one of the co-authors, Fernández Morán, whose brother Dan Jameel Fernández Morán disappeared in 2008 in Torreón, Coahuila. She and her mother have been involved, since then, in a grassroots organization called BUSCAME. She and her co-author hope this chapter will help share and bring attention to the families' mobilization, and support their struggles for justice. Even if transnational activism around the issue of disappearances does not lead to radical change, it adds to the cumulative effects of

the families' contestation and actions. Nevertheless, the daily work of the families takes place largely at the local level and is deeply rooted in that social-political context.

Marianne Marchand's contribution in Chapter Nine draws our attention to how the "hub and spoke" configuration of integration, where the U.S. occupies the central hub and Mexico and Canada are spokes, shapes transnational feminist activism. She argues that the regional political opportunity structure that NAFTA created provided openings for organizing around labor conditions. Consequently, forms of labor transnationalism—both bilateral and trilateral—did come to the fore. In contrast, as she details, feminist activists were not able to use NAFTA and NAALC to raise a gender-based violence (GBV) agenda. Thus, GBV became associated with a feminized national space and activists had to use other mechanisms such as the human rights regime and UN-based Conventions to make claims. The successor to NAFTA, the USMCA, is still characterized by a hub and spoke model, and while it does gesture to gender equity issues, these were still directed at labor issues. Despite this, Marchand does detail how GBV issues have moved onto the agenda of all member countries. She observes how all three countries are facing GBV issues. Mexico is confronted with increasing rates of femicide, Canada is trying to deal with the issue of missing and murdered Indigenous women, and the U.S. is similarly challenged by GBV. She notes some new initiatives, focused on Indigenous women and girls, have moved up on to the regional security agenda. These initiatives suggest a "de-domestication" of GBV, and the common context of struggle may provide new forms of continental political action.

The final chapter in the volume takes the form of an interview with Carlos Heredia, a Mexican academic who has played an important role in transnational activism in the North American region for decades. He was strongly involved with civil society networks during the negotiation of NAFTA in the early 1990s, critiquing the FTA's exclusionary nature. Heredia provides insights from his perspective as an activist intellectual about the importance of the ties that were forged in the early 1990s between activists within Mexico and with counterparts in the other two countries in challenging both the anti-democratic nature of governance in Mexico and the underlying neoliberal assumptions of leaders of the three countries who negotiated the NAFTA agreement. According to Heredia, activists from the three countries shared an analysis of the NAFTA proposal as a "charter of corporate rights" that excluded the

labor, environmental, social, and cultural rights of citizens. Coalitions from the three countries worked together to put these rights on the table of the negotiators. They also argued that the issue was not Mexico's position as the "underdeveloped" member of the trade agreement, but the need to build joint answers to common problems of dispossession and inequality. He also identified the importance of national conferences of Catholic bishops in each of the three countries and Catholic universities in promoting an alternative conception of development based on basic needs and human development. Finally, Heredia discusses his current research, which examines the role of the extractivist model as the primary root of migration in the Northern Triangle of Central America, as well as Mexico. While the advocates of NAFTA argued that wages would converge and the agreement would minimize migration, in fact, the "predatory model" that reproduces systemic violence "has expelled a huge amount of the population." This analysis suggests that the call of activists who mobilized against NAFTA for another type of social pact, based on human rights and promoting greater equality, is still highly relevant.

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# Contentious Trade Politics in the USMCA Protest Cycle: Rethinking Transnational Activism in North America

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North America, regionally, has been the site for three successive protest cycles revolving around the politics of international trade over the past four decades. The Canada–United States Trade Agreement (CUSFTA), negotiated during the mid-to-late-1980s, sparked the first protest cycle, which was entirely contained within Canada, while the negotiation and implementation of the North American Free Trade Agreement (NAFTA) in the 1990s shaped the second protest cycle, which witnessed both domestic-based protest against the deal in Canada, the United States (U.S.), and Mexico, as well as cross-border collaboration between civil society groups to contest NAFTA and its consequences. This chapter analyzes a variety of transnational contentious processes that challenged the negotiation process and outcomes of the United States–Mexico–Canada Agreement (USMCA), the trilateral trade deal that replaced

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L. Macdonald et al. (eds.), *Transnational Activism in North America*,  
International Political Economy Series,  
[https://doi.org/10.1007/978-3-031-95816-8\\_2](https://doi.org/10.1007/978-3-031-95816-8_2)



NAFTA, documenting ways that activists carved out space for different forms of cross-border advocacy and collaboration in this third North American trade protest cycle. Whereas a previous volume (Ayres & Macdonald, 2009) tackled the subject of cross-border activism in North America, providing an array of examples of contentious politics between Canada, U.S., and Mexican civil society actors in the first decade following the 1994 emergence of NAFTA, this chapter addresses the recent innovations and advances in theorizing activism that have more varied transnational dimensions than direct cross-border collaboration.

Specifically, I assess this third North American trade protest cycle studying regionally based contentious claims-making and protest events by applying concepts from Tarrow's "The New Transnational Activism" to the USMCA debate, negotiations, ratification and implementation, when activist groups in Canada, the U.S., and Mexico employed a variety of transnational protest tactics along a continuum from the local or domestic to the international (Gabriel & Macdonald, 2014; Tarrow, 2005). Contentious politics herein should be understood as "collective activity on the part of claimants—or those who claim to represent them—relying at least in part on non-institutionalized forms of interaction with elites, opponents and the state" (Tarrow, 1996, p. 874). This USMCA era may be viewed as the third major protest cycle for North American contentious trade politics, with protest cycles understood as waves of collective action or the cyclical rise and fall in protest activity, a "phase of heightened conflict across the social system, with rapid diffusion of collective action from more mobilized to less mobilized sectors, a rapid pace of innovation in the forms of contention employed, the creation of new or transformed collective action frames, a combination of organized and unorganized participation, and sequences of intensified information flow, and interactions between challengers, and authorities" (Tarrow, 2011, p. 199). Notably, the USMCA trade protest cycle has not been as deep or broad as the Canadian social movement mobilization against CUSFTA in the late 1980s, or the domestic and transnational collection action between Canadian, U. S., and Mexican groups during the NAFTA protest cycle.

Nonetheless, the USMCA cycle shared typical protest cycle characteristics: a spread of collective action and protest from more mobilized to less mobilized groups; an increased speed of innovation in forms of contention; and the projection of collective action frames. Contentious

trade politics against the USMCA included both more hierarchically organized and geographically extensive to less well-organized and representative participants, with varying forms of communication and interactions occurring between challengers and state authorities. Based on this assessment, I advance two arguments: (1) that actors from Canada, the U.S., and Mexico did not react helplessly while the USMCA was renegotiated and put into effect, but rather employed collective action and protest tactics to secure more favorable outcomes in interactions with state authorities (material, symbolic, and/or emotional), exhibiting forms of social resilience; and (2) that the organizations and groups involved demonstrated social resilience in an age of insecurity and neoliberal crisis, sustaining and advancing their well-being in the face of challenges to their economic or symbolic status through transnational activism.

### TRANSNATIONAL ACTIVISM IN NORTH AMERICA: SOCIAL RESILIENCE IN THE WANING NEOLIBERAL ERA

As part of a recent CBC Massey Lecture Series, Astra Taylor elaborated on the “Age of Insecurity:” a time of “manufactured insecurity” where, in the wake of the deindustrialization of the 1980s and 1990s, and of the Great Recession and global financial crisis of 2007–08, larger numbers of people increasingly experienced insecurity, uncertainty, and indebtedness (Taylor, 2023). In this era of the great “risk shift” exemplified by the decline of social insurance and welfare systems, individuals increasingly have had to take full responsibility for their own growing material insecurity, scrambling to work two or three jobs in the service sector of the “gig” economy, while somehow contributing to unstable retirement plans in the absence of traditional pensions (Hacker, 2019). Taylor (2023) notes that, while this shift to an age of more widely shared insecurity undermines communities and solidarities, it also potentially encourages shared and collective responses that unite people in efforts to transform institutions of insecurity and marginalization, what I call here refer to as social resilience.

‘Scholarship on resilience has expanded in the neoliberal era, with resilience seen “as a pervasive idiom of global governance” (Walker & Cooper, 2011, p. 144). The debate over the implications of resilience has been polarized between two camps: resilience as neoliberal governmentality and resilience as the expression of a post-neoliberal shift (Anderson, 2015; Mavelli, 2019; McKeown et al., 2022; Preston

et al., 2022). While some approaches understand resilience as modern efforts to “live with” an increasingly risk-filled “age of insecurity,” others see it as a way to overcome global uncertainties through purposeful collective actions (Brassett et al., 2013). For the latter conceptualization—resilience as a post-neoliberal shift—“governance is no longer conceived as a liberal ‘top-down’ or neoliberal ‘bottom-up’ set of interventions, but as an open-ended and potentially transformative process that sees the active participation of resilient subjects” (Mavelli, 2019, p. 228). In this understanding, groups do not call passively on existing sets of resources, or adopt post hoc strategies of adaptation, accepting crises framed as unavoidable or inevitable (Béné et al., 2012; Hall & Lamont, 2013a, 2013b). Rather, social resilience is the product of much more creative processes in which people “assemble a variety of tools, including collective resources and new images of themselves, to sustain their well-being in the face of social change” (Hall & Lamont, 2013a, p. 14). Understandings of social resilience are founded on conceptualizations of how neoliberal global agreements and institutions have reordered social relations, as we see in the succession of North American trade agreements, including the renegotiated USMCA (Wolf, 2020). I view the concept of social resilience then, not as a means of understanding how the USMCA “closed doors,” but rather if any “doors were also opened” through transnational protest tactics against the USMCA in this third regional protest cycle (Wolf, 2020). The conceptualization also complements earlier approaches to understanding transnational activism advanced by authors such as Sidney Tarrow (2005), discussed later in this chapter.

In short, I suggest that, in the USMCA protest cycle era—a time period that overlaps with Taylor’s “age of insecurity”—individuals from the U.S., Mexico, and Canada have engaged in a variety of forms of transnational contentious political activity that can be understood as acts of social resilience. This pattern conforms to what Wolf is describing when actors are building social resilience resources by “finding space under neoliberalism” (Wolf, 2020, p. 629) through increased communication, new ideological innovations, economic leverage, and political pressure. North American trade and investment governance—as epitomized by the renegotiation of NAFTA resulting in the USMCA—was not something that citizens merely accepted as an externally imposed set of new norms, rules, and institutions for codifying power relations between workers and capital. Rather, as a new trade protest cycle unfolded, Canadian, U.S., and Mexican groups drew upon a repertoire of transnational tactics to

challenge the negotiations and shape aspects of the resulting USMCA to defend and at times advance labor and human rights. In so doing, they were expressing the capacity to sustain and advance their well-being in the face of the challenge of what initially seemed certain to be a doubling down on the neoliberal underpinnings of NAFTA (what some have called NAFTA 2.0). In short, this chapter contributes to rethinking transnationalism by suggesting ways in which different types of transnational activism in the USMCA era served as a means of “social resilience” for a cross-section of civil society activists during this latest North American trade protest cycle.

### EARLIER CYCLES OF NORTH AMERICAN CONTENTIOUS TRADE POLITICS

Free trade has been a politically charged topic throughout the history of Canada–U.S. relations, and the start of negotiations for a free trade deal between Canada and the U.S. in 1986 marked the beginning of a North American trade protest cycle that would presage decades of worldwide contentious activism against the politics of neoliberal trade agreements. In this first trade protest cycle, a pan-Canadian social movement built from a cross-sectoral coalition of nationalist, women’s, labor, environmental, seniors, aboriginal, arts, and other civic organizations nearly succeeded in defeating the bilateral deal. At that time, the two major opposition parties in Canada’s House of Commons—the Liberal and the New Democratic Party—split the majority opposition vote in the 1988 “free trade election”, giving the Progressive Conservatives under then Prime Minister Brian Mulroney a second consecutive majority government and enough votes to support the free trade implementation legislation (Ayres, 1998).

This defeat, however, was quickly followed by years of expanding cross-border protest against international trade and investment agreements, part of the broader “global justice movement,” oftentimes regionally illustrated across North America. During the early years of the global justice movement in the late 1990s and early 2000s, protests disrupted the Millennial round of the World Trade Organization in Seattle, the Free Trade Area of the Americas meetings in Quebec City, and International Monetary Fund meetings in Washington, D.C. Observers highlighted this rise of transnational protest—activists cooperating across international borders—as a promising new tactic in the repertoire of social movements and contentious political actors (Ayres, 2004, 2005; Clark, 2003;

Keck & Sikkink, 1998; Khagram et al., 2002; Smith & Johnston, 2002; Smith et al., 1997). Piven and Cloward (2000) argued, for example, that transnational activism was a new “power repertoire”—a tool for challenging the power of capital in the ways that labor unions, collective bargaining, and strikes had done throughout much of the twentieth century prior to the end of the Cold War. While other analyses at the time may have been somewhat less optimistic, a “transnational turn” in research on social movements and contentious politics nonetheless sought to explain and understand what seemed to be a spread, both regionally and globally, of cross-border contentious political action (Bandy & Smith, 2004; Della Porta & Tarrow, 2004; O’Brien et al., 2000). The second North American trade protest cycle unfolded in fact parallel to much of this global protest, as throughout the 1990s and into the first decade of the twenty-first century, Canadian, U.S., and Mexican groups protested the negotiations and implementation of NAFTA, (Ayres, 2004; Ayres & Macdonald, 2009; Compa, 2001; Hunter, 1995; Kay, 2005; Rosen, 1999; Williams, 1999), as well as the proposed Free Trade Areas of the Americas and the Security and Prosperity Partnership agreement (Ayres & Macdonald, 2012; Massicotte, 2003). Notably, in both of these North American trade protest cycles, the protests eventually lessened, a characteristic of such cycles, with debates over free trade and deepening integration supplanted by other domestic and international concerns.

In fact, the 2016 election of Donald Trump to the presidency of the U.S. riding a wave of populist discontent in the wake of the Great Recession and the resulting housing crisis, growing income inequality, and further deindustrialization, at first did not suggest the emergence of a new North American contentious trade protest cycle. But Trump’s declaration that NAFTA was the “single worst trade deal” ever approved in the U.S. and his decision to move forward with a renegotiation of the trade deal in 2017, sparked a renewal of cross-border activism against the proposed USMCA, albeit taking new forms (Davis & Rappeport, 2017). In the next section, I discuss different examples of this contentious political action undertaken by civil society groups across Canada, the U.S., and Mexico, locating these protests, demonstrations, and collaborations along a continuum of Tarrow’s processes of “new transnational activism” (Tarrow, 2005). I also argue that, rather than isolating and further withdrawing into a neoliberal mode that would signal acquiescence to the USMCA, the different types of transnational activism that flourished in the USMCA era are examples of social resilience against neoliberalism,

through employing transnational contentious tactics that rejected the inevitability of a “NAFTA 2.0.”

### TRANSNATIONAL ACTIVISM IN THE USMCA TRADE PROTEST CYCLE

A major contribution to understanding and explaining the evolving nuances of cross-border activism was introduced in Sidney Tarrow’s *The New Transnationalism* (2005). Tarrow focused on what he referred to as different forms of transnational contention, which flow up and down in a continuum from the local to the national to the international, and which he defined as “conflicts that link transnational activists to one another, to states, and to international institutions (Tarrow, 2005, p. 25). Tarrow’s analysis took a more critical look at the extent and sustainability of what might be viewed as more obvious transnational activity, understood by measuring the externalization of activist issues through “vertical” projections of national disputes onto international institutions, or through the creation of durable transnational coalitions of cross-border networks (p. 32). The “processes” of transnational contention that linked activists from one country to another evolved from the more local and national, including global framing and internalization, to processes that unfolded at the international level and which had the highest probability of helping to sustain transnational coalitions of social movements, referred to as externalization and transnational coalition formation (p. 32). This section provides examples of ways in which Canadian, U.S., and Mexican groups employed transnational contentious tactics to advance claims against the USMCA, oftentimes sustaining emotional, symbolic, or material well-being. Through global framing, internalization, externalization, and transnational coalition formation, activists across the continent have employed tactics that can expand our understanding of transnational activity beyond cross-border collaboration and which illustrate social resilience in the USMCA era.

#### *Global Framing: Employing Global Symbols and Meanings to Challenge the USMCA*

Global framing involves the mobilization of international symbols to frame domestic conflicts, using external meanings to orient or frame local

and national claims. Global framing—connecting internationally predominant frames, ideas, and symbols—can dignify and energize activists whose claims are predominantly local, linking them symbolically to people they have never met and to causes distantly related to their own (Tarrow, 2005, p. 59). As an example of more locally rooted transnational activism, global framing occurred in the early days of the USMCA renegotiations, when the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) tapped into the theme of international solidarity for workers in Canada, the U.S., and Mexico in its report “Making NAFTA Work for Working People” (AFL-CIO, 2017). As Kay notes in a chapter in this volume, the language used in this report referenced not U.S. workers, but North American workers—on improving conditions for workers in all three countries—as labor unions “continued to define themselves as part of a North American labor movement and frame free trade agreements as a concern for workers across the continent” (See Kay chapter in this volume).

In another example, U.S.-based environmental groups, including the Sierra Club, Friends of the Earth, Greenpeace, Natural Resource Defense Council, League of Conservation Voters, and 350.org, lobbied members of the U.S. Congress to vote against the renegotiated USMCA because of its inattention to climate change and related environmental degradation. In a December 2019 letter addressed to Members of Congress, the organizations encouraged their 12 million members to vote against the USMCA when it came to the floor for a vote. The coalition specifically lamented that the trade agreement “does not even mention climate change, fails to adequately address toxic pollution, includes weak environmental standards and an even weaker enforcement mechanism, supports fossil fuels, and allows oil and gas corporations to challenge climate and environmental protections” (Frazen, 2019). By tying meaningful concern over accelerating global climate change to domestic environmental opposition to the USMCA, U.S. environmental groups legitimized their concerns over the renegotiated accord due to the lack of any reference to the connection between climate change and international trade in the accord.

One of the most potent examples of global framing as an illustration of transnational activism in the USMCA trade protest cycle involves the resuscitation of the food sovereignty collective action frame in the dispute between the Mexican and U.S. governments over genetically modified (GM) corn. Food sovereignty is arguably one of the most widely known

and employed global collective action frames of the post-Cold War era (Andrée et al., 2014; Desmarais et al., 2010). Initially put into practice by the international peasant movement La Via Campesina at the World Food Summit in 1996, the concept was bolstered by the Nyéléni declaration, that declares food sovereignty is the “right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems,” offering “a strategy to resist and dismantle the current corporate trade and food regime, and directions for food, farming, pastoral and fisheries systems determined by local producers (Nyéléni, 2007, p. 7). Critical components of the frame include a critique of the “corporate food regime and its (unrealized) claims for ‘food security’ via the free trade rules of the World Trade Organization (WTO)” (McMichael, 2014, p. 934). In this way, resistance is seen as reflecting an ongoing struggle between local activists and social movements and transnational global food rules and companies over the sovereign control of food, land, water, and livelihoods. What makes the food sovereignty frame especially powerful is its transformational potential, with those who embrace the frame to shape activism and claims-making referring to meanings that reference ethical, community, and justice critiques of regional and global trade and investment rules that purportedly favor agribusiness corporations from wealthy first-world countries in North America and Europe. The current dispute between Mexico and the U.S. over GM food prompted the creation of a USMCA dispute panel in 2023 to review U.S. claims challenging Mexico’s ban on the importation of GM corn. This clash over GM corn has roots going back at least to the earlier NAFTA-era trade protest cycle beginning in the mid-to-late 1990s. Referred to then as the “Tortilla Wars,” critics argued that NAFTA had “opened the floodgates to cheap, high-tech corn” from the U.S., crippling the ability of mostly small Mexican farmers—who grew corn primarily on small plots of less than five acres of land—to compete with a massive increase in corn imports produced especially by large U.S. multinationals with the removal of Mexican corn tariffs (McVan, 2023; Ross, 1999, p. 34). By the time of the 2007–8 debates over North American “deep integration” and the Security and Prosperity Partnership (SPP), a “rural revolt” was sweeping Mexico with the Mexican social movement, “*Sin maíz, no hay país*” (without corn, there is no country) mobilizing tens of thousands of demonstrators in the streets of Mexico City (Simmons, 2017, p. 146). The movement gathered widespread support



of students, environmentalists, and women's groups in demanding the renegotiation of NAFTA and protesting the end of tariffs that were seen as protecting "ancestral crops" and an historic way of life for millions of Mexican small farmers and Indigenous peoples (Associated Press, 2008).

The election of left populist Mexican President Andrés Manuel López Obrador (AMLO) led to the resurgence of the "Tortilla Wars" during this USMCA protest cycle. AMLO took office the day after the renegotiated USMCA was signed on November 30, 2018, and issued a decree in January 2019 banning the import of GM corn for human consumption. When AMLO's government cited in the decree the need for self-sufficiency and food sovereignty in demanding a complete ban on GM corn imports by January 31, 2024, it was clearly tapping into the lasting potency of the food sovereignty frame, and engaging in transnational activism through global framing. The use of the food sovereignty frame with its reference to what is considered the long-standing global rallying cry of farmers movements, helped to bolster the claims made by Mexican farmers, as well as the Mexican government, and dignified what were local and national claims to the importance of corn to Mexican heritage and identity to global claims and symbols previously adopted by "farmers and peasants" organizations worldwide for nearly the previous three decades (Cronin, 2023; Lipton, 2024).

### *Internalization: Channeling Anti-NAFTA/USMCA Energy Domestically*

Internalization involves the use of internal protest tactics in response to international threats, where social activists pressure national governments to defend people's interests from external pressures or constraints. It may occur when an international agreement, such as the USMCA, threatens to "impinge on domestic politics" and "trigger protests whose targets are mainly the governments that attempt to implement their policies" (Tarrow, 2005, p. 80). As a form of transnational contention, it remains closer to the local or domestic realm, where most protest is occurring against an international institution or issue on domestic grounds. An early example of internalization as a transnational political process occurred during the first North American trade protest cycle, during the Canadian mobilization against the CUSFTA in the late 1980s. At that time, the cross-sectoral coalition of civil society groups that mobilized against the deal targeted the Canadian Progressive Conservative government under

then Prime Minister Brian Mulroney, exerted leverage against the two major opposition parties opposed to the deal, and forced Mulroney to call a federal election to settle the issue. The CUSFTA then dominated the 1988 federal election, with the opposition Liberals and NDP allying with the umbrella network of social protest groups to highlight what were deemed cultural, social, and economic threats to Canada and Canadian sovereignty posed by the deal (Ayres, 1998).

Fast forward almost thirty years into the USMCA protest cycle, and internalization as a transnational tactic unfolded during Mexican farmer and worker protests in the lead up to the start of the renegotiations of the accord in 2017. In Mexico City in August, farmers and workers staged a mass rally of over 10,000 people to voice their opposition to the accord, claiming it had harmed Indigenous peoples and small farmers. In particular, the protestors demanded that the Mexican government leave the agricultural sector out of the negotiations for the USMCA, accusing Mexico City of failing to support peasant farmers. Carrying banners that read “No to the FTA,” and decorated with images of the distinctive hairstyles of U.S. President Donald Trump and his Mexican counterpart, President Enrique Peña Nieto, the protesters argued that the original NAFTA had devastated Mexican farms (Solomon, 2017). Rallying as Canadian, U.S., and Mexican negotiators had met to begin renegotiating NAFTA, Indigenous workers, and unions representing farmers carried posters reading “FTA Hurts: Mexico Better without FTA,” demanding that the Mexican government put NAFTA to a public vote. (Connolly, 2017).

Similarly, internationalization was on display in Canada on November 18, 2018, when tractors rolled through the urban streets of Montreal, Canada, accompanied by thousands of people demonstrating in solidarity with farmers, the latter group protesting the repercussions of the renegotiated USMCA. Many of those marching pushed shopping carts, held signs, and even kitchen utensils, joining the Quebec farmers’ union UPA—l’union des producteurs agricoles—an agricultural trade union representing producers—to protest what the UPA claimed were “unprecedented” concessions made by Canada in the dairy sector during the USMCA negotiations, which included Canada giving the U.S. tariff-free access to a larger portion of Canada’s dairy market and eliminating pricing provisions on some dairy products. The crowd of diverse marchers, many of whom had been bused in from various regions of the province of Quebec, stretched for several Montreal city blocks, filling a

public square in the city's entertainment district, and setting up local food booths to hand out Quebec products, including hot chocolate and apples. UPA President Marcel Groleau claimed "the security of a nation depends first and foremost on its ability to feed itself" (Lowrie, 2018).

While this demonstration, which many involved described as an "appeal for solidarity" in support of local Quebec food producers and an expression of Quebec nationalism, may have seemed parochial, it also clearly represented an example of internalization as transnational activism. The demonstration in Quebec in solidarity with local food producers, for example, illustrates the diverse transnational processes of activism that confronted the USMCA negotiations between the start of negotiations in August 2017 and the final approval of the agreement by the U.S. Senate in January 2020. The demonstrators in the streets of Quebec, while domestically rooted, were applying contentious political tactics against not just the Quebec provincial and Canadian federal governments, but also against the USMCA, with the demonstration reflecting the migration of the international (in this instance trilateral) pressures and conflicts associated with the USMCA negotiations between the U.S., Mexico, and Canada. The farmers and the thousands of those massed in solidarity with them on the streets of Montreal might have been mobilizing for local protection and support against the imposition of common standards and rules being set out in the USMCA negotiations, but this activism was transnational in that the protest had its origins externally, in reaction to supranational negotiations.

The farmers' protests moreover weren't limited to Quebec dairy farmers and Mexican *campesinos*. In October 2018, the Dairy Farmers of Canada launched a Twitter campaign during the USMCA negotiations, even though then Prime Minister Justin Trudeau and Foreign Affairs Minister Chrystia Freeland had promised them compensation (Briere, 2018). That same month, dozens of dairy farmers in Prince Edward Island disrupted a joint federal-provincial announcement on highway repaving to voice their displeasure with the USMCA, which, as then proposed, would have allowed U.S. farmers access to 3.59 percent of Canada's supply-managed dairy products market. The farmers placed a poster in front of the podium reading "Dairy farm for sale," chanted "we don't want compensation, we just want to feed our nation," and carried posters that read "Proud Supporter of 100% Canadian Milk" (Yarr, 2018). Perhaps ironically, many U.S. farm groups held rallies during the USMCA renegotiation process in favor of the accord, a marked difference from

some of their counterparts in Canada and Mexico, and reflecting some of the tensions and differences among social movements in the three countries.

*Externalization: Targeting the USMCA and North American Forums and Institutions*

A potentially more durable type of transnational contention is externalization, where domestic activists target external actors—international rules, regimes, or institutions—in an effort to defend their interests (Tarrow, 2005). With externalization, international institutions can often provide a focus for externalizing claims from the local or domestic to the regional or global, with activists channeling conflicts through international regimes. One important illustration of transnational activism exemplifying social resilience for those opposed to or seeking to advance interests through the new USMCA lies with the accord’s new Rapid Response Labor Mechanism (RRLM) (See Key chapter in this volume). This mechanism was first created to investigate and resolve quickly labor complaints raised by any of the three countries who are parties to the trade deal. What the RRLM has done is lower the bar for raising labor concerns and increase the potential for successful mediation, compared to the previous process under NAFTA’s labor side accord, the North American Agreement on Labor Cooperation (Rethink Trade, 2022). It is now easier for parties to initiate a complaint regarding a perceived labor rights violation, and the threshold has been lowered for demonstrating that a violation has taken place with respect to violence, threats, and workplace intimidation (Labonté et al., 2020). Moreover, through the RRLM process, the obligation on member states to prohibit forced or compulsory labor has been strengthened, arguably leading to higher wages and other benefits for workers and demonstrating that the USMCA had “opened doors” for transnational civil society cooperation to advance and improve labor rights (Claussen, 2024).

The latest GMO corn dispute that prompted the creation of a dispute process between Mexico and the U.S. further illustrates the transnational process of externalization, with the North American Leaders Summit (NALS) serving as the focal point for civil society claims-making and food sovereignty frame mobilization. A trilateral summit between the leaders of the three countries, the NALS (often referred to as the “Three Amigos Summit”) began in 2005 during discussions over the emerging

SPP initiative. At the 10th NALS, January 9–10, in Mexico City, Mexican President AMLO, hosted U.S. President Joe Biden, and Canadian Prime Minister Justin Trudeau, with discussions focusing on “trilateral issues of mutual importance” centered on six issue areas, including regional security, inclusivity, the environment, competitiveness, health, and migration (Congressional Research Service, 2023).

Not on the agenda or discussed during the NALS were issues under contention in the new USMCA, including the brewing GM corn dispute, and trade disputes over dairy, motor vehicle rules of origin and energy. Civil society groups used the NALS to externalize their complaints over a number of these issues to the trilateral level. For example, just before the start of the 10th meeting in 2023, 94 civil society organizations from Canada, the U.S., and Mexico, signed and submitted a letter to AMLO, U.S. President Biden, Canadian Prime Minister Trudeau, and the foreign ministers of the three countries, urging them to “center human rights, humanitarian protection, and access to asylum for individuals fleeing persecution in discussions regarding regional migration” (AILA, 2023). In the letter, the civil society groups focused on the NALS—transnationalizing their concerns—as a forum for the U.S., Mexico, and Canada to collaborate to support the June 2022 Los Angeles Declaration on Migration and Protection, which committed to “protecting the safety and dignity of all migrants, refugees, asylum seekers, and stateless persons, regardless of their migratory status, and respecting their human rights, and fundamental freedoms” (White House, 2022). Similarly, over 100 Canadian, Mexican, and U.S. civil society groups submitted a “trilateral letter” at the start of the 10th NALS to Mexican Senators, conveying their support for Mexico’s ban on GM corn and demanding that “governments prioritize the production of biodiversity and the right to food sovereignty and security over corporate interests” (Institute for Agriculture & Trade Policy, 2023). By collaborating transnationally in issuing this trilateral communique, civil society organizations were externalizing their claims and leveraging an international forum to advance the food sovereignty frame, especially on behalf of Mexican farmers and peasant organizations.

### *Transnational Coalition Formation: More Formalized Cross-Border Collaboration*

Finally, transnational coalition formation is “the horizontal formation of common networks among actors from different countries with similar

claims” (Tarrow, 2005, p. 32), and represents a fusion of domestic and international contentious politics. Coalitions, in general, are “collaborative, means-oriented arrangements that permit distinct organizational entities to pool resources in order to effect change (Levi & Murphy, 2006, p. 654). Transnational coalition formation involves the development of cross-border networks to support cooperation across borders, and is much more difficult to accomplish and harder to sustain than externalization. Transnational coalitions are located further on the international scale of transnational processes, with short-term and long-term coalitions differentiated by cooperation between two or more organizations along at least two dimensions: the degree of cooperation and its duration (Tarrow, 2005, p. 167). Arguably, the least complicated type of short-term coalition emerged around the USMCA negotiations, including at a May 2017 trilateral civil society hearing in Mexico City as well as in the cross-border development of the Trinational Workers Toolkit in summer and fall 2019. The May 2017 gathering, “*Encuentro de Organizaciones Sociales por Nuevas Formas de Cooperación Internacional*,” was held parallel to Canadian Foreign Affairs Minister Chrystia Freeland’s private NAFTA renegotiation meetings with Mexican government officials. Networks from Canada and Quebec, representing labor unions, Indigenous, farmers, migrant groups, environmentalists, women’s organizations, international solidarity groups, student movements, and human rights organizations, joined their American and Mexican counterparts at the historic Antiguo Palacio de la Escuela de Medicina in Mexico City (Bilaterals, 2017). In this instance, this cooperation illustrated an instrumental and event-based coalition with a combination of short-term cooperation with relatively low levels of involvement.

The “Overcoming Fear, Taking Back Power: Trinational Workers Toolkit” emerged after an initial gathering of over forty trade unionists, academics, allies, and policy practitioners in Erie, Pennsylvania, on November 14 and 15, 2019 (Trinational Workers Toolkit, 2019). Hosted by the Rosa Luxemburg Stiftung New York and Mexico City offices, the Canadian Steelworkers and the United Electrical, Radio and Machine Workers of America at the local UE 506, this event emerged out of seven previous trinational labor gatherings hosted by the Rosa Luxemburg Stiftung. The activists met biweekly for nine months, culminating in the toolkit, with the goal of promoting international solidarity to challenge right-wing messaging about trade, migration, and climate. According to the UE, the initial event in Erie, Pennsylvania helped “union members see

that they have more in common with workers from around the world than with the bosses who are trying to pit us against one another” with those gathered finding that workers in all three countries encountered similar rhetoric, which could be dispelled through greater communication with workers in all three countries (UE International, 2020).

An earlier example of transnational coalition building that produced the working paper, “Beyond NAFTA 2.0: A Trade Agenda for People and Planet” was jointly published in English and Spanish by the Ottawa-based Canadian Centre for Policy Alternatives, the Washington, DC-based Institute for Policy Studies, and the Rosa Luxemburg Foundation’s New York Office (Earle et al., 2019). The report emerged out of a conference in fall 2017 hosted by the Rosa Luxemburg Stiftung New York office, and held in the EU union hall in Chicago (Earle & Gunther, 2019). The meeting involved labor, trade, environmental, and farmer activists and policy experts from Canada, the U.S., and Mexico, with the shared goal of analyzing and presenting counterarguments to the start of the USMCA renegotiation. Specifically, those gathered sought to arrive at the shared goal of outlining how a renegotiated NAFTA might advance workers’ rights and protect the environment, and over the course of several months, produced a working document available online and in English, Spanish, and French entitled, “Alternatives to Free Trade and Investment Agreements.” The report “Beyond NAFTA 2.0” built on this initial working document, drew from some of the same groups that collaborated in the tri-national meeting in Chicago and took advantage of the research and analysis expertise available through this coalition work that had specifically sought to frame a credible response to the USMCA and define common interests through international cooperation around human rights, democracy, civic engagement, and climate change mitigation (Earle et al., 2019).

The conflict over GMO corn between Mexico and the U.S. and other collaborative submissions to USMCA institutions have also illustrated limited or event-based trinational coalition building. As discussed above, those civil society groups using the 10th NALS in Mexico City in January 2023 to center attention on food sovereignty took advantage of civil society continental coalition building and collaboration between unions, consumer groups, environmental, and community organizations that had begun as early as the mid-1990s during the NAFTA trade protest cycle. In a trinational letter submitted to the North American Free Trade Commission ahead of a May 2024 Canada, U.S., and Mexico trade ministers’

meeting in Phoenix, Arizona, civil society groups demanded clarification of the three-year extension of NAFTA’s investor-state dispute settlement process. They called on the Commission to explain whether the settlement process should continue to allow for claims, despite NAFTA’s replacement by the USMCA, and demonstrated concern about the “significant public liability created by costly—and illegitimate—‘legacy’ investor-State disputes initiated against North American governments following the termination of NAFTA” (Public Citizen, 2024). Similarly, in November 2023, coalitions of Mexican, Canadian, and U.S. civil society groups submitted letters to the Mexican Section of the USMCA asking to submit written submissions to the dispute settlement process, and in June 2024, during the GM corn dispute settlement hearings in Mexico City, a coalition of civil society groups signed on to a letter submitted to the trilateral panel of trade dispute members supporting *Sin Maíz No Hay Pais* and the GM corn ban.

## CONCLUSION: RETHINKING TRANSNATIONAL ACTIVISM IN NORTH AMERICA

Transnational activism across North America has evolved and expanded in a number of innovative ways over the decades between the first trade protest cycle involving the CUSFTA to the most recent and ongoing USMCA protest cycle. The latest USMCA GM corn dispute, for example, illustrates the spectrum of this “new transnationalism” as activists and civil society groups have employed a variety of tactics—in addition to direct cross-border collaboration—to protest GM corn imports from the U.S. From the local and more national dimensions of transnational activism, Mexican farmer and peasant organizations have internalized claims making against the USMCA with street protests and campaigns in defense of Mexico’s sovereignty and decision to ban GM corn, and employed global framing drawing on the food sovereignty frame to dignify and further legitimize their concerns. At the more regional or international level of transnational activism, Canadian, U.S., and Mexican civil society groups have targeted the USMCA dispute resolution process or the RRLM to externalize claims, and collaborated in diverse event-based, informal and longer lasting trilateral coalitions to pool resources to conduct research, write letters, and lobby national governments and USMCA institutions.



The different tactics adopted to contest GM corn imports—as well as a number of the other tools and strategies individuals and groups have implemented to challenge the USMCA—illustrate examples of social resilience: people refusing to live with the repercussions of another seemingly investor-friendly, labor rights-undermining regional neoliberal trade agreement. Instead, the actions undertaken to employ global framing, internationalization, externalization, and transnational coalition building, exemplify purposeful collective action, oftentimes resilient and sometimes even transformative, demonstrating ways in which people have sought to advance their well-being and push back against the risk-filled character of daily life for so many across the North American region. Similar to recent protest cycles that had their origins in North America—notably the Occupy Wall Street and Black Lives Matter movements—this third trade protest cycle has witnessed creative claims-making, demonstrations, and protest that have challenged elites, agreements, and institutions, and a status quo that had for too long normalized insecurity and risk.

The state has not retreated as a site for social protest across North America—more permanent transnational social movements have not emerged in the successive continental trade protest cycles to replace nationally rooted political parties and labor unions as a new countervailing power against transnational capital. But more diverse and complex forms of transnational activism have emerged across the continent, prominently on display during the ongoing USMCA trade protest cycle, stubbornly and persistently providing civil society groups with a measure of social resilience under neoliberalism. Activists and civil society groups continue to find “space” in the USMCA regime, employing a range of transnational processes as discursive, economic, and political sources of social resilience to dignify claims, exploit USMCA forums and institutions, and lay claims against the USMCA member states and multinational corporations. While some examples of transnational activism were clearly more domestic or nationally rooted and episodic, undertaken through processes of internalization or global framing, other types of transnational activism in this most recent North American contentious trade protest cycle were and remain more durable. Many of the groups that coalesced across Canadian, U.S., and Mexican borders in summits to develop strategy documents, workers toolkits and reports, have continued to meet, collaborate, and strategize how to adapt further to the USMCA landscape, and through externalization, groups continue to utilize the RRLM to sustain challenges to labor rights violations, and collaborate across borders to support

Mexican farmers in their dispute over U.S. GM corn imports, arguably illustrating how social resilience has helped to reorder, however modestly, social relations between capital, labor, and the state across North America.

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# The Persistence and Transformation of Labor Transnationalism after NAFTA

*Tamara Kay*

In September 1990, when the North American Free Trade Agreement (NAFTA) was formally announced, many labor advocates and activists worried that the agreement would generate antagonism among North American unions and intensify economic nationalism (Ayles, 1998; Kay, 2011a). Although labor protections and standards in the United States and Canada leave much to be desired, workers' rights to organize and negotiate collective bargaining agreements have historically been limited in Mexico, and "ghost" unions aligned with the government and employers were ubiquitous. Low wages and exploitation by corporations, particularly in the *maquiladora* industry, resulted in significantly lower standards of living and fewer labor rights and protections for Mexican workers (Middlebrook, 1995). Critics argued that by increasing competition and pitting workers against each other for jobs, NAFTA would likely undermine any possibility for cross-border cooperation among labor unions in the United States, Mexico, and Canada. Some

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© The Author(s) 2026  
L. Macdonald et al. (eds.), *Transnational Activism in North America*,  
International Political Economy Series,  
[https://doi.org/10.1007/978-3-031-95816-8\\_3](https://doi.org/10.1007/978-3-031-95816-8_3)



suggested that the inevitable job losses north of the Rio Grande would generate a backlash against Mexican workers and immigrants—that in NAFTA’s wake, North American labor movements would be able to overcome geographic, linguistic, cultural, and ideological differences to create interests in common seemed improbable (Kay, 2011a).

But, as I argued in *NAFTA and the Politics of Labor Transnationalism* (Kay, 2011a), contrary to expectations, far from polarizing workers, this much-hated neoliberal free trade agreement (FTA) actually brought them together. NAFTA’s effects on trilateral coalition and relationship building were unprecedented, even though the agreement itself, and activists’ efforts to utilize the mechanisms in its labor side agreement, the North American Agreement on Labor Cooperation (NAALC), did little to improve labor rights in the region. Labor unions’ participation in anti-NAFTA coalitions that included organizations devoted to many different issues reflected a significant shift in the history of union relations in North America. For the first time, and practically overnight, North American labor unions engaged in an active struggle, not only with environmental and other progressive organizations, but also with their counterparts across the continent (Evans & Kay, 2008; Kay & Evans, 2018). And some unions even began to build formal relationships with their counterparts that transcended coalitional goals (Kay, 2005, 2011a).

NAFTA—the concrete embodiment of globalization in North America—thus had the unanticipated consequence of catalyzing labor transnationalism, defined as ongoing cooperative and collaborative relationships among Mexican, United States, and Canadian unions and union federations. After years of struggle against free trade, North American labor unions, which for decades had been isolated and estranged across national boundaries, emerged with new ties of cooperation and networks of protest (see Cook, 1997; Damgaard, 1999; de Buen, 1999; Kay, 2011a; Kidder, 2002; Luján, 1999; Thorup, 1993).

In this chapter, I revisit these issues by examining whether transnational ties have been relevant to the negotiation and/or enforcement of the United States–Mexico–Canada Agreement (USMCA), which replaced NAFTA when it entered into force on July 1, 2020. Using data gathered from interviews and archival materials with U.S., Canadian, and Mexican labor activists and government officials, I show that labor transnationalism continues to be an important factor in efforts to strengthen labor rights and improve working conditions across North America, even though some relationships waned as the NAALC proved ineffective in this effort.

NAFTA's renegotiation provided unions an opportunity to shape its successor, the USMCA; they now had another concrete mechanism—as they did during NAFTA's negotiation—to engage with each other.

The continued relevance of labor transnationalism supports my original argument that the new transnational political opportunity structure NAFTA created had significant effects on catalyzing enduring transnational labor relationships across North America. The endurance of transnational ties also reinforces my original argument that how global governance institutions are built affects movement-building outcomes: concrete mechanisms that enable activists to participate and engage with each other are critical for transnational movement building.

## RESEARCH METHODS

For my original study, between 1999 and 2001, I conducted over 140 in-depth interviews with Mexican, Canadian, and U.S. labor leaders and union staff, government officials, labor activists in nongovernmental organizations (NGOs), and labor lawyers. In 2009 and 2010, I conducted a small set of follow-up interviews with key labor leaders to gauge whether the landscape of labor transnationalism had changed significantly since my initial interviews. In addition to conducting in-depth interviews, I examined Mexican, Canadian, and U.S. union newspapers and magazines during a fifteen-year period (1985–2000), and union documents culled from archival collections of major North American labor unions. I also reviewed legal documents, and the twenty-three public submissions filed with National Administrative Offices (NAOs) between 1994 and May 2001.

For this chapter, in which I examine the period between 2010 and 2024, I draw on research that is part of a larger collaborative project with Dr. Laura Macdonald. For this project, we conducted ten in-depth interviews with labor activists, labor lawyers, union leaders, and government officials in Mexico, Canada, and the United States. The interviews provide data on how these key actors conceptualized the problem of labor rights violations in Mexico, how they strategized to try to change the labor law regime, how they viewed the effects of FTAs, how they worked transnationally to build coalitions and networks, and how they managed constraints and exploited opportunities. In addition to conducting in-depth interviews, we examined Mexican, Canadian, and U.S. union, government, NGO documents, and press during this period.

## USMCA: TRANSNATIONAL TRADE-NEGOTIATING AND LEGAL FIELDS

Theorists of transnationalism frequently draw on political process theory and new social movement theory to explain the construction and role of transnational ties. In this chapter, I bring in an alternative theoretical framework developed in my earlier work and inspired by the work of Bourdieu and other sociological and organizational theorists. It is useful to understand the persistence of labor transnationalism during the USMCA negotiations, as facilitated by the overlap between transnational and domestic fields. Bourdieu conceptualizes fields as the social spaces through which power is constituted, contested, and reproduced as individuals pursue common interests (Bourdieu & Wacquant, 1992; Swedberg, 2008). For organizational theorists, a field is constituted by like organizations that directly interact or are indirectly oriented to each other, and that “in the aggregate, constitute a recognized area of institutional life...” (DiMaggio & Powell, 1991, pp. 674–665). The definition of field I use here and in previous work most closely maps onto Fligstein and McAdam’s (2012): “constructed social orders that define an arena within which a set of consensually defined and mutually attuned actors vie for advantage” (p. 64).

Organizational scholars generally focus on what happens *within* individual fields (see Armstrong, 2002; Clemens, 1993; Duffy et al., 2010; Lounsbury, 2017; Schneiberg & Soule, 2005; Scott et al., 2000; Spicer et al., 2019). But understanding how social movements, particularly labor movements, can build power in a global economy requires an examination of how they forge novel sources of power by leveraging *across* fields. There is extensive scholarship on *intra-field dynamics*, but much less on inter-field dynamics, despite the significant effects of fields on each other. In addition, there are critical connections between non-state and state fields, and the points of intersection *across* state and non-state fields can be leveraged strategically by activists to build power. As I have argued in previous work, political opportunities emerge from how both state and non-state fields intersect, which creates unique points of leverage that render particular targets more vulnerable and strategies more effective (Evans & Kay, 2008, p. 988).

The concept of inter-field leverage contributes to the study of transnational cooperation by foregrounding how labor activists skillfully leverage across domestic and transnational fields in order to have maximum impact

on trade policy outcomes. It puts *strategy* at the center of analysis and helps explain how labor movements can wield power within hostile fields by utilizing resources in adjacent fields. For example, they can exploit sites of intersection between domestic and transnational/international fields to change the parameters in one, or expropriate legitimating discourses from a transnational or international field to pursue goals in a domestic field. That key trade policy actors operate at the intersection of multiple domestic and transnational fields creates leverage across them for labor movements (Evans & Kay, 2008). Centering the role of transnational/international fields allows us to expand our understanding of transnationalism beyond political process theory.

### NAFTA'S EFFECTS ON LABOR TRANSNATIONALISM

Two of those fields were created in the early 1990s during NAFTA negotiations. The first new institutional field NAFTA created in 1990 was a transnational trade-negotiating field in which state officials and labor representatives in the United States, Mexico, and Canada hammered out the nature and scope of the substantive trade agreement, and ultimately the labor side agreement. This new institutional field was critical to stimulating labor transnationalism during NAFTA's negotiation, because it provided labor activists with a concrete target of engagement and protest that straddled the borders of North America. Labor unions in Canada, the United States, and Mexico, which for years had been isolated and estranged, could target not only nation-states and the general public but also a new and viable transnational institutional field (Kay, 2011a).

During the pre-passage contestation over NAFTA, activists' ongoing interactions in this field helped constitute them as transnational actors, and enabled them to forge collective interests. NAFTA stimulated this process by serving as a collective threat to North American unions, which began to see their futures as linked, bringing them into contact and helping coalesce their interests, and compelling them to define and defend what they considered to be North American labor rights. NAFTA compelled key labor leaders to reevaluate and recreate the racial ideologies and discourses their unions had promulgated in the past (Kay, 2011a).

Newly constituted as regional actors with regional interests, they emphasized how NAFTA would undermine the living and working conditions of *all* North Americans. Thus, NAFTA participated in the rupture of stereotypes about the "other" worker (i.e., the foreign worker) and

helped chip away at various obstacles to transnational cooperation and collaboration. During all stages of NAFTA's negotiation, unions worked in trinational coalitions lobbying their individual nation-states and mobilizing popular support to demand that the agreement have teeth (Kay, 2011a). For example, the largest U.S., Canadian, and Mexican telecommunications unions created a formal alliance to defend workers through joint mobilization and met regularly to develop strategies to try to influence NAFTA's negotiations.

When NAFTA went into force on January 1, 1994, it created another transnational institutional arena for activists to engage—a transnational legal field. This field consisted of nascent legal mechanisms, including the NAALC and NAOs, in each of the three NAFTA countries. These new institutions were critical to stimulating new transnational relationships and nurturing existing ones because they enabled labor activists collectively to invoke and demand protection for newly defined North American labor rights claims (Graubart, 2008). The NAALC created eleven North American labor principles or rights recognized by the three countries and established new rules, procedures, and venues to adjudicate complaints of labor rights violations in North America. But most significantly, by requiring submitters to file complaints outside of their home countries, the NAALC forced labor activists to seek assistance from counterparts in another NAFTA country and thereby catalyzed transnational relationships that had not previously existed (Alexander, 1999; Compa, 1999; Kay, 2011a, 2011b). Between 1994 and 2020, a total of forty-six cases (called public communications) were submitted to NAOs, including: United States (25); Canadian (7); and Mexican (14) (Middlebrook, 2024). They were often submitted jointly by labor unions in more than one NAFTA country. When NAFTA went into force, activists submitted a flurry of public communications, but as time went on and few concrete improvements in working conditions resulted from the process, the number declined. Unions submitted fewer, and NGOs took on a larger role in the NAALC process.

The two transnational fields NAFTA created were unprecedented, and so were their effects. But their potency lies in their constitutive functions: in the political mobilization period during NAFTA's negotiation, transnational interests and actors were created, and during the period of NAFTA's implementation, actors and rights claims were legitimized. The NAFTA story, then, is about how political-institutional fields serve as new transnational political opportunity structures for emergent transnational

social movements. Faced with a trade agreement that could potentially undermine labor rights and standards in North America, labor unions entered these new fields to mobilize. Through their interactions, they began to develop not only a collective strategy and agenda for changing the rules of regional economic integration but also a sense of their collective interests as North American workers (Kay, 2011a).

### LABOR TRANSNATIONALISM AFTER NAFTA, 1994–2020

In the wake of NAFTA, U.S., Mexican, and Canadian unions continued to leverage the transnational relationships they had built during the negotiation of the agreement and implementation of the labor side agreement. During the twenty-six years NAFTA was in force, the ties forged among North American unions endured, as demonstrated by their continued collective resistance to labor abuses and activism in response to neoliberal FTAs. Together with a plethora of civil society organizations, unions continued their fair trade advocacy into the post-NAFTA era, fighting the Trans-Pacific Partnership Agreement (TPP) and the Transatlantic Trade and Investment Partnership (TTIP), as well as investor-to-state dispute settlement (ISDS), and World Trade Organization (WTO), loan conditions (Kay & Evans, 2018). These nascent political coalitions bore some fruit, as evidenced by their ability to thwart new FTAs such as the Free Trade Agreement of the Americas (Roberts & Thanos, 2003; von Bülow, 2011), mobilize large numbers of activists (e.g., the 1999 Seattle WTO protests), and resist some anti-democratic governance policies, including ISDS mechanisms in the Multilateral Agreement on Investment (Erne et al., 1998).

At the same time, U.S., Canadian, and independent Mexican labor unions continued to push for stronger labor standards and new approaches to enforce labor rights after NAFTA. Bolstered by bipartisan support and the cooperation of the Office of the U.S. Trade Representative (USTR), U.S. unions fought for and achieved the incorporation of labor chapters into the bodies of new FTAs, rather than as side agreements. And although Canadian and U.S. unions largely rejected the idea of a side accord during the NAFTA negotiations, they ultimately recognized how critical it was to have a seat at the table and try to improve labor standards in trade agreements and other multilateral institutions. All of this paved the way for an intensification of transnational alliances once the renegotiation of NAFTA was announced in 2017.

*Labor Law Reform Efforts in Mexico*

NAFTA provided independent Mexican unions and union federations, a new transnational space to organize and wield more influence as they became valued—and often preferred—partners of their U.S. and Canadian counterparts. In Mexico, there has been a thriving, though marginalized, progressive movement for independent and democratic labor unions since the 1960s. Workers' rights to organize and negotiate collective bargaining agreements have historically been limited in Mexico. It is common practice for employers to sign “protection contracts” with ghost unions or corporatist unions tied to the ruling party. Independent and democratic unions are thwarted by widespread state interference, voter intimidation, and retaliation. These widespread practices prevent workers in Mexico from organizing to improve low wages and dangerous working conditions, and they block the spread of democracy and the rule of law in Mexico (Middlebrook, 1995). The NAALC did not provide adequate mechanisms to prevent the Mexican government from maintaining corporatist unions and protection contracts.

Ongoing and intense pressure from domestic Mexican democratic unions, labor lawyers, academics, and citizen organizations to implement labor reform has been reinforced within the transnational trade negotiating field by new efforts to strengthen labor guarantees in FTAs, reflecting in part some of the limitations of the NAALC. In 2016, the USTR tried to pressure Mexico to adopt international labor standards on freedom of association and collective bargaining before negotiating the TPP. Rather than accept a USTR directive to change its labor laws, Mexico instead embarked on a domestic reform process. The Mexican Congress passed a reform to the labor articles of the Mexican Constitution aimed at modernizing the labor justice system. Following ratification by Mexico's states, the Constitutional Reform for labor became federal law on February 24, 2017. Implementation of the reform, however, and therefore the transformation of the Mexican labor regulations system, was still dependent on the creation of secondary legislation at both the federal and state levels (Middlebrook, 2024).

While the momentum to carry out the implementation of the reform stalled in Congressional battles, Mexican labor actors continued to push the reform process. Within Mexico, the historic July 1, 2018 election of President Andrés Manuel López Obrador, and the formation of Congressional majorities in both houses for his political party, Movimiento

de Regeneración Nacional (MORENA), brought labor advocates that had long been sidelined in Mexico's dominant party structure into the forefront of the new administration.

This new opportunity spurred Mexican labor rights groups and their allies in national political parties to develop proposals for the secondary legislation that reflected the spirit and letter of the constitutional reform. Dr. Graciela *Bensusán*, an eminent scholar of Mexican labor, explained that she and her colleagues had been working on reform initiatives long before the USMCA was negotiated, but did not have the political power to enact them:

We had expert academics, specialists in labor rights working for decades and we even crafted constitutional and legal reform initiatives, which are the basis of the reform that was finally carried out in 2017 and 2019. And we had tried to present it through the PRD<sup>1</sup> to Congress, we presented it as an initiative, but we never had the necessary political strength to be able to approve that. Because the resistance of the PRI and the PAN<sup>2</sup> was total. In Congress there was no way to overcome the weight of the CTM. (Graciela *Bensusán*, 2024, personal communication)

Efforts to reform the Mexican labor regime were therefore well under way when the renegotiation of NAFTA began in August 2017. Together, the confluence of both domestic and international forces created the conditions for the wholesale transformation of Mexico's labor relations system, as Dr. *Bensusán* explained:

These external pressures evidently came together with an internal logic for the need for change and the need to overcome resistance. Honestly, I think it would not have been easy if the external pressures had not existed. I think that no matter how much will President Andrés Manuel López Obrador might have had, it would have been very difficult for him to carry out a reform of this size....That is to say, ultimately, the reform we got was what we had been asking for within the country. What the United States did is help us so that we could carry out that reform. (Graciela *Bensusán*, 2024, personal communication)

<sup>1</sup> PRD, or Party of the Democratic Revolution.

<sup>2</sup> PRI, or Institutional Revolutionary Party. PAN, or National Action Party.



That labor reform resulted in a new system that is more representative, impartial, transparent, independent, and democratic. The profundity of the change in the Mexican labor law regime cannot be overstated. And the leverage provided by overlapping domestic and transnational fields allowed activists to apply pressure in ways to have maximum impact on improving labor rights and protections in Mexico.

## THE NEGOTIATION OF THE USMCA

### *A New Transnational Trade Negotiating Field: Pushing for a Stronger Agreement*

Over a quarter century after NAFTA's negotiation, history repeated itself when its renegotiation created two new institutional fields that labor unions and activists utilized to mobilize across North American borders. The first, created in 2017, was another transnational trade-negotiating field in which state officials and labor representatives in the United States, Mexico, and later Canada, hammered out the nature and scope of the substantive trade agreement. The second was a transnational legal field that consisted of legal mechanisms that allowed unions to file complaints of labor violations through the USMCA's new adjudicatory processes.

On May 18, 2017, U.S. Trade Representative Robert Lighthizer notified the U.S. Congress that the Trump Administration intended to renegotiate NAFTA. The first round of negotiations began on August 16, 2017, and during the intervening period, the USTR invited businesses and civil society organizations to offer comments on how to improve NAFTA. During this period, key U.S., Canadian, and Mexican<sup>3</sup> labor unions continued to define themselves as part of a North American labor movement and frame FTAs as a concern for workers across the continent.

On June 12, 2017, the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) submitted written comments on "Negotiating Objectives Regarding Modernization of the North American Free Trade Agreement with Canada and Mexico" prior to offering testimony at the U.S. Trade Policy Staff Committee hearing on June 27, 2017. In the initial pages of the report titled "Making NAFTA Work for

<sup>3</sup> This did not include corporatist union federations and their affiliates such as the Confederation of Mexican Workers (CTM) and the Revolutionary Confederation of Workers and Peasants (CROC), among others.

Working People,” the language used to discuss “key recommendations” focused not on U.S. workers, but on North American workers: “NAFTA renegotiation must be focused on improving conditions for workers in all three countries. The negotiation must be transparent, democratic and participatory” (AFL-CIO, 2017, p. 4). “One of the single most important things a renegotiated NAFTA could do for workers in all three countries is to raise wages and protect fundamental rights for workers in Mexico, thereby limiting the ability of corporations and Mexico’s ruling elite to use Mexican wages as an instrument of labor arbitrage” (AFL-CIO, 2017, p. 2).

In its “Report on the Impacts of the Renegotiated North American Free Trade Agreement,” the U.S. Labor Advisory Committee for Trade Negotiations and Trade Policy echoed this framing and warned about racism:

Instead of useless debates about “free trade” versus protectionism or dangerous forays into nationalism and xenophobia, this trade reform moment should be about exploiting the cracks in the current approach to trade, so that we can adopt new, inclusive solutions that recognize human dignity and create shared prosperity not just in the United States, but globally....The deal before us falls short of this ambitious, transformative trade agenda. However, if the agreement can be improved, it could have value to our members and the populace of the United States, Mexico, and Canada. (Labor Advisory Committee, 2018, p. 3)<sup>4</sup>

These calls to push back against nationalism and xenophobia echoed similar entreaties against racism during NAFTA’s negotiation by key labor unions and activists.

And, as they had decades earlier, activists used a transnational trade-negotiating field—this one created by the USMCA—to weigh in and try to improve labor protections in the agreement. It was helpful that many unions had developed relationships with each other during NAFTA’s negotiation, and could utilize them during its renegotiation. As Stanley Gacek, former Associate Director of the AFL-CIO’s International Department explained: “There was a re-engagement with the Mexican labor movement in terms of those who had been allies with regard to authentic

<sup>4</sup>This is one of the Advisory Committees established under the United States Trade Representative’s office. <https://ustr.gov/about-us/advisory-committees/labor-advisory-committee-lac>.

unionism in moving this forward to enhance authentic unionism” (Stanley Gacek, 2023, personal communication).

Angelo DiCaro, Director of Research at Canada’s largest private sector union, Unifor, explained how unions in all three countries were involved in discussions about the negotiations: “So there were channels of discussion, and they were very constructive and, and I’d say in equal measure discussions that were happening with Mexican trade unions and happening in a trilateral way. So I think that was very healthy” (Angelo DiCaro, 2022, personal communication).

Arturo Alcalde, a prominent Mexican labor lawyer, echoed these comments about transnational dialogue during negotiations:

But the USMCA was also negotiated, with many of us pushing for a change, right? We met with the leaders, with Trump, with the Teamsters, with Democratic legislators to design the points that had to be put into a new labor model. And in part it was what they proposed to the Mexican government. And we had standing in the government, and we agreed, so there was an understanding. (Arturo Alcalde, 2022, personal communication)

As Alcalde suggests, during USMCA negotiations, independent union activists who had been marginalized for decades by official Mexican political parties now had power in the López Obrador administration. Indeed, Alcalde’s daughter, Luisa María Alcalde Luján, served as Mexico’s Secretary of Labor from 2018 to 2023, and as of this writing, serves as Secretary of the Interior.

But labor activists like Alcalde, who had fought for decades to improve labor rights in Mexico, also had strong relationships with their counterparts in U.S. and Canadian unions. So when some of those U.S. and Canadian labor officials once again tried to wield their influence where it would matter the most during the USMCA negotiations—in the U.S. trade arena—they had the support, knowledge, and advice of Mexican unions, and labor lawyers such as Alcalde with whom they had built relationships and worked with decades earlier.

Tim Beaty, formerly both Director of the Solidarity Center Mexico Office and Deputy Director of the AFL-CIO’s International Department, described coordination between labor lawyers and activists in all three countries:

And so there's a significant—and has been for a long time—significant level of coordination between the U.S., Canada, and Mexico. The key attorneys that helped form the Mexican position, and also the ones rewriting Mexican labor law, were folks that we've been talking to for twenty-five years....There's a whole group of these attorneys that we know pretty well at this point, and while not as often, certainly there has been ongoing regular communication between those attorneys over the years as well. (Tim Beaty, 2023, personal communication).

For these Mexican labor lawyers and activists, the USMCA negotiation process and the concessions it resulted in were therefore not imposed. Rather, the process was cooperative and collaborative—even if that collaboration was only visible behind the scenes.

Ultimately, the labor protections embodied in an Annex on “Worker Representation in Collective Bargaining in Mexico”—approved by Mexican and U.S. labor advocates—were attached to the USMCA's new labor chapter. It provides guidelines on the content of the secondary legislation, and then ties the USMCA's entry into force to Mexico passing secondary legislation that meets those criteria, which was signed into law on May 1, 2019—May Day in Mexico. It also included a rapid response mechanism endorsed by labor activists in all three North American countries that is arguably the strongest adjudicatory mechanism to have been incorporated into an FTA ratified by the United States.

### *A New Transnational Legal Field: Chapter 23 and the Rapid-Response Labor Mechanism*

When the USMCA entered into force on July 1, 2020, it created a second transnational institutional arena for activists to engage—a transnational legal field. This field consists of nascent legal mechanisms, including Chapter 23 and the Facility-Specific Rapid Response Labor Mechanism (Annex 31-A). There are some similarities and core differences between the labor rights standards and adjudicatory mechanisms in NAFTA and the USMCA. Unlike NAFTA, labor rights are embedded in the body of the USMCA in Chapter 23, rather than in a side agreement. Chapter 23 borrows language from Mexican drafts of labor law reform bills, again reflecting communication and collaboration between Mexican labor lawyers and U.S. union officials. While the NAALC required signatories to enforce their own labor laws and outlined eleven broad labor

principles for signatory countries to adhere to, only the violations of child labor, minimum wage, and occupational health and safety could result in trade sanctions. And during the 26 years the NAALC was in force, no cases resulted in trade sanctions. The violation of fundamental labor rights, including the right to strike and bargain collectively, could not rise to the highest level in the adjudicatory process and result in trade sanctions. In contrast, USMCA Chapter 23 requires signatories to incorporate and enforce worker rights protections based on the ILO 1998 Declaration on Fundamental Principles and Rights at Work (Villarreal & Fergusson, 2020).

Enforcement of labor rights in the USMCA can occur through two mechanisms: a state-to-state dispute settlement process (Chapter 31) and a Facility-Specific Rapid Response Labor Mechanism (RRLM) outlined in Annex 31-A. The RRLM mechanism was an innovation that had not existed in previous FTAs. Unlike NAFTA, which only allowed public communications to be filed against countries for failure to enforce their own labor laws, the RRLM allows stakeholders and governments to initiate a claim against private employers of a particular facility covered in a “priority sector” in violation of labor rights related to freedom of association and collective bargaining. Because the Annex creates a narrower criteria for filing claims against U.S. and Canadian companies, it is much easier to file claims against Mexican facilities, which are the primary target of RRLM processes.

The RRLM can be initiated by a worker who can call a hotline in the United States to report a facility, by a union, NGO, company, or other stakeholder, or by the U.S. government. Petitions are submitted to the Interagency Labor Committee (ILC), which is co-chaired by the U.S. Department of Labor and USTR, and charged with managing the labor provisions in the USMCA. The ILC has 30 days to review a petition, and if it determines there is “sufficient credible evidence” that a violation has occurred, it notifies the Mexican government, which has 45 days to investigate and offer a remedy. The RRLM process is quite distinctive from NAALC mechanisms because the RRLM can result in trade sanctions in the form of denial of USMCA tariff benefits and penalties against employers who are found in violation of the USMCA’s labor rights provisions. Repeat offenders can be subjected to escalating penalties, including the blocking of imports made in violating facilities.

NAFTA created NAOs, which were new institutional structures and transnational legal mechanisms, within each country’s national labor

ministry or its equivalent. The USMCA also created new institutional structures that function as oversight bodies and transnational legal mechanisms. In the United States, these include the ILC, an Independent Mexico Labor Expert Board, five full-time Labor Attachés, and a Forced Labor Task Force. A Rapid Response Labor Panel, which in effect is a transnational body comprised of experts chosen by each country, can also be formed to investigate labor violations and conduct an on-site visit to facilities where alleged labor violations have occurred.

### THE RAPID-RESPONSE LABOR MECHANISM AND LABOR TRANSNATIONALISM

The legislation implementing the USMCA not only included funding to support activities to fulfill provisions of the free trade agreement, but also for ongoing transnational cooperation in relation to the promotion and support of labor rights. Specifically, it included \$180 million for technical assistance projects in Mexico aimed at improving working conditions, labor protections, and reducing and eliminating labor abuses. Funded projects include those to promote gender equity, workplace democracy, legal training, occupational safety and health in supply chains, worker education on Mexico's labor law reforms, and to combat child labor, among others. Beneficiaries of funding include the Mexican government at the federal, state, and local levels, labor unions, NGOs, and other civil society organizations.

Technical assistance projects promote transnational cooperation among labor unions and activists, as Angelo DiCaro, Director of Research at Canada's largest private sector union, Unifor, explained:

And I think a lot of that goodwill relationship-building that happened in the course of the renegotiation has carried forward where those relationships have sustained now in the post-negotiation phase and as these technical assistance projects are working their way forward. So, I see that as a great value from the effort. (Angelo DiCaro, 2022, personal communication)

Dr. Graciela *Bensusán*, who led one of these projects, described her initial trepidation: "Honestly, when they invited me to direct this, I thought there was no way I was going to agree to mess with U.S. money and a U.S. organization I didn't know anything about" (Graciela

Bensusán, 2024, personal communication). But she explained that she changed her mind and it was “an extraordinary form of international cooperation....We had meetings with the U.S. Secretary of Labor and with the Director of the [Federal Conciliation and Labor Registration] Center and their officials constantly. And we worked on proposals *together*” Graciela Bensusán, 2024, personal communication.

The process of invoking the RRLM has also renewed and strengthened labor transnationalism among the continent’s unions. As of this writing, since the USMCA went into effect in 2020, the RRLM process has been utilized 24 times. Twenty-three have been submitted to the U.S. and one to Canada. Multiple cases have been filed jointly between U.S. (and Canadian), and Mexican labor unions, and NGOs. Tim Beaty, formerly both Director of the Solidarity Center Mexico Office and Deputy Director of the AFL-CIO’s International Department, explained that transnational cooperation and coordination also occur behind the scenes when support is needed for submitting an RRLM case:

The CFO [Comité Fronterizo de Obreras] up on the border has good relationships with the Steelworkers and also with the Canadian Steelworkers in particular, among others. A number of those relationships have existed for a long time. And so when a dissident group inside a plant was identified and they got in touch with one of the local NGOs, or sometimes a union like the *Mineros* or an advocacy group like CILAS,<sup>5</sup> there were already established relationships where they could tell the story and then ask for whatever kind of resources were needed. Whether it was funding for organizers, or legal help with writing and submitting a rapid response case, or whatever the other legal options, or leverage options might be in the case. So it just mostly was following up on existing relationships. (Tim Beaty, 2023, personal communication)

As Beaty suggests, pre-existing relationships among U.S., Canadian, and Mexican unions and NGOs have endured, and are leveraged in moments of need.

The first RRLM case was filed in May 2021 by the AFL-CIO’s Service Employees International Union (SEIU), the *Sindicato Nacional Independiente de Trabajadores de Industrias y de Servicios Movimiento 20/*

<sup>5</sup> Centro de Investigación Laboral y Asesoría Sindical.

32 (SNITIS) and Public Citizen alleging right to organize and collective bargaining violations against Tridonex, an auto parts factory in Matamoros, Mexico (AFL-CIO, 2021).

It is important to emphasize that the RRLM case supported workers who, since 2019, had been engaged in an ongoing campaign to organize an independent union and demand a free and fair union election. Tridonex responded by firing workers, and state officials arrested the workers' lawyer, Susana Prieto Terrazas (Torres, 2022). As a result of the case and workers' organizing, Tridonex agreed to reinstate fired workers, pay severance and backpay, allow a free and fair union election, and strengthen COVID-19 safety protocols, among other concessions. In February 2022, workers at Tridonex voted for and won an independent union.

The United Steelworkers (USW),<sup>6</sup> which had been involved in multiple NAO public submissions under NAFTA, has also filed joint RRLM cases under the USMCA. In 2022, the USW, with the AFL-CIO, and an independent Mexican mineworkers union, the Sindicato Independiente de las y los Trabajadores Libres y Democráticos de Saint Gobain México, filed a case against an auto glass manufacturer in Cuautla, Mexico, over accusations the company violated workers' freedom of association and collective bargaining rights. As the case was proceeding, the employer allowed a new union election, and workers elected an independent union to represent them.

And in May 2023, the AFL-CIO, USW, and the Sindicato Nacional de Trabajadores Mineros, Metalúrgicos, Siderúrgicos y Similares de la República Mexicana (*Los Mineros*) filed a case alleging violation of workers' freedom of association and collective bargaining rights against Grupo Mexico, that owns the San Martín mine in Zacatecas. In August 2023, the USTR requested the formation of a labor panel under the RRLM for the first time, and in February 2024, the panel was convened.

The first RRLM case was submitted in Canada in March 2023 by Unifor and a Mexican union, the Sindicato Independiente Nacional De Trabajadores Y Trabajadoras De La Industria Automotriz (SINTTIA), against a facility in Silao, Guanajuato, for violations of freedom of association and collective bargaining. The Canadian government reviewed the case, and the company agreed to a remediation plan that included

<sup>6</sup> The United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union.



neutrality in union activities, reinstatement of fired workers, and compliance with international labor standards. In June 2023, workers chose SINTTIA to represent them in a union election (Employment & Social Development Canada, 2023).

In contrast to the NAALC process, a majority of RRLM cases have resulted in remediation plans that require employers to further labor rights, including holding free and fair elections, providing severance or back pay, reinstating workers, etc. In 18 RRLM cases, remediation plans favorable to workers were recommended, and six cases are still in process. A facility involved in two cases ultimately closed rather than move forward with remediation plans (Polaski, 2023).

There has been a general consensus among labor unions, labor advocates, and scholars that the RRLM process is a significant improvement over the NAALC process in protecting and furthering labor rights and improved working conditions across North America. As Sandra Polaski (2023) argues:

The Mexican, US and Canadian governments have each evaluated the early experience of the USMCA labor obligations and use of the RRLM as successful (Gobierno de México, 2023, USTR November, 2022, Robertson, 2023). Mexican and international trade unions have also praised the early results (CILAS, 2023, IndustriALL, 2021). More time and experience will be required to assess whether the agreement contributes to broad, substantial and lasting improvements in Mexican workers' rights, wages and working conditions (p. 19).

Some labor advocates have even emphasized that international support is necessary in order to bring forward cases successfully:

Therefore, contrary to the calls of the Mexican authorities to resort to the [USMCA] as a “last resort,” what it’s showing is that it’s not possible for workers to be successful using local mechanisms exclusively. In many cases, based on empirical experience, it is only the possibility of escalating conflicts to an international level that limits the coercive actions and harassment against union organizers. (CILAS/CALIS, 2023, p. 2)

The general experience with the RRLM process for labor unions and advocates, according to Polaski (2023), has been a positive one, if measured in terms of effectiveness, legitimacy, and sovereignty. It is also important to highlight that while NAALC public submissions took years

to resolve, and were often stymied by government and companies' efforts to thwart the process, the construction of the RRLM facilitates a fast and unimpeded process.

## CONCLUSIONS

Given the weakness of the NAALC, some scholars were doubtful that labor transnationalism would persist in NAFTA's wake. But the evidence suggests it did persist, although activities waned from 2001 to 2017, and then subsequently were reinvigorated and transformed again. In 2011, I argued that concrete mechanisms of engagement facilitate transnational social movement building, and their absence makes it more challenging for activists, who must forge collective identities, to build solid ties. The pattern of labor transnationalism in North America appears to have been consistent with my argument. Transnational labor relationships developed and strengthened when concrete mechanisms—in the form of NAFTA and the NAALC—emerged in the early 1990s. They provided new fields in which unions could engage with each other, forge ties of solidarity, and build collective identities in response to neoliberal globalization.

But there was a lull in labor transnationalism as it became clear that one of those mechanisms, the NAALC process, proved to be ineffective, and unions began to abandon it. Without a concrete mechanism to engage, many of the transnational labor relationships constructed in the early 1990s endured but did not flourish. When threats such as the TPP, TTIP, and other FTAs emerged, labor unions and activists reactivated their ties and responded collectively, often quite successfully. But transnational campaigns like those that appeared in the 1990s to support Han Young and Echlin workers in Mexico did not emerge (Kay, 2011a; Williams, 2003).

And then, when the USMCA was introduced in 2017, it created a new concrete mechanism around which labor transnationalism could be reinvigorated. And, like NAFTA, it created two new fields—transnational trade-negotiating and legal fields—that activists used to strengthen existing transnational relationships and create new ones. It is also important to note that, unlike the NAALC process, which made it extremely difficult for unions to submit public communications without working with their counterparts in another NAFTA country, the RRLM process does not create the same incentive for unions to work together across borders to submit cases. And yet, it seems that filing cases collectively

has persisted, driven in no small part by the fact that working collectively on NAALC cases became a *practice* among North American unions. The durability of their relationships and the inertia created by the practice arguably led to their persistence in the face of the threat the USMCA created.

My original argument that governance institutions that have concrete mechanisms to engage are much more efficacious for transnational movement building continues to resonate. Ironically, workers' mobilization against a neoliberal FTA and its undemocratic negotiation in the early 1990s resulted in the creation of a labor side agreement that, however weak, provided them with more democratic institutional tools to utilize in their post-NAFTA struggle against neoliberal globalization. The NAFTA case shows how global governance institutions can create arenas that generate transnational movement building and democratic engagement even when their policy outcomes (e.g., improved wages and working conditions) leave much to be desired.

My argument was tested when NAFTA was renegotiated, but it proved useful in explaining how and why the USMCA had a similar effect on labor transnationalism. The two new fields it created reinvigorated transnational relationships as activists actively engaged them and each other. Moreover, the legitimacy that labor activists developed in the trade arena during the struggle over NAFTA actually strengthened their position in that arena when it was renegotiated. USTR Lighthizer recognized that he could not get the USMCA through Congress without the support of U.S. unions and their Congressional allies, who unceasingly ratcheted up the process, resulting in a much stronger agreement than its predecessor. What is overlooked is that U.S. unions worked behind the scenes with their Mexican and Canadian counterparts, with whom they had constructed strong relationships in the 1990s, to build consensus on the necessary labor rights and protections that would merit their collective support for the USMCA. As Piven and Cloward (2000) foresaw, transnational activism has been solidified in the repertoire of the North American labor movement, and as a result, two decades after NAFTA's negotiation, we see evidence of a shift, however modest, in power relations for labor across North America.

The cases of NAFTA and the USMCA also show how labor activists skillfully leverage across domestic and transnational fields in order to have maximum impact on trade policy outcomes. Unions with legitimacy in each of their countries leveraged their power to try to influence

the outcome of USMCA negotiations in the transnational trade negotiating field. Their success at improving the labor chapters and enforcement mechanisms of the USCMA highlights the importance of putting *strategy* at the center of analysis to help explain how labor movements can wield power within hostile fields by utilizing resources in adjacent fields. Centering the role of transnational fields, not only expands transnationalism beyond political process theory, but also helps explain why transnational relationships among North American unions have endured even as they have transformed in order to meet the new challenges and opportunities of globalization.

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# Female Leadership and Transnational Labour Activism in Mexican *Maquiladoras* Under USMCA: Steps Forward and Steps Back

*Cirila Quintero Ramírez*

One of the principal changes in the new trade agreement between the United States, Mexico and Canada (USMCA) was the importance given to labour, especially as a result of exploitative labour conditions in Mexico. Among its objectives was an end to the system of “protection unions” (a form of unionism that restricts commonly accepted trade union rights and promotes the interests of company owners) and the creation of authentic, democratic unions. In the USMCA, collaboration between the authorities of the three countries is held to be central in implementing labor objectives and protecting workers. As discussed in the chapter by Kay in this volume, the USMCA constitutes a step forward when compared with its precursor, the North America Free Trade Agreement (NAFTA), where side agreements about labour and environmental protection lacked

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© The Author(s) 2026  
L. Macdonald et al. (eds.), *Transnational Activism in North America*,  
International Political Economy Series,  
[https://doi.org/10.1007/978-3-031-95816-8\\_4](https://doi.org/10.1007/978-3-031-95816-8_4)

“teeth”. In addition to the provisions in the labour chapter that permit workers and their allies to submit cases to dispute settlement mechanisms, and the possible use of trade sanctions, workers now have the additional support of the Rapid Response Labor Mechanism (RRLM)<sup>1</sup> to protect them when companies obstruct union organization.

The NAFTA experience demonstrated that, when companies fail to respect labour laws and/or national governments fail to apply them, other strategies of collective action are necessary. One such strategy has been the participation of Canadian and U.S. unions and labour allies in transnational forms of solidarity in support of the Mexican labour movement. Different scholars have pointed to both the strengths and the limitations of transnational labour activism during the NAFTA era, focussing on the interaction between domestic organizations, especially non-governmental organizations (NGOs), and their transnational allies (see Bandy, 2004; Roman & Arregui, 2001. Others have focussed on the role of leadership in these NGOs or the potential for working with women in all three countries to improve labour and social conditions (Doucet, 2010; Gabriel & Macdonald, 1994). After those early years of NAFTA, however, the study of transnational activism seemed to have been abandoned. However, in the current conjuncture, labour issues have once again come to the forefront of transnational activism. And what is truly novel in these movements is the female leadership that is now front and centre of both labour movements and independent unions in Mexico, in contrast to earlier years when male leaders predominated.<sup>2</sup>

This article analyses the role of women in recent Mexican labour movements in the northern border region and their relationship with transnational solidarity, especially in the *maquiladora* companies. *Maquiladoras* (or *maquilas*) are plants that are mostly located near the US–Mexico border and hire workers to perform labour-intensive, low-paid work to assemble parts imported from the United States and then export the final product back to the United States or other countries. This form

<sup>1</sup> As discussed in the chapter by Kay in this volume, the RRLM provides a means for workers, often supported by transnational labour allies, to file a complaint against employers that violate labour rights. The mechanism requires rapid adjudication of the complaint and can lead to stiff fines being imposed on that employer if they don’t remedy the situation. This new mechanism, which is part of the USMCA, has led to some important victories by independent labour unions.

<sup>2</sup> A recent study (Quintero Ramírez, 2023) showed that women are important in recent movements not only as participants but also as leaders.

of production, for which companies receive tax-exempt status for their imports, was first established in the US–Mexico Border Industrialization Program (BIP) in 1965 but expanded rapidly after the signing of NAFTA (Iglesias Prieto, 1985). Women’s mobilization in these workplaces was often met with dismissal, and they were not supported by their unions. In this context, “protection” unions that work closely with employers and the government and fail to represent the interests of workers, also expanded rapidly. These unions were largely male-dominated, even though the labour force was largely female. In response, a series of more informal labour movements and labour civil society organizations (CSOs) have emerged to attempt to represent workers and promote their interests, often with female leaders and strong female participation. This chapter focusses on two cases: the Comité Fronterizo de Obreras (Border Committee of Female Workers—CFO) under Julia Quiñonez in Piedras Negras, Coahuila, and *Movimiento 20–32* (Movement 20–32), a labour movement launched in Matamoros, Tamaulipas, in 2019, in which more than 50,000 workers participated, and where the female labour lawyer Susana Prieto has played a prominent leadership role. I argue that transnational solidarity has proved to be a key ingredient in sustaining progressive female leadership over the decades, contributing to the current prominence of female leaders.

In this chapter, I seek to demonstrate first how the role of women in the labour struggle in the *maquiladoras* has shifted from one of low visibility to one of high-level participation. Secondly, I show how the female leadership of these movements has fluctuated between an approach that promotes transformative goals through the empowerment of women workers, and an approach that tends to support the status quo, and where even if the leader is female, she emulates masculine forms of leadership. Consequently, under the USMCA, there are advances *and* setbacks for women workers’ gender concerns. Female representation in union leadership is therefore not sufficient, I argue, to achieve progressive outcomes for women workers, or for the Mexican labour movement in general.

In this chapter, I draw on a historical–sociological perspective to understand the construction of female leadership as a process. I pursue this analysis first by drawing on existing literature on labour movements in *maquiladoras* where female leadership was important (Domínguez et al., 2019; Quintero Ramírez, 2014; Quintero Ramírez, 2021), and second, through in-depth interviews with female leaders: numerous interviews with Julia Quiñonez, at different times from the 1990s to the present,

and one with Susana Prieto in 2020, to examine the role women leaders play in the *maquila* labour movement. The chapter proceeds in three parts. First, I describe the importance of women in labour movements in the *maquila* sector. Second, I show how the participation and leadership of women increased in importance under NAFTA, particularly with the participation of local NGOs and their relations with international actors. In the last section, I refer to two specific disputes: Tridonex in Matoros and VU Manufacturing in Piedras Negras, to connect new forms of labour mobilization to the new characteristics and strategies that female leadership has acquired under USMCA, with the support of transnational allies.

### WOMEN AND STRUGGLE IN MAQUILADORAS: THE LONG PATH OF RESISTANCE

During the 1960s and 1970s, *maquiladora* workers became synonymous with women due to female preponderance in the sector. There was a decline in female dominance beginning in the 1980s and even more so in the 1990s. In 1975, 78.3% of *maquila* workers were women (Secretaría de Programación y Presupuesto (SPP), 1981). By 2007, however, according to official statistics, only 54% of unskilled workers (*obreros*) in *maquiladoras* were women. In some cities, like Ciudad Acuña, Coahuila, in the same years, women workers accounted for just 40% of the labour force (INEGI, 2007). Paradoxically, the NAFTA era and the crisis of 2000 diminished the overall participation of women: there was a decline from 59% in 1990 to 55% in 2005 in female employment in the *maquilas*, representing some 78,864 fewer jobs for women. Women lost almost double the number of jobs that men lost (44,881 in the same period). Women have always been the most affected during crises in the *maquiladoras*, which is one of the drivers of female activism.

Despite this relative decline in the percentage of women employed in the sector, different studies show that female participation was central in movements of the 1970s and 1980s, and their struggles were different from those of the male workers (Iglesias Prieto, 1985; Pequeño, 2015). They confronted a new industry without experience in union organization. They encountered low wages, long hours and bad labour conditions inside the plants, which required them to organize themselves (Arenal, 1989; Quintero Ramírez, 2020). Women workers fought against companies and male union leaders in the protective unions. The latter colluded

with managers to fix low wages and labor conditions, and did not defend women's labour rights, even though the majority of workers were women.<sup>3</sup> Workers could not register as independent unions because of state control of labour relations and state institutions that privileged the recognition of business-friendly unions. Male leaders were the most visible actors in the mobilization for independent unions in this period, in spite of the fact that most of the participants were women.

Where women did have a major presence was in NGOs. These grass-roots organizations developed activities such as workshops to teach healthcare and basic labour rights, and visits to *colonias* where workers lived. These initiatives were important in reaching women workers and their families. Some of the first NGOs supporting women were Comité Fronterizo de Obreras (CFO), founded in 1985 in Piedras Negras, Coahuila, Factor X, in Tijuana, also founded in the mid-eighties, and Coalición Pro Justicia en las *Maquiladoras* (CJM), based in San Antonio, Texas, founded in the late 1980s. These NGOs received financial support from different international sponsors, especially the American Friends Service Committee (AFSC). The work of these labour NGOs was local, in small groups or in the *colonias* of women workers, and hence with little visibility to companies. The 1980s was a decade marked by important international support for NGOs working with women workers. But this support was more often directed at health and environmental concerns. Support for labour issues in this decade was minimal.

In contrast to unions, NGOs coordinated mostly with women local leaders. Their small size made contact with members direct and informal. NGO leadership was also drawn from workers in the *maquiladoras*, and this shared class and gender identity was an important factor in making connections to women workers. Further, NGOs knew, not only about the characteristics of work inside the companies but also about the conditions in the border cities and in workers' homes. In spite of these advantages, NGOs were constrained because of their lack of resources. They were highly dependent on international financial support, and some groups, such as Factor X in Tijuana, disappeared during the late nineties, while others, such as CFO, had to seek alternative sources of financial support to continue with their organization and training courses.

<sup>3</sup> During the eighties a new form of unionism emerged in the *maquiladoras* without contact with workers: the "subordinate union" (Quintero Ramírez, 1990), later known as protection unions.

## NAFTA, LABOUR MOVEMENTS, NGOs AND FEMALE LEADERSHIP

NAFTA was an important factor in creating and strengthening alliances between labour activists in Mexico, United States and Canada, especially between women workers at the transnational level. Transnational labour and environmental activism existed long before NAFTA, particularly on the US–Mexico border area. But the trade agreement stimulated increased contact and connections between workers from all three countries. Transnational collaboration emerged in particular due to Mexican struggles to organize independent unions.<sup>4</sup> By the end of the 1990s, there was a thriving relationship among North American unions (see Kay's chapter in this volume). The major U.S. labour federation, the AFL-CIO, which had earlier allied with the dominant corporatist sector of the Mexican labour movement, the Confederación de Trabajadores de México (CTM), adopted a new approach to internationalism. The AFL-CIO, for example, began attempting to support immigrants in their appeals for amnesty in the United States (Staudt & Coronado, 2002), opening offices in Mexico and joining active border organizations. Similarly, the Canadian Auto Workers Union (CAW) became active in trans-border activism and played a key role in organizing female trade unionists in Mexico. One of the most important participants in the creation of national and transnational labour alliances was the CFO in Piedras Negras, Coahuila, which experienced an important transition from supporter to organizer of workers.

Unlike the official corporatist unions, with their typically nationalistic ideologies, NGOs composed mostly of women were more ready to collaborate and work with international financial and logistical support in their campaigns, partly because of their lack of resources to support their struggles. In this transnational collaboration, the organization and construction of international alliances were possible due to the previous local work carried out by these NGOs in different border cities.

During the 1990s, the CFO reviewed and better defined its objectives, principally to increase its grassroots work and highlight the importance of labour issues. The new work was a combination of grassroots activism,

<sup>4</sup> For studies on transnational activism and its results regarding labour conflicts and labour transnational cooperation (see, for example: Carr, 2002; Bandy, 2004; Williams, 1991).

a regional presence and the creation of new domestic and transnational alliances. During NAFTA, the CFO made an interesting change in its approach to transnational activism. It began looking for allies among labour organizations traditionally viewed with mistrust by NGOs.<sup>5</sup> While the relationship with unions improved, the differences among NGOs working for the improvement of women workers also increased. NAFTA created the possibility of building alliances but also underscored the challenges of coalition work among organizations with not only different levels of economic power but cultural differences as well (Bandy, 2004).<sup>6</sup>

During the first decade of this century, the CFO strengthened its relationship with American and Canadian unions, and these alliances were critical insofar as the CFO was located in the state of Coahuila, which is heavily unionized. The corporatist CTM is the single most important labour confederation in the border area and controls the most important economic sectors, industries and services in this region. A particular characteristic of this region is that each plant has an autonomous committee that is not subordinate to a single leader. Consequently, the most important CFO struggles were in specific companies instead of within a generalized movement. In this period, CFO also forged relations with important independent unions such as the Sindicato Nacional de Trabajadores Mineros, Metalúrgicos, Siderúrgicos y Similares de la República Mexicana (*los Mineros*).

Two labour struggles that occurred before the USMCA are relevant to understand the recent rise in female leadership. The first struggle took place between 2015 and 2016 when workers in Ciudad Juárez from Foxconn, ComnScope, ADC and Lexmark plants mobilized to demand increased wages and freedom of association and fought against sexual harassment. Most of the workers involved in this mobilization were women. While media reports indicated that Susana Prieto organized the movement, activists pointed out she was merely the visible leader and that mobilization was initiated by workers on the ground (Julián Contreras, 2021, personal communication). Ultimately, this campaign failed in the

<sup>5</sup> The relation between unions and NGOs has not been easy, with NGOs typically undervaluing unions. In spite of their differences, it is evident that working together is necessary to achieve workers' objectives (Gallin, 2000).

<sup>6</sup> Dominguez and Quintero (2007) showed how internal conflict in NGOs and difficulties reaching consensus among them were reasons for their failure in some movements.

face of an alliance between managers, labour courts and the government. Dozens of workers participated in the movement, most of whom were women, and as a result, lost their jobs. Prieto was the lawyer for some of the workers who presented a case of wrongful dismissal before a labour court (see Sánchez Díaz & Melgoza Valdivia, 2016).

In the second case, workers in two Matamoros *maquiladoras*, Schumex and Tridonex, mobilized in 2012 and 2013 for better conditions and unpaid bonuses. The Schumex workers protested against their own union, Sindicato Industrial de Trabajadores en Plantas *Maquiladoras* y de Exportación (SITPME), a “flexible union”,<sup>7</sup> because it did not ask the company about either demand. They petitioned the labour court to change their union from SITPME to Sindicato de Jornaleros y Obreros Industriales y de la Industria Maquiladora (SJOIIM), a hegemonic union in the *maquiladoras* of Matamoros. Labour authorities and the company protected SITPME, and it continued to represent the workers. Workers at Tridonex similarly demanded better wages and improved labour conditions and denounced managers for mistreatment. In both of these cases, the majority of participants were men.

Although neither of these attempts was successful, they were important experiences in understanding the evolution of labour movements under NAFTA first and then the USMCA. The movements were not spontaneous mobilizations but part of a longer process reflecting discontent with labour conditions and a rejection of non-representative unions in the *maquiladoras*. It is important to recognize mobilization in *maquiladoras* as a process constructed along the border, at different times, with the participation of local actors in conjunction with transnational networks, responding to new reconfigurations of capital. The corporate decision to contract a predominantly female labour force in this sector, especially to be able to pay lower wages, helps account for the gradual emergence of innovative forms of organizing among female workers. The next section analyses the connection between struggles in Ciudad

<sup>7</sup> Unionism in *maquiladoras* is complex. It involves a combination of three tendencies: traditional corporatist unions, practicing the defense of workers through collective bargaining to achieve slightly superior wages and labour conditions; “flexible unions”, which represent workers through collective bargaining but privilege labour productivity and keeping wages and labour benefits low and, finally, “protection” or “subordinate” unions which are close to managers, which do not engage in collective bargaining, but which are recognized in the labour courts as the legal representatives of workers in that plant (Quintero Ramírez, 1999).



Juárez and Matamoros. In both cases, we saw an important participation of female leaders in local organizing, but with different individual and organizational characteristics.

## USMCA: LABOUR MOVEMENTS AND FEMALE LEADERSHIP, NEW CHARACTERISTICS AND OLD STEREOTYPES

The year 2019 marked a turning point for labour in Mexico. First, Andrés Manuel López Obrador (AMLO) was elected with the strong support of workers and independent unions. He pledged to increase wages and democratize unions. Second, new labour law reforms were adopted in 2019 that were designed to promote freedom of association and respect for collective bargaining. Finally, the new USMCA contained a Labour Chapter, a Labour (Chapter 23) that could be enforced through the agreement's Dispute settlement (Chapter 31). An innovative Facility-specific Rapid Response Labor Mechanism (RRLM) was also included in the final text of the USMCA to encourage enforcement of labor rights. The AMLO period held promise for labour, particularly unions in the auto sector, a key industry under USMCA. In this section, I highlight two grassroots movements characterized by female leadership and engaged with local and transnational solidarity.

### *Movement 20–32 and the Tridonex case*

The first movement began on January 9, 2019, when hundreds of workers belonging to SJOIIM in Matamoros asked for an additional 20% wage increase and the payment of bonuses of 32,000 Mexican pesos (almost \$1800 U.S. in 2019) for each SJOIIM worker. Both petitions derived from collective agreements, but the *maquiladora* managers denied payment. Workers mobilized and stopped work without the support of SJOIIM. In the middle of January, lawyer Susana Prieto took charge of the mobilization. She became the public face of the movement, although most of the actions were undertaken by workers, especially women workers.

There are four notable stages to the Matamoros movement.<sup>8</sup> First, more than 50,000 workers, mainly from SJOIIM, launched wildcat strikes, demanding wage increases and payment of bonuses. In the second stage, between 5000 and 10,000 workers continued to mobilize, asking for increased wages and bonuses. I call this second stage *Movimiento 20–32* because of the workers’ demands for a 20% increase in wages and the payment of a bonus of 32,000 pesos. In this period, the nature of the struggle shifted because of the emergence of Prieto as leader. She gained recognition for a new independent union, the *Sindicato Nacional Independiente de Trabajadores de Industrias y de Servicios (SNITIS)*, for which she served as legal advisor. A third period runs from the first meetings to obtain SNITIS representation for workers through the beginning of the COVID-19 pandemic and the imprisonment and subsequent release of Prieto in July 2020. This period saw important involvement of transnational supporters such as the US-based NGOs *Global Trade Watch* and *Public Citizen*. The fourth and final stage runs from a submission of a petition to the RRLM by workers at Tridonex, an auto parts plant in Matamoros, the election of Prieto as a federal Deputy for the MORENA political party (her term ran from August 2021 to July 2024), and the formal recognition of SNITIS as the union representing Tridonex workers (August 2023). The most relevant action of this last period was the presentation before the RRLM of the Tridonex worker demand denouncing the obstruction to free association (see discussion of the RRLM in Kay’s chapter in this volume). The demand was the last recourse of workers after a chain of violations beginning in 2015, and the firing of hundreds of workers for their participation in *Movimiento 20–32*.<sup>9</sup>

The RRLM petition was filed by an alliance of US– and Mexican–based organizations, including the main US labour federation, the AFL–CIO, a large US union, the Services Employees International Union (SEIU), the US–based NGO Public Citizen’s Global Trade Watch and SNITIS from Mexico. In August 2021, the RRLM declared the

<sup>8</sup> The stages were defined by key events in the movement which I consider a process connecting the movement from 2014 and 2015 and lasting until the present. Most of the information in this section comes from fieldwork undertaken during 2019–2020 and the review of digital newspapers and interviews with workers and managers between 2019 and 2023.

<sup>9</sup> According to Prieto, between April and October 2020, 600 workers were fired for supporting *Movimiento 20–32* (Le Duc, 2019).

Tridonex demand valid, and the company was required to pay 150 employees for unjustified firings. Despite the ruling, due to procedures in the labour courts, the workers did not receive their payment until December 2021.

In spite of the triumph of SNITIS in the election to legitimize it as the union in that factory, managers, in collaboration with labour authorities, used different strategies to delay SNITIS recognition, which only occurred in August 2023. It took SNITIS almost four years to be recognized by the Tridonex owners, with the delay in signing the collective contract resulting from the actions of government agencies. Nevertheless, this case demonstrates that the USMCA and its RRLM created new openings for labour representation, in which female leadership played a key role.

### VU MANUFACTURING: LOCAL GRASSROOTS, SUPPORT INTERNATIONAL AND NEW NGOS IN THE STRUGGLE FOR UNION DEMOCRACY

The shortcomings of the RRLM and limits to international solidarity can be demonstrated by examining the VU Manufacturing conflict. Under the USMCA, international solidarity with Mexican workers has displayed some new characteristics: there has been increased coordination among actors in the three countries. Both the Canadian and US governments provided financial support for the implementation of Mexico's new labour code, and for technical assistance projects in Mexico to support worker education and organization, with \$80 million US coming from the United States and \$20 million CDN from the Canadian government (Mexico Solidarity Project 2023).<sup>10</sup>

Despite this substantial support, the outcome of new struggles was not always successful, as in the case of VU Manufacturing, established in Piedras Negras, Coahuila, in 2015, a subsidiary of a US-based company. The company produced plastic and vinyl products, principally

<sup>10</sup> One of the most important examples of labour support to Mexican workers from Canada is the Mexico: Solidarity Project, involving the Canadian Labour Congress, the International Center of Labor Solidarity of Quebec, the Public Service Alliance of Canada, the Canadian Union of Public Employees (CUPE) and the Humanity Fund of the Steelworkers. They supported Mexican NGOs like CFO and the Red de Sindicalistas, as well as the Mexican union *Los Mineros*.

seats, headrests and armrests, for automobile interiors. In May 2022, it employed 454 workers. Labour conditions were precarious, and in 2021, workers mobilized to create an independent union, with support from the CFO and the Sindicato de Trabajadores de la Industria *Maquiladora* de la Industria de Nacional de Accesorios y Maquinaria Pesada y de la Manufactura de Muebles Metálicos de Coahuila C<sup>TM</sup> (STIMIN–C<sup>TM</sup>).

In the conflict with VU, I distinguish four stages.<sup>11</sup> The first runs from the contact with and initial training of workers by the CFO in August 2021 to the involvement of a new union, the Liga Sindical Obrera Mexicana (LSOM)<sup>12</sup>, in September–December 2021. The second stage runs from the presentation of the first RRLM petition against the company for its violation of workers' rights to free association and collective bargaining in June 2021 until the recognition by the Mexican government that VU was required to respect the right of its workers to unionize and to ensure a free and fair election to choose a union to represent its workers in September 2022. An election took place, and LSOM gained the authority to bargain collectively on behalf of VU workers. The third stage began with the second petition in January 2023 by LSOM and CFO that claimed that VU Manufacturing continued to deny and violate worker rights by denying LSOM organizers access to the workplace, and by engaging in intimidation against LSOM members. The fourth stage lasted from this second demand until the closing of the company in August 2023.

The conflict with VU Manufacturing and the closure of the facility represent the first failure of the RRLM, demonstrating the necessity for stronger measures to force companies to respect labour rights. But there were other important lessons, including the need for the CFO to improve

<sup>11</sup> The stages have been defined by the author with data from a review of digital newspapers (from 2021 to 2023) and interviews with VU workers and Julia Quiñonez at different times during the conflict.

<sup>12</sup> LSOM was a new ally of the CFO created in 2020. It is a labour organization, similar to a union, with an international arm called the International Union League. It demanded living wages, safety facilities and labour stability. It is primarily working to defend textile workers, mostly women. It has strong female leadership and in 2021, the Mexican chapter of LSOM was directed by Julieta Morales (Martínez, 2023). LSOM has played an important role in supporting labor organizing in different facilities such as Goodyear, VU, 3M and Nazareno. and was successful in most cases in winning the right to represent workers in collective bargaining. The CFO turned to LSOM to support the demands of VU workers.

its strategies to support unions. In spite of CFO's grassroots work, the alliance with *los Mineros* and LSOM did not succeed in meeting the workers' needs. The reason seems to rest in the disjuncture between the grassroots activism of the CFO and the more formal methods of their allies.

Although Mexico's 2019 labour code and the USMCA opened the door to labour democracy and independent unions, the results have been mixed. Only a few independent unions, including those organizing workers in General Motors in Silao, Panasonic in Reynosa, Tridonex in Matamoros and Delta in Nazareno, succeeded in achieving the right to represent workers, displacing the old corrupt corporatist unions. Labour reform mandated the "legitimation of collective bargaining". But an examination of the process carried out between 2019 and 2023, reveals only 2.2% of unions were rejected, and in the majority of cases, the role of traditional unions was ratified. This may be attributed to government support for old-style unions, and procedural problems within the new institutional structure, the Conciliation and Labor Registration Centers, established under the labour reform. Additionally, independent unions and their leadership are weak and have internal organizational problems. The two cases, Tridonex and VU Manufacturing, display very different styles of leadership and strategies.

## FEMALE LEADERSHIP DURING THE LABOUR STRUGGLES UNDER USMCA

Women played a vital role in both official and independent unions and labour activism under the USMCA (Quintero Ramírez, 2023); however, female leaders may adopt different leadership styles and strategies. Here, I consider the cases of Julia Quiñonez, CFO Director, whose participation within labour struggles prompted her to shift from a concern with women's issues to gender issues, and Susana Prieto, whose participation within the labour movement in Matamoros followed masculinist practices common in traditional Mexican unions.

*Julia Quiñonez: From Women's Issues to a Gender Perspective*<sup>13</sup>

In considering female leadership, a number of interrelated factors come to the fore, including leaders' individual characteristics and the context of movement activism in the northern border region. The first case study is of CFO coordinator Julia Quiñonez and how her struggle for labour rights shifted from a defence of women's interests to an adoption of a gender perspective.

Quiñonez was born in Durango and migrated as a child with her family to Piedras Negras, Coahuila. She and much of her family were *maquiladora* workers. Quiñonez began working at fifteen years old, registering herself as sixteen (the legal minimum age to work). She began to work at a younger age because she wanted to study. She says her father told her: "If you want to study, you look how to pay for it, so I worked in a *maquiladora* for five years while I did a bachelor's degree in Social Work. I worked (in the morning) and I studied from 6 to 10 pm, it was very traumatic and difficult" (Cross Border Solidarity Program, 2020).

In the *maquiladoras*, she experienced many violations. When she was hired, the company asked for the last date of her menstruation, and she was examined by a male doctor: "The exam was humiliating" (Cano, 2022). There was no other option. All members of her family needed to work in the *maquiladora*. In her own words: "I learned that to survive as a family, it was necessary for different members to work because if not you don't have enough to survive" (Cross Border Solidarity Program, 2020).

Quiñonez preferred conciliation to confrontation. Her moderate stance may stem from her longtime collaboration with the faith-based American Friends Service Committee (AFSC). She had her first contact with the CFO in the 1980s, even before she was a *maquiladora* worker. She knew the CFO because some *promotoras* (NGO staff members and activists) were speaking with her sisters, also *maquiladora* workers, about labour issues. Later, as a worker herself, she became a CFO member:

<sup>13</sup> The information of this part comes from different interviews with Julia Quiñonez, CFO *promotoras*, and workers involved in the mobilization in *maquiladoras* in Coahuila, especially, 2005 in Alcoa, 2013 in PKC, 2021 (VU Manufacturing) and 2023 (Nazareno). The interviews with Julia in different stages allowed me to analyse her evolution as activist, and her growing integration of gender analysis into her work.

I learned about my rights quickly... the organization put me in charge because, according to them, I knew about labor law because I studied Social Work... but I knew my rights not because of my studies but because I learned them in meetings with CFO (Cross Border Solidarity Program, 2020).

In the mid-eighties, Julia became the CFO Director. Under her leadership, the organization's principal activities continued to be the teaching of labour rights and the organization of workers. She remains the director today at CFO headquarters in Piedras Negras. Some authors have criticized her prolonged leadership (Doucet, 2010). Her management skills, the alliances she has established and the diffusion of CFO activities at the national and international level go some way to explaining her longevity. Quiñonez, however, maintains that her long tenure is due to the continuing support of CFO members.

During the NAFTA period, Quiñonez strengthened relations with women's organizations. CFO's work with women was central to receiving new financial support, especially after AFSC withdrew its funding after it shifted its focus toward other priorities like environmental issues. She then looked for other sponsors, for instance, the Texas-based Austin Tan Cerca de la Frontera, developing different projects with women workers beginning in 1999 (<https://www.facebook.com/comitefronterizodeobras>).

From NAFTA to the present day, Quiñonez's perspective changed from an interest in women's issues related to health and basic labour rights to a stronger interest in labour organization with a gender perspective. This perspective has led to CFO's emphasis on the importance of self-determination and self-management of workers, female leadership within the labour movement and equity for women workers. CFO undertakes training of female workers not only to solve labour problems but to confront personal problems in the daily life of women workers, especially those related to violence. Perhaps, the word that distinguishes the current work of the CFO is *empowerment* of labour and the personal life of women. New transnational alliances, such as those with unions and NGOs in the United States and Canada, favoured relations with other actors, including *los Mineros* and LSOM. Quiñonez also received gender training in the importance of the self-organization of workers, labour inequality and discrimination against women workers for being women. The GEMA project (*Género y Empoderamiento de la Mujer para*

*la Acción*) in which CFO participates, is a 2022 initiative directed at empowerment, supported by Canadian government funding. According to Quiñonez, through this project: “(We) accompanied women workers and ex-workers in *maquiladoras* in the recognition, activation and development of skills through the teaching of tools to empower them to counter the violence in their labor space and personal lives” (Julia Quiñonez, 2021, personal communication). The strategy used to reach women is workshop-based. CFO also continues to utilize *promotoras* to teach in its workshops and undertake grassroots work in the *colonias* with workers. While current CFO strategies may seem similar to their earlier ones, there has been a change, especially in their structure. According to Quiñonez: “most of the organization’s activities are institutionalized; *independent* of who heads CFO, its work will continue because the program and activities have been planned” (Julia Quiñonez, 2021, personal communication). This institutionalization has allowed the CFO to hire new women as part-time and full-time workers to support CFO activities, especially as *promotoras*. This has been possible due to the financial support that the organization receives from international allies in developing different workshops and projects about labour and gender. Significant formalization has been important to different CFO activities, emphasizing organizational work. While transnational alliances have been important for the continuity of CFO activities and the payment of staff, these links have also provoked attacks by official unions belonging to CTM (Julia Quiñonez, 2005, personal communication). These groups charge that the CFO serves international interests rather than those of Mexican workers (Cano, 2022).

Paradoxically, another problem has been the questioning of the CFO itself as an employer. Its workers asked for rights under the labour code in October 2023, such as inscription in the *Instituto Mexicano del Seguro Social* (IMSS), the public health institution, and other benefits. The workers also denounced Quiñonez for denying them labour rights (Martínez, 2023). The problem continues and the CFO fired workers between the end of 2023 and the beginning of 2024, some of whom are demanding to be reinstated. These kinds of demands are not new: between 2003 and 2006, the CFO faced similar demands for basic labour rights from their *promotoras*. This recent conflict could have negative consequences for the CFO. Firstly, *promotoras*’ demands include higher wages, and secondly, its projects could be affected without the work of the fired *promotoras*.



CFO's relationship with LSOM has also posed challenges. As discussed, as an NGO, the CFO's capacity to engage directly in labour struggles is limited, because it is an NGO, not a union. CFO has been the major actor promoting workers' struggles for unions independent from the CTM in several facilities in Coahuila, including VU Manufacturing, Apparel Company in Torreón and Nazareno, and Fujikura. Although most of the organization was undertaken by CFO, the petitions to RRLM were presented by LSOM, as CFO is not a union nor any kind of labour organization. Women workers involved in labour movements have an important link with the CFO because it is the local actor that trained and organized them, but when they need to act legally, they are represented by LSOM, which has only infrequent contact with them. Quiñonez has recently expressed the possibility of CFO becoming an organization able to both organize and represent workers (Julia Quiñonez, 2021, personal communication). Ultimately, the main strength of CFO continues to be its grassroots work and gender perspective, and its principal weakness, its status as an NGO without the capacity to directly represent workers.

### SUSANA PRIETO: FROM LABOUR LAWYER TO ORGANIZER OF WORKERS<sup>14</sup>

While in CFO, Julia Quiñonez has tried to emphasize the importance of the organization over her individual leadership, other current cases of female leadership persist in emphasizing the personality of the leader over the labour movement itself, representing the persistence of top-down forms of organizing that were encouraged in the corporatist sector in Mexico. Such is the case of Susana Prieto. Prieto was born to a middle-class family in Ciudad Juárez in 1966. Her father was a traditional man and forbade her from moving to Monterrey to study chemical engineering, so instead she stayed home to engage in a more common female profession, law, at the University of Ciudad Juárez. Halfway through her bachelor's degree, she began to litigate, specializing in penal law, but during her sixth semester, she practiced labor law and she realized that labor law and other laws to help workers are dead letter (that is, they are not working), and "I understood that if the law is not working, the

<sup>14</sup> Most of the personal information about Susana Prieto come from an interview the author held with her in February 2020 in Matamoros, Tamaulipas.

workers should be conscious and know their rights and how to defend them” (Susana Prieto, 2020, personal communication).

Prieto defines herself as a rebel, appalled by poverty.

I am different from my family, they are very conformist, they do not question injustice. I hate that working people do not have enough to live... I became an activist because we (need) to fight in *maquiladoras* to organize workers and form a union, to end precarization in labor relations (Susana Prieto, 2020, personal communication).

She emphasizes that she is a lawyer working for workers, and that her preparation justifies remuneration for her services: “if I defend workers and win, I receive 30% of the amount gained in the case, as is common for labor lawyers, if I lose, the payment from the workers is minimal... Who does their work without getting paid?” (Susana Prieto, 2020, personal communication). As a result of this work, she has a higher middle class lifestyle and is herself a transnational activist since she lives mostly in El Paso, Texas, where she has acquired several properties (García, 2020) but practices law in Mexico.

According to Prieto, she began her defense of workers in 2008. Her first significant public participation in the labour movement was in the conflicts with Lexmark, Foxconn, ComScope, ADC Corporations and Eaton, between 2015 and 2016 in Ciudad Juárez. As discussed, this activism was the result of a period of precarization from 2008 to 2014, where 100,000 workers had already been fired, and thousands of workers were hired for outsourcing with low wages and bad labour conditions (Sánchez Díaz & Melgoza Valdivia, 2016). This activism was first of all a response of workers to this situation, and secondly, an attempt to form independent unions.

Prieto’s initial role in this struggle was to provide legal representation for fired workers. But as the conflict unfolded, she became the organizer of different protest activities, including work stoppages, strikes, street protests, and she played a role in raising awareness through mass media. Her charismatic style gave the movement a national and international presence. However, it also presented her as the leader of the movement, consequently sidelining the grassroots mobilization of workers who initiated the struggle.

The publicity she drew was not enough to win the struggle: the business group in Ciudad Juárez is well organized and coordinated. The

main response to the movement was the firing of hundreds of worker participants. Managers also made labour conditions stricter and reduced benefits inside of *maquiladoras*. Labour courts in Ciudad Juárez also denied recognition to independent unions. The one union recognized, in ADC Corporations, was accepted when the company had only fourteen workers. As a result of the defeat of the struggle in this period, divisions emerged among workers over Prieto's role. As well, the majority of workers abandoned the movement because they needed to look for new employment. The demands of the workers represented by Prieto remained unresolved.

Prieto's role came to the fore again, however, after the negotiation of the new labour provisions in USMCA, as she gained prominence in the labour movement of Matamoros (LMM) in 2019, and then as defense lawyer for SNITIS, the independent union that emerged from LMM. In this section, I show how Prieto's female leadership style within the LMM<sup>15</sup> in the USMCA context differs from earlier female leadership. From the beginning of the movement, Prieto emphasized her absolute mastery of the labour laws and her interest in being a defender of the rights of workers. This inspired worker admiration and confidence in her. Prieto became the public face of the movement both in national and international areas. This was due in part to the production and wide dissemination of LMM videos on social media. However, Prieto's image obscured the importance of historical local characteristics in the struggle including the long history of labour mobilization discussed above. Most importantly, it subsumed the power of workers to mobilize and delineate strategies of struggle. Lobo (2019) has argued that Prieto's control prevented the strengthening of more critical labour options.

Prieto's leadership image drew on a maternal image, casting her as a protector of workers. Her participation in different worker action meetings developed a closer affective relationship between the lawyer and the workers. Above all, her emotional and affective speeches and her continuous avowal that all local union leaders, managers and government officials were their enemies, and she alone was the workers' defender, cultivated an image of the protective mother. It was symbolic that the second stage of the movement, named 20-32, and also came to be known

<sup>15</sup> These characteristics are derived from fieldwork undertaken by the author in Matamoros, following the more relevant stages of the LMM, from the beginning to the present.

as MOM, an abbreviation of *Movimiento Obrero de Matamoros* (Workers Movement of Matamoros). In an interview, she explicitly stated: “I am the MOM 20-32” (Differ et al., 2022).

Ultimately, I argue, the image of Prieto as protector was contrary to the empowerment of workers because it cast them in a subordinate and dependent relationship. This was most visible in the mass meetings, where Prieto called workers “ignorant and foolish” because they continuously asked the same questions. She took on the role of matriarch, solving the workers’ problems but also making decisions for them because she considered them children. Prieto’s leadership style can be distinguished from that of labour activists of the left, who swore that the defense of the workers must come from workers themselves, not from external actors (Quintero Ramírez, 2023), while Prieto claimed workers need lawyers in order to be defended.

Regarding gender issues, too, there is an important difference. For Quiñonez, empowering women to fight for their labour and personal rights is central, but for Prieto, this concern is secondary. Despite the majority of LMM followers being women, the lawyer did not include any specific demands for women workers during the struggle. Instead, Prieto reinforces the traditional role of women. She agrees with the goal of social equity but does not consider herself a feminist. Rather, her struggle is focussed on materialist issues (although she allied temporarily with the populist-left MORENA party) (Differ et al., 2022).

In LMM, Susana promoted members of the SNITIS union she founded as candidates for councilor in the municipal government of Matamoros. At first, they ran as independent candidates and lost. Later, in 2021, they ran as candidates of MORENA, the party currently in power, and gained two positions in the local government. This triumph was more of a political action than one that benefited workers. In fact, the election opened a gap among workers because elected candidates were seen as traitors because they did not share their salaries with their substitutes as they had agreed. SNITIS has a position in the local government, but they are not representative of workers because they do not have direct relations with them.

In the same elections, Prieto ran as a MORENA candidate for the position of federal Deputy and won. She has promoted some labour initiatives, such as the prohibition of outsourcing and a 40-hour labour week, but her participation in the Chamber of Deputies, despite emphasizing

the defense of workers, seems to have a political objective: to maintain support for her from workers. In 2023, she expressed her wishes to continue a political career in 2024 as Senator, but MORENA did not nominate her. She was subsequently very critical of the party, casting doubt on the election and vowing to return to litigation when her term finished in 2024.

To summarize, the results of the formation of SNITIS, one of the first independent unions under USMCA, and the role of its controversial female leader, Prieto, have been ambiguous. Prieto's strong personality has prohibited closer ties with the workers at the grassroots. In spite of this difficulty, SNITIS has received the support of transnational organizations. For instance, US-based Global Trade Watch and Public Citizen helped it to present the claim before LMM and the AFL-CIO's Solidarity Center taught a course on labour rights to SNITIS staff. These actors also supported her after she was arrested in Matamoros in June 2020, where she was attempting to help factory workers recover wages owed to them during a two-month shutdown of the factories during the COVID-19 pandemic. She was released after three weeks, in part because of the international profile of her case. The main objective of this international support has been to strengthen independent unions and empower workers. These transnational actors have refused to work with traditional corporatist and protection unions, because they considered "*charros*", i.e. not representative of the workers.

SNITIS was one of the first independent unions recognized under the USMCA. Its recognition by labour authorities was relatively quick, with registration received four months before the LMM. It is difficult to call SNITIS a democratic union, however, because worker participation is minimal. The structure, statutes and implementation were products of external discussions that Prieto and a small group of followers held with different unionists, lawyers and activists, mainly in Mexico City. SNITIS was born as a national union, in contrast with the labour history of Matamoros, where local unions are more common. According to some authors (Differ et al., 2022), Prieto adopted this approach to permit her to expand her role in organizing workers in any part of Mexico. With this configuration, however, the union turned into a general labour organization without the differentiated aspects that create a local union's identity. As of January 2024, SNITIS has eight companies affiliated with it on the Tamaulipan border (five in Matamoros, one in Reynosa and two in

Nuevo Laredo). Moreover, each company negotiates separately without contacting the others.

Most important is the lack of independence for SNITIS and its Executive Committee from Prieto's authority. From the first Executive Committee to the present one, members of the executive committee have been chosen by her. According to Rosario Moreno, the former SNITIS Secretary, in practice, they have no relevant participation in the negotiation of collective bargaining: "all is decided by Susana and her lawyers" (Rosario Moreno, 2023, personal communication). Her dominion over SNITIS rests in the economic support it received from Prieto in its first years due to the lack of affiliated members: she paid the rent, basic services and personnel. Lack of autonomy of the Secretary and other members who must consult the lawyer for any decision was justified by this economic dependency. However, since 2023, SNITIS has received payment from companies affiliated to it, not only through membership quotas but through extra payments for "cultural and academic activities and sports for workers", as is written in the collective contract of a company in Matamoros. In spite of this income, Prieto continues to administer the economic resources of SNITIS: according to Moreno, "the general Secretary and other members of the Committee only receive payments decided by the lawyer" (Rosario Moreno, 2023, personal communication).

The financial ambit is not the only area of her control. The writing and negotiation of the collective contract is decided by Prieto, and "workers have no participation" (Rosario Moreno, 2023, personal communication). According to an ex-General Secretary, the lawyer only calls the Secretary to sign the agreements that she, and her lawyer, approve. The collective contract is concentrated on economic questions, without clauses regarding the democratic participation of workers or gender or other social matters. In brief, SNITIS does not represent an advance in union democracy because of Prieto's personalistic leadership role.

Moreover, regarding the role of transnational activism, the SNITIS cases presented before the RRLM demonstrate its weak alliances with domestic and international NGOs and unions. In these demands, SNITIS has played the central role, with the support received from other organizations almost unmentioned. Similarly, with information about the ongoing development of the case: Prieto is the only source of information on the status of the process. Although different NGOs and unions have supported SNITIS, her personality has led to the distancing of activists,

unions and NGOs like CFO. According to Quiñonez, in the case of conflicts in Ciudad Juárez, it was Prieto's behavior that caused them to leave the movement (Julia Quiñonez, 2021, personal communication).

Finally, in spite of the absolute control that Prieto has over SNITIS, in May 2023, a small group of workers headed by another female leader, Rosario Moreno, disowned her as legal representative, arguing that she controlled the union and prohibited the true participation of the workers. "We want to recover SNITIS for the workers, today the labour movement is found outside SNITIS" (Rosario Moreno, 2023, personal communication). The group, named "pioneers of Movement 20/32", is trying to articulate a movement of "all workers disappointed by and angry with Susana Prieto for not carrying out promises for the improvement of workers" (Rosario Moreno, 2023, personal communication). The economic and political strength of Prieto over the union and present executive committee has thus far protected her, however, and she will continue to control SNITIS for the foreseeable future.

## CONCLUSIONS

This chapter has presented two cases of female leadership in *maquiladoras* and has highlighted the complexity of female leadership during the USMCA period. From both a historical and sociological perspective, it has shown not only how the different overlapping economic and labour characteristics at the local, regional and international level are a product of the social actors present, but also the continuous participation of the Mexican government.

A historical perspective allows one to see the development of female leadership as a process combining personal and local characteristics and strategies of struggle in each region. The chapter presents two notable current cases of female leadership, supported by transnational North American allies. The first is the case of CFO, occurring under NAFTA, but with a history of struggle stretching back to the eighties, which has transitioned from emphasizing personal leadership to emphasizing organization and collective participation, and where women have developed an important role as educators in grassroots work. Ongoing relationships with international allies and female NGOs not only have strengthened a gender perspective in the organization's discourse, but have also highlighted important weaknesses. CFO and its leader Julia Quiñonez need to review their objectives and strategies, especially to analyse, and discuss, in

the interior of the organization, about what the central objective of CFO is: whether to provide grassroots support to workers or to take on a direct role in unionization? Also, how to connect its work at the grassroots with the subsequent phases, where the interaction with their allies has become central, to promoting the success of the movement and the improvement of the workers. Finally, a review of the relationship between leadership and collaborators will also be important to promote a more horizontal style of decision-making.

The second case, that of Susana Prieto in the SNITIS, presents a new style of female leadership concerned with the economic improvement of workers and the organization of independent unions, but without a long-term vision or any attempt to create a collective identity. This chapter has shown how Prieto's personality has limited the power of workers' action in a union that might otherwise have pioneered a new stage in union democracy. Female leadership has begun to acquire a central role under USMCA, but in order for it to truly benefit women workers, it must be led by them, while still being rooted in the local context of a struggle.

Finally, while the new labour code is designed to promote democracy in unions, transnational activism, including training, accompaniment and economic support to movements before the RRLM, seems to stimulate the participation and leadership of women. Some of the most important movements during USMCA have been headed by female leadership, including GM-Silao, SNITIS, Teksid en Coahuila and VU Manufacturing. All of them resulted in the recognition of independent union and their leaderships were women. The importance of the women as leaders was not an original objective of Mexico's new labour Code or the USMCA, however the promotion of female leadership should be one of the objectives to be included in the renegotiation of USMCA in 2026.

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# Seeing Through Water and Territory: Indigenous Struggles for Water Defense in Canada and Mexico

*Isabel Altamirano Jiménez  
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In recent years, water contamination, commodification, and overexploitation have been major news headlines. Racism, colonialism, and capitalism, coalesce, resulting in a particular water configuration. However, water is not only a resource, it shapes social relations and ways of understanding

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This chapter builds on the theoretical framework developed by Isabel Altamirano Jiménez through her CRC research program.

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the world. The idea that water is life, for example, has become ubiquitous since the Standing Rock movement brought renewed attention to the vital role water plays in this Earth and our existence. To Indigenous communities, land and water are not instrumental resources that can be commodified or over-exploited but rather entities that are central to the reproduction of life. From an Indigenous perspective, their protection is seen as a responsibility that goes beyond the local. To appropriately highlight these different views of water and the broader power relations that structure water politics, it is important to consider such politics in relation to broader histories and contexts.

This chapter asks: How might we analyze Indigenous water defense movements in relation to the continuing structures of colonial and capitalist violence? How might the relationship among land, water, and body help us envision modes of relationality that create other worlds? Focusing on the Secwepemc Tiny House Warriors in British Columbia (BC), Canada, and the United Front of Nahua Communities in Puebla, Mexico, the purpose of this chapter is two-fold. First, to uncover how the dynamics of capital accumulation and territorial reorganization are situated within imperialist formations. Second, we mobilize a body-land conceptual framework (Altamirano Jiménez, 2021a, 2021b, 2023) for analyzing Indigenous political practices that bring the human and non-human worlds together. According to Altamirano Jiménez (2020), body-land can be understood as the ontological relationships between people and territory, which combine with collective histories to shape Indigenous peoples' present-day social practices. This concept helps us center how these relationships play out in distinctive yet interconnected processes. At the same time, it is useful to explore what transformative possibilities emerge from articulating water as life. As such, this concept requires us to think of bodies with capital B and land with capital L. That is, not just in terms of human bodies but rather in terms of the multiplicity of non-human bodies that constitute Indigenous territories and waterscapes (Altamirano Jiménez, 2020, 2021b, 2023). Building on this work, we argue that grasping the meaning of “water is life,” which is at the center of Indigenous water defense movements, requires centering the interdependent relations that constitute Indigenous life. Additionally, it also involves paying attention to how relationality manifests politically.

While interdependent relationality is central to Indigenous peoples' ways of seeing the world, I argue elsewhere that interbeing and interelemental relationships are not given. The relationships and interactions that

Indigenous peoples have with each other and the more than human world is a practice, not just ontological. Making relatives requires conscious actions to bring humans, different nations, and the non-human world together to make something happen. I call these “body-landing” practices (Altamirano Jiménez, 2023, p.181). Through actions such as ceremonies, invoking the non-human world, thanking it, dreaming it, and communicating with it, among other practices, human and non-human bodies are brought together. Similarly, relations of solidarity, co-resistance, and mutual support brings different struggles together. Thus, the framework proposed extends to Indigenous politics to “see” what actions emerge from bringing multiple bodies, including humans, land, and water together.

Analyzing different views of water and the broader power relations that structure water politics involves considerations of broader histories and contexts. Lenape scholar Barker (2018) contends that if we take territory seriously, then centering how colonialism and capitalism fragment relationships through dispossession is key. Dispossession is not an anecdote but formative, Barker writes (2018). In a separate article, Barker argues that analyzing water politics requires paying attention to how it moves, connecting places, communities, and different forms of life. Barker asks how water brings people together and why does it matter? In this chapter, we reckon not only with how land locates Indigenous bodies between colonialism and capitalism but also how water brings together people, nations, and struggles together to defend life (2019).

### INDIGENOUS TRANS-NATIONALISM OR INTER-NATIONALISM?

Transnationalism is understood as the flow and exchanges that take place across boundaries. As a concept, it refers to the activities of non-state actors, ideas, and information flowing across state boundaries. Laurie et al. (2002), for example, argue that relations and interactions occurring at the scales of the body, local, national, and international, are central to transnationalism. In this way, transnationalism is as much about discontinuous spaces as relationships. Researchers of transnationalism have documented the existence of Indigenous transnational communities, whose practices extend across national borders, while maintaining close relations with their home communities (Rivera Salgado, 2014). While these contributions are important, they may reinforce the centrality of the national state

and its imposed borders (Ramirez, 2007). We propose to operate with the idea of Indigenous internationalism to convey both the actions of distinctive Indigenous nations meeting and articulating politically with one another and crossing state boundaries (Ramirez, 2007; Temin, 2023). At the same time, this framework, emphasize the plurality of Indigenous understandings of territory and relationships (Mezzanotti et al., 2025).

The current understanding of Indigenous peoples is that they descend from the sovereign nations that endured colonization and invasion of their territories, and the dispossession of their land and resources, including water, forests, and so on (Martínez Cobo, 1987). Despite these circumstances, Indigenous peoples' effort to extend relationships have enabled the emergence of a global Indigenous community and pushed for the international recognition of the very concept of Indigenous peoples (Wildcat & Voth, 2023). However, these inter-national relations among Indigenous peoples are not new, they have been an integral part of the diplomatic life of Indigenous nations. Thinking of Indigenous peoples as nations and their relations as international removes them from the past and brings their struggles to contemporary times, challenging what constitutes the international. Additionally, we are interested in expanding how we may understand Indigenous internationalism not only as a relationship between nations but also between humans and the non-human world. Relationality informs Indigenous law, governance institutions, kinship, and solidarity as well as the connections with the more than human world (Altamirano Jiménez, 2023). Let us elaborate.

In Indigenous Mesoamerican worldviews, water and land are inextricably connected. In Nahuatl, the term *altepetl* is constituted by the word *atl* (water) and *tepetl* (mountain), or water mountain, which is the origin of life on earth. It is also the sociopolitical unit—territory-home is constituted by the relationships of interdependence between the human and non-human worlds. A variant of *altepetl* is an island surrounded by sea water, which is transformed into fresh spring water that springs from inside the land. Water also comes from the sky and clouds. The glyph that represents the *altepetl* is a mountain from whose base a cave opens up and from which water flows (Fernández Christlieb, 2003). Thus, territory is not defined by borders but by the relationships humans have with the non-human entities that make life possible. There is no land without water, there is no water without land.

Similarly, for the Haudenosaunee, the earth was created through the interplay of entities such as sky and water. The story of Sky Woman, as

told by Kanieka scholar Kahente Horn-Miller, tells of how long before the world was created, there was an island in the sky that was inhabited by the Sky people. One day a pregnant Sky woman fell through a hole created by an uprooted tree. She fell for what she thought was an eternity. Coming out of the darkness, she saw the ocean. The animals tried to make sense of what had happened to her and tried to help. The birds caught her and gently put her on Great Turtle's back. The water animals, including the otter and beaver, prepared a place for her on the turtle's back. They brought mud from the bottom of the ocean and put it on the turtle's back until it was solid and wide enough for her to live and survive. She became the mother of the Haudenosaunee (Horn-Miller, 2016).

Earth, territory, and life are only possible with the active relations of interdependence among different entities, notably land and water. The relationship among these entities is central to how Indigenous peoples understand and give meaning to place. They enter relationships with these entities and forces through some form of social contract, in which the human and the more-than-human worlds become relatives. Analyzing treaty relations, Anishnaabeeg scholar Stark, argues that such relationships are grounded in respect, responsibility, and renewal. These principles are foundational to Indigenous political thought. They were observed in the first treaties established between the Anishnaabeg and the non-human world and, later on with other Indigenous nations and European settlers (2010). Similarly, Indigenous scholar Estes (2019) notes that kinship relations are not limited to human beings for Indigenous peoples forge bonds with the other than human, engaging in distinct forms of internationalism. Through such relational practices, humans and non-humans act collectively. These relationships of interdependence are ontological, transformative, intentional, and affective (Altamirano Jiménez, 2023).

This way of knowing and being is an orientation of the world, it shapes who people are, how they live, how they move through the world, and how to organize. As such, our approach does not treat land and water as resources but as entities that come into a relationship with humans, shaping the nature of Indigenous peoples' political practices. By positioning our analytical focus on this relational convergence of body-land-water, we seek to understand international relational political practices that center life.



## THE SECWEPENC “TINY HOUSE WARRIORS: OUR LAND IS HOME”

In January 2020, members of the Secwepemc Nation organized a series of direct actions against the proposed extension of the Trans Mountain pipeline project that would cross their territory, which is located in northern BC. Texas-based energy company Kinder Morgan claimed that it had obtained approval from the elected band councils. However, the hereditary chiefs argued that band councils did not have the authority to make such a decision because their territories were not regulated by the Indian Act. The Royal Canadian Mounted Police (RCMP) arrested protesters, including a hereditary chief, and detained reporters acting on an injunction issued by the BC Supreme Court. Although the conflict could be mistaken for an environmental one, a broader historical consideration reveals the existence of a long history of struggles for territorial sovereignty in this province. Moreover, although here we focus on the Secwepemc Tiny House Warriors, this nation is one among many others affected by the Trans Mountain pipeline. The struggle of the Secwepemc brings to the fore a clash between two opposing conceptions of land: territory as relationships and land as property. To the Secwepemc, their territory has been governed by Secwepemc laws for thousands of years and has been held collectively. For Canada, this land is subject to settler laws.

In January 2012, Kinder Morgan first announced its intention to expand the Trans Mountain pipeline to triple the capacity of the old pipeline. Built in 1951, the original pipeline was intended to take oil to the coast. Originating in the Aspen Parkland, outside Edmonton, where the prairie meets the boreal forest, the pipeline crossed thick forests, crossed rivers, and passed over mountains, ending in the coastal system. Kinder Morgan’s proposal involved building three new terminal berths in Burnaby and increasing the number of oil tankers carrying Trans Mountain products. In July of that year, the BC government announced its support for the expansion conditional upon five conditions: (1) completion of the environmental review; (2) marine oil spill response, prevention and recovery systems for BC’s coastline and ocean; (3) land oil spill prevention, response and recovery systems to mitigate the risks and costs of heavy oil pipelines; (4) legal assessment of Aboriginal and treaty rights and economic opportunities for First Nations; and (5) a fair share of the fiscal and economic benefits of a proposed heavy oil project for BC. This

last condition fuelled a conflict between the premiers of Alberta and BC with the former interpreting the fifth condition as a demand from BC to enjoy royalties produced in the Alberta oil sand (Meissner, 2017). The political context had changed. In June 2010, the BC government signed an “equivalency agreement” with then-prime minister Stephen Harper (Canada Energy Regulator, 2010). With this agreement, BC relinquished its authority to the federal government regarding the National Energy Board (NEB) review process. Although BC no longer shares regulatory authority with the NEB, it continues to participate in the review processes as an intervenor.

The expansion was criticized on several fronts. Many expressed concerns about potential spills and their impact on the watercourses that the pipeline crosses. According to the Raincoast Conservation Foundation report, for example, the Trans Mountain would cross over 1300 rivers and streams with roughly 250 of these supporting spawning salmon in the Fraser watershed. The expansion would increase tanker traffic and the likelihood of an oil spill at sea, posing significant negative effects on aquatic life, including the whale population (Living Ocean Society and Raincoast Conservation Foundation, 2016). Indigenous peoples raised serious concerns. Elder Geraldine Manson from the Snuneymuxw First Nation, for instance, argued that wildlife, particularly whales is of critical importance to her community’s culture. She noted: “We have their [whales] spirit within. They have such a strong sense of protection for others in the world. As Indigenous people, we understand their legacy of who they are and can connect with them” (Moore, 2022).

In 2015, the Coastal First Nations, an incorporated society made up of the Wuikinuxv Nation, Heiltsuk, Kitasoo/Xaixais, Nuxalk Nation Gitga’at, Metlakalta, Old Massett, Skidegate, and the Council of the Haida nation, filed a petition to the BC Supreme Court challenging the validity of the equivalence agreement that the BC government had signed. These peoples claimed that the government could not abdicate its decision-making authority regarding environmental assessments. They also pointed out that the province had failed to adequately consult Indigenous peoples before signing such an agreement, which should have been subject to the Duty to Consult. This is a common law obligation to accommodate Indigenous peoples when decisions may potentially affect treaty or Aboriginal rights in Canada (Junger, 2016).

Amidst opposition and controversy, the NEB organized a series of hearings involving over 1600 participants, which concluded that the

project was in the public interest (Hunsberger & Larsen, 2021). The NEB was also criticized for organizing hearings limited to discussions about mitigation and revenue sharing. From First Nations' perspectives, important issues such as "free, prior, and informed consent" were absent in the discussions. Members of the Secwepemc nation voiced their concerns that the NEB had exclusively engaged the elected Band Council Chiefs rather than the affected communities more broadly. Despite these concerns, six months later, the project was approved by the federal government. Although the government of Alberta often resists the federal government's power, it welcomed federal intervention to promote the Trans Mountain pipeline (Kane, 2017).

Concerned about delays due to Indigenous opposition, public resistance, and opposition from BC municipalities, in April 2018, Kinder Morgan announced it would walk away if the conditions for completing the pipeline were not met. Prime Minister Justin Trudeau (2018) stated his commitment to build and buy out the pipeline. In his view, the buyout would guarantee the building of a project considered of strategic interest to Canada. However, as the buyout was being finalized, the Federal Court of Appeal rejected the federal government's project approval. It argued that the NEB had not adequately considered the impacts of increased marine tanker traffic and Indigenous consultation had been insufficient (Hunsberger & Larsen, 2021). Following additional consultations and hearings, the NEB issued a new conditional approval, and the federal government re-approved the project in 2019 (Trudeau, 2018).

To the Secwepemc, all these issues were serious. Like most Indigenous nations in BC, the Secwepemc have never entered into treaty negotiations with the Crown. This people claimed that they have never surrendered their territories yet have a long history fighting land encroachment. Over 518 kilometers of the existing Trans Mountain pipeline already crosses Secwepemc territory, how much more damage would the extension bring? Who is the Secwepemc nation and how can we contextualize the current struggle against this pipeline?

The Tk'emlúps, "the people of the confluence," now known as the Tk'emlúps te Secwépemc, are members of the Interior-Salish Secwepemc-speaking peoples of British Columbia. Their traditional territory stretches from the Columbia River valley along the Rocky Mountains. As sovereign nations, they were organized into small groups that were separate and independent yet shared a common language and culture. They used to move throughout their territory seasonally and

share the resources. In the early 1800, two fur trading posts were established in Kamloops, exploiting Indigenous skills to harvest beaver. By 1826, however, the fur trade started to decline, and settlers started to arrive in numbers. Supposedly incentivized by the looming threat of United States expansionism, the British government took possession of the colony of Vancouver Island in 1849.

The settler colonial project was particularly violent in BC. By the early 1850s, fourteen small-scale treaties on Vancouver Island had been signed to extinguish Indigenous title. By 1855, the treaty process had been abandoned with no efforts to extinguish Indigenous title according to settler law. The reserves that were created in the late 1800s and early 1900s were much smaller than those in the rest of Canada and they were subject to being whittled away by settlers or industry (Manuel & Derrickson, 2015). In 1858, the gold rush brought around 30,000 American prospectors into Secwepemc territory and other neighbouring peoples. The Secwepemc clashed with miners, leading to deaths on both sides. Initially, prospectors were expelled from areas along the Thompson River. However, in 1859 British soldiers were sent to the area to crush Indigenous resistance. From the nineteenth century to the present, the colonial state, the province, private investors, and extractive industry, working together or independently, appropriated land for the extraction of resources such as timber, coal, gold, iron, farming, livestock, settlement, fisheries, and, later, pipelines. Most of the old-growth forests in Secwepemc territory were destroyed by the logging industry. Railway and highway construction took place on this people's ancient burial grounds. The Indigenous peoples of the South-Central Interior did not give up on their land rights. In 1910, they gathered to call upon the then Prime Minister of Canada, Sir Wilfrid Laurier, to demand the recognition of their land rights (Manuel & Schabus, 2005, pp. 235–36). However, Indigenous resistance was consistently criminalized.

In 1947, Imperial Oil began the oil boom in Alberta, and by the early 1950s, pipelines were built to bring oil to international markets. On its 1147-kilometer route, the pipeline spans the territories of multiple Indigenous nations, including the Métis and Cree, and crosses the lands of Indigenous peoples who have not signed any treaties in BC. Almost half of the pipeline runs across the Secwepemc territory. From the beginning, the project had the support of the Canadian and BC governments, who envisioned it as a West Coast capitalist and strategic defense project in case of war (McLaren, 2018). Supplying crude oil to refineries in

Vancouver was seen as an added benefit for BC to be less dependent on oil shipped from California. At the time, the Secwepemc could oppose the project. The Indian Act made it illegal for Indigenous peoples to organize politically or to hire lawyers to advocate for their rights (Lukacs, 2017).

In the mid-1950s, national and regional Indigenous organizations were created. Secwepemc leader George Manuel, who took on several leadership positions, became interested not only in local and regional politics. He spent time travelling around the world meeting Indigenous people to learn about their colonial experience. He played a pivotal role in establishing relationships with newly decolonized African countries as well as with Indigenous peoples in Latin America and New Zealand. In 1975, Manuel and other leaders founded the World Council of Indigenous Peoples to advance the recognition of Indigenous peoples' rights at the international level. In 1974, he originally published, with the help of Michael Posluns, *the Fourth World. An Indian Reality*. This book tells the history of colonial invasion and Indigenous resistance in North America. He wrote that at the center of the history of settler-colonial expansion were two diametrically opposed understandings of land: land as a commodity that can be appropriated, and land as a relationship (2019). Manuel saw Indigenous internationalism as a practical manifestation of Indigenous nationhood and aimed at building solidarities between Indigenous peoples and national liberation movements.

The networks and organizations created in this period were instrumental to the recognition of Indigenous rights. In the early 1980s, when Pierre Elliot Trudeau's government was preparing to patriate the Canadian constitution, Manuel organized the Constitutional Express to press for the constitutional protection of their Indigenous rights. Many First Nation leaders headed to Ottawa where constitutional negotiations were underway. Others went to the United Nations to gather support for their cause. Eventually, they were able to have their rights entrenched in section 35 of the constitution. In the context of the newly recognized rights, in 1984 the hereditary chiefs of the Gitxsan and the Wet'suwet'en peoples filed a land title action with the Supreme Court of Canada. They claimed title over 58,000 km of land in BC, arguing that they wanted to protect their territories from industrial logging and to be compensated for any loss of land. The Wet'suwet'en hereditary chiefs successfully demonstrated that they continue to have a system of governance and laws that predate Canada's Indian Act and its imposed system of elected band councils. In 1997, the Supreme Court made a landmark decision in the

Delgammuukw Case. It concluded that Indigenous peoples who have not surrendered their lands through treaties continue to have land title.

At the heart of the opposition to the Trans Mountain pipeline is: who has the authority to make decisions about the land and waters that have never been ceded to Canada through treaties. In response to the Trudeau government's decision to re-approve the expansion of the pipeline, the Secwepemc People held an assembly in June 2017. They issued the *Secwepemc Declaration on Protecting Our Land and Water Against the Kinder Morgan Trans Mountain Pipeline*. They stated,

We came together as Secwepemc collectively to affirm we are rightful Title holders and the decision-making authority for Secwepemcul'ecw lands and waters. Our gathering, like us, is free, sovereign and autonomous from any government, band, corporate, or NGO control. We are committed to upholding our collective and spiritual responsibility and jurisdiction to look after the land, the language and the culture of our people.

The Secwepemc collectively are the decision-making authority for Secwepemcul'ecw lands and waters. The Secwepemc are committed to upholding our collective and spiritual responsibility to look after the land, the language and the culture of our people. Under Secwepemc and spiritual law, the land, the water, the animals are our equals and our relations. The salmon has sustained us since time immemorial and hence it is our responsibility to take care of our salmon, the watercourses they travel through and their spawning and birthing grounds in our territory. Our ceremonies ensure that our way of life and our environment are protected. Secwepemc law is the highest law of the land (Secwepemcul'ecw Assembly, 2017).

In contrast to the language of “national interest” that the Canadian government uses to justify the project, the Secwepemc nations refer to their collective caretaking responsibility to protect the land and waters. In Secwepemc law, the land, the water, and the animals are equal and related to human beings. The salmon, for example, has sustained these people since time immemorial. As such, the Secwepemc people have the responsibility to take care of it, the watercourses it travels through, and its spawning grounds. Importantly, this people's understanding of consent is not limited to human beings; it extends to the different species that inhabit their land and waters. The legal obligation of the Secwepemc is “to protect the land as a matter of consensual relations with all the living beings on their territory” (Pasternak & Schabus, 2019, p. 212). This declaration offers a clear example of how the convergence of land

and water brings forward the relations of care, which stand in opposition to the violent domination of the nation at the center of colonialism and capitalism.

Although some of the affected communities ended up signing agreements supporting the pipeline, following the Assembly, others decided to further their actions. A group of Secwepemc women initiated the *Tiny House Warriors: Our Land is Home* campaign in September 2017. This campaign aimed at building broader networks of solidarity with other Indigenous movements in Canada and abroad and at reoccupying Secwepemc land. Within the first year of the campaign, the Tiny House Warriors built five (of ten) tiny homes along the proposed pipeline. Their website explains that “Water is life, the land is our home” (Tiny House Warriors, Activists, 2019). The strategy to reoccupy ancient Secwepemc villages not only blocks access to the pipeline but also affirms this nation’s presence and authority over their unceded territories, all while addressing the housing shortage for community members.

This movement to exercise authority is particularly significant. As mentioned earlier, Indigenous peoples were removed from their territories and forced to live in small reserves created by the Canadian government. Thus, the Tiny Houses campaign is a bold act to reinhabit Secwepemc’s traditional territory. Activist Kanahus Manuel, a member of the Women’s Warrior Society and granddaughter of leader George Manuel, explains,

What we want, what we aspire to, is what our ancestors wanted, to be able to live with the earth. Our people have done that for tens of thousands of years without destroying her and without contaminating the water. It has only been over the last 150 years that we have seen catastrophic change in our lives as Indigenous People (cited in Johnson, 2018).

As the campaign’s webpage explains, each of these houses has been strategically placed at ancient Secwepemc village sites to “assert Secwepemc Law and jurisdiction and block access to this pipeline.” (Secwepemc Assembly, 2017). This assertion of authority is about re-establishing relations with the land. It reads, “[w]e are going big, by going small” (Cantieri, 2018). The idea of going small is different from movements that appeal to massive demonstrations, it is about co-building something. For example, building the tiny houses requires the efforts of both Indigenous and non-Indigenous people. Articulating networks of solidarity and reciprocal relations that are sanctioned by Indigenous law is how

this process of co-resisting is expressed. The reassertion of Secwepemc authority, inter-elemental and interspecies relations, and responsibilities refuses the colonial geographies enacted by the Canadian state. It enacts a form of relationality that brings multiple bodies and communities together. In doing so, the Tiny House Warriors and the Secwepemc Women Warrior Society also centers how the violence of resource extraction not only target Indigenous lands and waters, but also the bodies of Indigenous women. In the *Women's Declaration Against Kinder Morgan Man Camps*, they note,

We know this horrific violence [against Indigenous women, girls, queer and Two-Spirit people] will not end while the pillage of our lands continues. The water of our lands and the water of our bodies create and sustain our nations. The colonial corporate system of resource extraction relies on the connected violence of destroying our lands and violating our bodies (Secwepemc Women's Warrior Society and Tiny House Warriors', 2019).

In this way, the Tiny House Warriors effectively name how for resource extraction to operate, multiple bodies and subjectivities must be violently dominated. Thus, refusing the simultaneous extractive projects unfolding in BC and Canada (and around the world) requires the convergence of efforts, bodies and struggles. This is what Yazzie (Dine) and Baldy (Hoopa) (2018) call "radical relationality," which they understand as a process of bringing together multiple strands of materiality, corporeality, kinship, land, and body (p. 3).

### THE UNITED FRONT OF NAHUA COMMUNITIES' WATER DEFENSE AND THE HOUSE OF THE PEOPLES ALTEPELMECALI

Thousands of kilometers away, in Mexico, the United Front of Nahua Communities of the Popocatepetl Volcano region mobilized to defend water, bringing into focus similar ongoing colonial conditions. On March 22, 2021, on International Water Day, the United Front surrounded and prevented access to the Danone Bonafont water bottling plant located in Puebla, Mexico (Acosta, 2021). They claimed that the company had illegally extracted and commodified water. The communities demanded a dialogue with the Puebla state and federal governments, the Water National Commission, and the Institute for Indigenous Development.



They waited for five months for a response that never came. On August 8th, on the 142nd anniversary of revolutionary leader Emiliano Zapata's birthday, these communities decided to take over the water plant to liberate water (Castillo, 2021). Acting upon their laws and articulating water as life, women, children, elders, and youth took over the water plant (Nuñez et al., 2021). They claimed that Bonafont had been extracting one million 640 liters of water daily, drying out their water springs and their domestic water wells (Pueblos Unidos et al., 2021). Bonafont is the second more profitable company worldwide, such profits increased in 2021 during the pandemic (Villanueva, 2022). With this action, these communities contested the Mexican government jurisdiction over water sources. They claimed that water is not a commodity that the government can dispose of. The United Front's actions quickly became international news. Organizations from Canada, the United States, and several European countries manifested their solidarity with the United Front, making this an emblematic struggle in Latin America. In September of that year, the United Front participated in the webinar "The Fight against Danone in Mexico and Beyond" organized by Wellington Water Watchers (2021). The event brought together the United Front and the Six Nations Reserve of Grand River, Ontario, which has been fighting a Nestlé water plant, and members of the Penobscot Nation in the United States. In this webinar, they insisted that the responsibility to care for water is not a local but a global responsibility (Pueblos Unidos de la Región Cholulteca, 2021). The insistence on caretaking responsibilities is important is that it frames a political practice that enacts the people through the liberation of water itself.

After the Bonafont water plant was occupied, the United Front transformed it into a communitarian space, or *Altepelmecalli* (House of the Peoples), led by Indigenous women. They organized health, education, cultural, and organizational workshops as well as local, national, and international forums. In the forum "Struggle for Water and Life During the Pandemic" organized on December 5th, 2021, members of the United Front asked, "When is it that water, which makes life possible, became a commodity? How is it that we let it happen without a fight?" (Pueblos Unidos et al., 2021). These communities claimed that Danone Bonafont had "kidnapped" water for twenty-nine years, preventing it from circulating freely, offering a way of thinking about water's subjectivity. Importantly, it offers an opportunity to think about self-determination and freedom as sustaining relations that extend to the more-than-human.

Women had noticed that the level of their domestic water wells had descended drastically and started talking to each other about it and to women from other communities. They were concerned because without water, there is no corn, there is no life (Pueblos et al., 2021). This movement drew into focus the contested terrain of Indigenous, national, and corporate conceptions of water. These competing visions came into view when the direct action of the United Front disrupted the company's access to the infrastructure. These communities describe themselves as water defenders and their actions and stories clash with capitalist and government rhetoric about economic prosperity. A woman activist noted, "When they saw that our resistance was strong and attracting international attention, they started using repressive force, national guards, state police, and military police to evict us from this space... To evict the communities that were protecting water."<sup>1</sup> However, they resisted. The Altepemecalli became the communal space to share knowledge, educate, make relatives, establish dialogue, and disseminate knowledge through the community radio and TV stations the United Front established.

Responding to the Zapatista Army of National Liberation's call to organize "dislocated actions," in August 2021, the Altepemecalli held a hybrid event, the "Encounter of International Scientists for Life" (Llaven, 2021). The Zapatista Army had called upon Indigenous communities and organizations to enact small or big actions, in their own terms, in their own places of origin, to commemorate centuries of Indigenous peoples' resistance and rebellion (Congreso Nacional Indígena—Concejo Indígena de Gobierno, 2021). While apparently isolated, dislocated actions are a form of local organizing that seek to articulate a constellation of Indigenous struggles.

Who constitutes the United Front? These are twenty communities of Nahuatl origin, who self-identify as the volcano's communities.<sup>2</sup> Their territory is located between Puebla city and the skirt of the active volcano

<sup>1</sup> Presentation from a member of the United Front, at the "Intersections of Struggles: Dialogue among Women Activists," Women, Encounters and Resistance, organized by the Institute of Human Rights Ignacio Ellacuría, Universidad Iberoamericana, Puebla, March 7, 2023.

<sup>2</sup> The United Front of Nahua Communities of the Cholulteca and Volcanos regions is constituted by: San Juan Tlautla, San Gabriel Ometoxtla, San Mateo Cuanalá, San Lucas Nextetelco, Santa María Zacatepec, colonia José Ángeles, San Diego Cuachayotla, San Lucas Atzala, Santa María Coronango, Santa Bárbara Almoloya, San Sebastián Tepaltepec, San Miguel Xoxtla, San Juan Cuautlancingo, San Martín Texmelucan, San Martín

Popocatepetl. This is a peri-urbanized region or a zone of transition from rural to urban land uses located between the outer limits of urban centers and the rural areas. A common challenge faced by peri-urban zones is the constant tension between the growing needs of urban and industrialized areas and the need for rural communities to maintain their ecosystems and cultural traditions. The United Front emphasizes their collective memory, syncretic communal practices, and their relationship to water and the volcano. They speak of the volcano as a person, they call it Don Goyo or Mr. Goyo. To these communities, the volcano has agency, it expresses its desires and has an interdependent relationship with them. The volcano is conceived as the guardian of water. The communities' rituals for water or Tlaloc, the Mexica god of rain and water, are mediated by *graniceros* or weather workers. *Graniceros* are individuals who have been struck by lightning and survived, they carry the obligation to serve the weather spirits (Broda & Albores, 1997; Lorente, 2009). *Graniceros* mediate between communities and the volcano (Glockner, 2019). They know that the existence of water springs demands different interactions between the human and non-human world, which materialize in a series of rituals and practices of communicating with the volcano. These embodied practices highlight a relational knowledge and way of inhabiting the world that goes beyond environmental struggles.

As participants in the Dialogue among Women Activists noted,

[As women] we see that the relationship we have with water goes beyond the everyday activities. Is a deeper relationship, it is spiritual. We do not think of water as a thing, it has life, is like us, as such we defend it. When we see that it is threatened, we respond with all the strength we have in our hands and heart.<sup>3</sup>

This way of understanding water goes beyond the idea of a natural resource or a human right, it is embedded in Indigenous relationality and elicits human/non-human networks for flourishing together.

Although the conflict involving the Danone Bonafont plant drew national and international attention, it only constitutes an entry point

Zoquiapan, San Francisco Ocotlán, Santa María Acuecomac, San Buenaventura Nealtican, San Francisco Cuapan and San Andrés Cholula.

<sup>3</sup> Presentation from a member of the United Front, at the “Intersections of Struggles: Dialogue among Women Activists,” Puebla 2023.

to understanding the struggle of these communities. The desiccation of the region started three decades earlier. In 1994, when the North American Free Trade Agreement (NAFTA) was initiated, the government of Puebla advanced an aggressive regional development plan that included the industrialization of the peri-urban area. The goal was to modernize Puebla's metropolitan area to uphold NAFTA's commitments, which involved guaranteeing industries' access to water (Cabrera & Tenorio, 2006). The development plan included the drilling of deep-water wells in the Indigenous communities of San Buenaventura Nealtican and Santa María Acuexcomac. These communities refused the plan and engaged in direct action. For two years, the communities faced government repression and government cooptation tactics that ended up dividing San Buenaventura Nealtican. This division facilitated the development of the hydric projects. As water demand grew, at the end of 2006 the government proposed building a new deep-water well in San Francisco Ocotlán. However, it was unsuccessful. Despite facing repression, the community was able to garner support from other communities and organizations to halt the project (Campos & Ramírez, 2009).

The desiccation of the areas where the deep-water wells were built exacerbated, affecting neighbouring communities. Several communities denounced that Puebla's government had failed to monitor water levels to prevent over-exploitation (Hernández, 2007).

The Organization for the Defense of Water of San Pedro Cholula made it visible with the slogan "Water is life, do not let it go." (Hernández, 2007). This slogan implicitly invokes the idea that water should not be diverted from communities to industries. What had been a fertile area that included rivers, creeks, and many water springs that flowed directly from the volcano ice, had changed. The auto and steel industries, the expansion of the city of Puebla's metropolitan area, and the over-exploitation of water had produced a peri-urban landscape where Nahua communities bear the brunt of development. The concession of a deep-water well to Danone Bonafont was like rubbing salt on the wound. What these communities realized was the extraction of water did not require much land. Governments and industry could buy small tracks of land and still extract all the water they could (Flores, 2014). Unlike other types of extractive infrastructure such as pipelines, which cross extensive areas, water can be extracted from small areas. As it became visible with the bottling water plant, this type of extraction does not require invading the

communities' land. As an activist put it, "from small tracks of land, corporations can suck all the water from a given region" (Pueblos Unidos de la Región Cholulteca, 2022).

In a public letter, a political prisoner from the United Front wrote,

The government said the water is for all and that everyone needs it. We all need to eat but we do not go invading other communities' lands or stealing from the supermarket. It is important to ask for something to be given, Indigenous communities are no different. Consent is needed. It is necessary to establish a relationship of reciprocity both with water and with the community from which that water comes from (Flores, 2014).

Like the Secwepemc, these Nahua communities do not see consent as limited to humans. Water, like other entities, has agency; it can be motivated and engaged through reciprocal, respectful, and consensual relations. During community celebrations and ceremonies, water and land are feasted with food, flowers, and music. These practices are a fundamental part of acknowledging and maintaining such affective, consensual relations (Rodríguez González, 2009). Indigenous political projects that center their care-taking practices and responsibilities envision non-exploitative relationships with the Earth. In contrast, capitalist relations are sustained by violence and relations of domination.

To further disrupt Indigenous relationships to water, in 2019, the government of Puebla began the construction of an industrial water collector. This water collector was supposed to collect the residual water from an auto assembly plant and industrial pig farms and dump it into the river Metlapanapa without building a water treatment plant (Acosta & Vera-Herrera, 2020). These industries had already contaminated the river, which traverses several volcano communities. Women decide to create the organization Guardians of the River. Nahua women from these communities narrate how they used to bathe in the river. A woman said, "Water used to be clean but then they decided to bring industry, the industrial pig farms, and water became yellowish."<sup>4</sup> Another activist noted, "I tell the river that we are going to defend it, we are going to cure it, because it is sick. We want to see it healthy, green, and clean as it used to be."<sup>5</sup>

<sup>4</sup> Norma Xocolatl, interviewed in Oropeza (2019).

<sup>5</sup> Leonides Tlahuel interviewed in Oropeza (2019).

Like the Secwepemc, Nahua women connect violence on land and water to violence against women. In a public meeting, government and industry representatives asked that women not speak. A representative of Guardians of the River observed, “They are preventing us from speaking, and no, we are not going to shut up! We are equals. We are never going to shut up again. We will say what we think, we do not want toxins in the river.”<sup>6</sup> Nahua women assume that they are part of a community in struggle. They see their bodies and that of their “*compañeros*” being hurt, repressed, and intimidated in different ways. Yet, they claim that the protection of water intersect with the protection of women. A female member of the United Front observed,

Yes, we know that as women we were educated to be silent, to stay put... Well I guess we are also struggling against that education, against that imposition. We see our participation in the struggle as a responsibility, the defense of territory is something we must do. We are in this world to defend life.<sup>7</sup>

In this way, Indigenous women’s activism is political at the levels of the body, family, community, and the non-human world and is enacted through everyday practices that defend Indigenous life. Like Secwepemc women, Nahua women demonstrate that struggles against colonial, capitalist resource extraction cannot be separated from the fight against patriarchal structures of domination. Like water that flows from one place to another, connecting different entities and forms of life, Indigenous women’s political and organizing practices connect multiple bodies. As Simpson argues, to resurge, Indigenous peoples must refuse the colonial present and re-imagine Indigenous presents and futures collectively with their ancestors, the yet to be born, and in relations establish relationships with their bodies, minds, land, and waters (2017, p. 246).

<sup>6</sup> Zenaida Xochihuila interviewed in Oropeza (2019).

<sup>7</sup> Intervention of a member of the United Front at “Intersections of Struggles...”.

## CONCLUSION

The relational politics at the center of the two cases analyzed here reveal important implications for understanding Indigenous land and water defense in the North American context. Indigenous peoples advance radically different interpretations of what is at stake in these conflicts and enact radical relational politics that reflect how they make sense of their territories, interpret resource extraction, and, in turn, how they respond. At the core of this politics is the remaking of relations with the more-than-human world and a desire to build non-exploitative relations at the domestic, national, and international spaces. The relational practices enact a conception of “Indigenous nation” and community that exceeds humans to include the earth itself. In doing so, both the Secwepemc and the United Front of Nahua Communities enact relation of care practices that disrupt the ontological understanding of “natural resources” and life-destroying forces.

Through their actions, such as road blockades and the occupation of extractive infrastructure, these movements not only challenge the capitalist circulation of goods but also challenge who has and who ought to have authority over land and water. By reoccupying their territory or extractive infrastructures, Indigenous peoples affirm their authority and jurisdiction over their lands, countering state and corporate ideologies that naturalize successive colonial dispossession. If capital circulation knows no boundaries, Indigenous internationalism foregrounds the multiple sources of authority that exist across Indigenous landscapes, from one nation to another, from one community to another, from the human to the non-human.

When Indigenous people engage with and act to protect the more-than-human world, they transcend an anthropocentric view of politics and consent. However small, their practices connect a constellation of struggles, suggesting that they are not isolated, nor that the problem only occurs in one place. Resource extraction is a violent mode of organizing the world, and to resist, Indigenous practices weave, connect, and converge with other bodies, human and non-human, and other struggles.

In the same way that water flows from one place to another, connecting different territories, entities, and life forms across a network of relationships, the practices of Indigenous peoples, particularly women, center life, a life in which the human and non-human world work collectively to

make it happen. If resource extraction is about death, foregrounding life requires inter-national, interspecies, and inter-elemental relations.

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# Transnational Activism and Temporary Agricultural Workers in Canada During the COVID-19 Pandemic

*Christina Gabriel and Laura Macdonald*

We are writing about a crisis from within a crisis while responding to the crisis.

—Migrant Workers Alliance for Change (MWAC, [2020](#), p. 7)

The COVID-19 pandemic had a disproportionate and tragic impact on temporary migrant farm workers in Canada (Encalada Grez, [2022](#)). This

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This research was supported by Social Science Humanities Research Council Insight Grant number 435-2017-0871. Thanks to James Patriquin for his research assistance.

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crisis focused the Canadian public's attention on what civil society organizations (CSOs) and migrant farm workers had long mobilized around, namely, low wages, poor working conditions, health and safety concerns, inadequate housing and lack of pathways to permanent residence that were prevalent in the Seasonal Agricultural Workers Program (SAWP). Canada, like many other states, moved quickly to adopt a number of measures, including territorial closures, self-isolation, lockdowns, travel bans, and social distancing. While most migration and cross-border travel was halted, migrant farm work, long ignored and stigmatized, was designated as essential, and temporary migrant workers were allowed access to the country under controlled conditions. However, their entry proceeded without significant reform to programs that regulate and manage their work contracts and living and working conditions. "Migrant farm workers contracted COVID-19 at a rate 10 times higher than all other people in Ontario" (Kelly et al., 2020). During the first wave of the pandemic, 12% of migrant agricultural workers were infected, and three died (Faraday et al., 2021). The death toll and infection experienced by migrant workers led to greater public debate about the exploitative conditions imposed by the SAWP, the main program that brings migrant farm workers to Canada from Mexico (and several Caribbean states). These conditions also represented a political opening for migrant rights advocates to contest migrant workers' precarious status and to promote reform in how Canada governs migrant agricultural work.

In this chapter, we examine how Canadian-based CSOs responded to the challenges faced by a transnational labor force in the context of COVID-19 and explore various scales of their activism, from local to transnational. Our focus is particularly on advocacy engaged in by and for Mexican workers, who represent the majority of workers in the SAWP. We begin by briefly outlining what critical junctures such as the COVID-19 crisis mean for migrant activism before proceeding to consider two key narrative frames employed by migrant civil society organizations: "essential worker" and "health injustice." We seek to draw attention to both the manner in which the pandemic exacerbated existing injustices, but also may have provided new windows of opportunity for activism in defence of workers' rights.

We use these insights to map the activities of three different CSOs and discuss the ways that the work of these organizations, representing a transnational labor force, engages in transnational activism. Unlike some of the other activist organizations studied in this book, the CSOs

we examine are all based in Canada and opportunities for transnational activism involving coordinated action among CSOs across borders are limited because of workers' precarious status, long hours, and confinement to the farms where they work. Nevertheless, as discussed, we argue that this case involves a transnational labor force and explore how CSO activism has entailed diverse forms of transnationalism.

We conclude by arguing that the politics of the pandemic have produced a paradoxical situation: on the one hand, CSOs have succeeded in their objectives of making Canadians more aware of the importance of migrant farm workers and their conditions of work. On the other hand, to date, government responses to the concerns civil society groups have raised before and during the pandemic have not addressed the fundamental problems associated with the SAWP that lead to worker exploitation and precarity.

## MIGRANT ACTIVISM, CRITICAL JUNCTURES, AND FRAMING

In Donatella della Porta's 2022 book, *Contentious Politics in Emergency Critical Junctures*, she emphasizes that the COVID-19 crisis constitutes what she terms an "emergency critical juncture" as it was "characterized by a sudden rupture produced by a catastrophic event... which quickly developed into economic, social and political crises" (p. 6). Further, citing Roberts (2015), she points out that "in contrast to normal periods, critical junctures are periods of 'crisis or strain that existing policies and institutions are ill-suited to resolve'" (Roberts, 2015, as cited by della Porta, 2022, p.6). Her insights draw our attention to both the challenges and opportunities that a deep crisis provides to social movements seeking social justice. In this section, we consider what this critical juncture signified for migrant farm worker political action as workers faced increased exploitation, mobility restrictions, and very poor working conditions (Basok & Piper, 2023; Vosko et al., 2023).

Workers in the SAWP are part of a larger group of migrants recruited to work in the agricultural sector in Canada. As non-citizens, they occupy a precarious legal status insofar as their ability to remain in the country is dependent on their work permit and, by extension, their employer (Goldring & Landolt, 2013). Their non-citizenship status in Canada means they have limited rights and are often discursively cast as outside the national community. And yet, as Ataç and Schwenken point out, this does not mean they are necessarily "passive recipients of regulation" but



in fact, often exercise agency (2021, p. 367). Further, migrant activism should not be seen as separate from citizens' activism but "migrants' activism and rights claims, which are central to substantive citizenship, problematize the division of between citizens and non-citizens and hence can transcend the binary logics of a conventional notion of citizenship that is bound to nationality" (Ataç & Schwenken, 2021, p. 367). These dynamics came into play within the context of the COVID-19 pandemic.

Our focus in this chapter is on migrant civil society, a term which embraces a wide range of actors. Ataç and Schwenken (2021) identify a spectrum of organizational forms. At one end is *migrants' self-organizing*—i.e. organizing which is led by "the subjects who self-identify as migrants and who are affected by a lack of rights and/or discrimination due to their degrees of legality or identification as minority" (Ataç & Schwenken, 2021, p. 368). At "the other end of the spectrum is *pro-migrant activism or advocacy*" occurring when an actor "articulates demands on the behalf of migrants." Their actions include lobbying, legal activism, and political mobilization for migrants' rights by groups such as non-governmental organizations (NGOs), trade unions, churches, and small local groups (Ataç & Schwenken, 2021, p. 369).

Additionally, migrant political activism happens at a number of scales. Transnational advocacy networks and domestic civil society actors play a critical role in advocating for the rights of migrant workers at local, national, regional, and global scales. In their edited collection on migrant rights in North America, Gleeson and Bada employ the term "transnational" to refer both to cross-border activities undertaken by migrants themselves as well as to "the organized spaces that represent their interests and the governments purporting to act on their behalf" (2019a, pp. 1–2). They argue that "civic spaces are important for advocating for migrant rights in destination countries but also for holding the governments of origin countries accountable to their conationals living abroad" (Gleeson & Bada, 2019a, pp. 1–2). They recognize that state power is a "double-edged sword" when it comes to migrant rights, since states can either promote migrant rights or curtail them (Gleeson & Bada, 2019a, p. 4). Civil society actors are often crucial in the effort to tip state action toward more inclusive and rights-promoting policies. Nevertheless, they argue, civil society's capacity to advocate for these rights is constrained by several factors: "the institutionalization of civil society in each country, the structural limitations of the policies at hand, and the asymmetric power between origin and destination actors" (Gleeson & Bada, 2019b, p. 299).

The SAWP is a form of low-skilled migration governed by a bilateral agreement. It prompts us to think about the various political spaces in which migrant activism takes place. As we discuss in this chapter, in the North American context, we see robust forms of collective action by migrant CSOs taking place in the territorial space of the Canadian nation-state responding to an emergency critical juncture. Here, we return to the dynamic of domestic transnationalism, which as we suggested in a 2014 article, is a form of activism that occurs when “domestic political actors engage in advocacy within domestic legal institutions to promote the rights of a transnational mobile labour force” (Gabriel & Macdonald, 2014, p. 244). These forms of activism at one scale frequently prompt domestic CSO engagement at other scales, such as the regional. Consequently, rather than seeing these scales as separate, fixed and contained, following Tarrow and McAdam we are attentive to *scale shift* defined as “a change in the number and level of coordinated contentious actions leading to broader contention involving a wider range of actors and bridging their claims and identities” (2005, p. 125).

Social movement scholars have highlighted the importance of collective action frames, namely, “action-oriented sets of beliefs and meanings that inspire and legitimate the activities and campaigns of a social movement organization” (Snow & Benford, 2000, p. 614 as cited by Rodgers, 2018, p. 82), which operate at various scales. These frames help link grievances and claims to collective action. In the context of an emergency critical juncture, this role takes on greater significance. As della Porta puts it:

... a pandemic period brings with it the additional challenge of developing a narrative that is able to connect the various specific and urgent claims of an increasingly fragmented society, combining a denunciation of multiple inequalities with the building of solidarity ties... Additionally, during emergencies it is essential to convince a shocked public of the political implications of the problem (2022, p.45).

Central to mobilization and particularly relevant to workers in precarious status is a recognition that the pandemic did not impact all people in the same way. For many, it deepened and exacerbated existing inequalities. Consequently, for activists, calls for a return to business as usual in the pre-pandemic context were not viable. Della Porta (2022) asserts that two collective action frames emerged as particularly salient during the

pandemic: essential activities and essential workers within a broader frame of labor rights and health injustice (pp. 44–46).

The pandemic, she asserts, prompted debates about labor, and labor rights and within this context “the definition of ‘essential workers’, who were excluded from the lockdown, pointed to a reversal of the traditional hierarchy, with workers in more humble conditions... being seen as the most important for collective survival in the emergency situation” (della Porta, 2022, p. 46). Migrant farm workers offer a case in point. Within days of the border closure, farmers in Canada made it clear that there would be food shortages in stores in the spring, summer, and fall if SAWP workers were barred from entry and warned that restrictions will have “the potential to devastate” the agricultural industry (Lupton, 2020, np). While these workers have frequently been characterized as “unskilled” and by extension “undeserving” of permanent residence, employers now emphasized their “skills, experience and efficiency” (Macklin, 2020, p. 6). More than any time in the past, the situation and status of migrant workers moved onto the public’s radar. The first twelve months of the pandemic were marked by numerous accounts of the role migrant workers play in guaranteeing Canada’s food supply.

Another narrative employed by activists during the pandemic, identified by della Porta is that of “health injustice.” Indeed, she characterizes this narrative as an “important master frame for mobilization, triggering moral shocks” (della Porta, 2022, p. 44). SAWP workers are covered by Ontario’s provincial health benefits. At the best of times, their actual access to healthcare services is limited, however, by lack of access to transportation, language barriers, and other factors. But during the pandemic, their access to healthcare was reduced by a series of factors, including the lack of employer cooperation as the latter feared that positive tests and subsequent isolation requirement would jeopardize the harvest and lack of personal protective equipment (Chen, 2023, p. 169). But additionally, the pandemic shone a light on existing forms of injustice. For example, pandemic public health measures such as isolation were imposed on already overcrowded housing situations where physical distancing was not possible.

## MIGRANT WORKER ACTIVISM AND THE PANDEMIC

Migrant agricultural worker activism in Canada has emerged in the context of a long history of Canadian economic dependence on the employment of seasonal workers in agriculture, often in precarious and exploitative conditions. Canada's Temporary Foreign Worker Program (TFWP) is based on the recruitment of unfree labor, characterized by the workers' inability to circulate within a national labor market, and their resulting dependency on a single employer (Trumper & Wong, 2007, p. 151). Migrant farmworkers enter Canada under the auspices of the TFWP, which includes the long-standing SAWP, the more recent Agricultural Stream, and the stream for low-wage positions. The streams applying to agricultural workers require farm employers to obtain a Labour Market Impact Assessment (LMIA) and are administered through Employment and Social Development Canada (ESDC). The SAWP dates to 1964 and is governed by a number of bilateral agreements between Canada and selected states. A bilateral agreement was signed between Mexico and Canada in 1977, and since that period, growing numbers of Mexican workers have been recruited into the program, while the percentage of Caribbean workers employed by the program has declined. SAWP workers come to Canada for a maximum of eight months a year. Many workers return to Canada year after year. SAWP workers are selected in their home countries by their own governments. In contrast, sending states play no role in the administration of the other streams of the TFWP. The low-skilled stream allows migrant farm workers to live and work in Canada for a maximum of 48 months (UFCW Canada and the Agriculture Workers Alliance, 2020, p. 15). About 25,000 Mexican workers come to Ontario every year to work on farms and greenhouses (UFCW Canada and the Agriculture Workers Alliance, 2022, p. 5). They are overwhelmingly male.

Responsibility for the governance of the program is located primarily with the federal government, while provincial governments have jurisdiction over labor and employment law. In 2015, however, the Canadian federal government enacted some regulatory changes which gave the federal ESDC broader enforcement and inspection powers over the conditions experienced by migrant workers (Kachulis & Perez-Leclerc, 2020, p. 1). The ESDC's assignment of workers to one employer and the ability of employers to nominate workers for the following season engenders precarious status among those workers as they are dependent on the goodwill of individual employers (Goldring & Landolt, 2013, p. 14). In

effect, the work lives of migrant farm workers within Canada are “immobilised” insofar as “workers lack the right to change employer and choose the location where they work; upon arrival they are escorted to the farm they have been assigned to and they are returned to the airport at the end of the contract; they are obliged to live on-farm and they have to report their movements off-farm to their employers” (Allen & Axelsson, 2019, p. 119). Additionally, in Ontario and some other provinces, workers are excluded from collective bargaining rights. They pay into various social programs such as the Canada Pension Plan and Employment Insurance, but are not able to access them. Non-citizen migrant workers are also not eligible for federally funded integration and settlement services because of their status (Kachulis & Perez-Leclerc, 2020, p. 13).

Workers and grassroots groups have contested their marginal position in various ways. As we have discussed elsewhere, a range of civil society organizations in Canada have become involved in a variety of activities in support of migrant well-being and rights: helping migrant workers access social rights; educating and mobilizing migrant workers; lobbying governments to advance workers’ rights, and engaging in public campaigns to raise consciousness in Canadian society about the abuses to which workers are often subjected (Gabriel & Macdonald, 2011, 2014). There have been attempts to unionize in some provinces (Gabriel & Macdonald, 2014; Vosko, 2019). The activism involved ranges in scale from the transnational, to the national, provincial, and local, and CSO orientation ranges from charitable works to more radical demands and actions (Gabriel & Macdonald, 2011). Workers are often not able to become directly involved in activism or even speak out publicly because of the control that employers exercise over their mobility, and the fact that workers can be deported if they fail to satisfy the demands of employers or are perceived as troublemakers (see Vosko, 2019). Nevertheless, as argued by Cohen and Hjalmarson (2020), “despite finding themselves in situations of social and political constraint, migrant farmworkers nevertheless find creative, powerful, and sometimes collective ways to resist the overwhelming restrictions imposed upon them by their own and Canadian state authorities as well as their employers” (p. 142).

In this context of social, economic, and cultural constraints on migrants, migrant workers’ organizations are often composed of migrant advocates rather than farmworker migrants themselves, while direct

worker activism is often “masked and covert” (Cohen & Hjalmarson, 2020, p. 154). Nevertheless, CSOs have been seeking ways to directly involve migrants in activism, and the extreme impact on workers of the COVID-19 pandemic may have resulted in more workers directly speaking out in order to address the crisis. As a result of the way in which the pandemic has made visible in an unprecedented fashion the exploitation and harsh conditions experienced by migrant workers, their situation has received more public profile than ever before.

## FORMS OF MIGRANT CIVIL SOCIETY ACTIVISM

In this section, we provide a portrait of several CSOs that have attempted to address the situation of migrant workers during the pandemic. We have chosen to focus on examples of three different types of organizations in order to illustrate the range of forms of advocacy that has emerged: the Migrant Worker Health Expert Working Group (MWHEWG), which represents experts and health professionals; the United Food and Commercial Workers Canada (UFCW), a union-affiliated organization, and Migrant Workers Alliance for Change (MWAC)—a grassroots migrant-led organization. Even though these groups represent different types of actors and adopt diverse objectives and forms of action, their work is complementary and there is often cooperation between them, which increased during the pandemic.

### *Migrant Worker Health Expert Working Group (MWHEWG)*

MWHEWG is the newest, smallest, and perhaps, least “grassroots” of the groups reviewed here. According to Ataç and Schwenken’s (2021, p. 369) framework, it is a “pro-migrant activist organization,” with a primary focus on migrant worker health. It was formed in May 2020 explicitly to address the needs of migrant agricultural workers in the context of the pandemic. It is linked to the pre-existing Migrant Worker Health Project, whose partner groups include the International Migration Research Center at Wilfrid Laurier University, the Occupational Health Clinics for Ontario Workers (OHCOW), and the Industrial Accident Victims Association of Canada. MWHEWG is made up of representatives of the academic and medical communities as well as clinical and social service leaders, drawn from regions where migrant agricultural workers (MAWs) are most heavily represented in Ontario. It aims to provide

evidence-based guidance to different government agencies to ensure the health and safety of MAWs (Migrant Worker Health Project, 2025).

Members of the group are widely recognized for their expert knowledge, particularly related to health issues. This expert knowledge and professional status strengthen their ability to gain the ears of government actors. They also coordinate with other community stakeholders that provide health and social services to this population and aim to strengthen communication and information dissemination to them. They engage in direct dialogue with ESDC and have developed recommendations which address some of the concerns that have aggravated the impact of the pandemic on migrant workers ranging from challenges related to pre-departure and arrival in Canada, work and stay in Canada (including workplace conditions, grouped housing, inadequate reporting mechanisms, and MAWs' limited knowledge of, and ability to access, health care services), and also challenges of responding to an outbreak and mitigating negative consequences.

#### *UFCW Canada (United Food and Commercial Workers Canada)*

The second organization profiled here, UFCW, is one of Canada's largest private sector unions. In addition to its myriad other activities related to the interests of its members, for over 30 years, the UFCW has struggled to organize and promote the rights of Canadian migrant agricultural workers, mostly coming from Mexico and the Caribbean, which it calls "Canada's most exploited workforce" (UFCW Canada and the Agriculture Workers Alliance, 2020). Like MWHEWG, it is a pro-migrant activist organization. The UFCW has attempted for years to organize and represent farmworkers despite the multiple legal, economic, and political barriers to their unionization (Gabriel & Macdonald, 2014). In 2001, the UFCW established the Agriculture Workers Alliance (AWA) as a membership association that advocates on behalf of and supports migrant workers. The AWA runs a series of support centers for workers across Canada (Manek, 2020).

Over the last thirty years, the UFCW has attempted to win migrant workers' rights to organize and engage in collective bargaining, has won workers coverage under Ontario's Occupational Health and Safety Act, and has exposed cases of violation of workers' rights to safe and decent housing and unfair labor practices such as the blacklisting of workers engaged in efforts to organize. The UFCW has also lobbied governments

over issues of access to permanent resident status and workers' susceptibility to deportation. It has also argued for an end to employer-specific work permits and their replacement with open or occupation-specific ones to allow for sector mobility (UFCW and the Agricultural Worker Alliance, 2023).

Like other organizations discussed in this chapter, the UFCW stepped up its mobilization in defence of workers' rights in the context of the pandemic. In its 2020 annual report on the status of migrant farm workers in Canada, UFCW reported that UFCW Canada, its affiliated organization AWA, and "community allies" won victories at the beginning of the pandemic to lift the ban on the entry of migrant workers entering the country and won the right of workers to be paid and be eligible for Employment Insurance during self-isolation (UFCW Canada and the Agriculture Workers Alliance, 2020, p. 13). Nonetheless, they also reported that they were receiving calls from workers who were not paid during the quarantine period. UFCW also assisted dozens of workers to access the Canada Emergency Response Benefit (CERB) (UFCW Canada and the Agriculture Workers Alliance, 2020, p. 23). The UFCW also increased advocacy efforts to support a system of open work permits for migrant agricultural workers, which would reduce workers' vulnerability to abuse, a situation that was aggravated by the closed permit system that tied them to a single employer.<sup>1</sup>

### *Migrant Workers Alliance for Change (MWAC)*

In contrast with the previous two groups, MWAC insists on the importance of migrants undertaking their own collective struggles and direct action and thus falls under the category of "migrant self-organizing"

<sup>1</sup> In response to lobbying from UFCW and other migrant rights' advocates, the federal government introduced an "Agri-Food Pilot," which provided a path to permanent residence for some migrant workers in the agricultural sector, although Mexican workers arriving under the SAWP had difficulty accessing this opportunity. UFCW also engaged in lobbying with the government to address some of these limitations. As a result, in May 2023, the government announced that the program, which was supposed to end in 2023, would run until May 2025. The ministry also expanded eligibility for the program by removing annual occupational caps and expanding open work permit access to family members of all participants in the pilot program. They also announced that they would permit unions to attest to a candidate's work experience as an alternative for the need for an employer reference letter (Agri-food Pilot, 2023).



(Ataç & Schwenken, 2021, p. 368). The organization was formed in 2011 as a coalition of grassroots migrant-rights organizations. In 2017, it turned toward a membership-based structure, directly organizing migrants in unorganized regions and sectors, including farmworkers, care workers, and current and former international students (Migrant Workers Alliance for Change (MWAC), 2020, p. 3). In 2018, it helped create a cross-Canada alliance, called the Migrant Rights Network. The MWAC coalition took on a new name in 2020, the Migrant Rights Network—Ontario, as a regional body of the national Migrant Rights Network. It remained part of the Migrant Rights Network—Ontario and forms the secretariat of the national Migrant Rights Network and the provincial Migrant Rights Network—Ontario. Prior to the outbreak of the pandemic, MWAC was operating a hotline in English and Spanish for migrant agricultural workers in the Niagara region, where many of the SAWP workers are located, to permit them to share legal information and support self-organization among isolated workers.

After the outbreak of the pandemic, MWAC began documenting COVID's impact on farmworkers and other immigrants and has found ways for migrants to gain voice to denounce their treatment. They continued to operate their hotline and circulated a petition that was signed by 800 organizations with over 8 million members. The petition called for a “single-tier immigration system, where everyone in Canada has the same rights. All migrants, refugees, students, workers and undocumented people in the country must be regularized and given full immigration status now without exception. All migrants arriving in the future must do so with full and permanent immigration status.”

MWAC retains a strong oppositional stance toward the Canadian state. According to Syed Hussan, the MWAC's Executive Director,

the main issue is power.... With the federal government the opening of the border for agricultural workers was about initiating access to a labor force so then the health of that labor force was necessary as part of “machine maintenance” – access to testing, to health care, to vaccines, are all part of that. We are in a dialectical relationship – we apply power and force and then the government responds and we act back (Interview, October 26, 2023, Zoom).

According to Syed, at the beginning of the pandemic, the government was “trying to do right by migrant workers. And then the power of the

agrifood lobby overtook the public sentiment” (Interview, October 26, 2023, Zoom). In order to build the basis for a long-term shift in power relations, MWAC engages in political education of migrant workers to promote political consciousness and the construction of democratic and non-hierarchical structures of decision-making in which the organization responds to demands coming from the base. MWAC has also led protests to push the federal government to expand its program to regularize all migrants, including migrant agricultural workers.

## COVID-19 AND MIGRANT CSOs’ COLLECTIVE ACTION FRAMES

As suggested by social movement scholarship, collective action frames are adopted by activists to draw attention to grievances and suggest alternative visions for action. In this section, we analyze how the frames of “essential workers” and “health injustice” were effectively mobilized by domestic CSOs, including the three agencies identified above.

### *Essential Workers*

The indispensable role migrant workers play in agricultural production in the Global North became very quickly apparent in the early stages of the pandemic (Neef, 2020). Like other workers occupying often low-status, low-paid occupations like nurses and personal support workers, migrant agricultural workers were suddenly cast as “essential workers.” The introduction of border restrictions meant that states faced impending labor shortages, given the transnationalized nature of the labor force and the fact that the pandemic fell in late winter, before the arrival of many workers.

Migrant worker advocates also underscored that farm work was the only income workers had, but demanded that critical supports such as employment insurance and health care be accessible. The Canadian government moved quickly and emphasized that migrant workers would be exempt from travel and border restrictions. However, the action was taken with the goal of safeguarding the food supply in Canada; as Audrey Macklin has pointed out,

... the entry of seasonal agricultural workers was facilitated as an exception because their admission was *economically essential* to Canada. But

upgrading the work to essential did not make the workers essential. Rather, it exposed the extent to which migrant agricultural labour is essential *because* the workers themselves are dispensable” (Macklin, 2020, p.6-7).

Travel exemptions for migrant farm workers allowed them to enter Canada—while many others were rendered immobile—but the conditions of work did not change. In many cases, quarantine periods were not enforced, housing situations were not improved, and no protective equipment was made available, leaving them disproportionately vulnerable to COVID-19 infection. There were numerous outbreaks on farms and some fatalities as a result of the virus. As the Executive Director of MWAC, Syed Hussan, puts it, “Migrant Workers have been treated as expendable, exploitable—and essential, all at the same time” (cited in Baum & Grant, 2020).

One member of MWHEWG, Michelle Tew, an occupational health nurse at the OHCOW, states that, “[t]he attention that migrant farm workers have received this year has put them in the spotlight....And now, they are being recognized as skilled essential workers. Although it continues to be difficult for workers to have a voice due to fears mentioned, people in decision-making positions are starting to listen” (Minnings, 2021).

Partly as a result of the strategic deployment of this frame by CSOs, the situation and status of migrant workers moved onto the public’s radar more than at any time in the past. The first twelve months of the pandemic were marked by numerous accounts of the role migrant workers play in guaranteeing Canada’s food supply. Their work was valorized in the same way as that of front-line health workers. For example, the September 2020 Speech from the Throne noted: “The Canadian and migrant workers who produce, harvest, and process our food—from people picking fruit to packing seafood—have done an outstanding job getting good food on people’s plates. They deserve the Government’s full support and protection” (Maclean’s, 2020). The Canadian media also focused on poor working conditions and stories of worker hardship (see Kelly et al., 2020).

### *Health Injustice*

Canadian migrant activists also drew effectively on the collective action frame of “health injustice.” In the context of the pandemic, CSOs were

able to highlight the ways in which the multiple forms of exploitation to which migrants were exposed, as the conditions of the SAWP heightened their exposure and susceptibility to the virus. CSOs were able to discursively identify injustice as not just a threat to workers' rights, but as a (potentially fatal) health risk.

MWHEWG was especially well-positioned to employ this frame, given its focus on health and its members' expertise in this area. For example, some members of the group carried out an analysis of the findings of coroners' reports on migrant agricultural workers' deaths in Ontario between January 2020 to June 2021. In that period, according to their study, there were at least nine migrant agricultural worker deaths, all of whom were male, and most of whom had no previous health concerns. Five of these workers came from Mexico. The researchers highlighted several factors that endangered workers' access to safe and healthy working and living conditions, including: recruitment processes and travel conditions; substandard healthcare conditions, particularly related to quarantine, monitoring, and isolation; barriers to accessing healthcare, and lack of access to important information (Caxaj et al., 2022).

MWAC also identified how the extraordinary conditions of the pandemic allowed employers to justify further violations of workers' rights based on appeals to the exigencies of the health emergency. MWAC's 2020 report states that 205 workers reported severe restrictions on their mobility during the pandemic including being unable to leave their housing on the farm, whether to send remittances abroad, to buy phone credits or food and other supplies: "Many migrant workers report that employers are using COVID-19 to further clamp down on basic worker freedoms, breaking down support systems and social networks, and targeting outspoken workers by ensuring that they remain confined to workplaces and bunkhouses" (p. 9). The context of the pandemic was thus used as a pretext to intensify the forms of control and surveillance that are a perpetual part of workers' existence. The 209 workers reported that there was an increase in levels of intimidation and threats from employers, often under the guise of COVID-19 protocols. In some cases, bunkhouses were guarded by private security guards, and employers threatened to turn workers over to the police for failing to follow orders (Migrant Workers Alliance for Change (MWAC), 2020, p. 9).

Since the number of calls it was receiving on its hotline multiplied dramatically after the onset of the pandemic, the organization decided to prepare a report that would document workers' complaints and put

pressure on the government and businesses to act. The report, which was issued in June 2020, was based on interviews carried out with 180 workers who spoke on behalf of 1162 workers (Migrant Workers Alliance for Change (MWAC), 2020, p. 7). It “provides a snapshot of the abuses faced by migrant farmworkers, including stolen wages during quarantine, being forced to work while awaiting COVID-19 test results, racist threats, decrepit housing and inhumane treatment” (Migrant Workers Alliance for Change (MWAC), 2020). The report insists that these conditions are not new, but merely aggravated by the crisis, and that migrant workers and their supporters have warned about the systemic problems of temporary worker programs for decades, without adequate response, and also raised several warnings when the pandemic began (Migrant Workers Alliance for Change (MWAC), 2020, p. 6).

CSOs also highlighted the way in which workers’ precarious status limited their capacity to report COVID-19 outbreaks: Kit Andres, an organizer with MWAC, whose cellphone was used as a hotline by workers who needed support, said that during the COVID-19 pandemic workers had to combat their persistent fear to report poor conditions on farms: “They really don’t know who we are, so to even just reach out and send us a WhatsApp message saying, ‘This is what’s going on at my farm, please help,’ was a huge risk for them” (Hristova, 2020). In some cases, multiple calls would be required to establish trust so that a worker would tell her their real name and what farm they were working on: “Some of those conversations are still ongoing because of the level of fear on these farms. It’s so real and deep, they don’t feel safe even sharing a fake name with me” (Hristova, 2020).

Activists also reported concerns that the health emergency aggravated workers’ long-existing fear of deportation if they failed to satisfy their employers, since their closed permits tie them to a specific employer. The UFCW reports that even prior to the pandemic, deportation was frequently resorted to in the case of illness or workplace accidents. According to data collected by AWA farmworker centers across the country, between 2000 and 2020, some 1400 workers were repatriated after workplace accidents, which were not reported to provincial workers’ compensation offices. This situation created a climate of fear, which made workers unlikely to report injury or sickness, a situation in which the coronavirus was likely to flourish (UFCW Canada and the Agriculture Workers Alliance, 2020, p. 36).

MWAC was able to highlight the link between health and the threat of deportation through their work with Mexican farmworker Luis Gabriel Flores. Flores, first came to work in Canada in 2014 and at the time of the pandemic was working at Scotlynn Sweetpac Growers in Norfolk County, Ontario. According to Flores' lawyer, about 199 of the farmworkers on that farm, out of a total of about 221 workers, including Flores himself, contracted COVID-19. One of Flores' bunkmates, Juan López Chaparro, died as a result of the virus. Flores' employer accused him of speaking to the media and told him he would be deported. Luckily, Flores was able to contact MWAC through a professor at Western University whom he had met. MWAC arranged to transfer him to a safe house before he was deported and helped him contact a legal clinic, which brought his case to the Ontario Labour Relations Board. The board ruled in his favor and ordered Scotlynn Growers to pay Flores \$20,000 in lost wages and \$5,000 in damages (CBC Radio, 2020).

In a July 30, 2020, letter to the federal minister of Immigration, Refugee and Citizenship Canada, Flores stated:

I have come here with a message for your government: We will not be silenced by bad employers or bad laws. But you must act now if you want to avoid more abuse and more deaths.

And I have a message for all my fellow migrant farmworkers and all migrants in Canada: I am not afraid. It is our responsibility to speak up, for ourselves and for everyone. We are not alone. People support us.

We demand full immigration status for all. Minister Mendocino,<sup>2</sup> do the right thing (Flores Flores, 2020).

The COVID-19 pandemic thus represented a critical juncture that permitted migrants and their advocates to develop new framing strategies that highlighted the connection between the structural conditions of the SAWP and health outcomes. This frame appealed to Canadians in order to humanize a previously dehumanized workforce and identified workers' lack of access to citizenship status as a factor that threatened the lives and well-being of these essential workers.

<sup>2</sup> Marco Mendocino was the federal minister of Citizenship, Refugees and Citizenship Canada at the time.

## NORTH AMERICAN TRANSNATIONALISM AND MIGRANT ADVOCACY

While the forms of advocacy discussed above are often local or national in scale, as Miller (2004) has observed, “the central challenge for most social movements...is not to find a grand unifying basis for mobilization, but to appeal to multiple scale- and place-differentiated collectivities... to find flexible and nested ways to construct and frame issues so that they resonate among different groups in different places” (p. 269). The collective action frames discussed above may or may not translate in the same way across the North American context. For instance, at the outbreak of the pandemic the term “essential workers” was not directed at workers in Mexican maquila plants but rather they were pressed to work under the guise that they were producing “essential goods” (Grant, 2020). In this section, we examine how the CSOs we profiled have adopted diverse forms of transnational activism at the North American regional scale to promote worker rights.

The UFCW is perhaps the most capable of engaging in transnational activism since, as a large union, with years of experience, it has the necessary resources. It has also developed a transnational orientation over the years. UFCW Canada’s Western Regional Director Pablo Godoy stated in 2020, “If in Canada we exhaust all our energy and the answers aren’t there, we think that it’s important that we go to wherever we can, to try to better these circumstances,” says Godoy (in Manek, 2020). “We know that labour rights and human rights shouldn’t be alienable. They should transcend borders, much like the people that come here to harvest our food, and often are neglected their basic human rights” (Manek, 2020). Similarly, in an interview, Derek Johnstone, Special Assistant to the UFCW President, referred to the work of Immanuel Wallerstein and argued that the problem of migrant workers, especially in the food sector, “is a global issue—and a lot of the problem is the power of global capital in the world system, and it’s critical to organize around that globally” (Interview, December 1, 2023, Zoom).

For years, the UFCW and AWA have worked to develop ties with Mexican governments (both national and sub-national) and unions (Gabriel & Macdonald, 2014). While in the past, the union had little success in influencing the Mexican federal government, the election of populist leftist president Andrés Manuel López Obrador (AMLO) and the implementation of labor reform in Mexico created greater political

openings for transnational advocacy. In 2020, the UFCW signed a historic agreement with the Autonomous Confederation of Mexican Workers and Employees (CATEM) and with CONOCER, the Mexican government's educational certification agency, to establish a database on the conditions facing migrant agricultural workers in Canada and Mexico (UFCW and the Agriculture Worker Alliance, 2020, p. 13). Also, in 2020, UFCW Canada launched a Spanish-language version of its annual report, with officials from the Mexican government in attendance, as well as representatives from Global Affairs Canada. The union also employs a full-time lobbyist in Mexico (Derek Johnstone, Interview, December 1, 2023, phone).

The UFCW also had attempted for years to participate in talks between the Canadian and Mexican governments about the rules and regulations governing the SAWP. While employer organizations were permitted to participate, civil society organizations representing migrants never had a seat at the table. This situation changed in 2023 when the UFCW was invited into the room by representatives of the Mexican government. The UFCW's Derek Johnstone stated in an interview that the election of AMLO "has been responsible for the change—they've been very receptive to having a dialogue." According to Johnstone, a UFCW representative has been invited by the Mexican labor ministry to meet with SAWP workers before they leave for Canada to ensure they are aware of their rights as well as the problems they may face in Canada, and possible pathways to permanent residence. UFCW is also a member of the global union federations UNI Global Union and the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) and views the problem of migrant rights as a global issue.

MWAC's work also jumps scale regularly from local to transnational. Its political education and organizational work takes a cyclical form, with meetings led by farmworkers themselves on the farms where they work during the growing season, and meetings on a monthly basis in their home communities when they return to their countries of origin. This transnational form of activism intensified during the pandemic. It resulted in actions in 17 counties in Jamaica, and Jamaican workers successfully pushed the Jamaican government to create a fact-finding mission on the SAWP headed by the Jamaican Congress of Unions. Similar meetings occur in Mexico, and as a result, Mexican workers delivered a letter to



the president's office and obtained a meeting with the president (Syed Hussan, Interview, October 26, 2023).

While the focus of the work of MWHEWG is largely federal and provincial, in the context of the pandemic, it also took on more transnational engagement (MWHEWG, representative, 2024, personal communication). Like UFCW, its transnational activism also benefited from the change of government in Mexico, as López Obrador's Morena government took on a more active role in advocating for the rights of its nationals in Canada. In 2020, at the request of the Mexican consulate, members of the group were invited to attend and to make formal recommendations to the annual contract negotiations between Canada and Mexico. This was the first time that CSOs and academics had participated in these meetings, even though employer groups regularly were invited to participate. Their recommendations were not included in the revised contract, an outcome they explain is a result of "tensions within sending and receiving migration states between commitments to facilitating the flow and smoothly managing labor migration on the one hand, and the protection of migrant rights, on the other" (Basok et al., 2025, p. 3). Nonetheless, the Canadian government did engage in further consultations with migrant workers, CSOs, and consulates, and the government proposed further amendments to the program to better protect workers (Basok et al., 2025, p. 10; Government of Canada, 2021). As a result, partly because of the increased connections between Canadian CSOs and the Mexican state, greater space was opened up for civil society contestation of the work and living conditions of migrant agricultural workers.

## CONCLUSION

The UN special rapporteur on contemporary forms of slavery stated in September 2023 after a visit to Canada that "agricultural and low-wage streams of the temporary foreign workers program constitute a breeding ground for contemporary forms of slavery" (Major, 2023). He called on the Canadian government to regularize the status of migrant workers, end the closed work permit system, and provide a clear pathway to permanent residency for migrants (UFCW and the Agricultural Worker Alliance, 2023). While the types of abuses he identified have been widespread for decades, the onset of the pandemic represented a critical juncture

that brought new public attention to the rights of migrant agricultural workers in Canada. It has been widely acknowledged that Canada's temporary migrant agricultural workers were among the groups hardest hit by the health crisis. A group that normally toils in isolation and obscurity in Canadian society received widespread attention in the media, from government leaders, and from civil society organizations.

Migrant civil society organizations responded rapidly to the onset of the pandemic when the severity of its impact on migrant workers, including farm workers, became apparent. The three organizations described in this chapter represent a range of organizational forms from pro-migrant activism to migrant self-organizing. They astutely mobilized two collective action frames, "essential workers" and "health injustice" to seize the imagination of the Canadian public and policymakers and draw attention to the ways in which the impact of the pandemic had a disproportionate impact on workers who played a critical role in the country's food system. These organizations also adopted transnational forms of action in a way that established alliances with the Mexican state. One organization, MWAC, took advantage of the transnational character of the workforce to promote worker self-organization both in their home communities as well as in Canada.

Despite these demands, this activism has thus far failed to achieve fundamental change in the organization of the SAWP and the limitations on worker mobilities and freedoms, nor fundamentally in the way that migrant workers are perceived. As argued by Encalada Grez (2022) and Ramsaroop (2023), processes of racialization continued to dominate perceptions of workers by the Canadian state, employers, and the general public. Even as CSOs challenged the conditions of the program and its implications for workers during the pandemic, processes of securitization and surveillance intensified (Ramsaroop, 2023). Farm owners benefited from millions of dollars of funding (Encalada Grez, 2022, p. 158; Vosko & Spring, 2021; Migrant Workers Alliance for Change (MWAC), 2020), while farmworkers were essentially excluded from a pilot program for regularization of essential workers as a result of the language and education qualifications attached to the program (Encalada Grez, 2022, p. 158). While domestic and transnational activism continues to challenge the structural conditions that promote contagion and marginalization, the imperatives of capital accumulation and racialization, and the demands of employers continue to hold sway.

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# Migration and Transnational Activism in the San Diego-Tijuana Region

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## INTRODUCTION

The transnationalism approach to analyzing migration processes has gained significant international relevance in recent times. This approach to addressing the migration phenomenon introduces into the analysis the relationships, activities, and processes that occur beyond national borders and involve migrants and their communities in both their countries of origin and destination. From this perspective, transnationalism addresses “the process by which migrants simultaneously maintain ties to their countries of origin and destination” (Levitt, 2001).

The migratory flows that have arrived at the US–Mexico border have been influenced by economic, political, and social factors, such as the lack of opportunities in Mexico and the demand for labor in the US (Massey, 1999). This dynamic process has led to an increase in migrant flows from Mexico to the US, producing significant transnational activities. It is worth noting that the US–Mexico border, one of the most

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active in the world in terms of migratory flow, is a relevant scenario to study these social and demographic trends.

The border between San Diego and Tijuana can currently be considered a region where transnational activities converge with migratory flows. On this border, migrants maintain ties and relationships with their countries of origin and destination, which allows them to develop economically, politically, and socially beyond national borders. On the one hand, Tijuana has received significant flows of migrants from Mexico and other developing countries. On the other hand, San Diego, California is a city with a diverse population, including a large migrant community that has formed associations to provide support and advocacy for deported migrants and those seeking asylum, representing their interests before local authorities.

Some of these migrant associations engage in transnational activism as they maintain ties and relationships both in their country of origin and in their destination country. These links include participation in cultural and political activities in their country of origin, as well as the promotion of common interests and the protection of rights in their country of destination. In addition, these associations can also play an important role in building social, cultural, and economic networks for migrants, enabling them to improve their situation in their new home and maintain links with their culture and community of origin. It is important to highlight that these migrant associations have to tackle many problems faced by migrants, such as discrimination, exclusion, and lack of access to basic services and rights, with limited resources and support. However, their presence and work exemplify the transnational ties that are formed with migration.

In this chapter, I will examine migration and transnational activism in the San Diego–Tijuana region. I will explore how migrants maintain connections with their countries of origin and destination, and how, through these connections, migrants generate activism that affects their economic, political, and social development. Additionally, we will delve into the complexities of migration politics and analyze the political and social tensions that emerge from migration at the border.

## GLOBALIZATION AND THE SAN DIEGO–TIJUANA BORDER

To understand the development of activism related to the migration phenomenon at the San Diego–Tijuana border, it is necessary to note that this area exhibits substantial transborder economic and social ties, fostering the emergence of organizations engaged in transnational activities. Globalization, which has increased interconnectedness and interdependence of the world's economies, cultures, and populations, has notably integrated the Mexican and US economies, profoundly affecting border dynamics. Economic integration has spurred the growth of local political, social, and familial connections in the San Diego–Tijuana region, making it a magnet for migrants from Mexico and other Latin American nations (Mendoza & Dupeyron, 2017).

The region comprising San Diego and Baja California has a combined population of 7,512,375, with 3,769,020 in Baja California and 3,343,355 in San Diego. Tijuana, with 1,922,523 residents, is the largest city in Baja California (INEGI, 2020). Together, Tijuana and San Diego have a population of 5,265,878 (US Census Bureau, 2020). The integration of their economies is driven by manufacturing plants and *maquiladoras* in northern Baja California, primarily funded by U.S. investment, focusing on product assembly for re-export to North America. Additionally, there is a rising demand for medical services from U.S. citizens, fueled by aging baby boomers, technological advancements, qualified doctors in Tijuana, and the widespread use of English at the border. Consequently, Tijuana has developed its dental and medical services to meet this demand (Ramírez et al., 2017; Vargas Bustamante, 2020).

Although both cities have similar socio-economic indicators regarding unemployment rates, life expectancy, and average household size, it is important to mention that both economies are at very different levels of economic development. On the one hand, the level of economic activity in the city of San Diego is much higher than that of Tijuana. When comparing their GDP, it can be observed that San Diego reached \$267,974 million in 2020, while Tijuana only reached \$29,562 million. Likewise, when comparing the average income levels of both cities, there are huge differences. In the same year, the average annual income for Tijuana residents was \$11,900, while for San Diego it was \$85,000 (United States Census Bureau, 2020).

In addition to the high-income level differential between the cities, the productive activities are different. San Diego has activities with high productivity and technological development in the areas of biotechnology, aerospace, medical devices, and electronics, while Tijuana is characterized by having manufacturing activities and in-bond assembly manufacturing plants with a low-skilled labor force, as well as services and tourism. However, commercial flows, investment, and related manufacturing activities have generated significant economic interconnection in the cross-border region.

However, there are significant problems arising from the geographical proximity that are related to the lack of infrastructure for expediting the crossings of people and products; control and regulation of pollution, and particularly the issue of controlling migratory flows that arrive from Mexico and other Latin American countries seeking to cross into the US through this region.

## RECENT MIGRATION TRENDS AND ANTI-MIGRATION POLICIES

Migration to Baja California is a complex and multifaceted issue that can be approached from different angles and perspectives. In 2020, the migrant population in Baja California was 229,947 people, representing 5.5% of the total population in the state. Most migrants in Baja California are of Mexican origin, followed by migrants from Central America and other Latin American countries (Gobierno de México, 2020).

Stringent migration policies have intensified the removals of Mexican workers to border cities. Title 42, a public health order implemented in March 2020, has been used to contain migration. Under this order, CBP can expel individuals at the US-Mexico border without hearings or asylum opportunities if it is determined that doing so could prevent the spread of contagious diseases. Even those fleeing persecution, including minors, are subject to expulsion. Title 8 governs immigration procedures, crucial in managing Central American migration. It outlines admission, citizenship, and deportation processes in the US.

According to the U.S. Customs and Border Protection (CBP) in 2022, the number of apprehensions at the border with Mexico under Title 8 were 1.05 million people and the expulsion under Title 42 were 2.2 million (U.S. Customs and Border Protection, 2022). Therefore, besides removals based on criminal and administrative reasons, an significant

quantity of deported migrants are sent back to Mexico as returnees or inadmissible migrants or considered deportable aliens by the US.

Since 2018, caravans of Central American migrants from Guatemala, El Salvador, and Honduras have crossed Mexico to seek asylum in the US. Under the Trump administration of 2017–2021, U.S. migration policy changed significantly, viewing immigration as a security threat. The Migrant Protection Protocols (MPP) required asylum seekers to stay in Mexico pending their proceedings. Additionally, the Metering policy forced migrants awaiting inspection to remain in Mexico. These policies have increased the number of Central American migrants in northern Mexican border cities, straining resources and support capacities, particularly in Tijuana, and necessitating civil society's involvement (Ramírez et al., 2017; Vargas Bustamante, 2020).<sup>1</sup>

### NGOS AND TRANSNATIONAL ACTIVISM IN THE SAN DIEGO–TIJUANA BORDER

In addition to migration trends and their effects on policies for managing them, the expansion of global economic integration has fostered transnationalism in civil society. As cross-border activities grow due to advancements in communication and transportation, transnational activities have gained acceptance. Civil society activists, driven by beliefs in social justice, now rely on alliances and networks for transnational activism. On the US–Mexico border, local objectives have been pursued through transnational cooperation, though these efforts remain limited (Staudt & Coronado, 2002).

Transnational NGOs play a vital role in civil society activism, promoting development through information dissemination, funding, and coordination, linking local efforts with broader advocacy (Hudson, 2001). Funding enables cross-border cooperation to address local needs, facilitating communication between local groups and governments. The rise of transnational organizations supporting migrants stems from the challenge of establishing ties with local governments, prompting the need for transnational support. Cooperation spans from information sharing to providing social services and economic resources at different levels.

<sup>1</sup> Between January and mid-June 2025, after Trump took office for the second time, about 56,300 Mexican migrants were deported (Mexico News Daily, 2025).

NGOs in the US supporting transnational migration from Mexico and Central America prioritize political activism for legal advocacy and human rights promotion (Gabriel & Macdonald, 2021). In the San Diego–Tijuana border region, civil society addresses critical issues, notably migratory flows, amplified since the 1986 Immigration Reform and Control Act (IRCA), prompting the establishment of organizations aiding migrants with deportation and human rights concerns. The surge in Central American migration over the past decade has heightened support and provision of social services for asylum-seeking migrants entering the US.

San Diego–Tijuana is a strategic cross-border region facilitating commercial, cultural, and social flows, and receiving migrants from Mexico, Central America, and the Caribbean. In response to increased migration and strict US anti-immigration policies, California passed the California Values Act in 2017. This act aimed to limit local cooperation with federal immigration enforcement, creating sanctuary cities (Wong et al., 2019). However, the Trump administration countered with policies mandating sanctuary city compliance with federal laws and prohibiting local restrictions on sharing immigration status information (Somin, 2018).

In response to stricter US policies and the integration of the San Diego–Tijuana cross-border region, NGOs focusing on human rights defense and migrant social assistance in Tijuana have multiplied (Mendoza & Dupeyron, 2017). Meanwhile, San Diego-based organizations prioritize migrant rights advocacy and collaborate with Tijuana counterparts for social service support (Stoesslé et al., 2020). San Diego NGOs primarily offer legal aid and advocate with local and federal authorities, while Tijuana NGOs focus on humanitarian aid and social services for migrants (Mendoza & Dupeyron, 2017). This study aims to explore whether these associations have evolved beyond advocacy and social support to generate transnational activities aiding migrants in the region.

## MIGRATION AND TRANSNATIONALISM

To understand the formation of transnational NGOs and their impact on supporting migrants, it is necessary to review the theoretical literature focused on the topic of transnationalism. This theoretical approach challenges the traditional migration view, which emphasizes a permanent

break from migrants' origins and cultures. These traditional approaches fail to address new migration dynamics, such as networks spanning national borders. Transnational analysis examines individuals leading dual lives, crossing nations, using two languages, and owning residences in both (Portes et al., 1999). It questions the assumption that physical, social, and political spaces align with one geographical area. Technological advances in transport and communication enable migrants to maintain links with their origins (Vertovec, 2004; Wakeman, 1988). Anthropologically, transnational migrants create spaces that resist national states' control (Kearney, 1995). Dual nationality links countries of origin and residence, fostering political, social, and economic cross-border relations (Faist, 2000).

Schiller et al. (1992) argue that economic internationalization has structurally changed migrant flows, influencing their practices. Their analysis positioned within a globalizing economy questions the nation-state's role in regulating migrant activities and identities. The transnational perspective challenges the assumption that physical, social, and political spaces perfectly overlap geographically. Nation-states impact migrant movement and organization by creating barriers (restrictive visas) or opportunities (employment in developed economies).

In particular, transnational network theory examines how interconnected actors and their relationships are shaped by broader social, economic, and political contexts. Guarnizo et al. (2003) describe migration as a network-building process that reduces migration costs and supports this process even when economic incentives decline. They argue that the greater the need for transnational activities, the more intense the construction of long-distance relationships. Thus, the number of migrants involved in cross-border activities is small, influenced by home country conditions. Transnational social networks can be viewed as transnational social fields, comprising interlocking networks across countries where participants engage in social and economic activities (Glick Schil & Fouron, 2001). Migrants participate in leadership, labor, business, and cultural promotion in their destination countries, creating transnational social fields that influence their localities and maintain transnational links (Schiller, 2009).

Transnational activism involves coordinating groups from various countries to address regional economic, social, and political issues. It tackles problems arising from international interconnectedness, such as migration. Globalization has fostered the creation of multilateral and

regional international institutions, as well as NGOs focused on human rights, migration, and the environment. These organizations form international networks characterized by transnational processes.

Key aspects of transnationalism and activism include diffusion, where organizations in one country adopt forms from another, and internationalization, which involves transferring external conflicts into another society. Outsourcing challenges multilateral institutions to address domestic issues (della Porta & Tarrow, 2004). Internalization links domestic protests to external conflicts, targeting international institutions. Externalization involves NGOs forming international alliances to bolster weak social movements. These concepts highlight the multifaceted nature of transnational activism.

In this way, these organizations can be considered as transnational advocacy networks, which are associations of actors working at the transnational level on specific issues and organized around shared values and objectives. Activists in these organizations work locally but engage in transnational activities, requiring cross-border communication, and have local, national, and international impacts (Keck & Sikkink, 1999). These networks can take various forms, with NGOs being the most prominent, alongside associations, and social movements.

### METHODOLOGICAL ASPECTS FOR THE ASSESSMENT OF ACTIVISM IN THE SAN DIEGO NGOS

Transnational network theory examines how interconnected actors and relationships are influenced by broader contexts. Migration, seen as a network-building process, reduces costs and supports migrants even without economic incentives. Migrants' participation in leadership and cultural promotion creates transnational social fields, impacting both local and cross-border activities. San Diego NGOs supporting migrants exemplify transnational advocacy networks, working locally while engaging in cross-border communication and activities (Keck & Sikkink, 1999). These NGOs address regional issues through international alliances and shared objectives.

To understand transnational social services and advocacy, NGOs in California and other US states engaged in transnational activism were interviewed. For the interviews, the questions were grouped according to the following topics:

- The characteristics of the organization: areas of work, objectives, and financing.
- Actions taken to promote activism and transnationalism.
- Achievements and challenges of the organizations. What are the objectives of the NGOs? What are the achievements and challenges in the future?
- Relationships with government organizations on both sides of the border. Topics related to collaboration and financial support were addressed.
- Topics related to the NGOs' support for the migrant and Titles 42 and 8.

### THE STRUCTURE AND MAIN OBJECTIVES OF THE ORGANIZATIONS

Global economic integration has boosted transnationalism in civil society, leading activists to form cross-border alliances for social justice. Transnational NGOs link local and broader advocacy through funding and coordination. In San Diego, NGOs address migration issues, offering legal advocacy, human rights support, and aid to asylum seekers.

The interviewed NGOs in California and Tijuana primarily aid settled migrants, offering social, legal services, and local advocacy, alongside transnational activism with counterparts in the US and Mexico (Keck & Sikkink, 1999). Their efforts aim to integrate migrants into society. However, in general, the social assistance of NGOs yields a limited impact on the migrant conditions of vulnerability and inequity, due to the lack of resources. Eight organizations were interviewed, including four in San Diego and one binational operation in Houston and Guadalajara, mainly assisting Mexican and Central American migrants. San Diego's diverse NGOs support migrants through tailored approaches, addressing unique needs. Some create spaces for families separated by immigration laws, while others run programs supporting migrants and children in Tijuana. They also provide legal services for deportation defense, social services, and health services for at-risk youth. Additionally, some NGOs focus on migration issues, offer transborder legal aid, assist Muslim refugees, manage funds for migration projects, and fight discrimination against Mexican Americans. The diversity of NGOs ensures comprehensive support, including legal aid, social services, cultural preservation, and



advocacy for migrant communities (see Table 7.1). The following are the objectives and main activities carried out by these NGOs:

1. Friends of Friendship Park. The organization's goal is to create more opportunities and a space with greater potential for families who have been separated due to broken immigration laws to continue being a family, even if they are separated by a wall.
2. Via International is an NGO that includes different programs, among which are Via Migrante, which provides support to the migrant community, Via Baja, which supports a Tijuana-based organization called Los Niños de Baja California, Via Barrio, which works for the San Diego community, and Via Go, which is a volunteer travel program.
3. CARECEN SF—Central American Resource Center provides legal services for legal and educational aspects of migration. This means that they represent individuals in deportation proceedings in court and assist with applying for asylum or other forms of defense against deportation. They also assist with counseling in cases, such as helping people apply for asylum or other forms of relief that do not go through the court system, like the U visa or juvenile visa. Additionally, they offer counseling programs for social services, which include health promotion and working with at-risk youth who were either born in the US or immigrated as children and speak English but are having problems with the law.
4. The American Friends Service Committee primarily addresses the topics of migration, borders, and the influence of White supremacist groups on policies related to migration and border control. They also provide support to other organizations engaged in specific campaigns or initiatives in California.
5. The Rhizome Center for Migrants in Guadalajara provides trans-border legal and reintegration support to deported individuals. The center's primary services include offering legal aid, specifically in US legal matters, as well as advocacy.
6. The Latina Muslim Foundation is focused on assisting Muslim individuals, along with those seeking opportunities in the US, who arrive in Mexico as refugees.
7. The International Community Foundation works managing funds donated by families. Additionally, it acts as a fiscal sponsor for organizations and civil associations in Mexico and Latin America. It

also supports migration and human rights projects through special project funds.

8. The Chicano Park Steering Committee works against discrimination and marginalization faced by Mexican-Americans by establishing inclusive spaces that celebrate their cultural heritage, nurture their identity, and promote activism and community organizing.

## LEADERSHIP AND TRANSNATIONAL NGOS

In the San Diego–Tijuana border region, NGOs are pivotal in tackling diverse issues such as immigration, human rights, and environmental concerns (Keck & Sikkink, 1999). Effective leadership in this transnational context demands strong communication, bilingualism, cultural awareness, and cross-border collaboration skills. To thrive, NGOs often form partnerships with local communities, government agencies, and international organizations, requiring coordinated efforts to address complex transnational challenges.

Beyond immediate aid provision, NGOs advocate for policy changes, social justice, and community empowerment, encountering personal and organizational obstacles (Keck & Sikkink, 1999). Operating amid uncertain political and economic conditions, they strive with limited resources to assist marginalized individuals on both sides of the border. In this dynamic setting, NGOs' roles extend far beyond mere service provision, shaping the sociopolitical landscape and fostering cross-border solidarity and resilience.

To carry out their advocacy work, NGO coordinators generally need to be bilingual in English or Spanish, and as a result, many of them are either American or Mexican nationals or have dual nationality. Out of the nine interviewed NGO leaders, five were American nationals, three were Mexican nationals, and one had dual nationality. Several of them, although they hold American nationality, are of Mexican origin and consider themselves Mexicans. Understanding the local problem and the need to work primarily with Spanish-speaking migrants requires communication skills in both languages. According to the organizer of the *Chicano Park Steering Committee*, “at the border, Spanish, English, or Spanglish is spoken.” (R. Vivar, February 8, 2023, personal communication).

**Table 7.1** Stakeholders, objectives, and funding source

<i>Origin</i>	<i>Stakeholders interviewed</i>	<i>Objectives</i>	<i>Funding</i>
California, Chula Vista	Via International	Via Migrant works with shelters and a network of civil associations in Tijuana	Churches, such as the Methodist Church, the Browner Foundation, and individual donors
San Diego, California	Friends of Friendship Park	Create opportunities and a space with greater potential for families who have been separated by immigration laws	Limited funding. The strongest supporter is The California Endowment
San Francisco, California	CARECEN SF - Central American Resource Center	Legal services: which means representing people in deportation proceedings in court and applications for asylum	Funding received is mainly from local or state sources. The city of San Francisco gives funds to community agents to support services
San Diego, California	The Latina Muslim Foundation	They have a shelter with a mosque that both local people and refugees can use. They also create spaces for cultural heritage and identity, activism, and community organizing	Funding from individual donors
Houston, Texas-Guadalajara, Mexico	The Rhizome Center for Migrants	US legal aid assistance and advocacy	Funding by civil society and the government
San Diego, California	International Network of Hearts	To raise awareness about the issue of human trafficking and provide services to trafficking survivors	Civil society

(continued)

**Table 7.1** (continued)

<i>Origin</i>	<i>Stakeholders interviewed</i>	<i>Objectives</i>	<i>Funding</i>
San Diego, California	Chicano Park Steering Committee	Works to reduce the impact of white supremacist groups on migration policies and the border	Funding from the California Endowment
San Diego, California	International Community Foundation	Developing programs, and raising funds, supporting over 300 international organizations each year	Funds from Mexico and the United States

Other NGOs need to work on both sides of the border, which is why their leaders need the ability to be bilingual. Therefore, NGOs organize themselves based on a transnational perspective, relying on the ability to communicate in both English and Spanish. In addition, the behavior of leaders is significantly shaped by their self-perceptions in relation to their colleagues and work teams. Leadership is not solely centered around individuals but rather revolves around the dynamics of relationships. It constitutes a dynamic process wherein leaders and followers mutually influence each other (Apostu, 2013). According to Via Migrante, the organization is based on its communication capacity with the communities: "... it is very important for the organization is to enter communities with an invitation. We never try to approach communities by simply saying, 'I have a project for you, and you will love it.' It's about getting to know the communities and working on what they need, both locally in San Diego-Tijuana and even on an international scale, you could say. For this reason, we build networks with other organizations or community leaders in each place where we work." (A. Amador, March 8, 2023, personal communication).

An interesting observation is that some organizations, like the Rhizome Center for Migrants, have been established in the US but operate from within Mexico. This strategic arrangement allows them to function with greater efficiency. According to the founder of the organization:

...I guess being a US organization based in Mexico, a lot of our contacts are in the United States. And because of the issue that we work on, which is deportation. You know, we're also seeking solutions in the United States. Our crossborder network includes the Deported Veterans Coalition, ...that's really focused on bringing back deported veterans. (T. Dang, March 31, 2023, personal communication).

Therefore, it can be concluded that the transnational approach for NGOs requires the involvement of leaders and members of the NGOs with people and communities from both sides of the border. As a result, bilingual and bicultural skills are a necessary condition for leaders of these organizations in order to improve communication with migrants.

### ACTIVISM AND TRANSNATIONALISM OF NGOS

Civil organizations in California face challenges such as limited resources, political opposition, and legal barriers, yet they persist in advancing their causes (Keck & Sikkink, 1999). Funding is limited and mainly originates from churches, foundations, and governments, with NGOs like Via Internacional relying on Immigration Services Funding (ISF) and other sources like the Browner Foundation and individual donors. Friends of Friendship Park and Carecen SF highlighted the funding scarcity despite significant needs, primarily supported by The California Endowment and local and state funds, respectively. The Rhizome Center for Migrants, while not funded by international foundations, seeks collaboration with counterparts in Mexico and elsewhere, currently seeking funding for their work in Tijuana.

The civil society in California has successfully established a support network for migrants seeking to enter the US, resulting in the creation of support activities and activism in the border region. Part of the activism that NGOs have carried out is related to activities that will generate transnationalism, which is related to strengthening relationships with US and Mexican organizations that are working for human rights throughout the region. In addition, partnerships have been developed with churches and NGOs working on the Mexican side to promote the dissemination of information about what is happening at the border.

One approach that stands out in the development of transnational activities relates to the establishment of binational networks to cooperate in aiding migrants. An example of this can be found in the NGO Via

Internacional, which works with shelters and a network of civil associations in Tijuana and Banco de Alimentos de Tijuana (*Banati*). *The Latina Muslim* Foundation in Tijuana is connected to two organizations: *Border Angels*, which supports shelters in the region, and *Psychologists Without Borders*, which provides psychological classes. In terms of food security, Via Internacional provides courses with volunteers from the University of Maryland in the US who have come to ProSalud, Hospital Infantil, and other shelters.

### TRANSNATIONAL ACTIVITIES

Migrants and members of civil society located in the US have been able to develop support activities and implicit activism to assist migrants seeking to reach the US with social services, advocacy, and human rights defense, and providing legal services to deported migrants and refugees. NGOs have carried out activism related to transnational activities, considering that their most significant achievements are related to strengthening relationships with U.S. organizations working for human rights in the region. Partnerships with universities and schools have been developed to share information on different topics related to the asylum process and legal issues in the migration process.

For example, Via Internacional has worked on both sides of the San Diego-Tijuana border to assist with deportee repatriation. Additionally, classes have been offered at “Escuela Amistad”, where Spanish-speaking migrants teach Spanish to American students.” Moreover, “Chaparral tours” have been organized to allow people in the US to see the situation at the border and continue supporting and donating. (A. Amador, March 8, 2023, personal communication).

On the other hand, Carecen SF is an NGO focused on supporting Central American migrants and specializes in offering legal services representing migrants in deportation proceedings in court, in asylum applications, and defending them in case of deportation threats. Other achievements of this organization relate to support for asylum cases for juvenile visas. Finally, they have helped young children of migrants with problems with the law and who are involved with gangs. To achieve the above, the organization has coordinated with organizations on both sides of the border, such as Members of the American Friends Service Committee organization, Digital Uno, “which is an organization of architects for the border church, which is on both sides of the

border,” and *Veterans Deported*. (M. Steinman, March 28, 2023, personal communication).

The *International Community Foundation* indicated that they are part of a:

... very large ecosystem of relationships. All these relationships are like our framework in which we operate. So, there are groups like Catholics San Diego, The Binational Resilience Initiative, The Founder Network, Environmental Grantmakers Association, there are several on the U.S. side, and in Mexico, we are part of Pulso, and we are part of Mexico Conservation Founders de Baja, there are many. (M. Quiroz, May 12, 2023, personal communication)

As a result, they have contributed to the quality of food security during the pandemic with the project Northern Baja Food Security.

According to one NGO, some achievements that have brought about actions towards transnationalism have been, among others, that:

...some veterans can return to the United States; last week, a veteran who had been deported for 20 years, who had been unfairly deported, and this public council found within the law that he had been unfairly deported and they were able to reopen his immigration case so that he was reconsidered. (R. Jiménez, April 28, 2023, personal communication)

On the other hand, the American Friends Service Committee commented that it supports a coalition of NGOs located in San Diego and Tijuana that are focused on working on issues related to policies and norms regarding migrant asylum. These include the *Free Them All Coalition*, which focuses on reviewing the conditions of people detained in the Otay Mesa Detention Center, and the Coalition of Friends of Friendship Park, with the objective of improving access to Friendship Park. They indicated that, “We have been working with this coalition for around 15 years now.” (P. Rios, April 3, 2023, personal communication).

Organizations that engage in transnational activism have focused notably on developing contacts both in the US and in Mexico, as the issues they tackle are related to asylum rights, deportations, or transborder interests. For example, the Rhizome Center for Migrants has contacts in both the US and Mexico, with whom they have generated the Cross-Border Network, which includes the Deported Veterans Coalition, the United States Public Council, and the Return Working Group. Likewise,

from the Mexican side in Guadalajara, they helped found the alliance called the Alliance for Racial Justice Across Borders and they coordinate with Caminamos Juntos, another NGO that assists deportees.

Another type of transnational organization refers to the search for actions that allow families that have been divided between the US and Mexico to continue having family contact. Friends of Friendship Park is an NGO that is made up of different organizations on both sides of the border, such as Architects of the Church on the Border and Deported Veterans. The main mission is to create spaces for families that have been separated by the U.S. immigration system to continue interacting even when they are separated by the border wall. According to an organization member:

Seeing families being able to reunite inspired me to become part of this organization that collaborates to create more space for families to continue those family ties while being deported and separated from my own family. It was very important to me that families did not lose those ties, as I was already feeling the loss myself. (R. Vivar, February 28, 2023, personal communication)

Therefore, transnational activism in the San Diego–Tijuana border area primarily focuses on aiding asylum seekers, deportees, and providing legal assistance, alongside efforts to reconnect divided families (Vertovec, 2004). NGOs on both sides collaborate closely, necessitating constant communication and coordination to achieve their goals. The interviews indicate a level of transnational activity in the region, with NGOs receiving financial and training support from international organizations and Christian churches, reflecting global interactions spurred by international migration (Vertovec, 2004).

## THE U.S. MIGRATION POLICIES AND THE RELATIONSHIP OF NGS WITH GOVERNMENTAL ACTORS

The working relationships between the transnational NGOs interviewed and the governments of the US and Mexico have been limited and, in some cases, non-existent. For example, in the case of Via Internacional, it was stated that contacts with the Mexican government have been very few. However, in the case of the US, there has been more support. Regarding



this, it was noted that “...we have had the support of all the representatives of all the public servants in the San Diego area who have the Friendship Park under their jurisdiction. In other words, for example, the municipal president of Imperial Beach, Municipal President of San Diego.” (A. Amador, March 8, 2023, personal communication).

In some cases, NGOs declare that they do not work or maintain any type of networks with government representatives. In the case of the American Friends Service Committee, it was indicated that they hold meetings with different offices and representatives of the Department of Homeland Security within the different Customs and Border Protection agencies, and agencies in charge of investigating cases of abuse. In this way, the leaders of this organization emphasized that “we do meet with those different agencies and their representatives, but not in such a way that we can say it is a coalition or a network.” (P. Rios, April 3, 2023, personal communication).

For their part, The Rhizome Center has interacted with the Department of Homeland Security through the Deported Veterans Initiative. The NGO supports migrants in filling out naturalization applications for humanitarian reasons which are then handled by DHS managers under that initiative. This process is carried out with constant communication between the organization and the DHS agency in charge of carrying out the initiative. Likewise, in Mexico, the organization has collaborated with the National Institute of Migration (INAMI). They indicated that INAMI interacts with them in the following way: “they send us referrals through their *Somos program*, to their repatriation program. So when they see someone here in Jalisco with a US legal issue, they will typically refer those cases to us.” (T. Dang, March 31, 2023, personal communication).

On the other hand, Carecen SF stated that they maintain relationships with the San Francisco board and the mayor’s office. Likewise, the organization has a small advocacy project at the state and national level. They maintain contact with the offices of representatives of Congress. Regarding relationships with governments of other countries, it was indicated that they have been carried out with the Consul of El Salvador, Honduras, Nicaragua, or Mexico. I don’t know, but it’s possible that the director knows them. We also have the bureaucracy of the immigration service, and if we have contact with them, it is through agreements.” (M. Steinman, March 28, 2023, personal communication). For its part, Friends of Friendship Park indicates that they have had collaboration with Congressman Juan Vargas, who has been very focused and strong in his

support, as well as with the Mayor of San Diego, Todd Gloria, who has advocated for Friendship Park.

In general terms, it can be concluded that most NGOs consider the support received from government authorities, both in the US and Mexico, to be insufficient in assisting migrants seeking asylum in the US. The Latina Muslim Foundation indicates that “the support from politicians, either in Mexico or the United States, is practically non-existent. Only a few have stepped forward to help migrants and refugees, but they often face rejection from higher authorities, and their efforts don’t yield much.” (S. Tinoco, , April 21, 2023, personal communication).

### CHALLENGES FOR THE FUTURE

The transnational activity of interviewed NGOs varies according to the circumstances of each of them, which determines the challenges they face in the future in order to develop their work of supporting migrants. Thus, in the case of Via Internacional, it is observed that the challenges are related to the entry restrictions imposed by US immigration authorities. According to the organization:

The problem with CBP One is that either it’s not working properly or families can’t enter because there are only spots available for individuals. As a parent, you wouldn’t leave your child behind, right? Many of the things that the application has are in English. If your phone is not very good, it takes a long time, or the resolution is not correct for the photos they ask for, it also doesn’t work. (A. Amador, March 8, 2023, personal communication)

In the case of Friends of Friendship Park, since they focus on reuniting families separated by the border wall, the main challenges are related to the development of more facilities to allow communication between migrants and their families on the Mexican side. In that sense, the plan to replace the current 18-foot wall with a 30-foot one is a concern for the NGO. They indicate that the argument is that this will protect both the Border Patrol and the migrant community. However, the organization stated that:

there has been no indication that any member of the Border Patrol or the migrant community has been harmed by the deterioration of the wall.

Those who have been injured have fallen from the 30-foot wall near Friendship Park, where they want to continue the 30-foot wall for us, considering their own words. What is required is not to replace the wall with another wall. Simply update the areas that are deteriorated. In this sense, another major challenge is related to the threat of a confrontation between local politicians and the President of the United States. The Governor of California has not taken any action to support stopping the wall. President Biden wants to appear tough on immigration at the border in front of the Republican Party. (R. Jiménez, April 28, 2023, personal communication)

The organization, Carecen SF, indicated that due to the growing demand for legal services to assist migrants, it is necessary to substantially increase financial funds. In this sense, a member of the organization stated that “it would be good if we could have double funding, to have more resources, to pay more lawyers, to have more clients. But it’s not going to be heard that there is a source of funding like that.” Therefore, the ability to expand their legal services depends on the financial resources to pay lawyers and allow them to meet the needs of migrants.

The Rhizome Center for migrants is in charge of generating coalitions of organizations to seek to reintegrate deportees and help them with legal services. For this organization, the main challenges have been related to the fact that it is difficult for different activists to agree on a national agenda: “Coalition building is difficult. Um, you know, you have to sit down and you have to take the time to get to know each other. You have to come up with your mission, your vision, your goals, your website, your logo.” Likewise, the problem of financial resources is relevant: “You’ve heard this from other people as well, but a lot of these groups don’t have resources.” (M. Steinman, March 28, 2023, personal communication).

American Friends Service Committee pointed out that the main challenge is that:

President Biden is calculating that the border issue is already lost. The argument about the border has already been lost. This argument has been evident for the past two years, since Vice President Kamala Harris went to Guatemala and made a speech where she said, "Don't come, don't come." Almost reiterating what former President Trump also said, that the border is closed, as if people fleeing their countries due to violence or other reasons had an option. (P. Rios, April 3, 2023, personal communication)

There is not enough capacity, both in Tijuana and in the US, to accommodate the influx of people arriving with the intention of migrating to the US. Additionally, the American migration system does not have the capacity to receive so many people. For some organizations, the way to address the challenges of the impact of migration on the San Diego–Tijuana region is to develop communities that allow for cross-border synergy in the region. The Chicano Park Steering Committee indicates that:

The fact is that we promote community development, yes, especially in communities in neighborhoods, let's say, in Tijuana and also here on this side of the border, but more, more on the Mexican side. But the interesting thing here is the fact that trying to introduce this type of methodology, organization, community, etc., to people who don't have the intention, or at least their dreams aren't about reaching the United States. It's a challenge, a challenge indeed, and we cannot, we cannot sour or try to fit the dreams of many of all these people. (P. Rios, April 3, 2023, personal communication).

## CONCLUSION

The increasingly restrictive policies of the US, and the intense economic and social integration in the region between San Diego and Tijuana, have generated an increasing number of NGOs with transnational activities oriented towards defending human rights and providing social assistance to migrants who remain in Tijuana and other regions of Mexico.

The need for communication and information sharing between NGOs located in San Diego and Tijuana has created transnational social networks. These networks can be conceived as interlocking networks that encompass different countries, where participants cross the border to interact in social and economic activities. In general, these organizations can be considered as transnational advocacy networks, working at the transnational level on specific issues and organized around shared objectives. Activists in these organizations work locally, but engage in transnational activities, requiring cross-border communication, and have local, national, and international impacts.

Transnational activism in the San Diego–Tijuana border region is predominantly related to supporting migrants seeking asylum, deported, or requiring legal support. Finally, efforts have been made to support

strengthening ties to families that have been divided because a member has been deported to Mexico. The transnational activity of interviewed NGOs varies according to the circumstances of each of them, which determines the challenges they face in the future in order to develop their work of supporting migrants.

It is important to emphasize that NGO coordinators need to possess fluency in both English and Spanish, as well as a bi-national cultural background, to effectively carry out their advocacy work. As a result, many of these coordinators are either American or Mexican nationals, and some even hold dual nationality. Interestingly, some individuals with American nationality strongly identify with their Mexican heritage and consider themselves Mexicans. This bilingual proficiency plays a crucial role in understanding local issues and effectively working with Spanish-speaking migrants. Being able to communicate in both languages is indispensable for NGOs operating on both sides of the border, as it allows them to adopt a transnational perspective in their organizational structure. Therefore, bilingual and bicultural skills are indispensable qualities for leaders in these organizations.

The effort required for these services by NGOs located on both sides of the border requires constant communication, coordination, and joint work for the consolidation of their objectives. Additionally, transnational activity in the region is evident in the financial and training support that NGOs receive from international organizations and Christian churches. Binational networks have been established to cooperate in aiding migrants, providing evidence of transnational cooperation on this issue.

The working relationships between the transnational NGOs interviewed and the governments of the US and Mexico have been limited, and in some cases, non-existent. Contacts with the Mexican government have been very few. In some cases, NGOs have reported having contacts with government representatives, such as offices and representatives of the Department of Homeland Security within the different Customs and Border Protection agencies or the INAMI in Mexico in order to address the legal problems of migrants.

The transnational activity of the NGOs interviewed varies according to their individual circumstances, which determines the challenges they face in developing their work of supporting migrants. The most significant challenges mentioned by the NGOs include the entry restrictions imposed by US immigration authorities, which affect families; paperwork

and language obstacles; plans to continue building walls at the border; the need to increase financial resources to expand legal services and advocacy; and difficulties in generating coalitions of organizations to seek to reintegrate deportees and provide legal services. Building coalitions has been a particular challenge for these NGOs.

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# Barriers and Collaboration in “North America”: The Case of the Migrant Caravans

*Veronica Øverlid*

In 2013, Runyan, Lind, McDermott, and Marchand stated that:

North America in the NAFTA and SPP [2005 Security and Prosperity Partnership] era is a clear example of a newly imagined regional community designed ‘from above’, representing elite economic interests as codified through specific policies and laws with little to no input from civil society. It is also particularly characterized by unrelenting pressure by the US for the Canadian and Mexican governments to harmonize their security policies with those of the US in the post-9/11 era (pp. 1–2).

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This chapter is based on research conducted for my PhD dissertation: Øverlid, V. (2025). *Pushback, Solidarity and Legal Strategies: The Central American ‘Migrant Caravans’ and the Role of International Refugee Law* [PhD dissertation]. Carleton University. The content and argument have been substantially revised and extended for this publication.

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The scholars furthermore pointed to the difficulties of creating and sustaining solidarities and movements across borders “in the face of both neoliberalism and securitization” (Runyan et al., 2013, pp. 2–3). Ayres and Macdonald (2009) have also pointed to a similar elite bias, largely bereft of civil society concerns. Years later, the response to the Central American “migrant caravans” from 2018 and onward serves as a good example of how a similar dynamic is persisting in the context of externalization of U.S. borders and migration control. The caravans were people mainly from El Salvador, Guatemala, and Honduras who organized collectively in groups to reach the border of the United States. Starting out with just a few hundred people in Honduras, the most publicized caravan of fall 2018 reached around 10,000 individuals in Mexico. Nevertheless, the caravans and their encounter with various actors responding to them also point to significant activism by civil society despite, or perhaps because of, significant pressures from above.

In this context, there was an upsurge in solidarity and attention to the caravans, considering that a range of actors responded to the caravans. However, considering the competing humanitarian, personal, and political interests involved in the response, tension also arose between different actors responding to the caravans, who otherwise had the common aim to assist migrants (Gandini et al., 2020; Marchand, 2021; Varela Huerta & McLean, 2019). While exemplifying different understandings about how to best address such a situation, these tensions also relate to the increased militarization of migration control and barriers to mobility, largely due to U.S. pressure upon Mexico and Central American states to stop people from moving north.

The caravans offer a unique insight into the challenging and contested space of North America, and the pertaining inequality of mobility in the region. With this in mind, I ask what the caravans and the response to them can tell us about regional integration and transnational activism in North America in the context of barriers to mobility. In this regard, I analyze the response to the caravans in light of literature theorizing the “externalization of migration control” (Menjívar, 2014; Shachar, 2020). I combine this with Tarrow’s (2005) concept of transnational activism in order to gain a better understanding of how this externalization of migration control, implemented from “above,” conditioned how the caravans and migrant advocates responding to them organized from “below.” The response shows that, in alignment with global trends related to migration management, regional collaboration and integration from above in

the context of migration control was significant, but this came at the expense of actors from below, as migrants, activists, and organizations were experiencing barriers, limitations, and criminalization. Nevertheless, these barriers also created a space for contestation: Not only have they been pivotal in the development of a significant infrastructure for attending to migrants in Mexico, but they played a role in creating the conditions for the formation of the caravans.

I develop this argument in the following way: First, I explain how I employ and combine the theoretical frameworks of externalization of migration control and transnational activism. I then move on to providing a background to the caravans and the factors motivating their development and trajectory. Next, with a focus mainly on the years of 2018 and 2019, I outline the response to them by Mexican and U.S. authorities on the one hand, and civil society actors on the other. Finally, noting the criminalization of migrant advocates in the same period, I reflect on the potential for solidarity across borders, and how the migration policy-related barriers affect the opportunities for such solidarity.

### THE OUTSOURCING OF U.S. BORDERS TO MEXICO AND CENTRAL AMERICAN STATES

When analyzing the encounter between the Central American migrant caravans and other actors, it is crucial to note the way in which the present and previous migration laws and policies contribute to creating the vulnerable situation that many find themselves in their journey through Mexico and when confronting various borders. It is also through law that migrants become irregular, where the border regime produces illegality through a set of laws that regulate the various categories—and thus hierarchies—for mobility (Dauvergne, 2008).

In the specific context of North America, there has for at least the past three decades been a significant amount of regional collaboration with regard to migration and refugee “management” and control (Menjívar, 2014). The United States has outsourced large parts of its migration control to Mexico and Central American states and has implemented strict anti-immigration measures affecting both those eligible for asylum and others alike. Also called externalization of migration control, measures include agreements that force people to return to a country they previously transited through in order to apply for asylum there if it

is considered “safe.” Other examples are military interdiction and push-back of people in border zones, development of security zones, strict visa requirements, and carrier sanctions for airlines that fail to check that the passengers have the correct entry documents (Goodwin-Gill & McAdam, 2007; Ortega Velázquez, 2020).

Mexico as a transit state (and to an increasing degree, El Salvador, Guatemala, and Honduras) is consequently pressured to contain, apprehend, or deport those attempting to move north (Frelick et al., 2016; Sandoval-García, 2017). The Mexican state has played a fundamental role in producing the insecurity that characterizes mobility in Mexico and has used “control over the southern border as a bargaining chip in their relations with the US” (Marchand, 2021, pp. 148–149; See also París Pombo, 2017).

These policies have made migrating through Mexico much more costly and dangerous. Considering the intensified policing as well as massive detention and deportation, these measures have “pushed people towards more clandestine and remote routes” (Sánchez Dionis & Dearden, 2019, p. 31).<sup>1</sup> As this made migrants even more vulnerable to the extreme violence by smugglers and traffickers, this worsened the “already insecure and vulnerable conditions of migrants traversing Mexico” (Varela Huerta & McLean, 2019, pp. 176–177). Between 2014 and 2018, 576 migrant deaths were documented in Mexico and Central America, the majority in Mexico. At the Mexico–U.S. border, thousands have gone missing while attempting to cross over the past two decades, with reports of 444 deaths in 2018 alone, the same year as the most publicized caravans formed (Sánchez Dionis & Dearden, 2019). As Contreras Delgado, París Pombo, and Velasco Ortiz (2021) explain, the active discouragement of people fleeing is taking new turns through ad hoc laws and strategies of exhaustion, such as imposing endless waiting in third countries (see also Gandini et al., 2020).

The outlined agreements and policies toward containment of unwanted populations to the south of the United States’ borders point to the amount of collaboration between states in the region on migration control and management, often to the detriment of vulnerable groups and individuals in need of protection. It is precisely this complex set of barriers

<sup>1</sup> When quoting directly from non-English sources, the translation is my own unless stated otherwise.

and the resulting violence and danger on the routes—legal or otherwise—that the caravans have been responding to, strategizing to find safer ways to travel north.

## TRANSNATIONAL ACTIVISM

The concept of transnational activism, combined with theory related to the externalization of border control, is helpful to understand the opportunities and barriers for activism related to the caravans. In this chapter, I borrow from Tarrow’s (2005) conceptualization of transnational activism, more specifically his model of internalization. According to this model, international pressure and conflicts are brought into domestic politics, where the resulting local activism targets the national government and not the foreign institution or policy framework.<sup>2</sup>

Yet, transnational systems such as migration control may “both enable and constrain social and political activism” (Tarrow, 2005, p. 8). Noting that securitization in the region might have constrained spaces for contestation, Ayres and Macdonald (2009) suggest that such policies have simultaneously “antagonized a wide swath of civil society groups which have engaged in increasingly contentious political behavior across varied national and regional settings” (p. 6). More specifically in the context of migration policy and the externalization of border control, Shachar (2020) notes that “as the reach of the shifting border has expanded, so have new spaces for democratic contestation been created, stretching the boundaries of the political, both above and below the nation-state level” (p. 103). Nevertheless, she notes, this same multiplication of border control points and actors involved makes it more difficult to push back on and to attribute legal responsibility (Shachar, 2020). Despite such limitations, Mégret (2019) suggests that migrants who protest the international border regime “end up giving a broader political meaning to their border crossing” (p. 46). This is especially because such a claim to freedom of movement can “provide the living matrix of what it seeks to bring about” (Mégret, 2019, p. 47).

<sup>2</sup> While Tarrow is referring to international institutions such as the International Monetary Fund, the World Trade Organization or the North American Free Trade Agreement (NAFTA), the framework also maps nicely on to the relation between the states in the region in the context of migration policy.

Consequently, international pressure creates both limitations and opportunities for activism at a national and transnational level. As Mexico implements measures to ensure that migrants do not reach the borders of the United States (and to an extent, its own borders) this has prompted a variety of responses from below, including the formation of caravans as well as activism by organizations and others assisting the caravans and other migrants. Considering that these measures condition mobility and the situation of migrants across borders, they also affect opportunities and barriers for activists and organizations attempting to address the movement. In this way, both the caravans as well as the organizations and activists responding to them can be understood within the frame of transnational activism.

### CARAVANS—A BACKGROUND

The caravans in 2018 and 2019 consisted of people from mostly El Salvador, Guatemala, and Honduras who organized in groups to cross the borders and territories of Guatemala and Mexico, largely with the aim of reaching the U.S. border. While the caravan in the spring of 2018 was largely organized by Pueblo Sin Fronteras (PSF), the later caravans were more loosely organized, starting out from messages circulating on the applications on social media, as well as through traditional media and calls disseminated by people from the Honduran political opposition. Only between December 2018 and June 2019, tens of caravans had passed through Mexico, using the highways that connect Mexico with Central America (Gandini et al., 2020; Ruíz Lagier & Varela Huerta, 2020; Velasco & Hernández López, 2021). Some also made use of other types of transportation when available (Pradilla, 2019).

The response and attention at the U.S. border varied depending on the specific border region (see generally Contreras Delgado et al., 2021). In Tijuana by the Mexico–U.S. border, people attempted to cross into the United States by turning themselves in to the U.S. Border Patrol at the ports of entry. Others attempted to cross *en masse*, after which many were subject to detention, others shot with rubber bullets, teargassed, or deported back to Mexico (Varela Huerta & McLean, 2019).

Caravans are not a new phenomenon, as people have been travelling in similar ways in the region at least since 2011, and possibly for even longer (Marchand, 2021; Varela Huerta & McLean, 2019). What was new about the caravans from fall 2018 was that, unlike previous caravans, they were

not organized by migrants already in Mexico, but in the country of origin. Furthermore, the caravans from that year were larger in size,<sup>3</sup> and had an increased proportion of women and children (UNHCR, 2018; UNHCR, 2019; Varela Huerta & McLean, 2019). Although previous caravans had received some attention in Mexico, there had been relatively little international interest. In 2018, this changed, among other things, due to the stark reaction by President Trump, which elevated the caravans to a national security threat to the United States (Marchand, 2021; Varela Huerta & McLean, 2019).

The reasons for organizing in caravans are many, most frequently related to the safety and reduced risk of travelling in big groups, especially due to visibility (Sánchez Dionis & Dearden, 2019). Others have reported that joining the caravans would increase their chances of making it, or else pointed to considerations of mutual support, lower costs (due to less reliance on smugglers), or simply the fact that many people believe that this is the only opportunity they had (Gandini et al., 2020; IOM, 2018). Consequently, the caravans can be understood as a strategy in response to the challenges involved in travelling undocumented through Mexico and into the United States.

### RESPONSE FROM “ABOVE”: REPRESSION AND NEW MIGRATION AGREEMENTS

The U.S. and Mexican state responses to the caravans varied slightly during 2018 and 2019, with increasing pressure by the United States upon Mexico and the Central American states of El Salvador, Guatemala, and Honduras to implement measures to stop them. The Mexican authorities were initially overwhelmed by the size of the caravans (Marchand, 2021). Despite responding to the caravans with tear gas and other types of deterrence measures at the southern border, the Mexican government, first under Peña Nieto and later under Andrés Manuel López Obrador, issued humanitarian visas and provided the option of requesting asylum in Mexico (Gandini et al., 2020). While local and state governments also set up shelters by the U.S.–Mexican border, in addition to opening up sports

<sup>3</sup> Reaching an estimated 10,000 individuals in Mexico only in fall 2018, they were relatively small compared to the around 500,000 people that would yearly attempt to cross the Mexico–U.S. border at the time (París Pombo & Montes, 2020; Sandoval-García, 2017).

facilities for accommodating the caravans in various locations in Mexico, there are accounts suggesting that the government run shelters became a means of control, rather than solely a humanitarian effort (Bruce & Rosales Martínez, 2021; Velasco & Hernández López, 2021).

The pressure from the United States continued throughout 2019 and led to a number of new migration agreements such as the Migrant Protection Protocols (MPP) between Mexico and the United States in December 2018, a Joint Declaration and Supplementary Agreement between Mexico and the United States in July 2019, as well as regional accords with El Salvador, Guatemala, and Honduras in the first half of 2019 (Contreras Delgado et al., 2021). These agreements made it nearly impossible to enter the United States, and furthermore significantly circumscribed the possible avenues for being granted refugee protection. These measures came about after the Trump administration threatened to increase tariffs on Mexican exports and to withhold aid from the Central American states unless they took more drastic measures to prevent migrants from reaching the U.S. border. As a result, the Mexican government changed the strategy of transit visas from June 2019 (Gandini et al., 2020; Marchand, 2021; Varela Huerta & McLean, 2019). In this regard, Mexico also sent 6,000 members of the National Guard to the southern border with Guatemala, and the United States deployed several thousands of military personnel to its southwestern border (Marchand, 2021, p. 146; Torre Cantalapedra, 2021).

Even if caravans were dismantled following the various agreements between the United States, Mexico, and Central American states of El Salvador, Guatemala, and Honduras in 2019, caravans resumed yet again. Most of these have been smaller in number, and they were dismantled much sooner than the previous caravans, some already stopped in Guatemala (Torre Cantalapedra, 2021). In March 2020, the health rule popularly called Title 42 was resorted to by the United States, permitting the closure of U.S. land borders to nearly all migrants and asylum seekers, justifying the measure by the need to reduce the spread of COVID-19 in border processing facilities. Although this measure did not necessarily affect the formation of caravans, when lifted in May 2023, the Trump and Biden administrations had carried out over 2.6 million expulsions under this legislation (American Immigration Council, 2022; U.S. Customs and Border Protection n.d.). New caravans have continued to appear until



the present, some even comparable to the size of the 2018 caravans (Al-Jazeera, 2022; WOLA, 2022).<sup>4</sup>

The response to the caravans also needs to be considered in light of persistent criminalization of migrant rights advocates in the region. While there have been accounts of criminalization of migrant rights advocates for at least a decade, from 2017, and particularly from the end of 2018, U.S., Mexican, Guatemalan, and Honduran state agents increased their harassment of human rights advocates for their actions of solidarity (Torre Cantalapedra, 2020). According to an Amnesty International report (2019), the United States, in collaboration with Mexican authorities, employed human trafficking legislation, to launch a hostile campaign of intimidation, threats, harassment, and criminal investigations against migrant rights advocates on the U.S.–Mexico border.

More specifically, in November 2018 and just a week before the caravan arrived in Tijuana, the Department of Homeland Security (DHS) launched “Operation Secure Line,” which was “a surveillance campaign and criminal investigation that targeted, among others, human rights advocates engaged in providing legal and humanitarian assistance to members of the caravan” (Amnesty International, 2019, pp. 12–13). Human rights advocates and other activists, including individuals involved in organizing the caravans, were furthermore subjected to questioning when crossing the border, including questions related to the caravans and the groups helping them (Amnesty International, 2019).

In addition to the operation by the U.S.–Mexican border, harassment of migrant advocates also occurred in other areas. One of Pueblo Sin Fronteras’ leaders was, for example, detained by the Mexican authorities both during the fall 2018 caravan, as well as in June 2019. Interestingly, the detention in 2019 took place just two days before an agreement was reached between the United States and Mexico regarding the increase in tariffs on Mexican products unless Mexico did not reduce migration toward the U.S. borders. While there might not necessarily be a direct link between the two events, which then Mexican president Andrés Manuel López Obrador (AMLO) also denied, the detention could potentially have been an attempt by Mexico to send a clear message to the United States that it is taking its role in stopping migrants seriously (Torre

<sup>4</sup> Most of the participants were from Venezuela, some of them having previously settled in, but later left, Colombia, with citizens from African countries, Central American states, Cuba, and Nicaragua making up the rest.

Cantalapiedra, 2020, pp. 58–62). At the southern Mexican border, there were also reports of intimidation toward advocates participating in the monitoring of the caravans (Various, 2018).

The criminalization of migrant advocates is also accompanied by an often-negative portrayal of them by the media, where migrants, migrant rights advocates, smugglers, and traffickers are conflated (Various, 2018, p. 54). París Pombo and Montes (2021) suggest that in Tijuana by the U.S. border, “anti-immigrant discourses have led to a strong distrust and stigmatization not only of migrants but also of organizations working for their rights” (p. 213). This played a significant role in the initial reception of the caravan in fall 2018 in Tijuana, considering that before their arrival to the border town they were preceded by broad media coverage, some news depicting Honduran migrants as undeserving, while also local authorities encouraged aggressions and hostility (París Pombo & Montes, 2021).

The criminalization of migrant advocates, combined with the negative portrayal of them in the media, had major implications for the way in which the caravans were addressed. Even if it is unlikely that the caravans were the direct cause of stricter migration and border measures, the criminalization of migrant rights advocates and these measures exemplify the challenges involved for both the caravans and migrant rights advocates, and the massive barriers and mechanisms that were put in place on a state and regional level in response to the mobility of unwanted populations in the region.

### SOLIDARITY AND TENSION IN THE FACE OF INCREASING CRIMINALIZATION OF MIGRANT RIGHTS ADVOCATES

The response by the Mexican and U.S. authorities points to the challenging conditions that organizations and activists were operating within. Such barriers implemented on a state and regional level placed significant constraints on migrant rights activism, especially due to the criminalization of migrant rights advocates. Interestingly, and likely an unintended result of the externalization and militarization of border control in the region, the infrastructure of hospitality for migrants in Mexico has greatly

increased over the years.<sup>5</sup> This is sustained by church-related shelters and other organizations attending to migrants, although with a recent state participation that in turn relied on the work that civil society organizations had been doing for years (Contreras Delgado et al., 2021). Thus, although the result of the caravans was more repression and new bilateral agreements between the United States, Mexico, and Central American states aimed at keeping people to the south of the U.S. and Mexico’s borders, organizations and activists were persistent in assisting the caravans and advocating for migrant rights and did in many instances force the local and national authorities to act.

The caravans were met by both solidarity and xenophobia from the broader population throughout the journey. Much of the heavy lifting of the solidarity work responding to the caravans was carried out by activists, non-governmental organizations, and church-led shelters (Gandini et al., 2020). Varela Huerta and McLean (2019) mention what they call a parallel caravan of media, humanitarian aid agencies, and human rights advocates accompanying the migrants in Mexico. Religious groups in Mexico also “played an important role in mobilizing, managing and providing humanitarian aid” (Velasco & Hernández López, 2021, p. 116). Organizations donated clothes, food, and medicine, and in other instances pushed for legislative change and generated interinstitutional dialogue. In other instances, people organized protests against the caravans, asking for their expulsion, whether from the relevant vicinity or the country at large (Duperou, 2021; Velasco & Hernández López, 2021).

As might be expected, considering the challenging environment for migrant advocates in the region, the solidarity that could be witnessed in the context of the caravans was not entirely without tension. Consequently, despite the solidarity and increased attention in the context of the caravans, the tension that arose between the main organizers of the early caravans, PSF, and other actors exemplify some of the challenges involved in addressing such a movement. The caravans in spring 2018 were a case in point. Starting out in the south of Mexico the 25th of March under the banner *Viacrucis Migrantes en la Lucha* (Migrants in Struggle) and amounting to around 1,500 members (Martínez Hernández-Mejía, 2018, p. 239), PSF aimed to protect migrants from the violence perpetrated by organized crime and Mexican authorities during their journey

<sup>5</sup> This infrastructure has been attending to people transiting through Mexico, people deported from the United States and others aiming to settle in Mexico alike.

across Mexican territory, and to call attention to the plight migrants are facing (Marchand, 2021; PSF, 2018). The title included *Viacrucis* and was organized during Easter, thus following the pattern of previous religious marches advocating for migrants in Mexico. Nevertheless, the objective from the very beginning was to travel through Mexico and to reach the U.S. border (Martínez Hernández-Mejía, 2018).

Whether it was because PSF was unprepared for the unexpected size of the caravan, the challenge of moving such a group through a dangerous zone, or due to the high level of political and media attention that the caravans were met with, it generated critique. Both religious and human rights networks started expressing their concern for the way in which PSF was organizing the caravan, including the risk they exposed the migrants to, such as smugglers and criminal groups, due to lack of coordination and failing to meet their basic needs (“Comunicado”, 2018; Martínez Hernández-Mejía, 2018; REDODEM, 2018). The concern furthermore related to what would happen to the migrants once they reached the United States, considering the situation at the border and the slow asylum process, thus making people vulnerable to detention and deportation. Thus, they seemed to indicate an irresponsibility of bringing people to a place where the situation would likely be just as dire, for the sake of making a political statement (REDODEM, 2018).

The tension continued into the fall, as a new caravan formed, this time slightly differently organized. Due to the critique PSF received during the spring caravan in 2018, and allegations that it had provided “the Trump administration with additional arguments in support of its initiative to build a wall between Mexico and the US” the organization became reluctant to get involved with the caravans in the fall 2018 (Marchand, 2021, p. 144). Nevertheless, it eventually did just so and continued receiving critique from several fronts (Marchand, 2021, pp. 143–145, 152). President Trump and some of his supporters accused them of trafficking, and Solalinde, a well-known migrant rights advocate in Mexico and the founder of the church-shelter *Hermanos en el Camino* (Brothers on the Road),<sup>6</sup> claimed that they were pursuing their own political objectives

<sup>6</sup> Other translations have referred to it as Brothers on the Path, referring to the double meaning of the Spanish word “camino” as both on the migrant path as well as on the religious path.

at the expense of migrants (López, 2018; Marchand, 2021; Velasco & Hernández López, 2021).<sup>7</sup>

In the context of the fall caravan, PSF and Solalinde’s involvement included different strategies (Velasco & Hernández López, 2021). To the news outlet *El Occidental*, Solalinde suggested that because PSF had attempted to create a caravan out of something that was as too large, an exodus, it failed, and was according to him the reason why the tradition of caravans had now ended (López, 2018). PSF itself rejected what they called defamation and criminalization of the organization, which they argued was an attempt to discredit the work they have been doing for years. They urged civil society organizations to “unite rather than fragment” (Tourliere, 2018). Similar to the REDODEM (2018) statement in the spring, Solalinde continued stating that in the quest for media impact, PSF was playing Trump by bringing the caravan “to a place where there is no solution” and manipulating the caravans to reject help offered by Mexican authorities (Tourliere, 2018).

Although it is beyond the scope of this chapter to assess the soundness of these strategies, it is worth mentioning that there might have been some justifications for not applying for asylum in some areas, as there are accounts of people dropping their asylum applications in the southern part of Mexico due to security and economic considerations. Others dropped out of the asylum application process in order to join the caravan passing by Martínez Hernández-Mejía (2018). Although the situation may be different elsewhere in Mexico, this complicates accusations about manipulation to move toward the north, as conceptions of where and how protection and safety can be found are complex. Although not a prominent feature in the existing literature on the caravans, there are some accounts that suggest that PSF was not always welcome by *caravaneros* themselves (Oviedo, 2020).<sup>8</sup> Furthermore, París Pombo and Montes (2021) note that participation of civil society organizations in Tijuana in the fall of 2018 was initially thwarted because “local CSOs did not want

<sup>7</sup> Both PSF and Solalinde had earlier been active in relation to the precursors of the 2018 caravans, the *Viacrucis*.

<sup>8</sup> His book about one of the caravans is a testimonial drama about the trajectory of the migrant caravan of the fall of 2018. The story of the book was written as a type of theater play. In the script, an entity which Oviedo calls ‘the organization’ appears when the caravan has just entered Mexico. It is unclear whether this organization is in fact Pueblo Sin Fronteras, but it is quite likely that this is the case.

to be associated with PSF, as this organization had been perceived as using the *caravaneros* to advance their own agenda” (p. 226). Commenting on the tension between these groups, Varela Huerta and McLean (2021) argue that:

there was a lack of willingness to build a dialogue between the diverging perspectives of these migrant allies. The emergence of these serious organizational challenges and differences in strategy do not invalidate the capacity of these networks to construct common agreements to achieve what everyone (migrants, lay and religious advocates and anti-racist activists) seeks to pursue, which is the preservation of the life and dignity of migrants (p. 196).

Although multifaceted and likely due to a number of factors, the tension between the various civil society actors in addressing the caravans must also be considered in the context of persistent criminalization of migrant rights advocates in the region, as outlined earlier in this chapter. This does not mean that the critique PSF received should be exempt from scrutiny. Nevertheless, for the purpose of this chapter, I highlight this point as an example of the complexities of visions, interests, and agendas that were present in addressing the caravans and which demonstrates the challenges for concerted migrant rights activism. In general, the dilemma between hosting migrants in Mexico and accompanying them toward the United States to seek asylum there and possibly also making a statement to the Trump administration lies at the crux of the issue: In the face of the persistent pressure by the United States to contain people to the south of its border, with its security implications, these actors were placed in a complex dilemma in pursuit of advocating for migrant rights and of assisting the caravans. Rather than fostering collaboration, such a context limits the options for migrants, results in a divide between actors that generally have a common aim to assist migrants, and distracts (unintentionally) from the consequences that the militarization and securitization of borders have on vulnerable populations.

## REGIONAL INTEGRATION FROM ABOVE—HAMPERING OR FUELING CONTESTATION FROM BELOW?

The opportunities for migrants to achieve protection and apply for asylum, as well as the space for organizations advocating for such rights, has become increasingly limited. Yet, as per the argument by Tarrow (2005) as well as Ayres and Macdonald (2009) suggesting that top-down policies tend to antagonize people into contestation, it is possible that a similar phenomenon occurs in the context of migrant rights advocacy in Mexico. In this way, the complex situation for migrant rights advocates in the region—especially as border control has expanded beyond the borders themselves (Shachar, 2020)—also serves as a driver for increased transnational activism and solidarity, albeit partly hampered by the complexities of competing interests and agendas. This is especially notable with the fact that the extensive infrastructure for attending to migrants throughout Mexico is itself partly a result of Mexico serving as the gatekeeper of the United States for the last three decades. As Cordero Díaz and Garibo (2019) explain, “without the social infrastructure that has been made available by civil society organizations to migrants transiting Mexico it is difficult to conceive of the origins of the [...] political mobilization of migrants” (p. 256).

Furthermore, París Pombo and Montes (2021) suggest that “solidarity can have a deeply counterhegemonic meaning,” especially as “a wide mobilization of volunteers and the external support of solidarity organizations can be crucial in gathering material and financial resources to mitigate migrants’ vulnerability and to guarantee their basic rights” (p. 213). Nevertheless, based on their review of solidarity and challenges in Tijuana, especially in 2018, they also state that “the participation in solidarity movements has become more difficult in times of border securitization and migrant criminalization” (París Pombo & Montes, 2021, p. 213). Consequently, the potential for transnational activism in the region is ambivalent.

Even though the current migration and border regime may have contributed to increased contestation, the same policies have a profound effect on the possibilities for solidarity and collaboration, and the direction that this takes. While the examples in this chapter show that the challenges in the realm of border control in the region have sparked significant contention, including within the caravans themselves as well as solidarity both within and outside Mexico, the extent to which this

action has led to increased regional integration from below is less certain. As the tension between the various actors outlined above signals, solidarity and activism involve significant ambivalences and complexities. The various (and often conflicting) agendas and interests involved in the “caravan encounter” point to the multifaceted, and often contradictory, levels of regional integration in the context of migration policy.

Furthermore, it shows how we analyze and understand transnational activism and integration in North America ultimately depends on what type of integration, actors, and levels we are talking about, and to who’s benefit. During the 2022 Summit of the Americas, 20 states on the continent signed the non-binding Los Angeles Declaration on Migration and Protection. The declaration was variably received, some applauding it for its step toward regional integration related to migration management, while others noted the continuing deterrence mechanisms, continued aim toward containment, and the possibility of neglecting the needs of those most at risk (Brumat, 2022; International Rescue Committee, 2022; Selee, 2022). More recently, two years after the signing of the declaration, the United High Commissioner for Refugees (UNHCR) (2024) noted that it “is a crucial framework for regional cooperation”, although challenges persist. Thus, it remains to be seen what effects it will have on movement building from below and across borders.

Despite such ambivalences, the caravans present an opportunity to rethink activism and contention in the context of the current regional border and migration regime. By taking to their feet, the members of the caravans were already addressing their situation, finding their own “path” and ‘alternatives,’ and acted collectively to achieve this. Thus, whether or not their actions in fact shifted the political and legal reality to their favor, the caravans and the movement it sparked may have provided what Mégret (2019) calls “the living matrix of what [they sought] to bring about,” which can be a first step toward rethinking how to challenge the current border regime and to locate better alternatives more attuned to migrants’ needs (p. 47).

## CONCLUSION: NORTH AMERICA OR “FORTRESS AMERICA?”

The various encounters between the caravans and other actors in Mexico point to a significant amount of integration and collaboration across North America on a state level, with the aim to control and limit irregular



migration. The strict migration policies have themselves contributed to increased clandestine and more risky types of migration. By making it even more difficult and costly to cross into Mexico, migrants have become even more vulnerable to violence by smugglers and traffickers, which in turn has given rise to the caravans themselves. This situation creates barriers not only for migrants, but also conditions the way migratory movements such as the caravans are addressed by civil society actors. Despite the tension appearing between some actors addressing the caravans as well as the criminalization of migrant advocates, there was significant action by both the caravans themselves as well as activists, organizations, and church-led actors responding to them.

Thus, the externalization of U.S. borders further south toward Mexico and Central American states has a profound effect on solidarity, collaboration, and assistance when addressing cross-border movements of vulnerable groups. This can especially be noted in the reports of criminalization of migrant rights advocates in Mexico and the United States, as well as in the tension between actors that otherwise have the same aim—to protect migrants. Consequently, although integration in North America related to migration and displacement is successful on a state level (albeit with power unequally distributed among the states in question), this also opens the possibility for contestation, solidarity, activism, and organization from below.

The question that remains is whether there is a “North America,” and in case, to the benefit of whom. This chapter shows that in the context of borders, migration and the unequal opportunities for mobility, North America remains a contested space, where the concept of “Fortress America” (Runyan et al., 2013) is illustrative.<sup>9</sup> The caravans themselves contest the idea of North America. As the integration is carried out through (among other) migration agreements, on the one hand, which create barriers that divide people into different categories of mobility on the other (Ortega Velázquez, 2022), North America is for a space of largely

<sup>9</sup> While this was not necessarily intended by the authors, considering that the edited volume is about much more than borders and migration (including trade and security agreements), the concept fits neatly with the concept of “Fortress Europe,” which is often used when discussing migration control and push-back of migrants in the Mediterranean and other European borderlands.

free movement for some, while the reality for others is deportation, detention, danger, and possibly death. For yet others, it is a place for (albeit limited) solidarity and radical hospitality in the face of numerous barriers to movement.

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# Mexico's Disappeared and Translocal Resistance in the North American Region

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By 2022, Mexico officially registered more than 100,000 disappeared people, a large number even when unreported cases are not included. Most of these disappearances began in 2006 when right-center president Felipe Calderón Hinojosa (2006–2012) launched the “war on drugs” (United Nations, 2022). Disappearances refer to the illegal and involuntary detention by state or non-state forces with the direct or indirect consent and/or assistance and/or inaction of state authorities, and when the whereabouts and fate of those missing remain unknown. The chapter explores the social mobilization of families of the disappeared in Mexico in a context of systemic violence between 2006 and 2024. While the existing literature addresses the mobilization of the families from a contentious

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L. Macdonald et al. (eds.), *Transnational Activism in North America*,  
International Political Economy Series,

[https://doi.org/10.1007/978-3-031-95816-8\\_9](https://doi.org/10.1007/978-3-031-95816-8_9)

politics and network-theory perspective, with a focus on the national level, the regional dimensions of the mobilization of the families of the disappeared in North America continues to be understudied, even though this is a significant aspect of families' mobilization.

The chapter argues that the mobilizations of the families of the disappeared is not so much about covering larger political scales, as is usually sustained within the transnationalism literature, but rather primarily about connecting local spaces, namely, translocal resistance (Voigt-Graf, 2004). And the families' ability to employ international mechanisms to search for the disappeared depends on the domestic institutional and legal changes they have promoted through translocal resistance. This approach allows us to understand that these connections are not a smooth process but rather a difficult one where economic and health needs and emotional pain and sorrow intertwine with local, national, and international structures of power. Also, the chapter argues that the families' mobilization has conveyed its concerns directly or indirectly to other localities in the North American region through the role of American and Canadian civil society organizations (CSOs) in raising the families' concerns in trilateral and bilateral meetings between Canada, Mexico, and the United States. Even if these awareness campaigns around disappearances do not lead to radical change, this adds to the cumulative effects of the families' contestation and actions.

First, the chapter examines the literature discussing social resistance of families of the disappeared at the national level, which leaves largely unexplored the way in which families mobilize around international actors and institutions. To fill this gap in the literature, the chapter employs the notion of translocality to discuss the local-to-local relations in the mobilization of the families of the disappeared, including their strategies of reaching out to national and international actors (Bricked & Datta, 2011). This concept problematizes the deterritorialization and the privileging of the international reach common in literature on transnational social movements. Second, the chapter examines the local and uneven power structures in which the struggles of the families take place to emphasize the histories of power connected to personal lives and the burden of affective and physical labor involved in translocal resistance rather than a smooth process of connecting nodes in a network (McFarlane, 2009). Third, we explore international solidarity in the North American region with the families of the disappeared to emphasize the



cumulative positive impact of Canadian and American CSOs on the families' efforts to find their disappeared relatives. We conclude that this translocal resistance helps us to understand disappearances as the result of larger regional economic and political processes rather than an isolated issue in Mexico caused only by domestic factors, as it is often portrayed by mainstream analyses (see Icaza, 2012).

Methodologically, we draw from feminist standpoint epistemology to reflect on our own positionality (Hartsock, 2004). The perspective of one of the co-authors is influenced by the disappearance of her brother Dan Jaramel Fernández Morán, which occurred in 2008 in the northern City of Torreón Coahuila. Since then, this co-author has been involved in the grassroots organizing to pressure state authorities to search for the disappeared and implement legal changes designed by families to access justice. Thus, the chapter draws on the lived experience of the co-author to analyze larger economic and political issues. The other co-author has reflected on her own position of privilege in terms of class and geographical location prior, during, and after interviews with the families with missing relatives to open spaces for the families to guide the research. This does not radically change the power asymmetries in these relationships and her limitations as an ally with the families. Yet, she hopes that the research discussed in this chapter can be a venue to voice the families' concerns to English-speaking audiences.

This chapter is based on interviews and participant observation in workshops and regional and national meetings between the families, domestic and international human rights organizations, and state authorities in northern Mexico and Mexico City over 10 years. We interviewed 10 women who lead different grassroots movements in central, southern, and northern Mexico and four human rights activists from northern Mexico between 2020 and 2022. The women were either searching for their children, their husbands, or their brothers or sisters. Interviews with human rights activists from northern Mexico were prioritized because they are physically close to the U.S. border and away from Mexico City. Such proximity to the United States does not guarantee international solidarity, and their distance away from Mexico City makes it harder to advocate for the families they accompany, as decision-making involving the search for the disappeared, particularly under federal jurisdiction, takes place in Mexico City. While some interviews were in person, many took place online because of the COVID-19 pandemic and time constraints for the interview participants. Such connections with the participants were

made possible by years of involvement in the struggle due to shared experiences in the case of co-author Fernández Morán and continuous participation and attendance in workshops, protests, and meetings with state authorities in the case of both co-authors. The families' request during the interviews is that the names of their disappeared relatives and their struggle be made visible. The families also requested that they do not become an object of study to be subjected to academic extractivism, but rather that researchers serve as allies in the elaboration of concrete strategies to search for the disappeared. This call also reflects translocal resistance through the sharing of their experiences of pain and struggle in this chapter with others in locations outside of Mexico to make their work visible.

### DISAPPEARANCES AND SOLIDARITY IN THE NORTH AMERICAN REGION: A LITERATURE REVIEW

Much of the discussion of families' mobilization to search for the disappeared in Mexico focuses on the centrality of emotions of dwelling behind social organizing (Robledo Silvestre, 2022; Verástegui Gonzalez, 2022; Zulver, 2023); the importance of social networks and the families' use of public spaces to challenge economic and political elites (Wright, 2018) and the re-appropriation of domestic legal institutions by families to claim their rights (Gallagher, 2022; Reineke, 2022). These studies provide an important understanding of how families of the disappeared mobilize. Yet, the ways in which families of the disappeared connect to other organizations and mechanisms outside national borders remain unexplored. Some analysis examines the ways in which the Movement for Peace with Justice and Dignity (Movimiento por La Paz con Justicia y Dignidad or MPJD), a movement founded in 2011 to respond increasing murders in the country, mobilized across the Mexico–U.S. border in 2012 to highlight the negative impact of the war on drugs in Mexico (Palma López, 2018). Studies also note the activism of the families of the disappeared from Central America and their connections across borders with families and CSOs in Mexico (Martínez Castillo, 2020). Still, solidarity with Mexico's disappeared within the North American region remains unexamined. And this is an important aspect of families' mobilization, particularly in a region with close economic, political, and social ties.

The literature on social movements examines how contestation through networks and mobilization of resources transform local movements into transnational ones (Tarrow, 2005). This approach emphasizes the capacity of local groups to reach out to international actors and institutions to produce a “boomerang strategy” that puts pressure on their own nation-states (Keck & Sikkink, 1998). The international becomes the site that automatically determines “the possibilities of local scales,” with an emphasis on the smooth flow of transnational civil society networks (Leitner & Sheppard, 2009, p.235). While the contribution of this research to social movements is insightful, more attention needs to be paid to the local power relations shaping the struggle and the intense physical and affective work involved in making local-to-local connections within the national jurisdiction and abroad (McFarlane, 2009, p.563).

This chapter draws from the concept of translocality to show how the struggle of the Mexican families of the disappeared at home and abroad is spatially grounded in their local everyday experiences. While this term is often used to reflect on immigrants’ experience, the concept of translocality also highlights the co-existence of situatedness and mobility behind social resistance (Winters, 2023). On the one hand, local-to-local relations that operate between and across political and legal jurisdictions are grounded and shaped by the everyday experiences in concrete places. On the other hand, mobility is expressed both in the actual physical movement of actors and interactions at a distance among people (Banerjee, 2011). The concept of translocality goes beyond the prevalence of the international over the national and the local, and/or the need for social movements to cover a larger geographical area. It helps us understand how families with missing relatives organize through local-to-local connections across jurisdictions within the nation-state and abroad. It also places emphasis on the popular politics of presence that is involved in the constant and spatially positioned physical and affective work by the families of the disappeared (Cuellar, 2024). Finally, the chapter also refers to the importance of the international political economy of the region, which shapes local contexts of economic inequality, state regulation, and systemic violence that families face in their struggles. Such situatedness shapes strategies of resistance, and the engagement of individuals and groups from different locales in the exchange of ideas, and practices across space and time are also shaped by national and international political economy (Gibson-Graham, 2016).

## LOCAL SPACES OF VIOLENCE

In this section, we explore how the families' demands on state authorities and their collaboration with CSOs are driven by their local needs, even though the local is embedded in a broader regional and transnational context. Guadalupe Aguilar, whose son José Luis Arana Aguilar disappeared in 2011, states that: "Each grassroots organization has different needs according to each state because the *modus operandi* of organized crime is different" (Guadalupe Aguilar, 2020, personal communication). Guadalupe Aguilar is one of the founders of United Forces for Our Disappeared in Jalisco, which was established in 2013 in the central western state of Jalisco.

Concrete lived experiences of violence and inequality have shaped the families' demands on forensic services. Lucy Díaz, the founder of grassroots organization Solecito, whose son Luis Guillermo Lagunes Díaz disappeared in 2013, discusses the widespread presence of clandestine graves throughout the country and the way in which disappearances are aimed at taking away the identity of missing relatives to intensify pain and violence:

If they already took away their lives, why do they also take away their identity and the right for their relatives to have their remains in a place where they can be visited? ...If you could only see the way their lives are taken away with such maliciousness, the bodies of the disappeared get fragmented and then thrown in bags or spread out in the field for the animals to eat the human remains (Lucy Díaz, 2022, personal communication)

Guadalupe Aguilar talks about how forensic identification was never at the center of the policy agenda from 2006 onwards:

In 2018, we denounced the failures of Forensic Services in the state [interviewee refers to unidentified dead bodies left in refrigeration trucks]. We have an urgent need for forensic identification of the bodies and human remains forensic services offices and clandestine mass graves. We also need more forensic laboratory offices (Guadalupe Aguilar, 2020, personal communication).

Emma Mora, whose son José Alberto Téllez Mora was abducted in 2011, is one of the founders of the movement Families of Acapulco established in 2016. She talks about the forensic crisis in the southwestern state of Guerrero where the tourist city of Acapulco is located:

We witnessed an exhumation and we saw how the bags just fell apart and the remains got mixed...If I get the remains of my son one day, I am not going to be sure if that is my son José Alberto....There was a case when a body was found with tissue. The relative was disappeared in 2018 and the body was returned to the family last Tuesday [of March 2022]...If the body still had tissue, they [forensic services] could have asked the family to identify the body instead of waiting for the genetic match...This is due to lack of infrastructure, training and economic resources (Emma Mora, 2022, personal communication).

Experiences dealing with state authorities have shaped the families' legal struggles. Araceli Salcedo expressed that: "State authorities said they could not file the report because they argued that my daughter got lost while being drunk or left with a rich man and that she will return home" (Araceli Salcedo, 2022, personal communication). Araceli Salcedo, whose daughter Fernanda Rubi disappeared in 2012, is a founder of the organization Families of the Disappeared in Orizaba and Cordoba, located in the central eastern state of Veracruz. As Lucy Díaz recalls, the experiences of filing the report of disappearance often involve demands from state authorities for bribe payment and collusion between state authorities and criminal groups.

One lady came to us because she could not file a disappearance report in the State Attorney's Office during three months because she could not pay the state official that was charging her money...The *compañeras* [fellows] were afraid because when they would file a report, the same person [in the State Attorney's Office] filing the report would be sending them death threats to force them to withdraw the file (Lucy Díaz, 2022, personal communication).

Families also face obstruction of justice when state authorities use legal technicalities to stall investigations. Ixchel Mireles Rodríguez, member of United Forces for Our Disappeared in Coahuila, describes this experience when filing a report for the disappearance of her husband Héctor Armando Tapia by the federal police in 2010:

When the case was moved to the federal State Attorney's Office, they went to my house to collect evidence because my previous testimony, and previous photos and evidence were not recorded in my case file [at the subnational level] (Ixchel Mireles Rodríguez, 2019, personal communications).

These experiences are also shaped by the neoliberal legacy of inequality and lack of social safety nets (Muñoz-Martínez, 2014). Not only did families lose the income and the social benefits that their disappeared relative provided, but the loss and the search for their loved ones also entail economic costs. This includes the time spent on searching for their disappeared relatives, the costs involved in attending meetings in different state institutions, and in the search for clandestine graves, as well as the loss of employment due to the search and the social stigma, and health issues triggered by the disappearance of their relative. As Emma Mora says, "either you search for your loved one or you work" (Emma Mora, 2022, personal communication).

The voices of the families illustrate the complex scenario of the families' mobilization and how their struggles are influenced by concrete local contexts, in contrast with the overemphasis on smooth flows in deterritorialized notions of social mobilization. Families' everyday experiences with state and non-state violence and inequality have shaped the following mobilization strategies. First, families within grassroots organizations have accompanied other families to inform them of their rights and provide support to deal with state authorities. Second, families have carried out awareness campaigns, including annual marches on Mother's Day. Third, the families' search for the disappeared in clandestine mass graves, common graves in cemeteries, public forensic offices and searches while the person is alive are central to making advances in investigations. Fourth, families mobilize to change the legal system. As Esperanza Chávez describes, "protests are not useful if you do not record everything according to administrative and legal technicalities" (Esperanza Chávez, 2020, personal communication). Esperanza Chávez is one of the founders of the grassroots organization Amor Por Ellxs in the state of Jalisco. Her brother Miguel Ángel Chávez disappeared in 2014. The legal result of the families' mobilization is the 2017 National Law against Disappearances. It classifies the crime of disappearance without a statute of limitations, it considers perpetrators to be both state and non-state actors, and it

includes the direct, indirect complicity and/or inaction of the state as part of the description of the crime. This law establishes the rights of families and the disappeared, including the right to legal personhood and the rights of families to participate in investigations. The law includes a Search Commission, which puts search investigations and forensic identification at the centre of the policy agenda. It also considers the declaration of absence by disappearance, which seeks to guarantee the families' access to social benefits and assets of their disappeared relatives while the search for the missing person continues.

Prior to the 2017 Law, the mobilization around disappearances converged with other human rights struggles in Mexico that pushed for the granting of constitutional status to the international human rights agreement signed by Mexico in the 2011 constitutional reform (Farrera Bravo, 2013). The domestic adoption of international human rights law did not imply simply jumping from local to international scales for Mexico to adopt international human rights standards. Rather, legal changes occurred domestically first as the result of internal social resistance before international human rights treaties were granted constitutional status.

Translocality does not necessarily imply going beyond national borders because linkages across localities can occur within national boundaries. For instance, the site of the State Attorney's office, where the families often face neglect and stigmatization, became the place where they met to share with other families their experience, which allow them to move beyond the individual towards collective mobilization through local collaboration among families within the same city and across localities in the country. Based on interviews, personal experience and participant observation, local-to-local relations have included, for instance, families from one locality providing funding, through out-of-pocket or fundraising activities, to other families in other places for transportation to workshops for legal and forensic training and/or meetings with international institutions and national and subnational state authorities. Such translocal solidarity has also included families of immigrants from Central America who disappeared in Mexican territory.

In many cases, families are connected to each other through existing human rights organizations in Mexico. Some of these organizations were directly or indirectly affiliated with the Catholic Church with an ecclesial base community tradition such as Fray Juan de Larios Human Rights Centre. The Fray Juan de Larios and Gerardi Centre have had an ongoing relationship with Servicios y Asesoría para la Paz A.C. (SERAPAZ), a

national organization founded by Bishop Samuel Ruiz from the San Cristóbal de las Casas diocese in the state of Chiapas to facilitate dialogue between the Zapatista Army and the federal state authorities in the mid-1990s. Families also began to form relationships with one another and with other national CSOs. For instance, the families in Acapulco, Guerrero, who met in the diocese of Acapulco, later requested accompaniment from SERAPAZ. Other families became aware that they were not alone in their struggle when connecting to the larger caravan of the MPJD in 2011. Others made direct links with SERAPAZ and/or the regional CSOs mentioned above. Likewise, families with disappeared relatives started to meet with other national CSOs such as Human Rights Network, IDHEAS Strategic Litigation Civil Association, the Mexican Institute for Human Rights and Democracy, Centre for Civic Collaboration, Centre for Human Rights Miguel Agustín Pro Juárez and FUNDAR Centro de Análisis y Estudio. These CSOs' collaboration ranges from accompaniment work to training on legal and technical aspects regarding disappearances and advocacy with Mexican state authorities and international human rights CSOs and institutions, and the embassies of other countries.<sup>1</sup> As explained below, families of the disappeared and regional and national CSOs have also sought collaboration with international CSOs and institutions, leading to translocal resistance beyond borders.

## TRANSLOCALITY IN THE NORTH AMERICAN REGION

Families with disappeared relatives have expanded their struggle in uneven ways across the country and abroad. This was not done by jumping jurisdictions and carrying out forum shopping of international mechanisms to pressure Mexican state authorities, as Keck and Sikkink's (1998) framework suggests, but rather by making connections between different localities both within Mexico, as mentioned, and between Mexico and other countries, including Canada and the United States. This section discusses how the families' connections with other localities within Mexico and

<sup>1</sup> Accompaniment in human rights work refers to the support offered by CSOs and individuals to those who are intimidated and threatened with reprisal due to their mobilization around human rights issues. This involves protective presence to make the costs of human rights abuses more apparent to the perpetrators and therefore deter attacks; monitoring of human rights violations to report abuses to international human rights organizations and sharing testimonies with decision and policy makers as well as the media to increase international awareness (Peace Brigades International Mexico, 2024).



the North American region show their “inevitable capacity to exceed the connections between other groups or places in the movement” (McFarlane, 2009, p. 562). The voices and concerns of the families of the disappeared have reached international institutions and Canadian and U.S.-based CSOs, which, through direct or indirect collaboration with families and regional and Mexican CSOs, have assisted by making visible disappearances in high-level discussions among the state authorities of the three countries in North America. In this process, the families seek to frame disappearances as a North American issue, which requires mutual solidarity rather than aid because the conditions for this crime have been enabled by free trade and securitization of the region since the signing of the North American Free Trade Agreement (NAFTA) in 1994.

Overall, international solidarity has been important to the families of the disappeared in Mexico to place this issue on the global human rights agenda and Mexico’s political agenda.<sup>2</sup> One of the main coordinators of a local CSO highlights this in relation to the participation of United Kingdom-based Human Rights Watch:

[HRW Senior Researcher for the Americas] Nik Steinberg came at a time when there were no resources. Nik Steinberg began keeping a record of all [disappearances] cases and that was very good because he began to know the people [families and the accompanying organizations]. And he wrote a report which was the first of its kind on missing persons in Mexico, which he presented to President Calderón (2019, personal communication).

This is echoed by Mireles Rodríguez:

If this problem is not visible nationally, we must make it visible internationally. We risked our lives organizing protests so we could be seen, but the government censored national journalists. When Peace Brigades, the UN and Human Rights Watch started documenting the cases and the

<sup>2</sup> Other forms of international solidarity include the role of human rights lawyers, forensic experts, CSOs and the families of the disappeared from Colombia, Peru, Guatemala and Argentina in regional meetings. These actors informed the struggle in Mexico by sharing legal strategies and forensic mechanisms based on the experience of the search for the disappeared in other countries. The interviews also highlighted the role of European embassies and European Union CSOs in raising awareness and providing funding for the movements’ activities via CSOs, and of UN agencies such as the UN High Commissioner for Human Rights, the UN Committee Against Forced Disappearances, and the UN Working Group Against Involuntary and Enforced Disappearances.

protests, this is when we started getting interviews from the international press (Mireles Rodríguez, 2019, personal communication).

And such, international solidarity became part of the families' (intended or unintended) strategy to make their struggle internationally visible in the press, social media and international meetings; pressure Mexican state authorities to comply with human rights international treaties; bring international observers to protect the families from state officials' and criminal groups' retaliation, and promote the competency of UN and Inter-American human rights law mechanisms to make advances in the search for the disappeared and receive forensic expertise services from abroad. Again, such strategies were related to the needs of families in Mexico and their struggles on the ground as discussed in the previous section.

Despite the geographical proximity and the economic and political ties between Canada, the United States, and Mexico, first through NAFTA and then the Canada–United States–Mexico Agreement (CUSMA), official government support and ongoing civil society involvement from Mexico's northern neighbors is not straightforward. Still, families' mobilization has reached other localities in the United States and Canada, prompting support from American and Canadian CSOs to make the issue visible in high-level meetings in the North American region. The latter has contributed in a cumulative way to the efforts of the families' translocal resistance.

In the case of the United States, translocal resistance has also involved Mexican and Central American immigrants and American citizens with relatives who were victims of involuntary disappearance in Mexico. For instance, families in Los Angeles gather in public space to embroider the names of their disappeared relatives in Mexico and organize hunger strikes in front of the Mexican consulate to make their struggle visible in the United States (Bautista, 2016; Merina, 2015a, 2015b). Families have also mobilized in both Mexico and the United States by contacting the embassies of both countries and American state agencies such as FBI, CIA, and the Secretary of State to pressure Mexican state authorities to find their missing relatives (Phippen, 2020; Sheridan, 2023).

The translocal mobilization of families has made disappearances part of the advocacy agendas of U.S.-based philanthropic organizations and CSOs. Among the most mentioned philanthropic organizations by the

families and human rights defenders in Mexico are Open Society Foundation, the Ford Foundation and the McArthur Foundation, which financially support the Mexican CSOs accompanying the families to support training, travelling, advocacy and legal assistance to the families of the disappeared. As confirmed by co-author Fernández Morán's experience on the ground, umbrella organizations receiving large amounts of funding from philanthropic organizations, who then decide which organizations and families obtain financial support, is becoming a widespread practice and increasing the competition for funding.

U.S. CSOs have also become part of the translocal resistance of the families through the elaboration of reports, policy briefs, awareness campaigns, and advocacy with a particular focus on pressuring American state authorities in Congress and the State Department. This is the case of Latin American Working Group, the Washington Office for Latin America (WOLA), and Global Exchange among others. These works have been carried out working closely with families and Mexican CSOs.<sup>3</sup> In some instances, policy briefs and advocacy have taken place in strategic moments such as Mexico's assessment of human rights requirements for foreign military financing assistance by the U.S. Congress as part of the Mérida Initiative. Also, the work of American CSOs has involved close connections with American universities (see University of Texas Law School Human Rights Clinic, 2017). These reports directly and indirectly inform the work of Mexican and American CSOs and promote awareness by inviting families of the disappeared to speak at their institutions (2022, personal communication).

In Canada, the Americas Policy Group (APG) and Canadian universities have played a role in raising disappearances as a human rights issue in the Mexico–Canada foreign policy agenda. The APG is a national network

<sup>3</sup> See WOLA's and LAWG's campaign websites against disappearances in Mexico, joint letters written by American and Mexican CSOs directed and Global Exchange's advocacy work. Other examples include the joint campaign against U.S. arms sales to Mexico led by American CSOs Stop U.S. Arms to Mexico, Global Exchange and the Mexico's Commission for the Defense and Promotion of Human Rights; and reports by Open Society Foundation with Mexican CSOs (Burgi-Palomino & Sánchez-Esparza, 2022; Brewer 2021; Báez Zamudio et al., 2018; Stop U.S. Arms to Mexico, Global Exchange, Centro de Estudios Euméricos and CMDPDH, 2021; Open Society Justice Initiative, 2016; Suarez-Enriquez & Meyer, 2017; WOLA et al., 2015; WOLA et al., 2017; WOLA et al., 2018).

of civil society organizations working on human, social, and environmental rights issues in the Latin American and Caribbean region, which include trade unions, Canadian non-profit organizations and human rights organizations, progressive Christian groups, and the Canadian sections of international human rights organizations (see discussion in Marchand chapter).<sup>4</sup> This collaboration has been key in elaborating policy briefs, reports and journalistic pieces in the press and social media; organizing action campaigns demanding justice for Mexico's disappeared; and coordinating awareness campaigns involving speaking tours involving Mexican human rights defenders and the families of the disappeared (for examples see: APG, 2018, 2021, 2022; Hodgson, 2016; Neve, 2015; No More Blood, 2015, 2021; Peace Brigades International Mexico, 2017). Awareness campaigns on disappearances in Mexico have also been promoted by individual Canadian-based CSOs, involving close consultations with Mexican activists and CSOs (see Amnesty International Canada, 2024; Blanchfield, 2016; Nobel Women's Initiative, 2015; 2016; Price, 2016; Tlachinollan 2015).

While such translocal collaboration across borders has not brought about immediate and structural changes in the situation of the families of the disappeared, or trinational mobilization, this work has helped to place disappearances in Mexico on the bilateral agenda with the United States and Canada. This mobilization resulted in hearings with staff members of U.S. representatives in Congress, formal hearings in the Lantos Human Rights Commission in the House of Representatives and elaboration of reports by key state agencies addressing disappearances directly (Ribando Seelke & Martin, 2022; Tom Lantos Human Rights Commission, 2012, 2017, 2020, 2022). In the short term, the outcome has been U.S. Agency of International Development (USAID) funding to Mexican CSOs and capacity-building and infrastructure for forensic identification in Mexico (USAID, 2022). In the long term, the outcome of this translocal resistance has shaped the recent bilateral agenda. For instance, American Vice-President Kamala Harris announced the partnership to resolve disappearances cases in Mexico following the 2021 bilateral meeting with Mexican President Andrés Manuel López Obrador (2018–2024) (Biden, 2021). Human rights became part of the Mexico–US Bicentennial Framework for Security, Public Health and Safe Communities, which in 2021

<sup>4</sup> See list of current members: <https://www.apg-gopa.com/about>.

replaced the heavily militarized and national security-focused Mérida Initiative. While the bicentennial framework replicated some aspects of the Mérida Initiative, it also included goals and strategies that address issues contributing to disappearances such as a reduction of arm trade from the United States into Mexico, improvements in accountability and ensuring that “courts support victims and preserve their human and civil rights” (Secretaría de Relaciones Exteriores, 2021). And reporting requirements in the U.S. Congress for foreign assistance to Mexico included efforts to address disappearances (Ribando Seelke & Martin, 2022).

Similarly, social mobilization connecting the families of the disappeared with Canadian-based CSOs has led to individual conversations with members of Parliament, formal hearings in the Canadian Parliament, and meetings with Global Affairs Canada (GAC) (Canada, Parliament, House of Commons, 2015, 2017; fieldnotes 2012; 2021). Also, GAC, in coordination with other state authorities, committed to provide legal and technical capacities for investigations of the disappeared (2023, personal communication). The Canadian embassy in Mexico has funded Mexican CSOs accompanying the families of the disappeared and grassroots organizations led by the families of the disappeared through the Canada Fund (2023, personal communication). Canada promised support to Mexico’s forensic identification capacity in the 2023 Mexico–Canada plan (GAC, 2023). Also, an annual Canada-Mexico Dialogue on Human Rights and Multilateral Affairs began in 2016 (GAC, 2016; Secretaría de Relaciones Exteriores, 2022). In this process, CSOs participate actively in monitoring and providing recommendations on Mexico’s human rights situation, including on issues related to disappearances (See APG, 2018, 2022).

In the trilateral North American agenda, there is no explicit mention of cooperation over human rights issues, including resolving cases of disappearance. CUSMA has mostly focused on labor rights and environmental issues in addition to trade and investment, while formal acknowledgment of human rights issues in the North American agenda is superficially mentioned under the rubric of regional security (Trudeau, 2023). Even though human rights in general, and disappearances in Mexico in particular, have not become part of the regional agenda, it is plausible that the constant mobilization of families and their influence in the bilateral agenda are part of the background in which formal meetings in the North American region take place.

For the families, solidarity within the North American region is strategically important given that violence in Mexico occurs in a context of

economic regionalization and globalization. And the effects of these co-existing phenomena are felt in people's everyday lives locally in the form of disappearances as a form of social control coupled with the weakening of economic rights and progressive social movements in the context of neoliberalism (Garretón, 1992; Paley, 2020). NAFTA which was accompanied by a strong emphasis on military security through the "war on drugs" further contributed to the local experiences of both economic and physical insecurity in Mexico (Muñoz-Martínez, 2021). This has forced the families of the disappeared to mobilize translocally while reframing disappearances as a North American issue rather than one isolated to Mexican politics. First, the North American security-free trade agenda since the mid-1990s helped to frame disappearances as collateral damage during the 2000s. As stated by one confidential informant:

The Calderón government said that disappearances were collateral damage because of the war on drugs and that the economy was growing. He never wanted to acknowledge disappearances. Then we said, no we are not collateral damage (2019, personal communication).

Second, based on participant observation and personal experience, families have criticized how high-profile cases in American courts related to members of Mexican criminal groups include decreased prison sentences in exchange for evidence on the drug-trafficking involvement of Mexican politicians and heads of criminal groups. Yet, such exemptions do not include information on the families' disappeared relatives. As such, the American justice system also participates in the continued lack of justice in Mexico's disappearances. Third, families have problematized existing official assistance in the North American region while accepting such support due to the lack of resources (2019, personal communications). "But what the United States offers is not support. They are paying a debt, because the United States is also responsible for disappearances [in Mexico]" (2022, personal communication). In this way, the families reframe notions of aid into a debt that the United States must assume as direct and indirect contributor to disappearances due to its 'war on drugs' regional foreign policy and the focus on trade, investment and security at the expense of human rights in the region. Fourth, families and human rights defenders have noted that Canada's state institutions and society also owe a debt to Mexican and Central American families with disappeared relatives, since violence helps to discourage dissent

against American and Canadian mining companies operating in Mexico and Central America (Altamirano Jiménez, 2021; Imai et al., 2017; No More Blood, 2015, 2021).

This reframing of human rights violations, including disappearances, as a North American issue exacerbated by the inequality and securitization of the region, has been central to the regional grassroots network the People's Movement for Peace and Justice (PMPJ) formed in 2023 (See PMPJ, 2024). This network includes several civil society and grassroots movements, including the families of the disappeared, immigrant and American and Mexican Indigenous communities, and Afro-communities from the three countries. Their advocacy strategy to mobilize in the United States has been a focus on legal and illegal gun sales in the United States and from the latter to Mexico and Canada. And these weapons are an important aspect of disappearances and violence in Mexico; shootings in schools and malls in the United States; and the murder of Indigenous and Black people who are the main victims of fire-arms homicides in Canada (Perreault, 2024; Scherer & Paperny, 2022; Seewer & Johnson, 2024). This shows how the constant translocal resistance by the families with disappeared relatives is increasingly having cumulative effects in shaping the North American human rights agenda while making alliances over common concerns possible with other struggles in the region.

## CONCLUSION

The chapter addresses the ways in which social mobilization of the families of the disappeared in Mexico takes place through local-to-local connections, namely translocal resistance in the North American region. This challenges views that see the international scale as the most important scale or field of collective action, where change is forced upon national spaces. Also, the families' translocal mobilization contests perspectives that focus on transnational smooth flows involved in cross-border resistance, which overlook the day-to-day complex struggles, pain, and sufferings shaped by local contexts of violence, and social and economic inequality. The families also problematize deterritorialized approaches on flows that privilege the international over the national/local. Thus, the families of the disappeared place emphasis on the "popular politics of presence" namely spatially located grassroots resistance that involves constant

emotional and physical work accompanied by pain and suffering (Cuellar, 2024).<sup>5</sup>

While the families' translocal resistance has not brought about structural and immediate change regarding disappearances in the North American region, their constant struggle and efforts have had an incremental impact on shaping the human rights agenda in the bilateral and trilateral agenda in the North American region. Also, the families' translocal mobilization has addressed disappearances as part of the larger economic and political processes of trade, investment, and securitization in the region rather than isolated crimes caused exclusively by corruption in Mexico. Such reframing can help us address how regional political and economic relations are connected to other forms of oppression, not only in Mexico but also in the United States and Canada. And such an understanding highlights the importance of inserting human rights issues as part of the 2026 renegotiation of the Canada–United States–Mexico Agreement.

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<sup>5</sup> This is important because an overemphasis on the international in forms of mobilization has concrete consequences on the families' struggles. For instance, co-author Fernández-Morán considers that overreliance on the international scale might have contributed to the weakening of the Extraordinary Forensic Identification Mechanism (or Mecanismo Extraordinario de Identificación Forense or MEIF) set up in 2019 at the request of organizations representing groups of families of missing persons. This is a joint initiative under the management of a joint entity created by agreement of the National Search System (SNB) with the support of the United Nations System in Mexico (UNS) to face the forensic crisis already described in this chapter. Once the MEIF was set in place, and its coordination was undertaken by the United Nations Population Fund (UNFPA), families and allied organizations expected that the UN system would ensure that Mexican state authorities make progress with the MEIF, and therefore, families did not have to be involved in pressuring the latter. Yet, this has not been the case, and families wonder if they should have been more involved in MEIF implementation to make this mechanism effective (see UNFPA, 2022).



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# Feminist Transnational Activism Around Gender-Based Violence and Labor in North America: Limits and Opportunities

*Marianne H. Marchand*

Almost thirty years ago, Christina Gabriel and Laura Macdonald (1994) were relatively optimistic when they wrote that the North American Free Trade Agreement (NAFTA) had encouraged new forms of cooperation among female activists who challenged the terms of the agreement. They concluded that NAFTA constitutes a “new” space for feminist internationality that recognized different subject positions and structural inequalities. Thirty years later, what has happened to a regional/

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I wish to thank Laura Macdonald and Christina Gabriel for their support and very helpful feedback on this paper.

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North American feminist transnationalism? In this chapter, I will first provide a short background on transnational feminist activism in the region, taking as a starting point the introduction of NAFTA. While the creation of NAFTA has generated new political openings for some social movements, it is less clear how feminist organizing has responded to these new realities. As feminist transnational activism generally tends to be grassroots-driven, it is important to analyze how this activism navigates such opportunity structures and (emerging) regional political action fields. I argue that there are significant differences in how feminist transnational activism is articulated in regional spaces, depending on the issues being addressed. Feminist transnational organizing around labor conditions follows strategies and is articulated in spaces different from those related to organizing around gender-based violence (GBV). To demonstrate this, I will focus on two dimensions. First, I argue that North American regionalism has followed a hub-and-spoke model, with the United States representing the hub and Mexico and Canada the spokes, and with the two bilateral relationships between the United States and its two partners overwhelming relations between the three countries. This has reverberated in how regional mobilizations have developed over time, meaning that much of the organizing in the region has been bilateral, rather than trilateral. Second, as North American regionalism has focused primarily on economic integration, in particular pursuing a trade and investment agenda, other issues have been marginalized in regionalization processes. One such issue is GBV which, as I will demonstrate, was initially domesticated—in other words, being dealt with within a domestic policy space and not included in a regional agenda. However, I will provide some evidence that this is changing, and we can observe a “de-domestication” of GBV issues, which are now also included on the regional policy agenda. In other words, regional political opportunity structures and concomitant political action fields have changed over time and created new spaces for feminist transnational engagements addressing different issues.

Since NAFTA was adopted in 1994, important transformations in the region have occurred, ranging from a heightened attention to security issues after 2001, to the global financial crisis of 2007–2009, to increasing commercial tensions between China and the United States in recent years, to the COVID-19 pandemic. Together these have affected the processes of regionalization that were set in motion by NAFTA and resulted in temporary pandemic-related disruptions in regional production chains

as well as a move by many transnational companies to embark upon a process of nearshoring. This begs the question of whether the challenges and opportunities for feminist transnational activism that emerged since NAFTA are undergoing changes since the United States–Mexico–Canada Agreement (USMCA) went into force? Put slightly differently, are the changes in North American regionalism generating new transnational opportunity structures and political action fields that require or stimulate feminist transnational activism to embark upon new strategies and engagements? And does the adoption of a feminist foreign policy in Mexico and Canada (with the Biden government in the United States having introduced some elements of that agenda) provide new venues for feminist activism, possibly becoming more trilateral and not just bilateral?

### NAFTA AND FEMINIST ACTIVISM IN NORTH AMERICA

I begin with a short overview of feminist transnational activism and how the adoption of NAFTA has created new realities for “North America.” Civil society organizations (CSOs) and social movements have adapted and reacted to such new realities. As discussed in the introduction to this volume, social movement theories often explain the rise or decline of social movement organizing as related to the nature of the social and political environment, referred to as the political opportunity structure, which may create openings for new forms of organizing and political coalitions (see McAdam et al., 2001). In their discussion of transnational social movements, Gould and Lewis (2018) associate political opportunity structures with providing the “sociopolitical conditions which are more or less conducive to movement emergence and success, but which are not directly controllable by either contenders for power or power holders themselves, such as wider geopolitical conflicts” (p. 7). Despite being widely used, political opportunity structure theory has been criticized for being too broad and “muddled,” especially because it combines structures which are considered stable with opportunities which tend to be brief or transient, and for underestimating the cultural underpinnings which may provide a source of strength for social movements (Bloom, 2014). Despite these limitations, I agree with Bloom (2014) that the sociopolitical context within which social movements operate influences their options for choosing certain strategies and whether these are successful. The political opportunity structure created by the NAFTA agreement favored certain forms of organizing related to labor conditions, while the

neoliberal and intergovernmental nature of the region it promoted was less favorable for organizing around GBV.

NAFTA should be interpreted as a watershed moment for North American regionalism, including for regional mobilizing and transnational activism. As NAFTA negotiations were progressing, opposition to the free trade agreement came from social movement coalitions in the three countries, including labor unions, environmental groups, faith-based organizations, farmer and *campesino* organizations, and others. During this phase of negotiations, some feminist transnational activism did occur, but mostly at the margins. Canadian feminists, having gained experience with the Canadian–United States Free Trade Agreement (CUSFTA), provided the strongest opposition to NAFTA and free trade in general. The women’s movements in Mexico and the United States had different agendas and were, for the most part, not directly focused on the NAFTA negotiations or free trade issues in general (Gabriel & Macdonald, 1994; Marchand, 2002). In Mexico, many women’s grassroots organizations were concerned with the effects of International Monetary Fund-imposed (IMF) structural adjustment programs on women’s lives (Benería & Feldman, 1992). In the United States, the primary focus of the National Organization for Women (NOW) was on reproductive rights, increasing the presence of women in local, state and federal assemblies, and LGBT rights (see Liebowitz, 2002; Macdonald, 2002). The economic issues addressed by NOW dealt mostly with poverty and less so with free trade (National Organization for Women, n.d.). Nonetheless, as Gabriel and Macdonald (1994) have pointed out, there was some organizing by feminist and women’s groups opposing NAFTA during this initial negotiating phase (see also Domínguez-Reyes, 2002; Quintero-Ramírez, 2002). And, although not directly framing their concerns in relation to NAFTA, grassroots organizations were already involved in addressing economic transborder issues with important implications for women, such as labor conditions and the environment. In addition, new government-sponsored mobility programs in higher education allowed feminist academics to develop trilateral research projects that focused on NAFTA’s gendered impact (Bayes et al., 2006; Runyan et al., 2016).

While the NAFTA negotiations already set the stage for (limited) feminist transnational activism in the region, the ratification of NAFTA entailed the emergence of new regional opportunity structures, which allowed the articulation of transnational feminist activism around regional

labor issues. There is ample evidence that women's groups at the Mexico–U.S. border have engaged in transborder (bilateral) organizing around labor conditions in the *maquiladoras* for decades (Gabriel & Macdonald, 1994; see Quintero chapter in this volume). Feminist organizing around labor conditions in the *maquiladoras* has involved local grassroots groups such as *Grupo Factor X*, the *Comité Fronterizo de Obreras*, and transborder organizations like the Coalition for Justice in the Maquiladoras.

Although much of the organizing around labor rights remains at the grassroots and bilateral levels, there are a few exemptions. Reviewing the list to the North American Agreement on Labor Cooperation (NAALC) reported by the International Labor Affairs Bureau of the U.S. government reveals that there were four submissions related to the *maquiladora*<sup>1</sup> factories at the U.S.–Mexico border, of which one addressed health and safety issues, two freedom of association, and one gender discrimination (United States Department of Labor, n.d.). Interestingly, the submission dealing with gender discrimination related to the use of pregnancy testing of workers in the *maquiladoras* was the only one of these cases NOT supported by local grassroots organizations. Instead, the petition was filed by the Human Rights Watch Women's Rights Project (of Human Rights Watch Americas), the International Labor Rights Fund, and the Asociación Nacional de Abogados Democráticos (United States Department of Labor, n.d.). The submissions were filed between 1997 and 2000.

In addition, two separate petitions were filed in 2016 under the NAALC regarding allegations of gender discrimination against Mexican migrant agricultural workers in the United States and Canada, respectively. These petitions were submitted by the United Food and Commercial Workers union in Canada and the Centro de Derechos del Migrante, a binational U.S.–Mexico NGO. The cases identified ways in which the hiring and recruitment of these workers, as well as their treatment on the farms, violated the NAALC requirement that signatory governments enforce their own laws that prohibit gender discrimination (Gabriel & Macdonald, 2019). Nevertheless, progress in hearing the cases was slow

<sup>1</sup> *Maquiladoras* are labor-intensive factories located in Mexico that are owned by a foreign company. The factories assemble products from imported parts and export them back to the United States and other countries. They frequently hire low-paid, low-skilled workers (often women) who lack labor protections and benefit from duty-free imports.

and inconclusive and ultimately made irrelevant by the Trump administration's decision to renegotiate NAFTA. In sum, in this period, there emerged some feminist transnational activism around labor issues, but its scope was constrained by the available political opportunity structures, and it was not really able to fundamentally transform the region's hub-and-spoke model from the grassroots and replace it with a more egalitarian cobweb model of engagement. As NAFTA's side agreements were relatively weak and included little reference to gender, they placed limits on trilateral transnational feminist activism around free trade and broader socioeconomic issues in North America.

### CHALLENGES, LIMITS, AND POSSIBILITIES FOR A DUAL-BILATERAL OR TRILATERAL TRANSNATIONAL ACTIVISM?

In addition to the limited scope of the NAALC, another reason for the lack of *trilateral* transnational activism during the NAFTA era is the type of regionalism developed in North America, which contrasts with that of the European Union. Generally, North American regionalism is considered intergovernmental and has a low degree of institutionalization. In addition, the power asymmetries between the three states led to the identification of North American regionalism as a hub-and-spoke model in which U.S. priorities predominated. The region's integration processes prioritized trade and investment issues over social ones. After the attacks on the Twin Towers in 2001, the three governments included security and border control issues in the 2005 Security and Prosperity Partnership of North America (SPP), which lasted only 4 years. Again, U.S. interests tended to dominate, and gender and human rights issues were not included. As a result, the idea that NAFTA could be one of the building blocks for the creation of a North American community like its European counterpart (Pastor, 2011), did not materialize.

Nonetheless, there has been an increase in transnational activism in the region around labor, human rights, and environmental issues, but such organizing has tended to be bilateral instead of trilateral. In other words, the hub-and-spoke model demarcated regional political opportunity structures in relation to organizing around free trade and cross-border socioeconomic issues. As I suggested 30 years ago, one of the responses by CSOs to NAFTA's hub-and-spoke model could be to

create a “cobweb” model of mobilizing around socioeconomic justice issues:

This regrouping of regionalism would allow us to remove its specific masculinist traits of economism, dichotomised hierarchies, and concentration cum homogenisation. Instead we could start to think of regionalism as a truly relational concept which emphasises horizontal (empathetic) cooperation in a wide variety of areas. Such interpretation would create the necessary discursive and political space in which to avoid new regionalism becoming a mechanism which reinforces patriarchy. Possibly, it could entail a cobweb-model of regionalism/integration which emphasises cooperation in multiple areas, heterogeneity, respect for difference and a more inclusionary approach. (Marchand, 1994, p. 74)

Have CSOs been able to use the openings provided by the changing regional opportunity structures to develop such a cobweb model of transnational activism? In a recent article, Laura Macdonald suggests that this might be the case:

As the case of the first petition brought forward under the [CUSMA] labour chapter shows, transnational cooperation among labour unions and women’s and feminist organizations as well as migrant rights groups can contribute to the deepening of the “cobweb” model of regional cooperation that may be able to counteract the exclusionary and hierarchical tendencies in the dominant form of North American integration. (Macdonald, 2022, p. 447)

Robert Pastor’s (2011) optimistic view of the emergence of a North American community has not necessarily been shared by other analysts who have argued that the NAFTA’s regionalism model did not foster the creation of such community, at least not one in which power asymmetries would disappear and in which different actors would engage on a level playing field. The main reason for this is that the spatial restructuring of the North American political economy created a clear division of labor following a hub-and-spoke model, with power concentrated in the U.S. hub.

Moreover, NAFTA was constructed as an intergovernmental project based on very little institutionalism, in contrast to the EU. As North America’s regionalism was characterized by a hub-and-spoke model, intergovernmentalism, a lack of institutionalism, and limited to a trade and

investment agenda, the possibilities to create a truly North American community were also limited. Duncan Wood (2014) formulated it more than a decade ago as follows:

[A] trilateral vision for the region is necessary for long-term progress toward strategic goals, a dual-bilateral approach may be complementary and even achieve more in the short term. Throughout the 20 year history of the North American Free Trade Agreement (NAFTA), the bilateral approach has more often than not trumped trilateralism, and cooperation in the region has moved ahead accordingly.

As such, North America's (economic) regionalism defined (intergovernmental) bases of engagement for the three states, while also dominating the creation of political opportunity structures for transnational organizing in the region (Kay, 2005). Nevertheless, in the field of labor organizing, we do see the development of trinational transnationalism in response to the new political opportunity structures created by the negotiation of the NAFTA and the creation of the NAALC (see Kay chapter in this volume). However, Kay (2005) also found that other unions opted for trilateral collaboration from the start. Over the years, such activism has developed into a continuing and strengthened cooperation, using the NAFTA labor side agreement as one of the vehicles for defending labor rights (Kay, 2005). In the case of labor transnationalism we see the a combination of dual-bilateralism and trilateralism being developed, which indicates that region's transnational political action field is embedded in the hub-and-spoke structure of NAFTA, but which can sometimes be complemented by well-designed trilateral political strategies, as exemplified by the collaboration and solidarity between the United Electrical, Radio and Machine Workers of America (UE), the Authentic Labor Front (Frente Auténtico del Trabajo, or FAT), and the Canadian branch of the United Steelworkers (Kay, 2005). As we have seen, there were also some forms of feminist transnational activism that related to the NAFTA agreement, focusing on women's labor rights.



## GENDER-BASED VIOLENCE AND LIMITATIONS TO NORTH AMERICAN TRANSNATIONAL ACTIVISM

Transnational organizing around GBV took a different form from organizing around gender and labor issues, even though feminists argued that NAFTA played a role in increasing rates of violence against women in Mexico. Much of this organizing took the form of activism against the upsurge in femicides in Mexico, which continues to this day. As suggested before, feminist transnational activism around GBV/femicides took a different path than that of organizing around socioeconomic justice issues. One reason has been that the NAFTA and the NAALC did not provide an opening to raise GBV issues, which required feminist transnational activists to look elsewhere. Their transnational activism had to be developed in a different and complicated, multiple-layered context, a context deeply shaped by neoliberal regionalization.

NAFTA-related neoliberal restructuring of North America generated a highly competitive (globalized) political-economic space, associated with a new type of hegemonic masculinity, that of “globalization man” (see Hooper, 2000; Marchand & Runyan, 2000, 2011). From a gender perspective, the profound transformations associated with globalization were embedded in and involved changes in the existing gender order. Reflected in discursive metaphors and gendered symbolism, a new (neoliberal) hegemonic masculinity replaced the old one, which Charlotte Hooper (2000) describes as a “hegemonic masculinity [that] is being reconfigured in the image of a less formal, less patriarchal but more technocratic masculine elite with the whole globe as its playground” (p. 70).

In contrast, social issues were not part of this state- and market-driven regional agenda designed by “globalization man.” Women’s issues, defined as social issues, were perceived to be of little import in neoliberal regionalization and globalization scripts. Instead, they were framed as marginal and relegated to national spaces. In other words, GBV issues in the three countries were “domesticated” in this North American regional space. The framing of GBV issues as a domestic concern, and one could argue that social justice and human rights issues have tended to follow similar feminized/subordinated pathways, implied that they were seldomly addressed in the masculinized spaces inhabited by the region’s political and economic elites. Hence, the framing of GBV as belonging

to a feminized national space complicated the possibilities for feminist activism to become transnational.

Around the same time that NAFTA came into force, bilateral cross-border organizing emerged responding to the discovery of hundreds of bodies of young women in Ciudad Juárez, many of whom had been raped and mutilated (Marchand, 2023). In attempts to identify why these femicides<sup>2</sup> occurred, feminist activists on both sides of the border pinpointed the rapid increase of *maquiladoras* in Mexican border towns. According to these cross-border alliances, the globalization of Mexico's economy at the northern border resulted in profound social and economic transformations through the quickly expanding presence of *maquiladoras*, low-wage export assembly plants which constituted an important source of jobs for young women, many of whom migrated from the country's interior (Sklair, 2013). Feminist activists concluded it was no coincidence that these femicides occurred simultaneously with the adoption of NAFTA, which they saw as the embodiment of globalization. They argued that the rapidly expanding *maquiladora* sector generated social transformations that provided a favorable terrain for femicides to be committed.

Yet, while acknowledging the connections between economic globalization, as embodied in NAFTA, and increasing occurrences of femicides, these feminist activists did not use NAFTA or its labor side agreement to push the North American political agenda on GBV. Instead, they used Interamerican and UN human rights frameworks in their struggle to make the Mexican government accountable for not taking the femicides seriously (Marchand, 2023; Staudt, 2008). In other words, we can observe a bifurcation in feminist transnational activism between mobilizing around GBV/femicide issues and socioeconomic justice organizing. These distinct spaces and trajectories of feminist political activism resulted from CSOs adjusting to distinct political opportunity structures and political action fields. In the case of GBV/femicides, local activists initially demanded that local and state authorities take the issue seriously, something which did not occur. Turning to their counterparts in El Paso, Texas, the border city across from Ciudad Juárez, they started to pressure

<sup>2</sup> Femicide is usually defined as the killing of women for "being women" or gender-related motives. *Feminicidio* was initially coined in Mexico to also implicate the state for not addressing these killings seriously, resulting in impunity for the perpetrators (see CLADEM, 2007; Marchand, 2023).

Mexican authorities from both sides. This feminist cross-border activism has been widely documented and fits what Keck and Sikkink have called a “boomerang effect,” where local organizations reach out to their counterparts abroad as well as international organizations to heighten the political pressure on local or national authorities (Keck & Sikkink, 1998, pp. 12–13; Lagarde y de los Ríos, 2008; Staudt, 2008).

After the first reports of femicides in 1993 in Ciudad Juárez, local groups that supported family members of the murdered young women started to pressure municipal and state authorities about these murders and disappearances, but to no avail. However, as Ciudad Juárez is located at the Mexican-US border, across from El Paso, Texas, these groups were able to tap into already existing connections with their American counterparts to increase their pressure (Staudt, 2008). As these cross-border alliances were getting stronger and able to mobilize public opinion, thereby increasingly pressuring authorities on both sides of the border, they were able to “circumvent” the region’s spatial restructuring and hierarchization between a globalized and masculinized North American political economy and the three “feminized” national spaces dealing with social justice, and in particular feminist, issues. An important successful element of this bilateral cross-border organizing was that these alliances used a different political opportunity structure and took their activism to a different transnational political action field, that of the Inter-American human rights regime and the UN system related to gender equality and women’s rights. They were able to do so because Mexico has signed and ratified the American Convention on Human Rights as well as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its Optional Protocol. This means that in both instances, individuals or groups of people are allowed to submit complaints or petitions that denounce violations mentioned in either one of the conventions. However, the Inter-American human rights regime carries more weight because its Court can actually rule against a member-state. In the case of CEDAW, to which the alliances also submitted a complaint, the CEDAW Committee can start an inquiry into the complaint, under the Optional Protocol, but cannot pronounce a judgment.

Feminist transnational activists and their supporters used the opportunity structures provided by the Inter-American human rights regime and CEDAW’s procedures against violations of gender equality and women’s rights to demand justice for the femicide victims in Ciudad Juárez. In

the process, they gained much visibility and strength in North America and beyond. Women's groups brought the case of the *Campo Algodonero* (Cottonfield), a field where the bodies of eight women who had been tortured and murdered were found in 2001, to the Inter-American Court of Human Rights (IACHR). In 2009, the Court adjudicated against the Mexican government. The IACHR judgment represented an emblematic victory for feminist transnational activism in Mexico and beyond (IACHR, 2009; Marchand, 2023; Staudt, 2008). As a result of the organizing around GBV/femicides, subsequent Mexican governments have passed legislation and formulated policies to counter femicides, although the annual number of femicide victims continues to increase (CLADEM, 2007; Índice de Paz México 2024, 2024; Observatorio Ciudadano Nacional del Femicidio, n.d.).

At the same time, the success of feminist transnational activism in the *Campo Algodonero* case has been met with a backlash. As part of the judgment by the IACHR, the authorities in Ciudad Juárez were obligated to create a memorial for the victims of femicide. However, city authorities appear to have engaged in concerted efforts to make the memorial invisible for visitors, as no information is made available to them, and posters, which identify missing young women are systematically taken down by the city's cleaning crews. Local feminists claim that this is done to improve the city's image and attract foreign investment (La Silla Rota, 2019; Marchand, 2023).

In the next section, I will address whether, in more recent times, any major changes have occurred that could affect transnational feminist activism.

## A REGION IN TRANSFORMATION: IMPLICATIONS FOR FEMINIST TRANSNATIONAL ACTIVISM

“North America” has undergone many transformations since its political, economic, and social restructuring of the 1990s and 2000s. Over the last 20 years, we have witnessed many crises, events, as well as different kinds of transnational activism in the region. To start, the financial and economic crises of 2007–2009 seriously affected the regional political economy, encouraging protectionist tendencies, especially in the United States. In addition, since 2001, security concerns have been firmly placed on the regional agenda and received additional attention with the War on Organized Crime that Mexican President Felipe Calderón started in

2007. At the same time, environmental degradation, water scarcity, and climate change in the region have also assumed crisis proportions, while the COVID-19 pandemic has really impacted upon the regional political economy, with as a result the current nearshoring activities in Mexico. North American regionalization received a boost when Donald Trump became U.S. President and forced Mexico and Canada to negotiate a new trade agreement. This finally resulted in the ratification of USMCA in 2019, after the Democrats included stronger labor regulations.

Moreover, poverty and spiraling crime in Central America's northern triangle have resulted in increasing numbers of people in situations of mobility, which has fueled anti-immigrant rhetoric and policies, especially in the United States. Human, and civil rights concerns have also been squarely placed on the political agendas of the three countries, with the 43 disappeared students of Ayotzinapa in Mexico, with Canada's National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG), and with the Black Lives Matter movement originating in the United States. Feminist and gender issues also received considerable attention through #MeToo movement, the women's marches in Mexico (on March 8, International Women's Day) against GBV, and the rescinding of *Roe v. Wade* by the Supreme Court in the United States contrasting with the legalization of abortion by the Mexican Supreme Court.

Turning to feminist transnational activism around GBV, what are the recent transformations that have most influenced or may have the potential to significantly influence such activism? Are political opportunity structures changing, and can the framing of GBV as a domestic issue be challenged? I identify some important shifts that may open up spaces for bilateral or trilateral feminist activism around GBV issues to emerge. The first one is that gender issues have now been included in the foreign policy agendas of the three states. Canada and Mexico have formally adopted feminist foreign policies, which certainly can be improved, but which indicate a broad commitment to gender issues. In the case of the United States, although there has been no formal introduction of a feminist foreign policy, gender issues are being addressed through foreign policy initiatives. The concurrent changes in all three states' foreign policy orientations are a signal that the hitherto masculinized regional political economic space is more receptive to gender issues to be placed on the regional agenda. The orientation toward a more gender-inclusive foreign policy agenda by the three states has laid down the bases of a new

(transnational) political opportunity structure that opens up possibilities for feminist activists to mobilize around GBV/femicides. If successful, it would mean that GBV/femicide issues are being included in regional policymaking and thus being “de-domesticated.” However, the future of regional feminist foreign policy initiatives very much depends on the outcome of the presidential elections in the United States in November 2024 and federal elections in Canada.

An early sign that opportunity structures are changing and that gender issues are taken more seriously by the three governments is the discussion that occurred around the inclusion of a gender chapter in USMCA. Although a gender chapter was not part of the final text, mostly due to the opposition by the Trump administration, language referring to gender equality was included (Macdonald, 2022). Cecily Fasanella and John Burzawa (2022) argue that the USMCA agreement and North American trade are important tools for the empowerment of women:

The United States, Mexico, and Canada set out to modernize their trade relations through provisions of the USMCA. The Biden administration’s “worker centric” trade agenda takes this initiative a step further, implementing the agreement in a manner that underscores the importance of economic inclusion for underrepresented groups in international trade. This focus may provide the foundation that women workers and entrepreneurs need.

Although these recent developments provide opportunities for transnational activism to regionally mobilize around labor and women’s rights, there are limits. In particular, the view espoused by Fasanella and Burzawa (2022) taps into a (neo-)liberal gender approach, which has received much traction since the World Bank’s Gender Action Plan of 2007–2010 titled *Gender Equality as Smart Economics* (World Bank, 2010). This approach to women’s empowerment has been criticized for being too narrow and one-dimensional, as it primarily focuses on economic empowerment and marginalizes social dimensions, such as care work (Bergeron, 2011).

Depending on what strategies transnational feminist and labor activists develop, language referring to gender equality can provide a window of opportunity to address trade and labor-related issues that affect women. It is for transnational activists to decide which issues to address, which

political strategies they should use, and with whom they will collaborate. Since the ratification of the USMCA agreement, one gender-related issue has emerged. On March 23, 2021, a complaint was submitted under the labor chapter of the agreement by the Centro de los Derechos del Migrante, Inc. (CDM) on behalf of Adareli Ponce Hernández and Maritza Pérez Ovando and their co-workers<sup>3</sup> (Bensusán Areous & Briseño Fabián, 2022; CDM, 2021; Macdonald, 2022). The complaint stipulates that Mexican women are systematically discriminated against in the hiring of agricultural and non-agricultural workers under the H-2 visas, and that the American authorities have not taken any measures to put a halt to this situation. In response, U.S. officials promised to address the issues mentioned in the complaint. However, when more than a year later, still nothing was done, the CDM filed another complaint with additional evidence on March 31, 2022. So far, the issue remains unresolved (CDM, n.d.).

As Bensusán Areous and Briseño Fabián (2022) clarify, the USMCA agreement contains structural inequalities which make it more complicated for the Mexican authorities to file a claim about labor conditions than for its two counterparts Canada and the United States to file claims against Mexico (pp. 10–12). It is, therefore, interesting that the first gender discrimination-related claim under USMCA has been initiated by the Mexican government. It may be too early to assume that its new agreement is significantly altering political opportunity structures and the transnational action field. Much will depend on future developments, including the 2024 presidential elections in the United States. So far, however, the hub-and-spoke model does not seem to have been eliminated, as the transnational mobilizing in the context of USMCA is still largely bilateral. Moreover, the effect of the USMCA agreement is that the only gender equity issues that can be raised in its context are contained in Chapter 23 of the agreement, dealing with labor issues (Macdonald, 2022). As GBV issues are not included in the USMCA agreement,

<sup>3</sup> Transnational allies that supported the complaint include the *Alianza Nacional de Campesinas*, the American Federation of Teachers, the AFL CIO, the *Centro de Apoyo al Trabajador*, the *Centro de Apoyo y Capacitación para Empleadas del Hogar*, the *Centro de Derechos Humanos de las Mujeres*, and the *Red de Mujeres Sindicalistas* (Bensusán Areous & Briseño Fabián, 2022).

apart from in the workplace—entailing a continued silo-ization of socio-economic vis-à-vis GBV issues—they need to be addressed in the context of different political opportunity structures and transnational action fields.

As demonstrated, North American regionalism continues to prioritize political, economical, and security issues, at the expense of women's, human rights, and environmental issues. However, as GBV issues have become a priority in all three societies and are also addressed in the context of feminist foreign policies, a de-domestication of GBV issues may be on the way. All three societies face GBV issues, with spiraling rates of femicides in Mexico, ongoing concerns in Canada related to missing and murdered Indigenous women, and alarming signals about GBV in the United States with race, ethnicity, and citizenship as defining factors (Jónsdóttir, 2022; Mulla, 2018; National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019). These developments may very well generate the contours of a new context or transnational political action field in which feminist activists from the three countries can coalesce and organize regionally. In the next section, I will discuss two examples of such initiatives, the first one as an example of trilateral organizing, while the second one as an example of circumventing the hub, by bringing the two “spokes” together. The latter could be seen as a cobweb model of regionalism.

The first example addresses GBV against indigenous women and girls in the three countries. Interestingly, it is a response by the three respective governments at a North American Leaders' Summit (NALS) to social activism around this issue in 2016. According to a background paper from the U.S. Department of Justice, Office on Violence Against Women:

[a]mong the many commitments announced at the NALS was a tri-lateral commitment to address the high levels of violence against indigenous women and girls that exists across North America. This commitment appears in the White House Fact Sheet on Key Deliverables for the 2016 North American Leaders' Summit under the “security and defense” pillar. All three countries agreed that the high levels of violence endured by indigenous women and girls across the region warrants increased attention and coordination, resulting in the formation of the new North American Working Group on Violence Against Indigenous Women and Girls (the Working Group), which met for the first time on October 14, 2016, in Washington, D.C. (2016, p. 1)



Since this first announcement, there have been five annual meetings of the working group in the period from 2016 to 2023 (no meetings were held in 2020 and 2021 during the COVID-19 pandemic). These meetings are intergovernmental and consultative in nature, resulting in joint statements, but with no legal commitments attached (The White House, 2022, n.p). Nevertheless, in the process, GBV against Indigenous women and girls has been framed as a security issue, which means that it has been prioritized on the regional security agenda, generally considered to be a highly masculinized space. That same space is now opened up to transnational social, feminist, and Indigenous activists, as the meetings have generated a space for stakeholders to become involved. While the meetings have not resulted in any legally binding commitments, they have resulted in a “de-domestication” of GBV, especially against Indigenous women and girls, and may be the first indication of a shift toward a regionalized transnational political action field around GBV. At the same time, the framing of GBV against Indigenous women and girls as a regional security issue depends very much on the political will of respective governments to continue trilateral cooperation on these issues and further expansion in the future. A hopeful sign in this respect is that in 2022 the Trilateral Working Group on Violence against Indigenous Women and Girls issued a statement about its initiatives at the UN Permanent Forum for Indigenous Issues (U.S. Department of State, 2022). In other words, the three respective governments have taken the issue of GBV against indigenous women and girls beyond the North American regional space. The statement also indirectly recognizes that the UN system continues to provide an important platform and opportunity structure to raise GBV issues.

What is interesting about the initiative of the Trilateral Working Group is that it seems to compartmentalize GBV issues, by focusing on Indigenous women and girls in particular and not on GBV in general. Obviously, the plight of Indigenous women and girls has been exceptionally bad and deserves to be prioritized, especially taking into consideration the colonial-historical background, which still affects Indigenous women and girls. However, in all three societies, women from all backgrounds and with different identities have been victims of GBV, including femicides, and this situation merits being addressed in its totality.

In sum, GBV against Indigenous women and girls has been elevated to a trilateral regional security issue by the three governments. This would not have happened without the pressure and mobilizing by Indigenous,

feminist, and human rights activists in the respective states. The result is the creation of a trilateral regional opportunity structure, which can be used by transnational activists. However, this begs the question as to the limits of this political opportunity structure, as it has been generated by the three governments. Could it become less hierarchical and follow a more egalitarian, cobweb-like model of regionalism?

The second example involves a solidarity network that involves spoke-to-spoke activism. The No More Blood in Mexico (10+) solidarity network started in 2011 as a Canadian-based university and Amnesty International initiative to generate awareness in Canada about the human rights violations and violence in Mexico. An additional goal was to pressure Canadian authorities “to put the protection of human rights at the heart of their engagement with Mexico” (No More Blood in Mexico, 2021a). Although initiated within the borders of one member state, Canada, the initiative has brought together transnational activists in both countries. The 2011/2012 initiative involved a speaking tour entitled “No More Blood: Struggles for Peace and Human Rights in Mexico” for which four Mexican human rights activists were invited to share their experiences (No More Blood in Mexico, n.d.). These efforts raised awareness about the human rights situation in Mexico among Canadians. With the disappearance of the 43 students of Ayotzinapa, the awareness among Canadians about the violence in Mexico only increased with much organizing and awareness raising, especially at universities, as a result. This set the stage for a second set of activities related to the one in 2011, ten years later in 2021: No More Blood in Mexico 10+, in 2021. As it was still taking place during the COVID-19 pandemic, the event was organized online and involved six speakers from different organizations in Mexico (No More Blood in Mexico, 2021b). The topics addressed by the speakers involved the human rights situation in Mexico, the unprecedented amount of disappeared individuals including the 43 students from Ayotzinapa (more than 92,000 by the time of the event), gender discrimination in the workplace, discrimination against Indigenous women and human rights violations against migrants (No More Blood in Mexico, 2021b). Although the initiative extends beyond the issue of GBV, it illustrates the interconnectedness of these different issues and that they should not be “siload.”

In raising these issues, the No More Blood in Mexico 10+ initiative joins other CSOs and groups that have increasingly mobilized around social and environmental justice as well as human rights in Mexico,

including GBV and femicides. One such organization is the Americas Policy Group (APG) that defines itself as “a national network of Canadian civil society organizations working for human rights and social and environmental justice in Latin America and the Caribbean. It brings together over twenty international development and humanitarian NGOs, human rights organizations, labour unions, faith-based and solidarity groups, and research institutions” (APG, n.d.). One of APG’s focal points is the human rights situation in Mexico, including GBV and femicides. Working closely with counterparts in Mexico, the APG is involved in advocacy work directed at the Canadian government, specifically Global Affairs Canada (GAC). Since 2018, it has participated in consultations with GAC ahead of the annual meeting of the Canada-Mexico Bilateral Dialogue on Human Rights, which was initiated in 2017 (Cooperation Canada, 2018).

As a result of increased activism, awareness raising, and advocacy in Canada about the human rights situation, including GBV and femicides, in Mexico, new transnational spaces and opportunity structures are emerging. Importantly, this includes a transnational space for bilateral organizing between the two “spokes,” which has been grassroots generated but has been facilitated in recent years through the annual meetings of the Canada-Mexico Bilateral Dialogue on Human Rights. What this second example also suggests as a way forward for transnational activism is the importance of breaking down barriers between different siloed issues. This involves an (egalitarian) cobweb model of regional organizing, including feminist transnational activists, as well as human rights and Indigenous activists among others.

## CONCLUSION

In this chapter, I have addressed the challenges and possibilities for feminist transnational activism in North America. North American regionalism has generally been structured according to a hub-and-spoke model, and with the ratification of NAFTA it has been trade and investment-oriented. Tracing feminist transnational activism since the NAFTA negotiations, there appear two trajectories for such activism. The first trajectory is related to socioeconomic justice issues and has been dominated by bilateral transborder organizing, focusing in particular on the poor conditions in the *maquiladora* sector. In other words, it has followed the hub-and-spoke model that characterizes North American regionalism. Few cases

were brought before NAALC, and only one dealt with gender discrimination. Interestingly, this claim was not put forth by feminist transnational activists.

Feminist transnational activism around GBV/femicides followed a second trajectory, as the NAFTA agreement did not provide openings for raising these issues. Moreover, the three governments initially addressed GBV/femicide issues as domestic concerns and did not place them on a regional policy agenda. Trying to overcome this domestication of GBV/femicides, feminist transnational activists in Ciudad Juárez and El Paso turned to the Interamerican Human Rights system and, in a second instance, to the UN system's focus on gender equity. They were successful as the Inter-American Court of Human Rights found in favor of their case and obligated the Mexican government to take necessary measures to reduce GBV and femicides. Although a legal framework and several policies against GBV/femicides now exist, the actual yearly number of victims has increased.

Over the last 5–10 years, existing opportunity structures and transnational policy fields for feminist transnational activism in the region have undergone changes and continue to do so. The ratification of the USMCA agreement, the adoption of feminist foreign policies in Canada and Mexico and a more gender-inclusive orientation in the United States, as well as heightened attention to GBV directed at Indigenous women and girls in the three states, are some of the elements that have contributed to such transformations of regional opportunity structures. Although this process is still ongoing, there are some indications that GBV/femicide issues are being “de-domesticated” and that there are government-initiated regional trilateral spaces emerging to address them. And, as the second vignette illustrates, there is now increasing bilateral spoke-to-spoke activism addressing human rights issues, including GBV. Finally, the USMCA agreement is more gender-inclusive than its predecessor, which has already resulted in the first case about gender discrimination in workplace, initiated by the Mexican government against the United States. Maybe, thirty years after NAFTA was ratified, there are now new opportunities for a different kind of, grassroots-initiated, cobweb-like model of regionalism that is based on more egalitarian and inclusive structures.

Now, about 6 months since I wrote the previous, slightly optimistic lines, the geopolitical panorama for the region looks markedly different and much more pessimistic from a gender and feminist perspective.

With Donald Trump assuming the US presidency in January 2025, many policies, including Diversity Equality and Inclusion (DEI) policies and commercial tariffs, have been targeted. This potentially implies that ongoing processes of regionalization in North America as well as existing regional FFPs are being undermined. Could this mean a “re-domestication of GBV femicide issues or will civil society actors, as well as governmental actors in Canada and Mexico, be able to resist such re-domestication? At the moment of this writing it is difficult to predict which scenario will be played out. However, now more than ever, a spoke-to-spoke transnational activism is what is called for.

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## CHAPTER 11

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# Reflections by a North American Transnational Activist, Dr. Carlos Heredia

*Esther Jimenez Atochero*

The period of the negotiation of the North American Free Trade Agreement (NAFTA) led to the forging of new ties between activists in Mexico, the United States, and Canada. To gain more insight into this story, we interviewed the influential Mexican civil society activist and academic, Carlos Heredia, who played an important role in this period. Heredia is an economist and academic with transnational ties across Latin America, the United States, and Canada. He has held Senior Positions with Mexico's Treasury Department and the government of Mexico City. He was a Senior Advisor for International Affairs to Lázaro Cárdenas, the former Governor of the State of Michoacán, and has been an Advisor to the Foundation for Democracy since 2000. His expertise and experience with NGOs such as Equipo Pueblo and Iniciativa Ciudadana para la Promoción de la Cultura del Diálogo, among others, and for over 30 years, make him

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Interviewed by Esther Jimenez Atochero, MA.

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an important figure and leader in the transnational activist movements. He was strongly involved with civil society during the early negotiation of NAFTA in the early 1990s, critiquing its exclusionary nature during and after its development.

Heredia has served since 2012 on the Advisory Board of the Mexico Institute at the Woodrow Wilson Center in Washington, DC, and served as a non-resident Global Fellow in 2020–2022. He is a founding member of Comexi (Mexican Council of Foreign Relations) and co-director of the Bi-National taskforce on the US–Mexico border. Moreover, he is an Associate Professor at the Centro de Investigación y Docencias Económicas (CIDE), in Mexico City, and has published several books including *Geopolitical Landscapes of Donald Trump: International Politics and Institutional Characteristics of Mexico-Guatemala Relations* (Routledge, 2022), and *Estados Unidos: Política Interna y Tendencias Globales* (Fondo de Cultura Económica and CIDE, 2017, co-edited with Susana Chacón).

Heredia is a graduate of McGill University in Montreal and also attended Université Laval in Quebec City. He has served as an advisor to the former Canadian Agency for International Development, and to Development and Peace—Caritas Canada.

We had the opportunity to discuss his personal involvement in activism, the relations between the different sectors of society in trade negotiations, and the future of transnational activism in North America. In this chapter, we share some extracts of our conversation.

**Esther:** During all these years of your involvement in activist initiatives, what are your greatest lessons? What have been the most significant challenges and opportunities in transnational activism?

**Carlos:** Well, maybe I could talk about three main lessons.

The first one was that, in the traditional old political system of Mexico, it was assumed that any international action of a Mexican had to conform to the Mexican government's view of things. That is, sharing citizenship automatically translated into sharing the same vision of things. When I participated in the [creation of] cross-border alliances between Canada, Mexico, and the United States during 1992–1993, it became very clear that this traditional view corresponded to a vision of a single party, in a closed economy. It became evident that it could no longer be expected that a Mexican citizen, by virtue of the fact of being Mexican, would automatically and systematically agree with the positions of the Mexican government regarding what was being discussed in NAFTA 1.0. So maybe

that's the first lesson. That sharing citizenship does not equate to sharing a vision of the world, much less public policy proposals.

A second lesson closely linked to the first one is that I was obviously much more in agreement, and I still am 30 years later, with my American and Canadian colleagues with whom we made alliances than with the Mexican negotiating team, whom I knew but [with whom I was] on politically opposed sides. I found much more affinity in labor, environmental, social, and cultural aspects with the allies with whom I worked. I found rather important differences with the Mexican negotiating team, which maintained a very orthodox position, and, to a large extent, I would say it was subordinate to Washington's position. The position of the government of Mexico at that time was: "We are going to do what we have to do to get the treaty approved." In fact, \$100 million was spent lobbying trade expert firms of U.S. lawyers to make sure the vote in the House of Representatives was favorable. They lobbied especially members of Congress of Mexican or Latin American origin to vote in favour of NAFTA 1.0. However, we [the activists], who were much closer to churches, academics, trade unionists, and popular Indigenous organizations, naturally created an alliance with those who were concerned that the trade pact would exacerbate inequity in our societies.

Perhaps, the third lesson is that, although we lost the vote in Parliament and in the two Congresses, two decades later, several of the approaches that we had put forward had gained traction. The United States–Mexico–Canada Agreement (USMCA) recognized the fact that labor and environmental issues were not parallel or complementary agreements but part of the central content of the USMCA instead.

I would say these three lessons have given us a broader and deeper understanding of transnational activism.

In one of the memoirs of President Carlos Salinas de Gortari, he mentions that we—the Mexican groups that were critical of NAFTA 1.0 and who formed transnational alliances—were traitors to the homeland because we preferred to ally ourselves with foreign interests rather than support our government. [However], over time, what we concluded was that it was not trade measures that were at heart being negotiated. A country project was being negotiated. A partnership project was being negotiated. A national project was being negotiated. A social pact, indeed, even if it was not part of the domestic political process. Over time, of course, we realized that free trade agreements (FTAs) were a way to codify the kind of society that was sought. These treaties and negotiations ensured that whatever government was in power, it would implement a policy that consisted of trade liberalization and the privatization of public enterprises and public goods. According to President Salinas's chief of staff, José Córdoba, this was like a kind

of insurance policy with a shield: Mexico would have to continue implementing that [neoliberal] economic policy, that trade policy, that financial policy, for decades forward. And Mr. Córdoba was not so wrong, because 24 years later, Andrés Manuel López Obrador became president, and he gave continuity to policies that he had opposed and criticized for decades.

**Esther:** During this period, what was the role of civil society and activists during the negotiation of NAFTA? What was their involvement?

**Carlos:** Let's see. We were focused on demands for social justice, inclusion, care for the environment, and recognition of multicultural societies. We were defending the territories, the water, the public goods, the nature. We thought the treaty was going to undermine our societies' ability to decide on their own futures... by promoting counterproductive policies in environmental matters, labor matters, and so on. So, our role, both activists and popular organizations and social movements was: "That's not the kind of society we want. We aspire to a society that does not privilege a small handful of people"—as if the only ones who had a voice were the exporters.

[...]

At the end of 1992, the beginning of 1993, a group of activists had a memorable meeting with a Mexican official, then the Deputy Secretary of Commerce—and I stress this because we were maybe 15 activists with the Deputy Secretary of Commerce and his advisers. He starts the conversation by addressing us: "You must thank me for receiving you, because, well, what do you do?" And the first question he asks us is: "What do you export?" To our great fortune, one of our colleagues with a very agile mind answers: "We export a lot of Mexicans, that's what we export. Workforce. People. Men. Women. Young people, and *un chingo* (a whole lot) of them. And by the way, we have been doing it for a century and under these conditions, we are going to continue doing it. Therefore, we would like the labor aspects to be part of the treaty, because since you are going to approve it anyway, it is important that you include labor issues."

But they said "No." They said that labor issues were separate and that they had nothing to do with trade. It was so absurd... We thought that it was a matter of time for it to be included in the trade agreement. But even today, [even though there are new mechanisms in the USMCA to promote labor rights], some labor aspects are not included. Undocumented Mexican workers in the United States were not included. Neither were workers with papers. Therefore, this demand is still a pending issue today. On the other hand, Mexican workers who work for U.S. companies in Mexico were included, although the ability to monitor and evaluate demand and labor demands is unilateral. It is exercised by U.S. unions regarding the labor rights of Mexican workers in U.S. companies in Mexico. Nothing is done

about the labor rights of Mexican workers in the United States, whether they have immigration papers or not.

That was the role of civil society and activists as social subjects. We outlined the kind of social contract that should exist. However, they told us repeatedly that those were national, domestic issues—that those issues should be dealt with by Liberals and Conservatives in Canada, by Democrats and Republicans in the United States and by the Partido Revolucionario Institucional (PRI) and everyone else in Mexico.

Labor rights were considered national “things,” not transnational “things.” It was very interesting because look at this: in Canada, Mexico, and the United States there is the Business Council of Canada, there is the Business Coordinating Council, and there is the Chamber of Commerce, respectively, which are transnational organizations of the large transnational corporations.

Why should there not be alliances at the labor rights level? They would say: “Oh, no, because the unions are going to ruin everything.” At the time, the prevalence of double standards was very flagrant. That is, those at the top can ally among themselves—the two presidents and the prime minister, the business chambers, the CEOs—but the peoples below cannot, because they thought that it was interference in the internal affairs of each country, and that labor issues are internal issues, not transnational issues.

That was our role, to point out how the FTA was initially put on the table, since it was a charter of corporate rights, basically, that excluded social, labor, environmental, and cultural rights, and that even hindered the transnational linkages of these social subjects. However, it was always clear to us that governments and exporters should not be considered the only subjects of the free trade negotiation. That was clear to us from the beginning, and we handled ourselves that way.

[...]

We were always present [in the conventions and conversations] even when they did not invite us, obviously, rather they tried to expel us. Nonetheless, if the negotiation was in Toronto, we would go to Toronto, if it was in Denver, we would be in Denver, if it was in Cancún, we were going to Cancún. In other words, we were there to present consensual trilateral approaches that clashed head-on with the views of the establishment, of the status quo, of those who saw trade negotiation, basically, as paving the way for transnational corporations, to give national treatment to foreign investment in each of the countries. So, that was our role.

**Esther:** And what about the role of academia? What was its involvement? And how did you engage in the conversation as an academic also?

**Carlos:** Let’s see. Let’s say that in academia, a hegemonic vision prevailed and perhaps continues to prevail. It is, a vision—if you want to call it

neoliberal—or the vision, let’s say that has been the continuity of the structural adjustment of the Washington Consensus since 1989<sup>1</sup> to this day. Even when there is a growing number of critical voices, there is no policy shift. But there were professors and researchers in those days who individually worked on critiquing these assumptions.

We did a very thorough job of critiquing structural adjustment, not only in the United States, Canada, and Mexico but with researchers from practically all over the world. We had a network of economists—by the way, it was extraordinary to link up with Asian economists from India, Malaysia, from Japan, who helped us look at the same issues but from a different geopolitical perspective. The role of the academy with which I was linked was basically to critique the hegemonic arguments from a perspective of international political economy.

We participated in many international forums. I systematically attended the annual meetings of the World Bank and the International Monetary Fund. We went to the meetings of the Organization for Economic Co-operation and Development (OECD), the meetings of the United Nations Conference on Trade and Development, and other United Nations agencies. If you must rescue one thing that Martin Khor, a Malaysian economist, told us back in the early 1990s it’s this: “Well, you tell the *gringo* and Canadian and Mexican economists that since they believe in the law of comparative advantage, then Mexico comparatively has a lot of labor. Then they must take advantage of the abundance of labor for the benefit of the Mexican workers. Canadians and Americans have technology and capital, you have labor. Use comparative advantage.”

But the Mexican government refused to even raise the issue of labor mobility, on the grounds that it would never be approved by the U.S. Congress, nor the Canadian Parliament. However, we saw it in a different way. That is, if you enter a negotiation saying I am not going to raise what I think, or what my electorate is asking me, because the others are not going to approve it, then what kind of negotiation is that? In other words, you censor yourself, you self-suppress because the other is not going to approve it. Well, but do you want to raise it, yes or no? And they said yes, but they never raised it. So, the whole issue of labor mobility was completely left out.

And here, I want to explain the connections of the organizations in the three countries that were established through churches, academia, unions, and so on.

<sup>1</sup> On the Washington Consensus see <https://www.piie.com/blogs/realtime-economic-issues-watch/what-washington-consensus>.

At the end of the 1990s, we began to propose that the problems of the three countries should be addressed from the perspective of widening economic, gender and racial inequalities, where 1% has most of the wealth and income and keeps amassing it in an accelerated way, to the detriment of the rest of the population. This would mean that we faced common challenges.

Back in the early nineties, the position of some of the Americans and Canadians was one of solidarity with Mexico, which was the junior partner, the weakest, and the “underdeveloped.” But for us, the political economy approach implied that we needed to build joint answers to those common challenges. The United States and Canada are also polarized societies, where the concentration of wealth and income is sharpening and where financial capital is causing that inequality to be perpetuated and become eternal.

I think that it was a fourth lesson: transnational activism has more of a future if we rise together to face our shared challenges and provide joint responses that we must give or want to give to those shared challenges. Because otherwise, it would seem very condescending. In other words, we are in the same boat, in the same economic system, and therefore, you, too, must face challenges that are present in all three countries.

[...]

It is essential to highlight that the national conferences of Catholic bishops played a very important role in the movement. I was already familiar with them because when I lived in Montreal, I worked closely with the Canadian Catholic Organization for Development and Peace. This organization of the Canadian Catholic bishops was very progressive. They didn’t really consider the agenda of free trade as something central, but promoted an agenda of development and peace instead. They understood development as the ability of each person to grow as a human being, to grow as a community, to grow in the sense of well-being, of food, education, health satisfaction, etc. And so, that has also been very important because, at least in Mexico, the Catholic Church is present in every corner of the country and has credibility. Perhaps, it has been falling, and the number of those faithful to different denominations has been increasing, especially evangelicals, as in Central America. But still, the Catholic Church is a very present body territorially, and although the hierarchy is conservative and always wants to be close to power, there is a very important nucleus that is committed to these social, cultural, labor, and environmental demands.

**Esther:** It seems that the Catholic Church also played a significant role then. How were the relationships among these distinct circles during the pursuit of a common goal? Has the relationship shifted, or is it maintained in the present as well?



**Carlos:** Look, there is a phenomenon that is not so clear—at least in the United States or Canada—but it is very clear in Mexico, in Central America, in the rest of Latin America. The Jesuits are, by far, in Mexico, perhaps along with the Dominican Friars, the most progressive church congregation in social and educational terms. In a systematic way, we find that those Jesuits were dedicated to what they call popular action, social work, and pastoral care, etc., because we had the same demands... The Jesuits have a university network in Mexico that features several of the most important universities in the country: Universidad Iberoamericana in Mexico City, Tijuana, and Torreón, in Puebla, in León, and ITESO in Guadalajara. They are universities with an enormous impact in Mexico and in Central America, even more. That is, and I include Central America in the picture, because, in fact, that is also another of the lessons. We gradually saw how an area, a transnational security perimeter, was being configured from the Panama Canal to the Arctic Ocean.

In Central America, Jesuit universities became poles of critical thinking. They were the progressive part of the private universities, but in countries where institutions are extremely weak, and governments are controlled by economic, political, and military elites that put profit and power ahead of the people. These universities are among the few actors that have consistency, that have resilience, that have a proposal, that give a voice to indigenous peoples, to peasants, to the workers. And then the churches, the progressive sector of the United States Conference of Catholic Bishops, became very important actors. The Vatican, especially with Pope Francis, adopted a more progressive voice on the issue of immigration and, concurrently, on the issue of labor rights, and labor mobility, which was the issue that we introduced 30 years ago. While these progressive voices were important, we preferred not to talk about migration, but about labor mobility. Regulated, yes, limited to workers who would be retaining their permanent residence in their country of origin, and would be going back and forth and moving in this area that the United States considers its security perimeter. Nonetheless, I want to stress that churches are not monolithic either. Hierarchies have generally sought and maintained their closeness to power.

Allow me to tell you another anecdote. In the 1960s, 70s, 80s, and 90s here in Mexico, there was a very strong theological approach called liberation theology (*teología de la liberación*). One of the most conspicuous representatives of that current was the bishop of Cuernavaca, Sergio Méndez Arceo. President Carlos Salinas, a strong promoter of NAFTA, also promoted a reform to Article 130 of the Mexican Constitution, supposedly to give full political rights to clerics, priests, nuns, etc., but it was a kind of alliance of the ecclesial hierarchy with the political hierarchy.

So, Sergio Méndez Arceo, who had been very close to or was very close to all his life with the migrants, with the workers, etc., invited Salinas to the headquarters of the Mexican Bishops' Conference. To the perplexity of Carlos Salinas, Méndez Arceo began to speak in Latin deliberately, so that his fellow bishops could follow, but President Salinas would not understand a word of what he was saying. And President Salinas, who couldn't stand anyone being more cunning and smarter than he is, said: "Don Sergio. What did you want to tell me?" And Don Sergio, who was a sea wolf, told him: "I didn't want to say it, president, I told you already." And he forced him to ask again: "Well. What did you tell me?" and Don Sergio answered: "I told you that when it comes to you, Carlos Salinas de Gortari, I prefer a Catholic church at a healthy distance from you, than in cahoots with power behind doors. That's what I told you." Nonetheless, Méndez Arceo lost the vote, and the "marriage of convenience" between the hierarchies was made.

But the Jesuits, and the Dominicans Friars, especially the religious orders, preserved the progressive spirit that led them to embrace and promote popular and social causes.

The academy in public universities also launched a great criticism of NAFTA. Academics did a thorough study of NAFTA at the National Autonomous University of Mexico (UNAM) and at the Autonomous University of Zacatecas (UAZ).

[...]

At the personal level as an academic, it was logical for me to link up with trilingual national alliances, and we even started talking about our common interests. In 1993–1994, I lived in Washington, D.C.: this was during President Bill Clinton's administration. We worked closely with the Democrats' majority leader in the House of Representatives. He was a politician from Michigan, David Bonior, a Catholic of Polish origin; we drafted with him a proposal for a North American parliament. This parliament would give voice to and echo the citizens' concerns of the three countries. But it did not go through.

This would have been a parliament that had a foothold in the legislative part of each country, but that also sought to incorporate citizen voices from the three countries. Too bad it didn't prosper. I believe that this is one of those ideas that have not yet seen their time. It would be very important because still, the degree of knowledge of the citizens of each country with respect to the other two is less than desirable. And we know it's always going to be the case that Canadians and Mexicans know a lot more about the United States than Americans do about either of their two neighbours. Regardless, we were making a trinational partnership in commercial matters. It would therefore seem desirable for us to have a

forum where citizens can elect representatives who are dedicated to talking about problems and solutions from a trinational perspective. We needed a sounding board dedicated exclusively to discussing shared challenges and building joint solutions for the people of the three countries.

Trinational activism expressly raised this point, and we said that we were advancing from trade liberalization to shared production, but we did not get to have a common political component, even if it was not binding. It was very difficult for it to be binding because, unlike the European Union, Canada, the United States, and Mexico do not have the same context, nor share a similar philosophy. And the European Union has also had its setbacks.

**Esther:** Do you see a coordinated future between transnational activists to improve the conditions of trade agreements, such as the USMCA, including Indigenous communities with different goals?

**Carlos:** Yes, well, I'm going to introduce a very important nuance among activists as I see it. Let's say, a Latin American coordination of movements in defence of the territory, absolutely. Among activists, yes, but not among governments. There is a Latin American tragedy that is little talked about, regarding how the government of Mexico, which is classified as progressive, of the left, etc., is not what it seems. This government is horrible in territorial matters, and in environmental matters, it is truly predatory. It is a government that is inscribed in the paradigm of fossil fuels. It is a government that is plundering the soil of the Yucatán Peninsula for its *Tren Maya* (Mayan Train) pet project in a brutal way. Indigenous communities and environmental organizations are staunchly opposed to the project, given the catastrophic environmental impact it is having on an area rich in biodiversity and crucial to the conservation of the Mayan rainforest. It is a government that does not recognize activism from its left flank. That is, the López Obrador government says that its battle is against the oligarchy, but if the women's movement appears, if the LGBT movement appears, if the teachers appear, if the mothers of disappeared people appear on the left flank, it cannot stand it.

AMLO simply tells them that they are at the service of the oligarchy by lending themselves to boycotting a popular government. I do not know how you catalogue them. But in the case of Mexico, we are no longer a liberal democracy. We have an increasingly autocratic political system. And that autocratic system does not support transnational activism at all. In addition, the most agitated speeches of President López Obrador have been to denounce the United States's interference in the Mexican government and the Canadian activism led by union activists. From the [Steelworker] union who protected [Mexican mineworkers union leader ] Napoleón Gómez Urrutia in Vancouver to the automobile workers. He

can't stand that. No, he cannot accept that there is transnational activism on the left. So, to give you a short answer: I do see coordination among movements to improve conditions, but not amongst the governments.

[...]

When we did the transnational activism on NAFTA 1.0, we were fighting against NAFTA, and we were fighting against the PRI. We were in the framework of a political monopoly, of a practically one-party regime. I was a federal deputy in 1997. For 70 years, the PRI had a majority in the Chamber of Deputies, and in the Senate, and only 1 out of 32 governors came from the opposition, Ernesto Ruffo, the governor of Baja California. In other words, it was a total, closed political monopoly, a closed economy, a closed political system. Then, of course, we mobilized against the political monopoly in favor of a vision of the country, a project of the nation completely different from the one advocated by NAFTA 1.0 for the three countries.

Now, 30 years later, under López Obrador, we have a so-called left-wing government that was not going to accept mobilizations from the left flank. Never, not once, has the president of Mexico met with organizations of Mexican migrant workers, or with the mothers of the disappeared, or with the women's movements, those who do not necessarily share his views. Moreover, for us, there is a Mexican nation in the United States, where there are 38 million people of Mexican origin. During the NAFTA debate, we met with them a lot, but the Mexican government has never included them. Transnational activism is much more difficult because the AMLO government incorporated the leaders of transnational activism of the 1990s into the government itself. Therefore, they will hardly be supporting autonomous and independent peoples' movements when they are senior officials in the López Obrador government.

President López Obrador is not interested in knowing the world. He has travelled once to Central America, once to Cuba, and four times to the United States. In the four times he has travelled to the United States, there have been voices asking him to meet with Mexicans and with Mexican Americans there, to no avail. When I say Mexicans, I am talking about those born in Mexico, which are 11.2 million, and when I say Mexican-Americans, I am talking about 38 million—that is, people who have roots in Mexico of one, two, three, four, or five generations.

AMLO has categorically rejected any meeting with Mexicans in the United States, supposedly because he thinks that would be a pretext or an excuse for the United States to interfere in Mexico more than it already does. Well, yes! This philosophy is foreign policy 101. The United States of America is always going to get involved, whether Republicans or Democrats are in power, it is in their nature.

So, what you do or don't do is not going to prevent or stop the United States from having an interventionist position. It's in their nature. The government of López Obrador has totally rejected any link with Mexicans in the United States and, curiously California and Texas, the two fundamental states of NAFTA or the USMCA, which are the fifth and ninth economy in the world and have a relative majority of Latino population over the White, African American, and Asian population. That is, 40% of the population of California and 40% of the population of Texas is Latino, and of that 40%, two-thirds are of Mexican origin.

And President Donald Trump would wake up at three in the morning with sweaty hands because he had nightmares about Latinos going from 4.7% of the total population in 1970, to 19% in 2023, and 31% in 2070, almost a third of the total population of the United States.

There is free mobility of goods, services, capital, and investments, and there is no free mobility of labor. There is no regulated labor mobility other than in NAFTA visas, which are very few. The promise of NAFTA did not materialize, namely, that it would stem northward migration because there would be economic opportunity and employment at home. Mexico is sending hundreds of thousands of undocumented workers to a country that has been its trading partner for 30 years; Washington has preferred not to recognize the fact that there is a de facto unified labor market between Mexico and the southwest of the United States. We then moved from trade liberalization to production sharing and demographic integration.

**Esther:** Before ending this interview, I would like to know, Dr. Heredia, what are you working on now? What are your next goals?

**Carlos:** Well, let's say that my historical theme, in addition to integration in North America, is migration. I am preparing a piece of work where I discuss how comfortable it is to say that violence, the climate crisis, and even political crises are the root causes of migration when, I think, that extractivism and the predatory economic model, is the main root of migration.

However, governments cannot accept that because they are not willing to change that paradigm. And those who finance their campaigns and who are the true owners of each country, cannot accept that this economic model preys on, generates inequality, and expels people, particularly in the case of the countries of the South. So, I am working on a political economy analysis of migration in Guatemala, Honduras, and El Salvador, where I maintain that they are not poor countries. There are whole layers of millionaires in Guatemala, in Honduras, in El Salvador, in Nicaragua. What happens is that 1% of the population is the owner of the country and preys, preys on work, preys on nature, etc. For example, politicians have their own private armies, and so on. The Biden Administration knows this,

but they are not prepared to admit that the United States is a key part of this predatory economic model that is the root cause of migration. They say they want to establish a partnership with the people of Central America, but they give the highest priority to the continuity of militarized migration crackdown and containment, instead of making those countries livable. So, the root of the mass expulsion is in the economic model.

Some people are reluctant to call it a model, but let us say, the economic package that they have applied uninterruptedly since the structural adjustment of the FTA is neoliberalism and the mixture of all that persists until today. And in fact, at a time when we are moving toward political autocracy with president Alejandro Giammattei in Guatemala, with president Nayib Bukele in El Salvador, with president Daniel Ortega in Nicaragua and it was the case until January of 2022 under president Juan Orlando Hernández in Honduras. So, that's what I'm writing. That's what I'm preparing.

It's a job that's taking a lot of time because I'm doing a lot of interviews, I'm having conversations with the old economists and it's going to take a long time. It is an analysis of joint political economy, well, is, let's say, an analysis of public policy, an analysis of even electoral politics, an analysis of the interface of energy, the environment and, of course, populations, labor mobility, etc. When you excessively favor capital, investment flows, and suppress labor, what you have is what we have today. I mean, much more exacerbated in Mexico than in the United States or Canada, where you also have that phenomenon or, but still...

The promise of NAFTA 1.0 was that wages were going to converge. The promise was that there will no longer be northward migration because NAFTA would create many jobs, and everyone will stay in their home country. It turns out that the predatory model that reproduces this violence, this systemic violence, has expelled a huge amount of the population. This is something that López Obrador cannot assimilate either, as today the Mexican undocumented exodus has once again become the largest of all. Thirty years after NAFTA, the United States registered 823,057 arrests of undocumented Mexican workers from October 1, 2020, to September 30, 2022, twice the number of Guatemalans, Salvadorans, and Hondurans combined.

Undocumented Mexican migration was believed to have ended in 2010. They say now, it's the Central Americans. Even the Peña Nieto government said Trump's wall was conceived against Central Americans, because the cycle of Mexican migration was over, and Mexicans were no longer leaving our country. They are on the record saying that.

Thirteen years later, in 2023, because of the predatory extractivism model and the increased territorial control by organized crime, northward undocumented migration from Mexico continues to surge. I started by saying that with transnational activism, basically what we are looking for is another type of social pact, right? And I think the critique of political economy is telling us. “You’re not going to get ahead if you insist that every pact, and every international exchange, is focused on advancing the interests of a small minority.”

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