



**"They know that you'll leave, like a dog moving on to the next bin"**

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## **Chapter 15 - “*They know that you'll leave, like a - dog moving along to the next bin*”.**

### **Undocumented male and seasonal contracted female workers in Huelva’s agricultural labour market**

*Emmanuelle Hellio (University of Nice)*

“So, what is an immigrant? An immigrant is essentially labour power, and labour power that is non-permanent, temporary, in transit. According to this principle, an immigrant worker (which is itself almost a pleonasm), [...] is always defined and treated as provisional, and therefore dismissible at any moment. [...] The right to stay is subject entirely to the immigrant’s labour, and is granted first and foremost to exist as an immigrant, and thereafter briefly as a human being – in effect, as a human being subject to the condition of being an immigrant”. (Sayad, 1991 : 50).

## **1. Introduction**

Andalusia is today the leading exporting region of farm products for the European market. In the western part of this region, along the Atlantic coast, strawberry farming has developed considerably since the 1980s. The favourable climate of the Huelva Province and plant varieties imported from California make it possible for producers to export strawberries

during the out-of-season period, from January to April. The industrialization of local agriculture is inscribed in the landscape: 7,000 hectares of greenhouses immerse visitors in a sea of plastic. The drop in profits stemming from higher input prices, the increased international competition from new production areas in the global South, and the role of supermarket chains as price setters (see Reigada, this volume), have led to the seasonal recruitment of a female workforce from Eastern Europe and Morocco, who have largely replaced undocumented male migrants from sub-Saharan Africa and Morocco in the local farm labour market. In fact, in 2000, the Spanish government launched a recruiting programme known as the “*contratación en origen*”<sup>1</sup>, a contractual scheme aimed at organizing and controlling the international mobility of seasonal agricultural workers. Such contracts have been widely used in the strawberry industry to formally recruit farmworkers, while other agricultural sectors continue to rely on undocumented workers.

The *contratación en origen* is a response to the productivity imperatives of the strawberry industry, characterized by a long season during which workers must remain on call, without assurance of permanent employment. In addition, the fragmentation of tasks facilitates the training of women workers and does not require any coordination between them.

This type of contract therefore meets the employers’ need for control and flexibility, which results from their position of dependence in the supply chain, both with respect to the upstream (biotech and seed industry) and downstream ends (large retail distribution sector). In comparison, undocumented workers are often considered too mobile. Other crop growers (olives, apricots, peaches, grapes and citrus fruit) usually hire undocumented workers because

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*Contratación en origen* can be translated as “contract in origin” or “at source”. Employees are selected and contracts are signed in the countries of origin.

of the short harvest season, and their unwillingness to undertake lengthy bureaucratic procedures for such a short period. Moreover, in this case the tasks involved require a sort of “gang spirit” that is to be found more commonly in the “community” or family spirit typical of certain groups of migrant workers, rather than through the more anonymous recruitment of the *contratación en origen*. Today, these two groups of migrant workers coexist and complement each other on Huelva local labour market.

This chapter starts by providing an overview of the history of labour recruitment in Huelva, with the aim of understanding the impact of migration policies on the political construction of the labour market. I describe how the recruitment of new groups of (migrant) workers – mainly Moroccan men in the late 1980s and those employed through the *contratación en origen* in the 2000s – represented, on both occasions, a response to labourers’ collective demands and autonomous mobility, and a strategy for segmenting, and thus controlling, the agricultural labour force. I proceed to show, through a comparison of living and working conditions, the different and yet complementary roles assumed by Moroccan women recruited through the *contratación en origen* and undocumented sub-Saharan men within the local employment system. I argue that the programme of recruitment of seasonal farm workers aims to control and channel – rather than to “protect” – migrant labour. Following Michael Burawoy (1976), I maintain that such programmes guarantee farmers’ profitability in essentially two ways: first, by compelling contracted workers to return to their countries of origin at the end of the harvest season; and, second, by establishing a hierarchy and competition within the local market along the lines of nationality, gender and legal status.

This chapter is based on my PhD research that examined the mobility of contracted female Moroccan workers in Spain. During this research I carried out 70 interviews with seasonal workers, farmers, trade union officials, and representatives of institutions involved in the

management of the foreign workforce, as well as conducting observations of workers' daily lives both on farms in Huelva province, between 2008 and 2011, and in their villages of origin in the Moroccan region of Gharb, between 2010 and 2011.

## **2. Mobilizing labour supply in Huelva**

In order to be profitable given the high cost of various intermediaries in the supply chain, the production of strawberries – the local “red gold” – needs to employ cheap migrant labour. Considering foreign labour as just another production “input”, Huelva's strawberry growers seek a reliable labour force without guaranteeing year-round work. This labour force must be displaced (or, put another way, rejected) once the season ends. Over the years, farmers have found diverse solutions to face this double imperative.

### **2.1. The *subsidio agrario* and the early recruitment of migrant workers**

The early development of strawberry farming was inseparable from the availability of a flexible family workforce that was able to match the changing workload on the farms. This family workforce used to be backed during the harvest season by Spanish day labourers from neighbouring provinces. In the 1980s, the day labourer was quite a common figure among the Andalusian rural population and in a context of structural unemployment. In 1984, the region experienced increasing social conflicts as a result of the high proportion of under-employed rural labour. To avoid further tensions, the State set up the *subsidio agrario*, a public allowance system created specifically for Andalusia and Extremadura, in recognition of the existence of massive rural unemployment. In order to benefit from the programme, workers had to only work for a limited number of days each year, and to be enrolled in the agricultural

social insurance scheme. After working 60 days, they received a maximum annual salary equivalent to 75% of the minimum annual wage of 180 days' work (García Azcárate 2004). Initially, the obligation to work for a minimum number of days a year reinforced the traditional practice of internal seasonal mobility. As the strawberry picking season was long, it was a particularly attractive sector. Thus, the *subsidio* generated a reserve of labour in rural Andalusia, which permitted the development of crops requiring a large seasonal workforce, such as strawberries and olives<sup>2</sup>.

During the 1990s, the situation changed. Farmers increasingly tended to hire foreign workers. The massive rural employment of foreigners who lived locally can partly be explained by the legal changes made to the *subsidio agrario* during this decade. In 1995, a reform reduced the period of work required to contribute to social security from 60 to 40 days (and then to 35 in 1997). Moreover, Spanish daily labourers had adopted a more detached attitude towards agricultural work, and farmers had less and less control over their mobility. While for years the state allowance had been considered a “totally secure social mechanism” that supplied the required amount of workers while at the same time guaranteeing a “structural excess of labour” (Berlan, 1986), the *subsidio* eventually stopped being fully functional in both aspects. By the end of the 1990s, one could notice the widespread presence of migrants in intensive farming all along the Andalusian Mediterranean and Atlantic coast, either permanently (as in Almería and Murcia) or seasonally (as in Jaén and Huelva), even if these areas registered very high unemployment rates among the autochthonous agricultural population. Farming gradually became one of the few sectors in which (mainly undocumented) migrants could find employment. At the same time, irregular employment was fundamental to the

competitiveness of Huelva's strawberry production, as well as the intensive fruit and vegetable industry all over the Mediterranean (Berlan, 1987). This new labour source gave rise to a new strategy for the survival and expansion of intensive family farms. In turn, the possibility of finding employment in agriculture fostered the permanent or seasonal settlement of numerous foreigners in many rural towns. Nonetheless, by the end of the 1990s, the situation had changed again. A lot of migrants of this "first wave" managed to obtain a permit to stay in Spain and thus were no longer undocumented workers. In a short space of time, farmers came to consider these migrants as too mobile. An explicit migratory utilitarianism emerged: employers protested at the ease of mobility of undocumented and legalized foreigners and hence pressed for a programme of recruitment of seasonal migrant workers: the *contratación en origen*.

## 2.2. The independent mobility of undocumented migrants versus the restricted mobility of foreigners under temporary contracts

The *contratación en origen* was inspired by an experiment led by a Catalan union which had started to organize seasonal foreign labour in the farming sector as early as the mid-1980s. At the end of the 1990s, this programme of temporary migration was presented by a number of political and economic actors as a means of developing forms of so-called "legal" migration, and thus rejecting other forms of residence, such as undocumented migration, with the subsequent tightening of border controls. At the national level, several parliamentary groups called on the government to develop public policy that could channel and regulate migration flows according to the needs of the Spanish economy and to society's supposed capacity to "absorb" migrant labourers. On their part, employers considered this new recruitment

mechanism as an answer to what Michael Burawoy (1976) called the failed reproduction of a migrant labour system.

Burawoy argues that, as soon as mechanisms of migration control are loosened or abandoned, new groups of migrant workers appear. In Huelva, migration control in the early 1990s had become a subject of public debate. After 1997, reports from farmers' meetings highlighted complaints about the lack of employment continuity and the collective desire to control the mobility of what farmers called *volanderos* (i.e. tramps or hobos). Indeed, the agricultural sector offered migrants an employment refuge and an entry to the labour market, but – as employers complained – many of them left agriculture for better opportunities “as soon as they got legalized” (García Azcárate, 2004).

In the meantime, locally, Maghrebi and Sub-Saharan workers organized a series of protests, demonstrations and occupations of public spaces to demand the regularization of their legal status (Martín y Castaño 2004). It was in this situation that the *contratación en origen* was approved in 2000.

The struggles and mobility of day labourers during both the late 1980s and the late 1990s represent the main causes for the recruitment of new groups of workers in the strawberry sector (on this question, see Moulier Boutang, 1998). In the late 1980s, the mobilizations of Andalusian day labourers were countered by the employment of Moroccan workers. This was part of a strategy of segmenting the labour force, which led to the demise of union activism among farm labourers. Ten years later, the *contratación en origen* constituted a leap forward in the segmentation process and aimed to prevent the success of Moroccan male workers' claims for legalization and the improvement of their working conditions. As in other cases,



these processes contradict the dominant idea that recruiting programmes act as an impetus for new migrations. On the contrary, the *contratación en origen* was a response to existing forms of spontaneous mobility that public authorities and farmers tried to “channel” and “govern” (Karakayali and Rigo 2010). An executive with Fresdeloc, one of the biggest companies in the area, which was among the first to relocate production to Morocco at the end of the 1980s, recalls how foreign labour was regulated in Huelva during the period:

The choice was between mechanization or an appropriate way of legalizing these people; otherwise it was an open door to a subterranean economy that doesn't provide sufficient protection. In Huelva a migration commission was set up that sought commitment from the companies. The aim was to channel migratory flows in a civilized way. The contracts guaranteed set periods of work. By being documented, [workers] were entitled to Spanish labour regulations. The matter was managed politically. Legalizing these specific flows of labour implied at the same time rejecting precedent migratory flows. The public authorities threatened a few companies [...]. We'd had some previous experience with Moroccan workers who had settled here and worked well [...] From small numbers of migrants entering at random... we moved to the idea that we can't import all workers who ask for work, but rather we need to start to select them in their countries of origin.

(Interview in Spanish with an executive from Fresdeloc-Morocco, Moulay Bouslem, Morocco, 22 July 2010)

In the above quotation it is possible to identify two key aspects in claims about the benefits of the move from spontaneous and illegalized migration to controlled and legal mobility. The executive interviewed starts by emphasizing the main objective behind such a shift: to ensure the planning of the season by counting on a secure labour force that meets the needs of the producers, in short, what Tanya Basok (2002) calls “captive labour”. The interviewee goes on to legitimate migration channelling by distinguishing between two opposites: on the one hand “legal” migration, that provides protection for workers; on the other “illegal” migration, which is presumed to be a synonym for poor working and housing conditions. However, such discourses that highlight the advantages of legal migration contra the risks of illegal migration never explain why the former should improve the housing and working conditions of foreign workers. Rather, it is taken for granted that legalization automatically protects migrants from exploitation.

Even though the substitution of an illegalized workforce by contract labour has been managed by all the sector actors, a decade later, neither farmers nor institutions feel responsible for the persistence of slums and poverty endured by undocumented migrants, as if such a reality were totally independent from the farm labour market.

Nevertheless, the underlying idea behind this model was actually to reject independent migration in order to secure a new controlled mobility. The *contratación en origen* appeared to be a consensual solution that was able to harmonize the diverse interests at stake: first, those of the State, which sought to avoid taking care of foreign workers during the off-season and to ensure the apparent maintenance of public order, which was otherwise challenged by the uncontrolled mobility of undocumented workers and the visibility of their settlements; and, second, those of the employers, who needed well-trained and regular labour available at

all times (Achón Rodríguez, 2010). The development of the *contratación en origen* stemmed from the desire to go back to “a stricter definition of immigration and immigrants [that] maximizes the (mostly economic) “advantages” of immigration, while reducing to a minimum the “costs” (particularly those of a social and cultural nature) imposed by their mere presence” (Sayad 1991: 50).

The new scheme was consistent with the positions of international organizations such as the International Organization for Migration and the International Labour Organization, which promoted temporary migration within the wider frame of the so-called “global” approach to migration (Kalm, 2010; Karakayali and Rigo, 2010; Pellerin, 2011; Décosse, 2011). Far from being more protective, mobility under the *contratación en origen* actually grants less mobility and freedom to workers than informal migration. In an article in a large cooperative newspaper in Almeria Province, a farmer pointed out that the major advantage of contract recruitment was the greater degree of constraint placed on workers:

We used to waste a lot of time and money on the legalization of workers. We used to give them documents, and then, once they had a valid work permit, they would leave to find work in another city, another company, or in a different sector. Thanks to the recruitment “in origin”, workers now come for a specified length of time and they cannot go to work elsewhere. The contract binds them to the company [...] if they leave, they lose their work permit and cannot remain in Spain: this is probably the most considerable advantage of this kind of recruitment<sup>3</sup>.

Nicolas Jounin (2010) has used Emmanuel Terray's (1999) expression "delocalization on the spot" (*délocalisation sur place*) to describe transnational subcontracting; arguing that Terray's concept applies better to posted workers - and it's the same for temporary contracts - than to illegal work. "Indeed, in both cases one can find the idea of a 'transfer' organized and controlled by the company [...]. Both undocumented and posted salaried workers cross the border, but the latter's mobility is directly controlled by their employer" (Jounin, 2010, p. 70). In her analysis of the labour market in the Californian strawberry industry, Wells (1996) explained that temporary workers under contracts were more easily disposable than undocumented workers because they were well known to the authorities<sup>4</sup>. In fact what really distinguishes legalized from illegalized workers is the higher degree of control that both the State and employers have on the former compared to the latter. Several studies conducted in North America have shown that seasonal migrants themselves see irregular migration in some cases to be less constraining than legal forms of temporary migration (McLaughlin, 2010; Lutz and Bordi, 2007).

### 2.3. The *contratación en origen*: three waves of labour force within ten years

Since it started in 2000, the new recruitment system has enabled employers to recruit seasonal workers in foreign countries to harvest strawberries in Huelva. The selection and contract

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Extract from "Agriculture employs 92% of immigrants "in origin"", *Almería en verde* (journal of the farming group Coexphal-Faeca) No 51, January 2008.

Miriam Wells reminds us that Mexicans practiced different patterns of mobility in California, depending on their legal status. While the mobility of *Braceros* was tightly organized by government and employers, the movement of undocumented workers was often independent or remained underground, and was therefore impossible to fully trace or control.

agreement both take place in the country of origin. Workers are then sent to Huelva for a limited period of time (from three to nine months) at the end of which they must return to their country, in accordance with a signed repatriation agreement. In the first year in 2000, 600 Polish, 200 Moroccans and a small number of Colombians and Ecuadorians were recruited. In 2003, the number of contract workers rose to 12,000, the following year this figure doubled, while in 2007, 35,000 female workers came to harvest strawberries in Huelva Province (Fig. 1).

Table 12.1 Evolution of the *contratación en origen* between 2000 and 2010 (number of contracts)

Season	Colombia	Ecuador	Philippines	Poland	Romania	Bulgaria	Ukraine	Morocco	Senegal	Total
1999–2000				600						600
2000–2001				540				198		738
2001–2002	149			4,954	970			336		6,409
2002–2003	177	15		7,535	4,178			95		12,000
2003–2004	105	8		8,506	10,589	508		620		20,336
2004–2005	82	64		7,361	13,186	604		1,094		22,391
2005–2006	8	26		9,796	19,153	941		2,330		32,254
2006–2007	22	12			20,710	3,021		5,277		29,042
2007–2008	11	14	270		20,364	4,656	557	13,600	749	40,491
2008–2009	0	11	0		3,743	373	183	13,300	40	17,650
2009–2010								6,153		6,153

Sources: Statistics from the labour and migration service for the government of Huelva, communicated 29 July 2010; and INEM statistics, the Spanish employment agency.

During this period, the *contratación en origen* thus became the major recruitment channel in the strawberry sector. In less than ten years, it fostered the arrival of three major national groups of female workers (in the following descending order): Poles, Romanians and Moroccans<sup>5</sup>. This new recruitment mechanism offered Huelva farmers the opportunity to maintain working and housing conditions well below the legal standards of the Andalusian agricultural sector (which actually offer little protection). As Yann Moulrier Boutang (1998) has underlined in his study of situations in other historical periods, the persistence of the exogeneity of foreign labour is allowed not by the succession of different legal statuses in each individual, but by the succession of migrant individuals. The current local employment system is characterized by a diversified labour force: seasonal female workers from Eastern

Europe who were initially introduced through the *contratación en origen* but who are now EU citizens, and thus free to move and work; undocumented and regular migrants from Morocco or sub-Saharan Africa; and female contract workers from Morocco. In his analysis of the functions of temporary migration programmes, Burawoy (1976) argues that such programmes guarantee employers' profitability not only through the return of temporary workers to a non-capitalist economy at the end of the season, but also through the coexistence and competition of differentiated types of labour. For the past 15 years in Huelva, a continuous process of differentiation has led to a triple segmentation of the workforce – along the lines of nationality, gender and legal status – and to competition between different groups of workers as well as among workers of the same group. The ultimate aim is to lower production costs to a minimum.

### **3. Opposition and complementarity of two labour groups in the local employment system**

I now turn my attention to analyze the differences in terms of recruitment, transportation, housing and employment among the two main groups of migrant agricultural workers during the period of my field research in Huelva province: Moroccan female seasonal workers recruited through the *contratación en origen*, and undocumented male workers, mostly from sub-Saharan Africa. The description of the latter group – especially the conditions of their accommodation, the hiring process, and the social networks that they develop during the season – can help highlight the specificities of the *contratación en origen*, particularly with regards to the control of workers' mobility.

### 3.1. Transportation and accommodation

Let us recall the characteristics of the *contratación en origen*. Through this procedure, seasonal workers sign a temporary work contract at the end of which they promise to return to their country of origin, after which they have to wait for an invitation from their employers for the following season. Workers who fail to return to their country of origin are declared illegal. This contract entitles migrants to a temporary job and residence permit, specifying the geographical area and activity sector in which they can work, and the duration of the contract. The worker is bound to her employing company, and is restricted from working for another employer unless a “renunciation certificate” is provided by her initial employer, as explained by the local representative of the Ministry of Employment

We connect a person to a farm. If she doesn't like it and wants to quit, we need the employer to tell us that he agrees to let her leave and that another farm intends to employ her.

(Interview, Huelva, 31 March 2010)

In addition, recruiting criteria play an important part in channelling contracted female workers. They are selected according to their marital status, preferably mothers with young children – “family attachments are favourable for return rates”<sup>6</sup> – and, of course, their experience in the fields. Most female seasonal workers come from a rural background

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Interview with the Anapec placement supervisor in charge of the programme, Casablanca, 16 March 2010. Anapec (Agence Nationale de Promotion de l'Emploi e des Compétences) is the Moroccan public employment agency, which is charged with the organization of the recruitment and departure of workers employed through the *contratación en origen*.

(principally from the Gharb region where spanish strawberry has been delocalized since the 90', cf Hellio 2014) and are unable to locate the country where they are sent to work. From his interviews with migrant workers about their arrangements for the journey from Morocco to Spain, Ahlame Rahmi (2011) noted that some did not even consider they were travelling abroad (*alkharij*), but explained they were simply being transferred from one place to another: from Tangier harbour to the farm that employed them.

How do we get there? They escort us holding their hands over our eyes and remove them once we get there. When we arrive at the cooperative, all I see is the female boss waiting for the women workers. There's no translator to tell us: "this is Huelva, this is Sevilla, this is Rabat or Casablanca". They take you to the countryside then, straight away, aaahh: "*voilà* the strawberries".

(Interview with Meriem, Moroccan seasonal worker, 35, married, in her home in a *douar* near Souk Larbaa, Morocco, 26 July 2010).

The workers' poor geographical knowledge, alongside their lack of migration expertise, means that most of them are unable to return home by bus or train. Therefore, they cannot leave the farms outside collective transportation periods. Moreover, a set of tight constraints channel their passage between Morocco and Andalusia: the signing of a repatriation agreement, the discouragement of *h'rague*<sup>7</sup> through Moroccan intercultural mediators,

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This verb means "to burn" in the local Arabic dialect. It is used in Morocco to refer to irregular border crossings. Despite being legally bound to return to Morocco at the end of the season, many female workers attempt to remain illegally. The idea of crossing the border between the seasonal authorized time-space of the farm, and the forbidden out-of-season time-space beyond the farm and Huelva province, is expressed through the women's use of the terms *h'rague* (in reference to the potential or actual itineraries), and *harragats* (in reference to those who embark on them).



sometimes the withholding of passports, or the consignment of their last salary and pay slip only as they step onto the return bus. These women are therefore much more dependent on their employers than undocumented workers who arrive independently.

Another advantage of the *contratación en origen* for employers is that part of the recruitment process and costs are subcontracted to Anapec (see footnote 6), which organizes departures, ensures the flexibility and fluidity of crossings, and thus relieves employers from complications linked to the management of such a significant flow.

The Foundation for Foreign Workers in Huelva gives us the employers' schedule and sets a date to meet in Tangier, while here in Morocco we manage the difficulties and problems that may arise [...]  
Women are always helped out by advisors on departure. As early as 6am, migration advisors arrive with the necessary documents. Police files are prepared beforehand and we make them sign the migration documents. Two advisors hand them out, and at around 9 or 10 am, everything is over. [...] We want to make the women's passage as smooth as possible.

(Interview with the director of international placement for Anapec, Casablanca, 17 July 2011)

The accommodation provided during the period of work is a further constraint placed upon these women. Farm-based accommodation has developed with the *contratación en origen*, allowing employers to keep a reserve workforce on-site, and thus ensuring flexibility and a sufficient labour supply. Unlike in the case of undocumented workers, this system also makes

migrant women “invisible”. More so than undocumented people living in slums, the confinement of women on farms prevents them from socializing with the native population because they are isolated from the local social space. Villages are merely places of transit for contract seasonal workers, during arrival – whereon they are immediately dispatched to the farms – and on their return. Gatherings take place inside the cooperatives that centralize recruitment for all farmers<sup>8</sup>. Although they do go to shop in the villages, they seldom congregate there; on the contrary, they only surface in public space for very short periods of time. As such, their presence is far less detectable than that of undocumented or even regular male migrants who come to Huelva seeking employment, and who might stay for days, weeks or months without work and without accommodation.

Accommodating seasonal workers on the farms therefore means imposing tighter controls on the lives of the employees, particularly on their social and sexual relations, because employers fear that women might otherwise use external relations to abandon the workplace. Competition is organized between and within the diverse groups, and the resulting forms of self-control thus reinforce the rules of employers and supervisors.

In order to highlight the specific ways in which the workers’ accommodation channels flows and fixes the place of foreigners in host towns, I believe it is appropriate to draw a comparison with the *chabola* (slum) settlements established by migrant itinerant workers who have been replaced by the contract workers and who have now difficulties to find employment in the area. Unlike the lodgings provided by employers, the *chabolas* are self-built. They accommodate foreign workers transiting across Spain and around the *rueda temporera*, the “seasonal cycle”, which leads them from one harvest to the next (orange,

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<sup>8</sup> In Huelva, most farms pertain to a larger cooperative that takes care of recruitment, packaging, commercialization.

olive, apples, peaches, etc.). These workers aim to obtain the required 3-year presence in the country and/or the one-year contract that will eventually make legalization<sup>9</sup> possible.

Despite insalubrious housing conditions and difficult access to vital resources such as water, these settlements are still sites to build (mainly all-male) social ties, and places of freedom outside the control of farmers, where workers gather and couples are sometimes formed. The typical self-built shelter of independent, non-recruited migrants, although itself very much constraining due to its dire standards and temporariness, remains entirely different from the accommodation provided by a system whose goal is the “integral management of migratory flows”.

The collective accommodation of female seasonal workers is a constitutive element of a general mechanism of control; in contrast, the *chabola*, where undocumented men gather, is a shelter and social space invented and created by homeless people. This space eludes the rules of the employers: it functions on a community basis, even if it is also shaped by power relations, both internal to the *chabola* and across the wider social space in which the *chabola* is situated. As Mohammed points out: “*One of the only good things, and I’ve only seen it here, is that the foreigners all know each another. They all live and mix together in the chabola*”.<sup>10</sup> Even though there is no comfort, one can breathe an air of freedom that cannot be

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In Spain, undocumented workers can be legalized in three ways: by applying for *arraigo laboral* (after one year of work declared by an employer); by applying for *arraigo social* (after a 3-year stay and the written promise for one year of employment) or, like in other European countries, as an asylum seeker or through family reunification. They may also use the *contingente* in order to legalize their stay; a procedure makes it possible to obtain a one-year contract as on-site labour, prior to the substitution of labour from outside Spain. For further information, see:

<http://extranjeros.empleo.gob.es/es/InformacionInteres/InformacionProcedimientos/Ciudadanosnocomunitarios/Autorizresixcep.html>

<sup>10</sup> Conversation avec Mohamed, carnet de terrain, 1er juin 2010, Palos de la frontera.

found when working in the *campos*.<sup>11</sup> Intimate relationships are impossible on farms because employers forbid the entrance to men who do not work there. Couples formed during the season therefore get together in the *chabola*:

Rebecca: They are not allowed to work or sleep with us because they are men. There are only women on our farm. Well, they can come to visit at night, when the supervisor is not around, and is not doing his evening round, which is usually at about 6 or 7p.m, although at the moment he comes around 10pm! [...] He wants to know who goes out, who stays at home. We're afraid because we don't want any trouble with the boss. It's better to come here, that's it.

(Informal conversation with Rebecca, Polish seasonal worker, *chabola de la madre*, Palos de la Frontera, 25 May 2011).

However, as already noted, as a result of the new system of recruitment, tolerance for unregulated migratory flows has decreased. Les chabolas sont régulièrement détruites. Elles ne peuvent donc pas être le support d'une installation stable. Vivant à Huelva depuis trois ans quand je l'ai interviewé, Mohammed habitait toujours dans une cabane auto-construite avec le plastique des serres, des cannes et des palettes, cachée derrière un talus : “Là, ils ne nous voient pas. On est à notre place. Avec une maison comme ça, ils savent que tu ne restes pas longtemps. Ils savent qu'un jour tu vas partir. Comme un chien pour aller fouiller d'autres

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From research conducted in the 1970s, Abdelmalek Sayad compared the workers' residences built by Sonacotra (the French national society for the construction of workers accommodation) with hostels where migrant workers chose to stay, often in order to maintain community ties. He noted that the former were “legitimately” stripped of the social functions normally provided by housing: “reduced to its sheltering role, [the Sonacotra residence] can be considered accommodation for men reduced to their sole function as workers.”. In contrast, in the hotels of the ‘sleep merchants’, usually located in city centres, migrant workers used to gather according to their personal affinities, and the relationship to work did not prevail over other considerations (Sayad, 1991: 92).

poubelles.” Ainsi, la présence, même durable de ce groupe de travailleurs n'est acceptée que tant qu'elle garde l'apparence du provisoire.

### **3.2. Work**

As explained above, undocumented workers have largely been replaced by female contract workers. However, they still play a role on the fringe of the local labour market. According to the Mediterranean agriculture model formulated by Jean-Pierre Berlan (1986), these workers occupy the third, most flexible circle of the employment system, which is used only during harvest peaks. Employers usually consider them excessively mobile. Pedro, whose farm is located very close to a large slum, employs mostly people from sub-Saharan Africa who live there, but he complains about their lack of commitment to stay until the end of the season.

They do not realize that this will cause them problems. They won't find work with another boss [...] I only have four harvesting days left: they only need to work four more days, and when they finish that, they get paid and can then go. [...] But they're leaving me now and I won't find them again. They go off the tracks, like Moroccans who now tend to manage to earn their living by other means.

(Interview with Pedro, owner of a 10-hectare farm, Mazagón, 7 June 2011)

Daouda, an undocumented citizen from Burkina-Faso, explains that the “liberation” brought about by the general regularization of migrants in 2005 has delegitimated African workers in the eyes of their employers.

In 2005, many men asked their boss to fill in their forms, then they left. And when the boss called them back to work, they threatened to call the *guardias* [the police]. In the end, those who've remained in the *campos* are not *encargados*, but the boss listens to them. As for those who left and are now coming back looking for work [because of the crisis], the bosses don't want to know. They keep saying: "*Moreno no vale, Moreno no vale na*" ["a black is no good (at picking strawberries), a black is no good at all"] [...] I've been to see this guy every day for the past five days; today he was repairing his tractor. When the engine stopped, I said hello, but he didn't even answer. He left, and I just stayed there. When he came back, he asked me "what do you want? Do you want a job?" I answered "yes!" Then he started with his speech: he had it all ready in his head! He was only waiting for somebody to listen to him. [laughter, then he imitates a high-pitched voice of an old angry man]: "*¿Moreno? ¡Nunca! Moreno no valen nada. Antes tenía cinco. Arreglas papeles y se van*" [A black man? Never! Blacks are no good. I used to have five. You give them their papers, then they leave]

Since the diffusion of the recruitment of temporary contract workers, farmers only employ African and Maghrebi men for what they consider to be male tasks, during periods of peak activity, or when they need quick replacements. For instance, planting or dismantling greenhouses may offer a few days' work.

I now do the picking on a farm where I only used to plant, because the boss would always repeat: “a black man is no good at picking [strawberries]. A black man is good for planting because blacks are strong.” But now all the women from Romania have gone, because the work is too hard; so he hired us. We are five black men and he has two Moroccan women [...] At the end of the season we may have to take down the greenhouses. They don’t control that because it takes many men. And if you are lucky, you may get ten days’ work.

(Interview with Daouda, *Chabola de la Madre*, April 4th 2011)

As they are considered an auxiliary labour force, they are seldom accommodated on the farms. Settlements are recruiting grounds where neighbouring farmers can find workers for the peak season: “*The boss gave me some work [...] he didn’t give me accommodation - I’m still in my shed – as he told me it was a temporary job.*” In addition, they substitute seasonal workers who might want to leave early, they represent a reserve army of labour in case of strikes, or a source of labour for those employers who do not respect regulations and are therefore not entitled to the *contratación en origen*.

### 3.3. Fertile greenhouses... for stereotypes

Working teams are hierarchically organized according to the legal status of the diverse groups of workers, ranging from undocumented workers to EU citizens, and including third-country nationals under contract or new members of the EU with residence authorizations but without work permits. At the bottom of the pyramid are undocumented workers and female contract workers. The diversity of legal statuses boosts the performance of farms (Thomas, 1992),

insofar as employment precariousness tends to compel workers to draw attention to themselves, whether it is female contract workers who want to ensure their re-employment for the following season, or undocumented workers who wish to earn the one-year contract that is synonymous with legalization.

It is important to insist on the objective working conditions of the different groups of migrants residing in the province, because local racism, sexism and class representations combine to naturalize relations among farm workers. The employment of each type of worker is justified by the essentializing discourses propagated by both employers and the workers themselves. Indeed, as temporary migration programmes typically authorize the recruitment of different national groups of workers, this leads employers to differentiate between and physically separate groups depending on their origin, thus exacerbating national divisions. The naturalization of differences is often complex: it is not solely the product of social relations but constitutes specific categories. For instance, one often hears that men cannot harvest strawberries, and yet it is expected that black men are more productive than Romanian women. The following extract from an interview with the recruiting manager of a cooperative provides insight into the stereotypes that prevail in the organization of labour in the fields and shows they are the result of entrenched power relations (here, gender and race on class) .

One day, an employer calls me and tells me that there is a problem with the blacks on his farm. I tell him: “listen, I didn’t bring these black people to your place. What can I do?” He answers: “ok, but you brought me the Romanian women, and there is a problem with them”. So I go to the farm, and he tells me that the black men aren’t



harvesting well, because black people usually pick faster than Romanian women. We go to the field, and there they were, moving up the field all in a single line. Then I see that the Romanian women are wearing mini-shorts and shirts with a plunging neck-line and no bra [...] I turn to the boss and tell him “how do you expect these black men to move faster when they have women dressed like that by their side?”

(Interview with Eduardo, human resources agent for the COAG, a Cooperative of small and medium farmers, Palos de la Frontera, 23 June 2010)

The targets of stereotypes themselves tend to endorse certain discourses, sometimes with a sense of ethnic or gender pride: “No white man can pick faster than a black man, a woman can, but not a white man”. “Men cannot pick as fast as women: it hurts their back”. Groups are differentiated according to their nationality, gender, legal status, which leads to the ranking of performance and the workers’ competitive selection, as a farmer explains:

I put together intercultural working teams. I place a different nationality on each row: a Moroccan here, a Romanian there, then someone from Mali, a Polish woman then another Romanian woman. I mix them - I realized that this is much better for the pace of work. I’ve had the worst problems with Romanians: if one of them works too fast, the others stop her. “Calm down! You’re only earning the boss more money!” When they are all of the same nationality, they feel they are stronger. But if you mix them, things are easier. They don’t

understand one another, so they can't argue! Or if they get angry, it's to my benefit, because when a Moroccan is angry with a Romanian, he'll try to harvest faster than the other, he'll try to pick more than the other. Once I employed a lot of Romanian workers, but now I tend to mix nationalities.

(Interview with a farmer with four-hectare greenhouses in Palos-de-la-Frontera, may 2008.)

The productive system and labour organization in Huelva together provide a fertile ground for the proliferation of positive and negative stereotypes, and for the development of hostility between groups. Nadia, a Moroccan seasonal female worker, describes the relationships between Moroccans and sub-Saharan in Huelva:

Among the black workers, you have those who pray, those who are Muslims, and those who aren't, like the Senegalese. Muslims get along well with Moroccans, but the others are no good. [...] I know a few who are very nice, they work with us and we get along well. But it is impossible with some of them. When they come, we call each other names and we quarrel. Then we have the Moroccans versus the Blacks and it gets vulgar. Black people say that we are dirty, and we tell them "beat it Negro, you stink!"

(Interview with Nadia, Moroccan seasonal worker, 30, divorced, at her parents' in Ouled Ziane, Morocco, 30 July 2011)

Discourses that essentialize and differentiate between groups of workers are revived each time a new group arrives. For instance, the different groups of female workers (Polish, Romanian, then Moroccans) were all first praised for their “feminine virtues” but were then criticized for their casualness once another group arrived to substitute them. Each new wave of workers is welcomed at first, and is used to draw comparisons in order to criticize the previous group. Prejudices are used *a posteriori* to justify changes in labour force hiring, to reject one group and legitimate the next one. Just as with previous groups, the recruitment system in Morocco contributes to construct the essentialized representation of the Moroccan female worker, which builds on the image of the “good worker”, the good mother, and more generally the responsible woman. Those who leave the system are by contrast compared to other female figures such as the prostitute or the victim of human trafficking. The use of negative and positive images to define the limits of legitimate female behaviour are manipulated by employers and institutions in charge of migration control, and serve to ensure their return to the country of origin as well as encourage competition between the different female groups. These points confirm Burawoy’s observation that different types of racial relationships appear according to the type of migrant labour system implemented (Burawoy 1976). He noted that when both the production of goods and the reproduction of labour force are organized by the employer, this gives rise to a system of paternalistic relations; conversely, when these two processes are separated, and that is the main characteristic of temporary migration program, production being organized by the employer and reproduction by communities or the State of origin, the outcome is a system of competitive racial relations.

## **Conclusion**

Since 2000 the EU, guided by international organizations and their experts, has restored the

figure of the figure of the old “guest worker” or “gastarbeiter” as a way to better governing international migration. Temporary legal migration has been presented as the alternative to irregular migration. In contrast to former migratory models now presented as deleterious, promoters seek to create a new consensus by presenting a form of temporary migration that has exclusively positive benefits (Ruhs, 2002; 2006; Schiff, 2004; Abella, 2006; Martin, 2003; Amin and Mattoo, 2005; Winters *et al.*, 2003; and for Europe, Fargues, 2008). In this approach, legal and illegal migrants are presented as diametrically opposed and yet are always mentioned in relation to each other, with temporary migration presented as the means to solve the problem of illegal migration.

My case study shows that in certain instances, the substitution of an undocumented labour force by a legal workforce seems to serve more the goal of controlling migrant workers' mobility rather than defending their rights. This observation leads one to question the common rhetoric among international organizations that legal migration is more of a safeguard than illegal migration which is instead seen to be the cause for some of the worst labour abuses. Over the last few years, migration policies have aimed to promote temporary labour migration, both in Europe and in North America. In Huelva, this form of migration has been, in fact, more profitable to the interests of the strawberry sector than to the migrant labourers. The system allows for the externalization of the costs of labour mobilization by providing efficient selection in the countries of origin, as has occurred in Morocco which had long provided a reservoir of migrant labour. Despite the growth of the recruitment programme, undocumented workers continue to come to Huelva in search of employment. The relationships between the different groups of workers during harvest time are often of a competitive nature, but, conversely, they also represent a seasonal multi-ethnic society, which can become the breeding ground for acts of everyday resistance to the dehumanizing controls

imposed by employers.

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