



## Comité Fronterizo de Obrer@s CFO

**For the labor rights and all human  
rights of the maquiladora workers**



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## Boiling Under the Surface

**cfomaquiladoras.org**

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By Judith Rosenberg

Our Austin Tan Cerca de la Frontera (ATCF) delegation to Ciudad Juárez last Oct. 1-3 was a landmark for us. We had been trying to organize a delegation there since the Comité Fronterizo de Obrera@s (CFO) invited us to support their Juárez operation, in the winter of 2002. Since 1999 we have visited CFO in more eastern parts of the Texas-Mexico border. It was exciting to find evidence in Juárez, at the western edge of the Texas-Mexico border, of a workers movement that connects to Matamoros on the Gulf of Mexico and to points in between.

CFO's main representative in Juárez is a dedicated labor lawyer, Gustavo de la Rosa, whose commitment to workers springs from his experience as a student and witness in the 1968 student protest and slaughter in Tlatelolco Square, Mexico City. Gustavo has gathered a volunteer CFO committee consisting of some local advocates and former maquiladora workers who support themselves by self-employment. One of the former workers is still pursuing a long and drawn out legal case against his former maquiladora employers.

One of the great focuses of CFO organizing and of ATCF learning has always been the law— the famed Mexican Federal Labor Law (Ley Federal del Trabajo-LFT) with which I for one have become enamored. It is truly a unique document on this earth, a legacy of the Mexican revolution and its aim to distribute wealth and resources more equitably. Though Mexico has not yet been able to fulfill the potential of its Constitution and of the LFT, those monuments enliven labor struggles and give workers tools and strategies through which they forge collective movements. In this, they do not depend ultimately on lawyers but rather on themselves. Sometimes they win a victory in court but sometimes not; rather, on the street or on the factory floor. Regardless, worker solidarity makes the difference.

Everyone knows that different conditions require different strategies and the CFO is lucky to have the energetic dedication of Licenciado Gustavo and his committee in Juárez, a city which is exhausting and defeating for many reasons, size and level of violence to name two.

Some of what I heard and saw suggests that the potential in Juárez for CFO-style collective mobilization boils just under the surface in the shantytowns and assembly lines. Collective mobilization is a CFO hallmark; they know how to do it. It demands painstaking effort; it takes a long time. But when it starts to roll, it can muster more power and reach than a case-by-case legal approach.

The local CFO committee in Juárez has been successful in assisting workers to fight in court for full rights (of severance for example) rather than settle for the peanuts their employers offer. We have seen elsewhere that this is a difficult and necessary step—to find workers willing to stand up for their rights and persist against intimidation and their own "labor panic." I asked one such worker, José, who is fighting a maquiladora company for severance pay after an extraordinary series of dirty tricks, where he gets his courage. His answer was instructive. "I come from Veracruz; I know how things should be because I worked there in a union that represented workers."

Even more instructive is the case of Ramiro Gutiérrez. We had dinner with him and his wife Rosita and their neighbor Ruth in the Gutiérrez home in Colonia Estrella del Poniente, in the hills overlooking the city. Lic. Gustavo had represented Ramiro in a severance pay case. Ramiro spoke to us about problems at his new employer, a Korean company that doesn't provide basic safety equipment, like back braces and protective work shoes. Someone asked, "Why don't you all get together and demand the equipment?" Ramiro estimated that 15 or 20 would stand with him, "but that's not enough. It has to be everyone, everyone on my shift. There are 800." To give us an idea of what he meant he told the story of Zenith workers in Reynosa and their strike in 1982, of which he had been part. As I listened, I couldn't believe my ears. I had heard the story before from a slightly different perspective.

Trouble had started in Reynosa when Zenith workers discovered that the electronics company paid workers in Matamoros higher salaries for the same work. "We demanded the same pay," Ramiro said. "The union didn't want to help us but we workers got together. We called for a stoppage for one week—closed the plant. The union leader kept saying 'go back to work,' but we wanted something in writing from Zenith... The union leader came to talk to us one time. We locked him in the factory. His wife and daughter had to bring him food."

The context of the story and its moral was that Ramiro had learned the power of solidarity, how it works, how it comes about, and what it can do. He made our bi-national gathering there on the hills of Estrella del Poniente sound like a training session in the heart of CFO territory.

María Elena García, a Reynosa native, was the first person I heard speak of the Zenith strike of 1982. She was a teenager at the time; her mother was a worker and activist. Now in her early thirties, María Elena works fulltime as an organizer for the CFO. She's quick to boast that her mother's activism is her inspiration and that the Zenith strike her early awakening. María Elena remembers preparing food and bringing it to the picket line. Where did she buy groceries? Maybe she prepared food that local businesses gave free to anyone who could show a Zenith pay stub. Ramiro told us of this form of community support.

Though Zenith eventually betrayed the workers—fired some of their leaders and moved others to different sites--the strike marked several generations of workers and taught them the possibilities of solidarity. Twenty-one years later, María Elena's work reflects that lesson. In October of 2003, after 2 years of confronting the prerogatives of power—delays and denials and backroom maneuvering—María Elena, as a CFO organizer, guided 14 women to a legal victory against Delphi, a GM spin-off and, after Wal-Mart, Mexico's second largest foreign employer. The case made history since the women became the first workers ever to win against the giant auto parts maker. Twenty women had started the case; six of them gave up along the way. María Elena had shepherded the remainder through all the obstacles, especially the worst one—their own self doubt. Of the survivors, each won the equivalent of \$8,000. The only other honest lawyers on the border, Lic. Fonseca and Lic. Zepeda, helped out in court; but María Elena, daughter of a Zenith activist, had created and executed the strategy that made it possible. Continuity over time and the links in the movement help us understand that in confrontation, the main victory has to be the achievement of solidarity. Solidarity cannot be beat, erased, or forgotten.

I told the story of María Elena at the gathering in Ramiro's house. For me it defines the whole spectrum of the labor drama unfolding at the border. On the one hand, we see lawyers, dedicated middle class professionals, allying with workers and pursuing court decisions; on the other hand we find workers using the law themselves, directly. They fight for laws their ancestors wrote for them. Sometimes they win, sometimes they don't, and the costs to individuals can be very great; we have certainly seen that; but on another level, they win either way—because the movement does.

As we crowded into the space under Ramiro's porch—pieces of plywood that shaded us from the sun—and mingled and served ourselves food, we didn't immediately meet his neighbor, a woman wearing a t-shirt that bore the name and logo of a neighborhood watch group. It turns out that Ruth is an enterprising member of Juárez's informal economy. From her home she sells clothing that she purchases at low price in El Paso; she minds Ramiro and Rosita's child while they work, perhaps for a fee. Her second occupation complements the first. She organizes the community, representing the people in negotiations with the city and utilities in regard to electricity, water, and roads. She has organized a citizens' neighborhood watch as protection against crime in the colonia. In other words, she is a self-selected and trusted community leader. She has exactly the skills and commitment that we find among the CFO leaders in more Eastern border cities. And she is a woman—a resonant voice and an important role model in a social system that so savagely exploits women.

This delegation gave us at least three reasons to be hopeful that the CFO model of organizing can take root and make a contribution, even to Juárez. One is the new relationship between the University of New Mexico Law School—a law professor and six students had joined the delegation—and the Universidad Autónoma de Ciudad Juárez, where Gustavo de la Rosa is a professor. Another is the energy and commitment of the small band of CFO volunteers in Juárez. A third is their contact with an energized layer of "the base" as they say in Mexico, or, as we say, the grassroots.

I say, "La Ley Federal del Trabajo vive!!"

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