

Research article

Transnational Urban and Rural Migrant Governance: The Case of the Indigenous Mexican Migrant Community in Los Angeles

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Abstract

The subject of transnational migrant governance is even more important when migration involves groups who are excluded and marginalized in the country of residence as well as in the country of origin. This is especially the case for indigenous Mexican migrants who have no full citizenship and no economic opportunities in Mexico and who are illegal and socially discriminated against in the United States. Therefore, the central question addressed by this paper is how indigenous migrants actually face these challenges and whether they organize and construct their own community governance as an answer to social exclusion and marginalization in ways which go beyond conventional “state” or “market” forms of organisation. Based on data collected from ethnographic research in Los Angeles, I argue that indigenous migrants from Mexico’s southern state of Oaxaca build their own governance structures through a well institutionalized community based on a diverse network of migrant organizations, which open up wide transnational sociocultural and political spaces that connect their urban community in Los Angeles with their rural communities back in Oaxaca. Here, in contrast to other migrant groups, they apply their traditional indigenous community governance approaches, called *usos y costumbres* and *tequio y cargo*, as a means of sustaining identity and belonging, sharing social and economic capital and securing an independent toehold in the host nation.

Keywords: governance, transnational migration, indigenous people, Mexico, United States.

Introduction

In the 2020s, urban entities worldwide face different kind of challenges, ranging from green transitions of urban planning, application of new technologies, health and administrative reforms to demographic changes. To meet these challenges, communities look for new alternatives of local and urban governance to include different interest groups (Nunes Silva and Buček, 2017). In this regard, immigration and integration of different ethnic groups play an increasingly important role, especially in

respect of their access to housing, schooling, health care, political participation, and, of course, the labour market. In many cities, these services are only poorly adjusted to the versatile needs of new immigrant groups (Charles and Guna, 2017).

Immigrants could turn away, if they do not get enough chances to participate in urban opportunity structures. Instead of focusing on integration in the country or city of residence, they could concentrate solely on affairs in their ethnic migrant community and on transnational links to participate in social and economic (and even political) affairs in their countries of origin. In some cases, however, they do both, focusing on integration in the host society as well as practising transnational activities in communities of origin (Portes and Fernandez-Kelly, 2015). For instance, leaders and members of migrant organizations give private lessons to children to achieve better educational performance in countries of residence and at the same time engage in educational development projects in their countries of origin. Here, they benefit from their deep-rooted transnational networks and relatively cheap communication and transport costs (Portes, 2009; Faist et al., 2013).

This is even more important when immigration involves ethnic minority groups who have no political rights and/or no economic opportunities in their countries of origin and who are socially discriminated against in the country of residence. Mostly they come from rural parts in their countries of origin and have settled in urban areas in countries of destination. Due to exclusion and suppression at the state level, these groups depend particularly on local structures for social and political participation. Therefore, forms of local governance could represent a self-imposed solution to challenges of these minority groups, a topic which has not been sufficiently investigated and discussed in research to date.

In this paper, I aim to take a closer look at indigenous Mexican migrants in the United States. Most of them fled political suppression and economic harshness in Mexico and crossed the border to the United States illegally (Massey and Durand, 2003). Due to their undocumented status, they are not subject to state control (Gosh, 2000). Although more and more states and municipalities try to incorporate undocumented migrants into their local governance structures, they fail in most cases, mainly because of attitudes of ethnic discrimination and cultural misunderstandings of different ethnic minorities (Fox and Rivera-Salgado, 2004; Rivera-Salgado, 2013). The social and political situation of undocumented indigenous migrant communities in the United States is still devastating, foremost expressed in bad living conditions, low incomes and absent political rights.

This leads to the question of how indigenous Mexican migrants actually address these challenges, and whether they organize and construct their own urban community governance from below as an answer to social exclusion and marginalization. If yes, is that self-governance based on transnational networks connecting their community in the United States with rural communities of origin in Mexico? Or do they try to find new ways to cooperate with local and state authorities to become integrated into already existing governance structures? What exactly do these processes look like?

This article investigates these issues with regard to the particular case of the indigenous Mexican migrant community in the city of Los Angeles in California. This community – consisting of Zapotecos and Mixtecos from the Southern Mexican state of Oaxaca, collectively called “Oaxaqueños” – is the largest undocumented indigenous Mexican community in the United States, with an estimated membership of 200,000 (Rivera-Salgado, 2013). Although the first indigenous Oaxacan migrants arrived the 1950s, most migrated to the city in the 1980s and 1990s (Massey and Durand, 2003). Over the following years, they have self-organized and established networks in the United States and Mexico. In doing so, the indigenous community is taking advantage of the cosmopolitan landscape of Los Angeles to preserve a relatively autonomous community

in cooperation with other ethnic minority groups and other relevant social partners (Krannich, 2017; Krannich and Metzger, 2018).

Theoretical Considerations

The underlying theoretical considerations of the research study from which this article draws can be framed by the linkage of the concepts of *migration governance* (cf. Betts, 2010, 2011; Castles and Van Hear, 2011) and *transnationalism* (cf. Portes, 2009; Pries, 2010; Faist et al., 2013). This nexus is based on the assumption that local as well as global (below and/or above the state) structures, institutions, norms and actors should help to regulate, support, but also restrict international forms of migration. In addition, migrant governance should also facilitate permanent and long-term links and activities of transnational migrants (and their organizations) across state borders, mainly for the sake of their potential contributions to social, economic and political development in countries of origin in the Global South (Portes and Fernández-Kelly, 2015).

Basically, migrant governance can be understood as “norms, rules, principles and decision-making procedures that regulate the behaviour of states and other transnational actors” regarding forms of migration (Betts, 2011: 4).¹ *Governance* can be differentiated from *government* in the sense that there is no single authoritative rule-maker (like a “world government”), but rather a range of actors who determine processes, norms, and outcomes. Governance can be global, when it affects not only nation states or their constituent regions, but also sub-continent, continents or even the entire world (Betts, 2011: 4). In this context, migration in particular is a worldwide phenomenon that needs to be approached by global governance. The idea of global migration governance evolved when states “recognised that they cannot address the challenge of migration without international cooperation” (Betts, 2010: 1).

Therefore, states have agreed to establish international institutions and organizations to manage international migration² (Angenendt and Koch, 2017; Rother, 2017). However, despite these developments, global migration governance remains largely incoherent, deficient and lacking an overall vision (Betts, 2010; 2011). It mainly comprises loose agreements that lack binding commitment, and instead of addressing migration as a whole these agreements regulate only some forms of migration, including labour migration, refugee migration, and educational migration (Hollifield, 2000). Undocumented migration is mostly not a subject of global migration governance, because it occurs in clandestine ways and is unwanted, and, therefore, only subject to national policies (Düvell, 2011).

In addition – besides nation states and international organizations – global migration governance aims to involve other relevant actors, mainly representatives from the business community and civil society. The latter includes migrant organizations, which become more and more important due to their rise in number, size and importance for both countries of residence as well as of origin (Hunger and Candan, 2013). They can take over important tasks of integration that state authorities are unable or unwilling to do, because migrants know best about their own needs, or trust their migrant counterparts more than other organizations or state institutions (Thränhardt, 2008).

Many migrant organizations have established transnational networks connecting different countries and even continents. Several research studies show that migrant professionals and their organizations contribute to sustainable development in countries of origin, because they can better organize and coordinate their developmental activities through organizations they created together with fellow migrants (mostly from the same country or even region of origin). In these permanent and long-term collectives, they can realize larger projects in home countries by collecting money and building networks with

state institutions and other civil organizations (Van Hear, 2003; Thränhardt, 2008; Portes, 2009; Pries, 2010; Hunger and Candan, 2013; Metzger, 2015).

Further findings show that migrants who are well-integrated in the host society (through gaining a good standard of education, housing and income) are especially engaged transnationally with their country of origin, because they have acquired enough know-how and capital as well as time to get involved in migrant organizations and to practise transnational commitment ranging from funding infrastructures, building schools and fostering business relations to supporting political parties across state borders (Portes and Fernández-Kelly, 2015). In doing so, they expanded their networks to national and local state authorities as well as international organizations to gain access to more funding and the legal recognition that goes with realization of their transnational projects. Mostly, these initiatives do not come from above (states or international institutions), but from migrants themselves and their own organizations, which can be regarded as an important process of global migration governance from below.

Methods

This article draws on empirical findings gathered during two years' fieldwork for my doctoral study between November 2011 and June 2013.³ To analyze the structures, processes, actors and contents of transnational migrant governance in the case of indigenous migrants originally from the Mexican state of Oaxaca in Los Angeles, I focused on the agendas and activities of 16 selected migrant organizations, identified as the most influential and representative ones of the community. They were founded between 1980 and 2005, possess active memberships ranging from 10 to over 50, and sustain indigenous governance by operating primarily in the urban area of Los Angeles and simultaneously in rural areas in Mexico. Their aims and work concentrate on social issues like education and health, development in indigenous communities of origin as well as p the maintenance of indigenous culture and language in Los Angeles.

I applied a mixed qualitative methodology involving semi-structured and complementary interviews, observations, and primary document analysis. The most important empirical part of the data collection represented 62 semi-structured and complementary interviews with representatives of each of the selected indigenous migrant organizations. The semi-structured interviews were conducted with 16 leaders and members of the six largest indigenous Oaxacan migrant organizations; with 20 members of 10 smaller indigenous Oaxacan hometown associations (HTAs); and with 12 indigenous Oaxacan migrants, who were not members of migrant organizations. The latter were undertaken in order to form an external impression of the migrant organizations and a larger picture of the structure, composition and views of the indigenous Oaxacan migrant community in Los Angeles as a whole.

Furthermore, I interviewed 14 representatives of political state institutions in Los Angeles and Mexico, including the consul for community affairs of the Mexican consulate in Los Angeles, SEDESOL⁴ coordinators at the Mexican consulates in Los Angeles and New York, the coordinator of the Centro Oaxaca in Los Angeles,⁵ and LA city council members. The interviews with local and national representatives of political institutions aimed to give a deeper understanding of the relationship and cooperation between the Oaxacan migrant community and representatives of political institutions in Los Angeles as well as in Mexico.

Observations were conducted during meetings and other events of indigenous Mexican organizations in Los Angeles. For instance, political events like campaigns for local politicians, meetings with the LA city council president, or cultural events and

festivities like the traditional indigenous Guelagueza festival. In addition, I undertook observations at political workshops of migrant leaders – such as leadership trainings – or during trips to the migrant neighborhood at indigenous businesses and facilities, including grocery stores, clothes stores, bakeries, restaurants, tool stores, and a music school. These observations complemented the interviews and provided a deeper insight and understanding of the structures and processes inside the urban migrant community.

In addition, I collected and analyzed primary documents from the migrant organizations themselves, including material from their web pages, postings on social media, newspaper articles and internal documents. Particularly resource-rich was the publication “El Tequio,” which is an indigenous community newspaper that has been in existence for almost twenty years. It documents the history of indigenous Oaxacan migrants in Los Angeles in fine detail. Private and organization internal documents included bylaws, records of internal meetings, programs, pictures and advertising materials of the migrant organizations. These documents provided a comprehensive insight into the development and formation of the transnational community.

I analyzed the data collected from interview transcripts and observation notes by applying the “integrative analysis method” (Kruse, 2014). This involved assessing and interpreting the transcribed interviews in a hermeneutic process, in which text passages of the interview were divided into several small logical paragraphs and the subject matters of the interviews then analyzed in a micro linguistic way. Here, I focus on the central subject matters according to the research question, including the structure and aims of the migrant organization, networks with other relevant actors (NGO’s, state institutions, businesses, etc.), concrete local and transnational projects, social and political challenges, collective identity formations (language, symbols, rituals, etc.) and local governance structures in Los Angeles as well as in communities of origin in Mexico.

Findings: Transnational Indigenous Mexican Migrant Governance

The Indigenous Mexican Migrant Community in Los Angeles

As undocumented workers, indigenous Mexican migrants from the state of Oaxaca fill important gaps on the labour market in Los Angeles, mainly in the building, gardening, hotel and restaurant sectors. Despite relatively low wages and bad working conditions, they are at least able to earn distinctly higher wages in the United States than in Oaxaca. Some earn up to 20 US Dollars per hour (interviews with members of the indigenous Oaxacan migrant community in Los Angeles, 2013). Relatively stable incomes enable them to organize collectively around specific community issues and to articulate their collective interests as undocumented migrants.

Different indigenous migrant groups in Los Angeles have constructed a pan-indigenous belonging as an answer to discrimination and marginalization by the dominant mainstream society and to demarcate themselves from mestizo Mexican migrants and other ethnic groups. In the 1980s, they started to organize around issues of indigenous rights and hometown developments (Fox and Rivera-Salgado, 2004).⁹ They established cultural organizations and HTAs (hometown associations) – migrant organizations consisting of people from the same hometown of Oaxaca – to maintain links to their local communities of origin, and to aim to improve living and working conditions in their community in Los Angeles as well as in home communities in Mexico (see also Fox and Rivera-Salgado, 2004; Rivera-Salgado, 2013).

In detail, they practise philanthropic activities that go beyond the acquisition of accommodation and jobs for newly arrived migrants. The main activities of the HTAs include supporting local indigenous businesses in Los Angeles, promoting local

politicians, and conducting community projects through different events – such as cultural festivities, dances, music events, lotteries, church or sports events. Many HTAs also participate in larger political or cultural events for the whole indigenous community in Los Angeles. This includes the traditional dance festivals *Guelaguetza* and the *Festival de la Primavera*, which are organized each year by the larger cultural Oaxacan migrant organization called ORO alongside many other HTAs. These festivals reach several thousands of Oaxacan community members every year (observations and interviews with community members in Los Angeles, 2011 and 2013).

Transnational activities of the indigenous community are manifold. At larger cultural or political events, they collect money for projects in the migrant community and in their hometowns through selling food and local goods. The most supported hometown projects are typically social collective projects, which benefit the hometown community as a whole. They range from paving roads and improving hospitals and churches to the equipment of schools and sport fields. Furthermore, some HTAs have donated computers for the community, school buses, and beds and instruments for hospitals. These projects are financed by collective remittances, which are collected by active members of the HTAs. These have even reached 100,000 US Dollars in some cases (interviews with community members in Los Angeles, 2013).

Indigenous HTAs are well-structured. Although there are marginal structural differences between them, each one has a rotating executive committee – including chairman and president, vice president, treasurer, and assessor – that is elected every year or two years by HTA members. Their members live in Los Angeles as well as in communities in Oaxaca, and many associations have leadership counterparts in the communities of origin to coordinate projects on site. It is estimated that there are about 200 Oaxacan associations in Los Angeles, and that their membership ranges from 20 to over 500 members (interviews with HTA leaders in Los Angeles, 2013). Due to their relatively democratic and transnational character, these HTAs can be regarded as the backbone of indigenous community governance.

The Transnationalization of Indigenous Community Governance Expressed in Usos y Costumbres and Tequio y Cargo

These collaborations between the indigenous migrant community in Los Angeles and the communities of origin in Mexico not only contribute to a transnationalization of members' community belonging, but also to a transnationalization of their community governance. This transnational self-governance is based on specific rights and duties, called *usos y costumbres* and *tequio y cargo*, which can be understood as manual community work (*tequio*) or leadership positions in community administration or political bodies (*cargo*). Community members are obligated to take part in this community infrastructure work or administration in order to keep their “full community membership status”. This is also expressed in their manner of explicitly calling a member who has participated in *tequio y cargo*, a *ciudadano* (citizen) or *comunero* (comunitarian).

The initiative for *tequio* and *cargo* comes from the rural home community in Oaxaca, rather than through the migrant community in Los Angeles itself. Due to the effects of large out-migration on indigenous communities of origin, traditional regulations of *usos y costumbres* have been modified to keep emigrants involved in their hometown. Originally, only indigenous people living in the community of origin had to participate in *cargo y tequio*, but in the last 20 years it has been extended to emigrants living abroad. By taking part in local decision-making processes and infrastructure work across state borders, migrants enjoy full community membership based on participation opportunities, rights, and duties in hometowns in the frame of *tequio* and *cargo*.⁷ In general, indigenous migrants are interested in keeping their bonds with their community

of origin, because of their indigenous identity, belonging and sense of duty to contribute to the welfare of the community in which they grew up and became socialized, and in many instances, they maintain contacts to family members and friends, and sometimes still possess their own property in the hometown.

In the process of *tequio* and *cargo*, community members in Los Angeles get appointed for a specific task by a committee or assembly consisting of five to 10 elected representatives (mostly merited elders) in the home community in Oaxaca. In many cases, the hometown committee is in close contact with its counterpart board of the HTA in the migrant community. These bodies exchange requests for potential *cargo* workers and discuss the scopes and timeframe of the re-migrants' tasks, which can take between six months and two years, but usually one year (interviews with members of the indigenous migrant community in Los Angeles, 2011). During their year of *cargo* or *tequio* in Oaxaca, they have to be available exclusively for the community and focus solely on their labour.

Their community commitment includes important collective labour to maintain the public functioning of the community, including the paving of town roads, renovation of public buildings, the cultivation of community forests, coaching a sports team (in the frame of *cargo*), or monitoring political processes, developments of public health, or conducting workshops and school projects (in the frame of *tequio*). In some cases, migrants can also take leading positions in religious matters in the home community. Here, migrants primarily work together with the priest and church supporters (mainly of the Roman Catholic Church, only in very few cases also of Protestant or Evangelical Churches). Religious tasks include maintenance of the church and sites as well as organizing and conducting religious ceremonies and celebrations.

Selected migrants already have to inform themselves shortly after their appointment about the specific content of their work, such as cultivation methods in indigenous agriculture, or the teaching methods that are appropriate for the specific indigenous school system. In this sense, selected migrants have to develop an extensive knowledge of their upcoming labour, although they are also allowed to bring their own ideas and concerns into the community committees about how projects or tasks might be realized. New ideas on ways to improve existing rules and habits can be discussed in the committee and could even lead to a reformation of the traditional local governance structure, if the community committee is convinced.

Interviews were conducted with members of two of the oldest still existing indigenous Oaxacan HTAs in Los Angeles – the organizations “OPAM” and “COTLA”. At some point all had been selected by the HTAs to re-migrate to their hometowns in Oaxaca for about one or two years to do *cargo* work. Some had already been living for over twenty years in Los Angeles before they were appointed and moved back to do the *cargo* work in their home communities. The president of OPAM did a two-year *cargo* job in an elementary school in San Pablo Macuiltianguis (in the Sierra Norte region of Oaxaca) twelve years ago. In the future he is planning to do more *cargo* work after he moves back there permanently with his family (interview with the president of the HTA “OPAM,” Los Angeles, 2013).

Illegal migrant status in the United States makes it especially difficult to participate in *tequio* y *cargo*, because to meet the obligations community members have to cross the US-Mexican border illegally again to get back to Oaxaca. This can be dangerous as well as extremely expensive. However, this does not keep them away from their collective duties. Some Oaxacan migrants even went back illegally to their hometown several times to do their voluntary *tequio* work. For instance, a 75 year old member of the indigenous community in Los Angeles did the first *tequio* work in his hometown Yatzaichi el Alto (also in the Sierra Norte region of Oaxaca) about 30 years ago, because he was appointed,

and the work was his duty. But on returning a second and third time, he did this work of his own free will, although his participation was not required any more. Despite his age, he is still doing *cargo* work:

"I just came back from a one and a half year of doing usos y costumbres in my hometown. I got appointed by officials in my hometown to do the cargo work. [...] They come together in a meeting and decide who they will choose to do the job. That time they chose me, and sent me a letter. It is my duty to fulfil my job in the usos y costumbres. I liked to help my people. [...] My job was an agent municipal to rebuild water tanks, work for maintenance of the roads, trying to get electrical power into certain parts of the town, which did not have electricity, and to take care of clean water supply. There, I worked with officials of the hometown. We have a self-organized police, a treasurer, secretaries, and so on. All of them work together to keep the town running" (interview with a community member in Los Angeles, 2013).

In the realization of their *cargo* and *tequio* work on site in the community – and in addition to the orders, tasks and advice from local office holders – re-migrants can also build on the experiences and guidance of merited elders in the community, commonly called *regidores* or *principales*, who have been community workers themselves in the past. These assemble in the council of the elders, and often know the history and challenges of the community best, and guard the traditions, identity and customs of its members.

Transnational *cargo* and *tequio* is predominantly fulfilled by community members of the first migrant generation. It is required for men aged between 30 and 60, but as shown above older migrants also participate voluntarily in self-selected projects in the community of origin. However, *cargo* and *tequio* have become increasingly common among younger migrant generations. This is due to the fact that in the effort to adapt to modern demands many communities of origin require additional resources, which adolescents are able to accumulate in wealthier urban environments such as Los Angeles. *Cargo* and *tequio* provide a means whereby all emigrants are able to reinvest some of these resources into their communities of origin. That said, communities of origin only reach out to emigrants some years after departure, thus allowing them enough time to settle down and to accumulate sufficient capital to finance remigration and to complete a voluntary contribution to support their home community.

Challenges of Transnational Migrant Governance in Urban Los Angeles and Rural Mexico

One of the biggest challenges in the inclusion of migrants in the local architecture of *tequio* and *cargo* is that selected members have to accomplish their community work voluntarily and unpaid. They have to take care of all of their travel and residence expenses by themselves, including costs for plane tickets, food, accommodation and other requirements. In some cases, these costs have exceeded several thousand Dollars. This represents a huge financial challenge to migrants, even if they have taken some years to prepare for remigration by saving regular amounts of their monthly earnings. The costs for conducting a year of *tequio* are even higher than just paying for the year on site in the community, because they also have to relinquish almost every part of their previous life in Los Angeles, including resigning from their job or giving up their rented apartment.

This shows the extensive burdens that some indigenous migrants take to serve their home community, and how much they are attached to their indigenous community membership. Many do so because they perceive their work as a collective service to

sustain the welfare of the community (interviews with members of the indigenous migrant community in Los Angeles, 2013). However, some Oaxacan migrants in Los Angeles are not willing to accept these rules. From their point of view, such money- and time-consuming burdens have negative impacts on their careers and commitments in the migrant community in Los Angeles. Instead, they prefer to support their hometowns by sending private remittances to family members or the hometown organisations,⁸ or to engage in a HTA in Los Angeles to support social development in the communities of origin indirectly (interviews with members of the indigenous migrant community, Los Angeles, 2011 and 2013).

However, the refusal of migrants to participate in *tequio* and *cargo* is not ignored by hometown committees and can have direct consequences for the assigned migrant. This includes tough sanctions such as a financial penalty in the form of a fine, or, in the worst case, even the expropriation of the migrant's private property⁹ in the home community. The long-run consequences of refusing to participate in *usos y costumbres* in the home community can also be the deprivation of community rights, including voting or the access to local economic and social resources as well as a ban on participating in community celebrations. In addition, hometown committees can deny permission for migrants to be buried in the community cemetery. This is a strong deterrent, because the cemetery in the hometown is still a holy place for many migrants and represents their perpetual belonging to the community and eternal unification with their ancestors and indigenous gods (interview with the vice-president of an indigenous organization, Los Angeles, 2013).

The illegal and undocumented status of many indigenous migrants from Oaxaca makes re-migration to fulfil public community labour in their hometown extremely risky. In these circumstances re-migration becomes for many not a matter of their free will but an impossibility. The hometown committee takes such considerations into account in deciding whether or not to impose a sanction in each specific case. Sometimes it allows members to defer their participation until a later time. A further consideration is the potentially negative effect on the community of origin of these refusals, because if it loses too much of its labour force through emigration, and it becomes difficult to recruit re-migrants for local administration and project implementation, the community could lose its self-sufficiency and its transnational governance counterparts in the United States.¹⁰

In order to ensure the functioning of the transnationalized governance system of *usos y costumbres*, the appointed *cargo* and *tequio* workers are observed and evaluated in the hometown by the community elders and a town assembly consisting of assigned community members. In some communities, town assemblies are even able to sanction the volunteers if they consider that the *cargo* workers are not operating in the required manner, are not serving the community, are not fulfilling their obligations, or are involved in some kind of malpractice, such as broken promises or corruption. Sanctions can go beyond the voting out through community elections, and can show draconian measures, including the confiscation and sale of private property at the public plaza of the hometown (interview with a member of the indigenous community in Los Angeles, 2011).

Modification of Transnational Migrant Governance in Urban Los Angeles and Rural Mexico

The system of *usos y costumbres* also has impacts on migrant organizations. Indigenous emigrants bring understandings and practices of *usos y costumbres* characterized by mutual exchange, communality and organizing from hometowns into the diaspora, and link collectively with fellow migrants to coordinate development-oriented commitments. This has prompted the foundation of HTAs as counterparts to

similar organizations in their communities of origin. These are built on similar lines and structures of existing *cargo* and *tequio* work. Furthermore, indigenous migrants who were already in leading *cargo* and *tequio* positions in their hometowns before migration are also more willing to take leadership positions in the migrant community. The principle of *usos y costumbres* in the transnational governance architecture is not only supported by HTAs that maintain a direct link to assemblies and committees in hometowns, but also by broader issue-based migrant organizations in Los Angeles.

For instance, the indigenous political organization FIOB (Frente Indígena de Organizaciones Binacionales) not only campaigns for specific state protection of *usos y costumbres* in indigenous Oaxacan communities, but has also integrated the principles of *usos y costumbres* in its own organizational structure and self-initiated political decision-making processes. This is especially noticeable in FIOB meetings and conventions, such as the general assemblies, which are based on comprehensive inclusion and mutual exchange, and in which leaders are elected on rotation principles of *usos y costumbres*. These leaders are from migrant communities across California as well as communities of origin in Oaxaca. Members can also be appointed by the FIOB assembly, even though they did not run for a leadership position. Usually they accept this voluntary commitment, because they perceive such a nomination as an honour, as well as a responsibility which they have to meet in order to support the sustainability of the community (personal interviews with members of FIOB in Los Angeles, 2011 and 2013).

The most ambitious approach to acknowledge transnational *usos y costumbres* was initiated by migrant leaders of the indigenous umbrella organization FOCOICA (Federación Oaxaqueña de Clubes y Organizaciones Indígenas en California) in conjunction with FIOB. In 2002, they met with the former Mexican President Vicente Fox in California to present their idea of an alternative programme that would subsidize participation of migrants in *tequio* and *cargo* in their home communities. Leaders of the Oaxacan migrant community called that programme *Pesos por Servicio* (Mexican Pesos for service) in imitation of the 3x1 Mexican state development programme.¹¹ In contrast to 3x1, *Pesos por Servicio* would give financial support to services provided directly by temporary re-migrants through Mexican state institutions, rather than supplementing remittances. The programme should have been completely funded by governmental sources, because it was intended to value and to compensate the enormous financial and private sacrifices of indigenous re-migrants to contribute economically, politically and socially to the continuity and development of indigenous municipalities.

Oaxacan migrant leaders justified the demand to introduce this programme with the argument that these re-migrants take over tasks in the improvement of underdeveloped indigenous communities that should actually be accomplished by the Mexican state. Through full compensation of migration and labour costs, the *Pesos por servicio* programme was also intended to increase the participation of migrants in the *usos y costumbres* of home communities by covering the costs and allaying the fear of additional debts on the part of those who might otherwise refuse to participate. These extensive commitments – leaving home, profession, friends and sometimes even family members – and the high costs of re-migration, living costs and labour were also reasons why some indigenous migrants left their home community.

A financial reward for community labour by the Mexican state could contribute to the sustainability of hometowns. At the same time such official intervention could also lead to a limitation on the autonomy of local institutions and a risk of Mexican state paternalism over the affected indigenous community. This in turn could destroy self-sustained indigenous community governance. However, to date the *Pesos por servicio* programme has not been realized, because the proposal has not yet been accepted by

Mexican institutions (interviews with leaders of the indigenous migrant organization FOCOICA in Los Angeles, 2013).

Another attempt to find alternative sources of financing public projects in indigenous communities of origin was the introduction of a community tax system (*cuotas*). Several hometown committees established a counterpart committee in the migrant community in Los Angeles. HTAs and migrant committees collect *cuotas* among HTA members and send the proceeds back to the home community, where they are used to fund public community functions. Hometown officials are not allowed to use *cuotas* for payment of wages of committee members or *cargo* workers, but exclusively for the funding of local community operation and maintenance costs, such as vehicles, tools or building materials.

In return for such 'citizen' type duties, the home community in Oaxaca also gives rights to emigrants. As compensation for their sacrifices by participating in *tequio* and *cargo* (and paying community taxes), re-migrants keep their full co-determination and voting rights in local elections, rights to participate in communal events as well as full property rights in the home community. Although there are no official statistics about how many migrants actively make use of these transnational rights in home communities, personal observations and interviews give the impression that many do take advantage of them, while only a few ignore them. Most interviewed leaders still take part in local committee elections and community events, such as yearly hometown fiestas and fairs for indigenous goods.

In addition to these communal membership rights, the influence of migrants in home communities has increased in recent years because of their remittances, taxes, and *cargo* and *tequio* labour.¹² Through these contributions to the public development of the community, migrants have gained the right to co-decide how to use these financial and labour resources, and which infrastructure projects should be realized using these inputs. This co-determination of migrants is institutionally guaranteed through their participation in HTAs to channel remittances, and in hometown committees to organize and supervise *tequio* and *cargo* labour. It appears that many indigenous communities get used to these changes, doubtless because they are aware of their dependency on the contributions of emigrants in the framework of *usos y costumbres* and remittances as well as the advantages of this form of transnationalized community governance (personal interviews with leaders and members of the indigenous migrant community in Los Angeles, 2011 and 2013).

Conclusion and Discussion

In a nutshell, despite problems of implementation in the migrant community in Los Angeles and conflicts in hometowns, transnationalized community activities in the framework of *usos y costumbres* and *tequio y cargo* can be regarded as the backbone of indigenous community governance, because it defines the rights and duties of indigenous people inside the community, regulates collective action, and sustains membership and belonging in the community. Transnational incorporation of migrants – who use the financial and social capital gained in the United States to mobilize in migrant organizations – have effectively extended local community membership across national borders by defining new boundaries of social benefits and obligations.

In this sense, for indigenous people this form of governance presents an attractive alternative to US and Mexican state policies – particularly with regard to programmes to improve underdeveloped indigenous communities in Oaxaca – because community members can decide by themselves which projects should be realized without having to meet state requirements that are perceived as very bureaucratic and time-consuming.

Unpaid migrant community labourers get the opportunity to utilize know-how and tools acquired in the diaspora in their home communities in Oaxaca. Through their participation in local governance structures of *usos y costumbres*, migrants as well as non-migrants adopt public functions, which are realized by paid state agencies in other communities. In doing so, they do not systematically cooperate with US or Mexican state institutions; rather external relationships tend to be occasional and issue-related, involving local authorities or businesses in Los Angeles and other civic organizations, such as foundations, church institutions, or other migrant organizations in the United States and Mexico.

In short, introducing community-based obligations and support systems illustrate how local institutions in the communities of origin as well as in the migrant community have adopted the functions of a state government. Whilst in Mexico their legitimate status means that such community organisations can be said to act as a kind of 'shadow' state (Wolch, 1990), in Los Angeles they represent autonomous social infrastructure and self-organised welfare provision which imposes duties on its community members, including paying taxes and contributing public labour. Unlike other instances explored in the literature, in this case taking on these responsibilities collectively is not a reaction to the retrenchment of official government welfare but rather a necessity in face of the absence of rights to anything else (Denters, 2016; Edelenbos et al., 2018).

Given that these contributions embody transactional relationships between 'migrant' and 'home' communities, I call this approach transnational urban and rural governance, built by indigenous migrant organizations and their counterparts in communities of origin through transnational social and cultural spaces and networks that connect the indigenous migrant community in Los Angeles with their rural communities of origin in Southern Mexico.

However, transnational governance as practised by indigenous Mexican migrants in Los Angeles is not unique. Parallel research studies have shown that other ethnic minority migrant groups – who are discriminated against and suppressed in their country of origin as well as residence – construct forms of transnational governance. For example, Mayan migrant organizations in the United States also use their transnational networks to support local communities in Chiapas. In contrast to the Oaxacan migrant community in Los Angeles, they do not construct their own governance structures from below based on *usos y costumbres* and independently from state institutions, but rather from above through initiatives from Mexican state authorities by establishing and funding networks with Mayan organizations in the United States (Krannich, 2016). Similar processes can be also observed in Europe. For instance, Tamil and Kurdish migrants established dense governance structures in the United Kingdom and Germany to support rebuilding processes of their destroyed communities after the wars in their countries of origin. Tamils focus primarily on rebuilding social institutions like schools and hospitals in Northern Sri Lanka (Gerharz, 2014), while Kurdish migrant organizations concentrate on political and business activities (Candan, 2018).

Although these worldwide developments of transnational migrant governance seem mostly to be strong and sustainable, they could still need support from dominant global actors. In particular, as the most powerful and financially strongest actors globally international organizations like the United Nations and the European Union could create general conditions which make it easier for migrant communities (particularly of marginalized ethnic minority groups) to perform self-sustained and independent transnational governance. This could be realized through financial and non-material support, but also through liberal legal frameworks, including by the creation of legal migration channels and easier pathways to citizenship. The mere fact that most indigenous migrants from Latin America came illegally to the United States and have

stayed without legal documents for their entire life illustrates the need to change legal frameworks, which would fundamentally make it easier for them to participate in transnational or global governance structures.

This can be realized by national law, but also by the establishment of migrant-friendly international regulations and agreements. The Global Compact for Safe, Orderly and Regular Migration – which was ratified by all UN member states, except the United States, in 2018 – certainly seems to be a step in the right direction (Hunger and Krannich, 2019). The Global Compact attempts to understand migration as an opportunity, and refers also to the potentials of migration for countries in the Global South. This includes the creation of legal migration opportunities, the support and protection of human rights of vulnerable groups (including marginalized ethnic minority groups), and a more intensive cooperation with migrant organizations to learn about their situation, create transnational networks, and to support their transnational activities to foster developments in their countries of origin (UN, 2018: 22). However, these agreements are not yet binding for the signatory states, a situation which is symptomatic for the policy field of international migration overall (Rother, 2017).

More collaboration with migrant organizations could be realized in the frame of different global migration governance institutions, including the International Organization for Migration (IOM), the International Labor Organization (ILO), and the Global Forum on Migration and Development (GFMD). Even structures of the United Nations High Commissioner for Refugees (UNHCR) could be included in forms of collaboration with migrants when it comes to the development of common approaches for conflict solutions in countries of origin. In addition, the creation of new global migration governance institutions could lead to more inclusion of transnational migrants – such as a “world migration organization” – as has already been discussed in international debates (Angenendt and Koch, 2017).

Increasing transnational developments of small-scale governance of migrant organizations – ranging from indigenous Mexican migrants in California to Chinese in New York (Portes and Fernández-Kelly, 2015) and Indians in London (Naujoks, 2013) – make clear that there is no alternative to large-scale migration governance, which could create a protective and supportive frame for sub-forms of migrant governance and includes more collaboration with migration organizations globally. The case of indigenous Oaxacan migrants in Los Angeles illustrates not only the challenge, but also the possibility of creating successful bottom-up transnational governance processes that link local communities together, and taken as a whole contribute disproportionately to global migration governance.

Notes

1 Even in the 1990s, migration researchers were discussing widely theoretical considerations about “managing international migration,” including the concept of an “international migration regime” (Gosh, 2000; Hollifield, 2000).

2 These international organizations include the International Organization for Migration (IOM), United Nations High Commissioner for Refugees (UNHCR), or the Global Forum on Migration and Development (GFMD).

3 These findings were accomplished during a one-year research stay at Princeton University, funded by the German Academic Exchange Service (DAAD) in 2011/12, and a second at the University of California, Los Angeles (UCLA) in 2013, funded by the Friedrich Ebert Foundation (FES).

4 SEDESOL (Secretaria de Desarrollo Social) is a Mexican state institution, which is in charge for social development in Mexico.

5 The Centro Oaxaca represents the Oaxacan state in Los Angeles, and is in charge for the collaboration with Oaxacan migrants in California.

6 See Portes (1999) for more about the construction of pan-ethnic identity as a reaction to ethnic discrimination.

7 Besides by birth, full community membership can only be obtained by marriage, and private property is only passed on to descendants or friends of the family inside the community (interviews members of the indigenous migrant community in Los Angeles, 2013).

8 According to interview partners, indigenous migrants send on average about 200 US-Dollars per month back to family members or friends. Some even send 400 or 500 US Dollars back.

9 Many indigenous migrants living in Los Angeles keep their private properties in hometowns in Oaxaca, even they already left for more than 20 years. Usually, family members or friends take care of their properties while they live abroad.

10 Nevertheless, the sanctioned migrant still has the opportunity to retrieve full membership in the future by compensation for damages that were caused through the refusal of *cargo* or *tequio*. According to guidelines of specific hometowns and HTAs, migrants even have the opportunity to catch up on their missed *usos y costumbres* after decades. None of the interviewed leaders and members of the community in Los Angeles ever refused to fulfil *tequio* and *cargo* appointments, but some reported cases where this had happened (personal interviews with members of the indigenous migrant community, Los Angeles, 2013).

11 The 3x1 Mexican state development programme gives 3 US Dollars (1 from the federal government, 1 from state government, and 1 from the affected municipality) for each remittance Dollar sent by a Mexican migrant organization to realize a development project in a Mexican community.

12 The impact of emigration on the development of *cargo* and *tequio* has also been investigated by other scientists. For instance, Robson and Berkes (2011) looked at the implications for local culture, and Ventura (2010) on the impact on gender issues.

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