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“MAKING WRONG LOOK RIGHT”:
THE ROLE OF MEDIA IN THE EXCLUSION OF MIGRANT FARM WORKERS

By

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A Major Research Paper
presented to Ryerson University

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**“MAKING WRONG LOOK RIGHT”:
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ABSTRACT

Since the 1960s, Ontario farms have become temporary worksites for temporary workers. Despite this permanent use of temporary labour on Ontario farms the workers remain largely invisible and unrecognized. The purpose of this research project is to address this misconception and unveil the hidden or otherwise ignored way that our food ends up on our kitchen tables. While the larger purpose of the paper is to dispel the myths that circulate around food production in Ontario, the paper will demonstrate how media in all four countries continue to feed into the hegemonic discourse that surrounds the use of temporary foreign workers in Canada. This research will offer a discussion for why is it this exclusion of farm workers has been rationalized through a critical analysis of the media discourse that has circulated through four different countries, including Canada, Mexico, Jamaica and Guatemala.

Key words:

Seasonal Agricultural Worker Program; Temporary Migrant Labour; Exclusion; Rights; Union; Discourse; Media

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Preface

My personal experiences shape my approach to my research and writing. The following is a short anecdote that explains my own journey that led to this particular research area. Through this, I hope it will provide insight into how I approached this research project.

I grew up in a small rural village in Ontario in which the community I lived in appeared to me as incredibly homogenous in regards to race and ethnicity. As I grew up, school awareness campaigns taught be about the dangers of racism but always seemed to tell the story that racism wasn't something that occurred in our own communities but in towns and cities far away. I grew up believing this to be true and even thinking that my own community was immune to something such as racism. However, one experience shattered this naïve ideal.

While in my final years of high school I worked on a family farm. This farm employed three Mexican farm workers each year and came at the beginning of the season to plant the seeds that they would then harvest at the end of the season. From my point of view, my employers treated the Mexican workers with fairness and respect, providing housing that in the winter months Canadian families would rent, not asking the workers to go out on the fields if the weather was too poor for any of us to work as well and inviting the workers to eat at their own home on a weekly basis in which we were also invited. As my Spanish language skills were not what they are today, communication was difficult but they were able to get across how much they missed their families and life back home in Mexico as well as their appreciation for their employers in comparison

to past experiences they had with other employers on other farms. It was at this time that I became curious to what they meant by other negative experiences and when I heard of an experience of another farm close by in which there were a group of female Jamaican workers being treated unfairly, having inadequate housing and strict limits on leaving the farm without supervision. Suddenly my vision of a Canada free of racism was shattered. Not only was racism no longer a distant problem of the past or of urban centers it was right in my community, no longer a distant vision but was standing right next to me.

This personal experience has led me to writing this particular piece of research that I acknowledge will be influenced by these experiences. My goal is to write honestly as both a student and an activist with hopes that this research paper will inspire further research but also action with understanding that the farm workers themselves have a great amount of agency and autonomy that must be respected and recognized.

Introduction

“The tall, white, male police officers were shocked. They had no clue that migrant women lived and worked in their community, let alone what some had to go through to earn a living producing food that ended up on our kitchen tables.” (Toronto Star, 2008)

Since the 1960s, Ontario farms have become temporary worksites for temporary workers. In 1966, the Seasonal Agricultural Worker Program (SAWP) was established in order to fill a gap in the labour market. While the workers are temporary, the need for migrant labour is permanent and only accelerating. Despite this permanent use of temporary migrant labour on Ontario farms, the above quote, a reaction from a police officer after visiting one of these farms, represents how these workers, coming from places such as Jamaica, Mexico and Guatemala remain largely invisible and unrecognized.

The story that is told to us about where our food comes from and how it is produced has not included the story of the migrant farm worker. The purpose of this research project is to address this misconception and unveil the hidden or otherwise ignored way that our food ends up on our kitchen tables.

Included with this paper is a DVD. This DVD includes photos and videos from Foodland Ontario, which is a consumer promotion program of the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). This promotional material from Foodland Ontario claims that “Good things grow in Ontario” using images of white Canadian men, with European backgrounds, and their families picking fresh apple of the tree or tomatoes off the vine and bringing them straight from their farm to your table.

These types of advertisements allow those living in Ontario to consider themselves as part of a community in which an imagined landscape of rural Ontario is formed as a white settler society, free of racialized bodies. This paper however will point out how these mythologies of Ontario agriculture are just that – myths.

Not only are the working and living conditions for these migrant workers known to be exploitative, the recent legal battle to attain unionization rights for agricultural workers in Ontario has failed. This exclusion of farm workers from unionization has been tolerated and even accepted by many. This research will offer a discussion for why is it this exclusion of farm workers has been rationalized through a critical analysis of the media discourse that has circulated through four different countries, including Canada, Mexico, Jamaica and Guatemala. While the larger purpose of the paper is to dispel the myths that circulate around food production in Ontario, the paper will demonstrate how media in all four countries continue to feed into the hegemonic discourse that surrounds the use of temporary foreign workers in Canada. This discourse not only justifies the continued use of known exploitative programs but also rationalizes the exclusion of these workers from rights and protections. The paper will argue, not why the legal battle for farm workers failed, but rather how it is that migrants are excluded from certain rights, such as unionization.

This research paper will begin with three sections that will provide the groundwork to ensure that the reader will have the necessary background to understand the author's approach to analysis and therefore the conclusion. These sections include a literature review on temporary migrant labour to provide the necessary context to understand the SAWP. The second will provide the history needed to understand the current context of

the organization of agricultural workers and the third will be an overview of the theoretical and conceptual frameworks used in the analysis and discussion of this research. Next, the research findings will be presented which will include selected content from newspapers divided into five different narratives. It is important to note that these five separate narratives are fairly large in scope and each on their own won't be analyzed in depth. However, these narratives remain important as they give the necessary context to understand the conclusions made by the author. Following the research findings I will discuss some of the salient points that arise from the findings. Finally, the paper will conclude and provide what this author sees as lessons that can be learned from the research as well as suggest research that could be done in the future.

Section One – Literature Review on The Seasonal Agricultural Worker Program

The term, “temporary” to describe Canada’s Temporary Foreign Worker Programs (TFWP) is deceiving, while the workers are temporarily in Canada, the need for temporary labour has become permanent and is only accelerating. In 2007, 115,470 workers arrived in making the growth of these programs in Canada almost unbelievable (Nakache, 2010). From 2004 to 2008 admission of temporary foreign workers increased by 71% (Siemiatycki, 2010) with the highest growth rates in the province of Alberta, in which there has been a 350% increase of workers in only four years time (Nakache, 2010). In fact by 2008, there were more temporary foreign workers being admitted to Canada than permanent immigrants admitting 247,000 permanent residents while there were 250,000 temporary work permits in effect throughout Canada (Byl, 2010). These programs are celebrated by politicians while many others continue to speak out against them saying that they mimic indentured servitude (Goldring, 2010). With comparison of the Canadian TFWP to the guest worker program in Europe, many are concerned with increasing levels of poverty and racialization of migrants in Canada (Byl, 2010). It has also been noted that the government, without adequate understanding of the costs and benefits is constantly altering changes to these temporary workers programs. These frequent changes to policy also make it difficult for academics, activist and the workers themselves to keep track of the changes from season to season.

The origins of the Seasonal Agricultural Worker Program

The Seasonal Agricultural Worker Program (SAWP) is one program that is part of Canada’s larger TFWP’s. The SAWP originated first in 1966 with a bilateral agreement between Jamaica and Canada to address labour shortages Ontario farmers were facing

(Mize & Swords, 2011). This use of foreign labour however was not the first option that the government considered. Native born Canadians were seen as a more desirable labour force to employ as this avoided public criticism that unemployed Canadians should be employed over foreign workers, something that is still a concern today. These programs to use Canadians such as men and women on welfare or unemployed Aboriginals failed as many ^{did not} didn't return and could not manage under the difficult working conditions. This resulted in the farmers demanding a reliable, flexible and relatively cheap labour force (Basok, 2002). This attempt to use the unemployed, women on welfare and Aboriginals is indicative that farm work was seen as appropriate for certain bodies - bodies that were marginalized and devalued just as much as the work itself. This construction of farm labour and who works on farms remains to this day.

Beginning in 1973 Mexican workers joined the program. This occurred after the Jamaican government had pleaded with Canada to ensure better treatment of their citizens (Mize & Swords, 2011). This interference by the Jamaican government caused Canada to look elsewhere for a labour supply that wouldn't ^{not} be attached to a government concerned with labour standards. An event such as this is an example of the 'race to the bottom'. Race to the bottom is phrase that depicts a process whereby employers (including countries) seek the labour supply that is at the bottom of the employee list: the most vulnerable, disposable and cheap labour. This happens frequently in the global labour market of temporary migrant workers since they are the workers at the very bottom. In this case, Jamaica became concerned that they would lose access to the SAWP program entirely and Mexican workers would replace them. This use of 'race to the bottom' by Canada and Agricultural employers caused Jamaica to retract their demands for better

treatment of workers and as the research will show, has had long-lasting effects. More recently the program has opened up to more nations in the Caribbean and Central America such as Trinidad & Tobago and Guatemala. Similar to the case of Mexico and Jamaica, the contracts signed with these countries continue to lower standards of protection and place the burden of more costs onto the workers, such as housing and travel costs (Hennebry, 2010). The following section will expand on the origins of the SAWP and explain how temporary migrant labour has become a structural necessity in the Canadian and Global economies.

The origins of Temporary Labour in Canada

The needs of labour have long influenced immigration in industrialized countries. Both Harald Bauder (2006) and Tanya Basok (2002) have written extensively on this. Tanya Basok, was one of the first scholars to critically look at the SAWP in Canada. Her conclusions in “Tortillas and Tomatoes”, point to the fact that agricultural migrant labour is structurally necessary as farmers have become dependent on foreign labour and that the workers have too become dependent on foreign sources of income (Basok, 2002). [Basok accounts for this dependency on the deterioration of small family farms caused by the rise of larger industrial farm practices in Canada, As well as the lack of viability substance farming has become in Mexico due to economic changes brought on by trade agreements such as the North American Free trade Agreement (NAFTA) (Basok, 2002). Further reasons for why Ontario fruit and vegetable growers require cheap labour include the increasing costs of inputs and the need to be competitive against larger industrialized agribusiness which has become more difficult with a fall in popularity of farmer cooperatives and neoliberal agricultural policies (Basok, 2002).

Industrialized countries use migration as a fundamental tool to control their economies (Bauder, 2008). Neoliberalism has brought with it increased global economic competitiveness in which nations are competing for all types of capital, including human capital (Bauder, 2008). Stephen Castles, a noted immigration scholar, discusses how historically, accessing human capital was done through colonization with the use of slavery and that temporary labour programs (Castles, 2010). Leah Vosko (2010) frames her research less on patterns of immigration like Castles but more on patterns of labour, which will be explained below.

In her work, “Managing the Margins” Vosko discusses how labour patterns have changed over the past century. Vosko describes this change from a standard employment relationship (SER) to precarious employment. Here, SER is defined as a job that is full-time, permanent and one in which the employee works with the same employer for one’s full career as well as having access to comprehensive benefits and protections (Vosko, 2010, 1). In contrast precarious employment is defined as work that is part-time, temporary, low wages, limited benefits and exploitable and dangerous working conditions (Vosko, 2010, 3). It is important to note that Vosko does not make the claim that all work was as SER describes and was by no means universal but this decline in good quality jobs in which benefits and protections could be won is on the sharp decline and especially for those on the margins (Vosko, 2010, 2).

In her analysis, Vosko looks at how gender, immigration and citizenship status interact with precarious employment in which the workplace becomes incredibly flexible and exploitable to fit the needs of production in a capitalist economy (Vosko, 2010). Frequently, this type of labour is referred to as “just-in-time” labour in which employers

can command labour to come and go as economic changes demand or in the example of SAWP as seasons end and begin. The use of temporary foreign labour in Canada is clearly influenced by this shift to precarious labour, creating a system in which the power of workers has quickly been eroded and highly concentrated in the hands of employers and governments. People matter less and profit matters most.

While economic factors have been shown by scholars to have been the stimulus for temporary foreign worker program, so too, has immigration policy. The changes Canada made to the immigrant selection process in the 1960s to bring about a fairer and 'colour blind' policy had a strong human capital focus making language proficiency and high skills a top priority. However, this left little to no room for marginalized and racialized lower skilled workers to supply the labour market (Nakache, 2010). Waiting lists even for highly skilled work were as long as 5-6 years and so employers called for a more efficient system; hence, changes to immigration policy were made. Most scholars note that while there are complaints concerning long wait time for refugee claims and family reunification, any changes to those programs have in reality been a constriction of the border for permanent settlers and an expansion for temporary labour (Goldring, 2010). In 2008 Canada's finance minister, Jim Flaherty, was quoted saying "Canada is committed to creating a just-in-time immigration policy" to keep us economically competitive (Siemiatycki, 2010, 61). Whether it is labour market, economic or immigration driven causes, they all have a significant impact on the decision for Canada and throughout industrialized nations to use temporary migrant labour. All scholars bring out important insights, and when using an abundance of approaches much is revealed about the shift in not just temporary workers but also immigration and the future of

labour practices. The remaining sections of the literature review will return to a discussion specific to the SAWP, however, the larger picture of global labour and migration trends are crucial to keep in mind.

Mobility Rights & Vulnerability

The experience that migrant workers have while in Canada is what has been generating so much attention by scholars, migrant activists and labour unions. Due to a lack of freedom of mobility to switch employers, workers have no ability to switch employers if they wish to receive better treatment, Basok calls this 'unfree' labour, making these workers incredibly vulnerable (Basok, 2002). The way in which these workers are selected also increases their vulnerability as Mexican workers that are eligible to participate in SAWP. For instance they must not own any property of their own, must have experience in agriculture, must have limited education and must have a family of their own (Mize & Swords, 2011). What this translates into is that workers are easily exploited to demands such as working long hours. As well, they suffer unfit working and living conditions as their desire to live up to the expectation that they will provide for their families back home outweighs their desire to refuse work (Mize & Swords, 2011). The fear that many workers have of their employers is also noted by many scholars in that they do not wish to lose their jobs and be repatriated which is the term used by the industry for deportation (Prebisch, 2007; Hennebry, 2010). Even more worrisome is the threat that they can receive a poor evaluation by their employers if they speak out against conditions or take even more drastic measures such as protest and strike, and this poor evaluation could result in the workers being prohibited from returning to participate in the program (Prebisch, 2007).

Health & Housing

These exploitative conditions translate into issues such as health and housing. Two of the most notable scholars in the field of health and housing are Jenna L. Hennebry and Janet McLaughlin. In McLaughlin's doctoral thesis she astutely reveals the paradox migrant workers must face as they knowingly sacrifice their own health and wellbeing in order to provide for themselves and their family to ensure their health and wellbeing (McLaughlin, 2009). This correlation between health and labour is magnified in temporary labour programs as workers are powerless to protect their own bodies at the same time that employers are complacent about their well being (Hennebry, 2011; McLaughlin, 2009; Mize & Swords, 2011). In regards to housing, these scholars revealed that farm workers overwhelmingly felt their housing was inadequate and to the extent it was hazardous to their health. Examples of housing issues include: proximity of chemicals to living areas, cooking areas close to bathrooms, overcrowding, lack of privacy, poor ventilation and over heating in the summer matched with lack of heating in spring and winter months (Hennebry, 2010). Employers found guilty of providing poor housing have attributed it to an inability to afford proper housing and a lack of enforcement from the government to keep them accountable (Tomic et.al, 2010). Poor living conditions in terms of these factors associated with health risks include increased spread of communicable disease such as tuberculosis or sexually transmitted disease such as HIV and HPV (Hennebry 2010; McLaughlin, 2010).

Workers' Mobilization

In response to these exploitative conditions that the practices under the SAWP program imposes on workers, workers have resisted and mobilized. As of yet, literature

on the organizing of farm workers has been limited to only a few studies. Scholars such as Basok and Carasco (2009) and Walchuck (2009) have examined the long history of how the United Food and Commercial Workers (UFCW) has fought for farm workers' rights both at provincial and federal levels to expand labour rights. In comparison to these authors, Jonah Butovsky and Murray Smith (2007) look at labour with a historical perspective. They make conclusions about the validity of the assumption that unionization among farm workers will bring significant protections. Using a Marxist framework, the authors argue that historically, workers rights have been fought against capitalist structures and hegemonic powers and that the current state of labour unions is overly bureaucratic in which these workers are marginalized within the power structure of these unions (Butovsky & Smith, 2007). They are also quite critical that these struggles are taking place within legal frameworks that instead of challenging the capitalist exploitation of these workers instead are seeking changes to protection laws, which in the end won't result in real forms of protection. The opinions of these authors are important to consider among the literature as they claim that a reluctance of many researchers to use a critical Marxist approach when addressing labour movements in Canada results in missing some critical insight such as how class and historical and imperialist relationships interact and influence social practices (Butovsky & Smith, 2007)

Unlike Butovsky and Smith, Micheal Ford (2004) explains how approaching organized labour when migration is thrown into the mix is problematic in a research sense in that both labour scholars and immigration scholars approach the issues differently. He stipulates that labour scholars fail to understand the importance of citizenship status and the migration experience while migration scholars fail to recognize

wider labour struggles or understand historical significance of these types of movements. The significance of Ford's argument is important in that it further makes the case for why research in the field of temporary foreign labour is so important and that labour and migration scholars should begin to work together in order to find common ground in confronting these issues and extracting important theoretical frameworks.

As yet, most scholars have largely ignored the issue of gender and race and although these incredibly important distinctions have been acknowledged, they have not yet been adequately addressed. The work done by Ofelia Becerill (2007) does excellent exploratory research on the subject of particularly female Mexican migrant farmworkers. In her work she discovers that the farm is a highly gendered place in which segregation among gender and race is even encouraged by the employers themselves. Kerry Prebisch's (2007) work, compliments Becerill as she attempts to look at community-worker alliances and how the organizing of farm workers becomes a transnational phenomenon extending from the communities in which they live in and the ones in which they work. Another critical researcher that looks into female migrant labour is Evelyn Encalada-Grez. Her work discusses not only how the site of the family farm is one of immense gender disparities constructed by patriarchal traditions, but also how women must overcome particular challenges regarding their sexuality and gender identity both in the communities they are from and where they work (Encalada-Grez, 2010). Here, all three authors point to several research gaps in the field. Each indicates how this transnational relationship needs to be explored further and look into how identities and belonging are part of organizing the transnational worker. This research will pick up on these gaps and attempt to gain a better understanding of how migrant farm workers

organize but most importantly how the media portrays this organization. The following two sections will provide first a brief history of the labour movement of agricultural workers in Ontario and secondly an overview of the theoretical and conceptual approaches this paper will utilize. Both provide the necessary background to understand the author's approach to the research findings and analysis.

Section Two – Background into the Labour Movement of Agricultural Workers in Ontario

Understanding the long journey of the labour movement of agricultural workers in Ontario is a crucial piece of this research. For this journey provides the necessary context to understand how it is that the decision the Supreme Court made in April as well as the current mobilization and resistance efforts of the workers. In the mid twentieth century agricultural workers were not a part of the wider Canadian labour movement. At the time, trade unions paid little attention to rural farm workers but so too did the government of Ontario when agricultural workers were excluded from an important piece of legislature created in 1943. In that year the provincial government introduced the Collective Bargaining Act (CBA), which would guarantee the collective bargaining rights of workers except for agricultural workers (Walchuck, 2009b). Reasons given for this exclusion concerned the perishable nature of food, the fact farming was a seasonal sector as well as the argument that small farms were financially constrained to both increase wages and wouldn't be able to afford the huge cost that a strike would impose (Walchuck, 2009b). Four years later, when legislature was introduced the promise of protecting workers' rights in Canada, agricultural workers were once again excluded. The Labour Relations Act (LRA) was a promise to create 'fairness and balance' between capital and labour but yet again it was argued that it wouldn't be a balanced deal to capital is agricultural labour had the right to organize and collective bargain.

This exclusion, which came before the origins of the SAWP, continued for almost another fifty years when the New Democratic Party (NDP) were in power at the provincial level of government in the early 1990's. The NDP introduced the Agricultural Labour Relations Act (ALRA), which allowed agricultural workers the long awaited right

to unionize. At this time the United Food and Commercial Workers (UFCW), a formalized trade union, became involved with the struggle of agricultural workers and particularly migrant farm workers part of the SAWP (Butovsky & Smith 2010). Despite this historical act introduced by the New Democrats, in 1994 the Progressive Conservatives won the provincial election. This allowed the Conservative government to repeal the ALRA and in effect continue the exclusion of agricultural workers from the rights of so many other Canadian workers arguably creating policy that perpetuates class division and divisiveness and disunity among workers (Walchuck, 2009a).

While this was happening at Queen's Park in the early 2000s the UFCW was busy in the rural areas of Ontario. Here, the UFCW began to get involved with migrant farm workers when they received word about a wildcat strike that occurred in Leamington, which is considered the greenhouse capital of North America located in Southwestern Ontario. The UFCW began an initiative called the Global Justice Caravan Project in which they collected individual stories and experiences of workers, which revealed serious problems of exploitation and a great need for worker supports. The UFCW soon realized that the Caravan project wasn't sufficient and opened a worker support center in Leamington in which workers could go to in need of translation services, legal aid, occupational health related supports among many others. Naturally the UFCW was quite concerned with the regression in farm workers' rights that the Conservative government had caused and especially at a time when they saw only an increasing need for protection of a growing and marginalized labour force.

It was at this time the Progressive Conservatives received serious criticism for doing away with the ALRA and the UFCW showed their frustration and criticism through

the initiation of a legal attack. The UFCW claimed that the abolishment of the ALRA, which discriminately excluded agricultural workers from the Labour Relations Act (LRA), was a violation of the Charter of Rights and Freedoms. Before this case landed at the Supreme Court of Canada in the case of *Dunmore v. Ontario*, lower courts had continued to side with the government, however, in 2001 the SCC unanimously voted against the Ontario government agreeing with the UFCW in that exclusion of agricultural workers from the LRA was discriminatory and against the charter. More specifically the court also found that exclusion of the workers from the LRA “delegitimizes associational activity and thereby ensures its ultimate failure” (*Dunmore v. Ontario*, para 48 in Walchuck 2009a). With this legal success in place it soon became apparent to many in the labour movement that while this granted agriculture workers the freedom to organize, it had little substance, as agricultural workers were not granted the right to bargain. In other words, farm workers could join on a union but if that union wanted to negotiate with an employer to improve working conditions or wages it wouldn’t, under law be a guarantee.

The UFCW soon saw this play out in reality when a group of card carrying union workers at Ro-Land farms initiated a talk with their employer to negotiate for better working conditions. The employers, however, refused to come to the table and negotiate, leaving the union frustrated with its powerlessness. More importantly, the workers in the same vulnerable position discovered that they could be treated poorly without consequences. After this experience the UFCW yet again embarked on another legal battle with Ontario in which they framed their argument using a rights-based approach, which has become a popular framing tool in the labour movement in recent years. This

rights-based approach constructs labour rights as human rights and uses the Charter of Rights and Freedoms as well as other international charters such as the United Nations (UN) Charter of Universal Human Rights and the International Labour Organization's (ILO) Charter on the Rights of the Worker. This strategy comes at a time when the neoliberal economic environment does not give the rights of the worker priority. At the same, acting as a string ally to labour has not been popular. This legal battle sought to guarantee the collective bargaining rights of agricultural workers in Ontario, which would in effect allow them to form a union with comparable power and scope to unions in other sectors such as the auto or public workers. In the case *Fraser v. Ontario* the first defeat occurred at the Ontario Superior Court in which the court ruled against the union and sided with the government (Basok & Carasco, 2009). This was then taken to the Ontario Court of Appeal where, yet again, it was denied. However, once the *Fraser* case made its way to the Supreme Court of Canada in 2009 there was more hope for the outcome in which the judges. Indeed, the previous ruling was overturned in favour of the agricultural workers. This was due to the legal precedent that was created in the *Health Services v. British Columbia* in which they used a rights based approach in order to gain collective bargaining rights. However, as was mentioned before this did not play out the same for agricultural workers in Ontario as it did for health workers in British Columbia. Unfortunately, on April 29nd, 2011 the SCC failed to uphold this precedent made with health workers in B.C and agreed with the ruling made by the Ontario Courts. Once again agricultural workers were excluded from gaining any substantial rights as workers which would give their union any actual clout (Walchuck, 2009a).

While this legal battle fought by the UFCW has raged on for a decade or so, in the

meantime other forms of organizing and resistance has occurred. The UFCW has not been the only player involved with organizing migrant farm workers. A grassroots organization called Justicia for Migrant Workers (J4MW) has taken on a large and influential role in the organizing efforts of workers. This organization, which is not a traditional trade union like the UFCW, actually has had more flexibility in its approach and message. One of the most significant events that J4MW helped to organize was a march in the fall of 2010 called the Harvest Pilgrimage. The march provided an opportunity for workers to march from Windsor to Leamington on Thanksgiving Sunday to make a political statement about their invisibility and called for better recognition for their contribution to rural Ontario economies and cultural (Toronto Star, 2010). These events are the types of organizing that Bradley Walchuck (2009b) argues is what will truly be what brings more protection and recognition to agricultural workers. He argues that these approaches far outweigh those that are rights based and legalistic since the latter are far too lengthy processes that yield little to no results in the real lives of workers. Other groups have also become involved with the organizing of farm workers such as churches, the literacy organization Frontier College and Health care workers. Each group works at different capacities with the workers and some participate in advocacy work while others provide services (Prebisch, 2007).

Through this research project it has become apparent that the involvement of organizations other than the union has received very little media attention in comparison to wildcat strikes, protests abroad or daily resistance strategies on the workplace. How migrant farm workers continue to organize in different contexts with different organizations is important to understand and this research acknowledges this. However,

as stated previously, for the purposes of this research project a focus on the involvement of the UFCW and the legal battle to gain unionization rights is imperative. It is,important to attend to the diverse range of migrant farm worker organizing in Ontario in order to understand how these efforts relate to each other. The following section will provide an overview of the theories and concepts used in the analysis of this research paper.

Section Three – Theoretical & Conceptual Frameworks

This section outlines the theoretical and conceptual frameworks that will be used to examine and analyze the media representation of the SAWP and the organizing efforts of the workers. The theories and concepts outlined below are explained in detail as some have been used to deepen an understanding of the research findings, while others are presented in order to provide the necessary groundwork in order to challenge the theories presented here.

Neoliberalism & Global Economic Restructuring

The methodology of critical discourse analysis (CDA) goes beyond textual analysis and also provides a layer of social analysis. However before one is able to complete that social analysis, the social context must first be understood. I contend that neoliberalism is a major ideology that creates the current social and economic context. Neoliberalism is an economic theory that emphasizes small government and laissez-faire economics. Believers in neoliberal theory claim that the private sector is most efficient in distributing resources and therefore the inefficient public sector should play a diminished role. Understanding neoliberalism is crucial to this project, as neoliberal policies, both economic and social, have led to the exploitation of migrant farm workers in Ontario as well as their exclusion from organized labour.

These two issues of migration and labour are particularly interconnected when discussing neoliberal policies as Daiva K. Stasiulis and Abigail B. Bakan explain below.

Hegemony of corporate globalization has meant that the designated ‘rights’ of capital to travel freely across borders have increased, while the mobility and citizenship

rights of people, particularly the poorest and most vulnerable people, have tended to decline. (2005, 157)

These authors explain how Canada has fully adopted the neoliberal and pro-corporate agenda, which influences social and economic policies that have implications domestically as well as internationally. An example of one of these policies is the North American Free Trade Agreement (NAFTA). NAFTA led to a continental economic restructuring, causing the agricultural sector in Mexico to fail as it was unable to compete with highly subsidized farmers in the U.S. and Canada. As mentioned previously, Tanya Basok (2006) explains how as agriculture became increasingly industrialized and globalized it was difficult for small farmers to compete both in countries such as Mexico, Jamaica and Guatemala but also Canada. What unfolded in an environment of neoliberal economics was that Canadian farmers took advantage of the surplus of labour created in these nations from the Global South. These neoliberal economic policies put increased pressures on those in the Global South which augmented and intensified the number of migration push factors. At the same time, neoliberalism has influenced immigration policies in such a way that mobility rights are granted those that are part of the ruling class and those with 'low' skills are excluded from these mobility rights. Nandita Sharma (2006) argues that neoliberal labour markets have influenced nations like Canada to adopt immigration policies in which create a vulnerable labour force, segregated from both other immigrants and workers. Temporary Foreign Worker Programs institutionalize the segmentation of racialized and gendered labour, which Bauder (2006) states is a way in which capital causes the breakdown of unity of labour as competition between labour increases. The impact of neoliberal economics and social policies not only cause the

demand for temporary labour that is easily exploited but also creates the supply of labour that is so vulnerable to this form of labour.

As global economies are becoming more entrenched with neoliberal policies and social policy is also heavily influenced by neoliberal theory, migrant worker programs are only increasing in size and scope. The general public gives great support to these programs as labour needs are met without the perceived burden cost of integrating migrants into society. Another concern is how neoliberalism is able to create a discourse against organized labour, claiming they are inefficient and blame unions for economic downturn. This environment of neoliberalism greatly impacts how migrant workers programs are represented and understood and ultimately how workers are able to organize.

Building a Nation

Through the utilization of migrant workers, Canada is able to fulfill its labour needs and compete in a global market yet at the same time maintain the imagined Canadian identity. A common way that Canadians imagine themselves is as a 'nation of immigrants'. Immigration policy is a central pillar to nation building and while the general public does not regard policy as overtly racist, TFWP such as the SAWP is without question a racist immigration policy. Migrant worker programs, such as SAWP create a two-tiered immigration system in which 'undesirable, racialized' bodies are limited to certain space and place while in Canada. These bodies may be viewed as undesirable because of their temporary status, however as I have mentioned earlier, their labour is a permanent and necessary part of the Canadian labour force. The fact that they

are not eligible for Canadian citizenry: they have nonetheless become a central pillar to the Canadian nation-building project (Sharma, 2009).

The concept of the imagined community, developed by Benedict Anderson (1983), is a concept that helps understand how rationalizations for inclusion and exclusion are created and understood. The Canadian imagined community is very much based on certain mythologies and national stories. The introduction of this paper discussed how these stories create spaces in which some citizens become part of a community and others are excluded. Foodland Ontario advertising creates this type of narrative in which foreign migrant farm workers are not part of the community of rural food production and European farmers are. Razack (2002) argues that it is these types of mythologies that (re)produce racial and gender hierarchies as well as maintain Canada as a white settler society. These imagined spaces are projected onto certain bodies and facilitate how certain bodies belong or do not belong. This will be discussed in the next section.

Belonging and Membership

As mentioned above, certain bodies belong more than others in certain spaces. Identities are constantly being constructed and reconstructed through the inclusion of some and the exclusion of others (Krysnowski & Wodak, 2007). Belonging and membership are two concepts extremely pertinent to this research topic. Migrant workers in Canada, while a constant part of the labour force, are not seen as part of Canadian society. Membership in the form of citizenship is only granted to some migrant workers such as live-in-care givers, highly skilled workers or through a program called the Provincial Nominee Program (PNP). Without citizenship, migrant farmworkers do not belong and are not members to the Canadian state, which grants specific rights and

privileges. Here, Rainer Bauböck's 'thresholds of citizenship' becomes important to the argument of this paper. Bauböck articulates that there are gatekeepers within state systems that guard over and control the mobility between and access to membership, recognition and belonging (1994). In the example of this research, we can see how the SCC acted as a gatekeeper to prevent migrant farmworkers from the membership of a formal trade union, the recognition of their labour rights and ultimately their belonging to the Canadian labour movement. While there are various forms of membership, this research focuses heavily on the membership to labour rights. Here we see a case study of how structural and institutional boundaries do not recognize or acknowledge and individual's rights which not only is important for the grounding of that individual's sense of identity and belonging but also how society understands that individual's belonging (Krysnowski & Wodak, 2007). This concept is of great importance for this research and will be discussed further in subsequent sections. While labour rights and membership to a union are important forms of belonging, citizenship is also a key element to understand. Below are two theories that deal with citizenship. Each will be discussed below and later will be critiqued based on the research findings.

Post-National Citizenship & Transnationalism 'from below'

Globally, people are much more mobile than ever before and permanent settlement is on a decline. Temporary migration, especially in the form of temporary labour migration has challenged the idea of what national citizenship means. Some proponents of transnationalism claim that the nation-state is being undermined by this increased mobility and the transnational nature of a growing global demographic. Several authors, including Soysal (1994), Sassen (1996), Tambini (2001) and Basok (2004), argue that as

human mobility increased and the role of the nation-state has decreased, the notion of human rights has shifted. More specifically, these authors point towards supra-national institutions such as the United Nations and the Convention on the Protection of Rights of all Migrant Workers and their Families as indicators of shift from state-based to a more individual-based universal concept of human rights. This shift would also entail a shift from national-citizenship to universal citizenship, or post-national citizenship.

The theory of post-nationalism ties closely into transnationalism 'from below'. Firstly, while this paper will focus on the concept of transnationalism 'from below' as one might expect this is a dual concept in which there is also 'transnationalism 'from above'. This is a dichotomous relationship that suggests a difference in class. Transnationalism 'from above' implies the ruling class and can be described as those from elitist business class. Those involved with transnationalism 'from below' are those that are non-elites such as the working class. Authors such as Mahler (1998) as well as Guarnizo and Smith (1998) point to how the daily actions of these 'ordinary people' taking place both at the local, national and international level are what act as counter-hegemonic forces against the ruling class (Satzewich & Wong, 2006). This form of transnationalism can be both economic and political in that it acts a response to the restructuring of the global capitalist economy (Guarnizo & Smith, 1998). Some authors postulate that acts that are considered transnationalism 'from below' foster a sense of solidarity and community among groups such as migrant workers. This process may allow workers to regain a sense of belonging and forge recognition amongst peers from the local to international scale (Guarnizo & Smith, 1998, Basok & Carasco, 2008).

Both of the above theories on transnationalism argue together that globalization and

the increased mobility of people may change the human rights paradigm as well as the power dynamic between elitist and non-elitist groups. This gives rise to an important question: do transnational activities and spaces (such as the mobilization of migrant workers) reproduce or transform established relationships of power and privilege? This question will be explored in the analysis and discussion section of this paper in order to ground the analysis in existing theories.

In this next section I move from providing a background for understanding how migrant workers are constituted in the Canadian national imagination and how they have mobilized to work against that construction. I have presented the differing views of how effective mobilization takes place in pursuit of this goal as well as providing the necessary theoretical and background to understand my approach and how it was I came to my final conclusions. At the beginning of this paper I mentioned that I would turn to media accounts and decided on critical discourse analysis (CDA) to do so. In this following section I explain my rationale for utilizing CDA over other methods as well as allowing the reader critical insight into the overall research process.

Section Four – Methodology

Without first hand knowledge of what happens on farms, most of us depend on the media to represent both what happens on farms and programs such as the SAWP program. This creates widespread dependence on the media to provide accounts of migrant workers. In other words, the public comes to trust, at least in some way, these accounts. However, this research deploys critical discourse analysis (CDA) in order to dispel these myths surrounding food production in Ontario. This methodology section will provide reasons for the selection of CDA will be explain in conjunction with the explanation of CDA itself. Afterwards the reasons other methods weren't utilized and the actual research process will be offered.

Critical discourse analysis is a type of discourse analytical research, which at its core is the study of language. Discourse analysis becomes critical when not only are the linguistic but the non-linguistic social practices and ideological assumptions are considered and how language and langue use constructs power relations. This critical analysis reaches beyond a textual analysis, in which the methodology describes what is written, by whom, when and how it relates. The purpose here is to provide a critical analysis in which the underpinning social problems are explored (Van Dijk, 2001). This is when textual analysis becomes critical discourse analysis. Van Dijk (2001) explains how CDA “studies the way social power abuse, dominance, and inequality are enacted, (re)produced and resisted by text and talk in the social and political context.” CDA is a methodological tool that allows us to understand, expose and ultimately resist social inequality. As this research is closely related to not only academic but political goals the

selection of CDA was more than justified.

The use of CDA in this research project focuses on language as a central component. As language is so pivotal, I will now take the time to offer a brief explanation of how language was understood while going through the analysis of the collected newspaper articles. Five assumptions concerning language are crucial for understanding how the methodology of this project was structured. Language not only represents social realities, it also contributes to the production and reproduction of social life (Richardson, 2007). I draw on Richardson's five aspects of language: social, enacts identity, is active, has power and is political (Richardson, 2007, 10). While going through each newspaper article the voices that were present and not present was noted as well as how voice was used. More articles were found in Canadian sources with approximately fifty different article collected. Fewer articles were found from Guatemala, Mexico and Jamaica with an average of twenty articles from each. Another important utility of CDA is how the theory and method of CDA goes beyond quantifying textual features. CDA attempts to explain how "textual meaning is constructed through an interaction between producer, text and consumer" (Richardson, 2007, 38). The figure below represents the social conditions of production and consumptions of media; production meaning the media itself so in this case, newspapers, and than consumption, meaning the reader of the newspaper.

Figure 1.1|

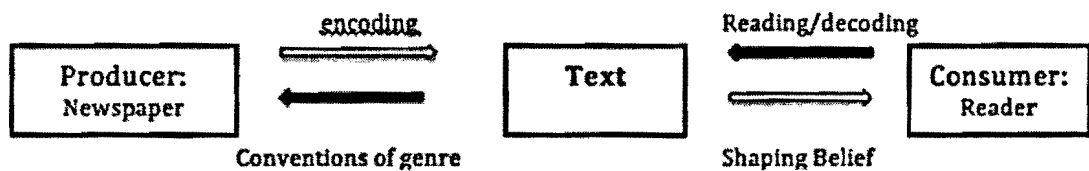


Figure taken from Richardson, 2007, 39

For the purposes of the research project, online newsprint media has been analyzed as well as news releases from the union representatives. Major national newspapers have been used and have been accessed through search engines such as EBSCO, CBCA and LexisNexis. Searching through archives on the specific newspaper sites was also used as well as searching on websites of the UFCW. The search was limited to the years 2001 up until 2011 as these years were crucial to when the organizing of migrant farm workers attracted more media attention to due the court cases for unionization rights. The years 2010 and 2011 are a particular focus due to an impending legal battle and increased media attention to labour organization, which will be discussed later. The first stage of research was article collection in which articles from one country at a time were collected and then organized into sources and dates. After 15 and 25 articles were collected from each country I began with textual analysis in which language that was used consistently was noted as well as how the language was used. After the textual analysis, as it is CDA, I began the social analysis in order to relate the text to a social context. As two of the countries are Spanish speaking, my Spanish skills were necessary. I have included translations of the included text in the research findings section. Before this methodology section concludes, the reasoning behind selecting CDA over other methodologies will be explained.

While the program (SAWP) is best represented by the voices of the workers themselves, the goal of this research is to understand how newsprint media allows the public to come to an understanding of migrant farm workers and their mobilization efforts. The original objectives of this particular research project were to engage with workers themselves and conduct interviews and collect autobiographies. However, after lengthy consideration over the ethical dimensions and limitations with time and resources, another methodological approach was used. Through CDA this research project will add to the body of knowledge that attempts to see how language has a great role in society and that bringing greater awareness to its utility will better inform those how to use it to resist and expose social inequality.

Section Five – Research Findings

Media is not heterogeneous. Within one story there can be many voices that speak with varied perspectives. The research findings of this project recognizes that within this debate concerning the SAWP and the labour rights of migrant farm workers the media speaks with many voices and offers several different perspectives. This section will be divided into three separate segments. The first will provide an overview of these perspectives in order to gain a solid understanding of where each is located socially. Second, as newspapers have been analyzed from four different countries, a summary of each country will be provided in order to show the individuality of each nation's media representation but will also reveal the consistency between all four nations. Finally, the third segment will draw out several narratives that were consistent throughout each of the four nations and provide specific excerpts to illustrate each narrative. While each narrative is presented what will be highlighted is how the media has supplemented and supported the strategies used that rationalize the exclusion of farm workers from forming a union. From here, the following section will pick up on the particular narratives and perspectives that have perpetuated the inequality of farm workers and will provide an analysis that was formulated through the use of CDA and the theoretical and conceptual frameworks discussed in the previous section.

Several Voices, Multiple Perspectives

As mentioned above, within the media coverage of the SAWP and the mobilization of the workers there exist several different voices with multiple perspectives. These perspectives include: the journalist, government officials such as labour ministers,

employers and industry leaders, judges, lawyers, union representatives, academics, migrant justice activists, workers' families and of course the voices of workers themselves. Each of these perspectives brings with it a certain amount of power and legitimacy and each voice is positioned on a different level of the social hierarchy.

Journalists are responsible for acting as the mediators between the ideology of the ruling class and the content of the news. Journalists make decisions of which stories to tell and how to tell them and this can cause the voices of marginalized groups to become delegitimized and the voices belonging to the ruling class more legitimate. In the case of this particular research, it is the voices of workers that have been de-legitimized and marginalized while those voices coming from government; agribusiness, the law and the union hold more legitimacy and power.

This voices coming from places of power bring with them a self interest to continue the discourse that supports the use and continuation of temporary migrant worker programs in order to protect both industry and Canadian borders from 'undesirable' citizens. The union, while on the surface is representing the worker, is working within a capitalist structure. This example is a representation of how hegemony works in practice. Gramsci (1971) argues that a hegemonic ruling class gains its support from other classes. Here, we can see how the working class, or the union, supports the use of temporary migrant labour in a capitalist economy. As the union's goals are to win collective bargaining rights for agricultural workers they are not questioning the increasing temporariness of the immigration system in Canada nor are they challenging how a capitalist, neoliberal environment is causing Canadian agriculture to become structurally dependent on migrant labour. In response, countries of the global south have chosen to

implement migrant labour as viable economic development solutions, ensuring the justification of migrant labour as it is constructed as a mutually beneficial relationship.

The voices of migrant activists and migrant workers themselves remain on the margins and, depending on the country, are more present and included within the discourse surrounding the protection and rights of workers. The following section will provide an overview of each country to illustrate both the similarities and differences between all four.

Individual Country Overview

The media coverage from Canada, Jamaica, Mexico and Guatemala on the organization efforts of migrant farm workers and the program itself contains several consistencies but each nation maintains a level of individuality on coverage and discourse. This section will outline each of these four countries beginning with Canada.

The Canadian media coverage of the farm worker program and their mobilizing efforts has been the largest in scale. This is likely due to the fact that this is where the program takes place and that this is where the union and legal battle for unionization has occurred. Canadian newspapers emphasized the role of organized labour in the legal battle for unionization rights and focused heavily on the economic implications of unionization. Voices of migrant activists and migrant workers were more present in Canadian articles with some articles written by migrant activists themselves. However, union representatives, judges from the SCC, government officials and those representing agribusiness, largely controlled the discourse.

In the case of Jamaica, Guatemala and Mexico, the media coverage carried similar narratives but took a different perspective. None of the three countries had coverage of

the formal trade union's legal battle in Canada. The formal mobilization efforts of workers were invisible from the media discourse. This silence is important and will be discussed in the analysis section. The stories that were visible, however, focused on worker's complaints about proper payment or workplace injuries or death. These types of stories were sensationalized but had a strong counter argument presented by government officials, mostly labour ministers, that in turn placed blame on workers. These types of narratives, as will be explained further below, is what provides the justification for these programs to remain viable options for economic development despite the high human costs of working in a dangerous and highly exploitative sector. Another common theme between these three countries was the story of self-sacrificing and heroism. Sacrifice and heroism is a central element in how migrant work programs are framed by sending countries. This is seen in nations such as the Philippines with so many women going abroad to work as domestic workers. This type of sacrifice is part of what is expected of the 'model migrant', a concept that will also be discussed in the following section

The places in which each country differed from one another are interesting. Guatemala, the country newest to the program, had the most coverage about workers' resistance. In fact, the coverage not only discussed mobilizing efforts in Canada but also focused on the protests of workers in Guatemala at the Canadian embassy in the nation's capital. While the voices of worker's were not largely present, one particular journalist took a certain focus on the migration of Guatemalan women. This journalist wrote several articles focusing on the role Guatemalan women played in economic development but also outlined the specific difficulties that migrant women had within these programs.

This type of narrative was only present in Guatemala and can likely be attributed to the particular interests of the journalist.

In Jamaica, there appeared to be a closer connection with migrant activists, union representatives and Canadian academics than any other country. Multiple times, Jamaican articles include interviews with migrant activists and union representatives about worker mobilization and academics about the problems associated with the problem. However, these voices were countered with those from government in which workers were very much blamed for these issues putting the onus on them. This theme was very much concentrated in the Jamaican case.

In the case of Mexico there was very little coverage on the mobilization efforts of workers. The focus of Mexican media was on the economic benefits of the program as well as how the Canadian program was a much better alternative to 'illegal' migration to the United States. The voices of workers themselves were the least present and very little focused on mobilization efforts either in Mexico or Canada.

The Narratives

While the above section outlined how each country differed from one another, there were several narratives that remained consistent. For the purposes of this research project only a few of those narratives will be discussed at length. There are five major narratives that came out of the research findings and there are as follows: 1. Nation Building, 2. Neoliberal Economic Justifications, 3. The 'Model Migrant' 4. Rights and Protection and 5. Legitimacy and Power. These narratives will be discussed below. While each narrative carries with it a great richness in data that could be further explored, all five are presented as a way to introduce the various perspectives. In the conclusion of this section,

all five narratives are synthesized in order to illustrate the multi-dimensionality of the issue and lead into the main argument for this paper.

Nation Building

The process of nation building constructs boundaries that are not only territorial in nature, but are also cultural. These boundaries are critical to how power is exercised and then how the power of those boundaries affects certain bodies in different ways (Sharma, 2006). While boundaries can be created with borders, what this paper is interested in is the nation-building based upon ideas of identity and belonging. Benedict Anderson (1983) introduced the concept of imagined communities which is based upon national feelings of a common national identity. This paper utilizes this term to understand how it is that farm workers are not considered part of Canada's imagined community, for example seen thorough Foodland Ontario commercials. This disconnection from belonging experienced by farm workers underpins how the Canadian imagined community excludes them. As I have demonstrated, migrant farm workers are excluded from the right to collective bargain and the right to citizenship.

Newspaper representations that portray the SAWP and workers' mobilization have continued to sustain narratives. These narratives circulate discourses that maintain notions whereby hierarchical relations between the migrant farm worker and the state exclude migrant farm workers from Canadian society. As well, these relations produce national narratives that frame migrant workers as the heroes of their own country. Below is the first excerpt from a Canadian newspaper that will help to illustrate these points.

They're doing the exact same job [as Canadian citizens]. We don't exploit people. We try and promote ourselves and Canada as a goal for other countries to copy our standards. (CBC News, September 26th, 2006)

The above, which is quoted from a president of a UFCW local, creates a myth around Canadian labour standards and that Canada acts as the exception. This discourse of Canadian exceptionalism (Puar & Rai, 2004) gives a level of validation to the use of temporary workers in which the public discourse assumes Canadian labour standards would live up to human rights conventions. Related to this exceptionalism, the two quotes below, also speak to how Canada is imagined as a nation in which is a champion of human rights. This national mythology is what allows a program such as the SAWP to be regarded as 'best practices' globally and justifies the use of temporary migrant labour in Canada. In the next two quotes, the notion of Canada as a nation that protects workers and human rights will be presented and illustrate this point of exceptionalism and how it relates to nation-building.

This is also a political issue. Most Canadians would be appalled at the working and living conditions of tens of thousands of Ontario agriculture workers, many of whom are temporary foreign workers with little effective recourse to their harsh working and living conditions (Toronto Star, 2009)

"Less is known about these experiences in Canada, a country renowned for its respect of human rights but, like many other Western economies, increasingly reliant on migrants as a form of cheap, flexible and subservient labour. (Toronto Star, 2008)

*"Ellas contribuyen sustancialmente a la economía de sus países de origen."
"Women are contributing substantially to the economy of their country of origin"
(Prese Libre, "feminización de la migración", Ileana Alamilla)*

The above quote is an example of how the media in the sending countries construct the migrant worker as an agent of nation building. These migrant women are depicted as heroines in whom the economic futures of their country of origin rest in their hands.

Below is a direct quote from a worker while in Canada. Here, the notion of the migrant as an agent of nation building is apparent, but also how Canada is constructed as a nation

in which these economic opportunities are given to those from the global south. Below is a quote that is a commonly heard quote from workers and is closely related to the quote above.

"They're sending the money back home to their families in Mexico. 'It's for my daughter's school,' said Martinez-Perez. 'That's the idea why we are here.' (CBC News, 2011)

However, this quote, which was from a worker that was interviewed and didn't want to join a union represents the involvement of the union as something interfering with the economic success and therefore development of both the sending countries and of Canada. This quote also relates to the narrative of neoliberal economic justifications, which will be discussed next.

Neoliberal Economic Justifications

As the research findings have shown above, there exist strong voices within the media that attempt to ensure that the SAWP will be portrayed as beneficial and that workers concerns are de-legitimized. The following quote is from a very strong voice in the Ontario agribusiness and is his response to a challenge that not all farming in Ontario happens on small family farms as well as the reasons to justify why agricultural workers should be denied the right to unionize.

Not true", says Ken Forth, labour chair of the Ontario Fruit and Vegetable Growers' Association, which represents 8,500 of the 35,000 farms across Ontario. "All farms in Ontario are owned by family farmers and they're already having a tough time," Forth said after yesterday's ruling. The general public wants cheap food and we have to produce it as cheaply as possible to compete with imports from Mexico and China grown under dubious circumstances. We don't set prices, the world market does. (CBC News, April 29th)

This quote represents the economic justification for why unionization rights have not been granted towards agricultural workers. Similarly to how communities are imagined,

the Canadian economy is imagined to be built on the family farm and doesn't include the role of the migrant worker.

Below are two quotes that represent the unionization of agricultural workers as an economic threat. As migrant farm workers are meant only to be an economic simulant this perceived burden on economic growth is highly contested by those in the ruling class, such as employers and government officials.

Some producers, however, were encouraged by the ruling, saying the ban prevents higher labour costs. "It would deter the industry or slow the industry down — stop new processors from coming in the area," said Corey Versnel, who runs a vegetable farm in Kingsville, Ont. (Globe and Mail, 2011)

Ontario' Agriculture Minister Carol Mitchell applauded the court ruling and said the existing law provides enough protection. "Farm owners fear giving workers the right to organize would result in higher costs and strikes that disrupt food production. (C News, April, 28th, 2011)

The quote from Agricultural Minister Mitchell illustrates this point further in that the economic priorities of Ontario farmers are above that of ensuring that right of agricultural workers are protected. These quotes represent how the economic viability of the Ontario agricultural sector is prioritized over farm workers. This representation of the program and the workers continues to place economic importance onto Canadian immigration policies founded in neoliberal ideals.

The 'Model Migrant'

In 1966, when the first cohort of farm workers came from Jamaica, they were encouraged to portray a certain appearance. The men were asked to wear suits, shave, have short haircuts and be sure to 'act' like a Canadian (McLaughlin, 2009). Forty years later, despite purported commitments to heritage programs and multiculturalism that purport to encourage and respect cultural differences, migrant farm workers are still

expected to portray a respectable appearance and act like a Canadian. For example, stated in the contract Guatemalan workers must sign before leaving for Canada they must abide to certain rules, one of those rules being to wear deodorant while travelling on the plane and arriving in Canada. This sort of controlling of how the workers are represented plays out in the media as well. The quote below is from a female Indigenous worker from Guatemala explain the process they much go through in order to cross the border into Canada.

“cambien su traje, que hablan espanol y hasta se les impone otro nombre”
(Preense Libre, “feminización de la migración”, Illeana Alamilla, 2008)

*“We change our clothing (traditional indigenous), we speak Spanish (as oppose to an indigenous language) and we are even given another name”*The state’s role in this border crossing and how bodies of both male and female workers are highly regulated and controlled is another important consideration. This highly regularized border crossing symbolizes how these brown and black bodies must perform (Butler, 2004) in such a way to represent the ‘model minority’ in which they can fit into a particular image that Canadians feel unthreatened by. The construct of the ‘model minority’ refers to “economic exceptionalism, upward class mobility and educational excellence” (Puar & Rai, 2004). While migrant farm workers are not permanent residents, there is an emphasis in making sure they are represented in a certain way so they are less threatening and perform in a way so they become a body that fits into the Canadian rural landscape. This is illustrated in the two quotes below from a Jamaican newspaper and is the voice of the Jamaican minister of labour.

“The continued success of the programme is solely dependent on their performance and how well they represent their country.” (Jamaica Star, Jan 10th)

"I am appealing to you this morning to let us keep this programme going, and to tell you, the programme can only go on based on your performance. A negative performance destroys the programme. A positive performance increases the need for the Jamaican farmer," he said. (Jamaican Minister of Labour) (Jamaica Star, Jan 10th)

Media from all four countries also emphasized the importance of how migrant workers were part of families that they were supporting economically. Their sacrifice of being separated from their families was highly regarded. In Mexico this was of particular importance. However, the discussion of family values was restricted to heterosexual identities. Another focus of Mexican media was the emphasis on how the SAWP offered an alternative to illegal migration. The Mexican media represented the migrant workers participating in the SAWP as more legitimate citizens, which in turn also legitimized the program.

Rights and Protection

The following two narratives are related and both feed into this paper's critique of post-nationalism and transnationalism 'from below'. Here, I discuss the findings from the media and in the subsequent section a critique of the two theories will be provided.

Below is a quote indicative of how the rights of migrant workers are viewed by groups of farm owners. Not having Canadian citizenship justifies why they are excluded from the rights that Canadian workers are privileged to. This refers to how the exclusion that migrant workers face when trying to access citizenship and labour rights is a threshold to their belonging. This threshold creates a barrier, preventing migrant farmworkers from becoming part of the Canadian society, a society that is intentionally left to be a white settler society (Razack, 2002).

Similar to the situation in Quebec, the farm's owners have argued that the migrant workers do not have the right to unionize because they are not Canadian citizens.” (CBC News, 2011)

The two quotes below represent how the legal battle for agricultural workers to unionize was focused around human rights.

“Unions thought a liberal reading of the Charter was either going to protect them or slow down provincial legislation they considered to be anti-labour. That hope is diminished in the aftermath of this particular ruling.” (C News, April, 29th 2011)

“The Supreme Court ruling comes just five months after the ILO, a United Nations agency, found both Canada and Ontario guilty of violating international conventions and the human and labour rights of Ontario agriculture workers through the imposition of the AEPA. Yet, the Supreme Court did not even refer to the ILO findings in its own decision.” (Globe & Mail, 2011)

The first discusses how the union (UFCW) framed their argument using human rights.

Depending on using the Charter to extend rights to non-citizens. This approach however was not successful and even though the ILO has found Canada guilty of violating international conventions which the second quote above illustrates. The program continues to be seen as legitimate and workers rights perceived as protected by Canadian laws and employers.

In this final quote a ministry spokesperson ensures the public that foreign workers are adequately protected under Canadian laws.

“Ministry spokesman Matt Blajer said foreign workers are protected by the same laws and the province regularly inspects Ontario farms.” (Toronto Star, 2010)

This section has been included to show how there is still fierce debate concerning who it is that is responsible for the protection and rights of farm workers. In the debate international human rights conventions are dismissed and Canadian laws seen as adequate. This will be flushed out more in the Discussion section in regards to theories of

transnationalism.

Legitimacy and Power

This final narrative relates to how transnationalism 'from below' is challenged when looking at the example of how agricultural workers are organizing in Ontario. This narrative centers on legitimacy and power. These selected quotes provide a glimpse as to how media represents who holds power and what voices are considered legitimate. The two quotes below are concerning the power and voice of the workers. The first suggests that the workers really only have power when they are associated with the union. This implies that their organizing efforts outside of the union are not as legitimate as they are with the union. The second quote reveals how the relationship between the workers and the union is represented as one in which workers are very dependent on the union and lack the ability to organize on their own behalf. This way the union is able to justify their continued involvement in the program.

"They found out the only way they could have a voice is to be in a union," said Louis Beldouc of the UFCW (CBC News, September 26th, 2006)

"Workers are isolated because they live on rural farms, and don't speak the local language, circumstances that make it difficult for workers to stand up for their rights, he (Louis Beldouc) explained." (CBC News, September 26th, 2006)

This following quote is from Jamaica and is in response to a group of workers' complaints regarding exploitative conditions on a farm in Ontario. However, in the article, the voices of the workers' were not seen as legitimate and were subject to 'investigation by Canadian authorities'. This example is common and was found in each country. Each time workers complaints were not regarded as genuine and were only verified when 'voices of authority' agreed with the workers' claims.

"The liaison officers will investigate and if what the farm workers have said is true, then we will ask the Canadian authorities to investigate," Charles told The Gleaner yesterday. (The Gleaner, April 28th, 2011)

Similar to the story above, complaints of workers were only considered true when verified by 'voices of authority'. The quotes below refer to a report that the Canadian Journal of Medicine published in April 2011 regarding the health problems of farm workers in Canada.

Ken Forth, president of Foreign Agricultural Resource Management Services, described the studies as "wild ramblings". "Universities in Canada don't write one good thing, not one good thing," he asserted in a telephone interview on Tuesday. (Gleaner April 28th)

This report, even though it was published in a peer-reviewed journal was still regarded as illegitimate not only by Canadian authorities but also the Minister of Labour in Jamaica. Interestingly, media concerning this report was absent in both Mexico and Guatemala. The voices of workers' when challenging the program are either absent from the discourse or routinely challenged as illegitimate. This does not allow for the media to create a discourse that would see the program as inadequate but as a working program in which workers try and take advantage of it.

Ministry of labour has rejected findings in report ' they aren't objective or authentic', there's a motive for sending out these damaging findings to damage a (farm work) programme, which has been so useful to Jamaica over so many years. Four and a half decades, thousands of Jamaicans are going up each year helping to build their families back home, helping to educate their children, McIntosh said. (Gleaner, April 28th, 2011)

This final quote, seen above, encapsulates almost all of the narratives discussed above. Here the voices of workers are seen as invalid but the minister argues how the report is trying to damage the program in order to threaten or sabotage the economic opportunity that this program brings to Jamaica. This refers to the neoliberal economic environment

that surrounds this program and how a 'race to the bottom' approach utilized by countries such as Jamaica justifies the exploitation of migrant workers. Finally, the 'model migrant' becomes apparent yet again as workers go through great personal sacrifice to build their families. This also ties into the narrative of nation building. With these narratives circulating in media not only in Canada but also the countries in which many workers come from, it is revealed how this migrant workers program is justified and the mobilization of the workers undermined.

This research set out to address some of the strategies that exist that rationalize the exclusion of agricultural workers from unionization rights. Media accounts from four different countries have produced five narratives present in each country. This paper argues that each of these narratives is a reflection of the existing strategies of exclusion used to justify the continuation of the SAWP while also denying workers the right to unionize. These narratives have created a discourse that has confirmed, made legitimate and reproduced the relations of power and dominance in society that allows for this exclusion. Before this section concludes each narrative will be reviewed in order to demonstrate how each has become a strategy of exclusion.

The narrative of nation building shows three different strategies. One being that since Canada is believed to be a protector of human rights, the notion that migrant workers to have legal protections and labour rights isn't seen as necessary. Secondly, Canada is also viewed as a generous nation in which these migrant labour programs facilitate the economic development of the developing nations involved and therefore the action of paying wages to workers is seen as more than satisfactory and anything else would be asking for too much. Thirdly, on the side of the sending countries, the notion

that these work programs provide economic opportunities otherwise not available in order to not only make your own family better off but also your country.

Neoliberal economic justifications, which is the second narrative presented above has probably the most obvious impact on how the exclusion of farm workers has been justified. Multiple times the economic success of the agribusiness in Ontario as well as the economic development of the sending countries is prioritized before the protection of the workers. The media reflects how society's priorities are not meant to ensure the health and safety of its workers but rather to protect profits. Here it becomes clear how a strategy of exclusion is about creating a discourse that workers' rights are not something affordable and slip to bottom of list of priorities.

The third narrative of the model migrant also can translate into strategies for exclusion. Here, the model migrant is apolitical; seen as willing to sacrifice in order to support one's family back home. This construction of the migrant worker in the sending countries as an obedient worker and a hero for their community and family is the ideal migrant and not the worker that participates in any type of mobilization of resistance. Here, the strategy plays out in ways that demonstrate how other workers or family members are discouraged from supporting the mobilization efforts of workers abroad. Another way this narrative plays out is as a strategy for exclusion. That is, workers are constructed in Canada as almost unwilling or uninterested in becoming involved with the labour movement or that they would not benefit from the rights themselves. This idea plays heavily into the final two narratives to be discussed next.

The final two narratives concern the rights and protections of workers as well as their legitimacy and power. Each of these narratives also point towards how the denial of

rights, such as labour rights to foreign workers is seen as a rational decision. Concerning rights and protections the argument that farm workers are not Canadian citizens and therefore are not deserving of rights that otherwise may be extended is prominent. Here, this exclusion of citizenship rights is seen as justification for the exclusion of labour rights. In addition, the constant downloading and shuffling of who is responsible for the protection of these workers translates into a lack of accountability. As there is no accountability there remains no one responsible and the exclusion can continue. What is the most significant piece from this narrative is how the farm workers are not considered capable of belonging to Canada as both citizens and protected workers. This unbelonging directly feeds into the perpetual exclusion of migrant farm workers from certain rights and privileges.

The fifth and final narrative concerning legitimacy and power also adds to the list of strategies for exclusion. As seen in the research findings, when workers do complain about things such as their living conditions or others, such as academics, speak on their behalf, their legitimacy appears questionable. This questioning of legitimacy is commonplace in all four countries and damages the credibility of worker complaints and therefore rational justifications for why farm workers need protections. Through this narrative it can also be argued how the media illustrates workers as powerless and apolitical. This disempowering of the workers can very well create a discourse that workers wouldn't be capable of becoming organized or creating their own forms of resistance even separate from the traditional union. This however, is known not to be true and an important story left out of the mainstream media discourse.

In conclusion, all five of these narratives speak to how it is that denying farm

workers in Ontario the right to unionization continues to be justified. The SAWP program continues to be seen as a virtuous and viable economic strategy for both Canada and the sending countries despite the exploitative conditions that workers must face each season. The next section expands upon this main argument and engages with theory to deepen the analysis of these research findings.

Section Six – Analysis & Discussion

The above narratives represent the results of a critical discourse analysis of newsprint media from four different countries. This analysis reveals how media discourse represents the SAWP and the mobilization efforts of the workers that participate in the program. As aforementioned, each of the five narratives justify the program's existence, sustain Canada's imagined community as a white settler society and, most importantly, create the necessary rationale for excluding migrant farm workers from fair and equal treatment. However, there are also other lessons to be learned from this analysis, which help to inform how the labour movement can adapt to the ongoing changes to the global labour market. I now turn to an analysis and discussion of the research findings. I first provide a critique of two theories that frame the notion of transnationalism; post nationalism and transnationalism 'from below'. With the discussion of these two theories it will help ground this topic in the research for that interrogates the mobilization efforts of migrant workers. Finally, the lessons learned from this case study of farm workers in Ontario will be discussed in order to better understand global labour migration and the global labour movement as a whole.

The case study of migrant farm workers in Ontario provides several lessons. Recall how the UFCW, the union that works with migrant farm workers in Canada, utilized a human rights based approach when arguing for why agricultural workers should be granted to right to unionize. Here, a human rights discourse was used based on international conventions such as that of the ILO. This exemplifies exactly what proponents of post nationalism believe - a shift from the national monopoly on rights to a discourse in which supra-national institutions have greater authority on rights. However,

while this was the strategy that the union used, the outcome was unsuccessful. The SCC ruled that existing protections (the AEPA) were sufficient. While the judicial discourse concerned itself with legal reasoning, the research findings showed how attitudes against the right to unionize were over economics and citizenship. Employers were concerned with the negative economic impact that unionization may cause on agricultural sector in the province. They also justified the denial of unionization rights to agricultural workers because many were not Canadian citizens. The countries in which workers came from were more interested in maintaining their participation in the program so there was not only no concern with the denial of unionization rights but a continued support of the program. This outcome challenges the notion of post national citizenship bringing into question how might non-citizens like migrant farm workers gain protections and rights equal to that of citizens.

Citizenship is what differentiates the migrant workers from the non-migrant worker (Bauder, 2008). As seen with workers that participate in the SAWP this renders them as a vulnerable workforce, that subjects them to exploitative work conditions and limited rights and protections. Citizenship in this case becomes an important asset to have when achieving protections and freedoms. An asset that Bauder (2008) argues is a form of capital. While proponents of post-national citizenship would believe that even without holding citizenship status to a particular nation, membership and belonging could still be accomplished by other means (Tambini, 2001), this case of migrant workers demonstrates how some groups remain excluded from those forms of membership and belonging. While there are international conventions on the rights of migrant workers and their families, the willingness of national governments, such as Canada to recognize

migrant rights is minimal. This is likely due to the fact that migrant farm workers are not seen as part of the Canadian workforce and that their exploitation is necessary for the economic success of Canadian farming and for the economic development of their own countries. Stasiulis and Bakan (2005) articulate this point further with this: “an imperialist world in which citizenship is a negotiated process, a relationship that reflects and reproduces an array of social differentiations, including the global divide between citizens of the economic North and South (pg. 157).

As seen in the case of farm workers, their lack of citizenship and labour rights in Canada result in their social status to be below that of a Canadian worker or citizen. Despite, this transnational nature of their work and lives, transnationalism has not transformed established relationships of power and privilege but (re)produced those relationships.

Similar to that of post-nationalism, transnationalism ‘from below’ is another theory, which is challenged by the research findings in this project. Here, the notion that the daily actions of the working class or non-elites would act as counter hegemonic forces against the elitist class. Globalization and the restructuring of the capitalist economy has greatly increased the number of migrant workers across the globe and with that increase, migrant workers are slowly beginning to organize themselves taking their actions and political demands across borders. In the context of transnationalism, and particularly in a political context, some have begun to question the relevance of the nation-state (Wayland, 2006). Scholars have claimed that as migrant workers begin to build coalitions with migrants from different countries, they have created transnationalism from below, thus challenging the hegemonic power of a capitalist global economy (Hsia, 2009).

Based on the research findings of this project, I now outline the limitations of using transnationalism 'from below'.

The research findings revealed a narrative in which workers were regarded as powerless or voiceless without the union. Workers' resistance within the union was what was regarded as legitimate and other forms of resistance were non-existent. Scholars know this to be untrue as work done by Becerril (2008) and Prebisch (2008) describes the daily forms of resistance that individual workers take part in such as insulting their employee in another language or purposely making a machine malfunction. However, within the media discourse this isn't present, which does not allow the public to become aware of these acts. The analysis also shows how there is still an assumption that migrant workers must organize themselves within existing frameworks of trade unions in the receiving country as oppose to independent mobilization which do not hold true to the beliefs of transnationalism 'from below.' Migrant workers still find themselves within frameworks that reproduce relations of power and privilege.

Butovsky and Smith (2007) argue that in order for the agricultural workers to achieve real change and protection they must begin working outside of existing legal frameworks and outside of already existing institutions such as trade unions that they argue are more and more part of the capitalist system. In addition, unions can be places in which racialized and gendered bodies may struggle to move upwards in the hierarchal structure of a trade union. This point moves towards another research finding in which the voice of the worker was routinely replaced with that of a union representative or an academic. Prebisch, in her work has also found how Non-Governmental Organizations

(NGO) working as allies with agricultural workers can sometimes be problematic in that some may not share similar goals of the workers or even have opposing strategies (Prebisch, 2006). This is also noted by Hsia (2009) that not all NGOs share the values of grassroots mobilizing and we should not disregard criticisms of NGOs to act somewhat elitist and speak on behalf of migrants rather than provide a supportive base so they can have their own agency. Prebisch (2006) has also found this also to be true with agricultural workers arguing that the workers become recipients of advocacy rather than leaders. Here, workers in not just media representations are found not be leading their own mobilization but lower within the hierarchy of the trade union or migrant activist and community organizations. Again this demonstrates the limitations of transnationalism 'from below' in regards to experience of temporary labour.

Both post-national citizenship and transnationalism have severe limitations when applied to the case study of migrant farm workers in Ontario. However, this paper argues that for this change to happen, farm workers must break through several thresholds of citizenship. The following is a quote illustrates this point,

“nationalism frames migrant workers as not at home, as existing in a separate society, a foreign space and a part of a foreign labour force. Their inferior legal status constructs them as naturally existing subordinated positions they are placed in by the state”
(Sharma 2006, 146)

If migrant farm workers continue to be constructed as only “foreign,” and not recognized for the important role they play in the economic vitality of Canada, their presence in the social and labour in the market will continue to be devalued. Truthful media representations of farming and farm work needs to become part of the public discourse to ensure that farm workers are not subordinated and an easily exploitable

workforce. As demonstrated in this paper, many scholars believe that even with legislative protections in place, such as the right to association or the right to collective bargaining, most workers will remain too afraid to demand their rights (Butovsky & Smith, 2007; Carasco & Basok, 2010). Ensuring that workers are their own advocates will allow relationships of power and privilege to transform. This transformation would bring about the desired outcomes of transnationalism that both post nationalism and transnationalism 'from below' postulate.

The mobilization of migrant farm workers is crucial for their success in gaining recognition and protection that other Canadian workers are privileged. However, as of yet, media discourse has not represented the program or their struggle in such a way that might encourage this resistance but rather (re)produces racial hierarchies that ensure the body of a migrant farm worker isn't seen as part of the Canadian imagined community. This places workers in an incredibly vulnerable position. Media discourse in all four countries emphasizes economic success and growth depending upon neoliberal ideals. These ideals have caused Canadian immigration policy to make a significant shift from permanent immigration to temporary migration that will fill specific labour market gaps. The programs have expanded at a rate that in 2008, more temporary foreign workers were in Canada than permanent residents were allowed entry to the country (Byl, 2010). Understanding how the media influences public discourse surrounding this shift is crucial and will help those advocating against these programs and in favour of worker rights to create a counter-narrative - a narrative that counter-acts the ones that justify the exploitative conditions of the SAWP and underplay and underscore the mobilization of the workers.

Section Seven – Conclusion

*One of the officers said: "apples are never going to taste the same again."
(Toronto Star, 2008)*

Before this police officer stepped onto this Ontario farm, his perception of farming in Ontario, like many Ontarians, did not include the migrant farm worker. He instead had another perception of how food arrived on his plate. A perception helped shaped by the myths that Foodland Ontario advertising produces and manufactures to be true. His perception of how "good things grow in Ontario" changed. The apple he once felt was so good to eat now felt so wrong. The title of this paper is inspired by a passage in Lawrence Hill's *Book of Negroes*, in which the protagonist warns to "...beware the clever man that makes wrong look right" (pg.410). This is exactly what the purpose of this research project is: to uncover processes by which wrong looks right. Or, more specifically, how it is that media supports hegemonic discourses that rationalizes the exclusion of migrant farm workers from, for example, the right to unionize. Further, the media continues to obscure exploitative labour practices inherent in farm workers' programs such as SAWP.

There is no excuse to maintain the myths that circulate around farm work that represent it as virtuous and good. There is, as this research paper has demonstrated, ample evidence to show that migrant farm workers are exploited and that the media representations of farm worker programs are questionable to say the least. This paper has argued that the misunderstanding about how our food is produced is not accidental but rather is intentional. Rather, this intentional misinformation serves to maintain a national mythology in which Canada remains a virtuous white settler society. Further, such notions of nation are built on racial and gender hierarchies that must remain invisible in

order for such myths of nation to exist.

The relationship between the advertising from Foodland Ontario and newsprint media is important. On their own, each has a significant impact in shaping public perception surrounding farming in Ontario but through the application of critical discourse analysis, this research has uncovered how each legitimize and reproduce relations of power and privilege.

This research is only a small part of what is a larger body of work that analyzes concepts such as migration, labour, citizenship and belonging. With the recent legal decision made by the SCC and the growing mobilization of workers, more work needs to be conducted on this topic; research that would look into how the union is reacting to the decision but also the workers and how they understand their own mobilization and resistance. This may provide better insights into how workers can best organize as vulnerable workers living in multinational locations. As I have argued, work is becoming more precarious and immigration more temporary. Such insights are crucial not just for academic purposes but also to inform the labour movement and encourage them to continue to adapt to the ever-changing conditions of work and migration. This sort of research can help answer how it is that we accomplish social change under increasingly difficult and evolving circumstances and environments. As well, this research examines how it is that dominance is reproduced and suggests ways to learn from those practices in the future. But most importantly, this research has asked how it is that wrong can look right through challenging us to question the stories we are told about where our food comes from.

Appendix

List of Acronyms

ALRA – Agricultural Labour Relations Act

CBA – Collective Bargaining Act

CDA – Critical Discourse Analysis

ILO – International Labour Organization

J4MW – Justicia/Justice for Migrant Workers

LRA – Labour Relations Act

NDP – New Democratic Party

NGO – Non-governmental Organizations

SAWP – Seasonal Agricultural Worker Program

SCC – Supreme Court of Canada

UFCW – United Food and Commercial Workers

UN – United Nations

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