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Jornalero: the life and work of Latin American Day Laborers in
Berkeley, California

By Juan Thomas Ordonez

A dissertation submitted in partial satisfaction of the

requirements for the degree of

Joint Doctor of Philosophy
with the University of California, San Francisco

in

Medical Anthropology

in the

Graduate Division

of the

University of California, Berkeley

Committee in charge:

Professor Nancy Scheper-Hughes, Chair
Professor Beatriz Manz
Professor Philippe Bourgois

Spring 2010

Jornalero: the life and work of Latin American Day Laborers in Berkeley, California
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Abstract

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University of California, Berkeley

Professor Nancy Scheper-Hughes, Chair

This dissertation is an ethnographic exploration of the everyday life of Latin American day laborers –*jornaleros*– in Berkeley, California. Based on more than two years of fieldwork consisting of participant observation on the streets and neighborhoods these men inhabit, my research follows the daily experience of marginalization of two-dozen immigrants. Working informally on street hiring sites day laborers actively participate in the US economy while they are marginalized through the very nature of the work they undertake and a disjuncture between substantive forms of citizenship and formal recognition of their social status. This study addresses the nature of informal work, the harsh living conditions, separation from home, and contact with state and NGO bureaucracies that *jornaleros* must face to survive. I argue that the nature of day labor precludes the consolidation of strong ties of solidarity on the street, making day laborers’ ability to organize and offer each other support virtually impossible. The first two chapters describe the tenuous balance between maintaining social and labor networks and maximizing one’s individual exposure to employers amidst a life of solitude and seclusion that are products of street violence and fear of immigration enforcement. Day laborers emerge as a population isolated from the rest of US society who must become visible to make ends meet, while at the same time remaining “under the radar,” hidden behind closed doors and in fear of the world around them. I explore the various forms of racialization that the men must engage in order to learn to live in the United States and that regiment their interactions with employers. Chapter three follows some of the men on the long and tedious paths through which they try to obtain legal redress for work related abuse and injury. My research shows how the institutional bureaucracy that is supposed to help “undocumented” immigrants follows rationales that exclude their cases because they represent very little money, or are simply too complicated to make it worth their time. Sociality on the street plays an important role in this course of action, since the corner is virtually the only place where the men have access to information that can guide them in the process. I suggest that through this sociality a new subjectivity arises, one I call “street corner cosmopolitanism,” that both shapes the men’s experience in the US and hinders their access to services that they see as inefficient and that they incorrectly assume to result in contact with the police or immigration services. Amidst these interactions, I study the practices of documentation that *jornaleros* have access to and their relationship to formal and substantive forms of citizenship. Car ownership, insurance, bank accounts, and fake documents result in various practices that both make the life of “undocumented” immigrants possible –and

sometimes very similar to that of legal residents and citizens- and assure their marginalization. I develop the concept of *para-citizenship* to describe this disjuncture arguing that day laborers are governed through alternate regimes of governmentality that replicate some of the central aspects of formal citizenship but that can never be legitimized by the state. In my work this is made visible by state tactics of terror where immigration raids aimed at other immigrant populations result in a wave of rumors and panic that reinforces the notion that no matter how much access to services is available, *jornaleros* must remain invisible in order to survive. In the last chapter I explore sexuality and the tensions between the men and their families back home as they are talked and joked about at the site. The Sancho emerges as a trope through which *jornaleros* express their fears of losing their wives and children, and the very harsh reality that while many of them live almost monastic lives of poverty, they are assumed to be “living it up” in the North. Finally, I address the disarticulation of the men’s identities as husbands, fathers, and ultimately the threats to their notions of masculinity. Here the analogies between day labor and prostitution some of the day laborers joke about melt into reality as they face not only the commodification of their labor, but of their bodies as well. Day labor, I argue, renders this population vulnerable not in the specificities of each of these aspects of their marginalization, but in the ways that they are each articulated into everyday life.

To Mechas, who makes everything possible
and to Jacobo, who came along halfway through and
changed everything...

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Two Bay Area NGOs provided incalculable help during the years of fieldwork that started with an exploration of Central American Asylum Seekers and finally led me to the street corner. To the East Bay Sanctuary Covenant, its directors, and staff I am infinitely grateful for the crash course in asylum policies and the realities of the asylum application and their effects on various populations living in Northern California. My work with the day laborers in Berkeley could not have been possible without the help, friendship, and guidance of the Multicultural Institute that accompanies the *jornaleros* on a daily basis and relentlessly looks out for them. Father Rigoberto Caloca-Rivas, Paula Worby, Rudy Lara, David Cobián, and all the people who work with them truly make a difference in the lives of these men, and made my time on the corner a vibrant and intellectually stimulating experience. I am especially indebted to Paula whose own work on the site paved the way for my research and whose interest and feedback I always welcome. I am truly sorry that the exigencies of dissertation writing and my own mismanagement of time did not allow for more exchange between us after I left the corner.

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It is hard to include my family here because they are truly a precondition that has made all this possible. My wife Mechas not only survived my graduate studies relatively unscathed, but also made them fun and exciting. She is my biggest supporter, strongest critic, and partner in every sense of the word. My son Jacobo will never be able to imagine how much easier he made it for me on and off the street, both because he provided new challenges and entertainment that anthropology cannot, and because his birth allowed me to talk with my friends about fatherhood and children. My parents set the stage for my time in Berkeley about 35 years ago when they met here as graduate students. Their influence is present in every aspect of my life. To Annie, Daniël, and everyone else in the Ordóñez and Roth clans all I can say is that you are present in every one of these pages. May we never have to face such separation and estrangement.

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Introduction

The last two decades have seen a dramatic rise in the number of informal day labor sites throughout the continental United States, to the point that they have become a ubiquitous presence in most of the country's urban areas. These *paradas* or *esquinas*, as they are known in Spanish, are usually inhabited by immigrant Latin American men –mostly taken to be recent “undocumented” immigrants to this country- who stand on the curbside of outlying traffic corridors or in the parking lots of mega retail stores like The Home Depot, waiting to be hired by private citizens or contractors to do manual labor. In California, which receives the highest number of “undocumented” immigrants in the country (Hoefler, et al. 2006; Valenzuela 2003), day laborers work on construction sites, paint or work on houses and offices, maintain gardens, help individuals move furniture, and do other odd-end jobs. Although historically grounded in much older socio-economic processes and labor relations, both in the US and in Latin America (e.g. Ngai 2004; Townsend 1997; Vanackere 1988), day labor is, today, embedded in the post 9/11 political and social climate, and shaped by increasing control over the criminalized status of “illegal” immigrants (Andreas 2003a; Inda 2006). Because day laborers literally stand in plain view -unlike other “undocumented” immigrants who work behind the scenes in factories or domestic capacities – they have come to embody popular stereotypes of the “undesirable immigrant” who has entered the country illegally from Mexico, is unassimilated, and publicly engages the shadow labor market that is detrimental to the national economy (Esbenshade 2000). And while new sites seem to appear everywhere overnight and even make the news once in a while, day laborers are relatively absent from most studies on immigration in this country. It is a paradox that one of the most physically visible and vulnerable sub-groups of modern working class immigrants has been left out of the anthropological literature.

This absence might have to do with a politics of representation in the social sciences, not only of immigrants, but also of the poor in general. In an effort to demonstrate the value of marginal social classes, researchers and activists alike tend to emphasize the organization and structure of these groups, and focus on their cultural, ethnic, and political links to social movements striving for inclusion (Chavez 2001; Coutin 1993; Flores and Benmayor 1997; Zolniski 2006). This, in part, is a response to earlier “sociological” approaches to poverty which centered on the idea of “aberrance” as a key factor of marginalization, effectively blaming the disenfranchised –usually racialized minorities- for their lot, and of politically constructing poverty as a product of chaos to be acted upon and ordered. Edward Banfield (1958), for example, addressed poverty in Southern Italy as the effect of “amoral familism,” which, in conjunction with the particular form of the Italian state, rendered people unable to have economic and community oriented behavior that would enable the development of financially progressive practices. Poverty, in this perspective, was a function of aberrant cultural practices that affected the social, psychological, and political development of the region.

The now classical “street corner” ethnographies like William Foote Whyte's *Street Corner Society* (1993), Elijah Anderson's *A Place on the Corner* (2003), and Elliot Liebow's *Tally's Corner* (2003) all set out, in part, to argue against the literature on “aberrance” and to demonstrate that there were internal rationalities that structured social interactions behind the behavior of the people -all members of the “underclass”- that they studied. Rationality as opposed to chaos was also the intent of Oscar Lewis' concept of the “culture of poverty,” which

suggested that the poor's responses and attitudes towards the structures of inequality to which they were subjected were perpetuated through the socialization of children, thus constituting the development of particular sub-cultural traits (Lewis 1961; 1966). Finally, although the list could go on indefinitely, structure among the poor was the objective of the more nuanced study by one of Lewis' students, Carol Stack, who studied social networks and kinship in a destitute African American community (Stack 1974). These and other studies have aimed, at different historical moments, to illustrate that people's responses to poverty, destitution, and marginalization tend to be overlooked by theories about the poor that usually ignore the multiplicity of options present in any form of social organization. They argued against the implications that such theories could have on society, where the misappropriations of concepts like the "culture of poverty" were translated into policy. The Moynihan Report, for instance, took the disorganization of African American life as the result of self-perpetuating cultural practices, disputing the idea that they were only the effect of discrimination, unemployment, or poor living conditions. To overcome poverty then, policy had to address the psychosocial conditions of individuals and not the structural constraints to which they were subject (Parker and Kleiner 1970: 516-517).

Many of these responses to these "blame-the-victim" approaches, however, tend to overdetermined the effectiveness of the responses to poverty in daily life, thus centering on friendship, alternative ways of understanding family, participation in illegal activities as a form of substance and empowerment, and so on. Day labor sites, on the other hand, are messy places inhabited by men who are usually strangers to each other and who many times live in distant neighborhoods and only congregate around areas where their labor might be needed. And, like in the Berkeley site that I studied, there is little time to organize or create associations around this particular form of work that might have an impact on their condition. It is thus hard to make an argument about community and political organization among the men working on the street, if analysis takes the corner as the central generative social space. Although I would argue that this is probably the case in most cities in the United States, the few ethnographic texts on day laborers continue to spend a great deal of time and energy linking the sites to social organization (Malpica 2002), community formation (Turnovsky 2006), and resistance to externally managed labor centers (Purser 2009). That these insipient forms of association lack any political or social clout explains why elsewhere in the literature on immigration, day laborers, as a category, seem to appear only tangentially, as members of a more general category of immigrant—"the undocumented Hispanic or Latino" for example- in studies of the communities or neighborhoods to which they belong (e.g. Dohan 2003).

This dissertation takes a very different perspective. I explore the daily lives of two-dozen Latin American day laborers, or *jornaleros*, working on the streets of Berkeley, California, the very city in which I lived and worked as a graduate student for six years. By following these men's day to day life, I present a more disjointed picture of what it means to live on the margins of society; one in which social and political organization, and even friendship, is trumped by the very intense structures of exclusion to which *jornaleros* in Northern California—not one of the worst places to be undocumented in the US- are subordinate. In doing so, I explore various spheres of experience: labor, exploitation, urban living, family life, gender, sexuality, and the ambiguous nature of being "undocumented," linking them to current debates about immigration, poverty, violence, and citizenship. The central theme of my work follows the *everyday violence* that life on the corner entails. This perspective situates my work at the intersection of studies of social suffering (Das 2000; Kleinman, et al. 1997) and everyday violence (Bourgois 2003; Bourgois and Schonberg 2009; Goldstein 2003; Scheper-Hughes 1992; 1996). I draw on the

conditions of poverty and exclusion in order to provide an account of what it means to be an immigrant Latin American man working on the streets of Northern California. My work frames the lives of these men into what Scheper-Hughes and Bourgois have termed the “violence continuum,” where normative social spaces serve as the theater of “small wars and invisible genocides” that turn courthouses, hospitals, prisons and other institutions – I would here include informal labor sites- into mechanisms of exclusion “capable of reducing the socially vulnerable into expendable non-persons... (2004: 19). And yet the experience of the men in these pages seems not to be so violent as to warrant such a framework, unless we consider the links between day labor among “undocumented” immigrants and what Taussig has called the “culture of terror” (Taussig 1986). Here the normative mediums of experience lie in the precarious condition in which day labor is embedded, where at any given moment life can come crumbling down, where reality and illusion are mediated by rumors that make hearsay fact and vice versa. In the culture of terror representations and experience are the vehicles of an indirect form of domination from which the immigrants cannot escape. Within it lie their personal relations, their work, health, masculinity, and sense of belonging -both here in the United States and at home with the families they have left behind. Far from “American Dream” type stories of social mobility through hard work, everyday life for the day laborers I studied is embedded in activities that threaten their health, emotional stability, and their ability to survive and support their families. This vulnerability, coupled with the tensions inherent in long-term separation from loved ones, inevitably results in the fracture of identity for men who must provide for people that depend on their absence.

La parada de Berkeley

The Berkeley informal labor site is a seven-block corridor in the western part of the city, down near the freeway and marina. All along Hearst Avenue, from Ninth Street to Second Street (right on the Eastshore Freeway I580), men stand on the curbs in small groups waiting for potential employers to drive up and offer them work. A block to the north of University Avenue, one of the city’s main thoroughfares, there are only two blocks, officially designated “white zones,” where soliciting work is allowed. The upper streets have been “colonized” by the increasing number of men who use the site and have spread out in an attempt to distance themselves from other day laborers and, according to some, in an effort to avoid intimidating potential employers.

Day laborers of different backgrounds refer to the labor site in distinctive ways. I came to the Berkeley site knowing it as *la parada*, which is the term the Guatemalan men used when they told me about their work as we waited long hours in the asylum office where I served as a Spanish/English interpreter. After almost four months of hanging out at the Berkeley *parada*, I came to realize that the unexplained snickers the word aroused among my Mexican and Salvadoran friends were the product of the play on words that also make “parada” an erection¹. “¿Parada? Mas bien *esquina* ¿o la tienes parada?” my friends still joke, even as I correct myself with exasperation. I have never been able to completely avoid the mistake and instead use the more neutral term *esquina*, literally “corner,” which does not describe the entirety of the situation. Day laborers, after all, stand along the curb of a long stretch of roadway, not on “a corner.” Nonetheless, I will allow the sexual connotation of the labor site to stand in my work,

¹Parada comes from the term “to stand” and is usually used to refer to a bus stop. However it also has the connotation of “erection” in some vernaculars. Although not referred to as such on the street, the word also has the connotation of “stopped” in relation to a person who has no work.

for as I discuss later, sexual wordplays, sexuality, and gender are an integral part of these particular day laborer's lives. The terms "the corner," "the site," *la esquina*, and *la parada* all refer to the same physical space and I use them interchangeably.

Day laborers also use different terms to describe themselves and their work. The closest translation to day laborer is the Spanish *jornalero*², which is the most common word used on the street. *Jornalero* is also the official translation of day laborer used by the cities of Berkeley and Oakland on the street signs they post to direct the men and their employers to the appropriate parts of the street where they should interact. People also use *esquinero*, meaning "the man who stands on the corner." This term is not as common on the Berkeley site and only men who have been *jornaleros* quite a long time use it. *Jornalero* more clearly denotes the link between Latin American labor relations in both rural and urban landscapes, while *esquineros* is particular to day labor in cities. Finally, many refer to themselves as *un leibor*, meaning "a day laborer" in a way that ties them to the English term but also suggests their commodification. In this vague Anglicization, *jornaleros* seem to bypass the connotation of person and focus on themselves as a unit of labor.

Employers are as ubiquitous in street parlance as the corner and its inhabitants. Here everyone agrees on the term, *patrón* or its feminized version *patrona*, which are derived from the same Latin root as "patron" in English, and are used in Latin America to denote more than just your "boss," but actually something closer to the person who "owns" your labor, and to whom you owe allegiance and depend upon for sustenance. Day Laborers of all nationalities refer to their employers as *mi patrón*, which makes the relationship sound as something exclusive when in reality no man has only one employer, because by definition a *jornalero* sells his labor to different people on a daily, weekly, and, infrequently, on a monthly basis.

La parada begins to suggest itself several blocks above the site itself, on San Pablo Ave; the main thoroughfare that brings the men to work. From dawn until noon, a good observer will note the men getting off buses and walking along San Pablo, turning down towards the marina on University Avenue or one of the other more residential streets. There are never so many *jornaleros* as to make their presence conspicuous; the street itself is filled with ethnic markets (Latin American, Middle Eastern, Indian) and visited by a diverse population. I always wonder at the invisibility of the *jornaleros* up to this point. Mixed into the ethnic and class diversity of the thoroughfare, the only moment they really stand out is when they walk into the residential areas to the north of University Avenue, where suddenly they seem out of place.

Yet as you walk down Hearst Avenue towards Ninth Street (these days) their presence dominates the landscape. Suddenly they materialize as a group, standing or sitting on the curbs, chatting, drinking coffee, and eating breakfast from microwavable Ramen cups and wraps bought at the local gas stations or from one of the informal food sources that cater to the *jornaleros*. Some men seem to be barely teenagers, while others are much older, even beyond middle age. The odd man out might even look like he is well into his fifties, and I have heard rumors on other sites of seventy and eighty year old men still standing along with everyone else. *Jornaleros* stand on the curb or sit on the sidewalk as they talk to each other while waiting for potential employers. Some men don't look like they are expecting anything, but in fact just appear to be "hanging out" with friends, not paying much attention to their surroundings. As they wait there is little to do but talk and watch people walk and drive by. Most day laborers recognize the people who intersect the strip on a daily basis to the degree that when someone

² *Jornalero* shares the same etymology of journey, and more specifically journeyman. The central connotation is the term "day" which also links it to the origin of the term journal.

crashes into a parked car they might know where the owner works. Every now and then some men -like Clemente who constantly keeps an eye on the traffic coming his way- will step into the street with a raised arm trying to hail down potential employers, calling out “¡Leibor! ¡Leibor!” If someone stops, the closest man to the car leans into the window and briefly talks with the *patrón*, quickly deciding if he will take the job or not. Many times he shakes his head and turns to the others saying “paga de a 10”, or “sólo son dos horas”³. In these cases there is a brief exchange among the men on his corner who usually all shake their head, forcing the driver to continue up the street. The men, however, keep a close eye on the next group the driver approaches and laugh if they too shake their heads, or complain if someone gets into the car. Unlike the Oakland sites, as many *jornaleros* point out, in Berkeley one is unlikely to see people swarming around cars and fighting to get in. I have witnessed such scenes, however, on mornings when *la situación*- usually towards the end of the month- has everyone worried about paying their rent. In fact, a common occurrence towards the end of the month is that people miss the installments on their phone service and cannot use their cell phones, a precious commodity necessary for both work and social life. Thus, *jornaleros* who would usually refuse to work for a small wage might do so if the end of the month is near and they need money.

The *parada* transects a popular commercial district that has literally grown through it in the last decade or so (Worby 2007). Between Fourth and Sixth Street the *jornaleros* who stand on the curb are constantly passed by motor and foot traffic directed to and from the up-scale shops and businesses. The physical space here is thus not isolated from everyday, mainstream passersby (as is the case of many other sites in the Bay Area and other parts of the country), but smack in the middle of one of the city’s main commercial streets; West Berkeley’s “Fourth Street Shops” that includes not only stores, but a Bank and several offices. Between Sixth and Ninth Street the *parada* enters a residential area where parking is permitted, leading most groups of men to concentrate on the corners where potential employers can easily see them. Their presence here is more recent and contested by neighbors who feel intimidated by the dark, apparently grungy, bodies of men who they claim “watch” them, urinate in the street, litter, and supposedly drink alcohol and consume drugs. The general consensus among the *jornaleros*, however, is that these activities usually happen *en las vias* –the train tracks between Third and Fourth Street (i.e. in the official “White Zone”), where one can find homeless alcoholic men who either have ceased working or do so only when they are moderately sober. Many of these *borrachitos* live under the bridge nearby and in empty lots on San Pablo Avenue. The corridor is not devoid of social organization or representation, a fact that will become essential to understanding how the street generates the wide variety of social relations that are the heart of this dissertation.

Few *jornaleros* venture into the commercial district, which comprises about three blocks along Fourth Street, and on Hearst Avenue between Fourth and Sixth Street. Thus, patrons of the shops and restaurants a block away from the site are unlikely to see the dark, short bodies, clad in jeans and sweatshirts that predominate on Hearst Avenue, just two blocks away from them. The homeless *borrachitos* sometimes walk into Peet’s coffee very early in the morning to get hot water and to use the curbside spout to wash their face. Later in the morning, the few *jornaleros* that get hired to work in plant nurseries and storage bodegas located at the end of the shopping area might walk through, but for the most part, the *jornaleros*, here, remain invisible.

The site is also a product of the time of day, its social topography dwindling as the morning advances. *La parada* proper only exists between sunup and about three in the afternoon. Anyone passing later might not even notice the stragglers who remain down towards *las vias*,

³ “He/she only pays ten dollars” or “it’s only for two hours.”

and who in most cases look like dirty men loitering on the street. *Jornaleros* usually come to the site every day, weekends and holidays included, but Saturday's and Sunday's see less men hanging out in the afternoon. Once you spend some time on this stretch during the day, to see it empty makes it feel desolate, a street like any other. Space and time here are intrinsically linked to the comings and goings of urban living, generating and then dissolving the social spaces where *jornaleros* spend their time in apparent destitution, talking, telling each other stories, giving each other advice, and waiting long hours for work. This space is unbounded and expands and contracts during the day, and from one day to another, depending on a wide range of factors that can include weather, harassment by *la migra*, the police, or the downward spiral of the country's economy.

The proximity of the Freeway, along with the need for merchandise and supplies of the different businesses nearby, also make the *parada* an incredibly noisy place where trucks come and go, stopping every once in a while for deliveries, and where, for some reason, big rigs coming off the Freeway drive by constantly. This noise can become deafening at times, and a casual conversation is likely to end abruptly or turn into a screaming match as huge trucks attempt to make complex maneuvers in the small streets that many times result in fender benders with parked cars. Thus, to stand on the street is to stand amidst the constant hum of motors that becomes so ingrained in the conversations that you forget how loud it is until you try to hear recordings made there.

The Berkeley *parada* is a place of convergence that *jornaleros* travel to from distant parts of the vast metropolitan area in which it is located. Few men on the street actually live in the city of Berkeley, or even near it. They usually live in distant enclaves of Oakland, some even two hours away by bus, although most men spend between 30 and 60 minutes on a bus each way. I have also met *jornaleros* who live in Richmond, El Cerrito, Orinda, and some who come across the bay from San Francisco. These other places have their own labor sites; so coming to Berkeley is a conscious choice—one that usually entails a monetary investment in transportation. They have chosen Berkeley because word on the street is that wages there are higher, there are fewer people to compete with, better employers, and less harassment by the police. That the site is in a “Sanctuary City,” however, doesn't seem to play into the decision, for no place is exempt, as I will show later, from the influence and terror tactics of *la migra*.

The men gather in small groups along the corridor and tend to concentrate on the corners where there are no parked cars. Most wear old and stained clothes, usually jeans, sweatshirts with hoods, and baseball caps. No matter the season, the early passerby will see *jornaleros* standing or sitting with their hands in the front pockets of their jeans or sweatshirts, hunched over with their face covered by their hoods. The faceless, thug-like effect of this pose makes the men look “shady” and distinguishes them from the scantily clad joggers who use the street in the morning, as well as the elegantly dressed business people that work in the offices and stores nearby. Although most men look like they are wearing work clothes, some look quite disheveled, as if they had slept on the street. Among some of the younger crowd, US inner city youth culture has influenced their style and one might see what at first seem to be teenagers in baggy pants, tennis shoes, and even flashy jewelry.

Day laborers spread out, mostly along the south side of Hearst, in groups determined in part by kinship, or by membership in the same community or region, ethnicity, and country. Where one stands on the corner is not strictly tied to these distinctions, and many groups consist of men from different countries, regions, and ethnic groups, where most are friends but also where others are strangers or people one does not like. It is also common for some men to walk

up and down the length of the site visiting acquaintances and patronizing the various informal sources of food or coffee along the street. Bathrooms are located on the two “boundaries” of the corridor; port-o-potties down by the freeway and “real” facilities *donde los viejitos*⁴, at The West Berkeley Senior Center on the corner of Sixth Street that allows people to use their bathrooms during the week.

Unlike other informal labor sites, the west Berkeley one does not have an inherent distribution of trades mapped onto the corridor in any way. There is no part of the street where painters or masons hang out. There are, however, people who have specialized trades that get hired through regular or repeat employers and their networks. These men might stand on the corner when there is no work and take other jobs. But for most of the men in Berkeley, and all of the ones I consider ‘regulars’ on Fifth Street, the work that is chosen is related to the wage and a *jornalero*’s assessment of the employer.

Early in the morning between the railroad and Fourth Street there is a food truck, known as *La Lonchera* that stops and raises its side panels to sell coffee, sodas, tacos, generic chicken dishes, and sandwiches. There are actually several *loncheras*, whose occupants are usually other Latin Americans, but in the case of the lunch *lonchera* also Asians speaking Spanish with heavy accents. Coffee is taken with milk and lots of sugar, and at 50 cents is more than a dollar cheaper than anything else nearby. By 8:30 or 9:00 a.m. the *lonchera* is gone, leaving food provision to several individuals who drive by in their cars selling tamales and assorted tidbits for a dollar. When the *loncheras* are absent, most *jornaleros* go to either of the two gas stations on University Avenue and Sixth Street, where they can buy soft drinks, coffee, junk food, phone cards, and other items.

There are also weekly food rituals like the *monjitas*, catholic nuns of the Missionaries of Charity order founded by Mother Teresa of Calcutta, who come every Wednesday and give out pastries, hotdogs and coffee in exchange for a few moments of prayer and Catholic doctrine. “Praying for hotdogs,” as I referred to it on the street attracts *jornaleros* from all along the strip. Many can calculate with great accuracy the extent of time they have to wait before going down in order to avoid the prayers and simply get the food. Saturdays sometimes sees Jehovah’s witnesses do the same, but, unlike the soggy hotdogs of their Catholic counterparts, their fried chicken is excellent and highly regarded on the street. On hot days the *paletera*⁵ might walk up and down the street before going to the local school. The *jornaleros* are good clients, as they take turns treating each other in the small groups. The *paletera* always stops by to chat and knows whose turn it is to treat the others. There are also private individuals who come by every so often and hand out food, water, gifts, and even money.

Fridays there is free lunch, English classes and, sometimes, vocational training at the Anglican Church on Hearst and Ninth Street. These are organized by the Multicultural Institute, an NGO contracted by the city of Berkeley as a liaison between the *jornaleros* and the community, that also provides help with access to health services, *mercados* –groceries- and sometimes second hand clothes. Watching the men shuffle through the boxes of donated clothing, it becomes clear why so many seem to wear clothes that are too big on them and why UC Berkeley sweatshirts are as prevalent here as they are on the campus a few miles up University Avenue. Like NGOs at other Bay Area sites, the Multicultural Institute (MI) mediates between the ever-increasing number of *jornaleros* and the area’s residents and businesses. Its outreach programs are tied to the county health services, which include a “Health Truck” that

⁴ “At the old people’s home.” [literally “where the old people are.”]

⁵ *paleta* is Spanish for popsicle, thus *paletera* is literally “the popsicle lady.”

delivers general check ups once a month and referrals to the Family Clinic across the street from the gas station. Along with these county programs, members of the institute also help people file claims and the California Labor Commission, contact abusive employers, and refer special cases to other NGOs, most notably “El Centro Legal de la Raza” in Oakland. The MI also “advertises” day labor work on their web site and in the community, making referrals to employers who call them. In truth, the MI gets few calls and must recommend trustworthy men who know their way around the area. Combined, these two factors make for much speculation among the *jornaleros*, who many times resent not getting referrals. The onsite members of the outreach program are on the street every weekday and organize the referrals, volunteers, donations, and Friday lunches. For special events like Thanksgiving and Christmas dinner they join forces with a variety of community and religious organizations. Every *jornalero* that visits the Berkeley site regularly knows the people at the MI and has some idea that they might be able to help with information or solving problems. Their role, however, is also problematic, and tensions arise with certain groups of men every once in a while. That said, Friday lunch -preceded by English classes and soccer games- are events that everybody knows about and that everyone has, at least, tried once. From time to time there are other members of the Institute that visit the site, most notable Paula Worby, whose thesis in Public Health dealt with alcoholism among these men, and Father Rigo, the director.

Its proximity to the University of California, Berkeley, makes this *parada* an easy target for formal research and informal semester projects conducted by faculty, graduate students, and undergraduates. In fact, during the year I was at the *parada*, there were about five other students that appeared on the street, usually for a day or two, to interview and photograph the day laborers. This made my presence both easier to understand and more difficult to accept for the men I met, since I was initially perceived as just another student there to “make money from our suffering,” as Clemente put it. Whatever the case, I was not the first researcher at the Berkeley site, but one of several who have appeared throughout the years that include several pilot studies conducted by UC Berkeley faculty and students of the Social Work and Public Health departments, and a PhD dissertation in Public Health by Worby who now works with the MI.

The Berkeley site’s prominence in day labor research- the last project ending at about the time I appeared on the corner- provides ample information on its demographic characteristics. Finishing her research a year before I arrived, Worby (2007: 67) calculated that there were between 80 and 100 men on the street most days at peak hiring times. During the three-year period she undertook her study, the Multicultural Institute registered about 1000 men that came to the *parada*. They calculated that only a third of those registered on a given year were present the next year and that only 75 men were there for the three years. Worby also found that while the site was predominantly Mexican in 2001 (see Organista and Kubo 2005; Worby 2002) by 2006 half the day laborers were Mexican and the other half were primarily Guatemalan, but also included a few Salvadorans and Hondurans (Worby 2007: 7). Although the dynamics of the site imply the population is constantly changing, this distribution reflects the demographics of my own field site that comprised about 25 men I interacted with closely and another 25 or 30 with whom I had intermittent contact.

The Berkeley *esquina* has a highly regulated minimum wage of ten dollars. Although a few men might agree to work for less, they do so at the risk of heavy criticism from peers, who come to Berkeley because they think wages there are better. Among my friends on the corner of Fifth Street, I never saw anybody go for less than ten dollars. To the contrary, ten dollar was considered low and only appropriate for easy tasks, like taking out the garbage, or sweeping.

There were a few cases where employers tried to take people for 7, 8, and 9 dollars an hour. In every instance my friends shook their head and watched the potential employer drive up the street to the next group of men. Most of the people I know assume that only the *guatemalas*⁶ above Sixth Street would even consider such a low wage, but, in truth, I doubt many *jornaleros* in Berkeley would work for less than ten. That said, “uno nunca sabe si se va otro por necesidad.”⁷

It is hard to describe the variety of day laborers that come to the Berkeley site. I cannot say I “know” exactly where each *jornalero* has come from, where he has been, and what has brought him here. On the corner I was a “regular” there was a small contingent of people from the state of Veracruz, who were kin or knew one another in passing. There were smaller groups from Guadalajara, a few from the state of Mexico and from Mexico City. There are many Guatemalans at the Berkeley site, roughly divided between indigenous people from various parts of the country’s rural areas and Ladinos from the urban centers. Normally, the two groups do not mix. Although these categories might be interpreted as indigenous subsistence farmers vs. working class ladinos, some of the latter attended institutions of higher education, universities, and worked white collar jobs. Salvadorans are also present but to a lesser degree. In general they tend to have work permits, legal residency, TPS or asylum, and are in their 30s and 40s, which sets them into the contexts of the war that scourged their country in the 1980s. There are also a few Hondurans on the strip, mostly interspersed among the others.

Except for middle aged Salvadorans, immigration status does not map on easily to these categories. There are a few Mexicans who have had legal residence or citizenship since the mid eighties, others who have or are eligible for legal residence through their spouses and a great majority of undocumented immigrants. I initially came to the corner through my contacts with Guatemalan asylum seekers and found many Salvadorans and Guatemalans who had been granted asylum, and some who had subsequently become residents and a small number of US citizens. In truth it would be hard to gauge how many people belong to each group, for one’s immigration status, although openly discussed, is not always made evident or even understood. I will address this issue later, but for now it is safe to say that except for *la migra* panic after the May Day protests (in 2007), most everybody was in the same boat, dealing with *la situación* in a similar fashion and subject to the same problems.

I spent a great amount of time on the only corner that has a good place to sit, a small wall that moonlights as a Bus stop on the south side of Fifth Street. I came to this place after several failed attempts to talk with people along the strip who seemed weary of strangers or simply not interested in speaking to yet another student. Thus, I decided to simply appear on the street before the *jornaleros* and let them form around me. The wall was the least conspicuous place I could be -shortly before sunrise- when people started to arrive. The men who gather there constitute the “main” characters in this account, although I discuss people from all along the strip. The four corners at the intersection of Hearst Avenue and Fifth Street constitute the immediate work and social environment for the men there. Although we –the men usually on the Bus stop- did not know the people on the lower two corners as well as those who stood with us or directly across the street from us, we saw them every day. Thus, when we measured the amount of people present on a particular morning, our calculations started with the immediate vicinity. After I stopped visiting the site regularly, Luis, for example, would tell me how many

⁶ A *guatemala* is a person from Guatemala, i.e. a Guatemalan. On the Berkeley site, non-Guatemalan day laborers use the term almost as an ethnic marker that refers to indigenous people. I will address this in Chapter 2.

⁷ “One never knows if someone else will go out of need.”

people he had counted on the four corners in order to illustrate the vast increase of *jornaleros* since I had left.

The men I befriended and came to know well do not constitute a “group” in any sense of the term. With the exception of Beto, Carlos, and Pablo, *los trillizos*, none of the regulars are related. These day laborers coincide in time and space enough to usually know each other’s first name, and in some cases have worked together. They stem from different parts of Mexico, El Salvador, Guatemala, and, to a lesser degree, Honduras. During the years I spent on the corner some of us became close friends, while others remained simply casual acquaintances. In two particular cases I will address, there was friction and fission among some of these characters that I initially saw as very close to each other. I was also chastised by my close friends for talking to men on the lower corners of Hearst Avenue and Fifth Street, who they believe to be drunks, drug addicts, and bums. On other corners one finds people who know one another better, stem from the same town, or belong to an extended family. Yet there is no rule of organization in space, and there are more mixed corners than anything else. The clearest exception are some of the people above Sixth Street who come from the same town in Guatemala and have been at odds with the city and the MI because of their slow but constant expansion up the street.

* * *

Scholarly literature on urban day laborers like the ones in this dissertation typically deals with statistical and demographic data, and epidemiological analyses that measure health risk factors. The most comprehensive and cited survey on the subject in the United States is the National Day Labor Survey (NDLS) undertaken by Valenzuela *et al* (2006), which included information from 2660 Day laborers at 264 sites nationwide. The NDLS estimates that at any given day there are more than 117000 *jornaleros* on US streets waiting to be hired. Undocumented immigrants comprise seventy five percent of the sample,⁸ which is furthermore characterized by recent immigrants, sixty percent of which have been in the country less than six years (Valenzuela, et al. 2006: 18). In Valenzuela’s sample fifty nine percent of the *jornaleros* surveyed were born in Mexico, fourteen percent in Guatemala, eight percent in Honduras, and only seven percent in the US⁹. This reflects the general national tendency for undocumented immigrants to the United States (Hoefler, et al. 2006), although the Berkeley site now has almost as many Guatemalans as it does Mexicans.

Public Health and Social Work research have identified and addressed the dangerous and unregulated nature of day labor and its negative health outcomes. Thus, much has been published on drug and alcohol abuse, along with HIV and other sexual risks (Organista 2007; Organista and Kubo 2005; Worby 2007; Worby and Organista 2007). A high rate of injury on the job has also been reported by most of these studies (e.g. Esbenshade 2000; Valenzuela, et al. 2006; Walter, et al. 2004). More than half the day laborers surveyed in the NDLS did not receive adequate medical attention for their injuries, mainly because they lack any form of health insurance. *Jornaleros* are furthermore frequently the victims of a variety of abuse by employers who find it easy to withhold the promised wage and/or fail to provide basic necessities such as food, water, and protective gear to employees with little or no access to the legal means to report them. In fact, there is no study where employer abuse is not mentioned by the laborers

⁸ Although of these, 11 percent had pending applications for adjustment of immigrant status. The survey was not able to determine how many people actually were eligible for temporary or permanent status.

⁹ Valenzuela et al (2006) found that only 2 percent of day laborers in the U.S. are women.

themselves as one of the key risk factors of working on the street (Theodore, et al. 2006; Valenzuela 2003; Valenzuela, et al. 2006). As I will show in the following pages, the ubiquitous theme of employer abuse is related to the absurd and virtually impossible means that *jornaleros* have to contest it. Finally, researchers have also studied the mental health of day laborers. These studies usually underline the feelings of desperation or *desesperación* (Organista 2007; Walter, et al. 2002) due to the stress of supporting families far away and living in substandard conditions as the origin or trigger of issues like depression, anxiety, and further risky behaviors such as alcohol abuse (Worby 2007).

The few ethnographic accounts that deal explicitly with Latin American day laborers in US urban areas mainly follow two distinct sets of questions. The first attempt to discern the implicit and informal rules that structure the relationships day laborers establish with each other, how they relate to different types of worker centers, and the various assumptions about ethnicity that guide their interactions with employers (Malpica 2002; Purser 2009). The second line of inquiry elucidates the experiential aspects of being a *jornalero* (Quesada 1999; Turnovsky 2006; Walter, et al. 2004). In both cases gender is the central lens through which to understand the men on the street. Malpica (2002) studied two day labor sites in Los Angeles, focusing on how the men dealt with hiring practices on the street. Similarly, Purser (2009) studied how gender shapes the self image (“self worth”) of day laborers, as an effect of the oppositional relations between those working on the street and those who frequent a formal labor center in Oakland. Unlike Malpica, who looked at the activities men participate in as a gendered cohort –like catcalling and harassing female passersby- Purser addresses the ways in which moral standards of worth are linked to the cultural construction of gender. Here, men working on the street “feminize” those in the center, and *visa versa*, in order to position themselves at a higher echelon of social and moral value, which ultimately gives meaning to their condition as immigrant *jornaleros*. Purser illustrates the complexity of solidarity among workers, since the oppositional nature of identification *vis-à-vis* the corner or the center hinders the production of an effective cohesiveness that could proactively improve their situation.

Along the experiential line of inquiry Quesada (1999:172), calls attention to the complex process of accommodation that Salvadoran migrants on the streets of San Francisco –previously combatants on different sides of the war in the 1980s- must go through when they find themselves suddenly part of the same group; that is, as “Latino” day laborers on the streets. He also discusses the enmity between Mexican and other Latin American migrants who must come to terms with each other. Only Turnovsky (2006) underlines the importance of the street corner as a social space where men interact with each other *while* waiting for work. The corner is, in her perspective, the closest space in which men can develop a sense of community; a place where they can interact with each other and share the anxieties of separation from home, their absent position within family and social networks, and other aspects of their experience. Turnovsky, however, takes this sense of community at face value, and does not explain how it relates to her own account of conflict among people standing on the same site. As I will show in the following pages solidarity on the corner is fickle at best and “community” is precluded by individual necessity.

Finally, Walter *et al* (2004) address the social implications of work injuries among day laborers in San Francisco. The authors see “constructions of patriarchal masculinity” as the guiding force of a tenuous balance of self worth and purpose that easily becomes disarticulated when injured day laborers are unable to work. Thus, the tension between acting as good providers (by migrating), and their absence from the role of “patriarch” becomes paramount in

their experience of anxiety, fear, and depression (see also Walter, et al. 2002). My work builds on this argument because it sees this disarticulation as an effect of the experience of day labor in general. The precarious condition of these particular immigrant men thus colludes against them because it curtails their ability to establish support networks here in the US and maintain their position within the family structures back home.

From this literature it is clear that Latin American *jornaleros* spend their lives in a paradoxical relation to US society; they are marginalized, denied civil and legal rights, criminalized by society and state institutions, and yet actively participate in the country's economy, building and maintaining the middle and upper class landscapes of its cities and suburbs. In general, as a "target population," *jornaleros* are not theoretically incorporated into a wider discussion of how the marginal character of their lives relates to the greater social processes of which they are a part. Thus, most of the above references take vulnerability as the central problem to be "treated" while only tangentially discussing the aspects of everyday life that lead to marginalization and its reproduction. Furthermore, while rendering this complex and disorganized population more legible to state intervention, much of the current research has not addressed the ways in which day laborers are made a governable and productive labor force without rights. It is in this absence that I hope to make a contribution to the literature on day labor and immigration.

Race, labor, and immigration

The world *jornaleros* enter when they cross the US/Mexico border has been "imagined," to use Benedict Anderson's term (1991), as a "racialized" country of immigrants; a process intimately tied to the distribution of labor and the control of immigration over the last two hundred years. Founded on the contradiction of democracy and slavery, the United States has defined its population in terms of citizenship and exclusion since its inception; its constitution initially declaring all citizens equal with the internal caveat that this equality primarily referred to "white," male, and land-owning subjects (De Genova 2006; Rosaldo 1994). This process established a clear-cut racial line based on notions of biological purity and cultural superiority. The system was built on the principal of hypodescent, which erased diversity and internal variation through an absolute categorization of black as everything not exclusively white (Harrison 1995: 60). The bipolar black/white racial line has influenced the way the nation has come to understand itself and has determined the racialization of other –nonwhite- communities, particularly in the twentieth century, where Irish, Italian, Jewish and Puerto Rican immigrants have all at some point been classified inferior to the dominant "white" population (Bourgeois 1989b: 122; Bourgeois 2003; Lee and Bean 2004: 224-225; Sacks 1994). The racial divide thus has determined the notions of belonging and alienation in the national polity, the inside/outside distinction that marked certain foreigners as "incorrigible outsiders who could never be incorporated into white civilization" (De Genova 2006: 2-7). For some groups -the Irish and Italians, for example- this distinction became blurred as second and third generation immigrants joined the working and middle classes. Racial "blackness," however, remained the central point of departure for all categorizations and reinforced discrimination against the population deemed to represent it.

In a discussion of the production and manipulation of labor extraction and discrimination of the African American population, Wacquant argues that after slavery ended, the southern states had to develop new institutions through which to control black labor and maintain the black/white distinction. This realignment of social institutions was the origin of Jim Crow legal

and social codes. The ghetto similarly served to regain control of the black labor force after the Civil Rights movement, but failed to channel labor effectively, in part because of the influx of even cheaper labor from Mexico (Wacquant 2002: 48). Labor thus came to become central to the racial and ethnic tensions embedded in the politics of non-white populations in general; particularly the polemics surrounding the effects of “undocumented” migrants on the U.S. economy (Ngai 2004; Quesada 1999; Walter, et al. 2004). Some of these tensions are evident in the pages that follow, where African Americans, the *morenos*, are seen by the day laborers as the worst employers, as potential threats to their lives and safety in the neighborhoods in Oakland that they share, and in the general racial hierarchies at work on the street.

Wacquant’s (2002) argument about the control of labor sets the stage for a discussion about its ties to immigration law. In the case of Mexican immigration, the issue has always been muddled by the institutions, both formal and informal, that provide for the maintenance of migrant labor, understood as people moving across the border seasonally for brief periods of time working mainly in agriculture. Migrant labor makes evident the separation in capitalism between the processes of maintenance and renewal of the labor force. This separation implies that renewal of the labor force takes place where the standards of living “...are low and maintenance takes place within easy access of employment” (Burawoy 1976: 1052-1082). Migrant worker’s wages are thus lower because it costs less to sustain the renewal process (supplied by migration). The effectiveness of the system of labor reproduction and management is clearly visible in the structural violence that renders “undocumented” immigrants in the United States more vulnerable to adverse health conditions, for example, simply because approaching health services is seen as a potential trap in which to fall into the hands of immigration officials (Walter, et al. 2004: 1161). Thus, as Burawoy concludes “institutional racism” or “internal colonialism” “... may be understood as the apparatus, coercive where necessary, for the regulation of renewal processes of a particular segment of the labor force and their allocation to specific institutions and areas.” He thus suggests that racism be interpreted as a mode of reproduction of labor power, where “powerlessness” “...is not so much the defining as a necessary condition for racism” (1976: 1086).

This dissertation explores the paths through which this powerlessness is reproduced and enforced in a situation where the conditions of migrant labor have changed, extending the periods of time spent in the United States almost indefinitely. It is when the “migrant” turns into an “immigrant” that the production of illegality becomes salient in terms of the maintenance of marginality upon which cheap labor rests (Sayad 2004). In fact, the day laborers I worked with on the streets of Berkeley cannot be categorized either as seasonal or temporal “migrants” or as “immigrants” because they are both. They have come here to work temporarily only to find that in the post 9/11 US, it is increasingly harder to make ends meet and significantly more expensive and dangerous to cross the US/Mexico border. The men thus constantly plan to return home while simultaneously postponing their trip until they have enough money to live with when they return, or at least enough money to live with for a while and then make the expensive trip back. This produces a never-ending cycle of return planning and postponement that has left some of the *jornaleros* in these pages “stranded” in the US for more than six years.

Early twentieth century legal determinations regarding the desirability of certain foreign nationals played a key role in the construction of racial and ethnic categories that are prevalent in US society today (Ngai 2004), especially those relating to “Hispanic” or “Latino” ethnicities. In the 1920s, for example Mexican immigration to the United States was not considered the

purview of the Immigration Bureau, because the institution assumed the labor market would regulate its wax and wane. But in the aftermath of the depression, along with new deportation policies, racial hostility towards “Mexicans” rose (Ngai 2004: 67-71). Following the historical development of immigration and deportation policy, Ngai suggests that Mexican migrant laborers were constituted as the prototypical “illegal alien” in relation to three key aspects; that is, to ambiguous social and legal assumptions about ethnicity, as a source of cheap labor, and to concepts regarding national origins. In terms of ethnicity, whereas “Asian” became associated to ideas about cultural homogeneity (defined as anything other than western culture) the category of “Mexican” was initially equated to “whites,” in order to incorporate Mexican subjects who could prove no Indian descent as U.S. citizens, and consolidate state sovereignty over the newly acquired territories (pp. 37-51). Mexicans were thus not included under the category of “immigrants ineligible for citizenship” as most people of Asian origin were, because of their perceived race. Their desirability as inexpensive labor was both contested and lobbied for by different political, economic, and social activists, the Bracero program being a successful arrangement of guest labor for twenty years after the Second World War (Inda 2006; Ngai 2004). Finally, many people who fell under the category of Mexican were actually US-born citizens, which demanded more discrete definitions of Mexican immigrants. Yet from the 1960s until September 11th, US immigration policy, the media, and political discourse all contributed to the production of the archetypical image of the Mexican “illegal” immigrant, giving it at different moments of social and economic tension quite a violent character, that of hordes invading the country, stealing jobs from US citizens, threatening the country’s moral and cultural values, and consuming resources destined for welfare and other social services (Inda 2006). The image of Mexican immigrant is thus closely tied to that of the “illegal” immigrant, and both determine how other Latin American immigrants become scripted in the United States.

Although the increasing regulation of documentation, along with border surveillance are now at the heart of the Department of Homeland Security (Andreas 2003a; Andreas 2003b; Coleman 2008; Inda 2006), Latin American immigrants who cross the US/Mexico are continue to be drawn to the country and find that life and work here are still available. And whatever conservative arguments about immigration suggest, “illegal” immigration is an effective way to maintain a cheap labor force, while simultaneously avoiding responsibility for the social and political costs of maintaining it, and allowing for its stigmatization in times of economic crises. This is nothing new or unique to the United States. In Bourgois’ study of Panamanian and Costa Rican banana plantations, for example, foreign workers were central to the control of labor uprisings because they constituted docile bodies with no legal rights who were easily expendable and coercible (Bourgois 1989a: 205). But in the United States it has become institutionalized; the “illegal” has been “...problematized as a target of government,” and been made legible through specific types of knowledge production and surveillance techniques (Inda 2006: 24).

Jornaleros in Berkeley find themselves amidst this racialized world of exclusion, sharing and vying for the urban spaces they inhabit with other ethnic minorities, especially African Americans. Race thus transects the entire dissertation because it is present in every aspect of these men’s lives. In other words, I take a different perspective from most immigration studies that center on race and ethnicity as the categories around which immigrant communities in the US must organize. In my work, race and ethnicity inform and determine everyday experience among *jornaleros* who both are racialized by the overarching ethnic categories, but also use their own racial stereotypes to understand the world around them.

La situación: everyday violence on the corner

Jornaleros are integrated into the labor system because their marginality assures their inability to access legalization processes and/or to effectively contest the effects of changing perceptions of the issue in times of economic stagnation. Within this context, immigration, both as a national narrative and as part of the juridical political order, has become a key political and cultural arena for the production of notions of U.S. citizenship and has defined the parameters that distinguish “legal” and “illegal” aliens (Flores 1997; Inda 2006; Rosaldo 1994; Sacks 1994). The effectiveness of the system of labor reproduction and management is clearly visible in the structural violence that renders “undocumented” immigrants in the United States more vulnerable to adverse health conditions, for example, simply because approaching health services is seen as a potential trap in which to fall into the hands of immigration officials (Walter, et al. 2004: 1161).

Day laborers in the United States constitute direct and almost unlimited access to surplus manual labor that can be cheaply hired and disposed of with little trouble. In the Marxist sense, then, they are clearly at the bottom rung of the reserve labor force of the working class, whose wages can respond directly to market fluctuations (Marx 1978: 426). But as will become clear in these pages, *jornaleros* also find themselves “on the edge” so to speak, closer in many ways to becoming lumpenized (Bourgeois and Schonberg 2009), as the destitute alcoholic *borrachitos* they share the street with can attest. On the corner one can have a good month and make quite a bit of money -enough to send some home and still buy clothes and pay cell phones and other bills- and then, only a few weeks later, be literally out on the street. The precariousness of the situation is not only a function of the economy, but a product of the ways that money is handled, the inability to effectively contest employer abuse, one’s state of mind, and ultimately an effect of what the men call *la situación*. Although this term can translate literally to “the [economic, labor] situation,” it is used ambiguously to describe the current state of a person’s life; the accumulated result of all the things he must deal with. *La situación* points to the combination of structural and intimate constraints that day laborers must navigate in day-to-day life, the petty violence of everyday existence as marginal subjects in US society. *La situación* can include the lack of work opportunities, low wages, employer abuse, health problems, family life and political aspects like police control over the city public spaces and to the proximity of the state’s repression machinery embodied in ICE¹⁰; *la migra*. *La situación* is a naturalized condition, to a certain degree external to the men’s own ideas about the reach of their agency, and thus paradoxically constitutes and internalized expression of their social condition, what Pierre Bourdieu has called symbolic violence (Bourdieu 2000; Bourdieu and Wacquant 2004)

Philippe Bourgeois (2004) and Nancy Scheper-Hughes (1996; 2004) have explicitly distinguished four types of violence-political, structural, symbolic, and everyday violence- in order to discern the nuance and complexity inherent in any approach to marginalization and oppression, and to avoid “blaming the victim,” and grand scale assumptions about their structural production. Political violence is set up as physical violence and terror administered by official (state) authorities and those opposing them (Bourgeois 2004: 426). Structural violence relates to the structural effects of poverty; it constitutes political economic oppression and inequality as they are deployed in historical contexts (Bourgeois 2003). Symbolic violence is taken from Pierre Bourdieu as internalized legitimations of inequality related to class power; it is coercion and oppression that are not recognized as such, but are actually consented to by the dominated

¹⁰ United States Immigration and Customs Enforcement (ICE) is part of the U.S. Department of Homeland Security, the enforcement branch of the agency that for the most part is recognized by immigrants as *la migra*.

(Bourdieu 2000: 170). This stems from the fact that dominated and dominating groups are incorporated forms of the general structure of relations of domination, and hence use the same framework of understandings in order to perceive and evaluate life. Symbolic violence is thus the internalization of gender, ethnic, and class differences that become ‘natural.’ Finally, everyday violence is an elaboration of how the other three types interrelate in the everyday, intimate experience of marginalization (Scheper-Hughes 1992; 1996).

The salience of violence as an effective analytical category in the study of poverty and marginalization lies in its power of differentiation. As categorized by Bourgois and Scheper-Hughes (2004), different types of violence, framed as part of the experience and effect of marginalization, disentangle the structural causes of inequality from their consequences in different social settings. It is the general framework I use in this ethnography to address the ways in which the labor site, and the work it is associated with, determine the social relations that *jornaleros* establish with one another, with their employers, and other people with whom they share the same urban space. I illustrate how these forms of violence interrelate, blend into each other, and ultimately shape the experience of the people I studied.

Citizenship and its margins

In the United States, ethnic or racial minorities are scripted as particular types of citizens through historical processes that determine their relations to each other and mainstream society. In the pages that follow I will illustrate some of the forms that these types can take and linking them to the concepts of potential citizen (Coutin 2003), “good enough” citizen (Ong 2003), and anti-citizen (Inda 2006). These concepts have been deployed to try to explain how these minorities are both included in society -in terms of labor- and marginalized, along a racial gamut that hides class stratification. To write about everyday violence among such a diverse community is also made problematic by the fact that while day labor is a highly precarious condition, when *la situación* permits it, the men can actually look and act like regular “documented” working class citizens in many spheres of their life –usually those unrelated to labor. They own cars and cell phones, pay rent, cable television, and even Internet, and move about the urban landscape relatively unhindered. Citizenship thus needs to be defined within the context of practice because it is too loose a term to describe the array of subjectivities produced and maintained on the margins.

James Holston and Arjun Appadurai have called attention to the disjuncture between formal and substantive forms of citizenship, which come to light in particular urban spaces that challenge the reach of the nation-state. The formal constitutes membership in the nation-state while the substantive refer “to the array of civil, political, socioeconomic, and cultural rights people possess and exercise” (1999: 4). Here, the substantive does not necessarily depend on the formal, but can, in practice, be attained or produced through different types of engagement with city and non-governmental institutions. It is thus easy to link aspects of *jornaleros* lives to substantive citizenship (see also Sassen 2006). In many Bay Area cities, for example, Sanctuary policies supposedly assure the population of “undocumented” immigrants, that city institutions like the police will not share a person's immigration status with the Department of Homeland Security (Bilke 2009). They also provide health and legal services to address domestic disputes, labor problems, and medical needs as they would any poor population. Sanctuary policies put forth by cities as administrative units of substantive citizenship thus undermine the formal, “legal” citizenship espoused by the state.

Recent approaches to poverty and marginalization have centered on violence and the issue of citizenship, understood in terms of processes of social inclusion. In an analysis of urban violence and marginalization in São Paulo, Caldeira (2000) addresses the criminalization of inequality as a central force in urban segregation. Social inclusion and exclusion are managed and reproduced through the discursive devices that establish crime as a symbolic way to reorder space in which even the victims participate. Wacquant (2002) describes a similar process in the case of African Americans and other U.S. ethnic groups, arguing that criminalization serves a double function of controlling and stigmatizing certain populations (see also Wacquant 2008). Closer to the case of *jornaleros* is Inda's analysis of how "illegal" immigrants have been made objects of knowledge to be governed (Inda 2006). Here it is what he terms "technologies of exclusion" or "anti-citizenship" serve to govern those subjects deemed antithetical to the "prudential" or legitimate neoliberal subject, that "self-actualizing and self-fulfilling" creature of choices and freedoms Foucault brought to the fore (Foucault 2003a; 2003b; 2006). By following the development of statistical information of "illegal aliens" and their links to Immigration policies, Inda centers on the "deportability" of these "anti-citizens" as the main object and effect of technologies of enumeration and surveillance.

"An anti-citizenship technology is one that seeks to shape human conduct and achieve specific ends not through the empowerment of individuals but through their incapacitation and containment. Put otherwise, it is a technology bent on disempowerment: on the abjection (that is, casting out) and exclusion of particularly troublesome individuals." (2006: 127)

Yet the vast number of long-term "undocumented" immigrants in the US already points more clearly to "marginalization" than to outright "casting out," particularly in the institutional, political, and social tolerance of the issue that grows and dwindles depending on factors like the economy and notions about national security. So to think of the "illegal" as "anti-citizens" might obscure an understanding of a *jornalero's* experience in the US, because the reality on the ground is that there are a wide variety of practices of documentation, social and health services, and other such things that make the "undocumented" both governable as "some kind" of citizen (not an outright anti-citizen but a *de facto* citizen) and, at the same time, directly assure their marginality and deportability.

Caldeira's argument is that Brazil's claim to a legitimate democratic constitutional state is made problematic by the increasingly blurry boundaries between state policing institutions, private security enterprises, and the justice system. Violence thus constitutes an experience wherein civil rights are ignored and violated, destabilizing the integrity of Brazilian citizenship as a whole (Caldeira 2000: 339-340). Talk of Human Rights has thus been framed within the symbolic production of a narrative of crime and resulted in the justification of rights violations in the name of security (for a similar argument about Guatemala see Godoy 2001). Socio-economic inequality is not the only contributing factor to account for increasing forms of violence, but an element that must be framed within the institutional practices and social discourses that reproduce segregation and discrimination (Caldeira 2000: 200-210). The same can be said for the United States that the *jornaleros* in Berkeley inhabit. Here there is exists a form of citizenship – that I have called *para-citizenship*- that enables day laborers to live out their days in relative safety from state persecution, mirroring actual citizenship, while simultaneously guaranteeing they will never "legitimize" their status and allowing the state to exert its influence through direct and indirect police action and terror.

I understand *para-citizenship* to be the condition in which “undocumented” day laborers exist in this country; a condition based on the informal practices that lead to substantive citizenship through contact with official and non-government institutions that produce and consolidate informal and extra-official forms of documentation. Here, the apparent “normality” of immigrant lives emerges as a parallel citizenship that replicates formal citizenship through alternate regimes of governmentality but that can disappear at any moment. This concept, I suggest, more adequately describes the social and political condition of *jornaleros*, because it traces the practices through which substantive citizenship is shaped in such a way that it can never become formal. *Para-citizenship* is a mockery of US citizenship because it replicates some of its visible effects based on alternate forms of documentation but never legitimizes the citizen as a member of society governed by the state.

The sanctity of sanctuary in the post 9/11 era

In the aftermath of the September 11th, 2001 terrorist attacks, “illegal” immigration mutated in political discourse from a problem of labor and social resources to one of national security. The 9/11 Commission Report concluded, among other things, that to keep the country safe, control over the borders had to be achieved and summoned local authorities to aid in the enforcement of immigration law (2004). Enforcement and surveillance were stepped up almost immediately after the attacks and in 2002 the Department of Homeland Security made internal control of “undocumented” immigrants a priority (Aldana 2008: 1084). New policies effectively increased the problematization of the US/Mexico and US/Canada borders and shifted, to some degree, emphasis from Mexican undocumented immigrants to immigrants from potentially terrorist extraction. Yet the unprecedented increase in border policing effectively changed the geography of the border from relatively safe passages to dangerous desert passages ruled by drug and immigrant smuggling mafias. Death on the border due to the harsh conditions and violence thus increased dramatically (Andreas 2003a; Inda 2006). People not only die abandoned in the desert, or in the crossfire of gang and drug violence, they are now the victims of more elaborate crimes, like kidnapping and being held for ransom (usually demanded of family in the US) (Lacey 2009). Any middle-aged *jornalero* you ask in Berkeley will also tell you that the price of crossing has risen exponentially, making the investment of money –which is borrowed from family, friends, but also through bank mortgages- much harder to make up. Since 9/11 and the rise of surveillance and immigration raids, however, there has been an increment in Sanctuary policies throughout the United States.

The Bay Area boasts some of the first and most widely known Sanctuary cities in the country. The region’s generally liberal outlook on most political issues set it at the heart of the Sanctuary movement that in the 1980s sought to counteract the federal government’s reticence to grant asylum or other refugee status to Guatemalan and Salvadoran refugees fleeing US sponsored civil wars (Bilke 2009; Coutin 1993; Loescher 1993). Cities like Berkeley passed local resolutions explicitly aimed at providing safe haven for people who otherwise might be deported back to a war zone. These resolutions grew into city wide policies generally forbidding local law enforcement and city officials to ask any person about immigration status, thus guaranteeing, to some extent, that immigrants would feel confident to report crime to the police and, in general, feel free from persecution based on their degree of documentation.

Across the United States, some Sanctuary cities have proposed to issue the “undocumented” municipal IDs¹¹, including driver’s licenses in some places like New York city (Bilke 2009). Under the argument that formally identifying this population regularizes their activities, facilitating their life –like allowing them to open bank accounts- but also aiding in their governmentality –as with driver’s licenses which help avoid the unregulated and ambiguous use of cars I describe in these pages- these IDs contest the general move in the country to disallow the use of official IDs to people who are “illegal.”

While these practices fit into Holston’s argument about cities as a locale for reformulating citizenship, in my work, these alternate forms of governmentality –in which I include unofficial IDs from NGOs and other organizations- also serve to “confuse” the situation, rendering documentation practices even more obscure than they already are. For it takes a great deal of explaining to “inform” such a *para-citizen* that “official” recognition by the city does not guarantee protection from federal agencies that, by law, can enter the city and conduct raids and searches. The practice also forces the United States, as a nation, to face the fact that locally sanctioned rights of citizenship can be derogated by federal agencies.

In the Bay Area Sanctuary policies lead most people to believe that “undocumented” immigrants are not harassed or sought by ICE or any other Federal agencies aiming to control immigration; an assumption that is not true in any sense. Policies implemented by the U.S. Department of Justice since 2001 require immigration warrants to be included in criminal databases, which means that even in Sanctuary cities, the police must notify the warrant issuing institution if they arrest one such individual (Bilke 2009: 177). So even though the police officer in charge of the area where the Berkeley *parada* is located told me that they do not share information with ICE, they do inform them when they come across someone who has a warrant of deportation in their name. Furthermore, ICE is not subordinate to city governments and regularly conducts searches, raids, and surveillance in them. So it is not surprising that most of the *jornaleros* I met the first weeks of fieldwork scoffed at my questions about them choosing Berkeley because it was a Sanctuary city. “Es mas tranquilo Tomás, pero *la migra* está en todas partes.¹²” I initially thought this to be paranoia, but as I illustrates in Chapter 4 the governmentality of the “undocumented” is based on law but practiced through tactics of terror, where the Sanctity of Sanctuary is rendered meaningless.

On methodology

I spent almost every day on the Berkeley site between August 2007 and December 2008, making intermittent visits to the Oakland sites on 29th Street and High Street and continuing my interactions with some of the asylum seekers I had met before. Because the labor site was not initially my main objective, I did much of the background research while I was working there, which in turn affected how I approached the problems I encountered. My methodology consisted of taking notes while on the site and spending a couple of hours a day turning them into copious field notes of which I now have over a thousand pages to leaf through. Following the longstanding tradition in anthropology I became vary adept at pulling out my notebook and scratching down pieces of conversations and other information as I heard them. A “crash course” in Mexican street slang that Luis saw as a necessity for my survival on the site set the stage for the ubiquitous presence of my little notebook which was requested by many of my interlocutors

¹¹ One such proposal has been considered by the city of San Francisco.

¹² “It’s better here Tomás, but *la migra* is everywhere.”

when making a poignant or especially witty remark that I, as a Colombian, should record for my education. I also took recorded notes on the site, usually when left alone or walking from one place to another, which, along with my scratch notes, became the basis for full length field notes, usually in a narrative form that readers will learn to recognize both in the excerpts I present and in the body of the text that follows. These notes were, for the most part, taken in English to facilitate later incorporation into the text, but bilingualism is present and markedly influential in all of them, as it is in most every other aspect of my life. For a few weeks I took to writing only in Spanish while toying with the idea of sharing my notes with Luis, Beto, Sindi, and others who showed interest in what I was doing, especially the material regarding the Sancho. Interest, however, was only cursory and no one actually took any of the copies I brought to the street.

I also recorded some of my interactions and conducted unstructured interviews with many men. The presence of a recorder, however, always made people nervous, as did the camera I brought a few times. La *parada* is a fluid space where *jornaleros* come and go and it was difficult to explain to people who I did not know why I was using a recorder. I thus opted to downplay the use of technology and avoid confusion among the men who did not know me well, for a myriad stories and rumors abound on the street about strangers coming to record *jornaleros* in one way or another, probably related to the *parada*'s proximity to a university.

My field notes and transcribed recordings constitute the main source of information for the pages that follow. I spent almost a year reading through them, categorizing and then re-categorizing them in their totality. I also use newspaper articles from around the Bay Area, mainly reports about the *migra* panic in May 2008 that I read, sometimes on the street with some of my friends, during fieldwork. These too were categorized and incorporated into my data.

Whatever we make out participant observation to be, I cannot think of a better way to record the experiences of everyday life but by experiencing it with the people in question. The reflexive turn in anthropology has set many critiques and counter arguments in motion during the last thirty years or so and I am very aware of the limitations and problems of representation here. That I have changed people's names, even blended characters together, in order to protect the very fragile identities these men have in the US, does little to set my mind at ease about what authorizes me to write about their lives. As a participant in the events that follow, many times a motor in their development, I cannot but say that I have done my best to be true to the *jornaleros*' experience, always mindful that anthropology, at its best, is about bridging 'other' subjectivities and our own, and 'witnessing' that which we, as a society, are made not to see (Scheper-Hughes 1992).

Structure of the dissertation

There are many men present in this account that repeatedly appear in various chapters. They are the main characters of this ethnography. I have included an appendix at the end of the dissertation with a brief description of some of them. The objective is to provide readers with an easy reference through which to recognize the men. Most of them are middle-aged heads of household whose family is in Mexico or Central America. In the following chapters I have not included the accounts of crossing the border -some commonplace while other quite spectacular- that I heard on the street. I have also left out the poverty, economic situation, and other reasons that compel men to come to the United States. These important omissions, I believe, might have made too much of the narratives of migration, the thrill, terror, or banality of the trip over, and ultimately might have turned attention away from the less spectacular realities of life once people make it over the border. The contribution of this ethnographic account is to set the immigrant

experience within the everyday comings and goings of life and work in the United States. It is here, I suggest, that theorizing vulnerability must turn to in order to understand the issues at hand. The reader will also find few “moments of crisis” in these pages because the central argument is that the crisis is the condition of being a *jornalero* itself. By widening the field of investigation to the quotidian experience of life as marginalized immigrants I build on research that centers only on a few spheres of social life – e.g. health, labor, politics, relationships- and argue that it is in the intersection of these spheres and their normative effect on subjectivity that we can find the true meaning of vulnerability that defines this way of life. Furthermore, following Abdelmalek Sayad’s claim that “thinking about immigration means thinking about the state” (2004: 279), I point to the inconsistencies of state practice and political discourse as they are reflected upon the inconsistencies of these men’s lives. The event’s I describe do not happen “outside” the state, or “in spite” of it, they develop within it, at the margins of its basic truths.

Chapter 1 addresses the street corner as a space of social production where labor shapes the relationships among cohorts of men, their employers, and NGOs. I suggest that there is little space for the development of strong ties of solidarity that other authors of day labor seem to reify. After all, the intrinsic nature of day labor means that every man on the corner both poses a threat to the others, but also can represent a strategic alliance. I thus explore social and labor networks that set the men in a position where they must be careful to maximize their opportunities to work and also appear to look out for their workmates. Finally, I address what happens when these weak ties of solidarity and friendship dissolve.

Chapter 2 follows *jornaleros* on and off the labor site, into their congested living quarters and the neighborhoods they inhabit. Crowded solitude emerges as a central aspect of these men’s almost monastic lives, where sociality is hindered by the very conditions of habitation. Through a discussion of street violence and its racialized character in the neighborhoods where the men work and live, I explore the hierarchies of race at play in *jornaleros* experience and show their effects on the corner. This chapter combines isolation with sociality as it develops on the street, one of the few spaces available to *jornaleros* for social interaction. I suggest that a new subjectivity emerges here that I call “street corner cosmopolitanism” to point to its transnational character and yet ground it in a space of exclusion that constrains the men’s access to its main precepts. Street corner cosmopolitanism shapes men’s interests in the world around them, a truly globalized environment of knowledge, tastes, and rationales, which nonetheless work against *jornaleros*’ ability to gain social inclusion. I elaborate on this in Chapter 3 where employer abuse and the various forms of contestation available on the street take center stage. By following a specific case of injury, I argue that *jornalero*’s inability to contest abuse is a product of both marginalization, and the absurd bureaucracy of small claims. Here, what can represent a week’s or month’s wage to a *jornalero* is effectively erased from the agendas of the institutions responsible of legally contesting abuse because the amount of money involved is so small.

Chapter 4 follows the practices of documentation available to the “undocumented.” I study the contradictory processes through which the lives of *jornaleros* develop “on the margins” of the state but also within its institutional rationales. I use the concept of *para-citizenship* – where substantive forms of citizenship are set in motion and given shape through state and NGO bureaucracies- to analyze the nature of these men’s social and political existence in the US. *Para-citizenship* follows parallel paths of inscription – fake or NGO issued IDs, for example- that constitute alternate regimes of governmentality. These regimes explain how *jornaleros* can at one moment be living quasi-regular lives (in terms of access to services and their relationship to the state and its surveillance apparatus) and then suddenly find themselves in a vortex of terror

tactics aimed at their sense of security and social entitlement. I thus take the May 2008 *migra* panic in Berkeley as a generative moment in the emergence of the previously hidden or absent image of the state, embodied in the very real but mythologized figures of the police and immigration enforcement services.

Finally, in Chapter 5 I address the intimate sphere of experience that places *jornaleros* at odds with family back home and in a difficult relationship to notions of masculinity. The expectations and fears on both sides of the border thus take center stage in the conversations on the corner. The Sancho –a hypothetical and yet potentially real representation of the possibility of losing one’s position in the family- emerges as a central theme in how these men deal with the sentimental and intimate distances immigration entails. Father, husbands, lovers, and “men” become categories that must be reformulated and redefined through the lens of the street, a process that inevitably results in the disarticulation of a *jornalero*’s position in his family and threatens his very existence. Stories about homosexual propositioning on the labor site, potential rape, and further exploitation thus become the medium through which I discuss the realities of marginalization, exploitation and isolation.

Chapter 1: Life and work on the corner

Most research on *jornaleros* spends some time trying to define who actually should be counted as a day laborer. Among the various definitions (see Worby and Organista 2007; Valenzuela 2003; Malpica 2002) the characteristics usually include the following: *jornaleros* are predominantly recently arrived, foreign born Latin American men who work on informal hiring sites and who cannot obtain more regular employment, either because they lack documents and/or proficiency in English. These researchers call attention to the fact that it is hard to gauge the degree to which effective *jornaleros* work because, by definition, they will not be on the street (i.e. they will always be working), and thus are hard to interview, count, etc. In most cases, the rationale is that effective day laborers will have extended networks of repeat *patrones* who employ them informally on a somewhat regular basis. However, in my experience, the assumption that there are effective day laborers, to this degree, simply obscures the reality of what it really means to work on the corner. To be a *jornalero*, as Lorenzo likes to remind me, is simply to *vivir del jornal*, in other words to “live by the day wage.” That no *jornalero* I have met actually works everyday, all day, should point to the fact that day labor requires one’s presence on the street almost on a permanent basis in order to be economically viable. One ceases to be a *jornalero* when one can avoid the street altogether; that is, while one holds *trabajo regular* -a permanent job- usually understood as lasting more than a month. On the corner I did my fieldwork there were a couple of men who were “in between jobs” or complementing their income on the weekends; the rest spent most of the year on the street; some getting longer stints of work that lasted no more than a couple of months, but usually just a couple of weeks. I doubt I missed any men who frequented my corner at some point in the year I was there almost every day. Most of the men in this account are full time *jornaleros* with whom I became close and who were on the corner almost every day. Although many other types of people intersect these pages, it is in these *jornaleros*’ experience that I am most interested here.

A common misconception about day laborers then –one I myself brought to the corner when I started research- is that they work every day. In fact, it is unlikely that a *jornalero* can work on a daily basis getting odd end jobs in the mornings on the site. Some *patrones* have work that lasts a couple of days, and the men who they hire consider themselves lucky to land these jobs. But long-term stints of work are rare and usually only entail a few days engagement. An average week is made up of only two or three days of work, many times only a few hours a day. Furthermore, it is only in the case of construction that day laborers can gain regular or long-term employment directly from the street. During my time on the corner, the downturn in the economy basically erased these possibilities.

Jornaleros prefer to work for *patrones* they know. Only recently arrived men with no social or labor networks depend uniquely on *ad hoc* jobs from the street, and most men quickly establish some continuous relationship with a couple of repeat employers (see also Malpica 2002; Valenzuela 2003; Worby 2007). Yet these relationships are ephemeral at best, and few, if any of the men I met in Berkeley actually make a living working solely with this type of employer. The fact that *jornaleros* have two basic options when it comes to employment, either getting into the car of a person they do not know (which entails a great amount of risk) or working with repeat employers, has led researchers to argue that the sites are highly structured and follow rules that dictate who works with a first time employer, and under what conditions,

and who has access to repeat employers. Malpica (2002: 145-146), for example, identified significant differences in status and earning between *jornaleros* working with “regular employers” (repeat *patrones*) and those working with “unclaimed employers” (first time *patrones*). Working in L.A in the 1990s, he described people without regular *patrones* as new on the street and in the process of learning the ropes. Those with seniority and established employers, he says, were granted deference and “preferential treatment in the job hiring process.” Malpica goes as far as arguing that effective *jornaleros* with regular employers managed to attain a status of “unsubstitutability” that structured the labor site he studied. This is not the case in Berkeley. There is no preferential treatment of experienced men there, but rather a complex web of weak relations between the *jornaleros*, their acquaintances on the site, and the employers. In this sense, employers and acquaintances constitute a social network that regiments labor and that is complemented with other relations, such as their dealings with NGOs like the Multicultural Institute.

Social capital, solidarity, and networks

My first impressions of the Fifth Street corner mirrored the perspectives of other ethnographic accounts of informal day labor sites, which call attention to the relationships that immigrant men standing on the street establish with one another as they wait for work. Malpica (2002), for example, focused on the men’s shared circumstances, which he sees as leading to strong ties of solidarity where experienced *jornaleros* “teach” newcomers the ropes, while Turnovsky (2006: 56) underlines *jornaleros*’ need to cultivate social life and establish a sense of community. The impression these authors give is that men on the street come to form a social world, where strong ties of friendship and understanding help compensate the lack of support that distance and estrangement from networks at home bring on.

The first weeks I spent on the Berkeley site I saw the men there as close friends, and visualized their relationship to each other as a moral economy of sorts in which those who had worked in the last few days would give the few jobs available to those who had not been so lucky, effectively “spreading the wealth,” at least among friends. The *jornaleros* seemed to organize around the corner with an implicit understanding that whoever was on the curb where the potential employer stopped had first dibs on the job offered, and that if more than one person was needed, the group would decide who went along. When Luis stood up to talk to a man in a van, for example, he turned to Beto and said “Sólo son tres horas, mandemos al *Campeche* que no ha trabajado.¹” *Campeche* was new on the corner and for two weeks had sat next to us without getting any work. The three guys standing next to him all nodded and encouraged him to go work. It was the first job he got in Berkeley. The men on Fifth Street also appeared to cherish their time on the corner. “No hay trabajo, pero venimos a divertirnos²,” Luis liked to say after a good session of joking. Similarly, Don Raúl would comment “acá no venimos a trabajar, sino a divertirnos, venimos para no agüitarnos³.” Before I began to understand the dynamics of labor on the site, these seemingly altruistic and uplifting actions and comments seemed to confirm the strong ties among the day laborers, but solidarity and camaraderie are much thinner, weaker in every sense of the term, than anybody lets on. In hindsight, it is clear to me that Luis and the others were being both supportive and dismissive, since three hours of work meant little money

¹ “The job is only for three hours, lets send *Campeche* who hasn’t worked yet.”

² “There is no work but we come to have fun.”

³ “We don’t come here to work, but rather to avoid getting depressed.”

and the possibility of missing a better arrangement. I doubt they would have been so generous, had the job in question been more desirable. And while the sentiment about keeping their spirits up is common, most men tacitly feel threatened by the others who inevitably can have a negative impact on their ability to sustain themselves and their families. As I will show below, strife, intrigue, and outright conflict are as common as the camaraderie and support that can be observed on the street.

Social and labor networks, no matter how weak or fickle, affect and determine work. *Jornaleros* make their livings from a combination of individual and joint undertakings; that is either by working alone or with other day laborers. Working alone can also entail social ties, when friends who already have work “recommend” them to a known *patrón*. Joint ventures can be *ad hoc* groups of men who were standing together when the employer appeared or groups formed through the contact of one *jornalero* with a *patrón* he knows who asks him to bring others. Yet because not all people hit it off well, and because not all *jornaleros* accommodate to their employers, it is common that in a group of men some will be rehired for the rest of the job, and some will not. Those excluded inevitably blame their workmates and tension among acquaintances is very common. Most of the day laborers I know can privately enumerate a short list of coworkers they like to go on jobs with:

“Con el señor Jorge me gusta trabajar, el otro Guatemala también, pero el Ponchadito sí no trabaja bien, se queja y no hace las cosas. Para mi es mejor trabajar con alguien que te dice: ‘tu haz esto y yo hago lo otro,’ te repartes el trabajo y ambos ganan.”⁴

Luis told me this in private, as we walked to the bus stop, because expressing such a sentiment in front of others could be taken as rude and condescending. Yet most of the *jornaleros* would have agreed with him, and although I heard several people complain about Clemente, he was part of the group and never openly chided for being inefficient. On this occasion I also realized that Luis and Jorge, who seemed to be close friends, really did not know much about each other; they did not know each other’s last names and never socialized off the street. By the end of my fieldwork none of these men knew where the other was and Clemente and Luis were openly hostile to each other.

To think of solidarity among *jornaleros* as an overarching theme in their response to *la situación* hides the very real tensions involved in this type of life and the fickle nature of the networks that it can establish and that it depends upon. To assume that the work on the site is a function of a communal effort is then shortsighted, and yet in Luis’s reticence to express these feelings publicly we also find the need to keep up the right impression, one of *humildad*⁵, above everything else. There is thus a tenuous scale upon which social and work relationships must be balanced with individual’s need to make ends meet. The precariousness of the system is determined by the conditions of labor and *jornaleros*’ access to work and the employers who pay for it. Each time someone decides to go on a job he is risking conflict with someone else who might feel he is more entitled to it, or is risking having a falling out with someone else, who having previously worked for the *patrón*, is not hired back at a later time.

⁴ “I like to work with Mr. Jorge, with the other Guatemalan also, but *Ponchadito* really does little work, he complains and doesn’t do the things [he’s told]. For me its better to work with someone who says: ‘you do this and I’ll do that,’ you share the work equally and both of you win.”

⁵ Humility.

Non-network employment

Non-network employment, in which a *jornalero* goes to work for someone they have never met, constitutes the most immediate type of work available on the street. A car, truck, or van stops on the curb next to a *jornalero*, who talks to the potential employer, learns about the work and wage offered, and decides whether to get in or say no. Usually other men will walk up behind him to see if more than one man is needed or to take the job, should the man in question refuse. In some cases, a stranger might try step in front of the first *jornalero*, and get in the car, but this is looked down upon and thought of as something that happens at the Oakland sites. If more men are needed the first *jornalero* will turn to his friends and either chose one or two, or nod so they can decide. When a *jornalero* has a good experience with first time employers, he tries to incorporate them into his network. The men give the *patrón* their phone numbers and in a few instances their business cards, hoping to be called later on. Ideally, the relationship will lead to more work in the near future.

Unknown employers pose several problems for *jornaleros* who must rapidly assess the situation and decide the risk entailed. Among these, the most common is not getting paid, something that has happened to almost everyone I know. It usually happens when the *patrón* promises payment at the end of several days of work and then never appears on the last day. In other cases, the *patrón* sub-contracts the *jornaleros*, for a job he has been paid for and then leaves them at the work-site to finish and never comes back. Another common problem is agreeing on a wage for work that sounds easy but turns out to be difficult and taxing. Here language plays an important role, for most of the men do not speak English fluently, but eagerly take on work that “sounds” good. Thus, when Clemente agreed to go carry some boxes for ten dollars and hour, he was greatly enraged to discover the job was actually breaking up a sidewalk, “algo por lo que uno cobra 12 o 15 dólares.”⁶ Having settled on the lower price, he was unable to justify charging more. Another version of this is to get hired for a specific task that entails a day wage, say 80 to 100 dollars and finishing in a few hours. Most *patrones* will then try to recalculate their offer on an hourly wage.

The central issue of getting “picked” by a new employer is visibility, which makes *jornaleros* stand close to the curb with their bags, ready to jump into a car at a moment’s notice. On my corner, those of us sitting on the wall usually did not get work offers because those standing would be the ones to step up to the cars. When too many people appear in the mornings, some cross the street and stand on another corner that is not so populated. As people get hired, or leave, the groups contract and men cross back to sit and chat. Other parts of the labor site expand and contract in similar ways and it can be said that the issue of visibility is the reason that the site itself spread up the street. Mario, one of the most vocal *jornaleros* who insisted on standing on Seventh Street (outside the allowed area) explained the issue clearly:

“Yo me puedo ir allá abajo a estar amontonado y tal vez agarre algo, pero tal vez no, y si no vengo acá no quedo tranquilo, sino pensando que tal vez acá arriba si hubiera conseguido algo...es que amontonados no vamos a lograr nada y nosotros estamos acá porque queremos trabajar, ya no es porque queremos, ya es necesidad, porque el teléfono no importa, pero si no trabajamos no vamos a poder pagar el arriendo; ya ninguno de

⁶ “Something for which one charges 12 or 15 dollars.”

nosotros ha mandado dinero a Guatemala...y si no pagamos ¿a dónde vamos a dar?...¿debajo del puente?⁷”

Not only was this expansion a product of more people, but a result of the idea that the better one can stand out from others, that is, the less people in your immediate vicinity to compete for the job, the easier it is to attract employers who might otherwise be turned off by the prospect of a horde of men trying to get into their car. Spreading out, becoming highly visible, then, is essential for survival. *Jornaleros* try different areas of the site, joining friends here and there until they develop a sense of where the “good” spots are. Only in the case of the *guatemalal*s above Sixth Street was this linked to ascription in a particular social group and most day laborers simply have one or two places that they consider “good luck” or in which they have “faith.”

But this visibility also has other functions. First time employers like to see and assess the men they hire. I myself was never offered work until I shaved my beard and left a mustache, which to the *jornaleros* made me look less like “Che Guevara,” “El Italiano,” or “El Judío,” but to employers made me fit the stereotype of a day laborer better. After I shaved, I was addressed directly many times, the employer even getting out of the car and pointing at me, because at more than six feet, I looked stronger than most of my friends. Racial typing might also play an important role here. My friend Lorenzo, who is in his mid fifties, clean shaven and light skinned, got a lot of jobs with older white women who hired him for work inside the house, in part, I think, because he looked less threatening than the rest of us.

Finally, as in the example with Luis and Campeche, non-network employers many times do not offer work for the whole day and in many cases the jobs are short menial engagements that last one or two hours. For some men these engagements are a waste of time and money, and they turn them down because they hope to be offered something better. But others like these short stints that can be highly paid if the employer is a *gabacho*. People can get paid between 25 and 40 dollars for two hours work, for example, which in the worst-case scenario is five dollars above the minimum of ten dollars an hour and, at best, double the amount.

Non-network employment is thus regimented by the desirability of certain types of work, the wages offered, and the visibility a *jornalero* can attain on the corner. Risk is also at the forefront of the decision to work for a particular person and here the need for visibility is reversed. *Jornaleros*, in other words, need to see the person in the car in order to assess the risk of working for them. Here the assumptions are highly racialized and to a lesser degree gendered. I will address how racial relations affect these men’s lives in a later chapter, but what follows is central to both working with new *patrones* and with repeat employers, since the men get to know particular employers on the street as good *patrones* and others as bad ones.

Early on a cold October morning I sat shivering with six *jornaleros* on the Fifth Street corner. An African American man in a pickup truck drove up to us and rolled down the window. No one stood up, but we all looked intently at the man who seemed confused. “Anybody want to work here?” he asked annoyed, only to have the men mumble incoherently under their breath. Shaking his head he continued up the street. I watched him talk with two other guys on Sixth Street who

⁷“ I can go down there where it’s crowded and maybe I’ll get something, but maybe I won’t, and if I don’t stand here I don’t feel at ease, but rather I feel that if I had come up here I would have got work.... Because if we are all crowded like that we won’t achieve anything and we are here because we want to work, it’s not because we want to, it’s need, because the phone doesn’t really matter, but if we don’t work we can’t pay the rent; here none of us has sent money back to Guatemala...and if we don’t pay the rent where will we end up? Under the bridge?”

also refused to get in the car. “Debe pensar que puede pagar de a ocho⁸,” Luis said laughing, “tal vez consiga un Guatemala que se vaya por eso⁹.” I sat there wondering why none of them even asked the potential employer what he was willing to pay. After a few minutes Don Jesus, an older day laborer, walked by and, giving us each a handshake, asked if there has been any work. “No, no ha pasado nada, sólo un moreno¹⁰,” answered Clemente listlessly. Don Jesus nodded and continued down the street.

My first notes about *la parada* are riddled with allusions and direct references to a discrete categorization of employers along racial and ethnic lines. *Morenos* (African Americans), *Árabes* (people from Middle Eastern countries), and *Chinos* (Asians) occupy the lower echelons of the hierarchy of desirable employers. They are said to be lousy *patrones* for several reasons; mainly that they pay the lowest wages and demand the hardest work, usually denying *jornaleros* food and water, or telling them to buy it on their own time. *La Raza* –that is other Latin Americans- is only slightly higher than the previous groups. “Ellos no te ven como un hermano, ellos te ven para aprovecharse, tratarte de menos¹¹.” For Lorenzo and others, the inequality that characterizes employment in their home countries is transposed to the U.S and “Hispanic” employers do not change when they migrate: “¿por qué va a venir acá a ser diferente? Si acá también hay que sacarle provecho a todo.¹²” It is thus a common occurrence for *jornaleros* to judge and suspect “ethnic” looking employers who many times get very frustrated that nobody wants to get into their car. This doesn’t mean that *jornaleros* never work for them, many develop long term labor relationships and are quick to add “pero no todos, yo he trabajado con unos buenos¹³.”

Morenos, bar none, are seen as the worst employers, the ones who pay the least and abuse the most, and it is common to see *jornaleros* refuse to even approach cars driven by African Americans. They are also considered the most likely to leave you at a work site and never come back or simply to outright refuse to pay you after a few days work. Many men come to Berkeley because there are less *moreno* employers and because of the absence of *Tongas* (Tongans) who assail the Oakland *paradas*. Here the racialization of the *jornaleros* themselves is also evident, since everybody “agrees” that only indigenous Guatemalans, or simply *guatemalas*, are the easiest to abuse and the only *jornaleros* who work such employers. During my fieldwork I was able to corroborate many of these assumptions, mainly that *morenos* offer the lower wages and that *guatemalas* work for the lowest wages, especially in Oakland.

Going up the hierarchy, one finds women of any ethnicity, who are considered less likely to abuse their employees. *Gabachos*, that is white “Americans,” are the best employers, those who value a person’s work, pay well, and in general, treat *jornaleros* fairly. Lorenzo told me several times that *gabachos* like it when you speak English: “Aca ellos valoran que tú te superes, que hagas algo con tu vida.¹⁴” *Gabachos* are also prone to give people tips, while it wouldn’t cross the mind of any of the other employers.

Although these stereotypes are riddled with exceptions and many *jornaleros* have good relations with employers considered *chinos*, *árabes*, and *morenos*, every man in Berkeley assesses the job he will take along these lines. In the year I was on the corner almost every day,

⁸ “He must think he can pay 8 dollars an hour.”

⁹ “He might get a *guatemala* who will work for that.”

¹⁰ “No, nothing has come our way, only a black guy.”

¹¹ “They don’t see you as a brother, they see you as someone to take advantage of, to treat like a lesser person.”

¹² “Why would it be different here? Here they have to get an advantage over everything also.”

¹³ “But they are not all like that, I have worked with some good ones.”

¹⁴ “Here the value that you try to better yourself, that you do something with your life.”

however, none of my friends ever had a *moreno* repeat employer, and those African American *patrones* that did come repeatedly had trouble getting men to work for them because word got around that they did not even offer water if it was hot.

Network *patrones*

Most work on the street starts with a *jornalero* getting a job with someone they do not know. Once they establish a closer relationship to the *patrón* it is possible that more work will materialize. There are also occasions when they work with friends or acquaintances that take you on a job with someone they know. These *patrones* can also potentially become part of your network. Developing an effective network, however, is up to each man. For a network to be successful day laborers depend both on their ability to establish a relationship with repeat employers and getting along with the other *jornaleros* they know. They also need to be able to keep up with cell phone payments, since in almost every case, networks are articulated and set in motion through this precious commodity which is usually the first to go on a bad month.

Networking, in theory, is more profitable than simply waiting for a *patrón* on the street, since repeat employers are more likely to hire you on longer term jobs, either because they are subcontractors or own small construction or gardening business, or because individuals fixing up their home are more likely to hire someone they know for a more complex endeavor. During the year I sat on the corner of Fifth Street, repeat employers were scarce and interspersed, while most people worked with first time employers, either alone or in groups. These were simple gardening jobs, moving furniture, or cleaning and painting decks and rooms.

In truth, it is hard to assess why some men are better at establishing network *patrones* than others. I know men who manage to establish an effective network a few weeks after arriving and others, like Clemente, who after years on the corner really do not have any people who contact them regularly. Managing an effective network entails being reliable but also has to do with a man's cultural capital, ability to do specific jobs and ultimately his willingness to accommodate to particular employers. When these elements come together, the men find themselves not only making ends meet, but also doing more interesting work. Sindi and Don Raúl spent a weekend in Nevada, helping a woman who they met in Berkeley clean out her vacation home. They came back with pictures of themselves playing in the snow with mountain backgrounds. Similarly Carlos and Pablo, Beto's cousins were hired to paint another vacation home in Lake Tahoe. Francisco also had an employer who took him to Washington State to cut trees in what he thought to be a "private reserve," a job that one of my asylum seeker friends was also hired to do in Oregon. However, even in these cases, the men did not consider the work particularly profitable after they returned and they all complained such work really did not produce more money. In Francisco's case, he was paid 800 dollars for a week, and his *patrón* covered meals and hotel expenses, but he still considered it a bad deal because after he got back he did not get a job for almost two weeks. It might have been smarter, he argued, to stay and take the few jobs he was called for, which he had to decline and risk losing contact with employers who hired him regularly.

Unlike other research on day labor sites (e.g. Malpica 2002; Valenzuela 2001; Valenzuela 2003), during the harsh economic downturn in the year of my fieldwork, the importance of networks in job seeking and survival was put in question. Many men, like Don Jaime, a Honduran in his fifties, seemed to think that daily work was more easily found and that getting repeat employers was too difficult and even counterproductive. This, in fact, was Eduardo's case (see below), since he managed to get hired for three weeks to paint a Motel in San Francisco, but waited

almost three months to get paid. In the interim, he missed a payment on his phone and had to borrow money to get a new line, which “erased” all the *patrones* who might have called him to the old number.

Even when a man has a well established network, its effectiveness is not guaranteed, since it is common to spend weeks without work and then get hired for a couple of days in which you get called by some of your other *patrones* to do work you cannot agree to, as was Francisco’s case (see Chapter 3). This common occurrence weakens your network, since the employer will simply go to the corner and hire someone else that might then become the person they call later on. Furthermore, homeowners have only so many things they need done and people to recommend a *jornalero* to and it is very unlikely that they will keep a phone number from one year to another, although Lorenzo has *patrones* who call him every spring to help with the garden and then in the Fall to clean up. As Luis aptly puts it: “nadie es indispensable aquí¹⁵,” and if you cannot work for *your patrones*, they will most likely go back to the corner and find someone else who then might gain the upper hand over you. Men thus are reticent to recommend others because they risk losing the contact. In many cases it is preferable to let the *patrón* go back to the street and get someone they might not like. But it is always a risk. This reality –that long-term employment can weaken your network- undermines the ties among *jornaleros* who are always implicitly competing with one another.

I myself fell into this murky practice of risk management when I was hired for a job moving furniture. I had spent months wondering if I should go to work with some of my friends who pushed me to try it –“para que sepas como es el trabajo¹⁶”- but never actually “chose” me from among the others when the opportunity arose. The economic situation being as bad as it was, I found it hard to take someone else’s place, and the men I interacted with seemed to think others needed the work more than I did. My friends solved this in their usual, pseudo cruel schoolyard manner, by sending me to do the work no one else wanted. In every case this entailed “strange” *gabachos* that either “looked” like homosexual men searching for cheap sex or simply people that seemed a little off and hence probably meant trouble. One morning, a *gabacho* pulled up in a pickup truck with a *china* in the passenger seat and said he needed one guy who spoke English to help her move furniture. When he asked who spoke English, the five or six men on the corner all said “me, me,” jumping up and down. “If you understand me raise your left arm,” said the *gabacho* with a smirk. Everyone continued hopping and calling out “me, me.” Without understanding what was going on, the men realized the employer was being difficult and Eduardo turned to me and said “vete tu Tomás, que si le entiendes.¹⁷” Reluctantly I raised my left arm and spent three hours helping the woman arrange furniture in a storage facility nearby. When the *gabacho* returned to pay me and discovered I was a PhD student he dryly remarked: “Gee, I guess my test was too complicated if it takes an advanced degree to pass it,” and then let me interview him. He said he had a construction company and usually hired a Guatemalan named Mario who brought trustworthy friends when needed. “He is very reliable and works hard, I called him this morning but he didn’t answer so I came to the corner but I couldn’t find him.” I knew exactly who this man was and two days later bumped into him on Seventh Street. He was respectful but not happy and wanted to know why the man did not call him the day before. “Yo vine temprano y me llevaron a hacer una *yarda*¹⁸,” he explained defensively. Mario

¹⁵ “No one here is indispensable.”

¹⁶ “so you can see how the work is.”

¹⁷ “You go Tomás, since you are the one who understands him.”

¹⁸ “I came early and was hired to work in a yard.”

wanted to know if the *gabacho* said he would hire me again and I tried to calm him by saying the *patrón* did not even ask for my number. Mario was not convinced and walked away mumbling. To my surprise, a week later while I was standing in line for Friday lunch, a *jornalero* I didn't know came up to me and said "hay un *gabacho* que lo estaba buscando para trabajar, preguntó en varias esquinas por el estudiante que habla Inglés, pero usted no estaba¹⁹." With dread I scanned the room and saw Mario glaring at me, but when I went up to tell him I had no intention of working with his *patrón* again he patted me on the shoulder and laughed "tranquilo, amigo Tomás, el me llamó anoche y le dije que no podía; lo que él quería era otra vez que ayudara a la *chinita* y yo ya tengo trabajo para la próxima semana."²⁰ It was the last time I ever went on a job.

Network *patrones*, at best, are ephemeral. A good repeat employer might contact you two or three times after your first job, but it is seldom that they provide much stability. There are a few things a *jornalero* can have to make himself more desirable. A cell phone is essential, since the "on-demand" nature of day labor entails that you need to easily be accessible. A car and tools are also good, since a repeat employer might keep contacting you because you save them money in transportation and maintenance. Yet of the twenty-five men I came to know well, only three had cars that had all been, at one point or another, out of service for extended periods of time, impounded, or stolen. Finally, all the men I know with established network *patrones* have some proficiency in English and followed instructions well, something many *jornaleros* do not do, especially those like Don Jaime who prefer to subsist by daily work alone. The only men who truly managed to make a living primarily from their network employers on my corner, were exceptions; Adolfo and Lorenzo, who were, above all else, loners.

Adolfo

Adolfo is in his late fifties and is on his second trip to the US. As a young man in Guatemala he learned his father's trade, masonry, and also graduated as an accountant from a vocational high school. This explains why whenever he talked about life of the street, he divided up everything into percentages. Even in Guatemala, Adolfo was able to make more money as a mason than in accounting. In the US his skill has allowed him to earn higher wages, on average, than other people on the street. In fact, Adolfo is regularly paid 25 to 30 dollars an hour, twice as much as a good wage on the street. This time around, he explained, he came to the corner with no contacts and took some odd-end jobs that paid no more than 12 dollars and hour. However, early on he was hired to help a homeowner build a small wall in his backyard. The man came to the *parada* and explicitly asked for someone with experience and, not entirely convinced, took Adolfo. To his surprise, this older Guatemalan's work was more than he expected so he hired Adolfo for a similar job in the front of his house. "When he paid me for the second job he gave me 15 [dollars] out right, I didn't say I wanted more". The employer was so happy with his work that he told friends about Adolfo and hired him for a couple of other jobs. He also recommended Adolfo on a web page. The day we met, Adolfo came explicitly to ask for help finding that recommendation. "Maybe you can find out, because I am getting calls from people who have seen my name there." I found the review of then Berkeley Parent's Network, printed it out and translated it for him few weeks later. He was mesmerized that anyone could find his name like that but also worried that someone

¹⁹ "There is a *gabacho* that was looking to hire you, he asked in several corners for the student who speaks English, but you weren't around."

²⁰ "Relax friend, he called me last night and I told him I couldn't go; what he wanted was me to help the *chinita*, but I already have work for the next week."

might write a negative review, since he had recently had trouble with one of the people who saw his name there.

Another distinctive feature of Adolfo is that he has a run down car and owns his own tools, both of which he managed to buy during the year I was on the street. In truth, Adolfo's success is due to the fact that he is an excellent mason and that he has been recognized as such by individual homeowners interested in saving the money that hiring a licensed mason would cost. Yet his living conditions are not different from other *jornaleros*, and except for his car and tools, he spends little on himself and sends everything he makes to Guatemala, where he has built two houses, bought household appliances, and where his wife manages his money in order to support his three adult daughters and his grandchildren. Adolfo lives an ascetic life, sharing an apartment with three other men he really does not socialize with. Near his sixties, he has quit drinking and never goes out at night to bars or parties, mainly from fear of *morenos*, who roam his neighborhood stealing from Hispanics and who have injured and murdered people he knows, but also because he is totally committed to sending everything he makes home. Although Adolfo knows men on the street, it is only in passing, and many of my friends were curious as to who this man who always came to talk to me was.

Lorenzo

Lorenzo and Adolfo grew up in the same town and are roughly the same age. Although they knew each other back home, they are both in Berkeley independently and talk with great glee of the day they bumped into each other on the street. Lorenzo went to college a couple of semesters after getting a scholarship to study engineering, but money was scarce and he dropped out, working odd end jobs for a couple of years and then becoming a door-to-door software salesman. In 1996 he divorced his wife and came to California. Except for a brief stint as a janitor for eight months in Oakland, Lorenzo has always worked as a *jornalero*. He has no special skills except that he speaks English well and is amicable and chatty. Of all the people I know he has the greatest and most consistent amount of work and employers who hire him repeatedly and recommend him to others. He is also considered a nuisance on the street, and most of my friends quietly walked away when he came to talk to me. This is in part because he dominates any conversation and –since he spends his free time watching the news and reading on-line newspapers at the public library- is prone to try to engage people in “dense” conversations. This probably is the reason he befriended me, since I could keep up with talk of European socialized medicine, Latin American literature, and U.S and Latin American politics. Lorenzo is so intense that after the first time he and I went out drinking he left 12 messages on my cell phone, scaring my wife a bit and earning the dubious title of “my stalker.” This said, he is one of the men I got to know best; a close friend who introduced me to his extensive but somewhat estranged family, who took me to meet “friends” in Oakland, and who I am still in contact with.

Of all the men I know, Lorenzo is the one who gets the closest to his employers. He has been hired to clean people's houses, help them set up parties, and often does “the whole house” starting with garden work, painting the deck and then cleaning and painting the interior. One example of his ability to network is a job he got about two years ago. “Una güera me llevó a hacerle su jardín, y cuando terminé ella estaba poniendo una Bar B Q y le pregunté ¿Quieres que te ayude?²¹” Lorenzo helped her set up the Bar B Q and the woman suggested he stay for the party she was throwing and help her cook the meat, carry out furniture and then clean up. Lorenzo stayed and helped out, chatting with the

²¹ “A white lady picked me up to do her garden and as I was finishing she started setting up a Bar B Q and I asked her ‘do you want me to help?’”

guests and giving them his phone number. Of the 20 or so guests almost everyone has hired him to clean their garden or paint their house.

Lorenzo often times calls me from Home Depot where he goes to get the materials for many of his jobs, taking the receipts back to his employers to be reimbursed, something I have never seen anybody else do. He is on a first name basis with several of his *patrones* and even has a couple who invite him to share a meal with the family when he is there working. Although I never quite believed how close he was to some of these people I did “witness” an event where after several hours of heavy drinking in San Francisco Lorenzo discovered he would be unable to make it home on the Bus. He called “Mister Smith” and spoke in English briefly, telling me later that the man would pick him up at the BART station and let him stay in the guest bedroom where he slept when he went to work there.

I attribute Lorenzo’s success to several factors. He is quite light skinned and older than most *jornaleros* and does not seem to fit the stereotype of the somewhat “shady Hispanic.” He is also willing to do any job, no matter how menial, and prides himself in his work. In his own words, whereas some other *jornaleros* go out to do “just enough to get paid” Lorenzo takes every job seriously and usually suggests improvements and other jobs to his employers. Although prone to drinking binges every few months that last about a week, Lorenzo is responsible, always on time, and very friendly. He has also learned that there are things you can say to *gabachos* that result in better wages and tips. He always tries to speak English, for example, and tells his employers about the English classes he takes at the adult school. When the MI made a failed attempt to teach a “gardener certification course” which entailed attending classes at the church on five consecutive Fridays (something only one character on the street had the luxury to do, namely me) Lorenzo jumped at the possibility of “certification” and although he only attended one class, kept the photocopies and irrigation instruction manuals in his back pack to show employers he was taking a course. He also tried to draft me into his network because I was the only “*jornalero*” to actually fulfill the course requirements and called non stop for a whole weekend because he was trying to convince a woman to pay him for cutting down a tree not by the hourly wage but as a contract. “Le dije que tomamos un curso, que usted es profesor, llámeme Tomás que es un negocio en el que necesito una persona de confianza, responsable²².”

Both Adolfo and Lorenzo understand their success as a combination of good luck, hard work and, in Lorenzo’s case, a will to take any job. At the height of the crisis in 2008, when my other friends were spending weeks without a job, both these men had work lasting several days. They were called for most of these jobs, pointing to an extensive labor network that is mostly composed of *gabachos*. Both men think their proficiency in English also gives them an edge, not only because they can discuss the work at hand with their *patrones* but also because they can “chat them up.” I have seen this first hand with Lorenzo who many times received calls while we were together and who always enquired about the *patrón*’s family, the weather, and other things I never heard anybody else discuss. Lorenzo and Adolfo also mostly work alone, and on the few occasions the job requires more men they recommend each other. “Por ejemplo Tomás, yo ahora estoy pintando una casa y el *patrón* me dice que necesita otro más, yo le digo ‘déjame y hablo con un mi amigo que trabaja bien’ y llamo al Adolfo porque sé que el me va a responder; si Adolfo no puede yo le digo al *gabacho* ‘mira, si quieres vamos a la esquina por otro, pero yo no

²² “I told her we took a course and that you were a teacher, call me Tomás, it is a business deal in which I need a person I trust, someone responsible.”

lo conozco y no te puedo responder por el.²³” Finally, they attribute the “failure” of others to laziness or poor habits, actually reflecting the notion that I mentioned before, where researchers assume “good” day laborers are not visible on the corner.

“Mire Tomás, yo le voy a explicar, acá sólo quedan los malos trabajadores todo el tiempo; los buenos llegan y consiguen patronos que los recomiendan en otros trabajos, los malos no los recomiendan y vuelven acá. Acá, los que se quedan todo el tiempo son los malos trabajadores, los que beben y no trabajan bien.²⁴”

Adolfo’s opinion, coming from someone with extensive networks and who has been recommended on the Berkeley Parents Network, is somewhat unfair. First of all, I met both him and Lorenzo on the corner where we hung out together many times for days on end throughout the year. Secondly, after knowing many *jornaleros* who have very little network jobs for several years, I would argue that there are a lot of good, responsible, and able bodied men who remain on the corner and who cannot achieve what the two Guatemalans above have. There are several reasons for this, some of which I have mentioned above. First and foremost, there are a lot of *jornaleros* on the street and not enough work to go around. This weakens networks because as Luis said, everyone is replaceable and no one indispensable. Even when *jornaleros* have repeat employers who call them every once in a while, the reality and nature of day labor means that they can either wait for someone to call and risk not making any money, or stand on the street and take whatever comes their way, knowing that they risk losing a contact. There is also a fickle and yet symbolically charged moral economy at play on the street, which requires men to balance their employer contacts with their friends. As I will show in Eduardo’s case below, failure to pass on work to others (or failure to appear like you do), results in conflicts. Because relations with coworkers are for many men the most direct social contact with others –providing support and entertainment- these conflicts can affect a day laborers state of mind. Although all men say they come to the street to work, they also call attention to the psychological need to engage others who share their experience. Thus, in balancing the perception that they respond to the moral economy; i.e. look out for others, include others in their network, and abstain from boasting, they inevitably lose the edge necessary for obtaining more stable work. Nowhere is this more evident than with the issue of regular work, something that is articulated as full time employment off the street, although in many cases through employers found there.

Trabajo regular

Amidst the dire labor situation -the imminent danger of not making ends meet- lies the mystique of *trabajo regular* or regular work, meaning a formal job with regular pay. Both the documented and undocumented seek and sometimes get regular jobs. Surprisingly, immigration status does not seem to affect whether one is more or less likely to get such work, since leaving the corner depends on *jornalero’s* ability to mobilize his networks, where friends on the “inside” recommend him to their supervisors. Yet the years I spent on the corner saw the rise of

²³ “For example Tomás, I am painting a house and the employer tells me he needs another guy, I’ll say ‘let me talk to a fiend of mine who does a good job’ and then I call Adolfo because I know he will be trustworthy, if Adolfo can’t come I’ll tell the *gabacho* ‘look, if you want we can go to the corner for someone else, but I don’t know him and hence I can’t be held responsible for him.

²⁴ “Look Tomás, I’m going to explain it to you, here only the lousy workers stay all day, the good one’s come here and get employers who recommend them for other jobs, the bad ones don’t get recommended and come back. Here the ones who stay are the bad workers, those who drink and don’t work well.”

unemployment hit historic highs in California (USDL 2010). For day laborers this meant that the documented had less chances of getting regular employment, simply because there were less jobs available. For the undocumented, the issue was also complicated by the increasing control of work permits and Social Security Numbers (SSN).

In general, men past middle age on the Berkeley site were only interested in gaining regular employment through work obtained on the street, although all men expressed desire to get something stable. The main reason for this is that they perceive regular work to be too difficult to obtain, and in most cases less profitable because you earn minimum wage (which is lower than the hourly wage on the street) and have to pay taxes (whether using a good or fake SSN). The other factor is that for older men it might not be so easy to deal with the subservient position that many of these jobs entail. Don Jesus, for example, whose age required us to refer to him with the respectful “don,” disappeared for a while until I bumped into him on the U.C. Berkeley campus. He had landed a job as a *bus* (buserperson) in one of the local coffee shops. Working under much younger men, he had to swallow his pride to keep his job picking up dirty dishes, something many other *jornaleros* might not be willing to do.

For immigrants with no papers, regular work is an ever-diminishing possibility, which helps to contrast better times that have past and the inevitability of their current situation. Like mementos from better days, Luis kept old pay slips in his backpack and showed us every once in a while how much he had made working at restaurants and a hotel in the nineties on previous trips. For the time that we shared the little wall on the corner of Fifth Street, Luis constantly bickered about not getting employment and for a while made a daily ritual of reading the employment classifieds in the San Francisco Chronicle I brought to the stop. He always told Clemente, who had papers, to call some of the phone numbers in the paper, complaining that his fake SSN would be rejected outright if he did the same. Ever more desperate, Luis told me several times that he was talking to people he knew to see if he could get one such job, but they never came through. The closest he ever got was when his friend Esteban got a job down the street (in the Fourth Street Shopping Area) in an Italian restaurant. Esteban came by daily to tell us they were looking for busboys and were not really checking SSN. Luis acted interested and it seemed to me that he was on his way to regular employment. In late February and early March of 2008, he became adamant that Luis should write up a curriculum vita and give it to him. Luis nodded each time and a days later asked me to bring my computer so we could write the CV. When we finally sat down to do it, I discovered Luis had no idea what the CV was or how to make one. It took several days for Esteban to produce his own version and explain that we could include both real and made up references to other jobs. This made Luis nervous. He did not like the idea of lying and was also frustrated because the managers he had worked for ten years ago no longer were around. If the potential employer checked up on them they would find only dead ends. We finally came up with a CV using the names on the pay slips and abstaining from mentioning the periods of time Luis had returned to Mexico. By doing this we made it look like he had worked in hotels and restaurants for fifteen years. Yet for some reason he never applied, always worried that they would try to check up on him and ask why none of his references came through.

In truth, I did not quite understand Luis’s reticence, since Eduardo, whom I had met as a *jornalero*, and with whom I appear in the background picture of People Magazine, got the job with mainly fake references. He was so happy he was hired that talked about paying for one of the Friday lunches as an act of Thanksgiving and to show he had not forgotten those he had shared the street with. His job lasted a couple of months after which he was let go with no

explanation. While he worked he made about 60 dollars on weekdays and 120 on weekends, a combination of minimum wage and tips. He claimed that after taxes he was making 1600 dollars every two weeks, which means he was more than doubling the wages I was hearing about on the street. This was not his first job in a restaurant and Esteban calculated that he would get a better tax return this year if he managed to hold the job long enough. Walking by every morning on his way to work he provided a sharp contrast to his former mates, dressing in black uniform and having little time to chat. On our corner he would stop and complain sometimes, since most of his new work mates were *gabachos*, who made more money because they spoke English and, in his words “get more tips because they look better.”

That Luis, who I consider the most street savvy of the men I met on the street had trouble writing up a CV should indicate that the issue of regular work is not solely related to hard times, but also to the cultural capital required to apply. On a February morning in 2008 I was asked to help three friends fill out a different type of application, one for a factory. Hernando, Chucho, and Toño, had gone to Hayward where a friend was working and brought the application back to the corner to fill out. They were stumped as to what to write, and joked around waving the applications in the cold morning air, asking one another what they were writing. The first problem was that Chucho’s work history was exclusively on day labor sites, in Berkeley and in L.A. I told him how to write “construction” and “carpenter,” but he couldn’t remember the names of any of his employers. His references, then, consisted of the other two guys he was applying with and the uncle of another friend. None spoke English. Chucho furthermore could not explain his “reasons for leaving” the other jobs, since none were actually formal, and settled with “general lay-off” which we came up with together. Finally, Chucho had no formal education in the US and jotted down the name of his *secundaria* in Mexico, wondering if that was enough. As he looked at the wrinkled and almost empty application he turned and smiled mischievously: “que Dios se lo pague.²⁵” We had hardly written a word on the paper. Finally he ran to his car and came back with wrinkled certificate he had obtained in L.A telling me why he thought it might help: “Es un certificado de soldadura en Los Angeles²⁶.” I asked how he got it and Hernando explained that sometimes places where you work give you certificates if you learn to do something. For about two weeks the three friends went around the Bay Area filling out applications in places they had heard were hiring. They all had fake SSN and one had a fake green card, all of which stated they were two years older than they actually were, since they got them as minors when they first came to the U.S. They had used these papers before and told me they had paid taxes and even been returned money, “así que son de los buenos²⁷.” Yet when they finally landed a regular job it was at a place that obviously did not even check the papers, paid them less than minimum wage and required them to work through the night, on demand, from 2 to 4 nights a week. When they returned to the corner they were in dire need of money, since, after taxes, their wages did not cover their room and board, phones, and travel expenses. Two of them ended up moving to undisclosed parts of California where they had heard food and gas were cheaper and it was easier to get factory work.

A few months before we met, Lorenzo also managed to land himself a job as a janitor in Oakland through someone he shared living quarters with. He worked for a contractor who made him pay taxes and gave him minimum wage. Initially, Lorenzo thought it would be a good deal and moved to Oakland so he could walk to the factory he had to clean at night when there were

²⁵ “May God repay you.”

²⁶ “It’s a welding certificate from [when I worked] in Los Angeles.”

²⁷ “That means they’re the good ones.”

no buses available. He soon realized, however, that the work, from 6 p.m. to early in the morning, demanded too much of him and got him less money than he made as a *jornalero*. When tax season came, he panicked about filing his papers and simply moved back to Berkeley and resumed his work as a day laborer.

There is a final version of *trabajo regular* which is highly desired on the street and which is the most unlikely to happen. This is when day labor becomes regular work through the agency of the *jornalero* himself. Most men I spoke to wishfully day dreamed about buying a *troca*²⁸, getting some tools, and doing contract type work on their own. When Lorenzo heard about Adolfo's Internet recommendation, for example, he excitedly tried to convince Adolfo to become partners with him and asked me to help them make a web page to publicize their labor. "Si nos organizamos podemos armar una empresita, ¿vah Tomás? lo único son los papeles."²⁹

There were a few people in Berkeley that had something close to a "business," although they hung out with the rest of us because they never had enough work to avoid the street altogether; in fact they were there almost everyday. One of these men –owner of a truck with "Professional Gardening" and a phone number printed on the side doors- tried to "hire" me to sue a man who owed him thousands of dollars. The others were two brothers who hung out *en las vías* and owned a truck, with which, they claimed, they made a lot of money moving furniture. In both cases the other *jornaleros* resented the men because they considered them "bossy," and said they treated others poorly and condescendingly. Most people felt they put on airs unnecessarily, since they too spent most of their time on the corner taking any job.

In part, cultural capital along with the contingencies of living by the day wage, make it difficult to learn the ropes. After returning to the street, Chucho came to me one morning, nudged on by Luis, to ask if I could help him. He was confused as to what he wanted to ask and explained a woman wanted to hire him to fix her driveway, like a contractor. After a few attempts, he managed to tell me that the lady asked him "que le pasara un papel diciendo qué era lo que cobraba"³⁰. He was not quite sure what that meant. We talked about this a while. Luis said it was a *presupuesto* and I said it was like the card of Luis's uncle, which said "estimates." Chucho did not understand why she wanted it on a paper and explained he had already agreed to do it for 600 dollars, after the woman told him his initial offer of 800 was too much, even though it was almost half what a contractor would charge. The final outcome was a wrinkled and scribbled piece of paper where he wrote exactly what he had told the woman verbally: "son 600 dólares." He never got the job.

Most of the documented day laborers I know got their papers through the various forms of asylum offered to Central Americans from the eighties onward. Among the men on my corner who had papers, only two had regular employment and were on the street only briefly. One was a Guatemalan who frequented the site for a few months while he got his driver's license situation fixed. After several DUIs, his license was revoked and he was not able to drive the pool cleaning van at his normal job. He drove his car without the license for the two months he came to the site and refused to appear in the People Magazine pictures because he was afraid of being recognized by the unemployment office from which he was getting benefits. The other was a Mexican who

²⁸ Pick up truck.

²⁹ "If we get organized we can make a small business, don't you think Tomás? The only problem is the papers."

³⁰ "that she wanted me to write down how much I would charge on a piece of paper."

had worked as a foreman for a construction company but now made a living driving undocumented men's cars back to Mexico. He was on the corner in-between jobs.

During my time on the corner many people asked me for help with job applications. Clemente, for example, is a Salvadoran who has papers through asylum. Forcibly conscripted into the army as a teenager, he suffered a head injury that left him walking with a limp and moving pretty slowly. Clemente has had several "regular" jobs in the last ten years, the most exciting was working as a guard at the Oakland Airport. He told me over the years we knew each other that these *trabajillos* were offered to him through acquaintances -"nunca funciona si no tienes a alguien del otro lado"³¹- who recommended him. For the past five years, he has been on the corner because he lost contact with people who could get him work. He claimed he had applied to many jobs "pero nunca me llaman." His immigration status is well know on the street, and Luis pushed him constantly to call the numbers in the paper classifieds and to talk to the delivery people who stopped in front of us on a daily basis. One morning, as Luis and I joked around, Clemente walked up to the UPS guy who came every weekday morning. Following Luis's advice, Clemente asked how he could get a job with the company. He came back and told us the guy said to go to an address in Richmond and look on the web. He wanted me to look it up.

The next day Clemente and I went to David's house to borrow his computer. Before filling out the online application we had to open an e-mail account, something he had never heard of. I tried explaining a bit but he just laughed and told me I would be checking the account anyway because he didn't know how to use a computer. Then we got to the UPS site and finally found the application for Richmond. Apparently they start with part time package handlers and want young people. We put in his information, and then answered some questions. Among other things, Clemente, who is in truth handicapped from a mortar wound, stated that he could carry 70 lb packages and that he was willing to work at odd hours, late at night and early in the morning. The first time I submitted the application we got a message stating he did not fill the requirements they were looking for. "No estan dando," he said listlessly standing up. Out of curiosity I changed one of our answers that stated he didn't have a car to get to work and resubmitted the application. It went through and we got a message saying UPS would contact him in a few days. Clemente was skeptical when I told him we were finished and wanted to go back and change the hours he could work since he did not want to be out at night. He had been violently robbed twice by *morenos*, the last time leaving him basically naked on the street. He also asked me to go back to the site and check the wages of the entry-level positions, which started at between 110 and 115 dollars a week [part time only], after taxes and other deductions. (My son's babysitter makes more than that for only twelve hours of work a week.) In the end Clemente could not figure out if we had applied or not, but eagerly told the other guys he was waiting to "hear" from them. UPS never contacted him.

Another similar case was Marcos, a Guatemalan in his late thirties who had papers for reasons he never could or wanted to explain. He lived in a men's shelter and got disability checks in the mail from an accident that, he claimed, damaged his back, but seemed to the people on the corner to have affected him *en la cabeza*³². He was childish, drooled, and interrupted other people's conversations, but he was tolerated by most everyone along the corridor because he was perceived as being "wrong in the head." Out of compassion, Lorenzo sometimes bought him lunch, even though he always seemed to have brand new shoes on. Whatever the case, we

³¹ "It never works unless you have some one on the other side [on the inside]"

³² in the head.

became friends when he heard I helped Clemente. Marcos had a social worker who made on-line job applications for him. He knew how to access his e-mail, but claimed that no one was offering work and asked me to find him a place “donde si esten dando³³”. When we checked his e-mails we discovered had been turned down from about twenty menial jobs, but offered a loan to take a nursing assistant course of some kind in San Jose. It was here I decided that he in fact had some mental impairment, since he seriously considered moving there, borrowing money, and taking a course in English, which he hadn’t learned in ten years in Oakland, but claimed could master by the next summer. Marcos desperation led him to move to Oregon where he had friends and had heard there was a lot of work, only to find that the *situación* there was even worse than in Berkeley. He took to calling me constantly asking if labor conditions had improved, and even claimed to have gone to Vancouver for a few months. The fact that he could legally work, had access to social workers, and seemed willing to try anything never affected the harsh reality that there was no place where there was anything available.

* * *

Work on the labor site is thus a precarious commodity managed by the day laborers through their relations with other men there and through their interactions with employers. What is central here is that work is not easy to obtain and not always considered profitable. The types of work and the conditions under which it becomes a reality, make solidarity among *jornaleros* both a necessity and a threat. As I have illustrated above, to rely solely on network employers is very difficult and entails a solitary endeavor that requires men to forgo participating in the diffuse moral economy on the site. Depending on a combination of network and non-network employers responded more effectively to the conditions present on the corner during my time there. It also demanded interacting with others on the site in ways that neither Adolfo nor Lorenzo ever did. And yet, as I will illustrate below, participating in the moral economy on the street is complicated and risky, in part because all ties of friendship and collaboration are cemented with distrust and the knowledge that at any given time, the other part will chose himself at the expense of others. An effective *jornalero* is thus someone who can manage the shaky balance of personal relationships and self-interest.

Friends, acquaintances, and strangers

The discussion above has primarily dealt with the issue of labor and its interrelationship with the *jornaleros*’ social networks. That I have downplayed the element of friendship here is not fortuitous, for most ethnographic research on day laborers has overemphasized the degree to which personal relations on the street affect the people living and working there. It is true that men go to the corner to socialize, that they establish important personal and labor contacts there, and that they interact with one another at different levels, some very intimate. In fact, it took me months to realize that these relationships are not as strong as they might seem at a given moment. To see men commiserate, help each other out, advise each other from the intimate to the practical, leads one to somewhat cherish the resilience they have in the face of adversity and to “give them at least that,” in a fashion that mirrors their own perceptions regarding what really goes on there. “Venimos para no agüitarnos,” is a valuable sentiment, but it hides the fact that few if any of the friendships here are anything but passing.

³³ “Where they are offering [work]”

Classical sociological and anthropological ethnographies of “street corner societies” and marginalized populations have shaped the ease with which ethnographers latch on to sociability a key response to poverty and exclusion as it is expressed in transient spaces of the urban landscape. Ties of friendship, fictive kinship, and so on have been put forth by authors like Anderson (2003), Liebow (2003), and Stack (1974), in part, to illustrate the rules and rationales that the poor develop in order to deal with their situation. Liebow, for example, recognizes the weakness of the ties of friendship he studied among African American men who, like *jornaleros*, lived and socialized on street corners where they sought informal employment. Yet friendship for him, structured the brittle balance of personal worth, identity and sociability among his informants, in a way that strove to explain the importance and centrality of these relationships: “...the resources in the street corner world are almost entirely given over to the construction and maintenance of personal relationships” (2003:105). For the *jornaleros* in Berkeley, however, friendship is costly and marked by the difficult realities of labor, which require a high degree of individuality and pragmatism necessary to make ends meet. Personal relationships in Liebow’s case are also valued in as much as the men are interacting within the general urban space where they live, while these *jornaleros* usually do not share spatial proximity outside the labor market. In fact, all of the classical “street corner” ethnographies, and most work I have cited on *jornaleros*, deal with street corners located in the neighborhoods where informants live, while the Berkeley site is located, for most men, miles away from their place of residence, which in turn, is not necessarily the same neighborhood that their co-workers inhabit.

The Fifth Street corner on the Berkeley site was exceptional in that it included a great many *jornaleros* who liked joking around. *La esquina de los albuces*³⁴, as others referred to it, seemed to be a place of great personalities and great friendships. Yet within six months of my being there these relationships had changed radically. Don Raúl left in December, around the time that Beto and his two cousins (*los trillizos*) began to be ostracized by the rest of the men. This led Sindi to hang out on other corners, since he had a falling out with the *trillizos* who are from the same area that he lives in Mexico and who, he thought, should have behaved better. Beto and his cousins, who initially seemed to be everyone’s friends, became distanced from the others because, as Sindi told me: “Ellos sólo andan juntos y no tratan bien a los demás, no trabajan con nadie más y nos tratan de menos³⁵.” They had landed some good jobs that lasted several weeks and never included anyone else. That most of these jobs only included Carlos and Pablo (two brothers) and not Beto (their cousin) seemed irrelevant, and no one spoke to Beto when he came to the corner because they felt it was inappropriate for him to compete for work if his cousins had gotten such good jobs. Family ties and family solidarity, along with the wrong attitude, seemed to have worked against the three men. Beto took to hanging out on the Sixth Street corner, a block up the street. Even then, the men of Fifth Street mumbled under their breath when they saw him: “Míralo, como los primos tienen trabajo, ahora si viene a ver que cae.³⁶” The close group I initially saw was divided in two in the middle of my fieldwork, with me being the only go-between. This also brought me trouble, since Luis and the others became nasty and quiet if I joined them after talking to either of the three, who in turn took to greeting me without speaking to anyone else.

³⁴ “The corner of double entendres.”

³⁵ “They only hang out [work] with each other and mistreat others, they don’t work with anyone else and treat us all in a condescending way.”

³⁶ “Look at him, since his cousins have work, no he comes here to see what he can find.”

More surprisingly, Clemente had a falling out with everyone else after I finished fieldwork. I later learned that the problems began only two months after I met them all when Clemente, Luis, Beto, and two other men were hired by a *chino* to do work in his house. The “team” constituted some of my closest acquaintances, the “main” group of people I had interacted with and who I envisioned as a close group of *jornaleros* who looked out for each other. For two weeks the *chino* came every morning to pick up the guys. Halfway through the job, Clemente was late one day. The men waited a few minutes in the van and seeing that the *patrón* was losing his patience, simply told Campeche to come instead. When Clemente arrived and I told him what happened he shook his head knowingly: “Así es Tomás, ellos son así, a mi me odian porque soy Salvadoreño, porque tengo papeles³⁷.” Clemente is one of the people Luis told me he doesn’t like working with, “siempre me toca trabajar más a mi, el no se organiza.³⁸” His failure to arrive on time led to his replacement by a quiet 20 year old we did not know well. Over the year I was on the corner Clemente told me several times the other men hated him, always after he had been pushed out of a work group. I never heard anyone express outright dislike for him, but it is noteworthy that he felt this when at odds with the others. The fact that he was Salvadoran also never came up when I talked to other people, yet he felt excluded from the primarily Mexican cohort on the corner. That he had papers also never seemed to be a problem, and I saw many men suggest to him that he apply to a wide verity of jobs only a documented person would have access to.

Like other times, these tensions were never expressed in a face to face encounter; Clemente only complained in passing that he had been replaced and stood on the other side of the street a couple of days, after which everything seemed to go as before. But the problems continued, in a roundabout way until he broke all relations with the men of Fifth Street. In February of 2009 I returned to the corner a couple of times to catch up on what was happening. One morning sitting alone with Clemente he complained that he hadn’t worked at all in February and only had two little jobs in January. He also asked surreptitiously if I had talked to *el dos cejas* (Luis). I mentioned we spoke a couple of days before. “Debe andar trabajando porque no lo he mirado esta semana,” he said, shaking his head and adding: “Ya no me habla ese, ya no es como antes, ha cambiado³⁹.” His complaint started with a situation similar to the one above: “Un día agarré un trabajo y necesitaban a cuatro, yo lo llamé y fuimos, pero ya después no me volvieron a llevar a mi, siendo que yo les había conseguido el trabajo.⁴⁰” He didn’t seem mad, just annoyed and shrugged his shoulders when I asked why they didn’t call him back. I tried to pursue the problem with Luis but Clemente cut me off. “Ese me debe una feria que le presté y no me ha pagado. Encima se pone bravo cuando le digo ‘a ese no le gusta pagar,’ también es culpa mía por andar prestando.⁴¹” I was surprised, since I witnessed the loan and knew Luis often borrowed money to pay the rent, always to repay it when he got work. Clemente went on to complain about Iván (a young Guatemalan who hung out with us for two or three months). “También le presté a ese *guatemala*, el *güerillo*, cien baros que nunca me pagó, igual es mi culpa

³⁷ “That’s the way it is Tomás, that’s the way they are, they hate me because I am Salvadoran, because I have papers.”

³⁸ “I always have to work more, he doesn’t get organized.”

³⁹ “He must be working because we haven’t seen him this week...that one never speaks to me anymore, he isn’t like before, he’s changed.”

⁴⁰ “One day I got work and they needed four [men] and I called him and we went [to work], but later they didn’t take me, and I had been the one who got the job.”

⁴¹ “That one owes me a sum of money I lent him and he hasn’t repaid. On top of that he gets mad when I say ‘that one doesn’t like to pay back,’ well it’s my fault for going around lending money.”

por andar prestando, y yo se que fue porque *el dos cejas* le dijo que me preguntara, pero me quedó debiendo y nunca me pagó.” I asked if he had Iván’s phone number and he shook his head: “Igual se que ese vive por Oakland, me va a tocar ir a buscarlo⁴².” The problem was that he really doesn’t remember where Iván lives. Trying to get in on some talk about these tensions, and also uncomfortable because I realized he asked about Luis to see if he had work, I asked about “los de Veracruz.” He wasn’t sure whom I meant and I had to name the *trillizos*. “Bah, esos es porque se creen mucho, ni sus propios familiares acá en la esquina se los aguantan⁴³.”

Clemente also had falling out with the Multicultural Institute (MI), who got him a job cleaning the church where we ate Friday lunch. “Ellos ya no ayudan, me corrieron de ahí de la iglesia, metieron a otra, una mujer conocida de ellos.” He hadn’t been back to lunch either. “Ellos son así, Tomás, metieron a una persona mas tiempo, una amiga de ellos; yo me molesté, estoy sentido con ellos, luego fui a quitar mi nombre de una libreta que tenían allá y me la encontré bailando, oyendo música ranchera, me trato mal; yo le dije ‘ey, que te pasa?’ y fui y quité mi nombre.⁴⁴” Clemente wanted to cross his name out in the church’s notebook because he had no intention of ever speaking to the MI again. During the months he worked at the church he always referred to the MI as his employer, yet it was the church who paid the wages and probably who decided to go with someone else.

During the spring Luis made reference to the event Clemente talked above. “No vuelvo a hablar inglés cuando nos recojan,⁴⁵” he explained. He was the only person who was fluent enough to understand the *patrón*, who thought Clemente didn’t really do any work at all and who told him not to bring him the next day. “El *gabacho* decidió al segundo día que sólo necesitaba tres y no volvió a llevar al *Ponchadito*, ahora él y los otros dicen que es que yo le dije al *patrón* que no lo llevara.⁴⁶” Luis was suspect because the others could not understand what he said to the employer and hence was blamed for Clemente’s dismissal. “Como ellos no entienden, creen que yo le estoy diciendo a quién llamar, y que me paga más a mi.⁴⁷” He was not happy and repeated several times that on the corner “we are all friends until we have to work together.” Yet Luis was usually effective maintaining his networks, and referred many men to jobs he could not take.

Favoritism is the main complaint that *jornaleros* in Berkeley make about the Multicultural Institute. This is in part an effect of the NGOs attempts to act as a referral system where employers call them to get trustworthy *jornaleros*. The institute’s staff makes an effort to offer these jobs to men from all along the site, and even developed strategies to make the election transparent, having interested men sign a sheet. When a *patrón* requests a *jornalero*, the MI starts

⁴² I also lent money to that *guatemala*, the light skinned one, a hundred dollars that he never paid back, it’s my fault for lending money, and I know it was because *dos cejas* [Luis] told him he should ask me, but he still owes me and hasn’t paid.” “I know he lives somewhere in Oakland, I’ll have to go look for him.”

⁴³ “Bah, that’s because they think too much of themselves, not even their own kin here on the corner can stand them.”

⁴⁴ “They don’t help anymore, they kicked me out of the church and hired a woman they knew.” “That’s the way they are Tomás, they hired hey for more time, a friend of theirs, I got mad, I am mad at them, then I went to take my name out of a notebook they have and she was dancing, listening to *ranchera* music, and she treated me poorly. Hey what’s the problem with you? I said, and crossed out my name.”

⁴⁵ “I’ll never speak English again when we get hired.”

⁴⁶ “The *gabacho* decided the second day that he only needed three [people] and didn’t take *Ponchadito* [Clemente] again, now he and the other guys are saying that I told the *patrón* not to take him.”

⁴⁷ “Because they don’t understand [English], they think I am telling him [the employer] who to call and that he is paying me more.”

calling the numbers in the order they signed up. But since men come and go it is usually not the first man to sign up who gets the job. Also, it is common that the jobs requested be the next day, and men assigned to them can get lost on their way –few know the streets well enough to find an address- or they get called or picked up by someone else. Men who in the past have failed to appear to these jobs usually do not participate in the lists, but also feel unfairly excluded. The precariousness of the site makes it easy to understand why accusations about unfair treatment arise leading to resentment that gets vocalized when the MI staff is not around. Should a particular *jornalero* be perceived as one of the favorites he risks being considered a “manipulator” working in self-interest. Luis, for example, was referred to employers several times during the year but only took jobs when he was in dire need of money because he had been branded as one of the favorites.

Friction with the MI was always based on accusations of favoritism and on specific day laborers ideas about what the organization should do. Following the rationale that it’s employees made a living of their plight, a few *jornaleros* tried to rally others to “force” the MI to “do their job,” in this case to magically get the city to allow them to expand upwards towards Tenth Street and to keep the police from coming down and giving those outside the white zones tickets. These “rallies” never come to fruition, because most *jornaleros* appreciate the MI and especially Rudy and David who go out of their way to help anyone who comes to them with a problem.

Eduardo’s Downfall

The easy with which fallings out changed the composition of the groups I interacted with initially surprised me. I got used to it, however, learning never to appear to favor or help anyone more than others. Yet it was with Eduardo, one of the first people I met on the street and to be friendly to me that I came to realize the violence that these relations can wield. As we continued to meet on the street we grew better acquainted and I actually used his easygoing personality as a way into some of the groups of men I ended up hanging out with. Eduardo and I are roughly the same age, and, when we met he had been on the corner only three months, which made us both new to the scene, and which allowed me to see his failed attempts to gain the respect and friendship of his peers. Before coming to the U.S. he owned a store on the outskirts of Mexico City where he sold *peluches*⁴⁸ and had a computer with which he surfed the internet, visiting museum web pages around the world and watching videos of documentaries on YouTube and other sites. He also liked talking with friends and customers and made a point of telling us how he loved to *platicar con las morras*⁴⁹ who came into his store. On the corner, we talked long hours about science, history and, when joined by Luis -whose family had nicknamed *el animalitos* because of his passion for animal documentaries- tested one another’s knowledge about common and obscure endangered species.

Eduardo lived in Orinda with cousins who came to the United States 18 years before and who he had not seen since childhood. Their relation was good, although he really was not considered part of the family. He rented a small room from them, joining in family activities like flying kites in the marina and going out to eat. He also seemed to be proactive about work. The first time I met him he gave me his business card, which he said made it easy for *patrones* to get in touch with him if they ever required his services again. Surprised that undocumented immigrants had business cards I kept the very professional looking document in my wallet making a mental note to keep an eye out for others. Eduardo considered himself an excellent

⁴⁸ Stuffed animals

⁴⁹ “Talk with the girls”

painter and had worked on weeklong jobs painting hotels in San Francisco and Sacramento. He also had an insipient network of *patrones* who were beginning to call him for jobs around the house. When I met him in August he spent most of the morning on the Fifth Street corner and then walked down to *las vias* to hang out with another group on Fourth Street. He seemed to be well known by the men on both corners, and partook of the daily revelry and joking, went on some jobs with others, and helped out in the kitchen on Fridays.

In truth, Eduardo was also a strange character on the site. Hyper conscious about my own behavior among the *jornaleros*, I wondered why he made himself an easy target for jokes and jibes. When we talked about women, he told outrageous stories about sexual exploits which none of us believed, tried to act “macho” about always having a water bottle next to his bed so he could hydrate while having sex, and then separated himself from the others by making a big deal about liking older women. When he was not participating in our conversations he put on the earphones of a cheap Disc Man and sang along to sappy love songs in a high pitch and out of tone voice that anyone mildly acquainted with male behavior in most of the western world would avoid. Finally, he was very loose with “feelings” around relative strangers, and told very intimate experiences about sex, including being propositioned by men, to people he did not know. Eduardo also set himself apart from the others by bringing stories and love poems he wrote and reading them to the others, ignoring their jokes and scoffs.

His behavior made Eduardo an easy target for *albures* about his masculinity and I was not always able to avoid jumping on his childish or “touchy-feely” remarks as I learned to joke *a la Mexicana* and became part of the scene. In other words, from the very beginning Eduardo made himself an easy target for jokes in a way that even the out of place Colombian anthropologist -who could not really understand the genre- did not. The truth is I always got along with Eduardo better when we were alone and not subject to the scrutiny and approval of others, who did not see me as “soft” as they saw him. All I can say is that as anthropologists we are not exempt from taking sides in our fieldwork, just as we cannot “act” in ways that do not coincide with our own personalities. I never bullied Eduardo as others did, but I never aligned myself with him publicly either. Both options would have been equally artificial, since in the first instance I could not ignore his friendship, but in the second I simply could not understand why he made himself so vulnerable to the critique and joking of his peers.

But it was not Eduardo’s weirdness alone that got him in trouble, at least not completely, but his inability to learn to manage work and social networks on the corner and his tendency to trust people he really didn’t know. A few months into his sojourn on the corner, Eduardo sat on the wall one morning telling me that while he was painting in San Francisco one of the women who had been hiring him around the house had called him for work. Very matter-of-factly he mentioned he had turned down the work because the paint job was supposed to last a couple of weeks. Now he was frustrated because the job had fallen through and he couldn’t reach the woman who probably had someone else doing the work. Luis, who was listening, turned and sharply scolded him for waiting a week to contact her again: “Tienes que hacerlo en el momento o consiguen a otra persona, acá nadie es indispensable⁵⁰.” Then he turned to me and repeated: “¿No crees Tomás? Nadie es indispensable en la esquina.” Luis meant that Eduardo should have “held on” to the contact by either offering to work at some other time or telling the woman he would send a friend. Eduardo tried to argue that there was nothing he could have done, but Luis was unrelenting, he should have sent someone he knew to do the work he could not. That way he would have kept the contact.

⁵⁰ “You have to do it [contact the patrón] immediately or they’ll get someone else, no one is indispensable here.”

Two days later Eduardo got a call from a *Filipina* who sometimes hired him to work around the house. He stepped aside for privacy to talk to her, which inevitably caught our attention. We watched him intently and after hanging up he was forced to explain that he had declined the work she offered because he already had something else the next day. The guys around him all let out angry and exasperated sighs. Luis said he should have told her that one of them could go. Then, lecturing Eduardo, told him that in these situations he should always tell the person he would send a friend, always. These were not empty words, since I had seen Luis do this with Jorge, who he trusted, several times. Eduardo defended himself explaining that he could not recommend anyone immediately because she said she would be leaving the house and he didn't have her cell phone number. Luis told him to call quickly and tell her one of them would go tomorrow. He agreed to do this, but refused to call back because he thought that was too aggressive and promised to mention it if she called again. Then, dumbfounded, he asked who he should send. There was an uncomfortable silence and they all made circular motions to indicate that he should take any one of them. I don't know how the group decided it was going to be Clemente, but they went off so Eduardo could show him where the house was (a few blocks away), just in case. They came back shortly and Luis told Clemente that if he couldn't make it then he should tell one of the others.

The next day I asked Clemente if he had gone to the job that Eduardo was supposed to set up for him. He made a face of exasperation and ticking his head with his forefinger said that Eduardo was wrong in the head. Luis seemed to agree. Clemente explained: "Me dijo que a veces pagan 15, a veces 12, a veces 10, pero que no sabía, que no le habían dicho."⁵¹ They both shook their heads. Eduardo had effectively made himself suspect because he did not seem to handle networking with his peers effectively and lost their respect because he appeared unable to hold on to his *patrones*. Four months later things hadn't changed much. Eduardo was part of the "regulars" and often participated in the joking but still made himself suspect with how he managed networks. One morning he appeared late on the corner and told us he really didn't want to work because he had worked hard the day before. The men there smiled, shaking their heads in mock disbelief. Eager to talk, Eduardo told us that on the weekend he turned down a *patrón* who called to offer work because he only paid 12 dollars an hour. "Aquí tenemos muchos que queremos trabajar, porque no llamó?"⁵² asked Clemente angrily. Feeling attacked he answered: "Yo no trabajo por 12, de 13 para arriba, y sí lo llamé pero no me contestó."⁵³ Since Clemente had recently changed his cell phone and had a new number, it was hard to challenge this, even though we all suspected it was a lie. Even more surprising, however, was that when Eduardo asked for Clemente's new number he asked for his name. I had considered them part of the same "group" for over eight months.

Things didn't get better for Eduardo. Shortly after this event he began to lose his patience with the Fifth Street crowd who laughed at his signing, scolded him for not referring others, and in general questioned every single one of his stories about women. Tired of being the object of the other's jokes, he took to coming for the second shift, *el segundo turno*, appearing briefly to say hello at around 11 or 12 –when most of the Fifth Street *jornaleros* were thinking of going home– and then walking down to Fourth Street. The men on Fifth Street came to the conclusion that he must be doing drugs and drinking down *en las vias*, and nicknamed him

⁵¹ "He told me sometimes they pay 15, sometimes 12, and sometimes 10 dollars but that he didn't know how much [she was paying], he said she didn't tell him."

⁵² "There are many of us here who want to work, why didn't you call?"

⁵³ "I don't work for 12 dollars, only for more than 13 and I did call you but you didn't answer."

“Cocoliso,” an allusion to snorting cocaine, after he appeared one morning with something that looked like white powder under his nose (which he tried to explain, to no avail, was just sun tan lotion).

I started following Eduardo down to the other corner, where one afternoon while we were alone we discussed his problems. He was tired of the street, he said, they were saying he was always stoned because his beady eyes watered constantly (he has a congenital malformation of the cornea and wears contact lenses). He was sad that day and told me that he missed talking with women and that the men on the corner said he was too ugly and dark to meet anything better than a *gorda*⁵⁴. By then he had the greatest amount of nicknames on the street, which included *el espantapájaros*⁵⁵, *la tortuga ninja*⁵⁶ and “Freddy Kruger,” all referring to his looks. I asked if they were not just joking and he became even more serious: “Pues si, pero al mismo tiempo no y tu sabes que cuando no estas dicen cosas hasta peores, tu llegas y hablas y haces chistes, pero he llegado a la conclusión que acá esta uno solo⁵⁷.” Originally, he explained, he thought he had *compañeros* at the *parada* but even the new people he had befriended on Fourth Street always called other guys when *patrones* needed more hands, “even guys they don’t know as well as they know me.” “Pero no te creas que son sólo ellos, por ejemplo Luis el otro día, el no le preguntó al patrón si quería mas gente.” He reacted to my disbelief and said “¿no te diste cuenta? El no le preguntó solo lo saludo; aca la gente prefiere perder una chamba que recomendar a otra persona⁵⁸.” As we talked he constantly repeated “aquí no hay amigos Tomás⁵⁹,” and actually said there was no reciprocity on the street. It was an intimate moment of frustration, where I could not bring myself to tell him I thought he brought these problems upon himself. What was worse, except for contact with his family, which were distant relations at best, his only social outings were with men on the street, younger *jornaleros* I never really spoke to but who stopped by every once in a while to make fun of Eduardo’s behavior in bars and at parties. “La música es lo único que tengo que es seguro,” he said sadly, holding his Disc man nervously in his hands.

In April Eduardo and I got reacquainted after not really speaking since early December. He was now hanging out on Fourth and Fifth Streets only in the afternoons and had new friends, *el bicho*, a 24 year old alcoholic Guatemalan who looked like a teenager and William, a Salvadoran in his fifties who had recently arrived, was always in high spirits, an outspoken member of Alcoholics Anonymous, and proud member of an evangelical church. Eduardo had also managed to get paid for his work in San Francisco and bought a 350-dollar Ipod, which, with his cousin’s computer, he had filled with hundreds of songs downloaded from the Internet. For about two months I left Fifth Street at around 1 p.m. and walked down the street to where Eduardo was to join him for *el segundo turno*. The morning crowd scoffed at this, and jeered constantly about me becoming an alcoholic. Luis, in particular, thought that I was mixing in with the wrong crowd and disbelievingly asked almost every morning if those people actually got any work in the

⁵⁴ “a fat woman.”

⁵⁵ “Scarecrow.”

⁵⁶ “The Ninja Turtle.”

⁵⁷ “Well yes, but at the same time no and you know that when you aren’t around they say even worse things, you come and talk to them and joke around, but I have come to the conclusion that here one is alone.”

⁵⁸ “But don’t think it is only here [on Fourth Street], for example the other day Luis didn’t ask the patrón if he needed more people.” “Didn’t you notice, he didn’t ask he just greeted the guy, here people prefer to loose a job than to recommend someone else.”

⁵⁹ “There are no friends here Tomás.”

afternoons. They did, and along with William, *Bicho* and others, Eduardo was scrapping by a living just like his onetime companions in the mornings.

Nonetheless, Eduardo was also the brunt of cruel jokes and nicknames among his new crowd. He didn't do much to avoid it. For example, he insisted on keeping his work clothes in his backpack, wearing always new and fashionable clothes and a pair of transparent work goggles he found on the bus that protected his eyes from dust and wind, but also gave him a distinctively 80s look which always provided for smartass remarks from other men. He also continued his singing; poem and story writing now included his own songs and, finally, his absurd boasting about women had now earned him the nickname *el padrote*, which roughly translated to "pimp" but also had a "well dressed" connotation that made it sound more like "sugar daddy." Furthermore, although he never mentioned it, William and *Bicho* seemed to go on more jobs together than they did with Eduardo, also socializing on the weekends and not calling him. Nonetheless he seemed more at ease there, especially because he had aligned himself with two characters who were also outliers, not part of any group in particular and also considered a bit "weird." They shared the corner of Fourth Street with the two brothers who supposedly had a "business" with their pickup truck and who were held by almost everyone as snobs. Eduardo managed to ingratiate himself with his two newfound friends by contesting the brothers' ill treatment with a song he composed on the street, which illustrates many of the issues I have mentioned here. Titled "El Jornalero Rucanrolero" the song made fun of one of the brother's advanced age and physical appearance, and parodies the man's boastful attitude towards work (See page 41 in Chapter 2).

But the song did little for Eduardo's problems and by June *Bicho* had stolen his Ipod and William had disappeared. When word got around up on Fifth Street, no one was surprised, Eduardo was simply stupid to lend that thing out, Luis –who once in a while had handled the Ipod- explained. On one of our final conversations Eduardo was almost in tears as he told me he wanted to go back to Mexico. "You don't understand Tomás, you come here to have fun, to talk with people you like, but I have met murderers here, people who boast about killing their girlfriends, people who steal; in Mexico I had a store, I had a house I built, I myself hired the people to work on it, like they hire me here, there are no friends on the street." Two months later, after a few weeks on vacation with my wife, I returned to a *parada* without Eduardo. Some people said he went to L.A., others claimed he went home. His phone was disconnected, I have never heard from him again.

Living by the day wage

Vivir del jornal is a complex practice where individual prowess and one's relationship to others must balance each other out. Once this is achieved, however, *jornaleros* find themselves constantly rearranging their relationship to their coworkers, and forced to make decisions that might set them at odds with people who can potentially help them get more work. No relationship is long lasting, but rather friendships are cultivated for a while and then dissipate or disappear through tensions that arise. All the people day laborers relate to on the street come and go, other *jornaleros* and *patrones* alike. There are no constants in wage earning either. A man can have a good month and make enough money to buy his children back home a computer only to find himself out on the street the next month because he couldn't make his rent. *Patrones* day laborers have worked for several times can suddenly meet someone else they prefer or simply stop calling.

Whatever the conditions of labor, *jornaleros* are always a tacit threat to one another, a potential competitor that might leave them without money that day, or who might take the favor of a particular *patrón*. This curtails the consolidation of strong ties of solidarity, a favorite theme in much research on the subject, which furthermore seems to find it easy to consider the corner a bounded site from which to draw data. But this is absurd, even when considering the isolation from people outside the day labor realm these men inhabit. I now turn to life on and off the street corner as it relates back to the experience of immigration, hoping to complete the picture of how *jornaleros* establish themselves and live out life by the day wage. The weak ties of friendship on the corner are replicated in the places they live where crowded by strangers and threatened by the world around them, day laborers seem to live a lonely existence locked behind closed doors. Life on and off the street thus emerges as an oppressive experience where labor insecurity is coupled with physical insecurity and fear. At the heart of this lies the racial milieu that *jornaleros* inhabit and where street violence at the hands of African American youth gets scripted as naturalized difference. Again, it is important to underline that the people in these pages are mostly middle aged men whose families have remained in their countries of origin and who are in the US mainly to produce cash to send home for current and future use.

Chapter 2: Crowded solitude, race, and sociality

My discussion about ties of solidarity and friendship has been framed within the inner workings of day labor. In the previous chapter I argue that whatever the degree to which relations among the men come to affect the effectiveness of their work, they are based on very weak ties that can either work against a *jornalero*, or simply dissipate for a variety of reasons, leaving him in quite a lonely position. While the street corner does provide for companionship and support, the nature of day labor precludes the men's ability to establish strong support networks. It is difficult to gauge the extent to which life on the corner *is* life in the U.S for the *jornaleros* in Berkeley. The fact that they do not in any sense belong to a geographically anchored "community" in which the ethnographer can insert him or herself makes it easy to turn to the *parada* and make its loose relationships into a close-knit urban "village" ready for study. This error in methodological judgment, in the Berkeley case, is made even more difficult to overcome because most of the men on the site do not live near each other. The street corner is thus a place of convergence where day laborers congregate only for a few hours a day. Yet what men experience in their neighborhoods and through contact with their roommates –not all of which are *jornaleros* in Berkeley- also determines the way they experience their sojourn in this country. I thus turn to other spaces *jornaleros* inhabit and draw out some of the principal elements that these bring to their understanding of US society and their position within it, linking them back to how they affect life and labor on the corner. Finally, I will return to some of the relationships on the corner as they play out in conversations not directly related to work.

This chapter will tie two apparently oppositional aspects of the men's life –solitude and sociality- to a set of relations that are violently shaped by racialization, and yet generate information that determines their experience as immigrants. I suggest that among the day laborers in Berkeley a new subjectivity arises based on the specific experience of migrating to the United States and living by the day wage. I call this subjectivity "street corner cosmopolitanism" to point to various contradictions in the ways in which experience, decision-making, representation, and ultimately self-awareness become embodied. Street corner cosmopolitanism plays with the idea that, at the margins of society, the transnational nature of these men's lives acquires a flavor of the "global" preoccupations and rationales usually associated to cosmopolitanism, but that in its street corner version it is also severely flawed in its repercussions on daily life.

Living arrangements

Jornaleros in Berkeley can roughly be divided into those who live with family members and those who live with friends, acquaintances, or strangers. Although on the street they are mixed up and share most of the realities of day labor, those with family have more stable living arrangements supported by kinship networks that can help cover expenses on a bad month. Living arrangements for those who do not live with family are volatile and depend on personal relations among roommates and the economic tolerance that the household has to one or more of its members not paying rent on time. For both groups, overcrowding is pervasive and it is not

uncommon to share a room with three or four other men, each one sleeping on the floor, a cot, or on old mattresses. Living quarters generally look shabby and run down, mainly because they are considered temporary -*jornaleros* usually understand their time in the U.S as something that can end without notice- and they spend little money on furniture or appliances. Beds, sheets, blankets and furniture are thus inherited from roommates who leave. One notorious exception are televisions which almost everyone has access to and which play an important role in how these men get information about the world around them.

Luis, who had a falling out with Clemente over a small loan to pay his rent, lives in an apartment complex with three brothers, a brother in law, and two uncles. He is the only one of the six who works as a *jornalero*, although his uncle, who is in his early sixties, sometimes goes to the *esquina* when his usual job as a plumber is slow. Luis' housing situation is more stable than other people's, since his rent contract has not been interrupted in the last 15 years because there is always a male member of his immediate family living in the apartment, even though he has gone back to Mexico and then returned three times since he started living there. Structure notwithstanding, three to five people share each of the two one-bedroom apartments the family rents, depending on how many men are in the US at a given time. Aside from the discomfort of overcrowding, which the men deal with by keeping everything tidy and using the bed in the living rooms as sofas, Luis lives in a fairly safe part of Fruitvale and has a landlord who, for the most part, keeps the building running. The family members share a strong work ethic and sense of responsibility towards those in Mexico, so they do not party often, usually share chores and cook for one another (Luis and his uncle are especially proud of their culinary abilities), and spend most of their free times watching Television. Because of the amount of people to pool resources with they have cable TV and during my fieldwork one of the men even got DSL Internet service. In general, however, Luis, my closest friend, is an exception. Of the people I have mentioned the only others who lived with family were Eduardo, and the *trillizos*, who shared a one bedroom apartment with a female cousin. None of them were as structured as Luis's household. And yet because Luis always gave priority to his wife and three children in Mexico, sending almost everything he made home, he was often forced to borrow money to pay his rent. Although family in the US could always lend him money, Luis looked to others first, because he already owed his brothers so much that he could not return home before paying them back.

The rest of the *jornaleros* live in small and overcrowded apartments or ramshackle houses that can see more than five people sharing the floor or cots of a single room. This is done to reduce rent and usually starts with three or four men renting the place and then one or more of the main renters inviting someone else to sleep in their quarters to reduce their monthly payments. A man who pays 400 dollars a month can bring his rent down to 100 dollars if he gets three other people to live in his allotted space. When he couldn't get enough work to pay for food, for example, Sindi was able to bring his rent down from 230 to 130 by letting his *paisa* sleep on the floor of his room. He was excited that the arrangement worked and jokingly boasted about his newfound economic ability to afford a beer every once in a while. The downside was he couldn't watch TV late at night. Similarly, if any one of the people he "sublets" to cannot produce their share at the end of the month it is the first man's responsibility to cover the money, not the entire household. This is a great source of conflict that inevitably leads to disagreements and temporary homelessness for many men.

The first time I visited one of the more typical *jornalero* dwellings I was surprised by its precariousness, even though it looked like what most of my friends described. An old run down house in "the bad part" of Fruitvale, the place seemed to be right in the middle of the ghetto,

surrounded by run down cars parked or abandoned on the street and discarded furniture on the sidewalks. Lorenzo asked me to go see the place, since he was considering moving in with “friends” because his Mexican housemates were trying to get him kicked out of his current room: “Usted sabe Tomás, los hispanos también somos racistas, ellos prefieren un paisano de ellos.”¹ Lorenzo and I entered the house to be nastily received by his drunk “friend” –a man he had met twice before- who was lying on an old queen size mattress with no sheets. He was watching morning children’s programs on an ancient Sony TV with a dial. At the foot of his mattress was another, smaller mattress with crumpled sheets and clothes on it. There were also clothes on the floor and in boxes all over the room. Next to the TV there was an old wooden round table which stood lopsided and was full of things: plates, glasses, papers, and a toy robot. I sat by the door in an old office chair, Lorenzo and another man who lived there to my right on makeshift benches. From that vantage point I could see the only other room in the house to my right. It was smaller, had a wooden bed on one side and a mattress on the other. That room had a bigger and newer TV and a big mirror on the wall. The mattress had sheets, but was covered with things. The floor of the main room was wooden while the other had an old blue carpet. The walls in the house were in disrepair, the paint and plaster were falling off or had been ripped off, and there were posters of football teams and naked women haphazardly mounted on the walls with tape. One of the walls in the main room was severely damaged when a mounted shelf was apparently ripped out. You could still see where each of the drawers had been. The wood finish on the doorframes was also scratched and damaged. At the entrance there was a naked woman drawn on the wall with a plastic vagina attached in the appropriate place. Next to this were three little pamphlets reading “God is love” and “protect this home,” which I was told sarcastically someone had put up for protection. The guys offered us lunch so I saw the kitchen, which was tidy, dishes drying on the rack. There was a coin-operated washing machine next to the stove and signs reminding people to turn things off. The bathroom was through a little door to the right, next to the fridge, down a tiny hall and through a doorway that looked like it had been cut out of the wall. I could not fit through it without turning sideways. It had no door, but was clean with the exception of a used condom lying to the side of the toilet. All the windows in the house had makeshift curtains that looked like they were primarily composed of dirty sheets. When I asked Lorenzo how many people he would be sharing the house with he replied that it would be probably six or seven.

People living under these circumstances inevitably have problems with their roommates. The most common tensions, besides living with someone who cannot pay his part, have to do with alcohol consumption and rowdiness. Adolfo, for example, lived in a house with 11 other *jornaleros* who always had two 24-can cases of beer in the house when he got home on Fridays. During the week some of them also drank and stayed up talking or hearing music. His roommates always invited him to join them, but Adolfo, ever conscious of work, preferred to watch TV and rest. He left the place tired of the drunkenness that ensued, which sometimes lasted several days. He also tried to share a room with Lorenzo, but could not deal with his monthly drinking binges. Although close friends, Adolfo kept his distance to avoid Lorenzo’s drunken bouts, which also included multiple and incomprehensible phone calls that I myself fell victim to. The last time we spoke he was living with four other men he did not know well but who mostly kept to themselves. Many of the men I met had similar problems. Don Jaime, a Honduran in his mid fifties, wanted desperately to move but felt obligated to his friend (the main renter) whose share would almost double if he left. His problem was that his roommates drank every night and the

¹ “You know how it is Tomás, Hispanics are also racists, they prefer having someone from their own country.”

temptation was so strong that he feared he would not be able to keep his newly found evangelical abstinence.

None of these arrangement last more than a couple of months because people either get tired of their roommates, get scared of the neighborhood, or have to leave because they cannot make the rent. My friend Leonel moved four times during the year I was on the corner. He started out subletting space in a room for 130 dollars a month but had a falling out with one of the other main renters who constantly told him to pick up his things. He then moved in with some friends and paid 200 dollars until *la migra* knocked on their door early one morning, allegedly looking for someone they did not know. Although his roommates knew not to open the door without a warrant, they all left permanently before the day was over. He then found a run down house in Berkeley, which cost him and four friends 260 dollars a month each. This arrangement however was well beyond his means and two months later he had gone back to living in an overcrowded apartment of strangers he met on the street.

Conflicts often translate into animosity between people. A few weeks after getting his new roommate, Sindi complained non-stop that the “kid” –fifteen years his junior- played loud music all evening. The arrangement thus lasted only a few weeks. Claudio, an indigenous Guatemalan who was granted asylum, called me several times in terror of his housemates who threatened to beat him. On both occasions he wanted to know if calling the police would affect his asylum case, since he had not received his work permit in the mail yet. He was also worried he would get the others deported but was beginning to take their drunken threats seriously and explained it was *envidia*² for his papers. The roommates, all indigenous Guatemalans like Claudio, decided the asylum application was too dangerous, and initially advised him to forget about getting papers. Now they resented him because, not having taken their advice, got his papers and could petition for his wife and son to join him. The situation escalated to the point that Claudio only came to the house to sleep a few hours a night. He finally left when his work permit came in the mail.

Finally there are less common arrangements that are strikingly reminiscent of indentured servitude. I met two men who lived with their *patrones* –other Latin Americans with papers who worked as subcontractors for construction. These *jornaleros* worked for their landlords who “charged” the rent in terms of their labor. When work was good the employers considered the rent paid, but since it was slow during my fieldwork, the *patrones* had started to charge the men extra. In both cases the *jornaleros* spent part of their time on the street trying to make extra money to send home and support themselves here and complained that they weren’t sure how their landlords were calculating what they owed. In one of the cases the man left after making his own calculations and deciding the landlord owed him about five hundred dollars.

Alone together

Despite complaints about overcrowded dwellings, solitude is for most men the order of the day. Contact with other people is greatly limited to a small group of men; those they live with and those they hang out with on the street, all of which compete with them for resources and crowd their existence. And although some people get along with their roommates, nostalgia for family, desire for women, and complaints about housing arrangements color the conversations on the corner every day (See Chapter 5). Furthermore, day laborers have little access to leisure activities because of the convergence of their economic precariousness and the fear of being out in public

² Envy.

when not at work. In the first instance, money is always lacking, even when work is good, because the priority is to keep up with their weekly or bimonthly remittances, and many times this means that they do not keep enough for themselves to make ends meet. Claudio, for example, only ate once a day during the time he was having trouble with his roommates because his son in Guatemala was sick and needed medicine. In the second case, life for Latin American immigrants in Oakland, where most of the *jornaleros* live, is really a life in constant state of siege.

The contradictory nature of day labor is that a *jornalero* spends a great deal of time making himself visible on the corner, only to spend the rest of the day keeping a self imposed low profile. The only exceptions are places in Fruitvale or San Francisco where everyone is “Hispanic,” and where most *jornaleros* buy their food and clothing. It is in these neighborhoods that those who do socialize go out. Most of the young, single day laborers I met, like Eduardo, did try to get out of the house to socialize and try to meet women. The middle-aged men, however, considered the younger crowd foolish for going out at night because of the risk of immigration raids or fights that result in police intervention. Like in Leonel’s case, *la migra*, is an ever present threat dealt with, mainly, by avoiding public places. This notwithstanding, most *jornaleros*, young and old, consider the *morenos* in their neighborhoods a more immediate threat than *la migra*. After dark, it is the threat of violence from *moreno* gangs or individuals that keeps the men behind closed doors.

The city of Oakland, where most of the Day Laborers in Berkeley live, is one of the most segregated urban areas in the country. Segregation between black and white populations, in fact, has risen in the last decades. The growth of the Latin American immigrant population has led the working class ethnic niches to somewhat encroach and become part of the black neighborhoods, where poverty has concentrated leading to high indices of unemployment, lack of access to services and education, and inner-city violence (Massey 2007). In this segregated urban landscape shared by different ethnic groups, undocumented day laborers -many with little or no support networks in the U.S., limited skills in English, who furthermore carry their day’s or week’s pay in cash- make easy targets for theft and gang violence. Their vulnerability is quite straightforward, since *jornaleros*, when they have money, carry it around in cash and in general avoid contact with the police. The combination makes them ideal victims for theft, something that has also been noticed by the liberal press (see Nossiter 2009).

To hear of people being robbed by *morenos* was a daily occurrence on the Fifth Street corner, to the point that the men “swapped” stories about theft and violence from black youth, in the same offhand manner they compared food recipes from their different home towns. Clemente once was attacked by three *morenos* who beat him and then partially undressed him until they found the three hundred dollars he was carrying. Adolfo quit smoking after two black teenagers attacked him on the doorstep of his building one evening. Lorenzo always chose bars near the San Francisco BART station in the Mission district because he had been robbed several times on the street. Twice I missed asylum interviews because the person I was going to translate for was mugged and had his phone stolen on his way to the BART station. So animosity runs high and *jornaleros* tend to consider any black person, especially young male adults, a potential attacker. Day laborers thus go to great efforts to avoid *morenos*, even on the bus, sometimes getting off when a rowdy group of black teenagers boards. This distrust flows into other spheres of social interaction and the men do not trust *morenos* working at NGOs and other institutions. The few asylum seekers I know who managed to get state funded aid, for example, tended to drop out of the programs when their social workers were black.

The violence *jornaleros* suffer is both banal and spectacular. Sometimes it is limited to intimidation, other times they are attacked with bats, knives, and guns. Among Clemente's many scars, he has two on the face that are not from his shell wound during the war in El Salvador, but from two different occasions when he tried to fight his attackers. The most "spectacular" story I heard was from a Guatemalan indigenous man in the asylum office. Waiting long hours for his interview, Diego and I sat in the waiting room behind some African women. Keeping an eye on them throughout our conversation he finally whispered "Los *morenos* todos parecen sacados de un molde,³" making a sign with his hands to indicate a massive mold, "son todos iguales⁴." I nodded and let him continue: "Pero hay buenos y hay malos, mucho malos."⁵ I asked if he had ever had any trouble, since he had only been in the US only eleven months.

"One morning I left for work around six; it was October and the sun wasn't up yet. I went out with a hammer because a friend had told me 'you have to be very careful with the *morenos*.' I was walking down the street when I felt that there was someone coming up behind me, I could hear the jacket [makes the sound]. I managed to turn around and I saw him, I saw the *moreno* like this [imitates pulling out a gun]. He was pulling out the gun when I hit him on the arm with the hammer. I heard the gun fall on the ground and saw it go underneath a car. Then I jumped on the *moreno*, holding him hard, I don't know if I screamed or what, but I didn't let go because I was afraid he would get the gun. Then people started looking out the windows and another *moreno* opened his window and asked in Spanish: '¿Qué pasa ahí?' Afterwards he told me his father was Mexican and his mother was from Jamaica or something, but he didn't look like a Mexican. Anyway, the *moreno* who attacked me told him I was attacking him and I screamed in Spanish that it was the other way around. The guy in the window disappeared for a moment and then came back with another gun and pointed it at the *moreno* who attacked me. He told me to release him. I let my attacker go but then I noticed there was a *morena* behind the car and she came at me with a knife, so I dove under the car and pulled out the gun and managed to turn around before she reached me. I grabbed her by the arm and pointed the gun at her shaking. She and the guy then ran away. The Mexican *moreno* invited me into his house. We could hear the police was coming and he wanted to hide the gun I took, he said 'that's a good gun, we can get 500 for that!' He repeated that we shouldn't tell the police we had it."

Several policemen arrived before Diego could run away, and he ended up explaining the event to the only one who spoke Spanish. He almost panicked when they asked for his address and lied, saying he didn't know it because it was in English. The police reassured him that they were not *la migra* and that they helped people like him, eventually getting his phone number. Diego then described how the policeman picked the gun up with a pen and bagged it –*como en televisión*– adding that it was not every day that people in this situation would relinquish the firearm. The police said they would call Diego if they got any information, but he never heard from them or the Mexican guy who helped him again. He was so freaked out that he went home and locked himself up in his house for two days.

Hiding behind closed doors, Diego explained, was the only time he ever felt safe. Like him, most of my friends on Fifth Street spend their free time at home, isolated from the world around them. Most respond to questions about this elaborating a list of reasons that begins with

³ "The *morenos* all look like they were taken from a mold."

⁴ "they all look alike."

⁵ "But there are good ones and bad ones, lots of bad ones."

the moral imperative to send home as much money as they can. Then come the *morenos* and *la migra*. Whatever the order, living in the US is a lonely endeavor where the only companions are other lonely men, many of whom one would rather not be with. For most of the day laborers in Berkeley, the men on the street and their roommates are the only people they have extended social interactions with. Having already addressed the complexity of these relationships it is not surprising that isolation, coupled with the inability to go out and feel safe, are at the heart of these immigrant's experience. Paula Worby has looked at some of the effects of this issue, mainly an increase in drinking due both to the isolation and the influence of others (Worby 2007). Adolfo, who has moved because of his roommates drinking habits also talked about the danger inherent in drinking alone, just to pass the time. "Mire, yo ahora llego a mi casa y estoy cansado, no tengo familia, no quiero salir por miedo a que me agarren, yo voy a tomarme unas cervezas; y de pronto no me doy cuenta mientras veo televisión y ya me tomé la *six pack*."⁶

Sometimes the vicissitudes of *jornalero* wages and heavy drinking collude against them as one can see in the afternoons at *las vias*. Here, a few of the onetime *jornaleros* gather to drink beer and other alcoholic beverages in paper bags. They wear ragged clothes and have a stink that the others describe as "what the homeless *gabachos* smell like." Of the men on Fifth Street only Eduardo ever drank down there, sometimes late in the afternoon with *Bicho*, the guy who eventually stole his Ipod and disappeared. The *borrachitos* epitomize failure for active *jornaleros* who express compassion for their lot but disdain and revulsion towards the drunks themselves. They also appear at Friday lunch, take *mercados* and clothes; sometimes trying to sell them to others later. The *borrachitos*, for the most part, have also lost contact with their family and no longer support themselves by work, although every once in a while an unsuspecting *patrón* lets them jump in his or her car, usually only to kick them out once the smell of alcohol becomes obvious. Isolation here becomes absolute, since most of the drunks live under the freeway overpass or sleep in empty lots up on San Pablo Avenue.

The hierarchies of race

Crowded solitude -the lack of privacy and the inability to engage in meaningful social relations-becomes articulated with racialized urban violence and results in drastic isolation when not on the corner. While violence from *morenos* is the main reason most men dislike African Americans, racism among Latin American day laborers derives from other sources as well; that is, it is discussed and shaped through conversations on the street. Most men recognize that African Americans and Latin Americans share a similar structural position in society, but think that whereas Latin Americans work hard and never ask for anything from the state, the *morenos* are lazy and want the government to support them. On the corner I discussed this view quite often with men of different walks of life:

Tomás: ¿Y por qué dices que los *morenos* son perezosos?

William: ¿Sabés porqué? Mi punto de vista, el mío, ese es un monstruo que se crearon los blancos...

Eduardo: ¿Por qué?

Tomás: So why do you say the *morenos* are lazy?

William: You want to know why? My point of view is that [racial problems] it is a monster the whites created.

Eduardo: why?

⁶ "Look, I'll get home soon, tired, no family, I don't want to go out for fear of being caught [by *la migra* or the *morenos*], so I'll drink some beers; and before I realize it I will have drunk a six pack while watching TV."

William: Porque como los años anteriores atrás, las décadas pasadas los hicieron trabajar a puro huevo, a la fuerza...y aquellos antepasados les engendraron a estos de que ellos dicen que ya no tiene derecho a trabajar, porque sus antepasados trabajaron por ellos...

Eduardo: Si es lo que yo también pienso.

Tomás: ¿Pero ellos dicen eso?

Eduardo: Pos si no lo dicen, ya como que lo traen adentro ya.

William: Entonces este fue un monstruo que se crearon los blancos, que lo compraron los blancos, porque a los morenos los compraron. Los esclavos los trajeron, los fueron a comprar para traer gente a trabajar...negros de raza, o sea, buenos para trabajar, ...todo lo construyeron ellos. Estos eran países desiertos, estas eran tierras desiertas, entonces llevaron esa gente y la construyeron, a huevo, a huevo, O sea por fuerza...

Eduardo: Pos si porque eran esclavos...

William: Entonces yo digo que este es un monstruo que ellos mismos han creado...

Eduardo: Yo también estoy de acuerdo con lo que dice...

William: Si, ¿vah? Es mi manera de pensar...

Eduardo: que los negros por alguna forma, no es que sean flojos, exactamente, si no que ya por su ideología que tienen...

William: Y como no les gusta estudiar también, son malos estudiando..

Eduardo: No es que no les guste, a lo mejor es que no tienen una capacidad

William: ¿Cómo no? Si la tienen igual que nosotros, sino que les gusta mas andar jugando y todo eso...

Eduardo: Haciendo relajó...

William: Eso les gusta mas...entonces...pero no saben que esa no es la manera de desquitarse...la manera de desquitarse para ellos es agarrar el poder y ellos pueden tener el poder, pueden, esta uno de ellos corriendo para el poder...

Eduardo: Ahí esta Obama.

William: Because in past years, decades ago they [the whites] made them [the *morenos*] work really hard, by force...and those ancestors made the modern *morenos* feel that they don't need to work anymore because their ancestors worked in their stead.

Eduardo: Yea, it's what I think also.

Tomás: But do they [the *morenos*] say that?

Eduardo: Well if they don't say it they have internalized it.

William: So that was a monster that the whites created, the whites bought them, because the *morenos* were bought. They [the whites] brought the slaves, they went to buy them to bring people here to work...really strong blacks, good for labor, ...they built everything. These were deserted countries, these were empty lands, so they brought those people and they built [the country] by force.

Eduardo: Well of course, because they were slaves

William: So that's why I say it is a monster that they [the whites] created...

Eduardo: I also agree with what he says...

William: Yea, right? That's what I think.

Eduardo: that the blacks are necessarily lazy, but that they are like that because of their ideology...

William: and since they also dislike studying, they are real bad at school

Eduardo: It's not that they don't like it, maybe they aren't capable of it

William: What do you mean they aren't capable? They are just as capable as we are, its that they prefer to be playing around and all that...

Eduardo: Being rowdy...

William: they like that more...I mean...they don't realize that it's not the right way to get back [at the whites]...the way to get revenge and take the power [of the whites], and they can take the power, they can, on of them is running [for office] to take power

Eduardo: There we have Obama.

In this brief recording, the men I interviewed framed the “nature” of the *morenos* into the historical context they perceive to be relevant. Both Eduardo and William, like most men on the street, had little experience with people of African descent in their countries of origin. Having had only negative contact with African Americans in the US –both unscrupulous employers and

street violence- they express their ideas about *morenos* in opposition to what they consider themselves to be. They both acknowledge there is racism towards black people in their home countries, but their point of view is articulated in relation to how the two groups compete for the same resources in the United States. The back and forth nature of this interview is quite common on the street and a favorite topic of conversation since almost everyone has a personal experience to share. Many men also think the *morenos* have access to services and work that immigrants need and want, but can't have because they are undocumented. The brief mention of Barack Obama at the end of the interview also points to a latent preoccupation on the corner in the pre-election months of my fieldwork. Most of the *jornaleros* I spoke to did not like Obama, and discussions about the upcoming elections always revolved around the effects that a *moreno* president would have on their lives. The general consensus was that Obama would be the revenge of African Americans on the *gabachos*, and that Latin Americans would continue to be ignored and mistreated. Other people on the corner expected more violent effects on their lives, since they saw a *moreno* president as posing an inherent danger to undocumented immigrants who would find their greatest threat, *morenos*, suddenly empowered.

Other racial/ethnic groups get mapped onto *jornaleros*' worldview less violently, following their experience of the racial enclaves of the Bay Area. In a strange twist of imagery, Beto, for example argued that the *árabes*, who own many corner stores and gas stations, sell expired food products because only “*los morenos y nosotros les compramos.*”⁷ Again, this comment underlines the tacit understanding that African Americans and Hispanics share the bottom rung of the hierarchy. The *chinos* are also reportedly all in collusion against Latin Americans with whom they too interact in corner stores and businesses. But their actions stem from the assumed internal cohesiveness of the group, as *jornaleros* perceive the *chinos* to be more supportive of their compatriots. “*Ellos llegaron como nosotros y ya miren como están.*”⁸ Clemente told us one morning, meaning the *chinos* were more affluent than Latin Americans. “*Aunque viven como 20 en una misma casa,*” added Pedro laughing. With a sly smirk I asked how many people each one of them lived with and Pedro answered defensively “*pero ellos ayudan a su gente, a los que son raza.*”⁹ Latin Americans, the theory goes, “*no ayudan a su propia raza, mas bien se chingan entre ellos, son bien culeros.*”¹⁰ This assertion usually goes hand in hand with stories of unscrupulous *patrones* (themselves Hispanics) who have no problem with firing people or abusing employees that stem from their own countries. *La Raza*, used to describe compatriots, close friends, and Latin Americans in general, is infamous for not taking care of its own.

Racial segregation is thus structurally imposed by the conditions of relative marginality of the groups who internalize the difference and develop a high degree of self-segregation. There were a few African American day laborers on the corner but nobody ever spoke to them. On Fifth Street we had a young *moreno* that appeared every couple of months and sat next to us, sometimes smoking marijuana, who claimed to be a day laborer on the only occasion we exchanged words. When he was about, my friends would turn their back on him and shake their head when he asked for cigarettes. Even more impressive was a Bar B Q at Luis's apartment building held by the landlord (a Filipino) for all his tenants. When we went down to the central patio I was surprised to find all the *morenos* in one corner (a few were Jamaicans) the Mexicans

⁷ “Only the *morenos* and we buy from them.”

⁸ “They came like we did, but now look where they are.”

⁹ “But they help their own kind, they help those who are their own *raza* [kind]”

¹⁰ “They don't help their own people, instead they screw them, they are really misers.”

in the middle and a others, Asians and Russians on the opposite side. On a long line of tables in the middle of the patio the tenants had set out the food they contributed to the party, following the same distribution. During the whole event the only person who interacted with all the groups was the landlord, who got drunk and tried everyone's food. The rest of the people kept strictly to their own group.

* * *

Among *jornaleros* in Berkeley, perceptions about race and ethnicity order their relations with the world around them and, in conjunction with their own feelings of national and regional identity, also mark their relationships to other men who share the corner. U.S racial/ethnic categories that group these men together erase the fact that on the street there are men that understand each other to be markedly different. I always wonder at the use of categories like "Hispanic," or "Latino" that many indigenous Guatemalan asylum seekers must mark on their social security application, after getting asylum on the grounds that they are singularly different from what most people in this country would consider to be Hispanic. In fact, the only *jornalero* I ever heard use "Hispanic" or "Latino" was Lorenzo, who used it in the US sense when referring to news he had read or heard about. The more common term is *La Raza*, used in this case to denote anyone from Latin America.

For mestizo (i.e. non indigenous) *jornaleros*, distinctions on the street start with national origin, and then subdivide into regional or state provenance. On Fifth Street there were the *chilangos* (people from Mexico City), *los de Veracruz*, *los de Guadalajara*, and *Campeche* who was the only one from this state and hence inherited its name. There were other Mexicans who came from different parts of the country but who didn't have *paisas*¹¹ on the corner and hence did not make up a subgroup. There were also the *pochos*, US born Mexicans who usually were employers, and who were always suspect; not considered completely trustworthy. Non-Mexicans included Clemente, a Salvadoran, Iván, a ladino (non-indigenous) Guatemalan, and for a few months Mariano, who was indigenous (a native Mam speaker), but who spoke Spanish fluently, dressed in the "inner city" Oakland youth style and was hence just treated as a Guatemalan. Other characters in these pages who transected the Fifth Street corner but were not considered part of it, were also known by their nationality, even though most of us did not know their names. My friends thus referred to people I spoke to who they didn't socialize with as "that Honduran guy," "the Salvadoran who came to talk to you," and in the case of Lorenzo who they disliked "your *guatemala*."

Among the Mexican, Salvadoran, Honduran, and ladino (non-indigenous) Guatemalans there is a common understanding of where each man has come from. People of these nationalities come together on the corner and discuss the difference and similarities in their particular versions of Spanish, food, alcoholic beverages, the size of their hometown etc. These discussions are an everyday occurrence and aided my own relations to some of the groups I studied who were always interested in comparing notes with someone from a country that was not represented on the corner. And yet the seeming fluidity of these conversations becomes violently reversed when conflict arises and people revert back to their nationality or regional identification when they have falling outs with others. "They hate me because I'm Salvadoran," Clemente concluded after explaining his problems with Luis, even though I had never heard anyone publicly or privately say anything negative about his nationality. Lorenzo also had to

¹¹ Short for "paisanos;" i.e. people of the same region.

move when his Mexican roommates colluded to kick him out of the house, on the grounds, as Lorenzo understood it, that they preferred someone from their own country. Eduardo, who is from the state of Mexico, had a similar problem when he was picked up on the corner by an employer who already had three guys from Veracruz working for him. Eduardo suddenly found himself among hostile men who kept telling the employer that he didn't look strong enough to work. "Hay veces que la misma gente, en vez de decirte 'hola primo' o algo, te menosprecia, su misma raza¹²," he explained. In many cases, like Clemente, the men explain this type of discrimination as a form of racism where the term gets conflated with nationality or regional provenance.

On a slow July morning at the corner I sat on the wall with Beto, Campeche, Jorge, Clemente, and two others. As we were chatting Leonardo came along and shaking his head told us a *patrón* had offered him seven dollars an hour. We all scoffed and he continued "el problema es que hay mucho *guatemalita*¹³." Everyone nodded, Beto adding "los *chiquitos* trabajan por nada¹⁴" for emphasis. Fernando, who had lost his job as a baker and was returning to the corner after months of absence joked aloud that they advertised themselves as *tres por diez* (three laborers for the price of one; i.e. ten dollars).

While the term *guatemala* is used to refer to anyone from that country, in most cases it is used pejoratively (as in the case of Lorenzo) and usually denotes indigenous men. The *guatemalas* stand out for several reasons. Whereas most groups on the site constitute people of mixed provenance, both national and regional, *guatemalas* stand with members of their community. Most speak to one another in indigenous languages and have accents in Spanish, are usually less educated than the rest of the *jornaleros*, and in many cases seem more "clueless" and less street savvy. More importantly, coming from rural backgrounds and themselves discriminated against in both Guatemala and Mexico, *guatemalas* do tend to work for less money, taking on jobs that no one else would even consider. My friend Mateo, for example, started his time in the US undertaking full days of heavy labor for sixty dollars a day until his Mexican roommates told him not to be stupid. Mateo and other indigenous Guatemalans I met all agreed that *patrones* in Oakland chose the site because they know there are more indigenous men there and that they can get away with wages no one in Berkeley would agree to.

Guatemalas physical appearance can be noticeable also. Many *jornaleros* refer to them as *los chiquitos* or *aceitunas*, pointing to their short stature and dark skin. Although they constitute almost half of the day laborers in Berkeley (Worby 2007), they are isolated in many ways from the rest of the men there. On the street this difference was translated into geographical segregation, where about twenty men from two distinct communities, slowly colonized the three blocks above Sixth Street, getting the unwanted attention of neighbors who complained to the city. Tensions rose quickly and the *guatemalas* were branded by other day laborers as troublemakers who would end up hurting everyone's chances of work. For most of my friends the central issue was that the *guatemalas* were doing this out of ignorance, and repeated constantly that "esa gente no entiende y nos va a perjudicar a todos."¹⁵ For Clemente the issue was that they had "invaded" the site, noting accurately that they were relatively new in Berkeley

¹² "There are times when the people, instead of saying "hey cousin," or something [like that], they look down on you, their same people."

¹³ "The problem is that there are too many *guatemalas* [used condescendingly in the diminutive]"

¹⁴ "The 'little ones' work for nothing."

¹⁵ "Those people do not understand and they are going to harm us all."

The issues with the *guatemala* expansion up the street did not get better, and one morning I arrived to find the corner in panic, men walking down from the upper blocks cursing and talking rapidly about the end of their way of life. After many complaints from the neighborhood residents, Berkeley police had appeared and asked the people between Fifth and Eighth street to stand in the allowed area between Second and Fourth. Everyone blamed the *guatemalas* above Sixth Street –the residential area- for being selfish, stupid, and “thick.” In turn, the *guatemalas* blamed the Multicultural Institute (MI) for being inefficient and racist (which in this case meant “pro-Mexican”). Both these accusations were unwarranted, since the men above Sixth Street had been warned repeatedly that neighbors were complaining about their presence, that the city of Berkeley was not going to expand the allowed area, and that the police would eventually get involved.

Access to legal status is also a source of friction linked to nationality, the Mexicans being at a disadvantage in relation to Guatemalans and Salvadorans for whom it is sometimes possible to get asylum, TPS, and other forms of legal immigration status. Many Mexican men feel it is unfair that they cannot get papers while others on the corner can, although few know the inherent difficulties and risks involved. Guatemalan indigenous *jornaleros* are usually the main objects of these recriminations, even though few of those on the Berkeley site actually had legal status. Jorge, the only Mexican I met who was in the process of applying for asylum, told us one morning that his case was getting complicated and that the asylum officer didn’t seem to believe his story. He was purposefully vague about his case, which opened the door for jokes about what he should have told the officer. Laughing Luis concluded that he should have made up a language, “les hubieras hablado así¹⁶,” imitating an indigenous language and asking me to corroborate its authentic *guatemala* ring. Whether in jokes or serious complaints, the ethnic association with papers reinforces mestizo *jornaleros* disdain for *guatemalas* who, in contrast to general assumptions about their intellect, are accused of putting on airs, and treating others condescendingly when they have legal status.

Whatever the case, the street corner is a space where notions about race and ethnicity emerge from a conjunction of racial/ethnic, national/regional hierarchies that *jornaleros* bring from home, and US racial hierarchies as they are encountered through work, on the street, and in their neighborhoods. This mixture leads to the latent contradictions in these distinctions where *jornaleros* who have been discussing the absurdity of Chinese speaking communities in Mexico or Guatemala, for example, accuse the DMV, or a particular *patrón* of racism because they want them to be able to speak English. Assumptions about race, ethnicity, and regional and national origin, however are not the only considerations that the men on the street make when they measure each other in order to align themselves with particular groups of men. Among acquaintances *humildad* –humility- plays an important part. At the heart of the issue is a person’s treatment of others and his own behavior. Most complaints about problematic characters on and off the street refer back to “racism” and treating others as if they were lesser men, *tratar de menos*. Sometimes both issues coincide but in many cases men are simply weary of others who talk too much about their economic gains. Boasting about money is thus looked down upon because it threatens the general notion of equality among the men who vie for the same employers, the rationale being that a person who is well off should abstain from competing. And yet everyone is prone boasting, since that equality reflects a form of quasi-destitution that most people would like to avoid, especially when talking to people back home.

¹⁶ “You should have talked like this”

Boasting

Among immigrant men living in the bottom echelons of US society boasting about the amount of money and things they have obtained is a common response to the very harsh reality many immigrants encounter once they realize how hard it is to make ends meet. Men boast about their achievements both when they speak to people in their home countries and on the corner. In the first case, as Lorenzo and others explained, people at home expect to hear that their family members are making a lot of money “Ellos creen que acá uno no mas sale y ¡jua! [making as to grab money out of the air] hay dinero para todos,¹⁷” explained Lorenzo one day and adding:

“Look at our lives, we are here on the street and work only comes once or twice a week. My mother might think: ‘now I will be better since my son is there’ but she doesn’t know how hard it is; all we do is hang out and joke around; and you might get caught [by la migra] any time, maybe today, I don’t know; you have to be psychologically prepared.”

Boasting keeps up appearances and sets loved ones at ease, but as I will show later, it also sets up unfair expectations of what men can send home and causes a great amount of stress and conflict. The function of boasting, once a man returns home, is to maintain the image of the successful male who has overcome adversity and made a triumphant life up north. Many of my friends say their decision to come to the US was in part informed by the tales they heard from returning immigrants, who claimed to have made a lot of money, bought cars, electronics, and so on. When he was in Guatemala, Lorenzo heard friends brag about all the things they had done in the US and all the money they made. After twelve years in California a close family member his age called him from Guatemala to say he was thinking of migrating north. Lorenzo tried explaining how difficult things were and tried to advise the man not to come. “Además le dije: ‘Mira, tu estuviste tres meses en el 90 y no te gustó ¿qué vas a venir a hacer?’ pero el me reclamó que por que no quería que viniera, que por qué era envidioso¹⁸.” Lorenzo thought this was stupid and explained that it was due to the fact that people back home do not understand the reality here. “Ellos allá oyen que todo es fácil, que acá se sacude el árbol y caen dólares; y es que la gente acá miente, se toman una foto junto a un Mercedes y la mandan a Guatemala diciendo que ese es su carro.¹⁹” He added that he had many friends that said they had sold their land back home to come here only to find that working was really difficult, “ellos me dicen, ‘amigo Lorenzo, esto no es el Estados Unidos que me prometieron’²⁰.” He remembers when he was back in Guatemala that people talked about certain characters, a woman, for example, who had bought three houses in the US. “Uno oye eso y dice ‘ella se hizo muy rica’ pero viene acá y se da cuenta que esa mujer debe mucha plata y tal vez hasta pierde esas casas²¹.”

Boasting is also common on the corner and men often times complain about *jornaleros* who cannot shut up about the houses they have built back home, or all the money they make. In truth, after a few months on the street, when I realized that people talking to each other avidly did not

¹⁷ “The think you can just walk outside here and jua! There is money for everyone.”

¹⁸ “I also told him: ‘look, you were here three months in 1990 and you didn’t like it, what are you going to come do here?’ but he answered that I didn’t want him to come here, that I was being envious.”

¹⁹ “Over there they hear everything her is easy, that here you shake the tree and dollars fall from it. The thing is the people who are here lie, they stand next to a Mercedes and take a picture and send it home saying ‘this is my car.’”

²⁰ “They say to me: ‘Lorenzo my friend, this is not the United States I was promised.’”

²¹ “One hears that and says: ‘she really got rich,’ but then you come here and see that she owes a lot of money and will maybe even loose those houses.”

really know one another well, I simply took everything I heard about affluence with a grain of salt. Boasting is so ingrained into life on the street, that everyone counts on it in one way or another. One character even earned the nickname *el mil vacas*²² because of his outrageous stories about the cattle and land he bought back in Honduras with all the money he made in the US. His land was so extensive, he claimed, that if you stand on a little hill in the middle, you cannot see its boundaries. Everyone on the corner “knows” this is a lie, and most just laugh at the stories. Others however, become tired of the person putting on airs of his success and *el mil vacas* was not welcome on every corner.

Eduardo became attuned to the issue of boasting when he started feeling like he was excluded from every place he hung out. Towards the end of his time in Berkeley, he told me that he had been on many different parts of the *esquina* and that in each one he had notice a tendency to exaggerate:

“Igual hay muchos que hablan cosas exageradas, dicen que tienen casas y tierras en México y uno sabe que no es verdad. Uno allá en la cuatro dice que tiene casas en Querétano, Cancún, muchos terrenos, pero le digo que si yo tuviera tanto no estaría acá sufriendo. Conocí un vato que me dijo que se hacía 50000 en la calle, y conocí un güey que me dijo que lo había recogido un chino y que le estaba pagando de a 15!”²³

When he told me this on the corner, the other man standing with us nodded constantly finally explaining that “un *chino* nunca te paga 15, son culeros.”²⁴ He and Eduardo agreed that people didn’t only boast about what they had back home, but also that they exaggerated about how much money they make. “Then you go to where they live you find that they have nothing.”

Although most time people simply make fun of or ignore a man who boasts about his success, it also causes discomfort. Many day laborers feel that people on the corner who boast great wealth and material possessions do so to shame them and to justify treating them like lesser men. Eduardo found himself on Fourth Street dealing with such a case. The excerpt that follows is from the same interview I cited above. In it, Eduardo was prompted by his Salvadoran friend William to sing a song he composed for one of the men they said treated them like inferiors.

William: Muchachos, ciérrense los oídos.

Eduardo: Nooo güey.

William: Ciérrense los oídos

Tomás: dale, dale

Eduardo: Nooo

Tomás: Entonces cuéntame ¿cuál es el trasfondo de la canción?

Eduardo: Pues porque ese güey siempre me anda molestando mucho, me dice un chingo de cosas ¿no? [nodding to William]

William: Desde que llega

William: Ok boys, cover your ears.

Eduardo: Nooo güey.

William: Cover your ears.

Tomás: go on, go on

Eduardo: Nooo

Tomás: Ok, so what is the background of this song?

Eduardo: Well, [I wrote it] because that guy is constantly bothering me, calls me a whole bunch of names, no? [nodding to William]

William: From the moment he arrives

²² “Thousand cows.”

²³ “There are many men who exaggerate, they say they have houses and land in Mexico and one knows it’s not true. Un guy on Fourth Street says he has houses in Querétaro, Cancún, much land, but I tell him that if I had so much I wouldn’t be here suffering. I met a guy that said he was making fifty thousand dollars a year here on the street, and I met a guy who claimed a *chino* was paying him 15 dollars and hour!”

²⁴ “A *chino* will never pay you 15 dollars, they are cheap bastards.”

Eduardo: Chíngueme y chíngueme y chíngueme. Entones estaba en esas cuando este [William] sacó esa palabra y le empezó a decir que estaba ruco y ruco y le dolió, le dolió...ruco es que ya esta viejo.

William: Y le digo yo “Anciano” “Mire abuelo”...

Eduardo: Entonces dije “ah, si le cae mal que le digan ruco le voy a escribir su canción de rucanrolero.

William: por eso dice la canción “rucanrolero.”

Eduardo: O sea es una parodia, en vez de decir “rockanrolero” dice “rucanrolero.”

William: De viejo, de anciano.

Tomás: ¡Ja! eso no lo había entendido.

Eduardo: Dice [empieza a cantar]

Yo soy un jornalero, y aunque a veces me digan que soy un culero

Me dicen ‘el farolito,’ tal vez porque soy tan chaparrito

Algunas me dicen la combi y yo no se si se hace costumbre,

Pero una cosa yo te prometo, pues será que solo llego al metro

Mi nombre es Pablito, y de todos soy el mas feito

Porque yo soy, el jornalero rucanrolero y de todos soy el mero, mero

Yo quisiera ser güerito y tomarme un cafecito

Con La Britney o con la Hilton

O ya de a perdís con el Milton

Camino por las calles, buscando mil detalles
Soñando con mi güera, el la Fourth Street siempre te espera

Mi corazón de chocolate y mi nariz de cacahuete

Todos los jales me la pelan

Porque yo soy, el *jornalero rucanrolero* y de todos soy el mero, mero

Aquí paso los días, viendo a las morras

Y aunque se que sólo son unas zorras

Mi corazón palpita por ellas

Y aunque ellas no me hagan caso

Estoy ahí hasta el ocaso

Hasta las cinco yo me quedo

Y ya sabrás que cosa quiero

Eduardo: He bothers me and bothers me until [one day] this guy [William] came up with that word and started telling him he was *ruco*, and it hurt him, it hurt, *ruco* means he is old.

William: I call him “old man,” “listen Granpa”...

Eduardo: So I said, “ja, if he doesn’t like being called *ruco*, I’ll write him a song about a *rucanrolero*.

William: that’s why the song says “rucanrolero.”

Eduardo: It’s a parody, instead of “rockanrolero” it says “rucanrolero.”

William: Meaning old man.

Tomás: Oh, I hadn’t understood that part.

Eduardo: It says [he begins to sing]

I am a *jornalero*, even though they call me a *culero*

They call me ‘the little lantern,’ maybe because I am so small

Some [women] call me *la combi* and I don’t know if it a custom,

But one thing I promise you, that is I barely reach a meter [high]

Mi name is Pablito, and of all those here I am the ugliest

Because I am, the *jornalero rucanrolero* and of all of us I am the best

I wish I was whiter and to drink a coffee

With Brittney [Spears] or with [Paris] Hilton

Or at least with Milton

I walk the streets, searching for a thousand details
Dreaming about my white [woman], always waiting on Fourth Street

My chocolate heart and my peanut nose

I can do any job

Because I am, the *jornalero rucanrolero* and of all of us I am the best

Here I spend my days, watching the girls

And even though I know they are bitches

My heart palpitates for them

And even though they pay no attention to me

I am here until dusk

I stay until five

You should already know what I want

²⁵ A person from Mexico City

[hablando] Money, money, more money

Porque yo soy, el *jornalero rucanrolero* y de todos soy el mero, mero

A veces me da hambre y corro a la lonchera
pues un dólar solo me queda
Comiendo regreso a mi esquina
Mirando hacia el firmamento
Y pensando en ese momento
Un día mas se queda aquí, un día mas de mi vida
Yo no se que será de mí en algún día
Pues yo ya no soy un joven,
Ni tampoco un Beethoven

Porque yo soy, el *jornalero rucanrolero* y de todos soy el mas culero [se ríe a carcajadas con William]

Eduardo: Yo te la cante para explicarle, porque como está escrita en chilango y no eres chilango

.....

Tomás: ¿Qué significa ‘todos lo jales me la pelan’?

William: Todos los trabajos los puedo hacer

Eduardo: según el es el rey de la construcción.

William: Un sabelotodo

Tomás: ¿Y qué significa a él le gustan las morras y no le hacen caso?

Eduardo: Lo que pasa es que siempre esta ahí en la esquina y siempre esta viendo a las morras, pero siempre les anda diciendo que son reputas y no se que ...

....

William: Porque ellos están acostumbrados a hacer pedazos a la gente, por ejemplo viene él y empieza a hablar cosas de su país, o sea, en su manera de hablar, entonces [ellos] ‘mira este como dice’ o tal vez quiere practicar una palabra de Inglés y no le salió bien, como ellos creen que pueden mas ‘oye, no te entendimos ¿Como dijistes?’

William: No dejan que el otro crezca, no, le dicen “ey, mira es así.”

Eduardo: exactamente. [Y tu les dices] ‘bueno qué, entonces cómo se dice?’ ‘no, te lo dejo de tarea, siempre dicen eso. Siempre están chingue y chingue...’

William: Yo los empecé con aquella onda ¿vah? Tienen 20 años de estar aquí y todavía tienen la idea de que llega un Americano y les pregunta si

[speaking] Money, money, more money

Because I am, the *jornalero rucanrolero* and of all of us I am the best

Sometimes I get hungry and run to the food truck
For I have only a dollar left
Eating I return to the corner
Watching the sky
And thinking of that moment
Another day here, another day of my life
I don’t know what will become of me
For I am no longer young,
Nor am I Beethoven

Because I am, the *jornalero rucanrolero* and of all of us I am the best [he and William laugh]

Eduardo: I sang it to you to explain it, because it is written in *chilango* and you are not a *chilango*²⁵

.....

Tomás: What does ‘todos lo jales me la pelan’ mean?

William: I can do any job

Eduardo: according to him he is the king of construction.

William: a know-it-all

Tomás: And what does a ‘él le gustan las morras y no le hacen caso?’ mean

Eduardo: That he is always there on the corner and looking at women, but he always is saying they are bitches and I don’t know what else

....

William: Because they just like to destroy people, like for example he comes here and starts talking about things from his country, I mean, with his accent, so [they say] ‘look how he talks’ or maybe he tries to say something in English but can’t pronounce a word, they think they are better and say ‘hey, we didn’t understand you, what did you say?’

William: They don’t allow others to grow, no, they tell him ‘hey, its like this’

Eduardo: exactly. [and you say] ‘so, then how do you say it?’ ‘no, find out yourself, that’s what they always say. They are always Licking on people...’

William: So I started Licking on them ¿vah? They have been here 20 years and still think its OK that when an American comes and asks if they speak

manejan inglés y dicen “a little bit” y con 20 años aquí ya no es de estar diciendo ‘a little bit.’ Si o no, con 20 años aquí, es media vida. Por eso digo yo son unos grandes *guevones*, no quieren ir a la escuela.

Eduardo: Y eso por lo menos a este cuate güey [a William] no te agarran tanto porque estas medio blanquito güey, medio güerito, pero los que están morenitos...no hombre güey, esos güeyes son racistas....

William: no, con migo la pegaron, porque a mi no me enojan para nada.

Eduardo: Pero a ti porque tu estas blanco, pero yo que estoy morenito güey, no ya no sabes. Son como racistas.

Tomás: Y que te dicen?

Eduardo: Pues que estoy bien prieto, que todavía estoy mas prieto. Mas feo, no un chingo de cosas güey...

Tomás: Y que, ellos son muy güeros?

Eduardo: Nah güey, pero es que ellos se creen así, como si fueran güeros. Desprecian a los mismos de nuestra...paisanos...o sea como que les da pena,

William: ‘no mira’ me dice ‘si vas ha hablar el ingles, lo poquito que hablas, háblalo bien.’ ‘Pues yo lo tengo que practicar para hablarlo bien’....

William: ... Dice Pablo que ha comprado 5 casas allá en México, cinco residencias, que esta mandando 800 dólares por cada casa rentada.

Eduardo: ese es el párrafo que me falta

William: tiene unas casa rentadas.

Eduardo: Tiene una en Cuernavaca , en México...

Tomás: Y si es verdad que tiene cinco casas?

Eduardo: Es lo que el dice pero quien sabe. El dice ‘noooo es que para mí...’ que fue lo que me dijo el otro día ‘para mi cinco mil dólares no es nada, eso me lo gasto en un ratito...¿Te imaginas güey, que cinco mil dólares no es nada para él. Y dice que tiene cincuenta mil por ahí.

Tomás: yo con eso ya me quedo en mi casa

Eduardo: Yo también

William: Yo me quedo en mi casa aquí luego disfrutándola, para disfrutar aquí es lindo, con dinero...

Eduardo: No, yo no me quedo acá, yo me voy pa’ mi país...

English they can say “a little bit” after 20 years they shouldn’t be saying “a little bit.” Isn’t that right? 20 years is half a life. That’s why I think they are idiots, they don’t want to learn anything.

Eduardo: An at least this guy [to William] they don’t pick on you so much because you are white man, a little white, but they jump on those that are darker ...man, those guys are racists....

William: no, they screwed up with me because nobody can make me mad

Eduardo: But that’s you because you are white, but I am darker man, you just don’t know [how it is] They are racists

Tomás: So what do they say to you?

Eduardo: well that I am dark, that I am really dark. Ugly, a lot of crap man...

Tomás: So what, are they really white?

Eduardo: Nah man, but they think they are, like if they were white. They look down upon those of our...countrymen...like if they were embarrassed,

William: “listen” he says to me “if you are going to speak English, the little you do speak, speak it well.” “Well I’ve got to practice to speak it....”

William: ... Pablo says he has bought 5 houses in México, five, that he is making 800 dollars for each house he rents

Eduardo: that’s the paragraph I am missing

William: he is renting out some houses.

Eduardo: That he has one in Cuernavaca, in México...

Tomás: And is it true?

Eduardo: It’s what he says, but who knows. He says ‘noooo for me...’ he told me this the other day ‘for me five thousand dollars is nothing, I can spend that in a moment. Can you imagine that, man, that five thousand dollars is nothing? And he says he has fifty thousand around somewhere

Tomás: with that I’d stay at home

Eduardo: me too

William: I’d stay at home here [in the US], enjoying it, for fun its nice t olive here, with money

Eduardo: No, I wouldn’t stay here, I’d go back to my country...

Jornalero Rucanrolero was Eduardo's attempt to make fun of someone who constantly bullied him. It touches on several issues I have addressed here. Boasting and the incredulity it elicits are at the heart of the lyrics, which also mock the stature, looks, and age of the day laborer in question. As I mentioned in the previous chapter, these attributes can affect a person's physical ability to work, something both day laborers and their employers tacitly measure. The explanation that follows the lyrics also points to divisions and racial/ethnic hierarchies within a group of men who are mostly from Mexico. Many people chided Eduardo for being ugly or dark skinned, although he did not look singularly different from the rest of the *jornaleros*. I knew the person they were making fun of well. He and his brother constantly talked about their "business," an old truck they used to move people's furniture. They managed to intimidate other *jornaleros* about their ability to learn English, although their proficiency was almost null, which for William, who was new in the US but avidly attending English classes at the adult school, became a favorite way to challenge them. In these lyrics we find Eduardo's anxiety about others—the bits about walking the street and looking at women sound self referential— but we also see that he and his two friends came together, in part, because they felt looked down upon by the brothers whose boasting, in turn, resulted in a tacit ostracism from the men they interacted with. In other words by setting themselves apart from people like Eduardo, they actually contributed to their exclusion from much that occurred on the corner.

Although intent on talking about boasting as a problem, men like Eduardo and Lorenzo were also prone to boasting in their own right, although not about the amount of money or possessions they had. In Eduardo's case his boasts were always about sexual exploits with women, which I will return to later. Lorenzo, who was usually grounded in reality, had a tendency to give himself high social status after a few drinks. Since I knew from "sober" conversations what most of his family back home did I was always surprised to hear comments like "My sister might be elected minister of education soon," or that his wife's nephew was the most important engineer in the country. Lorenzo tended to turn all his acquaintances into important and powerful figures; soldiers in the army became generals, lawyers turned into Supreme Court magistrates, and so on. One of the indicators that these were exaggerations is that he never "remembered" having told me about them later and also that he made me complicit in his stories. One night at the San Francisco bar we usually went to, the bartender, a Honduran woman who we chatted with several times, asked me if I had really been sent to Europe for work. I wasn't sure what she meant but Lorenzo patted me on the back and told her I had just returned. As she turned to serve some drinks Lorenzo smiled shyly and said "A veces dice uno esas cosas para divertirse, ¿vah Tomás?"²⁶ Apparently, since I had not returned to the bar with him for a few weeks, he had told the bartender "our" company had sent me abroad, and during a conversation he had with her that night he seemed to have mentioned we might get sent away together in a few months.

Boasting is a way of dealing with the hard circumstances that affect *jornaleros* lives, by making them exempt from the most common problems. By exaggerating wealth, sexual prowess, or social networks, the men separate themselves from the reality on the street. Either in jest or through snobbery, boasts are meant to separate oneself from others. They are a way of presenting one's self as an exception that incarnates some aspect of the imagined figure of a successful immigrant, the macho man, etc. This issue points to the very shaky ground upon which their identity as bread earners and men stands, the central issue I will address in a Chapter 5. But in

²⁶ "Sometimes one says things to have a little fun. Vah Tomás?"

terms of how boasting affects the way day laborers relate to one another, it is clear that not all men are willing to openly accept how dire *la situación* really is and thus opt to set themselves apart in this way. And apart they stand in their own cliques, like the two brothers above, usually not engaging in the general conversations that go on daily. For people who do not spend much time boasting, or like Eduardo, who do so without much contempt for others, the street corner offers a great deal of information and entertainment.

A new subjectivity: “street corner cosmopolitanism”

There is a great deal of curiosity about other countries among day laborers that for the most part were “isolated” from encountering foreigners until they themselves became foreign. A favorite subject that day laborers engage during the long wait for work is descriptions and comparisons of a wide variety of places and customs they have back home, that they have encountered in the US, or simply heard about. In a group like the one on Fifth Street, with people from Mexico City, Guadalajara, Veracruz and Campeche, El Salvador, Guatemala, Honduras, and Colombia,²⁷ general knowledge about the difference and similarities among regions and countries is very sophisticated. Knowledge about other countries and current events is complemented with information obtained from television. There are also a few *jornaleros*, like Eduardo and Luis, who having more stable living arrangements, have access to cable TV and the Internet. I cannot count the hours I spent with them in trivia sessions about strange animals, scientific advancement, and music in which they seemed to have almost encyclopedic knowledge.

Whatever the sound bite of the moment is becomes central to many conversations where the men discuss local and international news, variety programs and soap opera’s, which are also a great source of inquiry about each other’s countries. For the first time in my life I found myself following Colombian *telenovelas* to keep up with the questions Sindi and Don Raúl posed about them. I also never expected to spend so much time explaining the historical context that led my country to a very difficult and almost violent encounter with Ecuador and Venezuela, a crisis covered on the news for several weeks in the spring.

This curiosity is not limited to other day laborers, but includes also employers and acquaintances. Beto, for example, worked several times for a Brazilian who was close to him in age and with whom he usually drank a couple of beers after a day’s work. On the corner he mentioned his Brazilian friend constantly, adding to the conversations about differences between countries, not only with his own experiences, but also with those of his *patrón*. Like other men I met, Beto –a Mexican- collected bills from other countries and competed with his cousin to see who could get the “strangest” one. Whenever they got a new one we stood on the corner and watched them pull their collections out to compare them. Beto even sent some of these bills home to his daughter: “Cuando le hablo a mi hija me pregunta si tengo amigos, si hay trabajo... ‘si tengo amigos’ le digo, ‘tengo uno Colombiano que me dio un billete de allá para que lo pongamos con los otros donde tu sabes, también tengo un amigo brasilero.’”²⁸

Another great source for knowledge of other people and places are the free English courses many men take at the adult schools in Berkeley and Oakland. Here the men meet other Latin Americans, *árabes*, and *chinos*. Lorenzo, who consistently took these courses the whole

²⁷ These conversations were one of my main entry points into daily life on the corner.

²⁸ “When I talk to my daughter she asks me if I have friends, if there is work... ‘I do have friends,’ I tell her ‘I have a Colombian one that gave me a bill from there so we can include it with the others we have, I also have a Brazilian friend.’”

time I was on the street, had acquaintances from India, Colombia, Argentina, and a few other countries. Although he never socialized with them outside of the classes, they constantly popped up in his conversations.

Two of the older *jornaleros* who frequented Fifth Street had library cards and used the Internet there. Lorenzo spent a couple of hours a week reading Guatemalan newspapers on-line and sending e-mails to his daughter. He also engaged me in “dense” conversations about world events he heard about on television to the degree that the men around us would huff in exasperation when he started asking me questions and leave. Don Raúl (not the one who went back to Mexico) appeared every once in a while with Spanish language novels and poetry books he got from the West Berkeley Library on his way to the corner. Jorge, a great believer in conspiracy theories about alien intervention in world events, got Eduardo hooked on a variety of books they exchanged on the corner.

Finally *jornaleros* also discussed and exchange music, showing each other favorite songs on small radios, CDs or mp3 players they pass around. The difference in age and nationality makes these exchanges truly eclectic and I heard everything from Rancheras, Bachata, Música Norteña, Cumbia and other Mexican and Latin American music to US 50s and 60s oldies, modern pop and rock music, and heavy metal. Some of my friends also exchanged bootleg DVDs bought at *la pulga*²⁹. These included pornography, Disney cartoons, action and sappy love films, and even documentaries. The degree to which movies inform *jornalero*'s lives was brought home when Sindi and Luis, without having discussed it or made a previous agreement, both lent me two different Mexican movies in which anthropology and sociology –which I had told them were my academic interests- played a role in the plot. When I expressed surprise, they both laughed and said “that’s way I thought you would like them.” These films were both from the 1970s. One was on the peculiarities of Mexican humor, *albures*, in which a secondary character turns out to be an anthropologist writing a book on the others, while the second is the story of a boy who grows up on the street and ends up in jail. The first lines of the introduction read: “This movie is based on sociological study undertaken in Mexico City.”

The street corner also sees the sporadic appearance of students, outreach workers, religious organizations, immigrant advocates, and members of financial institutions; all bearers of information that *jornaleros* access, interpret and re-circulate among their friends. Through encounters on the street, with each other and with people who come to advertise and proselytize, *jornaleros* come to learn about labor issues, immigration, banking, remittance services, and different religions. An excerpt from my field notes below illustrates a range of conversations that touch on some of these subjects:

I came to Fifth Street after spending a few hours down in *las vias* because I saw two women in suits walking up to groups of *jornaleros* with flyers. I arrived as an Asian woman was telling my friends about checking accounts in English, using her Hispanic partner as an interpreter. They were from the Bank on Fourth Street and were trying to get people to open an account with them. I managed to jot down some of their conversations.

Asian Woman: This is a free account; you don’t need a California ID to open it, only your ‘consular’ [she attempted to make this last word sound like Spanish]

²⁹ The Oakland Flea Market

Hispanic Woman: Es gratis y sólo ocupan la tarjeta consular.

Asian Woman: you don't have to pay taxes because you earn no interest. Do any of you have any bank accounts?

Hispanic Woman: no le pagan al gobierno, es gratis.

Asian Woman: [to the Hispanic Woman] Do they have bank accounts?

Hispanic Woman: ¿Tienen cuantas en otro banco?

Fernando: [mumbles something and then repeats it when the Hispanic Woman asks what he said] Tuve una con Washington

Asian Woman: [doesn't wait for the translation] Washington Mutual? [Fernando nods] Did you like it?

Hispanic Woman: ¿Te gustó?

Fernando: Pues si...no sé.

Asian Woman: This is free, you only need 100 dollars to open and if you use another ATM the bank will pay you back if they charge a fee.

Hispanic Woman: El banco te paga si usas un cajero que te cobra.

Guy in Blue: ¿Y te paga cuando vas a cambiar un cheque y te cobran 29 dolares?

Hispanic Woman: [asks him what he means, but doesn't understand him. He is talking about places where you can get a check cashed for a fee. They discuss the issue for a while but she doesn't translate.]

Asian Woman: [is impatient] ¿So how many of you want to open an account today, you only need 100 dollars. [She turns to the Hispanic Woman] How do you say "a hundred"?

Hispanic Woman: Cien. [she continues to talk with GB]

Asian Woman: [in a heavy, almost incomprehensible accent] Solouuuuuu Zee...Zeeunnnn dollars.

Jornaleros: [laugh loudly] ¡cien! ¡CIEN!

Asian Woman: You don't need ID, only "consular," no social security, you can also use your passport [to the Hispanic Woman] do they have passports?

Hispanic Woman: ¿Tienen pasaporte?

Jornaleros: No.

Asian Woman: Well, but you have you consular card right?

Hispanic Woman: ¿Tienen la tarjeta consular?

Jornaleros: Si.

Asian Woman: This account is safe for you money, you don't have to carry cash, we give you a bankcard; you don't have to hide your money or put it under the mattress.

Hispanic Woman: [doesn't translate verbatim] acá les damos una tarjeta para que la usen donde quieran, no tienen que esconder el dinero.

Asian Woman: It's safe, you don't have to hide your money! Who wants to open an account today, only 100 dollars.

At this point the men started making excuses, saying they didn't have any money on them, that there was little work, and so on. A guy, I don't know, who was wearing a blue jacket asked the Hispanic Woman if he could get a loan from the bank, even if he didn't have an account. She asked the Asian Woman, who in turn wanted to know how much he wanted to borrow. At the end the Asian Woman said ten thousand but sounded skeptical he would get it. The other guys made jokes about asking for a loan but they were all intent on hearing the answer. Then I heard Don Lucio telling Don Jaime that it was a trick because they said it was free, but then they charged if you don't have a certain amount of money in the account. Don Jaime told him loudly to ask and everyone became quiet. The Hispanic Woman initially said there was no charge, but thought to herself a moment and then asked the Asian Woman if there was a minimum deposit. She was silent for a second and then answered "a thousand." There was a loud and triumphant "¡Aha!" Don Lucio

then told everybody how he discovered this trick when he opened an account with Bank of America. The two women looked skeptical but tried to continue.

Asian Woman: It's free and you get a bankcard, checks, and its safe, its worry free. Only a hundred.

GB: ¿Y se pueden sacar los cien despues?

Hispanic Woman: [discusses the question with the Asian Woman then answers] Si lo puedes sacar mañana.

Asian Woman: [to GB] So are you going to open an account?

Hispanic Woman: [blushes and speaks quietly] ¿Vas a abrir una cuenta?

GB: ¿Qué banco es?

Hispanic Woman: El de allá abajo, el Mechanic's Bank [said in English]

GB: No. Hoy no, tal vez el viernes si pagan [he laughs].

Asian Woman: [to Hispanic Woman] what?

Hispanic Woman: He says maybe Friday when they get paid.

Asian Woman: They get their checks on Friday? Are you coming in then?

Hispanic Woman: I don't know.

GB: [to Hispanic Woman] Preguntale si tiene una aplicación.

Asian Woman: Application? Yes here's one [she hands him an application]

GB: [looks at it a minute and says to Hispanic Woman] ¿No tienen una en español?

The Asian Woman had no application in Spanish and apologized half-heartedly. They gave us all flyers and she asked again if anybody was going to open an account. When it became obvious no one had any intention of following through with the offer they said good-bye and crossed the street to talk to another group of men. As they left the jokes started. They were mainly in reference to the Hispanic Woman who was quite attractive. "Por cien dolares mejor la saco a bailar³⁰," said one man. We all laughed and commented on her translating abilities, the conclusion being that it would have been nicer to just talk to her and leave the Asian woman in the Bank. They also made remarks about the "trick," Don Lucio proudly repeating his previous experience.

The guy in the blue jacket then started asking me about Colombia and Venezuela and we talked about Chavez³¹ for a while. Don Lucio said that he had heard that Chavez is dating a model. I had heard this from a Venezuelan lady in the Miami Airport. She claimed the "chisme" was that he was dating Naomi Campbell, but that it wasn't true. Apparently she had interviewed him. Then Don Lucio said: "pero también dicen que se le moja la canoa, que nunca se le ve con las mujeres; a lo mejor es maricón.³²" Everyone laughed, in part because many people think the same thing about Lucio.

The man in the blue jacket also mentioned last night's "Show de Cristina" where "El Piolín de la mañana" had discussed immigration with two "minutemen" ranchers. "El les decía a los "minute" que ellos decían lo que dicen porque nunca han sufrido, que no saben lo que es sufrir, porque el también se vino de mojado." I had fortunately seen part of the program and this was received well by the guys. After a few minutes of discussing the program some of the men left and we continued our morning wait.

Most *jornaleros* do not open bank accounts because they fear they will loose their money if they get deported and because their savings are sent to accounts in their countries of origin. These women tried to "sell" the idea of bank accounts following common truisms about illegal

³⁰ "For a hundred dollars I would rather take her out dancing."

³¹ The president of Venezuela.

³² "But they also say he likes men, that they never see him with women; he is probably gay."

immigrants; i.e. that they carry around a lot of cash which they hide in their homes and that they fear the government. They also were not prepared to find men who were knowledgeable about the kinks in such “sales.” Their visit and its intent was retold to several people that weren’t around when they came, always with the minimum balance caveat. For the next couple of days I heard more about bank accounts than at any other time in my fieldwork

In almost two years on the corner I saw other banks try to get people to open accounts, along with car insurance salesmen (see Chapter 4) and remittance services. The Berkeley site’s visibility also attracted a lot of students from the University of California (myself included), People magazine, and a wide range of “do-gooders,” catholic nuns, Jehovah’s witnesses, public health outreach workers, researchers, pro immigrant rights groups, and on one occasion a sex worker who walked up and down the street handing us cards with her phone number. All these interactions provided information that *jornaleros* use when similar instances arise.

Students from the University of California, Berkeley came almost on a weekly basis to interview and photograph *jornaleros* for class projects, usually disappearing shortly thereafter without ever returning or leaving their contact information. In many cases the day laborers worried that the students might be undercover immigration officers, the police, or simply complained that they were making a living off their suffering. After it became obvious I was not leaving any time soon, my friends started asking what it was those students were doing. My response included showing them my UC Berkeley ID and explaining that they could tell the students they preferred not to be interviewed or photographed. After a while the *jornaleros* on Fifth Street made a game of interrogating the students, scaring them off with requests of their e-mails, their professor’s contact information, and checking the student IDs as I have only seen bouncers do in bars around campus. By the time the crew of a freelance People Magazine photographer appeared to do a story of a woman none of us had ever seen but who claimed to spend a great portion of her income helping *jornaleros*, most of my friends knew about asking for IDs and inquiring about their rights. Late on the corner that day, I walked in on a debate about whether they should participate in the photo shoot. Luis excitedly showed me the photographers contact information, joking that she had become nervous when they demanded to know if she had consent forms, which she did not. After a few minutes of loud discussion they sent me over to corroborate that the information the photographer gave them was correct. Then a few of us stood behind the unknown do-gooder and allowed ourselves to be photographed.

Many *jornaleros* in Berkeley, through their proximity with the university, have thus learned about their rights as research subjects. Asking people for identification has thus become part of certain interactions that are specific to the street. In a way this is a positive outcome of their visibility, and many men pride themselves in friendships they establish with these researchers who –in the case of long-term projects like my own or Paula Worby’s- use their university contacts to their advantage. But even in these cases, this new subjectivity is based on the interpretation of the information exchanged, and the men’s marginal position in society, their relative lack of direct access to verifiable information (they don’t go to banks, banks come to them and the group determines the reality of the situation, for example) also provides for an almost infinite and usually erroneous or unlikely amount of ideas about how to engage the world around them.

The interactions on the street produce a great amount of information that *jornaleros* access for their personal enjoyment and to learn about issues that affect them. Through conversations with a wide variety of characters, information gets passed along and interpreted in ways that makes the street corner an open forum where *jornaleros* acquire knowledge –albeit

incomplete or erroneous in many cases- about the world that surrounds them. The nature and content of this information covers every aspect of life, and makes these men appear to be citizens of a transnational and multicultural world. In fact, were we to take the corner as a bounded sphere of social interaction, the *jornaleros* would emerge as particular cosmopolitan subjects, universal citizens in their daily goings on, participating directly in the transnational flow of information, commodities, and people. This “street corner cosmopolitanism” is a distant concept from the traditional sense cosmopolitanism is used in, but relates back to citizenship in terms of active participation in a given social landscape that is, if not transnational, multinational, and, if not globalized, global in content.

Cosmopolitanism, understood vaguely as some sort of universal citizenship (Ferguson 1999; Sassen 2006), has emerged from studies of globalization, usually to address the rise of transnational elites whose “groundedness” extends beyond the reach of the state (Ong 1999). Based on Kant’s essay on Perpetual Peace (1786) Derrida also posits a cosmopolitanism with which, he suggests, we should return sovereignty to the city (as opposed to the state) and reestablish a humanistically informed sense of hospitality in the face of the vast migrations (forced and economic) of the second half of the twentieth century (Derrida 2001). These two conceptualizations of cosmopolitanism can be combined in the experience of *jornaleros* as they learn to deal with life in the Bay Area. It is because they are permitted to stand on the street, an effect, in truth, of institutional tolerance to their existence (whether Derrida would consider it hospitality I cannot say), that *jornaleros* can engage the world in these ways. For day laborers acquire cosmopolitan preoccupations through their condition of marginality. Locked behind closed doors, they access the world via the media where they engage information from the local to the global that, because of their conditions as immigrants, becomes significant in their relations to others in ways radically different from those they might have back home. Human Rights, the rights of immigrants, immigration in Europe, passports and visas, all appear in my field notes as common topics of conversation. They reflect the men’s preoccupation not only with their lot, but its significance on a more global context. Back on the street, in their relations to others, these cosmopolitan preoccupations become subjects of discussion where the men reformulate them to fit their own particular understandings of the world. But worldliness is not limited to politics and I have already mentioned the degree to which food, books, documentaries (nature, science, history), and movies get recommended, recounted, and explained.

Similarly, contact with people from other countries -other *jornaleros* but also some *patrones*- colors everyday conversations about language, food, and customs worldwide. For example, men acquire a sense of how their own local settings fit into greater Latin American and world customs, as when Luis and Alonzo came to ask me about Colombian religious processions they had seen on TV and did not recognize. Or Chucho who feigned passing out when I told him my country really didn’t have a “culto a la Virgen de Guadalupe,” only to find himself in the midst of a discussion of the reach of this figure in México, el Salvador Honduras (countries from which some of his interlocutors came) and beyond.

Street corner cosmopolitanism is also reflected in *jornaleros*’ access to NGOs, their discourses and practices, in how they appropriate the language of immigration law in their speech and how information gets passed on. NGOs, banks, insurance salesmen (see Chapter 4), preachers from different churches all come and offer knowledge of the world they inhabit, knowledge which the day laborers reinterpret based on their own understanding and pass on. I will later address how rumor and hearsay play into the “culture of terror” that threatens these men’s lives constantly, emerging suddenly and disarticulating their lives. But here I want to

differentiate rumor from information produced and consolidated through conversations with people and institutions. Although close in content rumor on the street always poses a tacit but immediate threat –“this can happen to you if...” for example- while information is taken as static truth, or objective fact. This particular version of cosmopolitanism thus sets these men within the exchange and validation of information about rights, health services, police matters etc, whether it is accurate or the product of misinterpretations or imaginations of others. And here “street corner cosmopolitanism” comes to jest with, if not mock its older siblings (the elite cosmopolitanisms of academic discourse), because it is flawed by definition, it is the product of marginality, of lack of access, of the solitary imaginings that get scripted onto weak relations of friendship.

“Urban legends” about immigration, which abound on the street, are a good example. Pablo and Carlos once asked me if it was true that you could get papers if you married a woman with a green card who beat you. The word on the street was that with the help of a lawyer you could get *la migra* to deport your abusive wife and give you her green card. I heard people discuss this and its more believable opposite (husband beating wife) several times. I initially thought most men interpreted these rumors simply as hearsay, but discovered that many people make important decisions based on them. One person I met, for example, married a Salvadoran with TPS thinking it would get them a green card and then divorced their spouse when a family member told them it was not possible, without ever trying to find out from a lawyer. Probably the most distressing event I experienced that relates to this was with a young ladino Guatemalan, Ramiro age 22, who came to me through the outreach staff of the Multicultural institute one morning to ask about applying for asylum. Ramiro belonged to the crowd of young *jornaleros* who hung out *en las vias*, and was eyed suspiciously by my friends on the Fifth Street corner as we sat apart from them and talked. He had heard asylum was a way of getting papers and said one of the members of the MI told him he might be able to apply because he had been the victim of gang violence in Guatemala. When I asked what he meant he pulled up his T-shirt and showed me a long keloid scar that split his abdomen and chest down the middle. After being harassed by gang members to join, he said, he was shot several times and ended up in the hospital. While he was recuperating the gang shot and killed his brother which led his parents to suggest the only viable option, to go north, where he might hide and work to support his brother’s orphaned daughter. Knowing nothing about asylum on the grounds of gang violence I suggested we go to the Sanctuary and talk to the people there. But Ramiro was reticent. He was in dire need of work, since he had lost his lodgings and phone contract and was living on the floor of a friend’s already overcrowded room. The possibility of papers, however, finally convinced him to come with me the next day. His case was hard since he had already been in the US more than a year and because gang violence was a murky realm of terror that the asylum process has yet to script as valid and so he was referred to a different NGO in San Francisco. Phone number in hand, we left the Sanctuary with instructions to call Sarah, a lawyer that would help him decide. As we rode the bus back to the *parada* he told me he should have listen to his friends who laughed at the possibility of him getting papers and just gone to the corner. He also asked me repeatedly what the Sanctuary was going to do with his name, address, and phone number, and I tried to convince him his information was safe with them.

A month passed before I saw him again. Ramiro had not called the people in San Francisco, he explained, because he still had no phone and figured the conversation would be long and he would have to tell the person things he didn’t want his roommates –who would have to lend him a phone- to hear. He looked dirtier and thinner than the first time and when I asked

how work was going he simply shrugged his shoulders and said he hadn't been pick up in two weeks. He had been able to buy food only because the MI had brought some researchers that gave people a voucher for the local Hispanic grocery store in exchange for filling out a survey. "Afortunadamente nos llegó este alivio³³," taking out the printed invitation to participate in the survey. He explained they were gave him 25 dollars in food. When I asked what the survey was about Ramiro started counting off with his fingers: "Es que acá no somos libres, no tenemos libertad de vivir, trabajar, ni de expresión...³⁴" I asked what he meant by "expresión" and he explained "no tenemos cómo expresar descontento, hacer una queja si no nos pagan."³⁵ After a second month I went looking for him and asked what had happened. Ramiro was now living on the street and hungry but said he had borrowed money to go speak to the woman who thought his case was complicated and suggested yet another NGO. Back on the corner his friends warned him that he shouldn't push his luck, since he had now given his contact information to two different organizations and, they argued, would be lucky if *la migra* didn't find him. "At least something good will come of losing my home and phone," he said sadly. He never followed up on the issue because he was repeatedly told by other *jornaleros* he was going to get into trouble. Some even told him of cases they were familiar with where people tried to find out and got deported in the process. "¿Eso es verdad Tomás?" I wondered what to answer. Ramiro did not believe me that the NGOs would not call *la migra*, nor did he hear my explanation of what the cases he had heard of might actually refer to.

* * *

The interactions among the *jornaleros* and between them and outsiders catering to their condition set in motion a set of relations that emerge as a new form of subjectivity particular to the labor site. The way information is exchange and expanded, the way knowledge comes to be produced through conversation enriches the men's life and enables a form of sociality that is specifically molded to the *parada*. This "street corner cosmopolitanism" is a context specific way of "being in the world" that provides information and enables a set of relations on the street. And yet street corner cosmopolitanism also plays an important role in reproducing the structures of marginalization within which day laborers are trapped. It provides for access to NGOs for example, that at best can ameliorate certain aspects of their lives provisionally, but that cannot offer a path to social inclusion. Thus, on the street *jornaleros* learn how to open bank accounts, keep healthy, and deal with the police, all aspects of modern citizenship, while simultaneously reinforcing the self regulating practices that enable them to remain "under the radar," even when it is not in their best interest as in Ramiro's case. They expand their knowledge of the world, discuss culture and have access to education, while their relative position in the social hierarchies of the society they help build and maintain, remains the same. The congeniality and rapport among men as they wait for work, the discussions of world events, nuances in language, film and so on, contrast with the impotence that the feel when it comes to solving many of their problems. I thus turn to employer abuse and unjust treatment, key risks that *jornaleros* take on the street. The next chapter reads as an example where street corner cosmopolitanism works against the men, since *la parada* and the interactions they have there are the only recourse day laborers have to access the information and means to report and contest abuse.

³³ Fortunately we got some aid."

³⁴ "The thing is we are not free here, we do not have the liberty to live, work, or express ourselves."

³⁵ "We have no way to express discontent, to make a complaint if they don't pay us."

Chapter 3: Contesting abuse and the bureaucracy of small things

Understanding the ins and outs of day labor does not only entail outlining the inner workings of *jornaleros'* networks and the mechanisms through which they succeed or fail to make ends meet. As much as waiting is a part of working in this line of employment, for marginalized legal and “undocumented” Latin American immigrants, employer abuse and unjust treatment is the order of the day. Most of the men have been the victims of a variety of abuse by *patrones* who find it easy to withhold the promised wage and/or fail to provide basic necessities such as food, water, and protective gear to employees with little or no access to the legal means to report abuse. Here most research on day labor agrees. In fact, day laborers themselves mention employer abuse as one of the key risk factors of working on the street in most studies (Theodore, et al. 2006; Valenzuela 2003; Valenzuela, et al. 2006). This vulnerability is embodied and naturalized by men whose sojourn on the street is imbedded in skepticism towards the possibility of redressing abuse and whose daily experiences reinforce the certainty that they can do little to contest unfair and illegal actions once they become victims. “Street corner cosmopolitanism” here plays a negative role, as stories of failed attempts to redress exploitation lead most men to decide not to pursue such matters.

All the day laborers I have met have experienced first hand some variety of employer abuse, mainly being paid less than the agreed wage or not being paid at all. But exploitation is understood as a continuum that starts with *jornaleros'* ideas about what the appropriate way to be treated and paid is, and *then* turns to what they outright consider unjust. Thus people complain as much about employers who do not let them rest, or do not provide food and especially water, as they complain about *patrones* who trick them out of the promised wage. As I have already mentioned, this regiments notions about which employers to trust and which ones to avoid, a process that roughly follows racial lines.

At around 8 a.m. a *moreno* in a pick-up truck stopped in front of us. The *patrón* called out to Iván who looked up and shook his head. Luis asked if that was the guy he went with yesterday. Iván nodded, adding that he wouldn't work with him again. There was a moment of confusion, since the *patrón* seemed to be waiting for Iván to go over and talk with him. Finally, the young Guatemalan went up to the window, exchanged a few words with the *moreno*, and then turned to Chucho, who had been complaining about money problems, and said “vete tu.” Unlike the Guatemalan, Chucho speaks no English, so he got up and stood behind Iván who translated what the *patrón* wanted. The whole exchange made Chucho nervous and he shook his head several times saying “no me voy güey, no me voy,” even though Hernando, Luis, and José were edging him on to go. Chucho seemed about to get in but as he saw Iván move away he decided against it, closed the door and walked back. Exasperated, the *moreno* drove up the street and stopped just below the light to talk to another *jornalero* who I'm pretty sure also refused to get in.

“¿Cuánto estaba pagando¹?” asked Chucho after the guy left. “A diez,²” answered Iván. “¿Diez, güey? Me hubieras dicho, por diez si me iba.”³ I asked what the

¹ “How much was he offering?”

problem with the *patrón* was, since the confusion and comings and goings were pretty strange. Then I realized the main issue was Chucho couldn't figure out if Iván refused to go because the *moreno* was paying too little, or because he was a bad employer. As usual, in his know-it-all attitude Luis stepped up and sorted the whole thing out, both for me and for Chucho.

“Es que nosotros casi no trabajamos con los *morenos*, [to Iván] ¿Qué pasó, te trató mal?”⁴ Iván nodded and said: “No mal, pero no fue atento, ni un vaso de agua ofreció.”⁵ He explained the guy was doing gardening jobs. Luis chimed in: “El cobra 250 y a tí te paga 50, se hace 200 sin trabajar, eso no es correcto, correcto sería que pagara 100 o 150, eso es mas justo.”⁶ Iván said the guy didn't even give him a sandwich or anything to drink, he would never work for him again: “Y eso que me dijo que le gustaba mi trabajo, ‘I like your work,’ me dijo.”

Luis continued: “Es que los *morenos*... ‘pinche carbón’ les decimos en Mexico, ellos no son buenos patrones, yo casi no acostumbro a trabajar con ellos, tal ves los mayores, los que son mas grandes si llegan a ser considerados; yo trabaja para uno mayor que si era buena gente.”⁷ I asked what exactly he meant by “considerados” and he said: “No pagan bien, no te ofrecen de tomar, ni te dan almuerzo, casi ni quieren que descanses.”⁸ I asked: “¿Entonces cuáles son los mejores patrones, los *gabachos*?”⁹ Luis nodded and repeated himself a little: “Ellos si son considerados porque saben que estas haciendo un trabajo que ellos no quieren hacer; el *moreno* no, el *moreno* es desconsiderado y no piensa en eso”¹⁰. “¿Y por qué crees que son así?”¹¹ I asked innocently. “Bah, porque ellos fueron esclavos, los obligaron a trabajar y por eso también te quieren chingar”¹².

Refusing to get into a car is an everyday occurrence on Fifth Street and the fact that *jornaleros* warn one another about particular employers would seem to indicate quite a bit of cooperation and organization among the day laborers. Yet, as they themselves explain it, any and every *patrón* will eventually find someone to do the work because someone's need –*necesidad*–, will be greater than their pride or common sense. There are also always *guatemalas* willing to do the work, many of my friends would add. In the excerpt above, the key issue is that Chucho suspected something was amiss because Iván refused to work with the *patrón*, an event that also set in motion an open discussion about why *moreno* employers are always suspect. Combined the two exchanges –Iván and Chucho, and then Luis to those present– illustrate how a *jornalero* learns the ropes and comes to understand how to measure risk without outright engaging in risky work. That most men eventually have encounters with unscrupulous employers then plays into

² Ten dollars.

³ “Ten dollars man! You should have told me, for ten I would have gone [to work for him].”

⁴ “The thing is we don't work for the *morenos* [to Iván] What happened? Did he treat you poorly?”

⁵ “Not poorly but he was not considerate, he didn't even offer me a glass of water.”

⁶ “He charges 250 dollars and then pays you 50, he makes 200 dollars without working, that is wrong, the right thing to do would be to pay you 100 or 150 dollars, that would be more fair.”

⁷ “The thing about *morenos*... ‘damn piece of coal’ we call them in Mexico, they are not good employers, I hardly ever work for them, maybe with the older ones yes, the ones that are older may be more considerate; I worked for an older one who was more considerate.”

⁸ “They don't pay well, they don't offer anything to drink, or give you lunch, or want you to take a break.”

⁹ “Then who are the best employers, the *gabachos* [white people]?”

¹⁰ “They are considerate because they know you are doing a job they don't want to do, the *moreno* doesn't, the *moreno* is inconsiderate and doesn't think like that.”

¹¹ “An why do you think they're like that?”

¹² “Bah! Because they were slaves and they were forced to work and that's why they want to screw you.”

the exchanges, sets the speaker as an experienced day laborer, and augments the pool of information about *patrones* that is available on the street.

On Fifth Street, men in dire need of money will not get into the car of an African American because everyone knows the *morenos* pay less, try to jip you, and never give you food or water. *Chinos* are reputed to work you to the bone for little money; *árabes* and other Hispanics have similar reputations. *Jornaleros* rationalize abuse as an effect of “racism” which they understand both in terms of their ethnic or national background, and their relative marginality in general terms. In the case of Latin American employers, the discourse turns to a “typical” lack of solidarity among “La Raza” that distinguishes them from other groups: “...hay gente muy mala, y somos bien culeros entre nosotros mismos¹³,” Clemente told me, explaining that “we” were not like the *chinos* who provided ample support for their own. Most *jornaleros* agree that *gabachos* are the best employers, not only because they tend to pay a fair wage, but because they acknowledge a man’s work and effort, provide food and drink and sometimes even work breaks.

In many parts of the Bay Area, especially Oakland, it is the *tongas* who are supposed to be the worst employers, and “everyone knows” that only recently arrived *guatemalas* are dumb enough to go with them. In fact, many *jornaleros* told me they rather not go to Oakland because the *guatemalas* were so easy to swindle that the *patrones* there expected to pay less than at other places. *Tongas* are said to be very big and heavy, but none of the *jornaleros* I spoke to know exactly where they were from. Here we must assume that to some extent they are referring to immigrants from Tonga and other Polynesian islands, but that they are also scripting the category on other people, many of African descent, that appear to be heavysset and work as subcontractors. The story is always the same, as one Guatemalan indigenous man explained:

“When I was just starting I went with a *Tonga*, he left me in Pleasanton [working on a garden] and didn’t come back for me, he didn’t pay me, I had to catch a ride to get back, because I had no idea where I was. Later people told me how to recognize them, they said ‘*Tongas* are big and fat.’ Many people refuse to work for them, but you know how it is, *por necesidad*, especially those who are new, they go with them, they don’t know how they really are.”

Tongas, word on the street dictates, leave you doing a garden they have been hired to do themselves and never come back. When you talk to the house owner they say they paid the man who hired you and then slam the door. In one case I met a man who spent the night by the Freeway after discovering the *patrón* wasn’t coming back. He was so disoriented he could not find a bus stop and was too afraid to ask for directions in the affluent *gabacho* neighborhood where he was. The *Tongas* have such an ill repute that many men agree they like Berkeley because there are very few of them. In fact, I never actually saw one while I was on the *esquina*. Other sites cannot boast the same -and this is not limited to Oakland- as I discovered visiting a site in the South Bay, on the fringes of Silicon Valley where the Multicultural Institute’s (MI) question of “what is the greatest problem you have here?” was answered with agitated exclamations of: “Lo que tenemos que hacer es denunciar a los *tongos*; hay que hacer algo con los *tongos*.¹⁴” Several men had been picked up by *tongos* who at the end of the day promised

¹³ “There is really bad people around, and we are really lousy amongst ourselves.”

¹⁴ “What we have to do is to report the *tongos*; we must do something about the *tongos*.”

more work and payment later, never to return. “Por necesidad uno dice que si y ellos quedan en pasar al otro día pero se queda uno acá esperándolos y nunca vuelven¹⁵.”

In order to avoid abuse, day laborers couple assumptions about race with “the word on the street.” Employers who hire men regularly, like the *moreno* above, don’t realize they get reputations among the men, who warn each other when a bad employer appears. These reputations are in many cases so important that they trump economic necessity. I was initially surprised that men who were about to be evicted, or who had lost their cell phone service because they couldn’t pay the bill would rather not work than risk such an encounter. But this is a common event on the street, one I have witnessed almost on a daily basis with *patrones* who are perceived to be *morenos*, *árabes*, *chinos*, and *raza*. Although *gabachos* are supposedly the most honest and desirable employers, many people have problems with them also. Reticence to go with unknown white men is also determined by the fact that all the cases of homosexual harassment I heard of were perpetrated by affluent *gabachos* (see Chapter 5).

When asked about this, most men answer with personal experiences, as Clemente did one morning. “Hace como un año un *tonga* nos contrató para echar pica y cargar concreto,¹⁶” he said pointing across the street to the corner where he had been hired. “We worked twelve hours and he didn’t pay us.” When the guy refused to pay them, Clemente –a legal resident and a survivor of refugee camps and war who prides himself of fearing no one– called the police. To prove this he took out a small stack of business cards wrapped in an old plastic bag and after leafing through several (mine included) pulled out three cards belonging to the policemen he knew. The cards had the officers’ names, badge numbers, and phone numbers. Pointing to one card in particular he said the officer had come to the house where they were working and had spoken to the homeowner. “Ese dijo que ya le había pagado al *tonga* y que no nos debía nada¹⁷.” The rest of the story was jumbled. Clemente claimed that his “friend” the policeman had sent “diez patrullas¹⁸” to get the *tonga* and told me they even handcuffed him. “Pero nunca nos dió lo que nos debía¹⁹.” The police said they couldn’t force the employer to pay him and Clemente lost a day’s work. Yet Clemente swelled with pride because he, unlike other *jornaleros*, called the police. As a trophy of sorts he also pulled out a card with the *tonga*’s phone number and address, along with the address of the place they had worked. “Este es el cabrón²⁰,” he said laughing.

Contesting and attesting abuse

During the first weeks I hung out on the corner the *jornaleros* who befriended me spoke extensively about the issue of abuse. My initial impressions were greatly biased by the tendency that most men have of exaggerating the extent to which they can actually control and avoid it. In one of our first conversations, for example, Sindi explained: “Algunas veces trabajas y no te dan nada, otras te dicen que levantes el concreto por 150\$ y si lo haces muy rápido te dicen que no, que sólo te dan 50\$.²¹” This happened often and Sindi was proud to say that once he had thrown

¹⁵ “Out of necessity we say yes and they agree to come back another day but we end up waiting and they never return.”

¹⁶ “About a year ago a *tonga* hired us to pick and shovel and to carry concrete.”

¹⁷ “That one said he had already paid the *tonga* and that he owed us nothing.”

¹⁸ “Ten patrol cars.”

¹⁹ “But he never gave us what he owed us.”

²⁰ “That’s the bastard.”

²¹ “Sometimes you work and they pay you nothing, other times they say work the concrete for 150 dollars and if you do it too quickly they say ‘no’ and only pay you 50.”

the money at the *patrón's* feet and told him he wouldn't take it. The *jornaleros* on the wall with us that day explained that they always paid attention to where employers take them, writing down the addresses, license plates, and phone numbers of the person that picked them up. They said that if a person refused to pay them, or offered less than the agreed upon wage, they could call the police or go to the Multicultural Institute for help. Sindi, in fact, made it seem like he always made sure his *patrón* knew he had written down his license plate, and that they had no trouble going to the police. I got the impression, however, that the men were boasting, simply because they did not color their explanations with stories about such an event, and because of all the men I spoke to, only Clemente had ever called the police to deal with a *patrón*.

Jornaleros learn about abuse in their interactions with other men on the corner and inevitably become victims themselves. The MI and other non-profit organization also play an important role in telling the men how to avoid exploitation and what to do when it happens. Hence, when Sindi told me he wrote down the address of his employers he was repeating instructions that the MI and another organization had given them at Friday lunch recently. The importance of the address is twofold, since they sometimes get the MI to contact employers "off the record" to try to solve the problem quickly, but it is also required on the California Labor Commission papers when they file complaints. This explains why that day many men took out little notebooks or cards given out by NGOs and union organizers where they had written down the name of their *patrón*, the address of where they worked, and the amount of time they spent on the job. Although this practice initially seemed widespread, it was not carried out with every employer. Most *jornaleros* in Berkeley only keep accounts when the job in question lasted several days and the *patrón* deferred payment to the end of the week, the end of the job at hand, or some other prearranged time. For most, the notes were a personal account of the money owed and never included addresses.

In most cases the day laborers in Berkeley and other Bay Area sites are impotent when it comes to contesting or demanding an agreed-upon wage. It is more likely that the resolution of these disputes ends with the employer disappearing, making an explicit or tacit threat to call *la migra*, or simply saying "take it or leave it," which is what Sindi had faced. I came to realize that the little papers with employer info and hours worked are seldom used, as the men cannot openly ask *patrones* for the information without sounding like "trouble." *Jornaleros* thus are usually at a loss when it comes to producing this information and most likely have only the employer's cell phone number and a phonetically Latinized version of his or her name.

Even when day laborers do have the required employer information, filling out Labor Commission or small claims forms is a daunting experience that usually scares people off before even trying. After word got out on the street that I had helped a man get money he was owed (see below), I received several visits by other *jornaleros* with similar problems. Reyes was such case. In his mid forties, this Guatemalan man had been living and working in an informal arrangement with his *patrón*, another Guatemalan, who gave him a space in his garage as living quarters in exchange for work. Reyes thus received a monthly wage minus what the *patrón* considered was rent. At 500 dollars a month, his rent was the most expensive one I heard about on the street. The first time we met he explained that he started work in February (2007) and had continuous employment with the man who bought houses, fixed them up, and resold them, until November. However, his employer stopped paying him consistently in August, which forced him to go to the corner to make up the difference so he could buy food and send something home. He had several little wrinkled papers where he had noted some of the work he had done, but was not sure how much of it his *patrón* had already paid. Many of the papers had no date. When I explained

how the Labor Commission worked –he calculated that the employer owed him about 2000 dollars- he insisted on knowing how long I thought the process would take, since, disenchanted with *la situación*, he was planning on going home. Reyes had all the necessary information about his employer to fill out the applications; after all, he lived in the man’s house several months. However, he became distressed when he heard he needed the addresses and dates of all the places he had worked. We discussed this a while and with the help of David (MI) also determined that he needed to quantify the amount of money the *patrón* owed him in terms of days he had worked. This, to him, would be a gargantuan undertaking since he had been paid monthly or for specific jobs, not by the hour or by the day.

Reyes came to realize he was trapped, since he had only a month to leave the US before high season doubled air fare to Guatemala and because he had nothing to take home after a year and a half absence. He sadly told me he had spent the last bit of money he had on his passport and that he would contact me if he figured out how to quantify his earnings. Two weeks later he appeared on the corner once again, but not to speak to me, simply to see if he could get work. Reyes decided to stay the Summer and return to Guatemala in the Fall, but told me he thought filing a complaint was useless, since according to his calculations, he could only account for 500 dollars his *patrón* owed him, even though he knew it was much more. Furthermore, all the people on the street who had heard his story advised against going to the Labor Commission because it would take up a lot of time, might get him in trouble with *la migra*, and most likely result in nothing. He was distraught and I never saw or heard from him again.

Luis and others on Fifth Street felt bad for Reyes, but thought it was his own fault, since he had managed his money based on assumptions that were unrealistic. He was paying 500 dollars for rent, 50 for his cell phone and also bought a run down car that required insurance. He borrowed more than 2000 dollars to cross into the US and in a year and a half just barely managed to repay the loan. They all agreed he would return with nothing to show for his absence. Reyes, like most *jornaleros* I know, never actually tried to file a complaint about his employer, but simply gave up, trapped between the need to survive, the certainty that he would never see his money, and the longing for a home he felt he had failed.

Reyes’ case is more exemplary of the reality on the street than Sindi’s boasting, which initially gave me an artificial impression about the ability of *jornaleros* to deal with abuse. As with other aspects of life, the impotence inherent in this type of work is expressed in exaggerated narratives about one’s ability to deal with the exigencies of immigration. Only twice did I ever meet men who actually used their notations to file complaints and in both cases the problem remained unresolved. Boasting about contesting exploitation was thus the closest many men had ever been to actually obtaining redress. In general, abuse is so rampant that *jornaleros* respond to it with righteous indignation (empty of valence, since it leads nowhere) like Sindi and Clemente, or internalized submission, trying to justify their right to the money by arguing the employer must not have recognized the amount and quality of their work.

I was surprised to hear that Eduardo and Pedro also have a problem with a guy who owes them money. Apparently he is a contractor who had hired Eduardo before and already owed him 180 dollars when he took them both on a new job. Now, after a few days work he owes Eduardo about 600 dollars and Pedro about 150. There were other men on the job who did get paid, but the last day of work, when the *patrón* was supposed to give them their money, he didn’t come to work and sent an employee to close shop and send the guys home. Because of his previous work, Eduardo knows where the man lives, so he and Pedro stopped by on Friday and left a message (nobody was home). On Saturday, the

contractor's girlfriend called Eduardo and told him in Spanish that they would give him half the money now and half in two months. She also said they would pay Pedro his part in full. Eduardo decided the best course of action would be to talk to the *patrón* directly, so last night they stopped by again and rang the door bell but nobody answered, even though the lights were on and they could hear voices. After waiting 20 minutes Pedro said they should leave because someone might call the police. Exited and mad, Eduardo told me his answer: "Pues hasta dije que llamaran a la policía y así les podíamos explicar que el señor nos debe dinero; ya el viernes dejamos una nota diciendo que necesitábamos que nos pagara porque también nosotros tenemos que pagar las deudas²²." Pedro said the police wouldn't care about that; instead he suggested they ask David to bring the papers they needed make a report. Eduardo still thought he should reason with the contractor: "Yo le quiero decir que eso no fue trabajo simple, fue duro, casi me corto un brazo cargando ese metal.²³" "Puro metal," added Pedro for emphasis. I told Eduardo that the complexity of the job was irrelevant and that the guy couldn't decide out of the blue to pay him part now and the rest in two months. "Pero tal vez piensa, o va decir, que no trabajamos, que estuvimos ahí sentados o algo, cuando no, si es que era trabajo duro y a los otros si les pagó,²⁴" answered Eduardo. Luis was optimistic about the report (he has never made one) and said they should go to the police themselves: "Aca la ley es igual para todos²⁵." I waited for Simón to say something, since he had a similar problem about an exponentially superior sum of money. He said nothing about the report, but nodded and told them: "es que creen que porque uno es mojado es ignorante, que no va a decir nada, que pueden hacer eso.²⁶" Luis nodded: "Lo creen a uno ignorante.²⁷" Eduardo wanted to know what I thought. I said the MI should call first and told Eduardo to get the guy's full name and address. Eduardo had the address and gave it to me along with the man's name, although he wasn't sure if it was correctly spelled. I looked at it and asked what city or town it was and neither one of them knew. Luis thought it might be Tiburon, which I doubt, since they hadn't crossed any bridges to get there.

Eduardo's seemed insecure about why the contractor was reticent. Did the man think they didn't work? did he think it was easy? If only he realized then he might pay. There was no sense of "rights" in how Eduardo talked about the situation, although Pedro, who had less to lose, was gung-ho about making a claim at the Labor Commission, something neither one of them had ever done or knew how to do. The two men managed to start filling out the papers but so many people scoffed at their certainty that they would be paid that they decided to compromise with the employer. Pedro got all his money and Eduardo had to settle for two thirds of what the *patrón*, who claimed he had gone bankrupt, owed him.

Doing something about it

Although interest in figuring out how to force people to pay what they owe is general because almost everybody has had this type of trouble, few people actually attempt to do anything about

²² "Well I told him [Pedro] that they should call the police so we can explain that the man owes us money; we already left a note on Friday saying that we need him to pay us because we also have to pay our debts."

²³ "I want to tell him that it wasn't easy, that job, it was hard, I almost cut my arm carrying that metal."

²⁴ "But maybe he thinks, or is going to argue, that we didn't work, that we were there sitting on the ground or something, when we weren't, it was the opposite, that job was hard and he paid the other guys for it."

²⁵ "The law here is the same for everyone."

²⁶ "They think that because we are 'wetbacks' we are ignorant, that we are not going to say anything, that they can do that."

²⁷ "The think we are ignorant."

it. The *parada* is riddled with tales of people failing to get their money back, some of which include events like calling the police or going to NGOs for help. Stories like the one's above not only dissuade *jornaleros*, but make people think that going to the police is a necessary step in filing these complaints, which is not the case. The police, in fact, can do little to immediately address the problem, which is legally considered a civil matter. Contact with the police, even in a Sanctuary city like Berkeley, is something everyone wants to avoid (see Chapter 4).

In truth, the most common way to deal with this problem is to avoid unscrupulous employers and being wary of the "types" of people who might swindle you. A *jornalero* must make sure that his *patrón* is good before working for him or her, because once he gets in the car everything depends on the employer. If the *patrón* decides he will pay you less, leaves you stranded, and so on, there is little you can do. This is also one of the reasons why repeat *patrones* and long-term jobs are desired. Yet because an ideal job is one that will last a couple of weeks or months, many men let themselves get into situations where unknown employers convince them to wait a few days or weeks to get paid. This is what happened to Eduardo. In some cases, employers tell *jornaleros* to call them at the end of the month, even after the work is done, because they do not have the money at hand. It is thus not uncommon for men to say they are waiting to get paid for work that is long past.

If a *jornalero* ignores all the tales and warnings about seeking legal action against an employer, he is suddenly faced with a relatively complex bureaucratic procedure that no one around him really understands. Most *jornaleros* rightfully fear that contesting a case of abuse will set in motion a long and tedious process that will cost them time and money for nothing. For most men, time is something they cannot afford to lose, since life by the day wage entails balancing personal expenses with remittances on the threshold of destitution and failure. The immediacy of the need for money, then, works against the development of any formal consciousness of rights and contestation. The men who do try to pursue the issue either do not entirely know or believe the process can take so long, or, like the following case, are owed enough money to make it worth while (both in the eyes of the *jornalero* and for those who can help him).

In Berkeley, contesting abuse usually starts with talking to the Multicultural Institute. The MI suggests the day laborer try to work out his problem with the employer, but if they cannot, they call the *patrón* and tell them the complaint has been noted and that if it is not addressed, the day laborer will file an official report. If this fails, in theory, the MI helps people make a complaint to the Labor Commission or sends the day laborer to other NGOs in the area. As I stated above, filing the complaint requires a detailed list of the hours and places where the men worked, and the employer's contact information, which not everyone has. Even if they do, I have never heard of a successful outcome, the closest being Simón, who managed to make the complaint but then changed houses and missed the letter about how to follow-up on the case. It took him two years to get to the point where the California Superior Court, he claimed, determined the *patrón* had to pay him, but even then he was in the dark as to how that was going to happen. The Centro Legal de La Raza in Oakland, the NGO who helped him, said they could do nothing else and sent him to a sister organization in San Francisco where they suggested he hire a lawyer. The lawyer told him it would be better to insist at La Raza, since her commission would be 35 percent if she ever got the man to pay up. The last time I heard from him, on the corner that day Eduardo and Pedro were discussing their own case of abuse, Simón still hadn't been paid the 8000 dollars the *patrón* owed him. He was trying to decide if it was worth waiting

because he wanted to go home and because the *patrón* was now filing for bankruptcy and he wasn't sure if the money would ever materialize.

Simón's claim was exceptionally high, several month's work for an employer he knew and worked for before the economic crisis, which might explain why he went through with it. Most claims, however, are much smaller. On a good month, *jornaleros* in Berkeley can earn somewhere between 1500 and 2000 dollars. Yet my sojourn on the street (August 2007 to February 2009) coincided with the greatest economic recession the US has seen in many decades and none of the men I talked to really had a "good month." Some were scratching by with 400 dollars a month. Most of the cases of wage theft constitute small amounts of money: one, two, three, or four hundred dollars being the usual amounts before people realize they are not going to get paid. These amounts, which can represent more than a week's pay are so minor that they are very hard to justify to the "official" bureaucratic organisms and to the NGOs and lawyers that are supposed to deal with the issue. Furthermore, making such claims requires patience, time, and the ability to deal with institutions that do not always have Spanish-speaking staff, as I realized when I tried to help Francisco deal with a related issue. In fact, contesting 400 dollars might take so much time that a person could have made up the amount simply by going to the corner instead.

Francisco against the odds

In early November (2007) David and Rudy told the Fifth Street regulars that they were dealing with the case of a Guatemalan who had been bitten by a dog. During their weekday visits to the corner they updated us on the case, telling us that they were contacting various NGOs and trying to find out how to take the dog-owner to court. Francisco had apparently been duped out of the hospital bills the owner should have paid and was also trying to get her to pay for wages he lost due to his injury. We had heard that the bite was pretty bad and that it had taken Francisco a week to get back to the corner. These conversations went on for a few days creating much excitement about the possibility of forcing someone to pay up. However, as the MI began to realize it was not so easy and eventually sent Francisco to the Sanctuary, which had a new community liaison that was supposed to work such cases. Knowing I had worked with the Sanctuary, people started suggesting I get involved and try to help.

In general, the men on the street believed Francisco could sue the owner of the dog for a lot of money. They had all seen injury cases reported on Channel 14 and looked forward to experiencing it firsthand, although there was also a lot of skepticism that anything would really happen. The difference between Francisco's problem and abuse related to wages was that "proof" was unequivocal and at hand; he had an injury, stitches, and hospital bills. I remained uninvolved because Francisco was more or less a stranger who was not acquainted with any of the men I knew until I bumped into him on the bus on his way to the Sanctuary. Three weeks had passed since his first meeting with the liaison and he was beginning to get anxious about the money.

On the bus he told me his version of the story. Francisco was walking on the street one morning, not really paying attention to where he was going because he was checking the phone bill he had just paid. There was a group of kindergartners walking on the sidewalk so he stepped aside to let them pass. As he stood there waiting, a woman with a dog walked out of the house in front of him and moved towards him to avoid the children. The dog suddenly jumped up and bit Francisco in the buttocks. The owner was apologetic and gave Francisco first aid on her doorstep. She promised to pay the hospital bill and asked him not to go to the police because it

was the second time the dog had bitten someone. Francisco said there was a police officer nearby giving someone a ticket, but since the woman was a *gabacha* who spoke some Spanish and seemed nice, he didn't go over to the officer. At the hospital he refused to file a police report – which in theory all dog bite victims must do- “porque parecía que ella me iba a responder²⁸.”

Francisco lost a week of work for which he had already been hired because of the injury, which also resulted in a 360-dollar hospital bill. Since the accident happened at the end of the month he had to ask someone to lend him rent money and he was not able to send his family in Guatemala their bimonthly remittance. When he returned from the hospital he called the woman but she did not answer. After several attempts, he finally went to her house one afternoon –so as not to bother her in the morning- but no one came to the door. He returned early that evening, when the lights were on, and knocked. No one answered. Francisco called the woman again, only to get her answering machine. The next day, while in the shower he got a phone call around 9:30 at night. In English, a woman he did not know left a message claiming to be the dog owner's lawyer. Although he couldn't understand what the woman said, he felt she made it clear he should stop calling. He showed the recording to Rudy and David who helped him decipher it and ascertain that the “lawyer” was claiming he was harassing her client. It was fortunate he showed them the message, he told me, because somehow it got erased from the cell phone's memory. It was the accusatory claim that led the MI to suggest he take the dog-owner to court and resulted in various attempts to get him in touch with people who could help (He didn't elaborate on this). Since none of these seemed to be able to do anything they took him to the Sanctuary.

On the bus Francisco explained he still had not paid his rent or made up the missed remittance, which his family was now complaining about. Because people at the MI and the Sanctuary told him he was entitled to some money, Francisco thought he could easily get the owner to pay even more than just the hospital bill and lost wages. He was beginning to believe he was entitled to punitive damages, mainly because the woman had been dishonest: “Mire, al principio yo sólo quería que pagara lo del hospital y la semana que no pude trabajar, ahora no sé, porque ella lo hizo de mala fe, se aprovechó de mi condición [meaning that he is undocumented]²⁹.” Nonetheless, Francisco seemed also apologetic about suing her, and tried to explain it as civic duty, since one of the children could have been bitten: “Yo lo hago también por los niños, ahí hay un jardín infantil³⁰.” I gave Francisco my number and told him to call me if he needed help after talking to the Sanctuary. He called a few hours later, confused about the packet of papers they gave him and asking me to go with him to the Oakland courthouse the next day, “Dicen que lleve intérprete.³¹”

We met at 8 a.m. the next morning in the 12th Street BART station in Oakland. Francisco showed me the papers it took the Sanctuary three weeks to get. They were the basic packet for a “small claim,” all in English. As we emerged onto the street Francisco also showed me his digital camera, a Cannon which he carried in his sweatshirt pocket. The pictures of his injury were in the camera, but he had no idea how to print them or get them on a CD. We walked to the courthouse in about 15 minutes. We were lucky he knew where it was -he had been there with his *patrón* to pay a ticket- because the address on the paper was incorrect. We went into the building through a tight security check point, not unlike others in this country, where a nasty,

²⁸ “Because it looked like she was going to pay.”

²⁹ “Look, at first I just wanted her to pay the hospital bill and the wages for the week I couldn't work, now I am not so sure because she acted in bad faith, she took advantage of my condition.”

³⁰ “I do it also for the children, there is a day care center there.”

³¹ “They say I should take an interpreter.”

wise-ass guard tells people to take of bracelets, keys, and the like as if they were retarded. As we walked in I saw about 50 people making a line under a sign that said “traffic.” We got in the elevator and went upstairs. The place we were supposed to go was the Self Help Center on the second floor. The center was closed, so we sat on the floor next to the door. As we waited two Hispanic men came up to Francisco and showed him a yellow paper, asking where it was they should go. Francisco pointed at me: “Muéstrselo a él, que es el que sabe³².” I chuckled and looked at the paper. Just as lost as everyone else, I was already an expert. The paper was a DUI citation. After looking at all the annotations I found the room or window they were supposed to go to, 107, which I told them was probably downstairs.

At 8:30 a woman opened the door and said: “we’re open.” Francisco and I went in, wrote down his name and his “business” – a small claim- and then sat down. A young Asian American woman came up and asked how she could help. Since there was no one in the office that spoke Spanish I explained the problem. She nodded and pulled out the same packet the Sanctuary gave Francisco the day before. She showed us a table where we could sit down to fill out our claim and went back to the front desk. Francisco looked at the papers in disbelief, annoyed that the Sanctuary had taken three weeks to get him these papers instead of just telling him to go to the courthouse.

We started filling out general information like Francisco’s name, contact info, ethnicity, language preference, and income. Our first problem was determining how much Francisco made on an average month –a good month being 2000 dollars in his rendering. He wanted to understate his earnings but we settled for an average of about 1600. Then we came to the part where we were supposed to list the amount of money we were claiming the woman owed him. There were no instructions on how to calculate the amount or what we were entitled to claim.

Following conversations he had with *conocidos*³³ on the corner, Francisco told me he thought he was entitled to the rent money he had to borrow (350 dollars), four days of lost wages (100 dollars a day), the missed remittance (200 dollars) and the hospital bill (360 dollars). This added up to about 1310 dollars. I argued that he probably could only ask for the lost wages with which he would have paid his rent, expenses, and the medical bill. “Pidamos los más que podemos y vemos qué dice el juez³⁴,” he said, adding that he had also missed about four days of possible work trying to get to this point in the process so he thought he could ask for that also. We attempted to make all these calculations but then hesitated when we saw that the fee for the claim is proportional to its value up to the limit, which is 7500. Francisco was revved up with the talk about suing, crossed out the amounts we had initially suggested and said we should go for the maximum.

The Asian American woman saw us arguing and came up to see if she could help. I asked her how to calculate the amount. The answer was that she could not give us legal aid, but that everything had to be itemized. “You decide,” she said with a smile as she gave Francisco a photocopy with information on small claims in Spanish. It was the first and only document in this process that he could actually read, but did little to clear up our doubts. In the end we wrote in the initial amount Francisco had calculated, around 1300 dollars. I gave the woman the papers and asked if he should put the pictures of his buttocks in the claim or take them to the court. She said there was no need for them in the claim but that we should print them out for the judge.

³² “Show him, he is the one who knows.”

³³ Acquaintances

³⁴ “Lets ask for as much as we can and then see what the judge says.”

The woman was very nice, asked us to call her Ming, and took a careful look at our papers. She said we were missing the form to serve the dog owner. I checked the paper she handed me and felt a little weary when I saw that the only option to “serve” someone that costs nothing is to send a friend to deliver the papers. I did not feel like “serving” anyone. The possibility I liked was mailing the documents but Francisco thought it would be better if I just went to the dog-owner’s house. Either way we were at a loss, since legally we needed the woman’s full name and address in order to serve her. Francisco only had her first name and cell phone number.

After we showed her what we had, Ming shook her head and said: “It is essential that you have this information,” and ushered us to a computer where we could “google” the dog-owner. We tried various phone and address listings to no avail, so an hour later she came over and helped us for about half an hour with the same result. We were only able to determine that the phone was a cellular and that the landline of that address was under somebody else’s name. Ming insisted we could find the information and continued making the same search over and over. To show her how useless this was I tried to find my full name and address using my cell phone number. Nothing.

Desperate, Francisco suggested I call the number and try to hear the name the woman gave on her answering service, but it was too jumbled to understand. Ming then suggested that we go and talk to the neighbors or look through the dog-owner’s mail. I laughed at this, trying to imagine how the “community” would react to us sifting through her mail or asking questions from door to door. Once she realized the situation was hopeless, Ming gave up and went back to her desk. A few minutes later she came over again and gave me a card with a number to call. She said we would have to pay 30 dollars to talk to a lawyer for 30 minutes. The card was for the Alameda County Board Association (ACBA) Lawyer Referral Service. She thought ACBA would be able to help for sure, but told us it would probably be good to make a police report about the incident before talking to a lawyer. Not knowing what else to do Francisco and I left.

On the street he looked at the business card again and recognized the acronym of the ACBA. He had been sent there a few weeks before, but when he got there he found there was no one who spoke Spanish. The ACBA office was nearby, so we decided to go see what they could do. As we walked he said he really wanted to get this done, so the woman would learn “que a nosotros los inmigrantes no nos pueden tratar así, que aunque nos ven como nos ven, no pueden tratarnos así.”³⁵ A few minutes later we were at ACBA, on the second floor of a building on Jack London Square. Inside there was a small waiting room with a sofa and a door with a little window in it. I stuck my head in and saw people shuffling about but no one seemed to notice me.

I turned to Francisco who pointed to a phone on the coffee table. I looked at the list and called the “volunteer services” liaison. She came out to see us and explained they did not take walk-ins, gave me the same card Ming had, and said we should call. I told her Francisco’s story anyway. She opened her eyes in surprise when I told her that someone claiming to be a lawyer had called and implied Francisco was harassing the dog owner. Hesitating for an instant, she went back inside for a few moments. When she returned she told us we were in luck because the Spanish interpreter was there and said they would make an exception. As she made us promise not to tell anyone about this favor, an older woman with a strange Argentinean accent came out. Her accent was so confusing Francisco and I did not understand her at first, which resulted in me having to translate into Spanish what the interpreter said in English.

³⁵ “that she can’t treat us immigrants like this because even though they see us in the way they see us they cannot treat us like this.”

The explanation was elaborate and unclear, but we gathered that the service consisted of a thirty-minute phone appointment with a lawyer who would call us after we mailed 30 dollars and a brief explanation of the case. As Ming said earlier, “you get 30 minutes for 30 dollars.” The interpreter explained that the lawyer would tell us if he would take the case and how much he would charge. I told her we just wanted to know how to write in the amount in the small claims case. She said no lawyers were allowed in the small claims court but we could ask the lawyer about the amount. Both women thought our problem sounded like a personal injury case, but at no point did any of us agree about what we were actually trying to do. To this day I think none of us really understood the other, but I get the impression that I tacitly inquired about a civil lawsuit.

The exchange was so obviously confusing to us that the very well intentioned interpreter brought out more information about other places that might help Francisco. She insisted we should go to the Centro Legal de la Raza in Oakland, which would help us for sure. At the same time, the liaison gave me a small yellow pad and asked me to write down the story and my phone number. She then took the 30 dollars from Francisco. I was confused. Were they going to help us or should we go to La Raza? Francisco couldn't figure it out either. By this time the interpreter was acting like I really couldn't understand her English either. She took the pad with my number and the account of the event, patted me on the shoulder, repeated slowly that we should go to La Raza, and then basically showed us the door. Behind her the liaison called out to remind us not to tell anyone the ACBA had actually helped us in person. I feel little remorse about mentioning it, however, since they really were no help at all.

When we walked out of the building Francisco was laughing sardonically at the information sheet the interpreter gave us. “Oye, el Centro Legal de la Raza fue el que me mandó para acá la primera vez.³⁶” Francisco said he paid the 30 dollars because I was there and he thought it was right, but he was having second thoughts about the whole thing. He wasn't sure what the money was for and seemed quite aware of the fact that he had been given the runaround. Fluent in English and half a PhD myself, I couldn't say I understood any better, but I finally knew the rest of his story. After the bite, Francisco went to one NGO (The Multicultural Institute) to ask for help. The people there sent him to La Raza, the most well known center of its kind, who in turn sent Francisco to ACBA. There, the language barrier sent him back to the first NGO, which then sent him to a different NGO (The Sanctuary) that really didn't know what to do but promised to find out. It took them three weeks to get some documents Francisco could have gotten the day of the injury had he known to go to the courthouse or that you can download from the Internet. Exited that the claim was starting to take shape Francisco had drafted me into the process, only to find himself once again at ACBA, 30 dollars poorer, being told to go back to La Raza. More than a month had passed.

The next day Francisco and I bumped into each other on the *parada*. He seemed even more convinced that we were going to get help and was asking the MI to take him to the doctor so he could have further proof of his injury. In a businesslike tone he told me to call the Emeryville Police Department and make the report *la chinita* (Ming) had suggested. Somewhat annoyed I called the police and was told to contact Animal Control and leave a message with my phone number. Animal Control called back in the afternoon. The woman was very nice but said she spoke no Spanish so she would rather talk with me. She explained you have to report the bite within 48 hours so the dog can be quarantined and asked why we had waited so long. I explained what had happened. She understood and said there could be no report, but that she would look

³⁶ “Hey, the Centro Legal de La Raza was the one who sent me here in the first place,”

into the history of the dog anyway. I gave her the information I had (address and first name) and asked about how to get the woman's full name. The answer was that we should get the dog-owner's license plate and go to the DMV, since the registration –she thought- must be part of the public record. She also asked me for a description of the dog.

I called Francisco to see if he could get the woman's license plate number and the dog's description. He gave me the description and said he would walk by the woman's house the next morning. I called Animal Control again and left a message. When the woman called back I gave her the description and asked her if I could follow up on what happened. She was very nice and said: "Of course, I'll give you a call back." I didn't hear from her in another week. The day after I made the report Francisco called very excited and told me he had the license plate number of a car he *thought* must be the woman's. He remembered she told him she had been in an accident, so he wrote the license plate number of a car near the house that was dented.

Five days after the courthouse I got a call from Francisco enquiring about his case. His tone was different; he was anxious but also seemed to be expecting me to be on top of things. I told him I was waiting to hear from Animal Control and that I would call the ACBA in the afternoon. I called the ACBA and spoke to a woman named Barbara. She wanted Francisco's full name and address so I had to hang up and call him to get the information. Once I was on the phone with Barbara again, I asked if they had a Spanish speaking person so Francisco could do this himself. She emphasized it was better that I be the main contact person. We went through the whole story again. Barbara said she needed to look up our case and hung up. About 10 minutes later she called back and asked how much the medical bill had been. When I said 360 dollars she became condescending and told me with exasperation: "that's a small claims case, not one for our lawyers; they only take cases bigger than 7500 dollars and charge 200 to 300 dollars an hour." She said we must have misunderstood. Angry, I told her we explained all this to the liaison at ACBA and were under the impression that we could talk to a lawyer for 30 minutes. She insisted that I was misinformed. She was really nasty about us getting the card from the Self Help people at the courthouse and blamed them for the waste of time. I insisted the other woman at ACBA repeated the information, so Barbara demanded to know who it was so they could be reprimanded. She gave me an address and told me to write in and request the 30 dollars. When I told Francisco he just shrugged his shoulders and said "eso ya se perdió Tomás."³⁷

Because of our failure with ACBA I suggested we go back to the small claims idea. I was beginning to regret my involvement, however, because I had turned into the main motor of the process and Francisco had begun to expect me to act, calling the Multicultural Institute's outreach staff when I didn't answer my phone to see where I was, and asking them to call me, as if I were their employee. He also wanted me to find the name and address with the license plate on my own, so that he could try to get work on the corner. I refused and we agreed to meet the next day and go to the DMV together. After I waited an hour on the street, he called and said he had been picked up early in the morning and couldn't go. This happened for the next few days and Francisco finally said he had been hired for the week and needed the money.

A week after calling Animal Control, the woman I spoke to called me back. She went to speak to the dog owner who was quite straightforward. She admitted that Francisco had done nothing and that she had offered to pay for the hospital bill. The owner also told her that although there was no previous report, the dog had bitten someone else. I was surprised at how much information the Animal Control woman actually got. The owner admitted that the woman who called Francisco was a lawyer friend and insisted that Francisco had never tried to contact

³⁷ "That money is gone Tomás."

her. The Animal Control woman told me her department could do nothing more because our case was now a “civil matter,” but suggested that I try to speak to the dog-owner before we did anything, since she seemed nice and willing to compromise. So I called Francisco and got his permission to speak to the woman and see how much she was willing to pay. Faced with the possibility of directly speaking to the dog-owner, Francisco decided to forgo our attempts to sue her and asked me to set up a meeting. He said this apologetically, explaining that he had not been able to send a second remittance home and his family really needed the money. He was also about to have his cell phone disconnected. I called and left a message.

As I waited for the bus the dog owner called me back. She said her name was Silvia and she was returning my call. She sounded young and very *gabacha*. She claimed that Francisco (she remembered his name) had never called back. “Francisco was just walking down the street looking at a paper, he did nothing, I don’t know why my dog did that, but it was not Francisco’s fault and I told the police that.” She was annoyed that he had gone to the police and claimed he had lied by telling them she had asked him not to go. “I never said ‘don’t go,’ sure I don’t want the police at my door, but I never said ‘don’t go.’”

When I told her I had called the police she became defensive, uncomfortable with the implication that she had acted in bad faith. To prove to me that Francisco was not telling the truth she told me there was another man with him that day who was drunk. “[The man] was drinking a forty [beer] and said ‘fuck the police,’ did Francisco tell you that? I wasn’t going to pay so they could go drinking, I mean, I am not going to pay for these guys to go on a heyday, I’m not going to pay for someone to party.” She said that day she offered to pay Francisco’s medical bill, but not his lost wages: “he’s a gardener for God’s sake, what does he mean he can’t go to work?” She didn’t seem to believe me when I said Francisco actually had a semi regular job in construction adding: “four days is ridiculous, I won’t pay for that.” In her opinion the bite was minor and thought it was absurd when I told her Francisco was still stiff. “I even tried to take him to the Berkeley Free Clinic, so he wouldn’t have to pay anything, but he said no so I gave him first aid myself for God’s sake, with alcohol and a Band-Aid,” she added. She couldn’t believe the hospital had cost 360 dollars. I tried to argue briefly that the Free Clinic would have referred him to a hospital anyway, but she started rambling on about Francisco taking advantage of her. I cut her short when I asked about the lawyer’s threat. Her voice changed immediately.

The woman who called Francisco, she explained, was in fact her lawyer, although she had no idea why the message didn’t include a name and number. She became apologetic about not answering the phone or the door and said she was in the hospital herself: “It was a bad time for me and I wasn’t going to answer the phone there in the hospital.” She even offered to show us her hospital bills. In a soft tone, she said wanted to explain all this to Francisco, and asked me to translate for her. She agreed to pay the hospital bill and to consider paying for three days of lost work, but then again became irate and added loudly: “I gave him a hundred bucks that day, a hundred, did he tell you that? So whatever we agree it will be minus those hundred.” We didn’t discuss how much money it would be in total.

By this time I didn’t know what to think. The woman sounded authentic enough in her excuses but also made stupid and racist remarks about Francisco and how he would spend the money. I was also tired of the whole ordeal and mad that he had decided not to pursue legal action. I nonetheless called him and set up the meeting, warning him that the woman was being defensive. I also asked about the 100 dollars and the second man. He told me she had given him the money and said the other man was simply a guy who lives in the neighborhood who sometimes works on the *parada*: “Es un conocido que me vio ahí y se acercó, pero yo no soy

amigo de él.³⁸ He wanted to get this over with quickly he added, because the medical bill was due the next day and he was going to have to call and pay with his credit card because if he sent a money order it would take a week to get to the hospital. “No es mucho dinero lo que quiero,” he concluded, “solo lo justo³⁹.”

Once it was clear that we were going to confront Silvia, Francisco again began to think he could get a quantitative sum of money. But Silvia was busy and took some time to answer my calls about setting up a meeting. As the days went by Francisco became more and more frustrated. He called me non-stop to see if I had heard anything and finally I simply stopped answering his calls. Then he turned to the MI, asking them to check up on me and telling them to push me to find out about his money. Although I understood his distress I was losing my patience. Friends on the corner had begun to chide me about having a *patrón* and they were beginning to advise me to send Francisco to hell or he would “abusar de que lo trataste de ayudar.⁴⁰” I had become caught up in the work and friendship networks of the street and needed to save face and not appear easy to boss around.

Finally Francisco and I met on the street with the MI people who advised him on how much money to ask of the dog-owner. Rudy thought he should ask for a lump sum, namely 1500 or something but the issue of how to justify this was, again, the main problem. We decided if she did not go for the lowest number Francisco was willing to get, namely 1200, we would take her to court. He was nervous, since he had already paid the bill and didn't want to pay the interest on his credit card. The back and forth was quite annoying, and Francisco even scolded me for not having everything set up and suggested I had made him take another day of work to talk to me. David interjected and told Francisco he could not ask for rent and the money he had to send his children. He could only ask for the lost wages. Someone added he might be able to include the “interpreter's wages” in an itemized list and I lost my patience, said “no way,” and left them to decide whatever they wanted and telling Francisco not to take off anymore days of work. My friends on Fifth Street greeted my actions with a “bien hecho Tomás, que el *guatemala* se las arregle solo.⁴¹”

I later learned that the final agreement was that Francisco would ask for the medical bills, four days of lost wages and three additional days it took him to go to the court. But Francisco called me that afternoon to say he needed the money soon and would just take the initial offer, namely the bills and three days lost wages. After a week and a half we managed to arrange the meeting. By this time Francisco was telling me he couldn't afford to fight and would take anything the woman gave him.

Short of two months after the dog bite, Francisco, Silvia, and I sat down to talk. Silvia, a 27-year-old Bartender from Maryland, broke down in tears when we told her Francisco made about 100 dollars a day at the job he lost. She meekly shook her head in disbelief when I added up the 360 dollars for medical bills and seven days of lost work. Nervous about her reaction, Francisco became apologetic and explained over and over that he was only asking for what was fair. Silvia sobbed and said under her breath that she could not produce 1000 dollars, repeating: “What do you want me to do, sell my car?” a few times.

Francisco and Silvia pleaded with each other until she stopped crying. I asked her what she would have done if she had been bitten. She became aggressive and, once again, said she

³⁸ E is an acquaintance that saw me there and came up to me, but I am not his friend.”

³⁹ “I don't want much money, just what's fair.”

⁴⁰ “Take advantage of the fact that you tried to help him.”

⁴¹ “Well done Tomás, let the Guatemala solve the problem on his own.”

could not believe he had lost four days of work and noted that the medical report only said he would have limited mobility for three days. I explained that missing the first day meant he missed the whole job. She seemed to understand and then not understand intermittently. Francisco was calm, nice, and apologetic, telling her he wasn't trying to get more than was fair. She insisted that she could not cover the amount and finally offered him 450 dollars, 200 then and there "and I will have to give you my tips for tonight in the morning." Francisco thus settled for 350 dollars (plus the 100 he got when he had the accident.) After the whole ordeal he lamely said to me that his conscience was clear and that he got what he wanted.

The absurdity of small-time bureaucracy

There is nothing particular about Francisco's story, except the fact that had this occurred in any place other than the Bay Area, the scene of mutual pleading between him and the dog owner would have never occurred. What differentiates him from most *jornaleros*, in fact, is that Francisco was willing to deal with the system, that he had a bank account and credit card, and, above all, that he possessed a sense of entitlement to legal redress that many people do not believe in. After all, "todos somos mojados, no tenemos derechos acá⁴²." But the fact that Francisco pursued the whole issue is also grounded in the woman's ethnicity. Had she been anything other than a *gabacha* it would have been obvious from the begging that it was a lost cause. Furthermore, I doubt he would have gone through to the end without my help, and there are few people on the street with the capacity, time, and interest to do this. I, for one, never let myself get involved in such an issue again, simply because it put me in a position of great expectations that I could not fulfill. Street corner cosmopolitanism had set in motion a series of events, based on incomplete and partially incorrect information, which few people would usually follow through with.

This event reflects the common problem of redressing abuse that is essentially minor in economic terms and the absurdity of bureaucratic dealings, especially for immigrants whose cultural capital sets them at a great disadvantage in relation to everyday proceedings. It never ceases to amaze me how often language is the essential barrier—that is, beyond the ability to deal with bureaucracy. In multi ethnic California, where the state publishes voting registration in several languages, where bus information is posted in three languages, the most common complaint I have noted of both documented and undocumented immigrants is that the people who they come to for help do not speak their language. My friend Santiago, for example, has called me repeatedly after obtaining asylum and then legal residency, to help him deal with the social security office and other institutions. On one occasion I even had to translate between him and his social worker over the phone. Santiago, who is severely traumatized by the persecution he suffered in El Salvador, has also had to rely on me for psychotherapy, since the pro bono therapists he has access to through various NGOs are all English speaking.

In terms of the bureaucratic machinery, one of the reasons for the absence of Spanish speakers might be the state's ethnic diversity itself, where bureaucratic and state office positions are managed by African Americans, Asians, and others who often have very little working knowledge of Spanish. Francisco had a singular advantage here because his interpreter (me) could manage these interactions. Getting a full time interpreter to help as I did would have entailed more money than he was owed or a very close friend or relation with a lot of time.

⁴² "We are all wetbacks here, we have no rights."

As for the of NGOs, volunteers, and yes, anthropologists, Francisco's tale might help to understand the disenchantment that rises when times get hard among *jornaleros*, who never ceased to remind me that the Multicultural Institute and people like me make a living from their *situación*. The runaround is a common occurrence that leaves immigrants frustrated and at odds with the very people and institutions that have made names for themselves by helping them. The Multicultural Institute, the Sanctuary, and the Centro Legal de la Raza all failed Francisco because they were not able to provide understandable information or effective help. The whole process was regimented by opinions put forth by people who really did not know what needed to be done, who could not understand the particularities of Francisco's case, and who were unable to explain these issues in a way he could understand.

To wit, the most absurd part of Francisco's tale is that it was deemed a success on the street. After word got around that I managed to actually get somebody money, I received a barrage of phone calls and "visits" on my corner from people looking for advice; *jornaleros* I did not know who walked up to me with crumpled pieces of paper full of notations of hours worked or the names and numbers of *patrones*, asking if I knew how to get them to pay. In a few cases I was not the first person they consulted and many came out of frustration after several failed or confusing attempts. In other cases, word got around that I did this for a living and six months later I was still getting calls and messages like the following two left by the same man ten minutes apart:

"Tomás, soy Esteban, I am Esteban Tomás, si me puedes llamar cuando tengas tiempo, mi número de teléfono: four four three sixty eight five five, área cinco diez. Llámame pa' tras, quiero platicar con tigo con relación a un asunto de un fregado que me debe dinero. Yo se que tu puedes, para que me ayudes y para pagarte tus servicios. Gracias, bye bye."

"Tomas I'm Esteban. Maybe you have time. Maybe you can call me any time. I need to talk with you. Somebody recommended me with you about I have a little problem with somebody. My number telephone is four four three sixty eight five five, area five ten. Thank you so much."

This man obviously had not met me because he wasn't even sure I spoke Spanish, but knew about Francisco. When we spoke he was not happy to hear I did not do this on a regular basis and asked if his money wasn't good enough for me. My friends on Fifth Street had so much fun with the constant harassment that they would call out "Ahí te llega otro que necesita que lo ayudes⁴³," every time someone new came up and said hello. This notwithstanding, several of them came to me with similar problems for an informed opinion of their chance at redress.

But the harsh truth is that there is little to be done in cases where the amount disputed is so small that legal aid to regain it is not economically "worth it," even though it might represent between half and a fourth of the money people make on a given month. This reinforces the belief that the only way to deal with outright exploitation is to avoid *patrones* that are suspicious, and the certainty that once one has been a victim of abuse, the best course of action, the most economically savvy, is inaction.

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⁴³ "Here's another one that needs your help."

In 1986 the United States passed the Immigration Reform and Control Act (IRCA) into law in an attempt to address the pressing economic, political, and cultural threats that undocumented immigrants posed to the country. Known on the street as *la amnistía*, IRCA was intended to regularize undocumented immigrants already in the US, step up border control to avoid more influx of people and instate an employer sanctions program. The idea was that “illegal” immigration was threatening national sovereignty and the country thus needed to effectively address the problem. Throughout the following decade, congress tried to come to terms with what the apparently explosive and massive flow of people was doing to the country (Coleman 2008). Among the main assumptions was that unchecked immigration was a threat to US labor, culture, and the welfare and social service system established by each state (Coleman 2008; Coutin 2000; Inda 2006). In California, this was consolidated into law in 1994 with Proposition 187, aimed at excluding undocumented immigrants from state health and social services (Bustamante 2001) The result of these moves, along with the increase in criminalization of immigrant bodies after 9/11 has led to the consolidation of a system of exclusion wherein immigrants without legal permission to be in the country are faced with an indistinct but very effective boundary that separates them from the institutions this country prides itself in. Civil and Human Rights, labor security, education, health, and other such institutions of US society, for *jornaleros*, are thus not in immediate reach, but rather relegated to a complex alternative system, embodied in NGOs and religious organizations which, on the one hand, act as go-betweens with the state, and on the other provide these services in lieu of or in spite of the state.

Thus, what I have called street corner cosmopolitanism begins to take on an institutional shape, embodied in non-governmental and non-profit organizations, which, like in Francisco’s case, set up a parallel and alternate system of relations through which to access what Holston (1999a) has called “substantive” forms of citizenship. The following chapter attempts to trace the ways that alternative regimes of governmentality –these confusing and confounding paths that lead to some aspects of citizenship outside state legitimation- shape the experience of immigrants at *la parada*. And although the run around will not emerge again as a central narrative in the subsequent ethnographic material, it is a precondition of all the conclusive effects of partial and parallel documentation that follow.

Chapter 4: *Para-citizenship*, documents, and state terror

Life and work on the street marks the rhythm of *jornaleros*' existence, a wax and wane of work and stress in their lives that affects both their experience in the U.S. and their families back home. By now it should be clear that the word "undocumented" is artificial and that not all men on the Berkeley *parada* lack "papers," and the different forms of legal status they bestow. Yet having a legal right to work and live in the country does not preclude the difficulties inherent in *jornaleros*' marginal position in US society. Thus, to a great extent, most of the men on the street share the same experiences, personal, work related, and institutional. The issue really lies within the social and political nature of citizenship, or more specifically what I call *para-citizenship* in the following pages. *Para-citizenship* is the product of specific practices that shape *jornaleros* experience as immigrants, where informal access to certain realms of citizenship lead to an alternate regime of governmentality that enables them to live in the country but never formally become legitimate subjects. At the heart of the problem are documents themselves, and the degree to which they allow immigrants to effectively gain access to the discourses and practices of rights and obligations in this country.

Amidst a system of Sanctuary cities -Berkeley, Oakland, San Francisco, and others- *jornaleros* in the Bay Area find themselves in a complex urban landscape where inclusion and exclusion from US society blend into each other. Beyond the question of legal status, their social condition illuminates the volatility of modern citizenship and the disjuncture between state policy and practice. In the introduction of this dissertation I present a critical argument about sanctuary policies, namely that they are empty of valence for immigrants like the *jornaleros* in Berkeley, who do not think they are protected under their precepts. But the Sanctuary policies are effects -at least to some degree- of a certain tolerance of their existence by the immediate polity they relate to- the cities of Berkeley and Oakland- that provides access to social services and legal aid (related to labor and health). As I illustrated in the previous chapter, this access is articulated into bureaucratic rationales, which the men do not understand and do not always fit into. But there are free medical services available to them, they can use emergency rooms, have a limited recourse to legal action through NGOs, and can open bank accounts.

"Illegality" in the eye of the state is thus tacitly questioned through practices of inclusion -albeit severely flawed practices- that are supported and disseminated by NGOs and other non-profit organizations, and, paradoxically, by the gray area of institutional response to non official identification practices (in terms of the United States Government). Holston and Appadurai frame the dichotomy I describe above as a tension between "formal" and "substantive" forms of citizenship. The first refers to inclusion in the nation state, embodied in the idea of membership in the national polity, while the second points to "...the array of civil, political, socioeconomic, and cultural rights people possess and exercise" (Holston and Appadurai 1999: 4). While in theory the substantive forms of citizenship are a function of formal citizenship, in practice they are often independent of one another. For Saskia Sassen citizenship today is articulated through a "diversity of sources and institutional locations for rights," that destabilize the notion that it lies within the realm of the nation; that is, that citizenship is tied to nationality. The "Global City," ideas of cosmopolitanism, and global assemblages like Human Rights discourse, locate citizenship in the urban landscape of large cities (thus returning the

concept to its original spatial locus) linked through transnational connections to processes and practices that go beyond the boundaries of the state (2006: 281-283). Multiple forms of citizenship have thus come to the fore in the social sciences as novel ways of subjecthood that in one way or another create tensions with the state (Appadurai 1996; Caldeira 2000; Flores and Benmayor 1997; Holston 1999b; Holston and Appadurai 1999; Ong 1999; Ong 2003; Sassen 2006).

My argument here is that the practices that lead to substantive forms of citizenship in the United States, for *jornaleros*, result in a form of citizenship that although substantive is under constant threat. My task, then, is to scrutinize the multiple ways in which these men simultaneously act as bearers of citizenship and are excluded from it as legally constituted subjects. Here I will try to account for the “everyday” in the lives of *jornaleros*, as it is framed within and outside the state. Asking themselves about the nature of the state, Das and Poole (2004) argue against the idea of rudimentary and incomplete states that their edited volume addresses (none of the articles includes countries in North America or Europe):

“Given that it is impossible to think of the political systems in the contemporary world as inhabiting any form of stateless societies, are we observing simply incomplete-or frustrated- forms of the state in such situations? Or do the forms of illegibility, partial belonging, and disorder that seem to inhabit the margins of the state constitute its necessary condition as theoretical and political object.” (p. 6)

Here the authors are trying to account for the nature of states that fall outside the “norm” of modern western countries by arguing against a notion of the “failed state” and including the margins, or marginal state structures, within a general theoretical perspective on the state. My work clearly relates to the conclusion they reach here, both because it addresses people living “on the margins” of society, and “on the margins of the state;” in this instance, in one of the most advanced liberal states in the world. I have already explored the difficulties involved in obtaining redress for injuries and unjust treatment that *jornaleros* suffer on a daily basis. I will follow Das, Poole and some of their contributors in scrutinizing the ways in which “the state is continually both experienced and undone through the *illegibility* of its own practices, documents, and words” (p.10). My particular contribution here is that I see the margins *jornaleros* live in as spaces that are also inhabited by state and non-state institutions and individuals who contribute to the confusing and confounding practices that, on the one hand make living undocumented lives feasible and bearable, and on the other ensure and enforce the marginalization they directly or indirectly deal with.

Central to my analysis is a close look at the social and political nature of documents, understood as objects that enable, facilitate, authorize, and constrain the movement and interactions of *jornaleros* within a given physical and ideological realm. Documents, especially identification documents, are one of the quintessential material and legal objects that the state produces, the effect of a myriad different practices related to counting the population and in a sense constituting it as a political and civil body (Scott 1998). But what follows must also ask the question about the boundaries of the state; in a sense question the particular state I am going to construct throughout these pages. For it is not only US documents here that allow or inhibit life among immigrant men on the street, but also the documents produced in Mexico, Guatemala, El Salvador, Honduras and so on, along with other IDs, those produced by NGOs, private companies, forgers; entities that supposedly lie outside the machinery and purview of state institutions.

To approach documents on the street, to understand their legal and social implications, one must suspend all assumptions about the meaning they carry, and the functions for which they can be used. On *la parada* one finds confusing accounts about the nature of documents that range from the absurd to the ambiguous but never really map on to what I used to expect. To say that immigrants are undocumented is truly a misnomer, even beyond the political implications of the term. I have never met a group of people with more documents –of sorts- than day laborers. With the exception of some rural indigenous Guatemalans who are “really” undocumented in the sense that they lack even birth certificates, most *jornaleros* carry around an incredible assortment of papers and plastic that all fit into the rubric of what a document entails.

Most men carry the official documents of any citizen in their country of origin, IDs, drivers licenses, military cards, consular cards, birth certificates, and the like, which they use for identification when stopped by the police, in hospitals, to open bank accounts, or to buy cell phones, cars, and car insurance. Not a week goes by on the corner without someone pulling out one of these documents to show others what he looked like when he was younger, the driver’s licenses from their country or state (in the case of Mexico), and so on. There are also those whose sojourn in the US has been long enough that they have expired California IDs and driver’s licenses from a time past, when even the undocumented had access to them. This is also the case for people like Luis who has been here repeatedly since he was a young adult and hence keeps a variety of IDs and documents he has collected over the last twenty years. It always surprises me when he pulls out pay stubs from years past to show us where he worked when things were better. A few men I know have driver’s licenses from other US states like Washington or Utah, where it is still possible to obtain them –or was until recently- and which they go to great efforts and expense to get if they have friends or relatives there that will allow them to put the household electric, gas, telephone or cable bill in their name¹.

Along with these documents are US social security cards, green cards, work permits, and passports, both real and *chueco*². A good fake social security card goes for about \$80 to \$150 dollars in Oakland or San Francisco, green cards being more expensive and risky to use; their price depending on the degree to which you really intend to pass them off as real. To get a fake social security card is not difficult. One has only to express a need to buy one on the corner and someone will know whom to contact. You can also ask around in the Fruitvale district of Oakland or in San Francisco’s Mission district. The men who have fake social security cards are those who have had or have sought regular employment, usually those who have been in the US a few years. In most cases, these days at least, fake social security cards only work when the employers explicitly know they are hiring “illegal” immigrants, since government regulations have become more stringent and large-scale employers, like hotels, have begun to use on-line applications. Twice during my fieldwork, for example, I helped people fill out applications on the Internet that ended in a message stating it could not be submitted because there were inconsistencies with the social security number.

There are also NGO documents -mainly IDs- which are the most prolific and, for some, confusing documents you can get. Often looking like “official” documents –that is, they have a picture, symbols and designs, and are plastic or laminated- *jornaleros* use these documents as US issued IDs that replace their home documents. In most cases *jornaleros* use NGO IDs to gain access to outreach programs –mainly health services- but also to show potential employers that

¹ The bills for these services are or were at some point valid documents to prove a person lives in a particular county and is thus eligible for a state ID.

² *Chueco* literally means “twisted;” that is, fake.

they are associated to some organization; the idea being that the NGO can at least vouch for their behavior. Many of the asylum seekers I have met over the years also use these documents to get married in the Oakland courthouse so they can include their spouses in the asylum claims. There are also very expensive IDs that you can have made in Fruitvale for 50 dollars and look like driver's license but are really just expensive pieces of plastic. Although I never was able to understand why or who makes these documents, I saw several of them. One man I spoke to paid fifty dollars for one and told me he had to show his birth certificate to get it.

A notorious absence in the collections of documents I have mentioned above, are passports, which only immigrants seriously considering a return home invest in if they know they need one. Because needing a passport to legally exit the country is a new practice, men are confused as to the use of such papers and use the word Visa interchangeably. Known as the "Western Hemisphere Travel Initiative," since 2007 all "nonimmigrant aliens" from Mexico, Canada, and Bermuda along with most US citizens, are required to have a valid passport to leave the US via an airport (Federal-Register 2006). This changed previous rules that allowed Mexican citizens, irrespective of their US immigration status to leave the US with other valid Mexican IDs. Thus, short of a week before he returned home, Don Raúl found himself doubly undocumented; without the right "papers" to live in the US and –suddenly- without the right papers to return home. After learning from an acquaintance that he had to get a passport before leaving, and that he didn't have enough time to get one, he called me in a panic to see if I could find out if it all was true. He had gone home without a passport several times throughout his life, he argued, and couldn't believe he needed one to enter his own country, even after I checked the Mexican consulate web page which announced the new regulation in bold red letters. He explained he had tried to call the consulate several times but always got the same message, "Nuestros operadores se encuentran ocupados, por favor llame mas tarde³," after which the line went dead. In a twist to my role as go-between with US state institutions, I ended up spending quite some time speaking with airline representatives and the Mexican consulate trying to figure out how to get Don Raúl a passport on such short notice. Also finding the Mexican state's representative too busy, I finally got the information from a man at Mexicana de Aviación -Don Raúl's airline. Less than a week before he left, Don Raúl, who wanted to work as much as he could to take some money back, spent several days making long lines before he finally got the passport, the first one he has ever had.

Other identification documents that appear on the corner are student IDs in the case of men who take adult English classes, library cards (which do not have pictures or names but "locate" a person in a particular neighborhood) and the few bank and credit cards I have mentioned in previous chapters. A few men have work IDs obtained through stints of *trabajo regular*, along with certificates that, like Chucho (see page 14 in Chapter 1), qualify them to do particular tasks. Finally, there are business cards, which men get from employers, NGOs, business people, and police officers, and which they keep in their wallets for years. Like trophies, men pull out these cards and leaf through them in conversations trying to find a particular one that will "prove" what they are saying or where they have written down some unrelated piece of information. Clemente, for instance, never tells people about the time he called the police to deal with an unscrupulous *Tonga*, without pulling out the officers' business cards to show he speaks the truth. Similarly, I am always surprised to sit and talk with men I don't remember meeting and then watch them leaf through their collection of papers and pull out my own card, of which I handed out hundreds in the first couple of months of fieldwork, and

³ "Our operators are busy, please call back at a later time."

which they use to somehow prove to me that we did know each other. Like the NGO ID used to show an employer a *jornalero*'s association with an organization that can (whether it be true or not) vouch for them, the business card also serves a type of patron/client relationship wherein the document itself bestows legitimacy on a particular social context.

“Some sort of citizenship”

“What interests us here, however, is not how the state makes the population legible to itself but how these documents become embodied in forms of life through which ideas of subjects and citizens come to circulate among those who use these documents.” (Das and Poole 2004: 16)

Close attention to the list I have elaborated begs the question of categorization, for I have mixed documents that identify particular types of citizens in different contexts and countries, with documents produced by private companies, NGOs, libraries, schools, banks, forgers, and, in the case of business cards, individuals. The answer is that for *jornaleros*, the distinction between state, non-state, NGO, legal, fake, and other documents is not always evident but depends on how street savvy they are, their education, age, time they have been in the country, degree to which they have interacted with state and non-state institutions, and ultimately the degree to which formal punitive measures to control them are present in their lives at any given moment. Yet that there is not a fixed conceptualization of categories here is not only a product of the experience of *jornaleros*, but the result of the writing practices that have produced these documents, coupled with the incomprehensible nature of the relationship between documents and politics.

In his analytics of power and the production of social subjects, Foucault took governmentality to be the “... encounter between the technologies of domination of others and those of the self;” a set of practices that have increasingly become centralized in the form of state institutions (Foucault 2003b: 142-147). *Jornaleros*, for the most part, have been constituted as subjects through these encounters; they have learned to govern themselves through their socialization into particular family, ethnic, and class structures, in schools, as laborers, and so on, both in their home countries and in the US. But here the issue of citizenship becomes central, since Foucault’s analytic downplays the role of the state and the importance of legitimizing the subjects under its care and purview. The documents I have mentioned all bequeath the semblance of citizenship to their bearers here in the United States. Yet because they are not all “of” or “for” the purposes of the state in the US, they do not produce direct effects of official government practices aimed at the welfare of the population (see Foucault 2006). Thus *jornaleros* lack a legitimacy, which is represented and embodied in the documents that constitute “legality” in relation to the United States, whatever we might make it out to be. Rather, the government of *jornaleros* is based on relationships that mirror the state’s practices in its tacit absence from their life; relationships that nonetheless serve in many ways the same purposes without fully recognizing their legitimate existence.

The effect of these practices is a semblance of citizenship; a mockery of the legitimacy inherent in modern social subjects that sanctions *jornaleros*’ existence, rendering them “governable” on the margins. I have articulated this semblance as *para-citizenship* to point at the parallel nature of the concept; a substantive array of rights and obligations that are apart from the formal, state sanctioned forms of citizenship, but that follow similar rationales. Freedom to react

and behave within a field of possibilities, the essence of Foucault's analytics of power, is thus constrained for *jornaleros* in a very important way, because *para-citizenship* endows these men's social existence with an air of the "normal" –where, as I will show below, one can do and act like a citizen- but lies outside state legitimacy and thus cannot fully operate in the social fields that relate to the technologies centered around life and the population (Foucault 1990). In other words, *jornaleros* are at the crux of anatomo-politics and bio-politics but only in as much as they exist as *un laibor*, as an informal, un-regulated, invisible, and ultimately essential unit of exploitable labor. This is realized through the processes that produce the *para-citizen* as a viable subject, what I will address later as the "alternate regimes of governmentality" in which these men lead their daily lives.

* * *

Para-citizenship starts to emerge in situations where a *jornalero* needs to identify himself. The most immediate of these are their interactions with state institutions, which for these men consist mainly of the police and county hospitals. Talking to the Berkeley police officer in charge of West Berkeley in my first months of fieldwork, I learned that in a Sanctuary city like Berkeley, most encounters between *jornaleros* and the police have to do with neighborhood complaints. Police officers mainly give day laborers tickets for disrupting the peace, public drinking, urinating and other such behavior. The problem, he told me, was that identifying the men was not always easy. The police thus asks for any type of ID, favoring identification cards from the home country, but accepting NGO and student (from the adult school) IDs when they are not available. To keep track of people the police department takes fingerprints of the man who is given the ticket, which they do not usually share with other agencies, but keep so they can track repeat offenders.

For the *jornaleros*, contact with the police always entails a high degree of risk since reality and myth alike dictate that what happens in these encounters can be just as bad as they can simply result in an innocuous exchange. Day laborers usually try to pay their tickets so as not to have trouble later, but also tend to give officers the wrong address just in case. To make things even more obscure, a few think it is best to lie outright and say they have no documents because word on the street is that you should never show the police (usually equated with *la migra*) your ID, since they cannot deport you if they cannot identify you. In Berkeley, however, most day laborers fear arrest and prefer to show some sort of ID and just pay the ticket. For *jornaleros* who have expired California driver's licenses or IDs, these are accepted as ideal, since the information there has gone through the system.

In the case of county and private hospitals the issue is similar. Identifying a patient is not only necessary for billing information (like in Francisco's case) but primordial when patients arrive who are or become unconscious. This is one of the rationales for the various NGO cards available in Oakland. I encountered IDs from at least four non-profits where men usually go for some service or another, get their picture taken, state a name (not necessarily their own) and get an ID with the NGOs logo, address, and phone number. In an emergency, the NGO might have better luck locating family and friends of a patient. In other cases, like the family clinic in Berkeley or *la Clínica de la Raza* in Oakland, health cards serve to keep track of patient's information. These cards however, are used to show police officers, to buy cell phones (on fixed contracts which simply expire if the bill is not paid), and access other services like classes at the adult school (which themselves produce a student ID), and so on.

In both these cases, documents from the *jornaleros'* home country are used and accepted along with NGO IDs, since the primary intent is to identify the subject following some sort of institutional rationale. That this rationale includes unofficial documents –those not issued by the state- points to a tenuous line between formal and informal identification. I even met people with IDs produced by private ID companies, which only require a birth certificate (a document any family member can send them from home) and produces a document, which looks very similar to a California driver's license but with a warning in bold red letters that states “this is not an official ID.” So in the face of an ambiguous social status –that of informal, “illegal” immigrant workers- these institutions favor the legibility enabled by practices that mirror the formal, whether they are produced by other states, or by non-state institutions.

Governmentality, as Foucault (2003a: 137) envisioned it, consisted of “employing tactics rather than laws, and even of using laws themselves as tactics –to arrange things in such a way that, through a certain number of means, such and such ends may be achieved.” Yet here one of those tactics –identification- is based on parameters outside the state, not only in terms of the line drawn between public and private, which can be in itself a tactic (cf. Mitchell 2006) but outside the state's political and geographical boundaries; i.e. through the inclusion of other state's means of identification. For *jornaleros* this makes the nature of documents incredibly volatile and never tied to a single practice or definition, for the informality of their life, mirrored in their use of particular documents, becomes informality in relation to the institutions and practices that they encounter. Similarly, fake social security cards, along with fake green cards and other documents they can produce, also serve to relate to the state. Not only through paying taxes when *jornaleros* work at *trabajos regulares*, but in encounters with the police, hospitals or other institutions whose objective of identification does not delve deeply into the verification or legitimacy of the documents exchanged.

This structure of informal identification sheds light on the ways in which some of these men's lives at times resemble that of any other “legal” or legitimate citizen. Luis, for example, has a contract on his apartment and a phone number in his name. His uncle, one of the few men I met with *trabajo regular*, expanded this to a DSL Internet connection and a 1500-dollar computer, which he bought having never owned or used such a device, and which he used primarily to download music. His day-to-day life, for the time he had the job to pay these services, resembled on the surface that of any other person in his neighborhood whose citizenship is legitimated by the state. He had a rent contract, DSL connection, cable, a car, and a more or less stable job, although he had none of the necessary documents to identify himself as a legitimate citizen, whether it be a US national, legal resident, or asylum seeker. In truth, this *para-citizenship* is becoming more and more constrained with the increasing control of some of the practices it is based on. Luis, for example, belonged to a union at some point in the past and even had a pension plan in which he enrolled with his fake social security number, something he probably could not achieve now. As a reminder of how things are at the moment, he still gets mail from the pension plan –a mere 300 dollars invested- that he can no longer access. Similarly, in an unrelated news article I came upon as I wrote this chapter, the Associated Press reported on a Paraguayan community leader in New York who was named by his government to run its New York consulate. Only after the man returned to Paraguay to get his diplomatic papers did the Paraguayan government realize he had been an “undocumented” immigrant in the US for 17 years. US diplomatic Visa denied, his wife and three children alone in New York, he was later arrested trying to cross the US/Mexico border illegally (Servin 2009).

The shadow citizen

I came to see the practices that lead to these disarticulate forms of marginal citizenship, one that is experienced at times in the shadows of society, but at others quite in the open, as the product of alternate regimes of governmentality, understood as practices that lie outside state legitimacy but that nonetheless replicate its rationales and produce similar –albeit volatile- effects on social subjects. This form of governmentality shapes *jornaleros*' social condition in the US and also assures their continued marginalization, since the end result of the processes they set in motion cannot be fully realized. In other words, they serve an organizational purpose that immigrants can relate to because it is familiar, can be learned, and allows access to certain services, but that in most cases cannot actually lead to any type of formal relationship to the state. The end result explains how it is that millions of people live in work in this country, obey or break its laws, pay taxes, enter legal proceedings and so on, while simultaneously existing “outside” formal legality.

Cars and car insurance are a clear instance of the strange intersections that allow *jornaleros* to live in the US. One morning in November I was standing on the corner with my friends when a man in a suit came running across the street waving something in his hand. As he came up to us, he gave each a business card –he was a car insurance agent- saying in slightly accented Spanish: “Yo le saco seguro sin licencia, o con licencia Mexicana.”⁴ He seemed to be in a hurry or not want to talk to anyone, so he repeated his offer to insure people’s cars, whether they had valid driver’s licenses or not, and then quickly crossed the street to another group of men. From half a block away we could hear him explaining as he ran by: “aseguro el carro, al que quiera, whatever, Osama Bin Laden, I don’t care, le doy el seguro.”⁵ He ran down the street towards Fourth Street handing out his cards and finally got into a grey Pickup and drove back up, honking the horn as he passed us.

Bared from obtaining legal driver’s licenses in California, those who own cars either use the licenses from their home country or simply go without. The cars they buy are old wrecks that get passed down, given away, or sold very cheaply. *Jornaleros* do not always know how to register their vehicles, or transfer ownership, or think it might get them in trouble, so in many cases they drive ghost cars in other people’s names which are usually quickly impounded. Everyone knows that police checkpoints and “routine” stops target run down vehicles driven by “Hispanic” looking men. However, one need not have a driver’s license to register a car, and the form simply requires a name, address, and undefined ID number so many *jornaleros* own cars registered in their name. Similarly, insurance for such vehicles runs cheap and many companies cater to undocumented immigrants, who buy the *aseguranza* –insurance- to do the right thing and in the hopes that their car will not be impounded. Yet most of the car owners I know on the street have had one or two cars taken by the police for reasons that are not always clear. Basically, in California one can legally own a car and pay its insurance without having a driver’s license, but one cannot drive it. So even if everything is in order, getting stopped by the police can result in the car being impounded. The fees one has to pay to get the car back are higher than the value of the car so it is cheaper to simply start over. In a twist typical of the street, many *jornaleros* buy impounded cars at county or city auctions where you bid on unclaimed vehicles without test-driving them. These auctions are also a great source of conversation, since they are the cheapest way to buy vans and *trocas*⁶, which the men dream about sending back to Mexico or Guatemala when they return, a process that costs more than 1000 dollars (in the Mexican case)

⁴ “I can get you [car] insurance without a [driver’s] license, or with a Mexican [driver’s] license.”

⁵ “I’ll ensure anyone’s car, whatever, Osama Bin Laden, I don’t care, I’ll give him insurance.”

⁶ Pick up trucks.

and is the livelihood of many documented immigrants who make an informal business of nationalizing these cars and driving them to the border or even to people's hometowns.

Encountering the police without a license, or with a license from another country is the source of many tales on the corner. We all knew people who had their cars impounded and several men told me tales about trying to find out how to get them back and -after overcoming the fear of going to the DMV and getting someone to translate for them- finding that it was too expensive. While many men talk about losing their cars, it is never quite clear to them why some people get lucky. After all, in many cases stories are similar but some end with just a reprimand while others even result in arrests. Hernando, Don Raúl's son bought a car from a *chino*, and drives around quite a bit, although he has no license from any country or state. He has been luckier than most men in that both times the police have stopped him they have let him keep his car because he has insurance. The first time he was stopped because he had too many people in the back seat. The officer told him he could not drive any more and he had to call a neighbor who had a driver's license to come and drive them home. The second time he was stopped by the police and told -along with two cousins, all young men- to get out of the car and lie on the ground. The two officers handcuffed them and then put them in a police car while they search Hernando's vehicle. He was really scared but after a while they let them go, apologizing because they had confused them for some people who were apparently wanted and known to be armed.

Pulled over one night on the freeway, Adolfo managed to avoid losing his second car (the first one was impounded because he had no license) through good luck and -he is quite sure- his knowledge of English and the police psyche. Acting meek and subservient, Adolfo admitted immediately that he had no papers and knew it was wrong to be driving around, adding that the only reason he did it was to work and pay for his wife's cancer treatment in Guatemala (a half truth since by his second trip he was in the US to pay for a house they were building and her cancer was in remission). At first the officer was suspicious, "yo traía herramientas en la maleta y el la vio; me preguntó qué traía ahí y cuando dije que eran herramientas me pidió que las sacara una por una."⁷ Once Adolfo proved they were tools and explained his situation further. The policeman changed his tone, telling Adolfo he respected a man who worked to support his family. "El me dijo que iba a ser una cosa poco común y que no me iba a dar ticket y que tampoco me lo iba a quitar."⁸ He was let off with a friendly warning to fix the lights and sell the car.

There are thus multiple ways of owning and using automobiles if you have the money to pay for them. That every car owner without papers knows he risks of losing his vehicle with every mile he drives simply contributes to the confusing notions about interacting with the state (embodied in the police) and using documents. The police "check point" whether it is static -they sometimes set up check points on the street- or mobile (pulling people over) is a locale where the margin transects the center; where *jornaleros* are suddenly put under the spotlight, and where anything can happen because the aspects of citizenship used to get by can quickly melt away. Adolfo is a good example, since he owned two cars and used them in the same way, yet the first was impounded and the second was not. The law, or DMV regulations are here beside the point because *para-citizens* do not have the access and knowhow to figure them out. When does a

⁷ "I had tools with me and he saw them, asked what I had there and when I said tools he told me to take them out one by one."

⁸ "He said that he was going to do something uncommon and that he was not going to give me a ticket or take my car."

Guatemalan driver's license count? When is insurance enough to just need to get a licensed friend to pick one up?

Writing about police checkpoints in rural Peru during the turmoil of the 80 and 90s, Poole describes encounters with the police and army as a "... mysterious ritual of 'reading'...carried with it not only all the ominous uncertainty of the war but also all the tangible familiarity of the fluttering, unread, arbitrary, and shifting forms of paperwork that mark the material or lived geography of a state whose form –like the paperwork itself- is never fixed nor stable." (Poole 2004: 36) In the absence of a formal relationship to state institutions (whether it is inexistent or the product of fear and lack of access) paperwork, documents –again like the business card and NGO ID- lead to an imagined political reality that takes the narrative form of a patron/client relationship. What matters is the officers mood that day, whether he or she is *racista* or not, whether one knows how to appear meek but hardworking.

The exception...or not

Alternate regimes of governmentality, volatile and confusing practices of documentation, identification and verification of documents outside the state, as I have said before, provide the semblance of citizenship but cannot lead to its true realization. On the street there is a potential loophole for a few *jornaleros*, mostly indigenous Guatemalans whose life history -or its interpretation by a good NGO- can lead to an asylum claim. Asylum is what brought me to the corner, following the lives of asylum seekers outside the San Francisco Asylum Office where for a few hours I interacted with dozens of men and women who, having applied through the East Bay Sanctuary Covenant, found themselves suddenly in the eye of the state. Elsewhere I have described several problematic aspects of this process (Ordóñez 2008) and will only deal with the nature of documents and the citizenship they promise as they are encountered by some of the men on the *paradas* of Berkeley and Oakland. The following excerpt of my field notes represents a common interaction I witnessed many times.

The lawyer, Manuel (a Guatemalan indigenous asylum seeker), and I spent a couple of minutes in the cafeteria before the asylum interview. The lawyer went over Manuel's entry dates and the dates he left Guatemala as a 4-year-old child. He also told Manuel not to worry, to tell the truth, and asked if he had any type of ID. Manuel took out a homemade-looking laminated ID and showed it to us. "I mean anything other than your health card," said the lawyer. In the picture Manuel looked younger and fatter, although he has only been here since last year. I asked him where he got it and he said "en la clínica de la raza, en Oakland." He told me he had heard of that place and of the Sanctuary at "la parada de Oakland" on International and 29th Street. Manuel told us he has never had any documents, no birth certificate, no passport, only a fake marriage certificate which he and his "señora" (which in this case is a common law wife) used to travel within Mexico to hopefully avoid the *federales*...

Two weeks later Manuel and I returned to the office to see if he was granted asylum. After waiting a few hours we were told he was recommended for asylum pending the FBI check up. For cases managed by the Sanctuary this usually means he'll get it⁹. I tried to explain what this meant but he was so confused I told him he had, in all likelihood,

⁹ This is what in fact happened a couple of weeks later.

obtained asylum. Excited, Manuel signed all the papers and asked about his *permiso*¹⁰. We were told he would have to wait for the final decision and then the woman behind the window simply turned around and walked away. Outside, we sat on the curb and I translated the letter he got from the asylum office. Were these the papers he had been hoping for? Could he work with these? He couldn't understand a word I was saying. I explained he should go back to the Sanctuary and told him his work permit would definitely come, but he didn't believe me. A few weeks ago his wife was told the same thing and she still has no *permiso*.

Like other people I have met, Manuel knew asylum meant papers, “una ayuda para los de Guatemala¹¹” that would allow him to live *tranquilo*¹². He envisioned the papers as a work permit, and blankly stared at me when I told him he could apply for residency in a year and become a citizen in six. “Residencia?” es mejor que el *permiso*¹³?” The first few times I asked people about legal residency I was baffled that they had no idea what it was. After all, isn't that what all “illegal” immigrants want? But most indigenous Guatemalans I met, no matter the particulars of their individual history, generally have had little contact with state bureaucracies of any kind. They do not know the difference between a passport, a visa, a green card, and a work permit. Nor do they necessarily understand the legal implication each one represents.

When people from countries south of Mexico cross the US/Mexico border, they often dispose of their national documents beforehand in case they encounter US immigration officers. The rationale is that if they can convince the US and the Mexican officers they are Mexican, they will only be deported “next door” and hence will avoid the long costly trip again (cf. Nelson 2004). Once in the US, many men simply go without documents, but those who decide to apply for asylum must then get *viajeros* –people who can travel back and forth- to bring them the documents they need. There is also a generation of Guatemalan asylum seekers in their mid twenties, who having been taken to Mexico as toddlers never actually have seen their birth certificate or even know how to get it. Many grew up alone as “illegal” immigrants in Chiapas and other states in Mexico and find their way to the US once they are old enough to make and pay the trip north. None of the asylum seekers from Guatemala I have met over the years came to the US expecting to claim asylum. They learned about the possibility once they were here and only a few actually try to go through the process, since there are a lot of rumors about what it can actually lead to.

When faced with the possibility of *arreglar papeles* through asylum –literally “fixing” or “arranging” papers (cf. Coutin 2000)- many of these men find that they need to be able to identify themselves to the US officers who will grant asylum. Inevitably, no matter how many times the sanctuary explains the need to get birth certificates, *cedulas*¹⁴, and the like, men appear at the asylum office with NGO IDs, the most common being Health Cards provided by the Clínica de la Raza, but also IDs provided by the Sanctuary, and other NGOs, many of which they do not know the name. When told by officers and lawyers that these documents are useless, most of the men shrug their shoulder in confusion. Like Manuel, even after they are granted asylum and hence formally become “legal” immigrants, the issue of documents continues to regiment their lives. “Fixing papers” is usually understood as obtaining a work permit (see also Coutin

¹⁰ Work permit.

¹¹ “aid for Guatemalans.”

¹² Roughly “in peace.”

¹³ “Residency? Is that better than the [work] permit?”

¹⁴ State IDs.

2000 for a similar discussion) and not having to worry about *la migra*, but the intricacies of asylum, legal residency and citizenship remain obscure. This is in part due to lack of knowledge but also a function of the alternate regimes of governmentality that their marginal position depends on. Employers, for example, do not always like people to *ocupar el social*¹⁵ and rather continue hiring them off the books. This has a negative outcome if the immigrant tries to apply for residency for which he must show he has paid taxes with the legal Social Security Number (SSN). Even when they do obtain legal work, usually the men remain in informal labor arrangements. Thus, one of the men I met at Berkeley (Claudio whose housemates wanted to beat him) moved to South San Francisco in high spirits to work washing hotel linen, to find that his employer, a subcontractor, only called him once or twice a week. He thus had to return to Oakland and continue work on the corner. Another asylum seeker I had extensive contact with, managed to avoid the *paradas* by working three or four such jobs at a time. Inevitably, at different times of the year he found himself without work and unable to pay the rent without loans from an extensive family network (themselves asylum seekers from another generation) that *jornaleros* usually do not have access to. For those who finally do get a *trabajo regular* using the SSN the situation is not categorically better, at least in the initial stages, because they find that minimum wage, minus taxes, is less than what you can make on the corner. Car ownership also remains obscure and even after months or years of having “legal” status, one finds men whose cars have been impounded because the registration has expired or they are caught without insurance or a license.

Para-citizenship

“Belonging is clearly multidimensional,” writes Coutin (2003) in addressing Suspension of Deportation hearings in the mid nineteen nineties, where the possibility of regulating their immigration status was available to immigrants who had lived in the country for more than seven years, could show good moral character, and extreme hardship. Here she addresses the fact that for all practical purposes, many immigrants in the US could argue that they have become *proto-citizens*; citizens in terms of their links to US culture, labor, and society in general, including paying taxes, raising “American” families, and so on (p.59). Following the context of a pre 9/11 United States the prefix *proto* pointed towards the potential realization of full citizenship embedded in the lives of these particular immigrants. Coutin goes on to argue that the proceedings required immigrants to present themselves in particular “racialized” ways – whitewashing their cultural and ethnic backgrounds- and establishing their moral worth. However, what interests me here is the concept of the potential citizen, or in other words, the access to the various processes that can produce formal citizenship to subjects already made governable through their contact with US society.

Taking on the issue for Southeast Asian immigrants in the Bay Area, Ong (2003) suggests that that disadvantaged immigrants are “subjected, in a much more persistent way than are the privileged, to the variety of human technologies that conspire, not entirely successfully, to make them particular kinds of ethnic minorities, laboring subjects, and moral beings.” In *Buddha is Hiding*, she looks at the various effects that contact with state bureaucracies have in the production of “good enough” citizens; that is, a sort of “ethnically correct” potential “American” worthy of citizenship. While I have addressed *jornaleros*’ interactions with similar bureaucracies and the effects of substantive citizenship they produce; theirs is a citizenship on

¹⁵ Use their good social security number

the margins, where their ability to conduct themselves as good enough subjects is framed within an elaborate structure that constrains the constitution of legitimate citizenship. And herein lies the exception of asylum where even attaining “legal” status –that is citizenship legitimized by the state- is conceived as obtaining a work permit and not as a pathway to rights and obligations, to inclusion in US society, or anything other than their already marginal existence *sans* the fear of deportation, the police, *la migra*.

None of the people I studied can be taken as *proto-citizens*, they are not incipient or potential legal subjects. Neither are they “good-enough” in the sense that although tolerated, accepted, or, rejected by different spheres of US society, they will probably never have access to legalization. Rather, as *para-citizens* they are tangled in a set of relations where it is not governmentality proper that does the shaping of particular subjects, but what I have called alternate regimes of governmentality –where state and non-state institutions set in motion the same or similar practices that are nonetheless informal, unofficial, and hence do not bear full legitimacy. These alternate regimes produce subjects that in many ways participate in the neoliberal world they inhabit, but only in a parallel sphere of social action that cannot realize itself legally, but only exists in an alternate and distinct sphere of social action.

Following Foucault, Ong argues that practices of governmentality are set in motion in a realm where the state has no essence (p.8). Others have called attention to the fact that appearing to have no essence is in a sense the essence of the modern state (see Mitchell 2006). Yet it is hard to imagine these practices outside the state, or more specifically outside the *idea* of the state (Abrams 2006), because the issue of recognition always reverts to it. Whatever the internalized practices, the direct and indirect shaping of the subjects at hand, to be fully realized as particular social beings there is a point in which it is legitimacy that matters, where the state, whatever we want to make of it, becomes a real and sentient being that recognizes our subjectivity in the form of legal citizenship whether it be nationality or any form of legal immigration status.¹⁶ Without recognition, without state legitimation, any form of citizenship available to *jornaleros* is only a mockery of the real thing; a *para-citizenship*, an exception that can be suspended at any time.

Para-citizenship pertains to a realm where this diffuse apparatus –the state- apparently absent from everyday life can constantly surface in the realm of terror, in the threat of violence and punitive measures. These measures are legitimate because, and only because, *para-citizens* are not. Thus enter the police and *la migra* -both real and mythologized- into the realm of cultural production and signification that determines almost every aspect of a *jornalero*'s life. In this dimension of belonging, to return to Coutin, Adolfo and others do not go out at night to avoid the police; Lorenzo is “psychologically” prepared to get deported at any time; car ownership is known to be transient; all information is tainted by rumor, hearsay, and the threat of arrest, disappearance, and deportation. In this realm everything a *jornalero* does must be measured in relation to the risk of encountering a very real “state” embodied by officers in uniform, dark figures, to say the least, that are magnified in rumors and follow *jornaleros* constantly, from the moment they cross the border to the day they leave. These figures are ubiquitous; said to appear at your door, your workplace, your neighborhood, your children's

¹⁶ In *The Origins of Totalitarianism* Hannah Arendt approached the masses of stateless persons and the crisis of humanitarianism in the 20th century as products of the disarticulation of 19th century European empires and the two World Wars. Refugees in this instance brought to bear the problematic nature of the nation-state, as it became the sovereign able to confer rights. In this juridical model, the rights of citizenship thus created and were used to create categories of citizens (“nationals”) and non-citizens, some of which became “stateless” as their marginality excluded them from any political entity. Arendt's critique of humanitarianism is that it failed to really confer rights on refugees because there was no way to enforce them (p. 290).

school; everywhere. That this fear is expressed in jokes and jests on most days, as an inevitable part of life that must be taken with a grain of salt, is all the more compelling in the sense that the volatility of every day experience is ingrained in the common place. And yet, strategically, *la migra* surfaces periodically, and does so violently, changing the everyday in a fleeting moment that alters the geography of the street corner, and everything that transects it. While I was there, we never saw them, but we felt *la migra's* presence, we waited for them, we theorized about their whereabouts, we participated in an exchange of information that came together with media reports, rumors, and phone calls that irrevocably dissolved the pretense of a "Sanctuary City" and left only one thing clear: "they are here in Berkeley, they are in Oakland where we live, no one is safe."

"The May *Migra* Panic"

"In thinking about how the notion of a margin conditions people's understandings of the state, I want to focus here, not on the fixed boundaries and territories of a political-economic geography, but rather on this highly mobile, tangible, and embodied space through which the power of the state is felt as a slippage between threat and guarantee."
(Poole 2004-38)

No one on the Fifth Street corner except me went to the annual Immigration march on May 1st. After all, "hay que trabajar y no tenemos dinero Tomás," my friend Beto reminded me. The day after the march, a Friday, there were 10 Americorps volunteers helping the English teachers with more personalized conversation for their twenty-five students who came to the church on 9th Street before lunch. After we ate the MI gave the three teachers diplomas for their service and introduced the *maestra* who would be teaching a five-session gardening certification course starting that afternoon. Rudy and David also announced that they had managed to find a big truck full of computers connected to the Internet that would arrive Tuesday morning and stay by *las vias* all day. They invited everyone to come and learn to send e-mails and surf the web. The following week, in other words, promised more than the usual services. Yet that Friday was also a day of foreboding. *La migra* raided eleven restaurants in the area, arrested 63 people and made the evening news on every local channel. The raids resulted in a general outcry of protest from the Hispanic community and some NGOs in the region. The spokesperson for ICE¹⁷ was quoted in the San Francisco Chronicle referring to the raids as a "targeted enforcement action" and part of an ongoing criminal investigation (Knight 2008). But nobody I talked to thought that it had fortuitously occurred the 2nd of May. ICE, then, had also made its presence for the march and *la migra* was on everyone's mind. There was more to come, and although I did not see what follows described as a targeted enforcement action, I cannot think of a more appropriate title.

Targeted enforcement action

The panic really started a few days later, on Tuesday, May 6th. Late on the site, I walked down Hearst from San Pablo with Paula Worby (From the MI). We were supposed to help with the

¹⁷ U.S Immigration and Customs Enforcement (ICE) is part of the U.S. Department of Homeland Security, the enforcement branch of the agency that for the most part is recognized by immigrants as *la migra*. I use the acronym ICE when citing newspaper articles or "official" reports, and leave *la migra* to occupy its place in immigrant narratives.

computer truck. The few people above Sixth Street we met had not heard about the service. They were at odds with the MI's new policy, one requested by the city of Berkeley, to exclude the men standing outside the allotted blocks from the free lunch and other Friday activities. Our invitation to go down and try the Internet was thus met with angry recriminations of unjust and biased treatment. Frustrated, we wandered down the street towards *las vias*, wondering aloud about the general absence of *jornaleros* on the curbs; there was hardly anyone around. On Fifth Street, about a block up from the truck, I bumped into Eduardo who had just arrived for the *segundo turno* and was chatting with a man I did not know.

Eduardo said he was waiting for a woman to pick him up. Both he and the other man mentioned that there were rumors on the street that *la migra* was on San Pablo and Ashby a few blocks to the southwest of where we were. They assumed that most people left when news of a raid spread through *la parada*. Baffled that they were not worried themselves I crossed the street where Paula was talking to two *Guatemalas*. I greeted them and asked if they knew why there was no one around. "Dicen que la migra anda por la San Pablo."¹⁸ Wide-eyed, Paula said something about *los rumores*, trying to downplay the gossip, but unsure of the next course of action. Like Eduardo, these men didn't know if it was true but thought that most people left because they did not want to be the ones to find out.

I spent about 20 minutes in the truck, where I helped Adolfo learn how to find Guatemalan newspapers online, and then taught another *jornalero* how to open an e-mail account. As I was explaining how to use the mouse I heard Paula over the phone: "They're where? Berkeley High? Really?" She made two other calls and then whispered to me that she had just confirmed *la migra* was at or near the high school, downtown. My jaw dropped. The first thing I thought about was running outside to warn everybody, but I also worried about starting a panic. "Quisiera advertirles que parece que *la migra* está arriba en Shattuck, y mejor que lo sepan y ustedes deciden,"¹⁹ she said aloud. The people in the truck did not really react, some shrugged their shoulders and continued typing; others packed up and left. I went out on the street to warn people.

Eduardo was already gone so I told his friend that we had "confirmed" the rumors about *la migra*. With a mousy smile he answered it was probably time to leave. I then called Lorenzo and cut him short of his usual lengthily story, warning him to be careful. As I was hanging up I saw Adolfo on the other side of the street, by Spenger's parking lot. I went over and asked if he had heard. Nervous, but ever smiling he answered "me dijeron que están por la San Pablo, Tomás, mas bien me voy en el 19"²⁰, nodding to the bus stop. William the Salvadoran came down the corridor –he always looks like he is happy– and stood by me, calling out to several guys that a woman had just driven up to him and said *la migra* was at *Mi Tierra*. I started to panic. *Mi Tierra* is a Latin market on San Pablo Avenue, a landmark everyone knows about and only a few blocks away from where we were. The Guatemalan kid I had been helping on the computer came by and asked me if the Yahoo account he had opened could be used with any computer. I was a little annoyed this was on his mind at the moment, since he had heard Paula's announcement. I explained as best I could as we walked up towards Sixth Street, William

¹⁸ "They say *la migra* is roaming San Pablo Avenue."

¹⁹ "I'd like to warn you that it seems that *la migra* is up on Shattuck, it's better that you all know this and decide what to do."

²⁰ "they told me that they [*la migra*] are on San Pablo, Tomás, I'd better take the 19." Route 19 is an AC Transit Bus line that would take him away from the general area where *la migra* was supposedly making raids.

leading the way like a herald announcing to all that we had to go. He was smiling and joking as he warned people to leave.

I walked up to *Mi Tierra* alone, but nothing seemed amiss. Somewhat paranoid I called Paula and told her everything was normal, but that there was an eerie absence of Hispanic looking people on the street. She was hearing mixed messages from other people. Some claimed *they* were on San Pablo, others that *they* were at the High School. I ran back down to the site, bumping in to the *Guatemalas* on Seventh who were still there, even though they had heard the news. One actually laughed and said: “Acá los estamos esperando, esos llegan a todos lados²¹.” He was defiant but his companions’ snickers were half hearted and they looked around nervously, suspicion in their eyes. By 2:45 almost everyone had left. Some men walked by me on my erratic sprint up and down the street thanking me for the warning, but the general feeling was only one of controlled nervousness, nothing like my outright panic. “Terror as usual,” I guess, including two men who stayed on, hoping to benefit from the absence of any competition, the said. Neither had papers.

On my way home I started dialing all the numbers in my phone’s memory. It was here I realized how precarious the end of the month is for *jornaleros*, since about half were no longer in service. Pablo and Carlos answered. They were worried because they could not reach Beto, so I concentrated on calling people who he usually hung out with. Everyone else I spoke to had heard the rumors and gone home. Some even claimed to have seen white vans driving up and down Hearst in the morning. At 7 p.m. we finally heard from Beto, who simply did not answer because he was working. Half an hour later Luis called me and said that he left the corner when the wife of one of the guys appeared in her car, warning everyone that *la migra* was about. It was around the same time that several unmarked white vans drove up and down the street. Luis said people really freaked out and ran into the side streets, but that he didn’t know if the vans had stopped or what they were. He told me that some people saw the officers on San Pablo and that on the news they were reporting that a whole family had been arrested.

What in fact happened that day was that ICE conducted “routine fugitive operations” in both Oakland and Berkeley. This means they were looking for specific people who had deportation orders or “immigration fugitives” (Tucker and Derbeken 2008), which in the Berkeley case meant two grandparents, the mother and aunt of two local middle school students. In Oakland, ICE conducted surveillance near two elementary schools (cited in Thompson 2008). The two events, reported the local newspapers, had set off a panic in which rumors circulated stating that ICE was going into schools to take undocumented children out. A few hours later, schools in the area were contacting parents to warn them of the presence of immigration officers in case they wanted to send someone else (with documents) to pick up the children. There were also automated messages explaining that no ICE agents would be allowed on school grounds (O'Brien 2008).

The next day there were few people on the street. Those who came were nervous and talked nonstop about the raids. Jorge and Luis said that the news was that *la migra* had arrested a family in Berkeley. It was not clear what else had happened but Jorge told us “la gente esta llamando al radio a quejarse porque no dijeron todo lo que pasó.²²” Luis said they made raids in Oakland also. I asked if they had heard *la migra* had been around Berkeley High, which by then I knew was inaccurate. Jorge nodded and said his son’s school called him to explain what was going on

²¹ “Here we are waiting for *them*, *they* appear everywhere.”

²² “People are calling the radio [stations] to complain because they did not report everything that happened.”

and to warn parents to send someone with documents to pick the kids up. Luis smiled and said “está canijo”. As we talked Luis also eyed a helicopter that was flying over west Berkeley which –like the white vans- was a common enough occurrence that now seemed suspect: “No se qué será pero ha pasado ya dos veces.²³”

The way my Fifth Street friends spoke was strangely calm. Although none of the men that day had papers, they all seemed to treat the threat as part of life, one they were apparently used to, even though after almost a year on the street I had never witnessed it before. Sindi came by and told me he had been on the corner the day before and that he left when the rumors started. He too made offhand remarks about *la migra* and seemed eerily detached from the imminent threat that was beginning to take on a life of its own. Lorenzo called me and told me he was working but that things had been bad the day before. He said he talked to Adolfo who was really worried. Other acquaintances told him there had been raids in Oakland. Lorenzo’s niece, who had just gotten her papers, drove the neighbor’s children to school that morning because they were afraid of getting caught.

I never speak very long with Lorenzo because he rambles on about things, so I said good-bye and returned to my conversations with the people on the wall. A few minutes later, however, he called back in a hushed voice and said that he had just spoken to a friend who told him that the *aguacates*²⁴ were on High Street and Foothill in Oakland. He repeated this several times but I did not get who had called him. I hung up and relayed the message, since many of my friends lived near the address. To my astonishment, those present simply nodded matter-of-factly and said “esta canijo.” Luis even jokingly scolded me for being surprised. Answering his phone for the third or fourth time that morning Jorge spoke briefly with his wife and then explained that she had also heard, on the radio, that there were probably going to be more raids. The rumors were driving her mad, since Jorge is the only member of the family without legal status and is in the midst of a complex asylum claim where he was warned to stay clear of the authorities. Jorge talked to his wife again and she explained: “Es que mi esposa insiste que me viene a recoger, que en el radio están diciendo que *la migra* anda por ahí.²⁵” He seemed both bothered by his wife and worried about the *la migra*. Luis told him to relax and feel good about the fact that he had a family who worried about him, adding with a laugh “¿Y yo qué cabrón? a mi si que me echen.²⁶”

Luis went to the bathroom *donde los viejitos*, and came back with a copy of the “Contra Costa Times” he had found. We all looked over his shoulder to read the article about the raids. As we read the paper a *moreno* in the red truck drove up. “Hey, were the other guy at?” he asked. He meant Iván. Luis told him he had already gone home. Iván, in fact, was so nervous about *la migra* he didn’t return for a week. Then *moreno* then asked Luis if he wanted to work. Luis mumbled under his breath that this guy was a bad *patrón*, ignoring the man who turned to Jorge and repeated the question. Jorge said no also. The *moreno* could not believe no one was going to get into his car and tried to argue with Luis who simply looked the other way and mumbled things under his breath. Finally the man asked loudly: “What’s with you, you just the manager here?” “No, I already have work,” lied Luis staring at him. The guy looked at the three of us in disbelief and then drove on. It was business as usual, neither of them would risk working for a bad employer, even though they both agreed coming to the corner was somewhat of a stupid risk,

²³ “I don’t know what that’s about but it [the helicopter] has flown over twice.”

²⁴ I asked why they call them “Aguacates” and Luis said “por como se visten, el uniforme es como verde pistacho.” Later Pedro explained he meant the green uniform of the border patrol.

²⁵ “My wife insists that she is coming to pick me up, that on the radio they are reporting that *la migra* is around.”

²⁶ “What about me, man, let them kick me out!”

given the circumstances. A few minutes later, Jorge's wife, ignoring his request to leave him be, drove by and picked him up.

All the newspaper articles, including the one on the corner we read, reported that the raids *had caused* a panic. But as far as I could see the panic was still gaining momentum, taking on new forms, none of which were reported in Bay Area news sources. Every person on the site I talked to, for example, "heard" that *la migra* was on San Pablo and Ashby, several people, including Paula from the MI "heard" they were at the High School downtown. But we were also constantly "seeing" things around us, like the helicopter. At 10:30 Rudy appeared on the corner, joked about *la migra* for a while and then said: "Ahora si, ya que eres el *gabacho* puedes bajar allá a ver una Blazer que se estacionó²⁷." I was confused and he explained he saw something like a police car drive by on Fourth Street and then go under the bridge and park in the lot next to the restaurant. At the beginning I thought he was joking but he was serious. "Si quieres voy contigo, pero no tengo ganas que me manden a México hoy.²⁸" I stood up and walked down to the lot; it was empty. I saw nothing but when I was coming back the white Blazer drove by. It wasn't the Berkeley, Oakland, or Emeryville police, or the highway patrol, although it had some official looking insignia. More paranoid than ever I went back to ask if they had seen it. Again, they nodded nervously, but continued the usual joking, this time centering on the awkwardness that getting deported can entail for their families. "Es para llegar a tocar en la puerta y que te digan ¿Por qué no avistate mi amor?²⁹" said Luis. "O que te encuentres a Sanchez,³⁰" added Rudy. Luis laughed and said: "Hola cabrón, gracias por cuidarmela ¿Cuánto te debo?³¹" having a conversation with his Sancho. We all laughed. "Ojala si me agarran me manden para Veracruz y no para Tijuana,³²" laughed Sindi and then added "igual si me mandan a Tijuana me vuelvo a meter³³." "Yo también me vuelvo a meter,³⁴" said Luis seriously. I told them to call me and I would go pick them up. Sindi said he would call his *paisas* and ask them to send the money he has stashed away just in case. A *jornalero* we didn't know came by and joined the nervous revelry: "Igual ya me quiero ir pa' mi casa.³⁵" "Si, pero que nos manden al pueblo, no que nos manden al otro lado en Tijuana,³⁶" added Luis. We laughed and the new guy said "es que tenemos el derecho de pedir que los lleven hasta el pueblo.³⁷" Luis laughed sardonically at this.

Two days after the raids I sat with Luis alone on the wall at 8:30 in the morning. We wondered about the helicopter again as it flew over and then discussed the continued absence of most of the people on the site. Iván was still too nervous to leave his house and Jorge's wife had basically grounded him. The few people who were on the street all had radios and were intently listening to the Spanish language stations in case someone reported more raids. Almost

²⁷ "Now, since you are the *gabacho* you can go down there and check out a [Chevrolet] Blazer that just went into the parking lot."

²⁸ "If you want I'll go down there with you but I don't want to get sent back to Mexico today."

²⁹ "It's like suddenly knocking on the door and have them [you family/wife/partner] say: Why didn't you tell us you were coming, love?"

³⁰ A reference to the Sancho, the man who has hypothetically moved in on a *jornalero's* wife and family and who enjoys the money he send home. See next chapter.

³¹ "Hi you bastard, thanks for taking care of her. How much do I owe you?"

³² "I hope that if they catch me they'll send me to [the Mexican state of] Veracruz and not to [the Mexican city of] Tijuana."

³³ "Either way, if they catch me I'll come back."

³⁴ "I'll come back also."

³⁵ "Anyway, I'm ready to go back home."

³⁶ "Yea, but let them send us back to our town [home], not just across the border to Tijuana."

³⁷ "you have the right to get sent back to where you live."

immediately after I arrived Lorenzo called to say I should warn people that *la migra* was making *retenes*³⁸ near the Richmond *parada*, a few minutes north of where we were. I asked how he knew this and he said a friend had called to warn him. Lorenzo's usually relaxed attitude towards life was greatly affected during these days, and he hung up with an ominous "con la gracia de Dios, que siempre hay que pedirle a él que nos cuide nos vemos mañana, o si no que pase lo que tenga que pasar."³⁹ Although I didn't believe him I relayed the message to Luis who nodded and said: "Debe ser verdad"⁴⁰. When I acted surprised - Luis thinks Lorenzo lies about everything- he replied: "No escuchaste que Jorge dijo ayer que habían hecho un retén y él pasó de milagro, porque al de atrás lo pararon."⁴¹ I hadn't heard, but Jorge never was able to confirm whether it was *la migra* or just a routine police check that he had missed.

The Friday (May 9th) after the raids I spoke to Beto again. He stayed home the three days after the panic because he was too scared to go out. He tried on Wednesday (the day after) but a friend called him to say *la migra* was boarding buses and in the BART stations, so he ran back home. There were only about twenty people at Friday lunch that week. But after three days others started to come back. I bumped into William on Saturday afternoon. "Vine a ver que agarro, si es que agarro algo," he smiled, "aunque el que me agarre sea *la migra*."⁴² The same sentiment was repeated by many of the guys I saw the next couple of days.

The week after I was interviewing some *jornaleros* on the corner when Iván- who of all the men on Fifth Street was the one who seemed most fazed by the whole thing- nodded towards a white, unmarked van driving up the street. With tense and cruel humor, Pedro slapped him on the back and said "ya llegan"⁴³, only to add that it is a known fact that *la migra* uses vans like that. Both these men own cars, but drive "sólo con la licencia de Dios."⁴⁴ For the weeks that followed they left their cars at home and came to the corner only to leave early, ever nervous about what might happen. They too were concerned about the helicopter Luis and I saw, and left after it flew over the first time, Pedro calling out that it reminded him too much of the helicopters on the border. During the month of May, at least, the police cars that sometimes drive by were also considered harbingers of bad things, even though the media had emphasized they had not collaborated on the raids. Confronted with this, Beto simply answered: "la policía esta con la migración, son racistas, son lo mismo."⁴⁵

Living in fear, living in hiding

The May *migra* panic dissipated as the days went by, but it helped me understand the context within which most of these men live their daily lives. In truth, the greatest and most immediate threat to *jornaleros*' lives is not *la migra*, but inner city violence perpetrated, mainly, by the *morenos*. Together though, these two very different threats shape a subjectivity that can only be

³⁸ Setting up check-points.

³⁹ With the grace of God, who we must always ask to watch over us, we will see each other tomorrow, and if not, let what must happen, happen."

⁴⁰ "It must be true."

⁴¹ "Didn't you hear what Jorge said that yesterday *they* had set up a check-pointy and he drove by undetected by some miracle, since they stopped the guy behind him."

⁴² "I came to see if I could get [lit. *catch*] something [meaning work], that is, if I get [catch] something...even if it is me *la migra* catches."

⁴³ "They're here"

⁴⁴ "Only with God's license."

⁴⁵ "The police is with Immigration, they are racistas, they are the same."

taken to exist in a constant state of siege from which the men emerge during the day time to seek work. The threat of deportation, of getting caught by *la migra*, generally affects the ability of a *jornalero* to lead the life of an active and productive member of society. This fear curtails the men's abilities to engage state institutions like the Labor Commission, or NGOs, because it generates confusing and contradictory information that makes people insecure about contacting and then giving identifiable information to any type of organization. Even though Berkeley, San Francisco, and Oakland are generally "known" to be Sanctuary cities, most *jornaleros* are skeptical about what that really means; that is, if they know about it at all. And, as the May *migra* panic demonstrated, these fears are well founded, for even in a Sanctuary city there are raids that come too close for comfort and people living in them without documents do not necessarily feel they are protected. My original "ease" about the possibility of raids was shattered not because they actually resulted in the arrest of someone I knew, but because the imminent threat became visible, tangible, and apparently sentient, since it followed us for a few weeks and seemed to answer to our preoccupations and our fears with more rumors, each one closer in physical space to where we stood on the street.

Writing about violence in a radically different context, Michael Taussig (1986) challenges us to think through the social production of terror as it bleeds into everyday life, shifting its referents from fact to fiction, from fiction to rumor, from rumor back to fact.

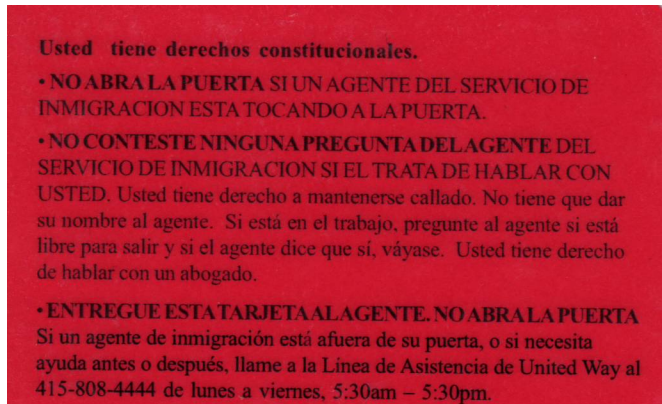
"The meticulous historian might seize upon the stories and fragments of stories, such as they are, to winnow out truth from distortion, reality from illusion, fact from myth. A whole field opens out here for tabulating, typologizing, and cross-checking, but what "truth" is it that is assumed and reproduced by such procedures? Surely it is a truth that begs the question raised by history....wherein the codependence of truth on illusion and myth on reality was what the metabolism of power, let alone "truth" was all about. To cross-check truth in this field is necessary and necessarily Sisyphean, ratifying an illusory object, a power prone objectivity which is authorizing the split between truth and fiction is power's fabulous reach. Alternatively we can listen to these stories, neither as fiction nor as disguised signs of truth, but as real." 75

For the *jornaleros* at *la parada* there is no sanctuary from the very real "fabulous reach" that state power holds over their lives. *Para-citizenship*, a mockery of everything people in the United States hold dear, that diffuse and volatile semblance of citizenship that allows *jornaleros* to exist, is itself easily shattered. The conditions upon which it is based depend on the calculated reminder that it can never be as such, a reminder that need not be legislated or defined by any institution –the *jornaleros*, we are led to believe, were never the targets of enforcement here- for it is easily called upon by the power of signification that the state has, its ability to become real, tactile, and ever present. The state's fantastic power enables it to take on the shape of anything and everything; it can suddenly overdetermine every experience and regiment its "image" as a sole referent, it has the ability of collapsing time and space. Thus, a week after the main events I have described above, Pedro told me he heard that on that day *la migra* had raided a Home Depot *parada* in Fremont, something that happened a few months before. And although we had heard talk of it, seen it on the news, and commented on it a little, it now emerged in his experience as something closer in time that shaped the very real notion that on that Tuesday "estaban en todas partes"⁴⁶. Other men I interviewed mentioned arrests in Richmond, which we

⁴⁶ "They were everywhere."

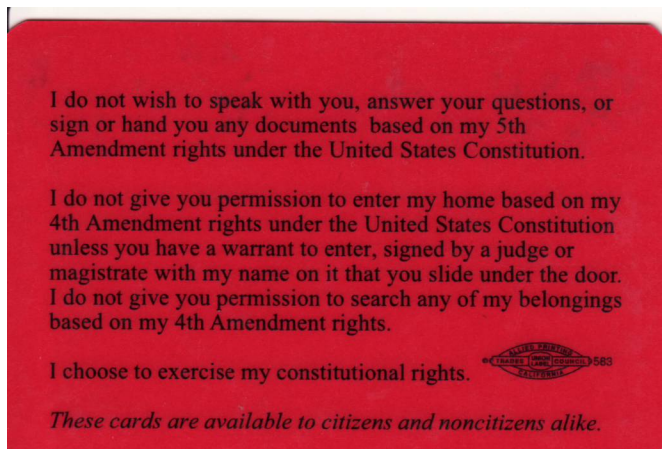
had also heard about weeks before, but they now seemed to have been included in the long list of things that happened that day.⁴⁷

And so I finish this chapter with the strangest document I encountered on the streets of Berkeley, the *tarjeta roja*, which was handed out a few weeks before the May *migra* panic. The MI handed out these laminated “red cards” one Friday after lunch to the men who were there. Rudy explained briefly that no one could enter your home without an *orden de caución*, a “warrant,” in the name of someone living inside. Then he told us the text on the cards was to be read to the police



You have constitutional rights

- **Do not open the door** if an immigration agent is knocking on the door
- **Do not answer any of the questions the agent** from immigration services asks if he tries to speak to you. You have the right to remain silent. You do not need to give the agent your name. If you are at work, ask the agent if you are free to go and if he says yes, then leave. You have the right to speak to an attorney
- **Give the agent this card, do not open the door. If an immigration agent is outside your door, or if you need help before or after, call the United Way hotline at 415-808-444 Monday through Friday, 5:30 am- 5:30 pm**



On Fifth Street we all took the cards and spent a few minutes joking about not being able to remember the word “warrant” if *la migra* did come. The men also thought it typical that they had failed to actually translate what you were supposed to say to the police. Although we never met anyone from United Way, we wondered if the people who came to the lunch with Rudy worked there, but at that time the cards just ended up in people’s wallets. After the panic, however, I was approached by a group of men, all *guatemalas* from above Sixth Street, whose leader asked

⁴⁷ One *jornalero* I interviewed thought the raids were because they [the government] were thinking of making an immigration reform and wanted to scare people before it happened. He said he wakes up at nights sometimes, thinking he’s heard a noise, wondering if they have come. Twice *they* have taken people in his building, probably, but he is not quite sure, because they had warrants for them.

aggressively: “Tomás, ¿es verdad que con la tarjeta roja no te lleva la migra?⁴⁸” Confused I tried to figure out what they were talking about. “Dicen que Rudy dio una tarjeta que si se la muestras al agente de *la migra* no te lleva, pero yo no creo que eso sea verdad.⁴⁹” One of the men explained that Mario, the man I “stole” a *patrón* from, was telling people that if they had the card immigration could not arrest them. Those who were not around when the cards were handed out were worried that they had missed an opportunity to be “safe.”

The power of the “red card” was short lived, mainly because its imputed use was just too fantastic, but also because I was there to authorize a better explanation. However, for some days it acquired a highly fetishized nature, an inherent power that was never intended for it. That a group of *jornaleros* would actually believe it could make them “safe” points to the sway rumor has on these precarious lives. State terror cannot be understood rationally because, on the margins, the image of the state travels the mythologized paths of rumor and hearsay, where “what happened” –the “real” in Taussig’s sense- is the effect of information that flows the strange course of opinion built on confusion that inevitably becomes a flash flood of events that threaten the very existence of each man’s life. *La migra* flew over the Berkeley site that day Luis worried about the helicopter, *they* cased the *parada* in unmarked vans, *they* were on San Pablo, *Mi Tierra*, and in the schools that everyone made such an effort to present as safe. *La migra* was on the buses, in the Bart stations, and every other place we heard about. In this context it is not so absurd that there can exist, for some, a magic card of power that protects you from the brunt of this terror; something that for once might guarantee the impossible nature of *para-citizenship* –that condition based on documents that always have the caveat “This is not an official ID”.

⁴⁸ “Tomás, is it true that if you have the red card *la migra* won’t arrest you?”

⁴⁹ “The say Rudy gave out a card that if you show it to *la migra* they won’t take you, but I don’t believe that.”

Chapter 5: “Boots for my Sancho”

Representations of gender, sexuality, and family life

“I’m married to a great woman,” Adolfo told me, quite sadly, after we talked about Sanchos and milkmen in Guatemala. “She raised my daughters because I was never there, I left when they were little and when I returned they were all grown up, then I left again and now I have been here six years, I have three grandchildren I have never seen; she educated them, she taught them right from wrong, I just sent them money” “Sometimes when she gets mad at me because I am not there I talk to her like this ‘Do you remember when I met you?’ and she laughs. ‘What do you mean?’ she says; ‘I mean when I saw you the first time, the day I found you,’ I tell her. ‘I said good bye to you,’ I tell her, and then she can’t stay mad. ‘I said good bye and you turned around and looked at me, and you smiled at me,’ that’s what I tell her, ‘since then I have been your slave’ I tell her, ‘and now look at me, look where you have me working.’¹”

The marginalization suffered by *jornaleros* in the United States is not limited to labor injustice, abuse, and the unviable and illegitimate relationship they have to formal citizenship; it is also intimate in how it affects and shapes their personal life. Men among men, their families far away, their roles as husbands, fathers, and lovers are distorted by distance and the ever-present knowledge that loved ones depend on their absence. This chapter takes a step away from structural constraints affecting day laborer’s lives and turns to the personal relationships and anxieties about home that arise in almost every conversation I ever participated in on the street. I use Adolfo’s sad and yet ultimately loving remark as an introduction to what I can only describe as an unresolved, violent, and tragic tension between day laborers and the family they leave behind. From this I will turn to how gender is articulated and reformulated on the corner and, finally, I will argue that *la vida de un leibor* entails risking not only one’s economic and physical integrity, but one’s body itself.

The first time I took a camera to the street corner I made a joke of it. Initially nervous about pictures -most *jornaleros* would normally shy away from a stranger with a camera- I now felt I had friends on the street and took advantage of their constant bickering about me not bringing them food or drink when I came to talk to them. With a six-pack of Coke in hand I appeared on the corner to the great delight of Luis, Clemente, Sindi, and Don Raúl. They commended me on the drinks repeatedly, sneeringly remarking on my compliance until I sardonically stated: “no se

¹ Yo a veces cuando le platico así, a veces cuando ella no esta muy contenta le digo yo: “Te acordás cuando te conocí? Y ella dice “¿Cómo así?” “Cuando te vi yo la primera vez, cuando te encontré” le digo yo “porque yo te dije adiós,” le digo ya cuando está enojadita y ella ya se le quita “yo te dije adiós y vos te volteaste a ver y sonreíste” y le digo yo “y desde entonces soy tu esclavo,” le digo, “mira ya donde me tenés a mi trabajando,” le digo yo, “mira donde me tenés.”

crean listos cabrones, que nada en la vida es gratis y hoy voy a tomar fotos.²” Everyone laughed and complained about how I “used” them, but the photographic session was a great success. We played around taking pictures of one another. Clemente stood next to a little electric car that parks in the driveway next to us and said: “Tómame una con mi carro, Tomás.” In high spirits they all said they wanted a picture with the car. Clemente and Sindi posed stoically, their bodies rigid and their expressions serious, but when it was Don Raúl’s turn he suddenly extended his arms, threw his chest out, and said laughing: “Tómamela así Tomás, que me vea grande, para asustar a ese cabrón.” The picture is somewhat out of focus and Don Raúl’s eyes are closed, but this became one of the most memorable and remembered events of my time of the Fifth Street corner. The other three men and I bent over laughing and later sat on the little wall looking at the picture over and over again. We all knew Don Raúl was going home soon; we had heard about buying the plane ticket and his desire to go back to Guadalajara in time for the Christmas season. The picture became a running gag on the corner and for the next few months -even after he left for Mexico- people came by to ask about *la foto del Sancho* and find out if Don Raúl had really sent it home to scare off his *compadrito*.

It isn’t easy to explain who the *cabrón* that Don Raúl wanted to scare is. In fact, he really only exists in theory, as a joke men use to pass the time while they wait for work. That life is hard for day laborers is obvious to even just a casual passerby, but the extent to which *la situación* affects their parameters of reality and experience is much more complex. Nowhere is this more obvious than with the Sancho, a ubiquitous and yet illusive character among day laborers in Berkeley. The Sancho is the man who has hypothetically moved in on a *jornalero*’s family, sleeps with his wife while he is away in the US, and, in general, reaps the benefits of the money he sends home. Although distinctly Mexican, he has his counterparts among Guatemalans and Salvadorans who call him “el lechero,” and other names that refer to trades which would bring strange men to one’s house in one’s absence. He is also called “el compadre,” that quintessential Latin American term of fictive kinship that has come to mean “pal” in common parlance.

The Sancho is so illusive that one can only catch sight of him in jokes set off by someone sneezing or in jibes that make fun of friends when they talk about home. Similar to the way other people say “bless you” when someone sneezes, some *jornaleros* scream “¡Sancho!” setting off a back and forth in which the interlocutors discuss what the *compadre* must be doing or what he needs. In other cases it is the person who sneezes who sets off the interaction with an initial “¡Ay mi compadrito!” Either way the men start putting forth possible scenarios: “Quiere que le mandes unas botas nuevas,³” one person suggests, “ya la esta desvistiendo⁴” another adds. To this my friend Sindi usually responds: “My Sancho is fat and well kept, he has made himself at home” or “yo tengo a mi Sancho bien cuidadito, no le falta nada.⁵” The comments are not always so nice, and I have also heard Sindi having imaginary conversations with his Sancho in a pleading tone: “No la maltrates, ya te mando el dinero,⁶” he said one morning while I tried to explain to a newcomer that Sindi’s Sancho must be thinking of him. “Pensando no,” he corrected me, “dándole a mi mujer!⁷”

² “Don’t be smart asses, nothing in life is free and I am taking pictures today.”

³ “He wants you to send him new boots.”

⁴ “He is taking her clothes of.”

⁵ “I have him well-kept, he wants for nothing.”

⁶ “Don’t mistreat her, I’ll send you the money as soon as I can.”

⁷ “Not thinking of her, beating her.”

The Sancho also appears as a side note. Instead of simply saying “I am going to send home some money,” for example, Sindi slyly remarks: “I am off to send my Sancho money so he can buy himself a new leather jacket.” Another time Luis asked a man trying to call Mexico on the phone: “Are you calling your Sancho?” “I just want to know if he got the money I sent him,” he answered smiling shyly, “I just want to make sure he is taking care of her [his wife] and that he is taking my kids out; maybe I’ll tell him to take them to the movies.”

“We say the Sancho is thinking about us when we sneeze,” explained Don Raúl enjoying my bewilderment the first time I heard them do this, “we do it to joke around, to keep our spirits up (*para no agüitarnos*).” And joking around is the key term here, because the Sancho himself - no matter how much the anthropologist tries - does not merit much serious discussion. “We all have Sanchos Tomás, although not everyone likes to admit it,” Don Raúl explained losing his patience with my questions on the day before he went home to a family he had not seen in five years, “we all know they are roaming about, taking advantage of the women we leave behind.”

The Sancho arises as a trope that makes evident the fears and anxieties about separation from wives and family that characterize the experience of most of the *jornaleros* I worked with. He is by no means an effect of migration, for tales about women running off with the milkman and other such characters are prevalent in Latin America and elsewhere⁸. What is particular to the street corner is the tension between the Sancho as a cultural representation of the fear of cuckoldry (cf. Brandes 1980) and the reality of family disarticulation that pervades the labor site. The *compadrito*’s playful character also points to the ways these fears are dealt with, through friendship and acquaintance with others who share the same lot. Men never act jealous when talking about their Sancho, they address the issue with dark humor that touches on his ever pressing need for their money, his quasi-marital status to their wives, and, to a lesser degree, his parental role for their children.

I start this chapter with the Sancho for two reasons. The first is that the strange joking about this character caught my attention early on and led me to stay on the corner longer than I expected. The *compadre* I heard men joke about constantly mystified me and posed a challenge, since no one considered him worthy of discussion when I asked about him directly. To understand the Sancho, then, became my initial objective and the reason I probably developed such close ties with the men on Fifth Street whose routine was suddenly interrupted with the possibility of making fun of a strange Colombian who, as my friend Beto liked to quip, seemed to want one. “¿Qué Tomás, ya conseguiste tu Sancho?” he said almost every morning as he greeted me. And here is the second reason, for it was my need to grasp the Sancho, to “get one,” in a sense, that set the stage for more serious conversations about the tensions and effects involved in leaving one’s family and migrating to the US. In a way I have failed to find the Sancho directly, for my questions continue to produce laughter and never lead to much discussion of his particularly mythic role in their lives. However, my insistence on the subject led to first and second hand accounts of *jornaleros*’ troubles with family they have left behind.

“Everyone knows someone whose wife has run off with another” Arnoldo told me one afternoon. With a slight tremor he smiled and let me tape his account. “I have a friend who lives in Fruitvale, he sent home *una troca*, he sent money back for five years, sent his kids to school, sent back tools so he could work when he returned. After five years he realized his wife had another man; then they started fighting. She sold the truck and kept the money, she emptied the

⁸ In Colombia, for example, a child who does not look like his father can be jokingly referred to as *el hijo del lechero*.

⁹ “So Tomás, have you gotten yourself a Sancho?”

bank accounts, she took everything; she even sold the tools and then came to the US with the other guy. She lives in another state now. After she took everything he started drinking, *empezó a chupar*.”

Adolfo has seen it all. He has been to the US twice, the first time for four years to make money for an operation his wife needed and the second for six years to send home money his family has used to build a house. “Cuando uno no les manda el dinero empiezan los problemas, ellas empieza a reclamarle a uno, que tal vez uno no se esta portando bien.¹⁰” And sometimes it’s true; he reckons maybe fifty percent of the men who come here look for another woman, and maybe thirty percent of the women back home look for another man. “Porque al hombre aquí a veces a los dos meses, ya anda buscando otra, a veces, no todos. Porque estoy hablando tal vez un quince, veinte por ciento que se mantienen los hogares, pero la venida para acá destruye.”¹¹

Becoming permanently estranged from your family is a common subject of conversation on the street. Whereas none of my close friends have lost their wives and children, many men on the corner have. Furthermore, *everyone* knows someone who has lost it all. For some, the permanent severing of familial ties results in aimless wandering from one city to another and in many cases is the onset for abuse of alcohol and other substances. For others it simply turns their migration into a permanent or an indeterminate state. For a few people I know, migration is the search for a new beginning after divorce or separation, but even in this instance, the relationship to spouses and children who remain back home still accentuates a lot of their anxieties about being away. What is more, there is even a small group of men who have become estranged from family members living in the Bay Area with them. So tensions with their family is something that crosses the wide range of life experience one can find at *la parada*. What I will argue here is that life on the street, *la vida de un leibor*, is not only a precarious state in terms of economic stability, social justice, and political inclusion, but also a threat to one’s social position (both here and back home), to one’s masculinity, and to one’s body.

I will not try to disentangle the multiple notions of masculinity and gender at play on the corner, because such an undertaking would only result in essentializing a very complex and constantly changing process. I am not particularly interested here in addressing the sexual lives of the men I know from the street either. My intent is to illustrate how these factors play out on the street and the multiple ways they become salient in the production of meaning among the *jornaleros* in Berkeley. I will first address the anxieties and recriminations about family members who remain in the countries of origin and who depend on the money the men send home. They are the darker side of the Sancho’s realm of influence, those that are no longer part of jokes and jibes, but “serious” conversations about family relations. I then turn again to the more banal interactions on the street in which the absence of women plays out in the hypersexualization of the corner and the various ways through which access to women is addressed. Here, it is difficult to write of these things without myself becoming a pornographer of the poor, and I worry about this coming off as an account of horny, macho working class Latin American men. For the most part, the accounts about women watching and how men speak of them that follow are not entirely foreign to me, since much of this behavior replicates what I remember of high school. The difference is mainly the context; the intensity and frequency with which these issues appear, along with the multiple age cohorts that participate in the

¹⁰ “When one doesn’t send back money the problems start, they [the women] start to complain, suggesting that one is misbehaving.”

¹¹ “Because a man here, maybe after two months, he is already looking for another woman, sometimes, not everyone. I am talking about maybe 15, 20 percent of homes that survive, because the trip over here destroys.”

conversations. The street corner, as many *jornaleros* would say, is a place with little else to do than to talk and joke around, and humor is only funny when it is relevant to the issues that mark the pace of our lives.

Masculinity on the corner

Matthew Gutmann provided probably the most complete and nuanced analysis of Latin American masculinity more than a decade ago. Rethinking the image of the Mexican “macho,” he suggests that masculinity among the working class in Mexico City is a fluid social construct in which “traditional” stereotypes of what it means to be a man interrelate with historically specific economic, political, and cultural changes. Age, nationality, ethnicity, class, regional provenance, personal experience and personality color the ideas that men put forth when understanding themselves as providers, husbands, partners, lovers, fathers, and workers. Gender identities, as Gutmann defines them, develop a contradictory consciousness where “traditional” notions about maleness from the past interact with practical transformations of the social and political body to produce ambiguity, confusion, and contradictions in male identities (2006: 243). What is specific to the street corner is that men are distanced from the complex dialectic through which masculinity emerges as a function of male/female and family relations within a particular historical and cultural milieu. Men are isolated and their engagement in the life back home becomes limited to phone conversations. Masculinity thus rearranges itself in a schizophrenic assemblage where family back home deploy certain traditional expectations –man as provider, man as potential womanizer or drunk- while the men must redefine themselves in terms of their experience, thus in a sense fracturing the image of man/father/husband/provider.

On the street, the “real” man is construed as someone who is physically strong, has a strong will, works hard, and provides for his family. These aspects are the central measure of masculinity most men share. Deviance from them results in various perceptions. At *la parada* the lazy and the weak can be taken as less masculine, effeminate, or “degenerate,” while those who are perceived to be mispending their money might be seen as good for nothings who are not responsible for their family. Other than these four elements, “everything depends,” as they say. Gutmann (2006) identified *degendering* transformations in Mexico, where traditionally male and female activities become reconfigured and their gender specificity deemphasized. Here women and men drink together, for example, or men play more intimate roles in child rearing and household chores. But a *jornalero's* life is both degendered in that he must undertake all activities necessary for his sustenance, irrespective of their imputed gender association; and hypergendered, in that his involvement in such activities must also become an aspect of his identity. Cooking is a simple and yet important example because even in Gutmann’s case it had remained, more or less, a woman’s purview. On the street in Berkeley, cooking and the ability to cook certain specialties is a favorite topic of conversation. Many men share recipes, talk about what they are going to cook that evening and so on, while others prefer to buy their food because they do not want to cook. *La situación*, however, dictates that almost everyone, inevitably, will find that it is cheaper to learn to cook. Cleaning is another simple case, both in terms of household chores and with the issue of work. While some men refuse to be hired to do female tasks like vacuuming a house, others (usually past middle age) pride themselves for being beyond such silly notions. One morning when we were all given brooms to help sweep the street, Luis jokingly scolded Clemente for his half-assed job saying: “Te voy a enseñar cómo se hace,

para que veas que así es también en mi hogar, no cómo el tuyo que se debe ver bien sucio.¹²” Luis is proud of his ability to maintain a shipshape household and his apartment in Fruitvale, shared with several brothers, is always impeccable. He and his 60-year-old uncle (who lives next door) are well renowned cooks among family and friends.

Being “macho,” however, is also a role you play on the street. Hence Luis, whose relationship to his spouse mirrored my own in many ways— in terms of the respect, distribution of labor, and relative equality in the relationship— could in the same morning make offhand comments about the need to every once in a while beat your wife —which I know he has never done— and then scold someone for having outdated and “machista” notions of marriage. On the other end of the spectrum, my friend Sindi who claims he never engages in a verbal fights with either of his two women, but rather simply gives them a “good” slap to end the discussion, has very funny stories —which he shares as “advice”— about how he learned of menstruation, PMS, and the need to understand women’s bodies and be considerate of their particularities.

These apparent contradictions fit into Gutmann’s analysis and become more complex in the articulation of other traditional male attributes such as womanizing and drinking. Central to the process is the tension of separation that weighs heavily on the men. In other words, their “bad name,” in the traditional sense, precedes them. Talking about men and their wives, Carlos once told me that to leave home and come up north “es un compromiso de ambos [man and wife] pero no todos tienen esa confianza y a muchos nos dejan sin nada.¹³” To come to the US is to risk losing everything, not only what you had before you left, but everything you accrue and save with the work done here. The problem is that separation entails trust —*confianza*— and the burden of trust falls on men tied to the stereotypical image of the “macho” who can be easily tempted by women and alcohol, or women through alcohol. While it is true that among most of the *jornaleros* extramarital affairs are seen as acceptable as long as they do not interfere with the support of their family, many also talk about faithfulness as an essential part of married life. But in general it is the possibility of establishing an alternate family that truly constitutes a betrayal on their side. Alcohol, one of the quintessential preoccupations of both studies on Latin American masculinity (Brandes 2002; Gutmann 2006) and day labor risk behaviors (Worby 2007; Worby and Organista 2007), is understood both as the purview of “men” when kept under control and as a factor in the disarticulation of the male roles I mentioned above. Not all men drink, not all those who drink abuse alcohol, and not all who abuse alcohol fail as men, but alcohol in many cases marks the threshold that distinguishes a responsible man from an irresponsible one. Among *jornaleros* alcohol abuse is also seen as a potential result of the disarticulation of familial relationships, which contrasts markedly with the perceptions they feel their family back home have.

Walter *et al* have addressed the disarticulation of male identity among *jornaleros* (Walter, et al. 2004; Walter, et al. 2002) as a central aspect of day labor life. For them, isolation sets the role of “the patriarch” that should be at home guiding the family at odds with the role of provider who must leave in order to make ends meet (2002: 225). This double bind is theorized as a tenuous balance that disintegrates the moment a day laborer can no longer provide for his loved ones. For the authors, injury is the most evident moment of crisis in which the day laborer suddenly cannot support his family. This perspective is not limited to Walter et al, but also constitutes a central

¹² “I’m going to teach you how it’s done so you can see how it is in my home which is not like yours that must be really dirty.”

¹³ “Is a mutual compromise, but not everyone has that kind of trust and many of us are left with nothing.”

lens through which the Public Health has assessed the vulnerability of day laborers and furthermore appears in the popular media. "Can you talk to my wife and tell her why you're here?... she doesn't believe me... she thinks I'm not working because I'm messing around," pled a *jornalero* to a SF Weekly reporter after being injured on the job (Smith 2008).

But injury is just a moment of crisis that in my tenure on the street did not occur except for minor accidents (including Francisco's in Chapter 3). The tenuous balance, however, is prevalent in everyday life. Many men feel that when they cannot send home money and things, families doubt the hardships they suffer. Most *jornaleros* complain that their families think they have it easy in the US and believe they are constantly tempted with women, alcohol, and commodities. Don Raúl was clearly worried about this when he faced the issue of returning to his family and not being able to provide for them in the same way. "Back there they think we have a lot of work here, they don't know that we spend most of the time sitting in the street, *tratando de no agüitarnos*, [trying not to get depressed] and talking about the Sancho we are supporting, they don't understand our reality." A month later he said "People back in Mexico think we are swimming in money here; they don't realize we hang out on the street, dirty, and that many times we go without work; or that we don't have enough money for food." Sindi added: "If we don't call everyday, they ask if we have found another woman." And having an imaginary conversation with his common law wife adds: "Look, the thing is I don't have money for the phone card, that's why I haven't called." Don Raúl nods: "They think we have a lot of money here. I made 40 dollars last week, but it costs 4 to get to the corner and back whether I work or not, plus you buy a chocolate or a coffee, plus the phone cards, and then you have to pay your rent, buy food, and send money home; it would be better if we worked every day, but we don't; nobody here does."

The role of provider is overdetermined on the corner because it becomes the strongest and most essential link to those left behind. Men feel compelled to satisfy their loved one's needs before or at expense of their own. But the people who benefit from those sacrifices, seem to constantly doubt them, which is why Don Raúl and Sindi cannot effectively explain to their wives when money is scarce. This never-ending vortex of work, remittance, and recrimination in both directions becomes central to family relations. The fact is that the longer a *jornalero* stays away from his family, the more estranged he becomes from their everyday life. As "a few months" turn into years, the men feel that things for those back home have become easier, while their hardship and loneliness only increase. Remittances become essential for the family's sustenance, and -along with computers, DVD and music players, cameras and other commodities they send back *con los viajeros*- turns into a central aspect of their lives. For the men producing the money and buying the commodities, these things are ephemeral, since they physically have them a few days before sending them home.

For many, there is little dignity in the work people hire them to do. "Nunca usé pantalones de mezclilla todos los días en México,¹⁴" Luis told me referring to his jeans. He has worked in factories and at construction sites, but he carried his work clothes with him, not on him. "En México no se imaginan que andamos sucios por la calle, que nos pagan a veces hasta para recoger los excrementos de las mascotas,¹⁵" Eduardo told me. So when their children or wives call to ask for more, as if they had regular jobs, is somewhat difficult to swallow whole.

¹⁴ "I never used jeans [work pants] every day in Mexico."

¹⁵ "In Mexico they don't realize we hang around on the street dirty, that we sometimes get paid to pick up the excrement of people's pets."

They must *responder* for their familial responsibilities but at the same time resent their explicit petitions for money.

Being misunderstood is not always an effect of “suspicion” and misconception on the home front. Stressed about not working, Luis spent a few weeks in February telling me the needs of his children were overbearing. It seemed clear his wife understood the situation, but he was desperate. On the one hand he was trying to borrow money to send her and the children, while on the other he complained that his wife wanted him to come home as soon as possible, as if she didn’t understand what would happen if he returned. As the months went by, the economic crisis got worse and Luis’s objective of buying a van and having me drive it home to Mexico dissolved into simply getting enough money to survive.

Nostalgia plays an important role in this process. Men spend hours telling one another tales of how it was “back home.” These can be general aspects of their countries or provinces or very specific accounts of places. If they are from the same city or town they tell tales of going to particular neighborhoods and ask whether others know this or that store, restaurant, park, movie theater and so on. To hear these conversations gets confusing for someone who doesn’t know the places, since the US seems to fade out of the issue and people start referring to “here in Mexico,” “aquí por la avenida,” “luego luego del mercado,” as if they were actually back there. As I said before, conversations about food fill many a morning on the curb and inevitably turn into remembering their mother’s or wives’ cooking, or to tales about taking the children to the street where the best tacos or sweets are sold. The men share pictures of their children that they pull out of their wallets or have on their cell phones, describing their tastes and personalities. Luis, Leonardo, and Sindi liked to give me advice on how to raise my son, while constantly fighting each other over whether it is good to be strict like their fathers were or to be more lenient and friendly, *mas amigo*. Inevitably, children appear to be frozen in time in these conversations, and for people like Luis, away from home for more than five years, it sometimes suddenly dawns on them that the little girl they are talking about is almost fifteen. Or Lorenzo who talks about the little girl he left behind 12 years ago and suddenly realizes she is a woman of 26 who has graduated both from nursing and law school. The sense of missing out on their family’s life is thus prevalent. A few of my friends get DVDs of family functions (usually filmed with cameras they have sent home) and talk about how much children have grown, or how fat or old parents have become.

And yet nostalgia for home and family is coupled with ever increasing need. “My daughter called yesterday, they [his children] always call to say they need something, I understand, she is already going to *la prepa*,” Luis mentioned one day as we walked to the bus stop. Or Adolfo, who with a sorrowful smile complained that his wife asked for 600 dollars for the holiday celebrations last Christmas: “El primer año les mandé 50, despues que 200, ahora que 600.¹⁶” That this is somehow an abuse is not articulated directly, but it is clear that for Adolfo, to get a DVD recording of the party he subsidized (filmed with a camera he sent back) is somehow bittersweet. Eduardo, the sweet and perennial loser in this story, doesn’t support his estranged child but used to send money to a *morra* he was dating when he left -*no mucho, ni cada quince días, pero si le mandaba sus 100 o 150*-¹⁷ until she asked for 3000 dollars to bribe a judge in custody trial with the father of one of her children.

On top of it all, the risk of loosing everything, the danger of the perceptions of those they leave behind, is that in most cases, everything a *jornalero* owns and loves can disappear in an

¹⁶ “The first year I sent fifty dollars, afterwards they asked for 200, now they want 600.”

¹⁷ “Not much and not even every two weeks but I did send her 100, 150 every once in a while.”

instant. The fact that for this type of migration to work one depends on people at home to manage the money sent back is paramount in the sense of vulnerability *jornaleros* have. “Nos dejan sin nada¹⁸,” as Carlos put it means that everything that you manage to save can be taken from you. This is because most *jornaleros* do not have bank accounts in the US. Those who do, use them only to manage monthly wages but not to save money because of the ever-present threat of deportation that I have addressed in the previous chapter. Remittances not only support the daily expenses of family, they are used to accrue savings that are invested in building houses, buying cars, and other things. Money saved is usually kept in bank accounts *jornaleros* open with their wives or other family members before they leave. Like in Adolfo’s story, many men also buy trucks and tools here, which they send back with *viajeros* in order to start building up a network of physical and economic capital that will serve them when they return. Those who remain manage everything, so when a *jornalero* “looses” his family, he also can loose his savings, and everything else built and bought with the money he has sent back. Lorenzo has a small savings account in Guatemala, which his niece helped him open and he sends some money to her in her name so she can deposit it. She works at a bank and hence could cosign because he was already in the States when he opened it. He has no intention of leaving yet, for he is divorced and does not get along with his ex wife, but he knows someday he will get deported, so he hopes to save enough to build himself “un cuartito,” or something for his old age: “Pero yo no sé si el día que yo llegue allá eso vaya a estar todavía.”¹⁹ While I was writing this chapter I bumped into Adolfo one morning. When he asked what I was up to I said I was trying to write the chapter on the Sancho. “Eso es real,” he answered, “eso pasa aqui todo el tiempo.”²⁰ It was cold and I was on the section of the wall that is just concrete. Adolfo stood and leaned on the bus sign:

“Mira Tomás, por ejemplo, conmigo vivía un salvadoreño que ya como que hace ocho meses se fue para El Salvador, llevaba siete años acá. Era de los que no gastaba en nada, todo lo mandaba para allá, por las mañanas sólo un café con un donita de esas pequeñas, como que valen unos 40 centavos; si al almuerzo estaba trabajando no compraba nada, sólo una soda, y por la noche, pues nunca compraba carne ni pollo, sólo comía de eso si uno de nosotros lo invitaba. El no gastaba nada, como decimos nosotros era bien [he slaps his elbow] amarrado.... Mire Tomás, el no dormía sino en una de esas camitas que se doblan, bueno, yo también, pero ese sólo dormía en el colchón, sin nada debajo y sólo la sabana arriba, bueno antes dormía en el piso así, pero se fue alguien y le dejó la camita, después se fue otro y le dejo la sabana y algo por abajo, pero el no compraba nada.”²¹ The man returned home to find that his wife had another man. “Con la plata que el mandaba construyeron una casita, pero como el no estaba, pues la casita quedó a nombre de ella; el volvió y atendía el negocio en la casa y ella tenía como que un puesto en el mercado,

¹⁸ “They leave us with nothing.”

¹⁹ “But I don’t know if the day I return that money will still be there.”

²⁰ “That’s real, that happens here all the time.”

²¹ “Look Tomas, for example, I lived with a Salvadoran who had been here 7 years. He already went home. He was the type who never spent a penny, everything he made he sent home. In the morning just a coffee and a doughnut, those that only cost 40 cents. If he was working at lunch he wouldn’t eat anything, only drink a soda. At night he never bough chicken or meat, he only ate that if we treated him. He spent nothing; he was like we say, stingy. Look Tomas he slept in one of those cots, so do I, but he slept there with no mattress, only a blanket, well before he just slept on the floor, but someone left and gave him his cot, after that someone left and gave him the sheets, he never bought anything. The man returned home to find that his wife had another man.”

pero allá en el mercado ella tenía otro.²²” They started fighting and she finally said “leave, but leave alone, the house is in my name”

Adolfo says his friend was smart, he figured out how to send money directly to a private account, so maybe he will not lose it all, but who knows, he sent her much more than he saved for himself.

These tensions mark almost every conversation about family I have had on the street. No matter how nostalgic or loving a man appears when he talks about his wife and children, somehow these issues always arise in their conversation. Like the Sancho, recriminations and tension color men’s experience of separation and mark the rhythm of everyday life. Like the Sancho, families back home seem always to need more money, to enjoy the fruit of *jornaleros’* labor, and –less explicitly but even more violently- threaten his past, present, and future. “Por Don Dinero las familias se terminan” said a distraught man in an *historial* he forced upon me one morning, pulling my digital recorder out of my bag and using it as a microphone. He was on his third wife (second in the US) and wondering if he would lose his newborn girl if he didn’t find work. Along with these problems, the palpable tensions of isolation seem to transcend family life and affect day laborers in a more directly personal way. Locked in an almost uniquely male world, men must face these issues alone and through the ties they have on the corner. In many ways, going to the street is not only the pursuit of work, but also the pursuit of human contact with people who understand their problems. “Estamos acá, no para trabajar, sino para no agüitarnos,” as many men say, then, seems to serve a personal need that the corner, weak ties of solidarity notwithstanding, provides for the men. To keep your spirits high constitutes venting the problems I have addressed above and venting the physical isolation from the opposite sex.

Women and desire on the corner and beyond

For most of the *jornaleros* who have left their women and children behind, life in the US is shared almost exclusively with a male cohort of friends and acquaintances. Contact with women is scant, even for those who might have female siblings or family members around. On my corner Beto, Pablo, and Carlos had a female cousin living with them, Luis’s younger brother and his wife lived upstairs, and there were a couple of young guys who had local girlfriends and no counterparts back home, but in general *jornaleros’* world becomes almost uniquely male. So what happens to men living among men, dealing with men, working with men for extended periods of time? The issue of women and sex -like family and longing for home- is at the heart of most conversations on the corner in Berkeley, as I am sure they are on every other informal labor site in the US. On my predominantly Mexican corner on Fifth Street, conversations about sex and sexuality, like the Sancho, are initiated and sometimes solely held through *albures*, a genre of joking where the object is to beat your interlocutor with a double entendre. If not *albures*, humor is nonetheless the main vehicle for expression, and in a very similar situation as the one described by Brandes in Andalusia, seems “to provide the main fabric by which men are bound to each other on a daily basis” (1980: 98).

Early in the morning I sat drinking my coffee and leafing through a fashion magazine Eduardo had found on the bus. Luis sat next to me naming all the celebrities he knew and commenting on

²² “With the money he sent home they built a house, but because he wasn’t there, the house was put in her name, he returned and had a little shop in the house, she had a stand in the market, but in the market she had another man.”

their low cut skirts. I said that in my grandfather's time everyone had to wear a suit, tie, hat, and umbrella. Luis said that was better than what you see today, everyone wearing less clothing each week. "¡Un día vamos a terminar todos con el títere²³ por fuera!" he said standing up and striking an exaggerated pose. Eduardo, who we had been making fun of because he was drawing, looked up and laughed. Luis turned to him and sticking the same pose said: "Me va tocar quitarme la ropa para que me pintes con el títere afuera."²⁴ "¿Qué? ¡No se vería! ¡Me tocaría sacar una lupa para ver eso, si no es nada!"²⁵ Eduardo answered. Everyone started laughing and going on about the size of Luis's *títere*, some saying we'd need tweezers and magnifying glasses, others just repeating it was tiny. Luis took this good-naturedly, laughing and answering back without a hint of spite. Each answer he gave, in turn, challenged the other person's penis size. As we joked around a woman walked by on the other side of the street. "En Mexico [city] le diría: ¡me gustaría comerte la empanada!" Luis told me. Following his cue Beto gave the Salvadoran version: "Me gustaría comerte la popusa." We all laughed and I gave them the Colombian equivalent. Although this was all done quietly so the woman could not hear, we started discussing whether women actually like it when men call out such things. "Of course not," Luis scolded us in disbelief, "it shows lack of respect." An older man I do not know who was sitting quietly beside us interjected and said that there were some women who liked to be talked to that way. Everyone was laughing and started talking in albuces or having imaginary conversations with women.

Finally the conversation shifted and Luis said he had bought like ten movies *en la pulga*²⁶. "¿Porno?" asked someone. He said no, but told them he sometimes watched porn movies but only for like ten minutes because he got bored. They laughed and chided him about falling asleep while masturbating. We got into a contest about who had seen the longest porn movie and Pedro finally asked each of us to show him our hands. "Para ver quién tiene mas pelos²⁷," he laughed, the rationale being that whoever masturbated the most had seen the longest movie. When I tried to turn the joke back around to him he shook his head and said he never watched porn, "porque dan es hambre²⁸." There was laughter and jokes about masturbation for quite some time. I got tired of sitting so I stood and leaned against the bus sign. A young student type rode by on a bicycle. Pedro nudged me and said "Mira Tomás, eso es un puñal²⁹." They laughed and talked about my initial blunder with this term, which to me simply meant dagger. "En Guatemala les dices 'huecos,' added Beto, "porque eso es lo que tienen, huecos" They all laughed. None of these guys was Guatemalan. While we were laughing Eduardo put his earphones on and suddenly we all grew quiet, realizing that he was singing. The silence caught his attention and looking up from his Discman he asked "¿qué pasa?" "No, nada. Que cantas muy bonito³⁰," said Luis with mocking sweetness. They all laughed. Eduardo ignored them and started singing a sappy love song out of tune. "¡Ay! ¡Ay!" they all started laughing and making cooing sounds. "No te la estoy cantando a tí,³¹" answered Eduardo defensively, never sure if this behavior was directed at him personally or just general revelry. We laughed harder. Luis then returned the magazine with mocking carefulness and said "toma mi amor" in a very sweet and feminine way. They exchanged a brief set of words like if they were lovers. The other guys laughed without making

²³ "One day we are all going to end up with our penis in the air." [*Títere* literally means "puppet" but refers here to his penis.]

²⁴ "I am going to have to take my clothes off so you can paint me with my penis in the air."

²⁵ "What? We wouldn't see a thing. I'd have to take out a magnifying glass to see that, it's nothing."

²⁶ The Oakland flea market.

²⁷ "To see who has more hair [in the palms of their hands.]"

²⁸ "because what they do is make you hungry."

²⁹ Puñal literally means "dagger" but is used here as a homosexual man.

³⁰ "Nothing, you sing beautifully."

³¹ "I am not singing it to you."

any indication that this was strange. When Eduardo finally got tired of the jokes he stood up and left. As he walked down the street somebody called out: “¡Ay! ¡Qué nalguitas tienes!”³²”

This excerpt from my field notes illustrates what one does while waiting for work in good weather almost every day. There were five or six of us on the corner, most of us knew each other, but there was also a man I had never seen. Many times jokes express the waxing and waning of sexual tensions, other times they allude to people’s sexuality or sexual orientation. It would be hard to do justice to the creativeness and stylistic particularities of these jokes, since I did not attempt to tape the interactions in which they arise. However, I think they illustrate the way that sexuality is dealt with under these circumstances. For whether conversations are humorous or serious in intent, the underlying power of the tension they entail is in bringing forth that which is on almost everyone’s mind. It is clear that this joking is a product of behavior that is not unique to the immigrant experience, but ingrained in male interaction as it is learned and practice throughout one’s life. Mexican men are much more likely to engage in such conversations. In fact, *albures* are sometimes referred to as uniquely *chilango*³³ and when I showed difficulty learning to understand wherein lay the double meanings people told me not to worry, referring to others there present who coming from other regions of Mexico had had to learn how to *alburear* on the street. That said, I saw indigenous and ladino Guatemalans engage in this type of exchange and know a Honduran who is famous for his wit. So although *albures* might be construed as a Mexican phenomenon, one could say that joking about sex is generalized on the street.

Day to day interactions among *jornaleros* are riddled with offhand comments about masturbation and pornography and even older more “serious” men participate actively by adding to the barrage of comments or passively by laughing. Gutmann found that a common way to refer to a single man in Mexico City working class neighborhoods was to refer to a masturbating man (2006: 142), but on the corner this is extrapolated to almost everyone. When joking and talking about women the conclusion of the conversation many times leads to allusions of the need to masturbate or masturbating too much. Every once in a while the sexual tension that is latent on the corner emerges with a loud “¡ya no aguanto mas, ya estoy desesperado!”³⁴ to which people answer laughing “ya es hora de echarte una chaqueta,”³⁵ or something of the sort. This is usually funny, but on some occasions I heard the inference quite seriously. These conversations point to sexuality in the absence of women, both in terms to sexual access, but on a deeper level, to the absence of relations with the opposite sex and hence to the issue of masculinity itself.

Feminizing one’s self in order to make a joke, like Luis in the above excerpt is also quite common. Not necessarily an effect of migration, it also points to Gutmann’s contradictions about the image of “macho” and serves here to overdetermine the absence of females with whom to interact. It also points to the deployment of notions surrounding homosexuality, which, through humor, position the speaker in either a passive, feminine role *vis-a-vis* the interlocutor or vice versa, like calling out to Eduardo as if he were a woman.

Another favorite conversation is talk about past sexual exploits. This usually occurs with people you are a little closer too and is not always humorous, but can be simply conversational. For about two weeks, for example, the same three or four guys kept going back to the issue of

³² “What beautiful buttocks you have.”

³³ From Mexico City.

³⁴ “I can stand it anymore, I am desperate.”

³⁵ “It’s time to masturbate.”

sexual positions and some told intimate details of their married life and past sexual partners. A lot of the talk was about finding positions your woman would also enjoy, which inadvertently turned into conversations about the Kama Sutra and other books about sex. Most of the men knew about the book from television programs and had seen it in bookstores, but Sindi, who said he really had a hard time reading, wanted to buy a video version he had seen in *la pulga*. The humor of the conversations climaxed when he confessed he hadn't bought it because he much rather buy Disney cartoons, which were more entertaining. In the end, it turned out that one of the guys had a modern version of the Kama Sutra, with photographs (not pornographic ones) that he brought and lent to Luis.

It was during conversations like this that Eduardo also showed his inability to understand social cues, as he went too far in his descriptions, telling us he always hydrated during sex by keeping a bottle of water near the bedside table. Intimacy can be serious, it can be humorous, but there is also a guarded threshold you don't cross. Eduardo's transgressions made it seem to us that he was boasting and thus either exaggerating his exploits or outright lying. This threshold became clear to me after Luis and I became good friends. One afternoon in his house he was talking about wanting to go home, telling me his wife was complaining a lot about his absence. We were alone, his brothers and brother in law having gone next door to drink and watch TV. He was telling me his wife was not as *güera* as her brother and suddenly said: "Ahora que no hay nadie te voy a mostrar una foto, porque aquí estos güeyes no saben respetar..."³⁶ He stood up, went to the closer and, after rummaging a while, came back with a grainy picture that might have been printed at home. "Es que estos güeyes no saben mirar una mujer con respeto y se burlan de mi"³⁷ he handed me the picture. His wife was lying on a sofa with a stuffed animal and a finger to her lips. It was sensual and private in a way that put me off a bit and I fumbled with words about her being quite fair as I handed it back. Luis showed the vulnerability of the act by worrying that the others, all members of his family, would say. Luis, for me, is the master of *albures* on our corner, a smart and witty joker, a good friend, but also someone who picks on everybody else. That he was so nervous about the picture shows the importance of intimacy within its public, representational context.

Talk about past sexual exploits mix with descriptions of the latest *triple equis* (XXX) bought *en la pulga*, with theatrical representations of both heterosexual and homosexual intercourse and produce a rowdy revelry that waxes and wanes as the day goes by. Cell phones invariably can become a great source for fun and joking because many men have snippets of pornographic movies sent to them by friends, or animated cartoons of "Scooby Do doing Wilma," Mickey and Minnie mouse "doggy style," and so on. The same phones also have pictures of children, mothers, and wives that are shared at other times, when the conversations flow back into talk about family life

* * *

It is no surprise that some of the most common complaints women in the neighborhood make about day laborers is that they feel "watched" by the men hanging out on the street who –they

³⁶ "Now that no one is around I am going to show you a picture, because the guys here they don't know to show respect."

³⁷ "These guys don't know how to look at a woman with respect and they make fun of me."

claim- also harass them verbally. Men in Berkeley generally behave themselves in this respect, and regulars cut down rowdy newcomers, warning them about giving everyone a bad name. Yet to sit or stand on the street is to set oneself up as a passive observer of innumerable women coming and going to the businesses and shops along Hearst and down by Fourth Street. Female passersby become the object of speculation, their beauty and dress style assessed and compared to women back home. Men and women who walk by often are known characters to the regulars and small mythologies arise about what these people are like in bed or what their sexual orientation is. Some of them interact with particular *jornaleros* and become less of a topic for sexual discussion, but remain fair game for others. If women smile or say hello to someone, they are referred to as *mi novia, la novia de Tomás*³⁸, and so on. Men who walk by and nod or who maintain eye contact might also be said to want something with you. This is also replicated among *jornaleros* who do not know one another well and I was warned many times by my Fifth Street friends when other *jornaleros* from up and down the street seemed to interested in talking to me: “Debe ser que quiere algo contigo, cuídate³⁹.” These warnings were always humorous, but in one instance, with Lorenzo who nobody could stand, became more serious.

During the year I spent on Fifth Street almost every woman who came in contact with us, passersby, sales women from the bank, NGO workers, students, and even nuns were sexualized in one way or another. What I mean by sexualized is that they were considered and assessed in terms of their relative beauty, their imagined sexual prowess or lack thereof, and their “imagined” willingness to engage *jornaleros* sexually. This doesn’t necessarily mean women are the object of lewd comments –in fact no one ever made any to their face- but rather that they become tropes through which sexuality is discussed. Eduardo’s predilection for older women, for example, led us to nickname one passerby that crossed our path every morning *la charpet*⁴⁰. Her daily appearance usually led to heated debates over his exaggerated accounts of his past love affairs with married, older *veteranas*⁴¹. Some men also tell of horny *patronas* who take you to work on their house and then appear naked to seduce you. On the corner men criticize friends and acquaintances for boasting about such sexual exploits, however, because they are uncommon and considered lies, unlike the myriad accounts of homosexual propositions I will address later.

Standing in the middle of the sidewalk Luis pushed me aside. “Cuidado que ahí viene mi novia⁴².” We all stepped aside and everyone looked at her as she passed. Luis turned to me and asked “No me vas a decir que no le harías⁴³.” She walked by every morning and Luis liked her a lot. Later on a short, young black woman passed by and as she walked down the street Luis said “¡mírala! quiere que todos la miremos, esta mostrando ‘mírenme que estoy hambrienta⁴⁴.” Everyone chuckled. She was in fact very ugly. Then another woman crossed the street towards us. She had too much makeup but was attractive. “Esa esta muy pintada,⁴⁵” I said when Raúl looked at me to see what I thought. “¿No te gustan pintadas?” asked Luis, “a mi tampoco, si la quiero con los cachetes así de rojos ella sabe...”⁴⁶ he made a slapping motion. Another attractive woman walked by and went into the building behind us. Luis Pedro shook his head and said: “Esa ni la

³⁸ “My girlfriend, Tomas’ girlfriend.”

³⁹ “He must want something [sexual] with you, be careful.”

⁴⁰ An allusion to a wrinkled dog.

⁴¹ Veterans, i.e. older and experienced women.

⁴² “Watch out, there’s my girlfriend.”

⁴³ “Don’t tell me you wouldn’t do her.”

⁴⁴ “Look at her! She wants us all to look at her, she is showing off ‘look at me, I’m hungry.’”

⁴⁵ “She has too much makeup”

⁴⁶ “You don’t like them painted? I don’t like them painted either, if I want her with red cheeks, she knows...”

mires que es tortilla⁴⁷.” “Es tortillera,” explained Pedro when he saw my expression. They both explained she was a lesbian because they had seen her holding hands and being *cariñosa* with another woman. Luis said he had dated a Nicaraguan woman here in the states a couple of times until she told him she really had a partner (another woman). He was not taken aback, but thought it a waste. Finally, the conversation turned to how my wife must “rule” my life. This obviously started out as a joke. Luis asked me if in my house it was the woman who had the last word. “Claro que no, yo tengo la última palabra...pero ella tiene el dinero.” They laughed and Luis insisted on getting me to answer. I told him we were a modern couple and made decisions together. He laughed and said that was a half assed way of saying I was really pussywhipped, but then told me proudly that that’s how things were in his home. “Siempre hay que discutir las cosas con la pareja.”

Either because they have little money for other endeavors, or because they have no intention of actually dating someone, the women who walk by the corner or the *patronas* who hire them are the most direct contact that jornaleros have with the opposite sex. Shyness and “respect” mean most men do not engage them directly, but everyone watches. However, there are few cases where contact with these women cross the reestablished boundaries of street etiquette. Everyone has a nickname on the street. Like *ponchado*, *sindi*, or *dos cejas* some of these refer to people’s physical traits. But there was an older *Guatemala* in Berkeley we all knew as *el roba calzones*⁴⁸, although no one ever called him this to his face. This man, past middle age, had achieved almost mythical status by the time I got to the corner. He was apparently hired by two *tortilleras* to work in their house and, inadvertently finding himself alone in their room, had helped himself to a couple of pairs of women’s undergarments, *calzones*. Later that afternoon, back on the corner, he was standing on the curb with friends when a car drove up and two very angry *gabachas* got out screaming that he had stolen their underwear. One eyewitness told me that there was a roar of laughter on the street when this poor skinny man –under the threat of police intervention and assailed by flailing arms- pulled out the undergarments from his backpack and returned it to the owners. But more often, the passing female just gives people something to discuss and joke about. In more than a year of copious field note taking I have almost no events on record that do not mention talking about someone who passed us on the street.

A common discussion women watching produces elaborated on the difference between women at home and those we see on the street. These cover general terms like clothing -which women in Mexico and Central America are said to wear more of, while US women dress scantily- to attitudes towards women. Stereotypical “machismo” is a trope that arises often, yet among the people of my corner it contrasted with more serious talk about family life and the correct way to treat your *pareja*. In fact, the only one to ever seriously admit he had laid a hand on his wife and children was scolded by Luis for over an hour. These conversations, among people you are closer to, become serious discussions. Luis and Eduardo, for example, who really did not like each other in the presence of others but were amicable when alone or with me, got into elaborate arguments about sexual prowess and the need to discuss what you want to do with your partner. In other cases the comparison is about how women behave. These inevitably result in representations of “wild” and sexually aggressive US women, who at the same time, they never seem to meet personally. My friend Leonardo likes to say that in the US women have no respect for the couple, but instead are wild sex fiends who sleep around. He also complains

⁴⁷ The term tortilla refers to a woman’s genitalia.

⁴⁸ “The panties thief.”

constantly that he can never talk to women here and that they usually don't show any interest towards him because it is obvious he has no money.

Dating

Women who come into contact with *jornaleros* are also sexualized in more personal terms, as potential sexual and sentimental partners. Among the many students from UC Berkeley who came down to interview, photograph, and talk with the Day Laborers only one spent more than a few hours among them. We all knew Anna well; she was a student in her early twenties whose heavily accented Spanish became familiar to us for the month or so she hung out on the site, mainly with a group of young Guatemalans who stood *en las vías*. At lunch one Friday she walked in followed by the five or six guys she hung out with and Luis smiled, whispering maliciously: “Mira, deben estar tratando de mejorar su raza⁴⁹.” Another guy at the table laughed and answered: “mas bien ella la está empeorando.⁵⁰” The conversation was all about one particular *Guatemala*, Ramiro, who –so people were saying- was trying to date her, even though we had all met her boyfriend. Taking all this to be just “talk” I was surprised when Eduardo appeared one morning with a used yellow folder he had picked up from the recycling pile we stood next to where he was drawing some pictures and jotting down a little love poem. He read it to me explaining that his friend wanted to give it to *una gabacha* he had met. His friend Ramiro, was too shy to speak directly to her so he asked Eduardo, ten years his senior, for help. “Ambos tienen casi la misma edad, creo que serían una buena pareja,⁵¹” he answered when I asked if he really thought Anna would go for his friend. All this came to naught, and Anna disappeared from the corner after a while. Every field note I have on her visits, however, makes reference to comments made by somebody, behind her back, questioning her true intentions. She was treated with respect but always gave us something to joke about, after all, what would a *güera*⁵² like her want on the street if not sex.

Usually such encounters and musings are not so direct. My friend Leonel, the only day laborer that came to the GED course I taught at the MI, once met me on the UC Berkeley campus to check out some on-line job applications. When he appeared on Telegraph Ave and Durant, near campus, he seemed overly excited, and greeted me wide-eyed, rubbing his hands and saying “¡No! ¡Esto está buenísimo! Hay unas que andan con faldita... ¡no! ¡Qué buenas que están⁵³!” He was actually giddy and told someone who called him that he was surrounded with “...unas falditas llenas de piernas...⁵⁴”. As we walked to a place where I could use the Internet he scolded me for keeping this place from him and jokingly demanded I introduce him to some Colombian woman to make amends. By the time we sat down he was choosing his favorite types which were basically all of the girls he saw except the skinny ones with small breasts “[porque] no me dejan nada de qué agarrarme⁵⁵.” He calmed down as we worked on his application but went back to the beautiful women constantly. Finally he asked, quite desperately, if I thought women like that would ever date him. Leonel, in his mid twenties, talks non-stop about women, hit on other GED students and claimed to have two girlfriends in the Bay Area and one back in Guatemala. His

⁴⁹ “Look, they must be trying to improve their race.”

⁵⁰ “More like she is trying to worsen hers.”

⁵¹ “They are both the same age, they would be a good couple.”

⁵² In this context refers to a white American but is also used to describe someone with a light skin color, like Luis's wife a couple of pages back.

⁵³ “No, this is great, there are some who walk around with [skimpy] skirts, look how hot they look.”

⁵⁴ “just skirts full of legs.”

⁵⁵ “They leave nothing for me to hold on to.”

desperation made me wonder since his musings about the students he saw went through all the women he had tried to talk to since he got here. He told me the closest he had gotten was a *güera* he met somewhere who had actually given him her phone number. He called but since he speaks little English he did not know what to do when her father answered. He had no idea how old she was. Unlike most men I have met on the street, who are usually older, Leonel looked directly at the women, hungrily calling out “*hola*” when they made eye contact.

Leonel was not the only one to ask: “do you think a woman like this would go out with me?” On one of our monthly outings in San Francisco, Lorenzo, in his early fifties, told me about an Indian woman who had hired him on the street to help her clean up his house. Of all the *jornaleros* I know, Lorenzo –who other day laborers refer to as *güero*- is the man who gets the most amount of work and whose *patrones* are many times women who hire him to do things inside their homes. Always respectful and hard working Lorenzo gets repeatedly hired and invited to people’s houses. On this occasion, the Indian woman had been so nice that he suggested –he claimed- that they go out with friends. Friends in these cases usually referred to me, since Lorenzo was quick to tell any of his *patrones* that he knew someone from the university. Either because she was being nice or was actually interested in getting to know him (or me), she expressed mild interest, telling Lorenzo that he should tell her the next time we went to San Francisco. Lorenzo for the first and only time I witnessed played around with the possibility that this woman would want to have a relationship with him. With flushed cheeks and a smile of disbelief he asked: “¿Usted cree que sí saldría conmigo? Yo no lo creería⁵⁶” After we spoke he never called her because he thought it unlikely and because he preferred to keep her as a potential employer. In twelve years he says he has had one girlfriend, who left him because she got a well paying job. Yet, in truth, the extent of his relationships to women in the US is lost to me because of the threshold of intimacy I mentioned before and the fact that he only mentions this girlfriend after several hours of heavy drinking when, like I have already stated, his sister who is a teacher tends to turn into the Guatemalan minister of education, his engineer brother into the brainchild of the country’s infrastructure, and his childhood friend into a supreme court magistrate that will help him out of any trouble.

For a few of the younger *jornaleros*, the search for women turns into drinking binges in the bars of Oakland and San Francisco, nightly outings that risk getting caught by *la migra* or – more likely- getting mugged by the *morenos*. It is not uncommon for men to appear on the corner to tell their friends about some *güera* they danced with on the weekend. These stories are inevitably tragic in that they never end in sex for the teller, but usually with a single dance or drunken kiss. As Leonardo complained one morning, “siempre termino donde las *cuaras*, pero ni eso me ayuda.” *Cuaras* is a Latinized version of “quarters” (25 cent coins) which refers to cheap peepshows in Oakland and San Francisco.

Homosexuality and prostitution

Along with joking about women, a great deal of time is spent on the corner making fun of other’s sexuality. *Albures* usually have homosexual connotations with the speaker threatening his interlocutor with offhand remarks that directly or indirectly threaten anal penetration. In other instances the joke lies in how he speaker feminizes himself or engages his audience in mock homosexual propositions.

⁵⁶ “Do you think she would go out with me? I wouldn’t believe it.”

We were quiet for a while and then they went back to the idea of my *albur* “classes.” Sindi gave me an example: “Por ejemplo, te están platicando y te preguntan: ‘quieres ver gotitas, o queires ver gototas?’ Tu respondes: ‘quiero ver gotearte.’” They laughed hysterically. I asked what this meant and Sindi explained it was referring to rain. I said that much I understood. Luis said: “Es un *albur*.” “Ver gotas” put together means *vergotas* meaning big dicks. They laughed. Sindi said someone down the street once asked him this and he answered: “Por respeto no te contesto.” Later on, when they were friends and the guy asked again, Sindi said: “Ahora si te lo digo, quiero vergotearte,” meaning to penetrate him. They all laughed, but as Sindi clearly explained, this is an exchange you have with someone who is your friend. A stranger will take it as an insult. To underline this, Luis said: “Este concreto esta muy frío.⁵⁷” Clemente and I were sitting to the side but on the wooden planks, which are not as cold. Clemente scooted over and tapping the planks effeminately said: “Ven y te calientas⁵⁸.” They all laughed and Luis said something, which basically sent him to hell. A few days later Sindi, who was shivering in the cold, hugging himself for warmth, made a comment about the weather. They laughed at this and Lucio came over and hugged him affectionately, with explicit mocking homosexual intent: “¡Ay! Es que hay que darle el abrazo para que se caliente up poco.⁵⁹” Everyone else laughed but Sindi, who took the event good-naturedly, seemed uncomfortable, both socially and physically, as he sat there rigidly with Lucio’s arms around him. “Everyone knows,” in fact, that Lucio is truly a *puñal*, it had been the center of discussion the last time he came by.

Homosexuality is a joke because it is also taboo, and for most men oscillates quickly between a humorous exchange and a threat. Eduardo, in fact, lost face with the group as the months went by, and became “known” and referred to as a *maricón*, mainly because of his silly habit of singing love songs out loud while listening to his Discman and Ipod. Eduardo’s lack of social ability probably contributed to this perception, since he “shared” too much information with us and set himself up for the brunt of all jokes. While many men, for example, showed distaste for homosexuals, Eduardo told us one day that he had made a friend who had told him they should go out to pick up women. They got drunk in San Francisco but the women never materialized. On what Eduardo thought was the way back to BART the guy jumped him, kissed him and propositioned him. When he told us there was no laughter, people were quiet and asked why the hell he hadn’t beaten the guy to a bloody pulp. Defensively Eduardo said the man was bigger than him and that after he got loose and walked away, the man came after him and, hitting him over the head and throwing him to the ground, threatened to kill him if he told anyone on the street. It had been months since anybody had seen him so he felt it was OK to tell, but Luis and Clemente, who were with me when he told the story seemed to have all their suspicions confirmed and scolded him for being so stupid, “debe ser que querías y no nos estas diciendo⁶⁰.”

Eduardo, as I have mentioned previously, felt always at odds with the others, although he partook in the joking as much as anyone else. Part of his failure was that he talked non-stop about sexual exploits no one ever believed he had, that he was too forthcoming with information about his private life, and that he did not control these issues when it was obvious they were earning him *fama de maricón*. Whereas he was always “macho” with others, alone on the corner he confided to me that he knew he was ugly “muy prieto⁶¹,” and that no woman in the US would ever date him. He wasn’t like the others, he said, he liked talking to girls and hearing their

⁵⁷ “This concrete is very cold.”

⁵⁸ “Come and warm up.”

⁵⁹ “We have to give him a hug so he warms up a bit.”

⁶⁰ “Must be that you really wanted to and aren’t telling us.”

⁶¹ “very dark.”

stories, writing them poems and taking them to dance. Somehow this made him appear quite gay, even though his main tormentor, Luis, was also clear about his respect for women and his relationship to his wife, *mi pareja*, with whom he discussed everything as equals.

That some men are “known” homosexuals does not mean they are ostracized or excluded from everyday life. If they do not proposition others, their sexuality simply becomes something to talk about when they are not around. Don Lucio was respected by many of the older men and I never saw anybody doubt his masculinity. He was different from others in that he talked very intimately about alcoholism and friendship, central aspects of his life as a member of Alcoholic Anonymous. The few times we were alone he was worried about friends he thought were drinking too much and once, driving me in his car, showed me a *peluche*⁶² he had bought for Sindi whose birthday was coming up. Why it was rumored that he was gay was never quite clear to me, except that, like me, others thought he was somehow too “familiar” with strangers.

Masculinity then is not at stake completely in terms of sexuality. It is in these cases more an issue of how you behave with others and the tenuous line between asserting your manliness through feminizing others and not appearing truly effeminate in the process (cf. Brandes 1980). *Puñales* abound in the mythologies of the street. They are men like Eduardo and Lucio who get to close, or simply effeminate guys like the bicycling student or Fredo, a young Franciscan monk who came out to talk to the guys and joke about, but who was simply too flamboyant. “Fredo es *puñal*, they always said after he left, yet they spent hours *albureando* with him as they did with everyone else. Whether some of the men on the corner are actually homosexual or not seems only to become an issue in their interactions with others, it is tolerated and integrated into everyday life as long as it doesn’t threaten one’s own presentations of gender identity. This said, masculinity is at the forefront of what a *jornalero* risks on the street, not only as an effect of the patriarch/provider disjunctive, but as a direct consequence of the economic instability of day labor life and *jornaleros* lack of legal rights.

The absence of women from day laborers lives has led to interventions from Public Health and social workers that construe *jornaleros* as a population at high risk of HIV/AIDS and other STD infection. Like injury and alcohol, the rationale is that working class Hispanic men, in the absence of women and under the stress of social marginality, will turn to unhealthy activities; in this case prostitution. For the people my friends on Fifth Street, prostitution is simply too expensive and, in many cases, undesirable. Yet I heard about prostitutes quite often, and have a business card that was handed out by what I could only describe as a call girl who came by the corner one day. No one I have talked to since called her.

Many men told me about going to prostitutes, *los masajes*, or simply picking them up. Some have paid for sex in the bushes of Oakland parks; others picked them up from corners very similar to ours and got quickies in parking lots, many times in exchange for very little money or for drugs. One young *jornalero* loved to tell us how he got *esa enfermedad que suena como el nombre de una mujer*⁶³, Chlamydia, from a prostitute in L.A. However, the truth of the matter is that most of the men I knew in Berkeley were not likely to visit prostitutes either because they thought it was a breach in the *confianza* necessary to survive separation, or because “good” prostitutes are really expensive. What is more relevant to the experience of life and work on the street is that, regardless of the use of prostitutes, talk about prostitution brings conversations back to the very real vulnerability that these men experience. Prostitution, coupled with representations of homosexuality and the threat of rape (or selling your body to homosexual

⁶² Stuffed animal.

⁶³ “That sickness that sounds like the name of a woman.”

men) is a prevalent preoccupation of *jornaleros* themselves. Again, this is articulated through the tenuous relationship between humor and very harsh realities.

Prostitution comes home

In many ways, day labor looks a lot like prostitution. On the cold foggy Berkeley mornings the image of dark figures standing out on the curb waving down passing cars is eerily reminiscent of other corners I've seen where it is women leaning against the street signs, sitting on the steps of buildings laughing and waiting for men to stop and make a deal. In fact, this analogy was quite prevalent in my initial understanding of the commodification of cheap labor, the body without rights available for purchase, use, and then easily discarded. Day labor, in fact, sets men up on the curb in quite a "feminine" role, passively waiting to be chosen by a *patrón*. This is not lost to *jornaleros* who like Luis refer to standing on the street as *pirujear*⁶⁴, to sell yourself sexually. Analogy melts into reality. But day labor is not only tied to prostitution because of their visual similarities and *jornaleros* do not only offer their labor on the street; they unwittingly offer their bodies as well.

As with other issues on the corner I first heard of men selling their bodies in reference to *jornaleros* who had ceased to work, and had become alcoholics or drug addicts living *en las vias* and under the Freeway overpass. These are well known characters on the street, we all saw them defecating in vacant lots early in the mornings, begging for hot water at the Peets Coffee, and sometimes walking into our Friday lunches drunk, calling out obscenities or quietly hoarding food. People told me that they became so dependant on alcohol and drugs that they would even sell their bodies for a couple of dollars in order to buy alcohol. One man I knew spent a week under the bridge because he couldn't pay his rent and said that he had seen first hand how "puñales" would drive up at night, after 10 o'clock, and take men away. Yet when I started bringing this up in conversations I discovered that, like employer abuse, almost everyone I talked to had a story about being propositioned by men. My interview with Jaime, a middle-aged Honduran, illustrates the most common type of account I heard. (2008.05.28-2)

Jaime: Aquí vienen hasta gays a llevarlo a uno.

Tomás: ¿Gays acá?

Jaime: Sí, vienen, vienen.

Tomás: ¿Y los llevan a trabajar o a otra cosa?

Jaime: A trabajar y allá le ofrecen...le ofrecen[uncomfortable] que si quieren tener sexo con ellos.

Tomás: ¿Y eso si pasa bastante? porque la gente habla bastante de eso....

Jaime: Una vez me llevó un fregado a mi, ahí me recogió [points to the corner across the street]. Dice: "quieres trabajar?" "Si ¿Cuánto pagas?" "Mira si yo pago a ocho." "Mira," le digo, "es que ocho es muy poquito págame siquiera nueve." "No, si es un trabajo muy

Jaime: Even gays come to pick you up

Tomás: Gays here?

Jaime: yes, they come, they come.

Tomás: do they pick you up to work or for other things?

Jaime: To work, but when you get there...they offer you[uncomfortable] they [ask] if you want to have sex with them.

Tomás: And does that happen a lot? Because many people talk about that....

Jaime: Once this bastard pick me up, over there [points to the corner across the street]. He says: "you want to work?" "Sure, how much are you paying?" "look I'll pay eight [dollars an hour]." "listen," I tell him, "eight is too little, at least pay me nine." "I don't know, its a

⁶⁴ ¿Qué es pirujear? I asked. "Pues prostituirse, una piruja es una prostituta," he answered.

fácil” dice. “¿Qué vamos a hacer? ¡bah! voy a ir” le dije. “¿Amigo por aquí qué vamos a hacer?” “Mira,” dice, “lo que vamos a hacer” dice, “vas a ir a limpiarme la jaula de unos pájaros que tengo y me les vas a poner comida y agua, ese es todo el trabajo y te vas a la casa.” “Esta bien.” Pero cuando íbamos ahí por la San Pablo me dijo “¿Como te llamas?” “Me llamo Jaime.” “¿Y de dónde sos?” “Pues soy de Honduras.” Dice “¿tienes familia aquí?” “No.” “¿Y en Honduras tienes familia?” “Si, tengo mis niños.” “¿Y tienes esposa?” “No, estoy divorciado.” “Para mi,” dice “las mujeres no me importan.” “¿Porqué?” le digo yo, “para mi si,” le digo “porque son lo mas bonito que Dios ha hecho.” “Para mi no,” dice, “porque mi familia no me quiere por lo mismo, porque yo soy gay,” me dice.

Tomás: ¿Le dijo que era gay en el carro?

Jaime: Si, en Inglés. Le dije yo “esta bien, no hay problema.” Llegamos a la casa. Limpié la jaula de los pájaros. Y les puse agua y les di comida y luego me dijo: “Vamos a la tienda,” me dijo. Fuimos a la tienda, compró un pollo y lo hico, lo guisó, comimos y me dice “descansa”. Y dice, “¿te gustan las películas de pornografía?” Pues le dije yo “algunas veces, no todas las veces.” “¿Quieres que te ponga una?” “Pues yo no sé” le dije. Entonces puso la película de pornografía y... unas cosas feas de hombre con hombres ahí. ¡No, no, no!

Tomás: ¿De hombre con hombre?

Jaime: Si, hombre con hombre. “¡No, no,!” le digo, “a mi quitame eso” le digo. “No,” me dijo, “si tu quieres yo te hago un buen trabajo.”

Tomás: ¿le dijo él a usted?

Jaime: Si, el me dijo a mi y, y empezó el a masturbarse. “¡No, no no!” le dije, “¡yo no quiero eso, yo quiero que me apagues eso y que pagues que yo ya me voy!” “No” me digo, “espérate.” “No” le digo “si hay un teléfono público voy a llamar a la policía.” “No, no” me dijo “yo te pago ahorita,” y se puso los pantalones y nos fuimos al carro y por la San

really easy job” he says. “What are we going to do? bah! I’ll go” I said. “¿Friend, what is it we are going to do here?” “Listen,” he says, “what we are going to do” he says, “you are going to clean the cage of some birds I have, you are going to give them food and water, that’s it, then you can go home.” “OK.” But when we were on San Pablo he said “What’s your name?” “My name is Jaime.” “And where are you from?” “From Honduras.” He says: “do you have family here?” “No.” “and in Honduras?” “Yes I have my children.” “and a wife?” “No, I’m divorced.” “I,” he says “don’t care about women.” “Why?” I ask him, “I do,” I say “they are the most beautiful thing God made” “I don’t think so,” he says, “my family doesn’t accept me because I’m gay,” he says.

Tomás: He told you he was gay in the car?

Jaime: Yes, in English. I said “That’s fine, no problem” We got to his house, I cleaned the birdcage. And I gave them water and food and then he said: “Lets go to the store,” he said. We went to the store and he bought a chicken, he cooked it, we ate and then he says “rest.” An he says “¿do you like porn movies?” Well I said “some times, not always “Do you want to watch one?” “I don’t know” I said. Then he played this porn movie ... horrible things with two men. ¡No, no, no!

Tomás: With two men?

Jaime: Yes, man on man. “¡No, no,!” I told him, “turn that off,” I said. “No,” he said, “if you like I’ll do a good job on you.”

Tomás: he said that to you?

Jaime: yes, he said that top me and started masturbating “¡No, no no!” I said “I don’t want that, I want you to turn that off, pay me and then I’m gone.” “No,” he said, “wait.” “No.” I said, “if there’s a pay phone I’m going to call the police.” “No, no,” he said, “I’ll pay you,” and he put his pants on and we went in his car and on San Pablo he paid me

Pablo me pagó

Tomás: ¿Era *gabacho*?

Jaime: Sí, era un señor mayor. ¿No le digo [que pasan cosas]? El otro día paso uno que le dicen el camarón, tal vez lo conoce.

Tomás: Sí, lo conozco.

Jaime: Me dijo dice, ¿tu quieres? dice, “que...” en Inglés me dijo, esa mala palabra... [shows discomfort] “¿quieres?” dice, “¿que te mame el pene?”

Tomás: ¿le dijo así?

Jaime: Sí. “¡No hombre!” le digo “vete, vete.” me dijo, dice, yo creo “you want me blow? Me dijo. “¡No, no, no! ¡Vete!” le digo, “no te quiero ver,” le digo. Entonces se fue a la chingada. Me hizo la seña y me dijo la palabra, yo la entendí, “blow,” la palabra y la seña. Uno acá anda buscando trabajo, no anda buscando maldición. Yo digo que si me llevara una señora, me dijera y me invitara, pues es mujer.....

Tomás: was he a *gabacho*?

Jaime: Yes, he was an older guy. I told you [things happen]? The other day the guy they call the shrimp drove by, maybe you know him.

Tomás: yes, I know who he is

Jaime: He said to me: “you want?...” he said it in English, that terrible word... [shows discomfort] you want me to suck your penis?”

Tomás: he said that?

Jaime: Yes. “No man!” I said “get out of here.” He said, I think “you want me blow?” He said. “¡No, no, no! Go away!” I said, “I don’t want to see you.” Then he went to hell. He made the sign and then the word, “blow,” the word and the sign. One here is looking for work, not a curse. I mean, if a woman picked me up and said, and invited me, well it’s a woman....

I have heard several *jornaleros* tell similar stories. In fact, the *camarón* Jaime mentioned is a known character on the street who drives by almost every week and propositions men, usually middle-aged men in the afternoon who are sitting alone. Lorenzo, much less traumatized by his experience, told me laughing that the *camarón* once got out of his car and sat with him on the wall asking if he lived alone, if he was married, and offering 50 dollars to “get in the car with him.” Lorenzo suggested the guy offer 500 and told me he knew the *camarón* would leave, since down by *las vias* there were many men who would go for very little. But Jaime’s fear of rape and horror with regards to the proposition ends almost on a wistful note, for had he been propositioned by a woman...well that might be nice.

Another morning Clemente called to ask if I had seen a young Mexican who was related to Don Raúl. No one had seen him since the day before. When I followed up on this the next day he said the kid had appeared, but that he had spent the whole afternoon locked up in a *gabacho*’s house. Apparently, he had been offered money for sex and when he said no had been locked in the basement until the man finally let him out. The *jornalero* ran out of the house and, not knowing where he was, ended up spending the night by the Freeway.

These stories have haunted me since the very first time I realized they were not exaggerations. Most *jornaleros* say they have felt sexually intimidated, and many claim to have been explicitly propositioned. Obviously, I have never met someone who admits to having engaged in prostitution, but I myself witnessed the *camarón* drive by and stop to talk to lonely men on a weekly basis. These stories were so prevalent on the street that when I finally was offered work by a red haired *gabacho* late one afternoon I said no thinking it was the “shrimp,” which my friends thought was hysterical. “No te hubieramos dejado ir Tomás⁶⁵,” my friend

⁶⁵ “We wouldn’t have let you go Tomas.”

Eduardo consoled me after I begrudgingly asked them how they expected me to know the difference.

Labor and *la vida de un leibor*

Life and work on the labor site entails the articulation of the political economy of US society, its misrecognized thirst for the undocumented, “right-less” body, and the personal tragedies and desires of the commodified laborer *-un leibor*, as *jornaleros* refer to themselves when using English. This articulation fractures the men’s social reality in space –they are neither here nor there (see also Coutin 2005)- and in the personal and social representations of masculinity. The vulnerability on the street corner threatens economic stability, family unity, personal security, one’s identity, life and, ultimately, one’s bodily integrity. *La parada* is about work only in a cursory sense; it is also about dealing with separations, marginality, and personal tragedy. It is about living on the margins of a society that hungers for the bodies of the poor, that consumes them through exploitation, abuse, and rape. That homosexual propositions are prevalent doesn’t mean rape is limited to the sex. The danger of getting into a *patrón’s* car is latent in every encounter a day laborer has with his potential employer. In every suspicious glance and question directed to the person in the car lies not only the fear of being exploited in economic terms, but also the fear of being physically used for something unrelated to work. In the same interview I have cited above Jaime elaborated the issue a little more.

Jaime: Es que aquí hay muchas cosas. La vez pasada vino uno y me dijo “¿quieres trabajar?” “Claro,” le digo. “Mira es un trabajo muy fácil, mi esposa se esta graduado ...de...¿de cómo se llama lo de dientes?”

Tomás: ¿Dentista?

Jaime: No, no, eso tiene otro nombre. No sé. “Pero el trabajo que vas a hacer es que vas a abrir la boca únicamente.” “¿Para qué?” “Porque vamos a mirarte la dentadura.” ¡No señor, a eso no!” Porque yo no voy a abrir mi boca.

Tomás: ¿Qué era lo que querían?

Jaime: No sé, quizá me va a sacar un órgano, me va a sacar mis dientes y después ¿quién me va a pagar?

Tomás: ¿Y se lo quería llevar para que su esposa practicara con usted?

Jaime: Sí, sí. “¡no señor! le dije, “ese trabajo no lo hago yo.”

Tomás: ¿Y cuánto le iba a pagar?

Jaime: 50 dólares.

Tomás: ¿50 dólares?

Jaime: Yo por 50 dólares no voy hacer ese trabajo, ni lo haré por más, ni por lo que me

Jaime: Lots of things go on here. The other day a guy came and said “do you want to work?” “Sure,” I said. “Look it’s a really easy job, my wife is graduating as a ...a...¿how do you call the thing with the teeth?”

Tomás: Dentist?

Jaime: No, no, there’s another name. I don’t know. “Butt he job you are going to do is simply to open your mouth.” “What for?” “To look at your teeth.” No señor, not that!” I’m not going to open my mouth.

Tomás: What was it they wanted?

Jaime: I don’t know, maybe they were going to take an organ, take my teeth and afterwards who’s going to pay me?

Tomás: and he wanted to pick you up so his wife could practice on you?

Jaime: Yes, yes. “¡no señor! I said, “I won’t do that job.”

Tomás: and how much was he going to pay?

Jaime: 50 dollars.

Tomás: 50 dollars?

Jaime: For 50 dollars I am not doing that job, nor would I do it for more, I don’t know what

den, no se que va a hacer con mi dentadura,
no se que va a hacer con mi boca....

they are going to do with my teeth, I don't
know what they are going to do with my
mouth.

Jaime's plea, "I don't know what he is going to do with my mouth", can just as well be "I don't know what he is going to do with my body." People come to the corner for a lot more than cheap labor. Men like the *camarón* come looking for a cheap sexual encounter guaranteed to be without consequence because of the ease of exploiting desperate men who will not turn to the authorities in something goes wrong. There are also those who need the body itself, teeth to practice on or, in another case, Spanish-speaking men for a themed drinking binge. There are also those like me who come for men's stories. During the time I spent on *la parada*, students came to photograph and interview my friends, I appeared in People magazine in a story about some do-gooder who supposedly gave all her money to the *jornaleros* but who no one had ever heard of, and saw innumerable bank employees passing out flyers to get them top open bank accounts or use their remittance services. Before I met him Clemente was offered 30 dollars for his "story" by a woman who set up shop in a nearby bakery. She paid Central Americans for tales of wars and displacement, telling them she was writing a book.

To theorize day laborers vulnerability as a function of the work they do, the dangers inherent in unregulated labor, the ease with which employers can withhold payment or the incredible risks of personal injury, in a way, misses the point. Similarly, to obsessively focus on drinking, drug use, and risk of STD sets day laborers up as an inherently decadent and somehow immoral group of people. *Jornaleros'* vulnerability is embedded in the experience of everyday life. The Sancho haunts their jokes and discussions about the homes they support and yet have little access too. Every day they remain on the curb is one more possible recrimination that might contribute to their isolation or total exclusion from the lives they purport to be "bettering." This issue is brought home every time I ask a *jornalero* when he is planning to return. The answer is always after the summer, "when the rains start," "when I save enough money to buy a car," but these dates never come, there is always more need, less money; for people like Luis weeks turn into years with the constant hope that things will pick up. "We all have Sanchos," as Don Raúl told me becomes integrated into life in the US, a constant threat to ones family stability which *jornalero's* feel goes unrecognized by those back home who do not know or understand the risk and sacrifice that standing on the corner entails.

Social science and the health sciences have done little more to understand these characteristics of *la parada*. cursory ethnographies have constructed the male bonding on the corner as "community formation" (Turnovsky 2006), while ignoring the fact that beyond recognizing one another's plight there is little "community" in this social space. In fact, among the *Guatemalas* above Seventh Street, all members of the same community back home, the comments I heard when we talked about women touched on how difficult it was to deal with the issue here, *porque hay ojos en todas partes*. In other words access to women was even harder when surrounded by men who could report home about their activities.

Epidemiologists and Public Health practitioners have fetishized vulnerability as the effect of moments of crises, which do not do justice to everyday life. They have gone as far as to propose emic terms like *desesperación* in their models as the key expression of *jornaleros'* plight, an expression of their vulnerability in relation to their life, marginality, and suffering (Organista 2007). I do not doubt that the use of this term by researchers who sit with

questionnaires and interview schedules is adequate in addressing their reality. But in truth, after more than a year on the street just “hanging” out, I can say that I witnessed and heard about few terrible accidents, and that *desesperación* came up more as a referent to the need for sex than to *la situación*. “No, no, no, ya no aguanto mas, estoy desesperado!” Luis called out one day after we talked about women and sex for hours. He said good-bye and told us he was going home to “hacerme una chaqueta⁶⁶.”

Humor and desperation mix on the street where *jornaleros* pass the time, talking to friends and joking around *para no agüitarnos*. The truth is that these jokes and stories, fears and recriminations come together on the corner because it is the life on *la parada* that brings forth these issues. Work as a day laborer is a way of supporting your family and giving them a better life, it is a source of anguish and estrangement from the very same people it benefits, it is a place of men, for men, where masculinity is affirmed and redefined, but where it is also under constant threat.

⁶⁶ To masturbate.

6. Conclusions: Living by the day wage

This ethnographic account of *la parada* in Berkeley illustrates the harsh realities of day labor on the streets of the United States. That the events in these pages developed in the Bay Area should tell readers that the situations I describe are most likely worse for the men working in other -less liberal and tolerant- cities in the country. But no matter where *jornaleros* stand, their *situación* is one of violent marginalization that follows structural and intimate paths and leaves the men bereft of power over their lives. They risk their health, economic security, and self respect by waiting for work; they risk their family, masculinity, and vitality by separating themselves indefinitely from loved ones and social networks back home. Unlike other studies of immigration that underline the transnational connections between immigrants and their countries of origin, mine is an account of isolation, disconnection, and ultimately the very real danger of disarticulation of family ties. That sociality on the sites serves both an economic function (in terms of the shaky balance between social/labor networks and individual gain) and maintains, to some degree, people's state of mind -*venimos acá para divertirnos, para no agüitarnos*- does not mean that it supports any form of community organization. Friendships, "partnerships," and aid from NGOs are diffuse and weak. The conditions of labor and the nature of citizenship on the street -*para-citizenship*- maintain this population on the margins of US society, but at the heart of its production of manual labor.

In these last pages I would like simply to underline some of the main points of my argument and articulate them within a framework of *everyday* violence that I think reflects the realities of these men's lives. I understand everyday violence to be the integral effects of political, structural and symbolic violence as defined by Scheper-Hughes and Bourgois (2004) (see Introduction) in day to day life. This perspective, essential to any ethnographic approximation of day labor, is too often fragmented into its components and set aside by the exigencies of more specific academic frameworks like those I have included from Public Health, Social Work, and more general studies of citizenship and immigration. Labor, health, mental health, "illegality," all come to the fore when I think about *jornaleros*, and they are all covered in the literature available today. But the vulnerability of a population like the day laborers in Berkeley is truly a product of the everyday experience of life in the United States. In as much as each of these issues becomes "singled out," we learn a great deal about alcoholism, risky sexual behaviors and so on, but lack a deeper understanding of how they relate back to life on the street. My dissertation tries to bridge this chasm by following day to day activities and integrating them into a rubric of everyday violence that illustrates how each sphere of experience -work, living arrangements, access to services, fear, contact with the state, and so on- is related to the other.

Solidarity, sociality, and work

The first two chapters of this dissertation explore the nature of solidarity on the corner and the living conditions that *jornaleros* must get used to in order to make a living. Day labor itself constrains the development of strong ties of solidarity among the men on the corner because it requires them to participate in a moral economy of sorts that demands their cooperation but also forces them to maximize their individual exposure to employers. In doing this, *jornaleros* are at the same time set against each other as potential competitors while put in a position where

exclusion from their work cohorts can result in their social alienation. This in turn affects their ability to maintain and increase their own access to labor and social networks. Eduardo's example is not an exception, but rather illustrates how important and yet how weak the ties of friendship on the corner really are. His disappearance was hardly noticed by the other day laborers in the sense that for those who knew him, the fact that he left was self-evident and a common occurrence. After more than a year on the *esquina* and having socialized with more men than is usual, Eduardo left no one on the street that knew or cared where he had gone. Most *jornaleros* I know can count off the top of their head more than a couple of names of people that have followed the same path, with whom they worked and joked on the street, but nonetheless never really got to know.

Solitude is thus a socialized sphere of existence. But for the men in these pages solitude is exacerbated by the very real isolation from the world around them, a product of urban violence and state terror that results in crowded living conditions among strangers in neighborhoods where venturing outside is impossible. Locked behind closed doors, day laborers are excluded from social contact with people external to the labor site. Women, family, friends, leisure, and life in general thus become ingrained almost uniquely in the relations established on the street. These regiment most experiences the men have as immigrants; it is through contact with others on the corner that *jornaleros* learn about work, its risks, the United States they have access to, and the United States that is beyond their reach.

A good example of what I describe above is how *jornaleros* talk about race. Although much of the conversations I recorded on the street are riddled with racial essentialism about *morenos*, *chinos*, *árabes*, and other ethnicities, they are always talked about in relation to the men's contact with them through work or in the neighborhoods where they live. By naturalizing distinctions between themselves, *gabachos*, and *morenos*, for instance, they are naturalizing the ethnic distribution of class in the Bay Area. And while it is clear that African Americans constitute a very real threat to their safety because they perpetrate so much of the street violence *jornaleros* are victims of, the racial distinctions they use to justify their distrust reflect their relationship to US racial politics and culture. For all the ideas about race and ethnicity I encountered followed two very recognizable rationales. The first compared groups of immigrants in terms of their success at economic affluence and solidarity: "the *chinos* are better off than we are because they stick together," for example; while the second tacitly positioned ethnic groups along a racial hierarchy. Here "Arab" and *chino* storeowners *are* abusive because only Hispanics and *morenos* are their clients; that is, they know they cannot do anything about it. Or white employers acknowledge a man's work because they know it is something they themselves do not want to do, while *moreno patrones* are unscrupulous because they have a chip on their shoulder about slavery, or because they hire a man for work they should be doing (hence the idea that African Americans don't like to work).

But beyond the issue of race *per se*, I have also called attention to the fact that these notions and the practices they inform are a product of experience and social exchange on the labor site. The corner emerges as the place where the violence and abuse *jornaleros* fall victims to is discussed, turned into "life lessons" and truisms about the nature of being a Latin American immigrant working on the street.

Access

For day laborers in Berkeley, *la parada* thus generates important streams of information that are reinterpreted and reformulated by the men and used in their interactions with others. The corner

is a place where men learn about each other, the differences and similarities between their countries and regions or origin, and where they encounter employers and people from NGOs and the University that all contribute to the development of what I have called “street corner cosmopolitanism.” Here, the rationales and preoccupations of *jornaleros* take on a global nature that shapes a new subjectivity. Not only does “street corner cosmopolitanism” provide for discussions about rights (whether they be work related, the rights of immigrants, or “rights” in general) and services (like banks, NGOs, or car insurance), but it also sets in motion conversations about tastes in food, cinema, and knowledge about global politics and other issues. These preoccupations are different from those the men bring with them from their home countries; they are specific to their position in the transnational flows of information, goods, and people in which they tacitly but directly participate. And yet this particular version of cosmopolitanism is shaped by the marginality on the street, the adverse conditions of labor and access to information that render the knowledge about the world around them incomplete and in many cases incorrect. This, along with the bureaucratic inefficiency or shortsightedness of the institutions that are supposed to protect laborers from abusive employers and adverse living conditions, makes it virtually impossible for *jornaleros* to contest mistreatment, unjust, and unlawful practices to which they are subjected. Chapter 3 describes the various paths *jornaleros* can take to contest abuse and illustrates how both structural constraints and “the word on the street” work against them at every moment of the process. The issue here is not whether the men can or cannot access the means to contest abuse, but rather the difficulties involved in doing so. To obtain redress from an injury, Francisco not only had to figure out how to get to the people who could help him, he had to basically ignore the information available to him through his peers, all of whom “knew” he would never succeed. Ramiro’s situation was even worse, since he learned from his friends that all attempts to regularize his immigration status would result in his deportation.

I use “street corner cosmopolitanism” also to distinguish the very thin line between knowledge taken as objective truth on the street and the effects of rumor and hearsay that I describe in Chapter 4. Although “street corner cosmopolitanism” is based on partly unsubstantiated information, it generates knowledge that the *jornaleros* can verify to some extent. In Francisco’s case the institutions he was referred to existed; the information he heard on the street could be obtained in its “official” version from them, no matter how he understood them or the reality of their effects in practice. Rumor, on the other hand, is more volatile and harder to put your finger on. Rumor in this sense is tied to state tactics of terror aimed at maintaining this population in check. It generates information that *jornaleros* act upon but cannot directly engage.

Para-citizenship

I have developed the concept of *para-citizenship* to inscribe governmentality in the lives of men that do not fit into its usual analytical categories. *Jornaleros* are neither citizens nor are they anti-citizens, they do not belong to the polity but are also not completely excluded from it. In other words, *para-citizenship* gains salience when the government of the self is tolerated but not recognized by the legitimating power of society which I have framed here as the legitimation of immigration status by the state. My analysis sheds light on the indirect and sometimes obscure practices of documentation that make substantive citizenship possible while avoiding the possibility of any reasonable means of inclusion. That the “undocumented” are actually very much documented should be of no surprise here, since substantive citizenship in the US is a

product of the disjuncture between the power of the state and local government. Documents, in the absence of the “official,” thus become anything and everything that ties the mean to “extra-official” practices of inscription –NGOs, private companies, fake documents, etc. Sanctuary cities do not serve the purpose of cities of refuge (Derrida 2001) but rather create a semblance of normality –of some kind of citizenship- that guarantees certain rights but that nonetheless can easily be rescinded through very simple tactics of terror. The “May *migra* panic” was not aimed at the *jornaleros* in Berkeley, but it nonetheless reinforced the notion that their situation can at any moment take a turn for the worse. It set in motion a wave of rumors that rendered the men in this account unable and unwilling to leave their homes. Those who went to the corner that week did so out of a need for survival, but the message was clear to all: there is nowhere to be safe. It is events like this that guarantee that there will always be a sense of foreboding among *jornaleros*. Every time an outspoken and outgoing person like Francisco tries to follow through with a legal claim to redress abuse there will be events that remind him that the more visible he makes himself, the more likely he is to get caught by *la migra* some day. In this sense, beyond knowledge about legal aid, health programs and other services, the central problem is that for *jornaleros* the mythologized image of *la migra* –which at times includes the police, NGOs, and random people and vehicles one sees on the street- is the image of the state. *Jornaleros* are thus rendered governable by a combination of practices of substantive citizenship (that appear to occur at the margins of the state) and the effects of state power when it takes the shape of the “power of the state” – when it becomes tactile, sentient, and ubiquitous. These are not punitive practices for the day laborers, they are supposedly aimed at others, but the wave of fear they create can only be seen as tactics of terror.

As I finish the final version of this dissertation, the United States is once again in public turmoil over immigration. And once more, what to some seem to be legitimate laws to curtail the access of “undocumented” immigrants to the country’s territory only reproduce and reinforce the terror I have described above. There is no other way to understand how a state like Arizona can propose to authorize what can only be seen as apartheid-like policies where people must prove their immigration status to the police; where the state can stop and question a person under suspicion of being “undocumented” based on the way they look and speak (Archibold 2010). If this in fact passes into law, I can only imagine its ripples in rumor and hearsay among the *para-citizens* of this country who can now have the certainty that *la migra* is the police and other state institutions.

Intimate violence and everyday life

All the above circumstances come together and shape the immigrant experience on the street corner. The last chapter of this dissertation address the effects of this marginalization in the sphere of intimacy, where isolation from family back home, along with life among a primarily male cohort and the sexual tensions on the street, come together and emerge in jokes about the Sancho and other representations of sexuality and family life. Isolation for the *jornaleros* is thus two-sided, for it not only means solitude in the US but separation from the people immigration is meant to support. This separation is not limited to geography, but constitutes a total alienation from family back home who do not understand *la situación* and whose expectations the *jornaleros* can hardly meet. The knowledge that they cannot reap the fruit of their labor, the fact that the money they send home inevitably reinforces their absence as fathers and men, eats at the day laborers sense of self, their masculinity, and their role as fathers and providers. The Sancho is on everyone’s mind as they try day in and day out to make ends meet, he is present when they

send home remittances and at the heart of any problem they might have with their wives and children. Family and friends in the country of origin also impute on the men licentious behaviors that “are expected” to happen but that ignore the realities of life and work on the corner. Thus, while the men live ascetic, almost monastic, lives in crowded apartments from which they can only escape to work, their families assume they are living it up in the North, not acting responsibly in relation to their obligations as heads of household. This disjuncture is tragic because it threatens to destroy everything that the efforts of these men have made possible. After years of work and suffering *jornaleros* face a bittersweet return where they cannot make up economically for their presence if they are lucky enough to find a home they can return to, even when it is a home that they have struggled to maintain at a distance through their labors and humiliations tinkering in the homes of wealthy Berkeley residents. The irony is that these men, virtually homeless, are the “fixers” and custodians of other people’s homes, in the US and in Mexico and Central America.

Finally, it is not fortuitous that my discussion of the tensions with those back home is followed by a description of men sexualizing women and risking their sexual integrity. These are all aspects of day labor’s double nature. While requiring *jornaleros* to live “under the radar” of state legitimized society, day labor also demands of them a hyper-visibility that commodifies their bodies. It requires their presence as units of cheap labor –*un leibor*- with no rights, to be acquired fairly or through sleight of hand. And commodified they stand, open to sexual propositioning and the sale of their physicality. The threat of having to sell themselves sexually is ever latent among the men who in Luis’ words go to the corner to *pirujear* –to stand in the open as prostitutes. And although many different *jornaleros* talked about men they knew who, having lost everything, were forced to agree to sexual encounters with *puñales* paying for sex, the fear of prostitution is more about the fear of losing their way. For standing on the corner in the hopes of earning money is too close an analogy to prostitution for comfort. The hard work they must undertake sounds too close to the other, which represents the antithesis to their image; not only as men, but as laborers, bread earners, fathers, and husbands.

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Appendix: Main “characters” on the Berkeley *parada*

Adolfo

Adolfo was on his second trip to the US and returned home after almost seven years. The first time around he came explicitly to make money to pay a loan he had to make to cover medical expenses for his wife who had cancer. Now in remission, his wife stayed home with his two daughters (and three granddaughters born after he left) and managed to build two small houses with the money he sent home. Adolfo was from the same city in Guatemala as Lorenzo and knew him since childhood. Like Lorenzo he was a loner on the street and new few people. A mason by trade he made the greatest hourly wages I heard of during fieldwork. He is a loving husband and father who never outright complained about his family’s expectations but expressed great sadness when talking about the money and things the requested over the phone. During the year I knew him he bought a second car (the first having been impounded) and some tools, which helped in his very successful job.

Beto, Carlos, and Pablo (*los trillizos*)

Beto is the cousin of Carlos and Pablo. The three men were known as “the triplets” on the corner. When I started fieldwork they were friendly with the other men, but in the subsequent months had a falling out because others perceived them as condescending. Because the men work as an exclusive group and only recommended each other they were resented by the other *jornaleros* who considered them to act as if they were better than others, only including each other on jobs. Although I was close to the three of them, I spent more time with Beto who was the younger than his cousins and who got along slightly better with the other men.

Claudio

Claudio is an indigenous day laborer from Guatemala who I interpreted for at the asylum office. He mainly worked at the Oakland *paradas*, but came to Berkeley a few times a month to try his luck. After applying for asylum he had trouble with his roommates, also indigenous Mam speakers, who drank a lot and ended up threatening him with violence and with hiding the work permit which Claudio was expecting to get in the mail. Once he left, Claudio moved to South San Francisco to wash hotel linen, only to discover that working legally he would not make enough money to survive and sustain his wife and sick child back home. He thus returned to Oakland and continues working at the informal labor sites.

Clemente

Clemente, 37, was one of the men who “inhabited” the Fifth Street corner throughout my fieldwork and thus one of the people I interacted the most with. He lives in Oakland where he rents a room in a small house. He is a legal resident and has had several regular jobs but for the past six years has been unable to find anything other than day labor. Forcibly conscripted into the army at 15, he suffered a mortar wound that left him limp and quite slow. The others call him *ponchado*, a reference to his gait. Clemente has survived many horrible experiences in his life - refugee camps as a child, war as a young adult, and street violence in the United States. This

gives him an attitude of “experience” when he tells people of such issues, even though many consider him a lousy person to work with. Although friendly and chatty he keeps to himself and always asked me to talk in private when he need help with reading mail and other paperwork. After 15 years in the United States he speaks very little English.

Don Jaime

Don Jaime is a divorced Honduran in his early fifties. He is in the Bay Area on a second trip trying to make enough money to manage a small lot of land back home. He has a son in his early twenties who wants to come north, but Don Jaime hopes he will avoid it with the remittances he sends home. Although he says he used to drink too much and paid prostitutes for sex on his first trip to Oakland, he has recently joined an evangelical church that he says “saved my life.” Religion aside, he finds it hard to keep of the drink and constantly complained that *la vida del jornalero*, had too many temptations, which were hard to avoid because of *la situación*. He was traumatized by an experience with a white man who offered to pay him for sex (Chapter 5) but still prefers to work for unknown employers because of the time and effort it would take to try to get a regular job. Although he was not part of the Fifth Street cohort he walked up and down the site daily, stopping to chat top different people he knew.

Don Raúl

In his late forties, Don Raúl has been migrating seasonally to California from Mexico since he was a teenager. When I met him the first weeks of fieldwork he was preparing to return to Guadalajara after a long absence. Soft spoken but very opinionated, he and Sindi provided a lot of information on the Sancho and the stress of being separated from family members who become dependant on remittances. In his case, family consisted of several adult children, a young daughter, and a grandchild. One of his sons, Toño, also worked at the Berkeley site. Don Raúl lived in Oakland more than an hour and half away from the Berkeley *parada*, and commuted every day by bus rather than going to the Oakland sites where, he felt, wages were lower and there were too many *moreno* employers. In Mexico he had worked in several factories and as a field hand, but started coming to the US for a few months a year to compliment his income and for the sense of adventure. By the time he left in 2007, however, adventure had turned into nightmare and he had not seen his wife and children for half a decade. The last week in Berkeley he suddenly realized that the laws had changed and that he would need a passport, which I helped him get.

Eduardo

Another close friend on Fifth Street, Eduardo was 33 when I met him and had just recently arrived in the United States. He is single and in Mexico owed a variety shop. Eduardo liked sappy music and writing poetry, which made him the brunt of cruel jokes. He also was not able to learn how to manage labor networks as I describe in Chapter 1. After a year on the street and tired of being picked on and mocked he disappeared (some say he moved to L.A).

Francisco

Francisco was a strange character on the street. At six feet and probably two hundred and fifty pounds he is much larger than any other man on the corner. He is a Guatemalan ladino who seemed to get semi regular jobs quite often. Although he spoke no English and had no family in the Bay Area he was one of the only men I met who had a bank account and credit cards. He also

migrated to the United States via an incredible network of traffickers who disguised him as a tourist in Mexico and then smuggled him across the border with the help of a corrupt member of the US border patrol. It was the most expensive trip I heard of on the street. Francisco has a wife and three young daughters back home that he hasn't seen in three years. He suffered a dog bite I describe in Chapter 3.

Iván

Iván is a young Guatemalan ladino (non-indigenous) man who hung out on Fifth Street for a few months. He owned a car and drove it to the *parada* everyday. He was relatively new in the US and became paranoid about la *migra* after the events I describe in Chapter 4. He had no family in the Bay Area but lived with a girlfriend who had legal residency and whose nieces he liked to babysit. He got along well with Luis but ended up owing Clemente money and disappeared from the corner without resolving the issue.

Lorenzo

Lorenzo is divorced and has a daughter in Guatemala who he has put through the university. After 12 years in the Bay Area, he speaks excellent English and has an elaborate network of employers. In Guatemala he studied briefly in the university and then dropped out to work and a variety of jobs that included shoe salesman and door-to-door software sales. He is computer literate and reads on-line newspapers at the library at least once a week. He also has a brother, sister, and niece in the area, but is estranged from them. Of all the *jornaleros* I met, Lorenzo is the most successful at managing networks and always had a job, even during the economic downturn. This ability, however, also made him a loner on the corner.

Luis

Like Don Raúl, Luis has been migrating to the Bay Area since he was a teenager, but now finds himself stuck here after a five-year absence. Originally from Mexico City, his mother moved the family to a smaller city to protect her sons from street violence. Luis is the only one of his childhood friends who is not dead or in jail. He has a wife and three children who he constantly talks about. He lives in Oakland with several brothers and an uncle. Luis, 43 is a master of *albures* and straightforward in his opinions. His troubled youth gives him authority on the street and he comes off as a smart if not slightly cruel, street savvy, hardworking man. This notwithstanding, Luis can just as easily talk about his favorite recipes, making puzzles, and animal documentaries. He also has an almost unlimited knowledge of Mexican cinema and spent a year bringing me bootleg DVDs of movies he considered essential to my education. Of all the *jornaleros* I met, Luis is the most fluent in English and has no trouble engaging *gabachos* in everyday conversation, something none of the other men, except Lorenzo, ever seem to do.

Mario

Mario is an indigenous Guatemalan in his mid forties. Along with other men from his community he stands above Sixth Street in the hopes of landing a better job. Older than most of the other Guatemalans he is their impromptu spokesperson and openly expressed discontent with the city's efforts (through the Multicultural Institute) to keep people below Sixth Street. On one occasion I was hired by one of his regular *patrones* to work in his stead, which caused some conflict. Mario, like others, has been in the US more than once and remembers the "Clinton Era" as one of great opulence compared to the current situation. He has been in the country almost

seven years and complains bitterly that his wife and children (now young adults) demand more and more money and things from him. Every time we spoke he talked about returning to Guatemala in a couple of months. As far as I know he is still on the street.

Sindi

“El sindientes” or simply “Sindi” is from Veracruz, Mexico and heads two household back home. In his mid forties, his nickname comes from the fact that he is missing his front teeth. On his second trip to the US, Sindi chose to come to the Bay Area instead of returning to New York City where he lived a couple of years until shortly after September 11th. He figured that his fear of retaliation towards immigrants -the reason he returned to Mexico the first time- would be more manageable in California where there are more Mexicans. For all his bravado, Sindi actually has a “sweet” character recognized by all. He constantly admitted to loving old Disney cartoons and loved giving us advice about understanding women and treating them with respect. Along with Luis, he spent quite some time bringing me Mexican comedies and classical movies he thought I should know about.

Toño, Fernando, and Chucho

In their early twenties, these three distant relatives lived together in Oakland and came sporadically to the Berkeley site in Toño’s car. The three of them came at different times in their life to the US but were all minors when they arrived so their fake documents all state incorrect ages. Toño is Don Raúl’s son but he lived with the other men rather than his father who he saw every once in a while on the corner. Much younger than the other men on Fifth Street, these three tried their luck at several factory jobs which never lasted more than a few weeks. I helped them fill out some of the applications for these jobs. Chucho, who everyone referred to as “the crazy one” had been in jail in Mexico for reasons he never discussed and also lived in Los Angeles which he left thinking he could make more money in the Bay Area. The police have stopped the three men several times because they use a car.