Can Improved Circular Migration Programs fit into the Imaginary of a Socially just Sustainable Agriculture?

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Abstract:

This review examines the perception on the importance of social justice within alternative agrarian movements, like the organic movement. Special attention is given to the dynamics of migrant dependent alternative agrarian schemes; questioning under which circumstances and to what extent these intensive farms could be labeled as socially just. The Southern Spanish export oriented fresh produce production system's experience is contrasted with the relevant guidelines discussed within the movement. This article questions whether improved circular migration schemes have the potential to improve the public perception of intensive agrarian production systems by addressing their labour related shortcomings, but still being unable and/or unwilling to deal with a culture of dependency wired into the occupational structure characterizing them.

KEY WORDS: Circular migration, Environmental justice, Migrant workforce, Socially just agriculture, Sustainable agriculture.

Introduction

This review starts with examining the literature on how alternative agrarian movements -like the organic movement- perceive the importance of social justice conflicts deriving from the troublesome situation of its migrant workforce. It aims to assess to what extent intensive farms engaged in improved circular migration schemes could be labeled as socially just, and how could these fit into the imaginary of a socially just sustainable agriculture? If we accept the notion that the sustainability of the agrarian sector could be achieved only by equally focusing on environmental health, economic profitability, and social justice (Shreck, 2006) its guidelines should respect, promote and build upon the interconnectedness of these pillars. Unfortunately, social justice is rarely addressed directly within such sustainability guidelines.

The second part of the article presents the contextualization of a specific improved circular migration program in Southern Spain – within a migrant workforce dependent intensive agrarian system, aiming to satisfy its labour needs through less conflictive sources. This European case is contrasted and complemented with similar North American experiences in order to understand the importance of how contextualization changes the local movement's priorities in achieving sustainability. Accepting that "sustainability *per se* is an empty goal for food system reform, unless *what* will be sustained and *for whom* are specified" (Anderson, 2008), the intrinsic nature of migrant workforce should make us reconsider the system boundaries and assess the broadness of the social justice framework applicable for such production systems. It must be acknowledged that these migrant dependent production systems greatly influence both the sending and the host societies. Therefore, any initiative aiming to revolutionize the system by breaking its dependencies should start right within and go far beyond the farm gates.

Throughout this assessment, the article questions whether advanced circular migration schemes have the potential to improve the public perception of intensive agrarian production systems by addressing their labour related shortcomings, but still being unable and/or unwilling to deal with a culture of dependency wired into the occupational structure characterizing them. A qualitative, exploratory case study was

constructed based on an excessive literature review, in-depth interviewing, and participant observation on the field.

Theory of social justice within alternative agrarian movements

This section of the paper presents a meta-evaluation of prioritized themes over the social aspects of agrarian production systems thriving to become more sustainable. Aiming to find out based on what and to what extent alternative - but still intensive-farms participating in improved circular migration schemes could be labeled as socially just, and how could they fit into the imaginary of a socially just sustainable agriculture based on this attribute. The way social justice is perceived within the sustainable agriculture movement indicates to what extent social criteria is expected to be incorporated into organic standards and certification requirements (Shreck et al., 2005). How far one should go beyond the farm gates to address deeper, more complicated but equally important societal issues? The concept of social justice within the intensive agrarian sector has been widely discussed, with limited attention to its potential role promoting engagement into sustainable production through integrated sustainability guidelines.

Early in the 1960's Rachel Carson's Silent Spring started the 'pesticide crusade' by raising public awareness of the dangers of synthetic chemical pesticides representing the most apparent health and environmental externalities of a chemical-dependent agrarian system. Later the grassroots labour movement headed by César Chávez (founder of the National Farm Workers Association in 1962, later United Farm Workers) successfully linked the fight for social and economic justice for Californian migrant farmworkers with the protest and boycott against the use of toxic pesticides on grapes (Shaw 2008). The movement was the first to recognize and promote the linkage between the social and environmental externalities of a given exploitative intensive agrarian system.

The sustainability of an agricultural system consists of three integrated pillars, such as "environmental health, economic profitability, and social and economic equity … [through which the] stewardship of both natural and human resources … [are] of prime importance" (Feenstra et al., 1997). Integrating social justice issues into the alternative

agrarian movement could result in achieving a broader notion of sustainability (Shreck et al., 2005). While social responsibility should be integrated into the overall vision of the sustainable agriculture movement (Schwind, 2007), the controversial agrarian labour conditions are often seen as a negligible challenge for sustainable agriculture, and local food movements. Guthman (2004) found that "people within the movement [-the sustainable agriculture movement-] realize that [social justice issues] were left out of the construction of organic, not only in codification, but in the movement itself, and that they need to be addressed explicitly and deliberately… [The] growth of movements around fair trade and codes of conduct … increased public awareness of the social costs of sustainable agriculture." Unfortunately, this social focus is disproportionately placed on the consumption side overshadowing the production side (Shreck et al., 2006).

Sustainability guidelines of fore-runner certification agencies, like The Rainforest Alliance (2005a) already include sections on labour management. While the International Federation of Organic Agriculture Movements (IFOAM) promotes the "principle of fairness" (2008), requesting the system to be "open and equitable and account for real environmental and social costs". The unequal distribution of ecological and social costs and benefits (see Martinez-Alier 2002 and Hornborg 2009) shows the pressure associated with the intensive agrarian production schemes in general, compromising the sustainability of the production. The example of the export-oriented non-traditional agrarian production systems set up in the developing world, often perceived as a 'pull factor' for rural economies (Patel-Campillo 2010) are a great example of how such large plantations are likely to limit equal access to natural resources and agrarian land. And despite their potential to raise household incomes in the region, increase labour force participation, and restructure local economies, by default these systems are converting peasants into dependant wage- workers (Sawers 2005). Furthermore, they increase the inequalities between different social groups and classes with regard to the distribution of and access to natural (Suarez-Torres and Lopez-Parades 1997) and social resources. The example of the Ecuadorian cut-flower industry shows the process of 'female marginalization', where women are found to be segregated into a disadvantageous occupational status ("measured by skills, ownership, and control of resources") remaining "subordinated in the work-place … [by being] relegated to less skilled and responsible roles. [Therefore, their increased] employment

per se does not generate equality" (Faulkner and Lawson 1991). The question is whether the development objectives envisaged through these systems account for these negative social and environmental externalities. Similar logic should be applied when assessing co-development models failing to address such externalities, while arguing for empowerment but ignoring how their systems create and sustain dependency. In his classic study, on the environmental and health damages caused by pesticide exposure on the fields of Mexico, Wright (2005) revealed broader societal problems intrinsically coded into the system. He invited the reader to reflect on why these people (these migrant workers) "can no longer make a living from their own land and must work instead where they own nothing and control nothing and where their only apparent future is to move on to work in yet some other alien and unfriendly land?". He found that pesticide abuse and unacceptable labour and living conditions are often framed "in terms of the lack of independent political forces" and the "lack of existence of a whole network of civil associations – environmental groups, consumer groups, labour unions independent of political parties or governments, clubs and associations of all kinds – that constitute a kind of check on the worst corporate and government abuses". Nevertheless, the develop world's 'factories in the field' operating within a supposedly improved framework still inflict similar large-scale social and environmental damages (McWilliams 2000), which should make us raise even more critical questions.

Accepting that "conditions that lead to socially exploitive and environmentally destructive practices" should be addressed under the same philosophy (Cliath, 2007) requires us to see the pillars of sustainability being directly and indirectly interconnected. Without addressing all pillars, sustainability can not be fully achieved (Shreck et al., 2006). The indirect links derive from the philosophy of comprehensive sustainability. The forerunners of "social inclusion" argue that not addressing social justice might result in losing the credibility of the sustainability movement (Guthman, 2004), as consumers might associate fair labour conditions as integral characteristics of sustainable and organic products (Schwind, 2007).

The definition of organic agriculture seems incomprehensible (IFOAM, 2005) with a high variation of perceptions manifested in the abundance of definitions circulating worldwide. Even though "using organic and sustainable interchangeably is problematic at best" (Guthman 2004), requirements for including social justice by definition - thriving to fit into the imaginary of sustainable agriculture - is often missing. Therefore, it is crucial to understand the nature of the general perception on organic agriculture, in order to see how much and on what level social issues are expected to be addressed. The present stage of deficiency of the organic movement is unacceptable, as it has "reached a maturity point" and "needs to make more explicit connections between ecological and sustainable sustainability" (Inouye and Warner, 2001). Addressing social justice could be based on compliance with laws and regulations by the national or local governments, meeting the terms of ratified conventions promoted by organizations like the International Labour Organization (ILO) or the voluntary guidelines, recommendations of IFOAM or through corporate social responsibility (CSR) actions. Bottom-up initiatives promoting the importance of addressing social justice on broader societal terms are also present on the field, usually aiming to go beyond the farm gates.

Therefore, analyzing the influence of improved labour management practices on the transition into organic production is a well-grounded point of departure. The role of organic standards and organic guidelines is crucial in understanding organic claims and to see how social standards could fit into the system. There is an active dialogue calling for the inclusion of labour issues as an equal cornerstone of the sustainable agricultural movement (Inouye and Warner, 2001). The success of introducing social responsibility among the organic requirements depends on how consumer demand embraces social justice on a given market. Organic agriculture is generally perceived to be socially responsible as well (Shreck et al., 2005). Such perceptions are rarely satisfied in reality, as there is a certain denial and negligence about the importance of social justice to be addressed within agricultural production systems. A Californian experience showed that many organic producers claim to conduct sustainable farming without actually addressing the improvement of their labour management practices (Schwind, 2007).

Despite the fact that sustainable agriculture is categorized to be more labour intensive, researchers are not eager to explore the role of migrant labour in such production

systems. Research on organic agriculture usually focuses on the benefits it provides to consumers (in the form of pesticide-free foods) and to farmers (in the form of price premiums). By contrast, "there has been little discussion or research about the implications of the boom in organic agriculture for farmworkers on organic farms" (Shreck et al., 2005). The facilitating potential or controversial nature of improved fair circular migration programs easing the transition into a more sustainable production is rarely discussed. This research gap causes the underestimation of the potential role of well-organized circular migration programs in such transition. Studying this gap could result in gaining a deeper understanding of the relationship between social sustainability and organic agriculture, and the "possible incorporation of social standards into organic certification criteria" (Shreck et al., 2006).

Producers failing to integrate fair labour management practices into their production systems or to address certain ethical concerns of consumers conscious about the broader implications of food systems might risk rejection on the market triggered by the proliferation of social justice requirements on the market. Fair treatment of migrant workers ideally should be a priority for circular migration programs. Unfortunately studies on these programs still report on dependency, lack of empowerment, contractual abuse and other exploitative practices (Castellanos and Pedreño, 2001). Without guarantees of sustained or increased competitiveness farm owners are unlikely to leave their *status quo*, based on low-wage labour, anti-investment strategies (Hoggart and Mendoza, 2002), and over-exploitation of immigrant workforce. Instability and vulnerability are needed to be put into perspective. It should be renegotiated whose instability and vulnerability is taken into account when talking about sustainability of the agro-business. The success of implementing the sustainable agrarian movement's vision of social equity "depends on the extent to which economic [and other] gains are distributed to workers" (Schwind, 2007), both directly through wages and indirectly through responsible management. Reluctance to invest in capacity building could result in hostile workers, higher rotation of employees, and higher costs for training and surveillance (Strochlic and Hamerschlag, 2006). News on inappropriate labour management and broader social problems around such agrarian production systems raise

the public's attention and damage the reputation of the movement. Boycotts deriving from strong environmental or social criticism could undermine the sectors stability and market position. This could directly lead to economic losses and indirectly disable the achievements of the movement and weakening the weight and position of a more environmentally sustainable production system on the global market in general. Therefore, it is clear that the future competitiveness of the sector cannot be based on low-wage, anti-investment strategies (Hoggart and Mendoza, 1999) ignoring the interests of its migrant workers.

The core social conflict within labour intensive agrarian systems is around the exclusion, dependency and vulnerability of its migrant workforce (Díaz, 2003 and Martínez Veiga, 2001a). The lack of equity, heavy labour market segmentation, and failed integration policies are usually manifested in precarious wages, working and living conditions, which usually lead to sharpened cultural clashes, social exclusion and xenophobia (Martínez Veiga, 2001). Competition among the migrants favors their exploitation (Díaz, 1999) as it destroys their cohesion and social capital. The presence of foreign migrant workers is often perceived "as necessary, as unwanted". A symbolic denial of their efficiency eventually results in their social exclusion, which negatively influences the trends in rural development, as these areas are gradually becoming more dependent on the presence of this stigmatized immigrant population (García Sanz and Izcara Palacios, 2003). A socially just agricultural system has the potential to enhance the social stability of the region, and alleviate the risks of dependency of the sector on its labour input. Such improvements have the potential to enable workers to be future agents of co-development and contribute to greater systematic changes. Cultivating respect on the other hand was found to build commitment and improve worker efficiency (Strocholis and Hamerschlag, 2005). The integration of social justice requirements into production guidelines could improve the image and reputation of a given farm. Ethical consumerism definitely foredooms products deriving from exploitative production. Therefore, as a long-term business strategy it is more logical to avoid the potential condemnation by the future global consumer society, risking stability. Ethical consumerism is becoming the "new moral benchmark" (Burmeister, 2008), which could result in converting consumption decisions into a way of expressing one's norms and values.

Certain environmental improvements could also result in improved labour conditions and *vice versa*. Means of alleviating hazards of chemical exposure and other improvements in worker health and safety simultaneously bring along decreased environmental impacts, constituting them as necessary on the path towards organic transition (Shreck et al., 2005). Farms with diversified produce portfolio were found to be "more economically and ecologically resilient" (Feenstra et al., 1997). Such diversity could ease labour structure conflicts deriving from peak periods due to seasonality. More diversified production could also enhance year round employment, providing increased employment security for the workers (Blade et al., 2002). Regions with diversified agrarian production are more popular among migrant workers as they offer higher mobility (Hoggart and Mendoza, 1999). Informed and engaged workforce is expected to better understand and keep the rules of agrochemical usage, cause less accidents, and willing to act more actively and efficiently in case of an emergency (Strocholis and Hamerschlag, 2005). A farm with better labour management practices is more likely to continue to improve the environmental aspects of sustainability as well, with greater understanding of the importance and usefulness of certain organic standards (Strocholis and Hamerschlag, 2005). Nevertheless, it is rare to find farmers going beyond addressing the general worker health and safety issues, even when claiming to be organic or even sustainable (Schwind, 2007; Inouye and Warner, 2001).

<u>Compliance or going beyond</u>

If national legislation is progressive enough, compliance ideally should secure the fair treatment of migrant workers. Even though the value of compliance with national legislation depends on the stringency of the given legal system, due to the low level of compliance monitoring, compliance itself could hardly be seen as progress (Inouye and Warner, 2001). In the United States and Canada compliance with such requirements would mean little, while in Spain – having more advanced and integrative migration policies - a lot more. Going beyond compliance with national legislation through organized certification schemes is a more advanced option. If "social justice and social rights are an integral part of organic agriculture and processing" (IFOAM Basic Standards), organic certification should be seen as a promising tool to improve migrant

workers' conditions in the form of introducing social requirements among the certification's sustainability standards. A broader notion of sustainability could be achieved by integrating social justice requirements (Shreck et al., 2005) to advance the 'sustainable agriculture continuum" (Feenstra et al., 1997). Even though "there is a general perception that organic agriculture is more socially sustainable than conventional agriculture, [only a] few [Californian organic] farmers … felt [that] the criteria regarding working conditions should be codified to ensure this was the case in practice" (Shreck et al., 2005). The IFOAM recommendations emphasize the importance of compliance with the guidelines of the ILO (International Labour Organizations) convention on labour welfare and social justice. In 2002 the International Social and Environmental Accreditation and Labeling Alliance (ISEAL), started a project called Social Accountability in Sustainable Agriculture (SASA), aiming to "develop guidelines and tools for social accountability, aiming to improve the social auditing processes in sustainable agriculture and increase cooperation between the various certification system initiatives" (Kupfer, 2004). Many well-known environmental verification organizations engaged in this project, such as the Fair Trade Labelling Organization International, the Social Accountability International, the Sustainable Agriculture Network and the International Federation of Organic Agriculture Movements (IFOAM). The ISEAL Alliance's objective is to "[create] a world where environmental sustainability and social justice are the normal conditions of business", by setting up consistent performance standards as tools to improve the growing number of voluntary standards and evaluate their credibility. Even though most circular migration programs fail to address the requirements set in these standards (Preibisch, 2003), some improved versions with clear social commitments are worth studying in order to assess their future applicability as entry points into sustainable practices.

The strong and increasing public interest in imported fair trade products (Henderson et al. 2003) raises the question of how the public would react to the introduction of the notion of local fair trade promoting social equity and the importance of acknowledging just working conditions in local production units, not just those in far away developing countries. The Agricultural Justice Project of the Farmworker Support Committee (USA) reported a positive experience on the public reception of their domestic fair trade

label, used as a tool to raise awareness of the incorporation of social justice into the organic production movement. The label guaranteed equal representation of farmworkers, fair wages and the right to organize. The creation of combinations like "local and fair" or "organic and fair" could be important contributions towards an extended implementation of the requirements based on the interconnectedness of sustainability. Improved circular migration programs could clearly contribute to the implementation of such labeling schemes by setting standards for social justice certification, which could be integrated into the present organic certification systems.

Even though the social focus is generally displayed on the consumption side not on the production side (Shreck et al., 2006), the fair trade movement seems to have managed to place it on the other side. The movement gradually created a framework for acknowledging the importance of fair contracts with the suppliers and their workers. Food processing companies also have the potential to push for the incorporation of social justice standards among the basic contracting requirements with the suppliers, ensuring fair labor standards, and freedom of association and complaint. Socially responsible farms could construct, implement and communicate CSR (corporate social responsibility) protocols in line with the new trend of shifting from solely environmental concerns to social issues (Rainforest Alliance, 2005). Social concerns are seen as equally important dimensions with either direct (health and safety, labor and human rights, community) or broader (environment, procurement, community, fair trade) implications (Maloni and Brown 2006). Besides the direct benefits like improved market advantage, CSR actions are found to have the potential to improve employee loyalty (Porter and Kramer, 2002), and ease tensions between local communities and the migrant workers by reducing alienation and segregation (Maloni and Brown, 2006). CSR actions should go beyond compliance with legislation and thrive for excellence, by offering trainings, education, opportunities for advancement, regular employment, and respect. Even though the costs of CSR actions aiming for improvements "are difficult to offset due to the lack of mechanisms to demonstrate the economic value of social and environmental costs and benefits" (DEFRA, 2006), "ignoring supply chain CSR issues may present a greater risk". It is "not just the food industry's ethical responsibility to

respond to these social challenges but also it is in their financial best interest to proactively prepare a comprehensive strategy for supply chain CSR" (Maloni and Brown, 2006). Public procurement should also support socially just food supply chains, having even greater ethical responsibility, but unfortunately it is understood that "economic considerations still clearly dominate procurement decisions … environmental concerns come relatively poor second and social concerns fare even worse … this might be considered paradoxical given the public sector's existence to serve social and environmental objectives" (DEFRA, 2006).

Expectations of circular migration programs in general

One of the main objectives of foreign worker programs is to "add temporary workers to the labor force without adding permanent residents to the population ... [with the] rotation principle at the heart of such programs: migrants are expected to work one or more years abroad and then return to their countries of origin" (Martin, 2003). The reappearance of the idea of circular migration "has injected new momentum into the halting development of a European migration policy", suggesting "four main areas where closer cooperation is needed: in the fight against illegal migration, on development policy, in asylum policy, and in managing legal migration" (Angenendt, 2007). Where are the real priorities of these circular migration schemes? On promoting international mobility for encouraging development, or on controlling and limiting migration with national quota allowances to satisfy specific sectorial workforce demand? The recent popularity of the circular migration programs is partly based on the recognition of the importance and development potential based on remittances, while the public acceptance of temporary migration programs seems to be "more amenable" (Castles, 2006).

Elements like leaving a "clear path to legal permanent residency for temporary workers who meet predetermined requirements", "not [tying] workers to a specific employer beyond an initial period", "[having] clear and independent dispute-resolving mechanisms (O'Neil, 2003) could prove that the migrant workers' well-being is kept as a priority. The dependency of migrant workers within the system could force them to accept "various forms of abuse" (Basok, 2003) being locked into dependencies and exploitation (Vertovec, 2007), manifested in restricted socio-laboural mobility and exclusion. When no legal protection is given or acknowledged, the wellbeing of workers

is "largely dependent on the subjective goodwill of the employer" (Preibisch, 2003). Therefore, creating tools for monitoring and preventing such abuses and engaging farmers to promote best practice labour management should be prioritized when drafting circular migration schemes.

Certain EU co-development frameworks (like the EC 10917/06) promote circular migration schemes aiming to strengthen cooperation with less developed partners outside the EU. Theses program are often depicted as a win-win-win situations, where sending states benefit from increased human capital mobility with remittances enabling development. Nevertheless, it should be recognized that the remittances are not the sole drivers of development, the migrants themselves are the "actors for development" (O'Neil, 2003). Therefore, capacity building, fair treatment and any form of empowerment of these actors should be recognized as crucial elements when thriving for real co-development. Circular migration programs "can only achieve sustainable outcomes when they are incorporated into comprehensive migration concepts" (Angenendt, 2007). Receiving states often see circular migration schemes as means to solely satisfy their labour shortage needs, without having to face long-term responsibilities of integration, or combat the consequences of uncontrolled migration. Employers are given an organized recruitment process, they can easily retain experienced workforce, and keep wages low. Agricultural guest worker initiatives fighting irregular migration eventually promote changes that are "likely to limit immigrant-integration prospects" (Martin and Taylor, 1998). These programs are usually not expected to handle and therefore, always fail to address long-term integration strategies or to address the incorporation of those immigrants that are already at the host country, mostly in irregular situation. Circular migration programs manage only "seasonal migration", while there is a clear need to address "traveling migration". A phenomenon where migrants leave their homes but fail to establish a new one in their host country, forced to follow migration circles in the region based on the very circle of harvests. Despite the general perception on how migrants are moving, settling and integrating into the host community, there is a tendency of shifting towards circular migration (Jabardo Velasco, 1993). These findings bring up the question of how

seriously these programs recognize the need to come up with integration initiatives going beyond the farm gates.

Case of migrant workers in the Southern Spanish agricultural sector

The challenge of transition into a socially just agriculture in Spain lies in addressing the sector's heavy dependency on foreign workforce (García Sanz and Palacios Izcara, 2003). It is recognized that the social requirements of sustainable production go far beyond guaranteeing the pure availability of workers (IFOAM, 2005). This dependency is deepened through the adverse societal reputation of agrarian work combined with the actual precarious labour and living conditions, and low wages far unacceptable by domestic workers (Hoggart and Mendoza, 1999). The conflictive nature and bad reputation of immigrants working in Spain's agrarian sector created a critical environment. Transition into sustainability without addressing this conflict seems impossible or at least pretentious.

The Southern Spanish - mainly Andalusian - agrarian sector experienced a fast and sweeping transition from small-scale family farms into large-scale intensive cultivation. Spain gradually became a country of immigration (Argela, 2002) with an idiosyncratic labour market, characterized by high unemployment paired with labour shortage due to widespread rejection of gravely stigmatized agrarian work. The agrarian sector in Spain is characterized by labour shortages, lack of competition for jobs, low wages and employment insecurity. The increase in labour-intensive production and the growing reluctance of citizens to work on the fields led to the high dependence and presence of immigrant labour (Hoggart and Mendoza, 1999). The rejection of these positions resulted in stigmatizing those taking these positions, leading to an automatic social exclusion of the newly arriving groups. The segmentation of the labour market also acts as a barrier for mobility, as it keeps the migrant workers in a dependent situation, creating frustration. Circular migration programs should ease such dependency by offering migration careers and greater mobility. Labour market segmentation is also fueled by discrimination, mainly manifested in labour division. The better paying harvests are often given to preferential groups, perceived to be more easy-going, usually based on stereotypes, while the remaining harvests periods are given to the rest (Chattou, 2000). In Spain the Maghrebians are perceived to be the most problematic group (see the brutal racial conflicts of El Ejido reported in Martinez Veiga, 2001a.,b.),

while Latin American and Eastern European immigrants have significant competitive advantage against them (Izcara Palacios and Andrade Rubio, 2004). Segmentation is manifested in documented cases of 'ethnical labour market refreshment', having a problematic group substituted by new ones (Marinez Veiga, 2001a; Díaz, 2003). The economic crisis and the increasing unemployment rates are forcing people to look for employment even in the depreciated agrarian sector. In response to this trend an agreement was made between the Spanish government, the local governments, labour unions and employers' associations to prioritize the locally available workforce – both natives and regularized immigrants starting with the 2009 harvest period (El País, 2008).

Policy contextualization of migrant workforce in Spain

When assessing the achievements of a given circular migration program, the progressiveness of the national legislative context should be taken into account in order to see to what extent it goes beyond compliance, and whether it aims to secure the implementation of certain aspects of the legislation. While there is a crusade in Europe to illegalize irregularity, the Spanish government still argues that illegalizing irregular migration simply diverts the flows of migration to even less controllable channels (El País, 2008). Spain is a good example of how migration policies "have become increasingly based on international cooperation … rather than mere enforcement" (Triandafyllidon, 2009). Spain had left the conventional restrictive migration policy framework by acknowledging the challenges of integration (EIROnline, 2000). The Spanish law recognizes the permanent nature of immigration and calls for establishing the rights and freedoms of foreigners residing in the country. Therefore, even irregular immigrants are given various political and social rights such as "the right to assemble, to demonstrate, to associate, to join trade unions and to strike, and the right to education, healthcare, services and basic social benefits". Non-registered migrants are entitled only to emergency healthcare, while registered residents, children and pregnant women (even if they are in an irregular situation) are "entitled to healthcare under the same conditions as Spanish citizens" (EIROnline, 2000). After various regularization efforts a widespread normalization program was implemented in 2005. Formerly irregular migrants registered by their employers could be given work and residency

permits for one year, which could be extended provided that their contract is renewed with a valid registration for social security (ILO, 2006). The normalization process also aimed to increase the contribution of these migrants to the social security system. Nevertheless, the program failed to engage as many migrants as they hoped for, mainly because of the difficulties to present the documents required on time (undocumented presence in the country for over six months, the slow processes of issuing reports on criminal records in the country of origin), but above all the reluctance of many employers "to pay the wages and contributions involved in legal employment" (EIROnline, 2005).

It remained controversial whether irregular migrant workers could have the right for unionization and strike action since the reform of the Law on Foreign Persons (2000) deprived them from these rights. The reform was ruled unconstitutional only later in 2007 by the Spanish Constitutional Court, as it was found to involve "clear restrictions of many of the universal rights recognized in Spain's Constitution and international treaties". Later on the request of the Court the parliament had to draw up "new provisions to guarantee the right of illegal migrant workers to unionize." The importance of unionization of irregular immigrant workers lies first of all in their mass presence at the labour market. According to the Trade Union Confederation of Workers' Commissions (CC.OO.) about 1.105.000 irregular immigrants were working in Spain during the first half of 2007 (EIROnline, 2008). Their vulnerability is partly caused by the lack of representation, and the lack of recognition of their equal rights as workers. Even though the Spanish practices were presented among the best (ILO, 2006) for having the workers' rights well established, articulated and acknowledged on legal bases, and established structures for participation of the social partners in legislation and policy on labour migration, there are serious issues around mainstream practices and lack of enforcement and monitoring. Such an inclusive policy context – like the Spanish one presently - allows for an easier compliance with the previously presented social justice requirements of sustainable agriculture, being more in line with the ILO requirements respecting a rights-based approach to labour migration, promoting "tripartite participation" (governments, employers and workers) (ILO, 2008). Under this scheme, circular migration programs should be engaged in raising awareness on these rights and in monitoring their application. The employment of irregular migrants with

no legal contracts still prevails as a common practice (Pedreño Canovas, 1999) even after the Law of Foreign Persons 2000 and the normalization efforts presented above. The new regulation only made farmers "more discreet" about such practices.

Insufficient law enforcement is partially due to the difficulty to control a sector where workers often need to move around and stay for short periods at a given farm. The dangers of irregularity partially include the overexploitation of workers with no contracts forced to do extra work with no compensation (Izcara Palacios and Andrade Rubio, 2004). Many migrants are forced to accept successive contracting, which breaks the continuity of their employment and decreasing the probability of obtaining a permanent contract. Such practices keep them in dependency with higher risks of unemployment, and slipping into irregularity (Hoggart and Mendoza, 1999). The seasonality of harvesting, with peak intensity periods and inconstancy also leads to instability (Ruiz Sánches, 1998; Izcara Palacios and Andrade Rubio, 2004). A high degree of flexibility is required of the migrant workers to follow the production strategies of their employers. This makes the labour market extremely fluid with much turnover and lack of stability. The plantations are 'dependent on' cheap, not unified, or protected labour (Izcara Palacios and Andrade Rubio, 2004; Izcara Palacios, 2005).

The agrarian sector is perceived to be a good place to start a "migration career" (Jabardo Velasco, 1993) because it is the easiest sector to find a job without any previous work experience. After arranging their legal status, only about 30% of the immigrants remain in the agrarian sector when applying for the second round of work permits (COAG, 2008). Even though the quota system, with an "annual allocation of work permits by economic sector and by province" (Hoggart and Mendoza, 1999) makes it difficult to leave the agrarian sector, it still remains a transit sector (Ruiz Sánchez, 1998). Offering migration career within the agrarian sector by securing upward occupational mobility (Hoggart and Mendoza, 1999) would be a way of empowerment in line with the expectations of a socially sustainable agriculture. This might also require the integration and respect of certain migration patterns based on their already established social networks and fueled by "migration-specific capital". Such socio-economic mobility should not be restricted nor ignored but built upon by organized schemes like improved

migration management programs. Migrants can be "stuck in low levels of employment" as they return each year to work within the very same conditions for the very same wages, instead of "negotiating their way into better jobs and localities like unregulated circular migrants might do" (Vertovec, 2007). Such restrictive schemes fail to ease dependency as they restrict socio-economic mobility, replacing "migration-specific capital" by prescribed positions and keeping migrants at the lowest step of the immigration ladder. Nevertheless, many argue in favour of such schemes with more stringent control as they offer safety and prevent channeling migrant workers (especially women) into underground and more dangerous routes and flows, where "more potential for abuse exist". Such "innovative programs can prevent isolation and abuse in the destination country" (O'Neal, 2003). Circular migration programs therefore should learn to integrate the already existent migration-specific capital available in the host region and promote its development among those who have just started their journey. Contraction in country of origin through contingents is believed to be reliable and enhance stability and decrease the so-called "calling effect", still it fails to address directly the problems of and conflicts around those migrant groups that are already in the host county.

The Spanish society perceives the presence of migrant workers through an "emblematic reductionism of complex events" (de la Fuente García, 2006). As most of the media coverage was found to be constructed either saying that "immigration is massive and it is hard to control" or that "immigration is a problem, causing social conflicts and delinquencies." On the other hand there is a serious social invisibility of these people, proving the lack of integration efforts (Ruiz Sánchez, 1998). Historically the invisibility of migrant farmworkers was partly due to their physical segregation (housing on farms and lack of means of mobility to reach host communities), and partly due to the fear of the consequences of their irregularity. The lack of any kind of contact between the locals and the immigrants is a source of social exclusion (Izcara Palacios and Andrade Rubio, 2004). Circular migration programs could have the potential and have the responsibility to address the issue of lack of visibility through integration initiatives to increase acceptance. Solving those highly visible infrastructural problems and smaller cultural clashes at the mass arrival of seasonal workers is a recognized priority expected to be addressed by circular migration programs (El País, 2007; Martinez Veiga, 2001a,

b.; Jabardo Velasco, 1993). Improved circular migration programs are expected to go beyond meeting the agrarian sector's labour needs of the given host country.

The AENEAS circular migration program

Many locals found it to be an antecedent worth remembering when Huelva, Europe's major strawberry supplier region, experienced how a mass of immigrants with valid but discarded pre-contracts –most of them of African origin - went on a hunger-strike in 2002 after they were forced into an impossible situation due to a last-minute decision of farmers: opting for contracting female workers from Romania instead of employing them (Arango and Martin, 2005). The decision left them with work and residence permits valid only on the fields where no available positions were left[1]. Finally they were granted permits valid in other regions, but the lesson remains of how such negligence could threaten migrants to fall into the cycle of irregularity. Farmers claimed that they opted for the new workforce in order to avoid problems and conflicts with the migrants already present on the local labour market. The promoters of circular migration programs argue that the social tension around uncontrolled, irregular workers is inevitable when hiring takes place locally (Martinez Veiga, 2001a). While hiring at country of origin through organized circular migration schemes is presented as a less conflictive alternative to satisfy the sector's labour needs with a more controllable workforce. Nevertheless, it is crucial to recognize how these outsourcing schemes affect the status and activity rates of immigrants already in the host country. Choosing to ignore this effect could seriously compromise the sustainability of the given scheme.

The AENEAS Cartaya circular migration program was launched in Huelva in 2005, as a project within the European Union's AENEAS co-development framework. The framework was established to promote cooperation with third countries, aiming to

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[1] Spain has a quota system introduced in 1993, modified in 2000, which requires foreign agrarian workers to have work permits received under organized guest worker programs from before their arrival. The local employers seeking guest workers need to prepare generic job offers and present their requests to specialized provincial offices. Later the Ministry of Labour summarizes these provincial requests and transmits them, sending a recommended number of work permits to the Spanish embassies in the sending countries, where workers are usually recruited by local governments under bilateral labor agreements (Arango and Martin 2005).

provide legal migration opportunities through circular and temporary migration. Dynamics argued to satisfy the developed region's labour needs and bringing development to the sending countries through 'human capital development and labour mobility' and 'remittances and other diaspora resources' (International Organization for Migration, 2008). Laganá (2007) argued that the way co-development is presently promoted is just another form of burden-shifting, a 'shorthand for migration management' which runs counter to any integration initiatives. It fails to channel remittances to become truly productive and to empower migrants to become truly active agents of development.

The AENEAS Cartaya project was excessively criticized on the ground of its discriminative pre-selection procedures. The program openly aimed to produce high return rates of workers to their home countries after their contracts expire, which is secured through selecting less conflictive migrant workers. The project description clearly stated that during the recruitment in Morocco, Muslim women with younger children left behind are prioritized. Besides highlighting the 'empowerment' of these women through offering employment, the project's promoters failed to acknowledge or address the social costs of such foreign employment responsible for creating unnatural dynamics of broken-up families.

Even though the workers' legal situation and labour union representation were in order, the awareness-raising efforts among the migrant workers were found to be insufficient and uneven among various host farms. Such shortcomings were counterbalanced by the hard work of local humanitarian NGOs, an effort in which the organized schemes should have pushed for the employers deeper engagement. Nevertheless, the program offered moderators responsible for assisting the migrants. Capacity building courses and workshops were offered in order to comply with the co-development goals. The Spanish language and banking courses were found to be both very popular among the women. Understanding of local language proved to improve integration, life quality and work performance. Workshops and discussions held by humanitarian NGOs aimed to promote cultural cohabitation and cultural exchange, provide sexual education, family planning, violence prevention, and traffic safety. These discussions and courses served as organized awareness raising and capacity building, while they also created a social

space where relationships among the women could evolve. The moderators' reports showed that social cohesion and smoother cohabitation (among the workers) were improved by these meetings. Continuous mediation, assistance and awareness-raising during the whole period of contraction were found to be essential. The moderators' role in this process was found to be crucial. They served as informants and assistants, and also being in charge to continuously inform the women about the risks of illegal immigration and the advantages of the contraction of origin program they take part of.

The mediators' feedbacks showed that in the future there is a need for further awareness-raising among the workers, preparing them what to expect during their stay and telling them about their rights. They found that more efforts should be taken to facilitate the acceptance of these migrant women by the host communities. The workers mobility should also be improved providing access to organized means of transportation. Wages should be at their disposal paid on a regular basis and be available for them from the very beginning of their stay, as many of them arrive with no cash. Improvements easing the dependency and increasing the mobility of these women should have been promoted, despite of how these would have threatened the objective of high return rates. Workers should have the Collective Agreement distributed and explained to them, so they would be aware of their rights and responsibilities. The work of the moderators should be taken more seriously, as they have more practical experience with the workers and are the most likely to guarantee the wider implementation of good practices and to prevent abuses. Circular migration programs should keep the migrant workers' interests as a priority, and by this could comply with the improved social justice requirements of any given agrarian system striving to become more sustainable.

Conclusions

The discussion this paper aims to develop is two-fold. It questions whether improved circular migration programs could fit into the imaginary of sustainable agriculture, and whether these improvements could serve as a first stepping stone into a sustainable transition (or as a consecutive step towards a broader sustainability).

Even though early in the 1960's the alternative agrarian movement recognized the connection between the social and environmental externalities of the green revolution's agrarian system, the sustainability guidelines started to embrace social justice requirements only several decades later, still mostly addressing problems within the farm gates. Sustainability guidelines embracing social elements are often satisfied with improving labour management practices, but still unable or unwilling to tackle the dependencies characterizing the system. Furthermore, although circular migration programs are often promoted as tools for co-development, by default these schemes fail to empower the migrants participating in it by denying any prospects of settling or integration in the host communities. The discussion on whether improved circular migration schemes could improve the sustainability of the schemes employing migrant workforce is directly linked to the discussion on the conventionalization of organic agriculture, by assessing to what extent these intensive plantations could still comply with the original organic or sustainability principles despite their intensity. Whether improved circular migration programs could fit into the imaginary of sustainable agriculture greatly depends on how inclusive or exclusive the promoted imaginary is. It is also crucial to assess the depth of the sector's commitments and the conscious consumers' expectations. The more one goes beyond the farm gates and more seriously looks into the broader social costs of migrant dependent intensive agrarian systems, the sustainability of the system itself becomes questionable. Deeper sustainability guidelines should stand for empowerment in order to ease the various forms of dependencies from which most social injustices derive. Besides going beyond compliance with legislation, commitment could be proven by providing broader assistance to the migrant workers in order to prevent abuses allowed by the system.

It must be recognized that the sustainability of an agrarian system dependent on migrant workforce requires more than compliance through improved labour management processes within the farm gates. The wider implications of the presence migrant colonies in vulnerable situation invited by the agrarian sector should be understood. The sector should share the responsibility of preventing conflicts through integration measures. Circular migration programs should not delude themselves believing that social sustainability could be achieved by high migrant return rates and the normalization of prevailing migration patterns. Integration should be addressed within a

long-term strategy, acknowledging the importance of migrant communities' influence on the host regions' rural development. Amnesty programs should promote the inclusion of irregular migrants - residing in the host country - into the labour market through alternative employment schemes, in order to avoid their deeper marginalization.

Circular migration programs promoted to be successful in reducing the sector's calling-effect – attracting unorganized masses of migrants into the region - should go beyond addressing indirectly this problem and instead of stigmatizing, should find ways to directly engage these migrants. Improved migration programs could have the potential to alleviate the exploitative dynamics embedded in the system. Even though migrant workforce dependent intensive agrarian systems are usually seen as unsustainable per se, initiatives aiming to ease dependencies characterizing the system should always be welcomed. Whether these schemes fit the imaginary of socially just sustainable agriculture depends on the depth of these commitments and the flexibility of the imaginary of those who judge it.

Social justice improvements could also contribute to the general sustainability of a given agrarian system, as social improvements were found to have both direct and indirect influence on environmental and economic sustainability based on potentially shared guidelines and requirements applicable within migration and certification schemes. Therefore, engagement in improved circular migration schemes could be seen as a stepping-stone towards sustainability.

Producers initially interested in participating in circular migration programs to stabilize their labour supply could be motivated to follow up their initial commitments through compliance with other sustainability requirements. Awareness-raising is found to be a crucial first step towards further engagement towards sustainability. Eventually this could result in deeper engagement in sustainable production with less additional costs. Due to a growing awareness about the social costs of production, stable market positions could be achieved by responding to the demands of the new moral economy of informed consumers.

Participation in circular migration projects - addressing social justice requirements- could have a great influence on a country's potential to turn its agriculture into a more sustainable form. Stabilizing the profitability and reputation of the Southern Spanish agricultural sector must be seen as a priority for both regional and national governments. Nevertheless, co-development projects should avoid compromising the broader socio-economic interests of the sending, migrant and host communities. The human cost of agrarian landscapes is still presented through a schizophrenic imaginary (Mitchell 1996), celebrating it through the "reckless erasure of the [realities of]… ordinary people" (Starr 1973).

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