

# **Importing Poverty for the Catalan Agriculture. The Case of Unió de Pagesos System**

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## **Abstract**

Once the family farming model was replaced by an industrial agricultural system of production based on hired labor, the Catalan (Spanish) agricultural union Unió de Pagesos, with the consent of the State, reinvented itself as a provider of services related to the acquisition of manpower through a “recruitment and supply” system – referring to the set of practices to recruit foreign workers abroad and their placement by the Union. The State's migration polity is responsible for the emergence of such a system, and we can trace its origin in the symbiotic relation between the State and the Union, whose interests – the social control of the foreign worker and the just in time delivery of labor – run parallel to those of the State. In the dormitories a transformation is envisioned through different devices - regulations for accommodation, the presence of personnel to monitor the facilities, a visit regime and exit permissions, among others – similar to other institutions such as labor camps, where individuality is tamed through subordination to a dominating power in order to create a new subject, whose value is exteriorized through obedience to those who manage the institutions. The possible extension of the system beyond the frontiers of agribusiness, would have deep effects for the labor market in general, pushing their incomes down and accelerating their decline. This research aims to create academic space for denouncing a system that currently has profound consequences for the liberties of workers recruited.

This article presents research that led to the elaboration of the author's doctoral thesis, recently published in Spain under the title “Importando Miseria. La alternativa a la provision de mano de obra”.

Once the family farming model was replaced by an industrial agricultural system of production based on hired labor, the Catalan (Spanish) agricultural union Unió de Pagesos, with the consent of the State, reinvented itself as a provider of services related to the acquisition of

manpower through a “recruitment and supply” system – referring to the set of practices to recruit foreign workers abroad and their placement by the Union. The State's migration polity is responsible for the emergence of such a system, and we can trace its origin in the symbiotic relation between the State and the Union, whose interests – the social control of the foreign worker and the just in time delivery of labor – run parallel to those of the State. In the dormitories a transformation is envisioned through different devices - regulations for accommodation, the presence of personnel to monitor the facilities, a visit regime and exit permissions, among others – similar to other institutions such as labor camps, where individuality is tamed through subordination to a dominating power in order to create a new subject, whose value is exteriorized through obedience to those who manage the institutions.

In the history of the development of production systems, labor placement strategies have constituted a solution to the basic problem of workers' freedoms, which is an indicator of possible desertion of work. These have been established in many different ways: by assigning specific places on the social ladder to individuals forming the work force; by creating bonds that tie workers to certain economic activities – whether to a specific geographical area or to a concrete productive activity; by establishing an obligation to work and, therefore, legal control of vagrancy or simply reifying individuals and putting them under the control of someone who can dispose of them. Such systems usually imply the creation of a different legal status for workers, legitimizing them and, in some cases, the creation of institutions to prevent desertion of productive forces.

It appears that societies constructed along closed social divisions, such as caste systems or feudal estates, are to a lesser degree dependent on such institutions - for they, as a whole, are configured as prisons where the individual has no freedom to alter his position on the social ladder. On the other hand, societies which allow certain porosity along social boundaries and where individuals are free to initiate mobility processes - be they structural or topographical - usually require the presence of institutions to confine manpower, for such autonomy implies a problem for

the development, consolidation or survival of some specific economic activities. The existence of places to accommodate labor which are created under the rule of law is a paradox for these societies; or, following Foucault, it is a consequence of the formal universal freedom that defines them (Foucault 2000:234).

The dormitories for foreign workers recruited in their homeland established by the agricultural union *Unió de Pagesos* are no exception to this rule. They were built following similar principles as those which allowed for the emergence of the Roman *ergastulum*, the English workhouse or the French hospital. They constitute a reserve of manpower, created to help an economic sector already deserted by those with higher levels of freedom with their greater social power. The form of the dormitories - which also resembles, in a way, that of jails and military barracks - helps deliver, place and distribute workers spatially, classify them in order to gain their maximum time and power, educate their body and codify their behavior, to keep them visible to the power that subjects them. This is achieved not only by architectonically configuring a suitable space for their creation, but also by trapping workers in a web of registers and annotations containing accumulated and centralized information. The dormitory is the place to observe the consequences of the foreign workers' recruitment system which is the subject of this study. Our hypothesis is that such a system of recruitment, importation, concentration and supply of labor implemented by *Unió de Pagesos* prevents the exercise of personal freedoms considered basic by the political order, producing a subject deprived of fundamental rights: mainly freedom of work and, consequently, of circulation and residence.

The establishment of a mechanism able to deprive workers of their rights has intense and obvious consequences for the middle classes too. The income distribution of the middle classes is significantly composed by incomes of labor (Piketty, 2014: 59-51) and these are preserved by a thick system of rights and legal safeguards that tend to stabilize them. If laborers of an economic sector do not enjoy this protected legal position, the whole labor market is affected and the wages

are generally pushed down. It is no coincidence that this happens in the sector which holds the lowest minimum salary of the whole Spanish market, from where the middle classes were expelled in the early '80s. If the system would expand to cover new economic areas, it might pressure the wages down as a whole.

The text that follows in the first section outlines the working hypothesis of the investigation. The second section focuses on the terminological aspect of the investigation, while the third is dedicated to a synthetic exposition of the research and its conclusions.

## **Methodology**

Our initial approach to the subject was when the author was hired as personnel monitoring one of the dormitories in Montblanc during the grape harvest in 2003. In those two months we had a privileged view from which to observe the dynamics within the dormitories. Inside the dormitory we noticed a subtle control influencing individuals and thus observed how the relations of power developed between the Union and the workers. From this first experience we felt the need to understand the reasons and mechanisms that contributed to such control. The spatial characteristics of the dormitory – which meant that everyday activities were carried out collectively with the rest of the workers hosted there, holding them to a regulated common way of life - together with our presence as personnel monitoring the facilities with the faculty to penalize behaviors unwanted by the Union, led us to interpret the dormitory as something related to what Goffman had defined as *total institutions*. Considered from this perspective, for its similarities with such institutions – some of which, following Goffman, are erected to protect the community from those considered to be dangerous, while other are instruments to control labor (Goffman 2007:18) – we had to consider the dormitory related, to a certain degree, to other institutions such as prisons and labor camps which intend to deprive the individual of specific freedoms.

We started our fieldwork that same year, during the fruit harvest in Lleida from June to September, expanding each year until 2009, when we made our final field trips. Making contact with the Union's personnel was straightforward, especially those from the Servei de Contractació de Treballadors (Hire Labor Service) and the foundation Pagesos Solidaris (Solidarity Farmers), as the author had made contact with these people when she worked in the lodgments. Thanks to their collaboration, she obtained valuable documental information from inside the service and came into contact and interviewed the personnel in charge of the lodgments. While visiting different lodgments in the district of the Segrià, interviews of workers hosted there were carried out. Nevertheless, during the agricultural campaign of 2006, the collaboration of the Union decreased in intensity, perhaps due to the Union's reluctance towards this investigation. This suspicion was confirmed when we encountered some resistance from the Union when undertaking an investigation on the hiring system and the lodgments. These circumstances led the researcher to carry out her field work without the collaboration of the Union. From then onwards, she had to approach the system from the outside. She had to meet and interview the workers in bars and cafeterias of the small towns where they worked and go around the lodgments where they lived. A chain of informants was formed, once some of the workers asked others, usually dormitory companions, to offer their testimony.

From this point, the information obtained through fieldwork varied substantially. Knowledge of internal dynamics, supply protocols and disciplinary tactics previously observed from the inside was enriched by this external work, especially thanks to the testimonies given by the workers and the personnel in charge. In this way, beyond her experience during the harvest of 2003, she was able to confirm that what happened inside the particular dormitory where she had worked was not an isolated example but rather a common experience throughout the collective dormitories administrated by the Union.

The study was focused on the so-called “collective” dormitories, different to those the Union calls “particular” – which do not have monitoring personnel and host a small number of workers – because a special dynamic develops inside them. The main characteristic of the collective dormitories is that in them we can see a permanent control over and supervision of the workers, which is fundamental for their transformation into subjects ready to deliver. For this reason the author’s fieldwork is exclusively focused on these collective dormitories, whether they belong to agribusiness companies or to local administration – usually to a town hall administered by *Unió de Pagesos* for the benefit of local farmers. Most of the collective lodgings are concentrated in the district of the Segrià, l’Urgell and the Plà d’Urgell, so fieldwork was primarily carried out in these locations. This methodological decision is supported by the fact that there is a higher density of collective lodgings found in the district of Segrià. In this district the author studied the dormitories of Alcarràs, Alcoletge, Soses, Torres de Segre, Artesa de Lleida, Puigverd de Lleida, Corbins, Aitona and Serós, where a total of 12 collective dormitories were visited, both of public or private ownership, which constitute a 29% of total dormitories in a district that holds 45% of the dormitories subsidized by the Catalanian government. In the Plà de Urgell six dormitories were visited, located in Bell-lloc, Bellvís, Mollerusa and Miralcamp, which together constitute 55% of total dormitories in a district accounting for 12% of officially subsidized Catalanian dormitories. In the case of l’Urgell, three dormitories were visited in Bellpuig, La Fuliola and Verdú, which is 60% of total collective dormitories in a district that holds a 5% of the subsidized dormitories in Catalonia. Additionally, the dormitories in Montblanc, Les Pobles and Batea were visited, belonging to districts with fewer dormitories than the ones where fieldwork was carried out.

A typology was designed from the study of these dormitories. The author had the chance to get in contact both with personnel in charge and the workers, who became the central group of informants. They were interviewed both inside and outside of the dormitories. Nevertheless, some of the information that helped in the interpretation and analysis of the dormitories – regarding what was happening inside the dormitories, their effects on the agribusiness or impact on the towns –

came from many casual meetings. Farmers who hired the labor supply service of Unió de Pagesos or those who did not and instead used irregular immigrants as a work force, locals from the district who occasionally became involved with the dormitories network because they rented houses to city hall to provide shelter to the workers, immigrants searching for work: they all gave information through informal conversations in settings as diverse as a land clearing, a pear field, a bakery, a small town square or on the stairs of a church. When these meetings took place, the field diary became essential. In it, the author wrote her impressions, intuitions and thoughts that would, eventually, be transformed as the investigation developed. The descriptions of the dormitories would be also written in this notebook, which became the compass for this expedition.

## **The Case**

As has been the case for the past twelve years in the Lleida countryside – an area dedicated principally to the production of fresh fruit – thousands of workers recruited abroad through the “contracted at origin” model live their lives in accordance with harvest periods. The rise in fruit growing and employment prospects for native workers, linked principally to the improvement in living and work conditions during the early nineties, paradoxically triggered a return to old images of poverty from the Spain of previous decades. The shanty towns that spread to the outskirts of Barcelona in the early twentieth century exemplify how foreign workers – those who arrived on their own to pick fruit in the Spanish provinces – currently live on the edges of Lleida fruit-growing towns. No space for the establishment of this Lleida fruit industry reserve labor army was planned, except huts initially intended for water pumps, sheds where until now only work tools were kept and warehouses that served as storage for tractors or trucks.

By the year 2000, the condition of these workers had not improved; in fact, their situation had worsened. Lleida farms satisfied their need for low-paid workers with the arrival of foreigners, who were subject to the stigma of being called those “without papers”. Lacking in rights, these

workers have been forced to take agricultural work described as one of the worst paid jobs with the poorest conditions<sup>1</sup>. The shanty towns growing steadily on the outskirts of certain cities demonstrate the exploitation to which these workers are subject. Alcarrás, in particular, constitutes, in the history of this shanty town phenomenon, a paradigm of what was occurring in other towns but with less intensity. Parallel to this situation in which foreigners lack social and legal protection, a new means of contracting workers was being established, known as *in origin*<sup>2</sup>. The formalization of this method – carried out from 1993 via the pronouncement of quotas for work authorizations and with its incorporation into OL 4/2000 – stipulates that this is the only legal means of hiring foreigners, specifying that the worker can neither be a resident of nor in Spain at the time of hiring. Thus the possibility of hiring foreign workers of irregular status was restricted, as was the opportunity to use this means of hiring as a method of acquiring regular status.

As a result of the implementation of this hiring model, a large gap between workers hired in origin and workers of irregular legal status opened in the Catalan farming industry, as under no circumstances could the latter hold a contract with which to acquire legal status similar to that held by workers hired in origin. The replacement of workers seemed to be the motivation for legislators opting for such an instrument. Consequently, large groups of foreign workers hired in origin, provided with permits for seasonal or field work, arrived to work primarily in harvesting. The first trial of this hiring method was in Lleida in 1999, when the agricultural union Unió de Pagesos (Catalan Farmers Union) hired 35 workers in Colombia for work during the fruit season<sup>3</sup>. The benefits that this promised as much for the State (the management of migratory flows in response to the sector's labor needs) as the municipalities (the eradication of poverty for foreign residents in Spain and the guarantee of labor for all farmers), farmers (the immediate availability of workers to continue with the harvest season) and Unió de Pagesos, executor of this hiring method in Catalonia (as the most representative agricultural union of the Catalan agricultural industry), allowed legislators to improve this model. This meant, on the one hand, a policy development that would allow hiring in origin to become the only possible means of hiring temporary workers and, on the



other, the enabling of existing infrastructure to be used as accommodation and the construction of new housing. As a result of this government effort, town councils, agri-food companies, cooperatives and farmers began to set up housing on their farms, in their factories and municipalities for the recruitment of temporary workers hired in origin. The union, defending the interests of its members and clients, appeared in this context as the director of accommodation management. It developed for this purpose a workers supply system based on the management of such accommodation, as well as the selection and import of labor supply abroad (principally in Colombia and Romania). We have termed it the Labor Recruitment, Import, Concentration and Supply System, and it is based on two fundamental principles through which it becomes more dynamic and efficient: On the one hand, the loss of the worker's right to resign from work; on the other, the imposed obligation to reside in the provided accommodation. Both of these conditions are imposed by the union as it discovers the legislative power it holds, via the transfer of a kind of public authority conceded by the State. Both the resignation from work and the refusal to reside in accommodation provided entail for the worker non-compliance with the administrative conditions under which they were recruited, thus directly affecting their legal status and making them a foreigner of irregular status. The observation, however, of the imposed conditions trap the worker in a device of social control intended to pacify the foreign work force – through regulations governing their living space and private life – while at the same time, guaranteeing their recruitment and constant mobilization.

For the foreign resident, whether of regular or irregular status, opportunities for finding work in this sector were considered reduced within this model. Before them stood a new worker competing for agricultural work – one obliged to return to their country of origin once the harvest season was completed and, therefore, one who was less problematic. In this context, the immigration law demonstrated itself efficient in controlling the errant worker, and effective in its intention to replace an itinerant work force for another that was tied to the power of a union.

## **Analyzing the system**

This work aims to expose a system that produces a subject whose rights and liberties – which must be protected not only because they are workers, but also because they are human beings – are severely limited. The observation of workers’ attitudes inside the dormitories as they interacted mainly with management personnel, indicated a decreased capacity to untie themselves from the labor obligations they had acquired and, even more so, a limitation in their faculties to develop their lives in the way they felt fit. Attitudes that revealed unequal powers, a contractual obligation to live in the dormitories fulfilling pre-established behavior norms which entail the normativization of their everyday life, and the limitation of some of their basic individual freedoms such as freedom of movement, were signs of a deeper problem. Neither the dormitory regulations nor the prohibitions imposed by contract seemed enough to explain the effect of the agreement subscribed to by the workers: the deprivation of their liberties. A larger agreement than the one subscribed to by the workers seemed to be at the core of the issue. That pact, which took form in the “Collaboration Agreement for the Management of Migration” (Convenio Marco de Colaboración para la Ordenación de las Migraciones) revealed itself as the key element of the contractual operation through which labor recruitment, importation and supply is implemented. A triangular system of relations between workers, union and agri-food companies was constructed: a reflection of the abovementioned agreement, which provides the mechanisms to implement the system. The corporate legal representation of farmers given to the union by the State to facilitate labor recruitment for all farmers, and a public function delegated to the union in order to confer to it faculties to execute part of the State’s migration policy, are the mechanisms provided to implement the system. These order the migration flux and provide permanently available labor to the agri-food companies that demand manpower from the union. The agri-food companies, although formally signing a labor contract with the worker, have no real employer-employee relation with them; for

the system implies a triangular relation for which the rights that usually concern the employer lie with the union, while the worker is deprived of significant labor rights, for instance the right to quit their job. The system implies a break in the classical bilateral conception of contracts, and specifically of employment contracts (Chacártegui Jávega 2000:55). The lack of a real contractual relation between labor and entrepreneur takes the system far from modern Labor law and close to other types of relations between entrepreneurs and manpower, such as the slave lease in ancient Rome, which was especially common in the last two centuries of the Roman Republic (Pérez Guerrero and Rodríguez-Piñero Royo 2005:189; De Martino 1985:113). In the Unio de Pagesos' system the agricultural entrepreneur behaves as a consumer of labor, the worker as a commodity in a market and the union as its supplier. In fact, the legal entity of the employment contract seems inadequate for describing the system, as there is not a labor market, but a market of workers. The foundations for this are the genetic relationships inherent in the system, designed to harmonize the interests both of the State and the union; that is to say, controlling the migratory flow through work, on the one hand, and on the other, the creation of a monopolistic position for the union as a labor supplier which provides it with enough political influence to maintain its leadership as the most representative business organization of the Catalonian agricultural sector. Nevertheless, the symbiotic relationship between State and union is not the only foundation for the creation of the system. Workers' interest in finding employment in Spain, even in the current conditions, and the convenience for the agri-food companies to dispose of a labor force through servitude, were determinant elements implementing the system. To have a labor force which through recruitment comes under *status subjectionis*, just as the serf bound to the land by a vassalage agreement (Bazán Cabrera 1982:40), helps the agricultural entrepreneurs ensure their presence in the economic structure and avoid the emancipation of workers.

The system's legal basis is the Immigration law and the policy of job quotas applied to migration. Through examination of these instruments a new working hypothesis can be formulated: that through such regulatory policy the State aims to replace the illegal immigrant with those

workers recruited in their homeland, at least in economic sectors such as agriculture which have been affected by a lack of competitiveness in the international markets. Although the irregular immigrants are certainly cheaper labor, they are also more volatile and their presence generates public uneasiness, for they represent an intrusion on public space and welfare, where allegedly they engage in antisocial behavior. The recruited foreign worker, on the other hand, represents the tamed version of the insolent barbarian; a domestication whereby the typical mobility of the free man - who remains free even when subject to persecution and harassment after been categorized as an illegal - is avoided. The objective of such a substitution is the survival of the Catalanian agricultural structure, favoring the agri-food companies' subtraction from the labor market, thanks to a system importing workers who are unable to freely participate in it and generating a service market where the union and entrepreneurs trade manpower. In this system, the worker is simply a commodity, while the entrepreneur is a consumer of a service offered by the union. By reifying workers, limiting their mobility and securing them as work force, it is possible to compare this subject to an inhabitant of the nomad cities once imagined by Soviet anti-urbanism (Fourquet and Murard 1978:67), or even with the zek<sup>4</sup>, the settlers of the gulags (Soljenitsin 1976:426-427). The regulatory policy that permits the emergence of such a system reveals a legal framework designed for the social control of the nomad (Gaudemar 1981:29); that is, the irregular immigrant. Analogous to the creation of the first vagrancy laws in England during the first half of the XIV century (Chambliss 1964:69; Foote 1956:615) or in Castile after the arrival of the Black Death,<sup>5</sup> and with similar aims, the immigration law, as the legal framework for the job quotas policy, fulfills the purpose of subjecting labor in order to make intense use of it. Mandatory settlement was a measure taken to ensure the provision of manpower, so those dispositions provided to secure a worker's residence, such as the Settlement Certificates (Foote 1956:615, Polanyi 1989:151; Hammond and Hammond 1987:91), run parallel to the duty of workers within the system to reside in the lodgments.

A new status for workers emerges as a solution to the issue of available labor. Without the power to freely wander, choose a place of residence, a job or to negotiate conditions of employment, this new subject is able to challenge the irregular migrant's presence in Catalanian agriculture. The social benefits this new category implies are the eradication of the settlement of poor foreign migrants in the country and the continued viability of a productive model based on the recruitment of workers deprived of some of their liberties and rights. Capitalism without a labor market (Polanyi 1989:206) threatens a democracy rendered archaic by economic crisis which still requires servile labor. Analogous to the implantation of the Prussian recruitment system for Polish laborers, occurring thanks to a decree which allowed the partial reopening of the Eastern borders (Weber 1990:240; Mezzadra 2005:74), the union's system aims to neutralize the effects of the market. The impossible permanent availability of the worker body in a Liberal state (Bazán Cabrera 1982:54-55) has spurred the union to create a system, within the legal framework, which resembles closely that implemented by the Prussian Junkers. The Junkers formed the Prussian Fieldworkers Central (Preussische Feldarbeiter Zentrale) to recruit workers on the Polish border who could neither rescind their labor contracts nor participate in the labor market (Mezzadra 2005:75).

What is accomplished through the network of lodgments is the intensive provision of the labor force under the "just in time" formula. The hiring of one specific worker by a farmer has no practical relevance, for the pressing need of labor force in harvest time and the demand of a "quality service" implies the permanent provision of this same worker to other farmers. The conditions of the worker as a subject of commercial transactions is underscored by the labor provision system. The union liquidates the costs of the worker's recruitment and importation and obtains benefits by increasing their circulation among the farmers. The union considers the workers as commodity capital (Marx 1972:11-12). When in the dormitories these workers are in a state of reserve, available for mobilization every time there is an imbalance between the demand for workers and the number provided by the union, increasing their exchange value the more they circulate (Marx 1972:705). Estimating the possible number of circulations undertaken by the worker, a process

made possible by the network of dormitories, enables their constant revalorization by eliminating the possibility of unproductive immobilization (Coriat 1982:50) giving a Fordian character to the management of worker movements. As in an assembly line, the leisure of materials is minimized (Allan Nevins cit. Coriat 1982:49). The concentration of workers appears as an essential element of the system, for it allows, on one hand, the storage of men available for work – which constitutes the union’s interest in the system - while on the other, it enables their seclusion, avoiding their presence in the public space, which is the State’s ideal way to handle this kind of foreigner - poor and without qualifications - while he remains in the country. Through a “communitarian utopia” – a center of Fascist and Socialist machinations to make workers a means to attaining the greater good of the nation (Soljenitsin 1976:426) – the exploitation of the worker is intentional. As a leftover of the productive gear of agriculture, his presence can only be justified as an apple picker or nectarine packer. His existence is defined by the total institution and marked by the discipline imposed to correct his behavior (Foucault 2000:175 and Weber 2008:883).

Migration law helps fulfill this objective, for it intimidates the worker by threatening their status as a legal worker – mainly in the case of a strike attempt, quitclaim or refusal to accept a job (all of these rights are affected, as their exercise is considered desertion of work and, therefore, it constitutes a breach of contract - the ultimate consequence of which is the devolution of the subject to his homeland) – and the law therefore represses any attempt to contest authority which could affect the power of the union. Prevention of any impediment to the proper supply of labor becomes fundamental. Discipline must be imposed as a condition for the implementation of the calculated movement of the docilized worker’s (Weber 2008:882). Its exercise reveals the union’s desire to submit the worker to its power. An arsenal of images concerning the “dreamt” worker (Sierra Álvarez 1990:83) illustrates the union’s conception of labor, which is apparent in the lodgment regulations and in the behavior of personnel in charge of the facilities. The historical need for capital to transform labor (Sierra Álvarez 1990:244) into docilized subjects drove the industries and entrepreneurs to examine the worker’s nature. As a consequence, a whole series of representations

of the worker nourished a discourse essential to the social control of the poor, favoring their forced incorporation into labor and the maximum extraction of surplus value (Chambliss 1964:69; Foote 1956:615; Gaudemar 1981:28; Polanyi 1989:138-151). The individual's private sphere became subject to surveillance and the reconstitution phase of his life was bound by paternalistic measures intended to dominate him.

Workers' housing raised as a strategy for the panoptic supervision of individuals through inspection and regulation of everyday life. In the dormitories, the power of old industry expanded – as the union's does now – with the aim of docilize men who are to collaborate in the accumulation of capital. In these kinds of spaces power intends to reproduce the domination that already exists in the workplace. The dormitory is one such space and, therefore, a comparison can be made between dormitory regulations and factory regulations (Marx 1972:444-445; Engels 1976:232), and between personnel in charge of dormitories and factory foremen: both essential to maintaining an order reproducing power. The union reproduces the image of the worker as an undisciplined, dirty trouble-maker. It reconstructs the old prejudice of the need to discipline the poor (Sierra Álvarez 1990:4). By prohibiting some behaviors and ordering others, it secures a smooth cadence in the supply. Drunkenness and disputes, understood as a manifest declaration of disobedience must be suppressed, for they temporarily suspend authority and reveal the true autonomy of men. They short-circuit power and lead to crisis, showing the sterile nature of lodgment regulations and the personnel in charge which exist for the production of tamed individuals.

The union's preconception of workers is clear from the behavior of the personnel in charge, and also from the way the workers handle themselves in response to that behavior. The racist prejudice of the personnel in charge – the element that sets this power relationship in motion – is apparent through their conduct, . They develop a behavioral pattern that both infantilizes and criminalizes the subject, revealing the danger he allegedly represents. The behavior of the personnel towards workers fluctuates between welfarism and repression of behaviors considered harmful.

What would appear as a contradiction, to protect in order to submit, is a consequence of a paternalist logic which aims, through graceful handouts, to ensure the obedience of those under the union's protection. Their behavior and attitudes are in keeping with the notion of the foreigner as both helpless and menacing. Employment then becomes a gift by which the union reinforces its power and secures obedience. The foundation "Pageses Solidaris" (Solidarity Farmers) operates as a social legitimizing strategy of the system. Through it, the union attempts to order and discipline the workers' free time, resembling a nineteenth century workers circle (Revuelta González 1984:565-56; Babiano Mora 1998:166-169) and also attempts to manage co-development projects to reward the most loyal workers and to receive subsidies.

The "moralization" of the worker does not seem to be the union's main objective, for his honesty and integrity are not relevant to the success of the labor supply service. On the other hand, his disobedience and defiance can shake the system and interrupt the supply. The abandonment of the institution is the most dangerous act the worker could commit, the greatest of all possible subversions. The "runaway" – the term used by the union to refer to a worker who abandons the dormitory – stands out in his desertion from the rest of the workers who remain in the accommodation, as an individual who becomes a free man, a nomad (Gaudemar 1981:29; Mezzadra 2005:80). By conquering the frontiers of the dormitory, breaking the law of the union, he mutates into a deserter who will carry the stigma of the "sans papiers", the paperless migrant. His existence reveals the penitentiary character of the space where men are held en masse. The nature of this space is defined by a set of regulations that prohibits the worker's exodus and even restricts their capacity to return to their homeland. The worker, who is even subject to a visit regime, acquires the appearance of a convict whose only act of self-determination is his retreat from the power of the union through escape. Through this escape, the liminal nature of the dormitory becomes evident, showing it to be a space of segregation, whose political dimension obstructs the full incorporation of individuals into society. The dormitory is the spatial representation of the deprivation of rights and liberties that the workers suffer, a kind of frontier that can only be surpassed by escaping from



the institution. In this sense, escape is the most important political act available to workers. Its effect is none other than the legitimate assertion of his freedom.

Through escape it is also possible to interpret the dormitory as a reproduction of the social reality endured by the migrant, constructed through rejection and discrimination, which is activated every time the worker is unwilling to submit to the power of the union and abjures his commitment to being a subject of exploitation. The dormitory is a device of power, whose form takes the shape of various collective equipments with a similar aim - the production of subjects - such as military barracks, hospitals, prisons or convents. The principle of closure is present in all of them, necessary for the fulfillment of their purpose; that is, the transformation of those who inhabit the institutions into perfect soldiers, patients, convicts or monks. The strict separation by sex and nationality, the existence of bunk beds and common service areas such as bathrooms, kitchens or dinners, announce the exclusion of family life from the institution and make all such places analogous.

The interchangeability of the subjects, a requirement of the system, is manifest in all the institutions that were visited. Each time a worker replaces another, the reification of the subject is evident and also manifest in the infrastructure provided to house them. A system to fixate labor is the subject of this investigation, which has tried to shed light on a reality silently developing in Catalan agriculture.

## **Conclusions**

This investigation concludes that the import and supply system designed by “Unió de Pagesos” effectively deprives workers of their rights and consequently limits their freedoms. We came to this conclusion through observing and analyzing what occurs inside the dormitories provided to “store” this captive manpower. This system arises from the delegation of a public function, which is demonstrated by the fact that the union has an authority to control the space and

discipline the workers' lives. The system is implemented through a contractual mechanism, whose main effect is the contractual waiver of the worker's freedom to work and move. From such an abdication a new subject is produced whose status is similar to that of the serf in terms of the submission that he experiences.

The *status subiectionis*, in the words of Bazán Cabrera (1982), is the concept that best suits the position of the workers *vis a vis* the union's authority. They have renounced liberties of such importance that they find themselves at the mercy of the union. This is especially significant because the organization wields a power delegated by the State which is of a similar power to that held by organs of the State; that is to say, those who are in charge of achieving the common welfare. The underlying principle of the system appears to be the superior interest of the nation, proposed as a constitutional principle of society over individual interest – a principle only of favours those who have a strong position in society.

In Spain, citizens and foreigners have their status defined by the Constitution and the law, clearly determining their rights and liberties and thus providing, at least in theory, legal certainty as to their exercise. Nevertheless, the introduction of such a system distorts the legal framework, for it produces a subject whose legal status is configured factually, beyond legality, by the power of the union. One should consider how it is possible that an organization without any political legitimacy is in a position to ultimately shape the rights and duties that define the liberties of the workers they recruit. An examination of faculties and obligations determined by the union through their regulation of the dormitories and working conditions leads us to conclude that the worker recruited in the system has a different legal status from both the regular migrant – whose rights, at least in theory, are not restricted, enabling him to enjoy certain freedoms -- and also the irregular migrant, who is directly deprived of certain rights and whose liberty is merely factual. The status of the system's worker is defined by the union and he is deprived of the real exercise of his liberties in a deeper way than the irregular migrant, for at least the latter enjoys a factual level of autonomy.

As workers are condemned to satisfy the needs of an economic sector which struggles to escape its reconversion, their existence continues within an undetermined legal framework, so that any institution interested in profiting from their vulnerable position is able to do so, as “Unió de Pagesos” does. A consequence for the labor market is that the system allows the agricultural economic sector to obtain manpower while avoiding the market. An even more fundamental risk for the labor market is the possibility that the system expands to other areas which are also incapable of providing competitive working conditions. This would entail progressively cutting away at larger sectors of the labor market and formally establishing a dual labor market, constituted on the one side by legally protected free workers and, on the other, by a reserve army of imported proletarians, deprived of rights and prepared to work in servitude. Whenever an economic sector is not able to improve their labor conditions – for whatever reasons - employers could conclude that, not having an autochthonous labor force available for their productive aims, they would have to appeal to a similar system for the provision of imported manpower. The struggle to improve labor conditions would prove useless against the expansion of the system to other economic sectors, depressing the labor market to a point where the conditions offered to protected autochthonous labor would deteriorate until they become equivalent to those endured by the captive imported workers.

Those economic sectors whose existence is threatened, such as agriculture, have tried to overcome their lack of productivity by appealing to the informal labor market, hiring irregular migrants from the beginning of the eighties thanks to the effects of immigration laws, which produce a worker with a weaker legal position in the market. Nevertheless, the persecutory objective of the State has led to the eradication from the public space of this figure, one created to solve the competitiveness problems of such economic sectors. Therefore, a replacement strategy seems cogent with such an objective: the substitution of the irregular migrant – who was once useful for the stability of these productive structures and anonymously contributed to their

maintenance, while suffering the contempt of those who hire him and of the rest of the population who benefits from the wealth they create – for the worker recruited in their homeland.

Systems of an analogous nature are emerging as a first step in the future transformation of the status of the irregular migrant into forced labor. One can get a glimpse through the report on the proposal of the Directive on Return elaborated by the Committee of Civil Liberties, Justice and Home Affairs of the European Parliament (COM(2005)0391-C6-0266/2005-2005/0167(COD)). A first attempt to transform the detention centers for migrants into storehouses of captive manpower can be seen in the Amendment 11 to the recital 11a (new), which stipulates the duty to provide “a useful occupation to a third-country national who is in temporary custody”<sup>6</sup>, which would have led to a forced labor regime. If it had been approved, the European Parliament would have opened up the possibility of converting detention centers for migrants into places where labor would be concentrated and used in economic sectors that lack competitiveness, before sending workers back to their homelands. A national system of labor supply captured from nomad foreigners could be created, uncovering the weakness of the Spanish Democratic and Social State. Middle classes would effectively see their incomes fall, as a new market of non free workers would take their positions and it might decline to appoint beyond recognition. The extension of the model beyond these borders to a forced labor system throughout the European Union would entail dissipation of the principles that promote the exercise of individual freedom on a continental level, where individual rights would lose their effectiveness and become mere privileges. Modern democracy, founded on freedom and equality, would become a fiction.

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<sup>1</sup> In this regard, Etxezarreta emphasizes the correlation between work undertaken in harsh conditions, the difficulties of satisfying the labor needs of farmers and the weak attraction that this holds for the available native or foreign worker: "In many rural areas, modern agricultural enterprises face serious problems due to the difficulties they encounter when recruiting workers. The salaries and the working conditions they can offer are not sufficient to attract available workers" (Etxezarreta, 1994:137).

<sup>2</sup> A thorough analysis of hiring in origin can be found in Gordo Márquez (2009:129-145).

<sup>3</sup> The Hiring in Origin model was also trialed in Huelva during the 2000/2001 harvest, specifically in the municipality of Cartaya.

<sup>4</sup> We refer here to the prisoners of the Soviet concentration camps, administered by the Chief Administration of Corrective Labor Camps (GULAG in its Russian acronym).

<sup>5</sup> Novísima Recopilación de las Leyes de España, p. 429, T. V, Madrid, 1804

<sup>6</sup> Amendment 11 Recital 11 a (new):

(11a) All possibilities for giving prospects or a useful occupation to a third-country national who is in temporary custody should be considered.

Justification:

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It is considered in the best interest of the returnee to have the possibility to use the time in temporary custody for education, useful occupation or any other kind of activity. This provision is also important in order to decrease the level of aggression and to enhance the chance of a successful return.