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**Governing the Conduct of Migrant Agricultural Workers**

by

Christopher Heron

A Thesis

Submitted to the Faculty of Graduate Studies  
through Sociology and Anthropology  
in Partial Fulfillment of the Requirements for  
the Degree of Master of Arts at the  
University of Windsor

Windsor, Ontario, Canada

2008

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395 Wellington Street  
Ottawa ON K1A 0N4  
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395, rue Wellington  
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Canada

*Your file* *Votre référence*  
*ISBN: 978-0-494-47040-4*  
*Our file* *Notre référence*  
*ISBN: 978-0-494-47040-4*

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## **ABSTRACT**

Contemporary society is moving increasingly toward relations characterized by international arrangement and organization. This analysis of the forms of governance surrounding migrant workers has incorporated an examination of the implications and effects of such associations through the theoretical framework of global governmentality. Through an assessment of Jamaican labourers through the Seasonal Agricultural Workers Program, the author asserts that the potential for autonomous decision-making and self-directed action is diminished by the implementation of policies, procedures and practices. It is illustrated through interviews, program documents and materials, and related literature that these forms of rule have been employed for the purposes of prescribing proper conduct, and ordering social and economic relations. The effects of such a dynamic have the result of maintaining a system of global governance secured by public service agents and private interests that have the objective of ordering behavior and directing conduct of a group considered unfit for self-government.

## **DEDICATION**

This thesis is dedicated to my family. I am deeply indebted to my mother Monica and my father John who believed in me and encouraged me to pursue a higher level of education. Both of you have always provided me with support, insight and inspiration every step of the way. John, you are forever in our prayers. Your memory will live on in our hearts.

## ACKNOWLEDGMENTS

I am grateful for the opportunity to reach this level of success in my academic career. I could not have reached this milestone without the persistent guidance of Dr. Suzan Ilcan, my thesis supervisor. Her motivation and encouragement through my difficult periods stands as a testament to her dedication to her students and her profession. I am grateful for her belief in my capabilities as a researcher and for a Graduate Research Scholarship that made this thesis possible. Dr. Tanya Basok has always accommodated my schedule in the presence of short time spans and fast-approaching deadlines. I thank you for sharing your expertise and continually challenging me throughout this process. I am equally grateful to Dr. Steven Palmer for his novel insights and his willingness to accommodate my changing schedules.

I would like to extend my deepest gratitude to Dr. Eric Tenkorang who has been my tutor, mentor, and friend from the start of this long journey. I will forever cherish our many hours in the computer lab proofreading my papers and listening to the latest in hip hop, r & b and reggae. I am thankful to Dr. Anton Allahar and Professor Marilyn Belle-McQuillan for their knowledge, support, and enthusiasm at the beginning of this endeavour. Also, a special thanks to Minerva Saddler who never hesitated to provide me with useful resources, guidance and constant reassurance. Finally, I would like to acknowledge the Social Justice and Globalization Data Archive, housed in the Department of Sociology and Anthropology for its services and resources.

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## **Introduction**

The 21<sup>st</sup> century has witnessed the actions and behaviors of many groups and individuals influenced by various actors through different forms of governance. Such efforts of supervision, regulation, and management have become salient in discussions of mobile populations. While these interventions have been advocated for noble purposes, a groundswell of concern has emerged for the consequences they may have on those who are targeted. One group in particular, temporary migrant workers, have experienced increasing regulations and restrictions diminishing their autonomy and decision-making capabilities. These impositions have come in the form of policies, procedures, and conceptions which have the effect of restraining mobility, directing behaviour, and controlling the earnings of this population.

This paper provides an analysis of the forms of governance involved with the administration of temporary migrant workers through the Seasonal Agricultural Workers Program (SAWP)<sup>1</sup> in order to explore the motivation, rationale and implications behind policies and practices implemented by government agencies and other organizations and individuals. Moving beyond a traditional conception of governance occurring within nation-states, this investigation utilizes a governmentality framework that examines not only the dynamics of control existing at the levels of the individual and the state, but also those that exist between nation-states.

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<sup>1</sup> The Seasonal Agricultural Workers Program was formerly known as the Caribbean Commonwealth Seasonal Agricultural Workers Program (CCSAWP) and was changed to the SAWP when the program became a multi-lateral agreement with Mexico.

Through the examination of Jamaican migrant workers taking part in the SAWP, I explore the overt and covert modes and tactics of control that have the objective of prescribing proper conduct, and ordering social and economic relations. I demonstrate how certain policies and procedures enacted for the presumptive well-being of the individual have consequences extending further than their self-evident presence. I undertake a critical assessment of the formal and informal practices associated with the SAWP and its administration through a qualitatively driven lens and examine aspects of governance within the program from a number of different perspectives.

Through the use of semi-structured interviews, government produced documents, and policy publications, this study provides a critical assessment of the forms of control used in administering Jamaicans in the SAWP. The next section details the applicability of the governmentality framework to the operations existing in the SAWP. The subsequent section looks at specific policies and practices currently in place and outlines their implications.

### **Governmentality and the Conduct of Migrant Agricultural Workers**

Historically, an abundance of research has been gathered on migrant workers within the global context in association with migrant earnings and remittances. The life strategies of migrants have been analyzed in relation to their geographic movement and income earning potential in the country of employment (Cecil, R. and Ebanks, G., 1992). A similar study focusing on the stage of migration and geographic scale has been undertaken to examine whether remittances reduce or increase income inequalities (Jones, R., 1998). Other studies have sought to examine the potential for remittances to increase development in the home country (Taylor, 1999; Glytsos, 2005), while the use of

remittances in relation to productive and consumptive patterns has also been targeted for analysis (Basok, 2000; Quinn, 2005).

Much research conducted in the area of migrants and their economic practices has had as its core objective, an evaluation of the most effective and productive use of remittances, as well as analysis of the systems through which these funds are remitted (Ratha, 2005; Ballard, 2005; Maimbo & Passas, 2005; Hernandez-Cross, 2005; and Crush & Frayne, 2007). Typically lacking in migrant labour literature, however, is the incorporation of this perspective with conduct governed through the interweaving complexities between and within geographical boundaries. Only recently, has there been increasing scholarship in the area of global governance and the attempts of global organizations to align the conduct of migrant workers with the interests of nation states (e.g., Basok & Ilcan, 2006:320; Ilcan, 2006). Appropriately, the theoretical framework of governmentality has been expanded and applied to contemporary global relations between states, private actors and populations. It is through this conceptual framework that I intend to place the operations, procedures, and policies of the SAWP under examination.

Originating with the work of Foucault (1991), governmentality has been utilized as a theoretical instrument to understand the attempts of political agents to transform the actions and behaviors of economic actors. Larner and Walters (2004) explain that the use of this framework has become essential in considerations of power, order, and resistance. Much like Rojas' analysis of development aid which she claims is "one of liberalism's preferred instruments for governing those declared unfit for self-government" (Rojas, 2004:97), the executive decisions and policies underlying the SAWP reveal the technologies of government committed to instilling and maintaining a deeply entrenched system of global government. These techniques, along with state rationalities, pervade

relations between migrant labourers, employers, and governments, and “treat immigrant populations as the object of discursive elaboration, normalization, and discipline, and transform them into governable subjects as well as labouring ones” (Nonini, 2002:15). While some view this process as a top-down strategy, with governments at the helm of imposing regulations (Goldman, 2001), others examine the potential of non-government organizations to take part in this process (Rudnycky, 2004). This paper will take into consideration both processes as seen through approaches to governance involving the actions of government, private organizations, and employer practices at the site of employment.

Governmentality acknowledges that different forms of governance are deployed through means of specialized programs, schemes, tactics, vocabularies, and the product of competing interests with the intention of directing behavior toward certain goals (e.g., Ilcan and Phillips, 2008; Dean, 1999; Foucault, 1991). Global governmentality, an extension of Foucault’s original conception, undertakes the analysis of the strategies of government beyond its traditional intra-state jurisdiction (e.g., Larner and Walters, 2004:1; Heng and McDonagh, 2008). This adaptation considers operations of power and its manifestation ‘beyond the state,’ existing at ‘non-political’ sites (2004:1). To this extent, the operations characterizing the SAWP can be examined within this greater context.

The administration of the SAWP situates itself appropriately in a global governmentality perspective. It should be noted that today, the governing body overseeing the movement of workers in the program explicitly makes reference to, and acknowledges their role within an international financial system. The Ministry of Labour

and Social Service's<sup>2</sup> Vision is exclusively concerned with its efficiency and effectiveness "within the context of a globalized economy" (Ministry of Labour and Social Security Annual Report, 2008:1). In this way, the SAWP and its administration can be seen as a culmination of a complex arrangement of rules, procedures, and administrative agents whose authority transcends delineated boundaries. In addition to considerations of the SAWP and its policies applied at the site of government in Jamaica, global governmentality also provides a relevant application in the area of the private site of employment. It is in this arena that informal employer practices involving wage retention have an effect just as great as formal procedures originating from government policy. In many ways, the formal apparatus of government accords legitimacy to such informal practices precisely because this system of global governance maintains a concern with the economy and ordering behaviour favourable to fiscal and commercial accumulation.

Both, government agencies and for-profit organizations, utilize technologies of accounting, administration, and law to describe, constrain, and prescribe the range of actions possible in a certain area (Neu and Heincke, 2004). Applied to the migrant worker paradigm, the engagement of policies that enact structures of power and order in relation to the conduct of migrants is done so to achieve results considered beneficial for individuals, collectivities, and nation states (Miller and Rose, 1990). On this theme, Daromir Rudnycky's (2004) *Technologies of Servitude: Governmentality and Indonesian Transnational Labor Migration* identifies technologies of servitude and technologies for rationalizing labor flows in the movement of Indonesian migrant workers from one location to another. Arguing that a governmentality perspective is useful to understand

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<sup>2</sup> Referred to hereafter as 'The Ministry.'

political and economic relations *across* national borders, Rudnyckyj (2004) also considers the impact of such techniques of governance on the ‘moral economy’ characterizing the worker/employer relationship. This arrangement sees the worker submitting themselves to unfavorable conditions in the hopes that their employer will protect them in the event of hardship (2004:414). While such informal arrangements typify transnational labour relations in Indonesia, in this paper I demonstrate that the governing body overseeing Jamaican migrant workers plays a similar role through their intervention in the regulation of this group. These insights using the governmentality perspective shed light on the rationale and motivations surrounding governing agents and illustrate the diversity in which authorities enact policies designed to prescribe behavior and shape conduct. Often, these attempts at governing actions and behavior do not occur without consequence and can have repercussions for those under the rule of the administration.

The consequences of global governing initiatives may present themselves in ways that produce diverse forms of exclusion and marginalization. The potential for global governing organizations to create ‘wasted humans’ can be one such outcome of governing processes and initiatives (Ilcan, 2006). Jamaican labourers who work as seasonal migrants are often stripped of their rights, relegated to positions out of sight and place, and forced to endure subhuman conditions in much the same way that Bauman (2004:12) describes his concept of ‘wasted humans.’ While seemingly a solution to the problems of poverty and unemployment, the programmatic components of the SAWP contribute to this process of exclusion and isolation. ‘Waste’ applied here envisions a population uprooted and moved to a new and foreign environment. Griffiths discusses this aspect of temporary worker programs in relation to their impact on workers sent to the United States and details how the programs “create a class of foreign workers differentiated from

U.S. working classes by their limited access to the labor market, their temporary residence, their nonimmigrant appellation, and their circumscribed human rights” (2006:30). In effect, workers are simultaneously accepted to perform a critical function while kept in a state of placelessness and deemed undesirable as permanent contributors to the host economy. They are at once required and dispensable, accepted and rejected.

As illustrated, a global governmentality perspective renders forms of rule through the SAWP effectively *across* geographical boundaries as well as within. This study takes into consideration operations occurring in both circumstances and attempts to penetrate the taken-for-granted assumptions present in the day to day governing practices of those involved with the program.

## **Methodology**

My interests in this field of inquiry originate with a family member of Jamaican descent who partook in the SAWP from 2000 to 2002. Being his first experience in Canada and having to endure the rigours of winter combined with the intensity of the daily grind on the farm, what originally seemed a viable financial opportunity soon became fraught with difficulties. This would eventually lead to his abandonment of the program and return home in search of other employment. Having been exposed to the area of globalization and international relations later, in what has proven to be my extended academic career, ignited my intellectual curiosity and soon brought me back to consider the operations of the SAWP and those who take part in the program.

My reasons for focusing on program administrators and Jamaican workers administered through the SAWP as my case study are threefold. First, Jamaica’s participation, in what was then called the CCSAWP, marked the first country to engage in

international arrangements of the sort between the Caribbean and North America in 1966. As will be discussed, with the addition of other countries to the multilateral agreement, today Jamaica is witnessing, *inter alia*, the effects of a shift in the origin of labour. Secondly, having many contacts and networks already on the island and in correspondence with key personnel, afforded me ease of entry into restricted areas of government and allowed those who were interviewed a certain level of comfort with my position as a researcher. In addition, I had minimal difficulty getting from one location to another and finding accommodation because my contacts resided close to the research site and were familiar with different areas of the city. Finally, I am imbued with a strong sense of moral obligation to the amelioration of the economic plight of the citizens of Jamaica. Being one half Jamaican and exposed at a young age to the deleterious effects of poverty, has instilled in me a deep sense of commitment to understanding the mechanisms responsible for producing the extent of inequality to which we have become so accustomed to in our society today. This connection of my cultural roots to the participants of my investigation proved to be both a benefit to the research process, as well as a challenge.

Fontana and Frey (2003) discuss the initial aspects of accessing our research subjects and, what can sometimes prove to be, the difficult task of getting research participants to confide in the researcher. I was able to somewhat circumvent the laborious process of accessing the setting and gaining trust as an outsider because of close contacts who could speak to my character and intentions. While the program administrators had been well briefed on my study and my expectations of them, some of the workers were reluctant to describe their experiences and a few decided not to participate after they were briefed on the aims of the study. This resulted mostly out of



fear that their names would be revealed or that the program as a whole would be jeopardized. With some participants it was necessary for me to provide lengthy explanations as to the exploratory nature of the study in order to minimize non-participation. In other situations my cultural background acted as a bridge of common identity that study participants acknowledged. This fostered an environment of comfort and trust, facilitating a more open and uninhibited transfer of information.

At times, language acted as a barrier to the fluidity of the interview. Some of the respondents spoke very different dialects from one another making their responses difficult to understand. Although I had been exposed to some of the different dialects of the English spoken in Jamaica, many study participants used terms and pronunciations I had not heard. When transcribing my interviews I had to ask my contacts on the island the meaning of certain words or phrases. Nonetheless, the interview format chosen contributed greatly to the responses that were provided.

The methodological approach taken for this study employed two forms of qualitative research. This style of analysis afforded me the opportunity to interpret phenomena in context, with a view to the ways people understood their lived experiences (Richards, 2005). A qualitative approach also garnered a multitude of individual ideas, opinions, and perceptions from case study participants. The techniques used for the interview component consisted primarily of in-depth, semi-structured, group and individual interviews conducted over a three week period.

Choosing the semi-structured interview format allowed both the respondent and I, the advantage of an orderly verbal exchange, as well as the flexibility to elaborate on predetermined questions, themes, and ideas. As well, it provided the forum for a more open-ended, free-flow of information exchange which would otherwise have been

inhibited by a structured format. Following the recommendations of Malinowski (cited in Fontana & Frey, 2003), pre-established categorizations which may have limited the field of inquiry were eliminated in favor of fewer impositions to the exchange of information.

For my case study, I selected nineteen Jamaican migrant workers who had experiences ranging from three to twenty one years in the SAWP. These individuals were chosen randomly at the Ministry in Jamaica before departing to their host country for work. I chose this sample in order to gain various perspectives and valuable information pertaining to their views in relation to the ways power and authority was exercised over their lives. Additionally, six program administrators were selected for interviewing. These included four officials who administered the program at the Ministry of Labour in Kingston, Jamaica and two liaison officers overseeing operations here in Ontario, Canada. These individuals were chosen because of their in-depth understanding of the operation of the program, including the organization's mandates, policies, and practices. The interview objective in this instance was to document the ways in which policies were implemented and rationalized. Each sample was asked questions from two different interview guides.

Some of the information gained that was of particular importance related to the changing nature of the program and the impact this process was having on the workers. Because the SAWP is a program that operates in a competitive global market it was uncovered that workers' participation was subject to change as policies and procedures changed. Within the program itself, a theme that was constantly recurring was the loss of control that workers experienced in relation to their earnings. This emerged through the vocabularies used and the initiatives put forth to structure the conduct of the workers.

In addition to interviews, data was obtained from other textual sources. The 'Foreign Agricultural Resource Management Services (F.A.R.M.S)<sup>3</sup> 2008 Employer Information Booklet' was analyzed for descriptions of the policies and procedures that employers must follow to hire seasonal migrant workers. Also examined were the 'Voluntary Authorization' form and the 'Agreement for the Employment in Canada of Commonwealth Caribbean Seasonal Agricultural Workers' form, both of which workers are required to agree to and sign before they can be considered for employment in the program. These forms were used to corroborate the information obtained from program administrators in regards to the procedures of the program. In addition, a special publication by the Ministry of Labour and Social Security, the annual report for 2007/2008, was examined for language that could provide an understanding of the rationalities of the government operation

The methodological approach taken for this analysis also had its drawbacks. The overwhelming majority of workers interviewed were currently in the program and preparing for their departure. Exploring the experiences of those no longer in the program may have presented differing opinions, encounters, and ideas. As well, the setting in which the interviews took place could at times be quite noisy and distracting. Workers and administrators alike sometimes had difficulty concentrating on the questions asked and giving relevant responses. This also had a negative impact on the audio recordings. In spite of these limitations, respondents provided numerous and varied descriptions of their experiences and interpretations of the program.

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<sup>3</sup> Referred to hereafter as F.A.R.M.S.

## **The SAWP: The Operation of the Program**

The Commonwealth Caribbean Seasonal Agricultural Workers Program (CCSAWP), which was created in 1966, held Canada to an agreement with Jamaica to supply a much valued labour resource (Andre, 2000:256). This program was later expanded to include Mexico in 1974 (Commission for Labour Cooperation, 2004). Under the current CCSAWP (now, SAWP) program, a farmer is able to employ foreign seasonal workers with the permission of Human Resources Development Canada. This request is granted as long as the farmer can show proof that he or she attempted to hire Canadians for the position, or that there is a highly perishable crop in need of harvesting (Suen, 2000:201). With the incredibly high demand for the program here in Canada and the amount of migrant workers arriving each year, it signifies a complex arrangement of employment relations between nations.

The complexity of the program has to do with the many processes and arrangements involved. Wages must be determined<sup>4</sup> as well as the amount of workers required by employers<sup>5</sup>. Workers must be contacted, assessed for eligibility through health screenings, prepared for departure, and transported to the host country. While abroad, arrangements between farm owners and workers must be supervised for the smooth operation of the employment agreement until workers are repatriated back to their

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<sup>4</sup> Currently farm workers in Ontario are paid \$9.63-8.75 per hour for tobacco harvesting and \$8.58-8.75 per hour for all other positions in agriculture.

<sup>5</sup> In 2006 there were a total of 15,576 worker arrivals (5773 of which were Jamaicans), and in 2007 there were a total of 15,718 (5690 of which were Jamaicans). Note a decrease of 83 Jamaican workers from the previous year.

country of origin. Undoubtedly, this requires the participation of many individuals and groups working in various capacities to ensure the continuation of the program.

Inherently, the administration of a program the magnitude of the SAWP involves myriad rules, regulations, policies, and procedures that are enacted by various interested parties. The culmination of these directives, implemented by those in power, translates to a division between those who do the governing and those who are governed. Those for whom these directives are implemented submit themselves to the rules of order and conduct erected by government and program operatives. In this paper I argue that certain policies, perceptions and practices having to do with the administration of the SAWP represent another form of global governance maintained and facilitated by public service agents and private interests. I contend that together, they have the objective of ordering behavior and directing conduct of an already vulnerable group considered unfit for self-government. At different times the interests of those in power are subject to change, as are the motivations and rationales behind the policies and procedures they adopt. My aim is to analyze the forms of governance involved with the administration of Jamaican migrant workers in order to explore the motivations, rationales and implications behind policies and practices implemented by government agencies and other interested parties. In addition, I examine the implications and consequences of these forms of governance for the Jamaican workers in the program.

Jamaica's participation in the SAWP initiated an agreement that witnessed the movement of unemployed citizens abroad to fill various agricultural positions. The arrangement set the stage for fostering employment relationships abroad. This agreement was later expanded to include other Caribbean countries and Mexico (Verma, 2003). The use of workers from these foreign countries has not only met a clearly identified need for

employers in agriculture but has also fostered a dependence on the continued importation of labour (Basok, 2002; Preibisch, 2007). To this end, commodification of migrant export labor and the procedural requirements associated with it have come under criticism for their tendency to produce feelings of isolation and sites of alienation (Lindio-McGovern, 2004). When discussing the initial period of culture shock encountered upon arrival to Canada, one worker with two years of experience stated:

It is hard when we go there. We land at the airport and then we realize that all our family and friends are back home and that we won't see them again for a long time. When we leave the airport the first thing we feel is the cold. Some of us don't even have any warm clothes. It is a hard thing to get used to the cold. At the airport we see a lot of people. We pass by big malls and shopping places on our way to the farm. When we get there and the boss shows us the place we are going to live – this is hard. Some of us just want to leave.

Although aware that Canada had densely populated cities with shopping malls, restaurants, and entertainment, the worker felt far removed from such luxuries on the secluded farm site. Furthermore, he spoke of the difficulty of leaving his family behind, and the re-adjustment period that followed when he was repatriated.

The effects of these encounters through this process contribute to the workers' feelings of seclusion and desolation: experiences that Bauman (2004) also identify with similarly displaced groups such as refugees and other outcasts. While the outcomes of the SAWP can produce consequences of this nature, it is still framed as mutually beneficial for both demand and supplier nations and continues to grow in size and breadth (see for example HRSDC, 2004). This growth, however, is not experienced similarly by all supplier nations.

Although there has traditionally been a steady stream of Jamaican migrant agricultural workers entering Canada, this trend has recently started to change. From the year 2006 to 2007, migrant workers from Jamaica (as well as all other Caribbean countries) dropped in number while workers coming to Canada from Mexico increased (F.A.R.M.S, 2008). This process has similarly been documented in the United States (Griffith, 2006). Because farm owners decide what country they wish their labor to originate from they control the number of workers who enter Canada for employment. In effect, they are the gatekeepers in determining who is competent as a worker for the positions they are looking to fill. This places great power in the hands of employers and has implications greater than merely deciding the suitability of applicants. In light of the fact that workers are not interviewed for positions in agriculture, decisions to hire workers from specific geographical areas are based primarily on the presumptions, conceptions, stereotypes and past experiences associated with a particular cultural group. When asked of one of the program administrators if negative assumptions about Jamaican workers might account for the reduced demand, he claimed “although there was no direct evidence to suggest this, it could be a possibility. We have had instances where we are made aware of complaints by employers who have told the liaison office that some of their employees were unsuitable for the positions hired for.” While this statement may speak to legitimate employer complaints, it is also possible to conceive of employers couching stereotypical conceptions and beliefs in more acceptable language.

In her studies interrogating the racialized global labour supply, Kerry Preibisch (2007) proposes that employers engage in discourses of racialization in search of the most hardworking and dependable labour force. Her research also brings her to suggest that farm owners may hold racialized assumptions about the propensity of workers from one

culture to be better suited to perform certain types of agricultural labour. Along this theme, Vic Satzewich traces the long history of the racialization of Caribbean migrant farm labour claiming that the decision to allow foreign Caribbean labour into southwestern Ontario was “structured by the idea of ‘race,’ and an ideology of racial superiority and inferiority” (1991:179). He asserts that these individuals were classified as possessing certain negative traits that Canadians attributed to race.

The governing arrangement based on identity and beliefs about the essence of our livelihood follows closely to the view in the governmentality literature, that we engage in practices of government “according to various truths about our existence and nature as human beings” (Dean, 1999:18). If beliefs exist about the ability of one culture to perform better at a task than another, then program decisions will reflect such socially produced conceptions. This programmatic aspect of the SAWP unfortunately reinforces the concept of a social hierarchy of race (Galabuzi, 2006), attributing more desirable qualities to one ethnic group and less desirable qualities to another.

While divisions along ethnic lines mark one changing aspect of the SAWP, a shift in the *type* of labour being sought by host countries has also had a great impact on workers from Jamaica. One program administrator commented on the ‘trending down of the agricultural industry’ and the likelihood that opportunities of the sort were becoming fewer in number. He stated that as a response to this decline, however, Canada has increasingly diversified its employment demands with a greater number of positions demanding workers skilled in various trades. What has historically accounted for the employment of a significant number of foreign workers, agriculture is slowly making way for higher skilled positions. While the addition of skilled Jamaican migrant workers into the foreign labour market may increase the number of workers able obtain work abroad,



the difficulty of this shift is that in order to be considered for a higher skilled position, a worker must pass the Canadian Red Seal Exam (Interprovincial Red Seal Standards Program, 2006). The literacy requirements, however, systematically exclude workers who may be well qualified for the position being offered. One worker preparing to depart on an agricultural contract discussed his experience doing other forms of work such as construction. He expressed his wish to get a permit to remain in Canada for a longer period of time in order to work in areas other than agriculture.

On the surface, the literacy requirement component of the Red Seal Certification seems much like any other prerequisite in many certification programs. However, upon closer analysis it simply approximates another regulatory mechanism designed to serve the interests of the host state. These types of program amendments have led others to point out that, under global restructuring schemes, nation-states take on a key role in reordering relations between labour and capital through global strategies (Preibisch, 2007). This involves “reorganizing regulatory and political boundaries to protect its position within the globalized political economy” (Rai, 2002). Scenarios like this can be considered such a scheme in that workers who are brought abroad to perform higher skilled duties may be required for longer periods of time, potentially year round (as opposed to the seasonal nature of agriculture). This would make the case more difficult for governing agencies to withhold the granting of citizenship rights; a situation that occurs with agricultural workers. Withholding citizenship rights then, becomes a powerful tool in the hands of host nations for the regulation and exploitation of a highly socially excluded group (Stasiulis and Bakan, 1997). While this method of worker regulation and governing is not readily apparent, other practices and policies related to migrant earnings illustrate the case more clearly.

Under the SAWP workers are held contractually to perform their duties for a single farm owner. The length of stay that is specified in the contract can be altered by the employer if he or she no longer requires the labourer. According to a three workers interviewed, this has resulted in a premature termination of their contract, in effect, reducing their earnings. One worker complained that although there are opportunities to continue working, some employers prevent their labourers from doing so. One worker expressed his concerns as follows:

My concern with our farmer every year, we always tell him, after during the period of time when he has no work for us or after his work is finished, we always tell him to give us an extension to work. But he said he had one or two friends who gave their guys extensions to work and when the next year came around he lost them because probably the next person he gave them to treated them better than how he treated them. So they left him and went to the other farmer. So he is kind of afraid.

This worker was referring to the 'loaning' of labourers to other farm owners. The frustration felt was a direct result from being denied the opportunity for a transfer on the basis of his employer's fear of potentially losing hardworking labourers in subsequent seasons to other farm owners. This state of affairs demonstrates that the politics of the program can act as a limiting factor to the earning potential of migrants. Essentially, farm owners are empowered with the ability to restrain the movement of workers in a system that operates in favour of employer interests. This example of autonomous decision-making also emerges through the deduction of migrants' earnings and the remittance process

A significant component of the SAWP involves the deduction of funds from workers' income and the remitting of these funds back to the country of origin. Through this process migrant workers fulfill their need to transfer their earnings to those they have left behind in their home country. Before travelling, workers are required to sign various documents relating to their contractual agreement under the program. One of these documents is a *voluntary* authorization form outlining the worker's consent to allow their employer overseas to deduct and remit funds from their earnings for: transportation costs, expenses incurred by the Jamaican government for the administration of the program, and to put towards a savings program in the name of the worker (Voluntary Authorization Form, 2008). The latter two deductions comprise a total of twenty-five percent of the workers earnings withheld each pay period: five percent going to the Jamaican government and twenty percent going towards the savings component of program. This process is accomplished by allowing the farm owner to withhold these monies and submitting them to the liaison office in Toronto no later than seven days after each pay period (F.A.R.M.S., 2008:5). From there, they are sent to The Ministry in Jamaica where five percent is collected for government use and the remaining twenty percent is deposited into an account which has been opened in the worker's name.

What seems problematic with this component of the SAWP is that all workers interviewed stated that their participation in the savings program was compulsory. Each worker expressed that they had no other option but to have these funds deducted and remitted to their home country on their behalf. However, when asked about the compulsory nature of the savings program, each of the administrators stated that the program was *voluntary*. It was determined that the administration gives the impression to

the workers that participation in the program is a mandatory requirement. A program administrator rationalizes the motivations behind the procedure:

You may not be able to take them (the workers) through the rigours of how to manage their money and all that sort of thing and many of them are not able to do that in a responsible way. You must understand that farmworkers have always been those persons who, maybe the educational level is a little lower than the average person and we saw this as a means of really helping them to meet their financial responsibility when they get back home.

In the analytics of government, Foucault (1991) describes our organized ways of doing things as our *regimes of practices* which include the intentions and results of those procedures we put into operation. Primarily, this concerns “thought as it becomes linked to and is embedded in technical means for the shaping and reshaping of conduct and in practices and institutions” (Dean, 1999:16). In consideration of the mentalities of government employed by the administrator, it is evident that conceptions about the capabilities of this population include the need for supervision in light of their apparent inability to manage their earnings. The reference to their lack of formal education is used to infer another inadequate ability and justifies the deception used when divulging the specifics of the program.

Similar to Rojas’ (2004) suggestion that international aid constitutes a form of governing which casts the poor as unfit for self-government, aid in the form of earnings management also plays a similar role in characterizing this population as dependent on government intervention. One worker who was questioned about his participation in the savings program attempted to dispel what he saw as a misconception towards those who partook in the SAWP. Emphatic about his preference to keep all of his earnings, he stated

I would prefer if they didn't take that 20%. Well, me can control my money you know. Me can control my money. I would send my money into my bank account or bring my money home with me because I can control my money.

As described, this sentiment was not shared by some of the administrators who took a position of responsibility and accountability for the financial practices of the workers in the program.

In addition to mandatory deductions from their earnings, workers are not given the option of having an amount greater or less than twenty percent remitted to their accounts on their behalf. One administrator stated that allowing such options for the workers would conflict with the smooth operation of the program as it would create excessive work for the farm owner, which in turn could be a deterrent for the employer to participate. Furthermore, it was explained that since it was the employer's responsibility to deduct the funds on a regular basis, keeping the deducted amount fixed kept the process simple. What is poignant about the administrator's line of reasoning is how workers are made to accommodate their employers in regards to how their own earnings are distributed to them. In other words, employers retain full control over a significant portion of the migrant's earnings and any changes to the distribution of the funds are left to the discretion of the owner.

As illustrated above, the adherence to this form of governing often manifests itself through language used to describe, explain, and justify over-intrusive policies and practices. Oftentimes, the vocabularies used by those in authority reveal the taken for granted assumptions of those they govern. If others are governed based upon certain truths about our existence (Dean, 1999:18), judgments must exist to distinguish those who are governed from those who do the governing. The greater the belief that one group

differs fundamentally from another, the more justified are policies and practices that further distinguish the relationship between governor and governed. For example, one of the liaison officers makes reference to the 'bosses' of the workers taking on the role of 'babysitter' when the worker first arrives at the farm. This is premised by reference to the close relationship that is built between employer and employee. This mental positioning of the infantilized worker cared for by the farm owner legitimizes the positions of those in authority by appealing to their propensity to lead. This too provides justification for the 'caretaking' stance of the state. This position translates into the formation of other practices that administrators and employers may engage in that illustrate the unequal employer-worker relationship. In the words of one worker who had been in the program for six years, "There are certain dos and don'ts. They don't allow us to go out at nights so we don't really do that. That's the rule..." Kelly Preibisch (2003) who looks at the relations between farm workers and their employers discusses situations as these as a form of 'supracontrol' that is maintained on the farm site. Here, measures are taken to limit migrants' social lives by imposing curfews, restricting mobility, and prohibiting visitors to enter the working grounds.

In addition to the conceptions of migrants and their inability for self-governance, other issues arise having to do with employee deductions by the farm owner. In speaking with a program administrator I learned that there are occasions where the employer is late remitting the workers' funds to the liaison office. Employers are required to send these funds to the liaison office in Toronto on a regular basis, which in turn are sent to The Ministry in Jamaica and deposited into the workers' accounts. The workers' dependents can then access the money for use while the worker is abroad if arrangements have been made at the bank. However, in some cases the employer does not remit the funds

regularly. In extreme cases, workers have returned home after their contractual agreement to find that they have still not received their earnings. This finding is consistent with a report stating that the average time taken for workers to receive their savings once they have returned to Jamaica is 2.4 months (Russell, 2007:5). Some workers have waited up to six months after they have returned home to collect these funds. Apparently, the reason given for the delay has to do with the owner's financial situation. According to an administrator, due to the unpredictable nature of farming and the uncertainties that owners face having to do with weather conditions and crop failure, employers withhold the funds to ensure that their expenses are met and crisis situations are averted before remitting the money. Another reason proposed for the delay is that employers spend a lot of money up front and find themselves tight for cash during the rest of the season. They compensate themselves with their employees' deductions until they are able to recoup what they have spent.

The outcome of this arrangement is problematic in a number of ways. To begin, dependents become reliant exclusively on funds remitted by the worker abroad if employers fail to remit the savings portion of their earnings. Dependents may not be able to cover costs that they had originally budgeted for which may create stressful situations within the home. This practice may also have the effect of placing increased financial stress on the worker by having to remit larger amounts to the home country. Not only does that leave the worker with fewer funds in Canada but it also translates to higher remittance fees due to the larger amounts that are sent. Furthermore, there is a greater risk of bank account closure due to insufficient funds in the worker's savings account. Since banks require a minimum balance for accounts to remain active, there have been cases where workers' accounts have closed because funds are too low or due to bank

account inactivity. Apart from the effects this practice has on the worker and his or her dependents, there are also larger implications having to do with the integrity of the program.

Employers face no penalties for remitting funds late, apart from pressure imposed by the liaison office. While late remittances may not be a common occurrence, the likelihood of a farmer to use the savings program to compensate for slow revenues from their business, or as a safety net for uncertainties, can be tempting. Furthermore, with mild enforcement against such practices there remains little deterrence not to engage in them. One of the problems of enforcement seems to be related to the issue of too few liaison officers available for the size of the program. One program administrator explained that it is the responsibility of the liaison officer to ensure that employers are regularly remitting the workers' funds. Because each officer must oversee a large number of farms, some instances occur where the officer is not able to see a particular farm owner for a longer period of time. Those employers who are not regularly visited are the ones most likely to fall short on their obligations to the program. According to one program administrator, the liaison office has attempted to compensate for lost worker wages by providing the funds to the workers and collecting the earnings from the employer through the courts. However, this course of action tends to occur in cases where the farm has closed and there is little potential for the workers to receive their earnings in a timely period.

In order to fully comprehend the role of the liaison officer it is important to view their position as at once, satisfying the needs and the interests of the employer, as responsible for the well being of the labourer and as indebted to the further continuation of the program. This tri-partite positioning imposes conflicting pressures on the liaison



officer. In order for the continued success and growth of the program, and because employers specifically request from which country they would like their workers to originate, the officer is obligated to keep complaints from workers to a minimum. Strict enforcement of policies and procedures towards employers may result in those employers regarding the involvement of Jamaicans as particularly troublesome, as well as being a more encompassing threat to private markets on the whole, effectively jeopardizing the program for Jamaican workers. This argument is also put forth by Preibisch (2007:102) who recognizes the importance of remittance streams to the home country and liaison officers' reluctance to interfere with their persistence. A similar line of reasoning is advanced by Kwong (2002) in the context of employer violations that occur in the apparel industry. While this employment arrangement differs from that of the SAWP, some of the rationalities used by government are useful nonetheless. Kwong (2002) considers governmentality associated with neoliberalism. In this respect, he points to the failure of inspectors to investigate the many violations occurring in apparel factories as a means of protecting the free market apparatus; "American neoliberal governmentality privatizes, downsizes, and eliminates government regulation of employers because these interfere with the optimum and efficient operation of private markets" (Kwong, 2002 cited in Nonini, 2002:15). While this may be an example of deliberate tactics used to undermine the safety and well being of workers, it nonetheless illustrates that administrators can purposely neglect the interests of those who are at the grass roots of the program.

It deserves mention that administrators do not necessarily intentionally engage in acts to undermine the capacity for workers to govern themselves for their own best interests. Many have good intentions and see their efforts as a contribution to the problems of their people. Finally, in many instances these forms of governance are so

deeply entrenched in modern modes of thought that challenging them promotes fears that the system may collapse. New proposals for change must be sensitive to this and continue to consider the security and well being of all participants.

## **Conclusion**

Contemporary society is moving increasingly toward relations characterized by international arrangement and organization. This analysis of the forms of governance surrounding migrant workers has incorporated an examination of the implications and effects of such associations. Through an assessment of Jamaican labourers through the Seasonal Agricultural Workers Program, it has been asserted that the potential for autonomous decision-making and self-directed action is diminished by the implementation of strict policies, procedures and practices. It has been illustrated that these elements have been put in place for the purposes of prescribing proper conduct, and ordering social and economic relations. The effects of such a dynamic have the result of maintaining a system of global governance secured by public service agents and private interests that have the objective of ordering behavior and directing conduct of a group considered unfit for self-government.

This study is a valuable contribution to the dearth of scholarship on forms of governance impacting Jamaicans in the SAWP. It provokes a reanalysis of current practices engaged in by policy makers, program administrators, and employers. Previous studies have lacked an analysis of temporary migrant workers from the perspective of global governance initiatives to direct behavior and reorder conduct.

This analysis makes the following principal contributions. First, it renders a comprehensive evaluation of the particular practices that facilitators of the SAWP have

implemented in the program. It does so with the use of a qualitative approach to obtain data from participants. Secondly, it illuminates some of the biases and preconceptions that have been interwoven into the operation of the program and that contribute to the difficulties experienced by the population it is meant to aid.

In-depth semi-structured interviews complemented by government produced documents, and policy publications provided data that corroborated findings in the literature maintaining the position that global governance schemes have the tendency to undermine the self-directed behavior and practices of vulnerable populations. These findings have implications for policy makers, researchers, and organizations interested in improving conditions for temporary migrant workers.

Finally, the impacts of policies and procedures in a program of this nature are not always self-evident to those involved with its administration. In many occasions, officials are acting in what they consider to be the best interests of those they charged with governing. It is hoped that bringing concerns such as these to light will result in a reappraisal of certain mandates and procedures for the betterment of all labourers globally.

## APPENDIX A

### Interview Guide for the SAWP Officials

<b>Date of Interview</b>	
<b>Position in Organization</b>	

#### Personal Demographics

Can you please start by telling me about your work with the SAWP?

1. What is your official position with the SAWP?
2. How long have you been involved with the SAWP?
3. Can you briefly tell me what some of your duties/responsibilities are?

#### The SAWP

1. Can you please give me an overview of the program?
  - 1.2 What are some its goals/aims?
2. What are some of the challenges of governing such a large population?
3. Would you say that government and SAWP administrators have responded effectively to these challenges?
  - 3.2 What types of responses have occurred?
4. From what country do most SAWP participants originate?
  - 4.2 Is there a particular reason for this?

#### Migrants and their Earnings

5. Can you briefly explain how migrants remit their earnings?
6. Can you briefly explain the process of the deductions that are made to migrant's earnings in the host country (eg. 25% deducted)?
  - 6.2 What is the justification for this policy?
7. What factors, if any, might reduce the earning capacity of the migrant while they are in the host country?
8. What factors increase the likelihood of greater earnings for the migrant while they are in the host country?
9. Do you encourage the likelihood of greater earnings?
10. Does your administration encounter any concerns from the migrant population toward any of the policies in place to their earnings?
11. To your knowledge how do the migrants deal with this?
12. Have you tried to negotiate higher wages for workers?

#### Remittance Systems and Development

13. Can you briefly describe the ways in which workers can remit their earnings?
  - 13.2 Are workers encouraged to utilize any one of these processes over others that are available?

14. Recently security concerns have arisen regarding funds transmitted by migrant workers (eg. drugs)

14.2 Is this a concern to administrators in regards to the Jamaican migrant worker context?

14.3 If yes, then what precautions are taken?

**Beyond the SAWP**

15. Once migrants remit their funds home, are the workers encouraged to spend their earnings in any particular way?

16. Where and for what purposes are most of these funds spent?

16.2 Are migrants and those they remit to encouraged to invest their funds for particular purposes?

17. What opportunities are available to migrants and to those they remit to invest in developmental initiatives?

## APPENDIX B

### Interview Guide for Jamaican Migrant Workers

<b>Date of Interview</b>	
<b>Position with Organization</b>	

#### Personal Demographics

1. How long were you involved with the SAWP?
2. Are you still involved with the program?
3. Can you describe, in general, the experiences you had in the program?

#### Earnings

4. Do all migrants working in the program earn the same wage?
5. Are you eligible for a wage increase based on experience?
  - 5.2 What do you think of this?
6. Is it possible to return home, after the completion of a season through the program, with less money than you originally anticipated making?
  - 6.2 What factors could lead to this situation?
7. Have you ever had a concern about the earnings you received? (Deductions, hours worked etc.)
  - 7.2 What did you do?
  - 7.3 If these deductions were not made, what would you do with the extra funds?
8. Please explain to me what deductions are made from your earnings?
9. Were you told of the deductions to be made to your earnings?

#### Remittances

10. How did you send money back to your home country?
11. Were you given any options for sending this money home?

#### Spending

12. How are your earnings spent in the host country?
  - 12.2 Are you permitted to spend your earnings any way you like?
  - 12.3 Are you advised to spend your money in any particular way?
13. How are your earnings spent in your home country?
  - 13.2 Does anyone persuade you to spend your money in a certain way?
  - 13.3 Are you discouraged from spending your earnings how you would like?

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## VITA AUCTORIS

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