Mapping the Canadian Seasonal Agricultural Workers Program and the Restriction of the SAWP Worker

By Eduardo Huesca

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ABSTRACT

MAPPING THE CANADIAN SEASONAL AGRICULTURAL WORKERS PROGRAM
AND THE RESTRICTION OF THE SAWP WORKER

Eduardo Huesca
University of Guelph, 2015

I examine and contextualize the Canadian Seasonal Agricultural Workers Program (SAWP). I problematize what I suggest is the heightened regulation and subjugation of workers under this labour scheme. I suggest that by more thoroughly understanding the mass exodus of ‘national’, white citizen workers from the Canadian agricultural industry we are better able to problematize this program as a policy that has allowed for the evasion of a critical look into Canadian agriculture. By tracing the legacy of farm worker recruitment schemes and programs that preceded the SAWP, we can also identify this program as part of a legacy of strategically normalizing problematized industry conditions through the exploitation of difference and socio-economic marginalization among groups of people. I discuss how the SAWP worker has been discursively organized and institutionalized as a highly regulated person, and contribute to understanding the various forms of regulation, disciplining and control mobilized on these individuals.
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Introduction

In 1971 Michel Foucault and Noam Chomsky engaged in a debate that aired on Dutch television. During this debate both individuals discussed their positions on a variety of topics. Discussion eventually centered on what both considered to be the most important political task of their time. Chomsky expressed his belief in the need to challenge the established capitalist model, suggesting that it enforced a system of oppression and coercion that forced individuals into positions of tools for the benefit of the dominant capitalist interest; quite confidently, he recommended the need to shift towards a system of Anarcho-syndicalism, suggesting that this labour-oriented offshoot of anarchism would provide the best model from which society and its members could best pursue their individual and collective interests. Following Chomsky, when it was Michel Foucault’s turn to address this question he stated the following,

“My approach is far less advanced than Mr. Chomsky’s, I admit to not being able to define, nor for even stronger reasons to propose an ideal social model for the functioning of our scientific or technological society… It seems to me that the real political task in a society such as ours is to criticize the workings of institutions that appear to be both neutral and independent to criticize and attack them in such a manner that the political violence that is exercised obscurely through them will be unmasked, so that one can fight against them. If we want right away to define the profile and the formula of our future society, without criticizing all the forms of political power that are exerted in our society, there is a risk that they will be reconstituted even through such an apparently noble form such as that of anarchist-unionism” (Foucault 1971).

Though I have a deep interest in the work of Chomsky, and I am drawn to his critiques of capitalism, it is Foucault’s comment that I found to be particularly conducive to my current experience and work. Through the work of Foucault I increasingly recognize the importance of attempting to make visible the subjugation and violence enacted on people through the dominance of particular understandings and disc
ourselves, through subsequent institutions and their practices, violence and subjugation that has often been normalized to the benefit of particular interests. At times violence and subjugation may be clear, more easily observable, while at other times it can be subtle, and take the forms of varying applications of power, regulation and discipline, which nonetheless may function to dominate people. In his work Foucault traced particular discourses and understandings through which people are controlled, and he also explored specific ways through which control, violence and subjugation are applied on people through mapping the development and use of what he termed techniques or practices of domination. Foucault also identified techniques that apply power in forms that may pressure us to more deeply internalize particular discourses, and enact transformative practices on ourselves towards what he suggested is a more complete degree of domination. He termed these techniques of the self. Through better understanding these techniques and practices, Foucault attempted to create space to consider challenges, alternatives, towards increased agency amidst regimes of control and subjugation.

Through my ongoing work with individuals living and laboring in Canada under the Seasonal Agricultural Workers Program (SAWP), a state and industry organized temporary worker program, it has become increasingly clear to me that at certain times, certain people continue to be organized through a conglomeration of understandings and discourses in forms that continue to institutionalize their more intensive restriction, regulation and domination. Indeed, labour and immigration activists, community support organizations, faith groups as well as academics and researchers are increasingly coming forward, to share testimonies and experiences of SAWP workers that demonstrate the continued institutionalized marginalization of these individuals. In line with this, my thesis investigation emerged from an opposition to this
marginalization, to what I suggest is the intense restriction of the SAWP worker, and the
discursive and regulatory positioning of these individuals which continues to render them
particularly susceptible to exploitation, marginalization and violence. As I suggest that this
regulation and positioning is intrinsic to the framework and functioning of the SAWP, in my
thesis I am interested in contributing to destabilizing the current program, and the restricted
status of SAWP worker. I conducted my investigation from a Foucauldian critical perspective,
and focused on the histories from which the SAWP and its policy understandings emerged, as
well as on the current practices targeting SAWP workers by those deploying these policies.
Through my historical investigation I sought to better understanding how Canadian agricultural
producers and stakeholders were able to normalize the exit of citizen, white workers from the
Canadian agricultural industry, and how they were able to resist and evade pressure to address
labour shortages through improving industry conditions. I also sought to understand how, amidst
what seems to have been a broadly held view that conditions in the Canadian agricultural
industry were substandard, the labour of racialized temporary migrant workers was normalized
and institutionalized as a government policy. In my focus on the contemporary experience of
SAWP workers, I was interested in better understanding how the SAWP worker is currently
regulated by practices that are apparent, as well as those taking on more subtle forms. Lastly, and
of particular importance, my investigation proceeded from an interest in understanding how
SAWP workers perceive and react to these regulative practices and how they resist. In my
investigation I draw from government documents, existing literature, 27 qualitative interviews I
conducted with SAWP workers, as well as countless hours of participant observation during my
years of work with migrant farm worker communities across Ontario.
Literature Review

The coordination of migrant farm workers into the Canadian agricultural industry has caught the attention of labour and immigration activists, community support organizations, faith groups, as well as academics and researchers. These groups have documented and created a growing body of understanding around migrant labour programs as well as the experiences of those working under them. Specifically, academic literature has focused on both the Canadian Seasonal Agricultural Workers Program (SAWP), the most prominent entrance route for migrant workers into the Canadian agricultural industry, and the Temporary Foreign Worker Program (TFWP) which in addition to agriculture, brings in migrant workers to a growing number of industries. As my thesis focuses on the experience of SAWP workers, the rest of this section reviews literature regarding the SAWP.

SAWP literature has outlined the socio-political contexts of this program’s institutionalization. It has situated the emergence of the SAWP amidst continual capitalist restructuring and the push towards greater market expansion through the project of ‘trade liberalization’. SAWP scholars have suggested that migrant farm workers have enabled the Canadian agricultural industry to adapt to production processes identified as both challenges and opportunities of the increasingly competitive global agro-food industry (Hennebry 2008). Specifically, literature has noted that the push from industry stakeholders to employ migrant farm workers can be traced to the pressure under increasing market competition, to heighten capital accumulation in the industry, increasing farm size, specialization, intensity and production, all resulting in an enhanced demand for workers (Preibisch 2007; Wall 1992). Amidst this increased demand, and under work and wage conditions created by a legacy of
industry exclusion from particular employment and health and safety standards and legislation, labour in the agricultural industry has become increasingly stigmatized by national-citizen workers. As such, Canadian agricultural producers have been unable to secure a domestic labour force, and since the 1940s have depended on government intervention. Work such as that of Satzewich (1991), Laliberte and Satzewich (1999), and Bangarth (2005) have provided more in-depth historical tracings into worker shortages in the Canadian agricultural industry, bringing to light a legacy of labour recruiting and coordinating schemes developed and run by industry stakeholders and government. Their work has explored the histories of these programs and schemes, identifying a shared focus on targeting socially and economically marginalized populations present within Canada, understood as more willing to labour under problematized conditions, or those who could be more easily coerced (Bangarth 2005; Laliberte and Satzewich 1999; Satzewich 1991). As I will discuss, this area of SAWP literature is central to my thesis, as it provides a strong basis from which to identify the marginalizing and exploitative legacy of the SAWP. These works further outline the failure of these labour schemes, the continued labour tensions in the industry, histories of government calls for employers to improve conditions to attract and retain workers, amidst industry pushback (Bangarth 2005; Satzewich 1991).

Satzewich (1991) provides an extremely useful look into this period, and into the transition between prior labour schemes and the eventual institutionalization of the SAWP in 1966. These historical tracings have also made visible the racism from which this migrant worker program was created, histories of the exclusion of immigrants of colour from permanent settlement in Canada, a legacy of white supremacy, and attempts to maintain a white Canadian nation, central components to the establishment of the temporary status of racialized SAWP worker (Bangarth 2005; Satzewich 1991; Sharma 2001).
Scholarship has also raised concern at the growth and expansion of the SAWP, and has challenged the government’s initial framing of this program as a temporary solution to labour shortages. This literature shows that the SAWP has grown and expanded, with SAWP workers labouring in Canada year round, employed in an ever-growing range of production processes, present in almost every province in the country (Preibisch 2004, 2007; UFCW 2007).

Literature has mapped the SAWP’s formal workings, discussing its regulative framework and the provisions it sets for all parties involved (Basok 2002; McLaughlin 2009; Verma 2003). This literature has identified the various Canadian government departments which oversee the SAWP and their various roles. As the SAWP is an intergovernmental program, this literature also identifies the roles of ‘sending country’ governments as well. This literature has outlined the federal employment contract that sets the terms for employers and workers under the SAWP. Verma’s (2003) work has raised important recognition of policy gaps within the SAWP framework, specifically around the enforcement of the rights and regulations set forth in the program provisions. As she notes, “There is no formal mechanism in the Employment Agreements for ensuring that employers and workers respect their obligations under the contracts. There is no grievance process or formal method for handling disputes” (12).

This focus on the regulative structures of the SAWP is also central to my thesis, as I draw from this material to discuss the regulation of the SAWP worker, and to contribute to the recognition of the limited regulation of SAWP employers and work practices. SAWP literature has also included vastly important qualitative documentation of the experience of SAWP workers, which have brought forward the voices of these individuals and a better understanding of the conditions in which they live and work. These studies have outlined work tasks, hours of
work, and work conditions experienced by those under this program, as well as conditions and experiences related to the employer owned housing SAWP workers are placed in (Basok 2002; Cecil & Ebanks 1991; Russell 2003; Downes and Odle-Worrell 2003; McLaughlin 2009; Preibisch 2004, 2010). This area of focus has received contributions from a small, yet growing body of work focused on migrant farmworker health in Canada (Hennebry 2008; McLaughlin 2009, Otero & Preibisch 2010; Preibisch & Hennebry 2011; Pysklywec et al. 2011). This literature has contributed qualitative accounts of working and living conditions, presenting many of these conditions as factors increasing the vulnerability of migrant farm workers to health risks and problematized health conditions. This research has outlined the health related implications of the intense physicality and strenuous nature of labour in this industry, including the extensive work hours, repetitive movements and quick paces, limited rest periods, as well as discussion on the effects of exposures to industry inputs such as pesticides and other chemical additives, and prolonged exposures to environmental factors like dust, pollen, wind, sun, heat and cold (Hennebry 2008; McLaughlin 2009, Otero & Preibisch 2010; Preibisch & Hennebry 2011; Pysklywec et al. 2011). The inconsistent provision of health and safety training among these workers has also been identified. Literature has also documented the inconsistent access to personal protective equipment (PPE) by these workers, and the inconsistent provision of PPE by employers (Hennebry 2008; McLaughlin 2009, Otero & Preibisch 2010; Preibisch & Hennebry 2011; Pysklywec et al. 2011). In addition, studies have pointed to the lack of field sanitation facilities such as hand wash stations, potable water, and toilet facilities, suggesting that this absence also increases the health risk of these individuals at work (Hennebry 2008; McLaughlin 2009, Otero & Preibisch 2010; Preibisch & Hennebry 2011; Pysklywec et al. 2011). Scholars who have focused on the housing conditions of SAWP workers, have identified a lack of
standardization, and have reported situations of deteriorating and cramped conditions, a lack of privacy, a lack of proper food storage and clothes washing facilities, also suggesting that these conditions have a direct implications on the health and wellbeing of individuals (Hennebry 2008; McLaughlin 2009, Otero & Preibisch 2010; Preibisch & Hennebry 2011).

Other scholarship has discussed the social exclusion of SAWP workers vis-à-vis the broader communities in which they live and labour, identifying isolation, invisibility, as well as hostility and racist othering directed at these workers (Basok 2002; Cecil & Ebanks 1991; Russell 2003; Downes and Odle-Worrell 2003; McLaughlin 2009). Contributing to understanding the disconnection between SAWP workers and these rural communities, studies focusing on the health of these individuals have noted that though they have medical coverage through the program, many experience various access barriers such as a lack of translation services at local clinics and hospitals, limited time off of work to seek care, a lack of afterhours clinical services, and a lack of transportation from often isolated farm locations to service centres, among others (McLaughlin 2009; Otero & Preibisch 2010; Pysklywec et al. 2011). In this area, the work of Kerry Preibisch (2004) introduced the important recognition of emerging connection and relationships of care and support developing between migrant farm workers and citizen community members. As Preibsich (2004) states,

The integration of migrant workers as a social group into the broader Canadian community continues to be characterized by social exclusion. I argue, however, that the nature of relationships between the migrant and permanent communities is undergoing small but perceptible transformation through the development of personal ties as well as the emergence of non-state actors who have become increasingly relevant in ensuring that migrant agricultural workers’ rights are respected and who pressure the state to extend these rights (205).
The relationships between SAWP workers and their employers have also been an important area explored within SAWP literature. Scholars have pointed to the heightened and broad authority employers are provided under SAWP, which alongside the insecurity structured into the temporary status of these workers, and contributed to by limited labour protections, regulation, oversight, and enforcement, renders SAWP workers highly susceptible to intimidation and control (Basok 2002; McLaughlin 2009; Preibisch 2004; Satzewich 1991). As McLaughlin (2009) notes,

Workers’ fundamental lack of control and dependency on their employers constitutes the governing logic behind the program…Workers understand that they must maintain, at almost any cost, a good relationship with their patrón, who is largely responsible for ensuring their valued employment in Canada (208).

As McLaughlin (2009) and others have noted, this relationship of heightened employer authority extends beyond the work life of SAWP workers, and takes the form of situations where employers regulate SAWP worker housing, setting curfews, and regulating the socializing of their employees. This worker-employer dynamic, and the systemic precariousness of SAWP workers, has led to scholars describing these workers as an “unfree” and captive labour force (Basok 2002; McLaughlin 2009; Satzewich 1991). These studies have noted that due to their precarious situations, many SAWP workers are intimidated to raise concerns regarding their experiences at work due to fear of being seen as ‘trouble makers’, and possibly dismissed, deported and replaced (Basok 2002; McLaughlin 2009; Preibisch 2004). As part of this scholarship, contributors have discussed and raised concern of the high dependency many SAWP workers have on their employers to access health services, reporting cases of employers retaining worker health cards, as well as concerns around confidentiality, reporting cases of employers serving as interpreters between workers and health care providers (McLaughlin 2009; Pysklywec
et al. 2011). Furthermore, this literature has identified widespread intimidation among SAWP workers to bring health concerns forward, for fear that illness or injury will result in dismissal, deportation and replacement (McLaughlin 2009; Otero & Preibisch 2010; Pysklywec et al. 2011). Literature has directly documented such deportations, as well as reported testimony from workers who are aware of the occurrence of such cases (McLaughlin 2009; Otero & Preibisch 2010).

As touched on, contributors to this literature have rooted the marginalized experiences of SAWP workers in their immigration status, suggesting that the vulnerability and precariousness of these workers stems from their institutionalized non-belonging, their tied work permits, and the ease in which they can be fired and deported. Discussions such as those of Nandita Sharma (2000, 2001; 2002, 2006) have provided a macro-assessment challenging the discursive and legal creation of non-citizen workers within Canada, as well as the institutionalization of these categories. Sharma has discussed the creation of non-citizen workers as strategic, noting that these categories serve the interest of capitalist restructuring, again providing an institutionalized basis from which to create and maintain a highly disposable labour force, particularly susceptible to heightened intimidation and control. In line with this, scholars have connected the intersectionality of immigration status, racialization and gender, to the health of these workers, connecting health to the concept of power, powerlessness and social marginalization (Bolaria1992; McLaughlin 2009; Pysklywec et al. 2011). Pysklywec et al. (2011) for example have stated,

The precarious nature of the employment status of migrant farm workers has a substantial impact on how this population is managed clinically. Their physical health is directly related to their ability to work in Canada. Fears of repatriation or loss of future Canadian employment lead to an unwillingness to report injury
or illness, apply for workers’ compensation or follow through on treatment plans such as work modification or absence (1042).

Other contributions to the literature have reiterated and introduced additional reflections on the structuring of this program by social constructs of race and gender, some exploring the specific experiences of women under the program, discussing situations of systemic gendered discrimination and violence experienced by these individuals, including sexual harassment and the dismissal and deportation of women who are found to be pregnant (Preibisch & Encalada Grez 2010). These works have also provided discussions on the impacts of the SAWP policy of family separation, of workers having to leave families in home countries, and the experience and impacts of cross border parenting (Paciulan & Preibisch 2013; Preibisch & Encalada Grez 2010).

As is clear, within this diverse literature numerous red flags have been raised concerning the experience of SAWP workers. As noted, I re-examine some areas of this scholarship more thoroughly as part of my discussion. Though I am wary of too heavily focusing on areas already discussed within the literature, recognizing that even with this longstanding and thorough pool of scholarship concerns raised have not produced significant societal alarm, and have largely remained unaddressed at the policy level; I see the need to discuss, build on and reinvigorate certain areas I believe are central towards continuing to ‘disrupt’ the SAWP. Specifically, as mentioned, I review the thorough historical tracings of Satzewich (1991). It is my opinion that from these histories we can make evident the marginalizing nature of the SAWP; however I suggest that many of these histories have ceased to be incorporated into newer SAWP scholarship. In reviewing this work, I attempt to reposition the histories of the SAWP’s founding at the forefront of analysis, prioritizing the reinvigoration of these histories and their connection to discussions moving forward. In my thesis I contribute additional sources in support of the
histories Satzewich (1991) identifies, and I contribute an original reframing, challenging suggestions that amidst domestic labour shortages agricultural producers could not improve conditions in the industry. Drawing from the works of Michael Foucault, I situate claims made by agricultural producers as part of discursive strategies mobilized in support of industry interests, and which I suggest have not only masked economic diversity and profit found in the industry, but are also rooted in a prioritization to continue production in spite of serious industry dysfunctions, a prioritization I suggest needs to be challenged. Drawing from the works of Satzewich (1991), I explore additional strategies and techniques deployed by some agricultural producers as part of lobbying for the SAWP, including a legacy of creating difference among groups of people, groups of workers. I suggest that industry stakeholders managed to shift the search for solutions away from national-citizen workers and labour standards being set by them, by not only suggesting that conditions could not be improved, but that improvements would not necessarily ensure that Canadian workers would take up jobs in the industry. Consequently, as I will discuss further, strategies were deployed towards creating and normalizing the understanding that national workers for the agricultural industry do not exist. This was only rendered effective through the normalization of workers who were for the industry, in the form these growers wanted the industry to remain and grow.

Theorizing the constructed non-belonging of SAWP workers is also a central component of my thesis, as I argue that this construction has been central to the organization of the SAWP, and a central structuring force in the experience of SAWP workers. Sharma’s (2000, 2001, 2002, 2006) focus on uncovering the discursive creations and social practices that organize people as migrant workers, has greatly influenced my thinking. As she notes,
Since Canadian immigration policies increasingly emphasize the recruitment of workers admitted on temporary employment authorizations, uncovering the social practices that organize people as migrant workers sheds some light on how concepts of national citizenship are employed in this period of globalization (Sharma 2001: 419).

Baines and Sharma (2002) have also contributed extremely useful insights. They discuss how strategic use of alarmist discourses and practices of border security by government amidst ‘nation-ness’ and racist othering, have not only continued to create and recreate who ‘belongs’ and who does not, but have legitimized and authorized the coordination of “undesirables”, such as migrant workers, under increasingly vulnerable and exploitable conditions. Though these contributions have provided comprehensive theorizing around the construction of the migrant worker, and the strategic utility of these constructions for state and industry interests, my own discussion prioritizes a focus specifically on the SAWP and the SAWP worker, which I argue has not been done to a thorough extent. I also contribute an understanding of the institutionalized non-belonging of these individuals rooted in what I suggest is a government emphasis on discourses and practices of population regulation, and specifically a sorting of foreigners through conceptions of ‘discipline’ described by Foucault, and conceived by the state as part of standards required of the Canadian capitalist nation.

From presenting the histories of the SAWP, and theorizing the non-belonging of SAWP workers, I proceed to outline how this non-belonging is practiced on SAWP applicants through screening and regulation. I argue that the SAWP worker continues to be strategically differentiated from the white Canadian worker, formed as a different kind of worker, a different kind of person through the drawing from of a conglomeration of discourses that presently continue to create and swarm around the foreigner and around current institutionalized
understandings of nation building, the regulation of populations, racialization, poverty, the preferred composition of the Canadian nation, the inadmissibility of the ‘undisciplined’ foreigner and what this inadmissibility entails in light of current understandings of and answers to the ongoing stigmatization of particular work. From these understandings and discourses particular answers have been institutionalized, and I track these answers as they are mobilized through the federal Immigration and Refugee Protection Act (IRPA) and through the SAWP policy criteria and employment contract. I suggest that these answers have taken the form of strategies, techniques and practices that exclude, select, screen and coordinate individuals as part of the restrictive process of becoming SAWP workers. Here I draw from the work of McLaughlin (2009), who has provided a thorough outlining of SAWP screening processes, including the SAWP medical exam applicants must pass, and has also provided insightful explorations of the regulation of workers once in Canada, including at the workplace and bunkhouse. As part of examining regulation, McLaughlin (2009) has also introduced discussion on disciplinary power targeting SAWP workers, touching on the work of Foucault, and discussing the internalization of this regulation by those under the program. As she notes,

Most employers, I argue, induce compliant, productive behaviour of workers through relationships characterized by paternalism and patronage. Spacing, zoning and serialization of activities are key techniques to channel certain forms of conduct (Allen 2003:70). Such techniques and conditions, rather than relying on overt repression, instead facilitate disciplinary control (209).

Reviewing these contributions, I build on particular areas, and offer additional theoretical considerations. I contribute new testimonies from SAWP workers, as well as useful conceptual tools from the works of Foucault to differentiate and further explore some of the processes McLaughlin (2009) touches on. Specifically, I discuss the system of deportation that is the most
clear and violent technique available to regulate the SAWP worker and which regulates for the continual non-belonging or non-permanency of these individuals. Here I note how these understandings that support the deportability of SAWP workers also support disciplinary practices utilized by some SAWP employers. Connected to this, I also contribute to scholarship focused on the relationships between SAWP workers and local residents of the rural communities in which they live and work. Here I recognize the establishment of relationships of support and care between SAWP workers and citizen community members; however I also identify examples of regulative and disciplinary power targeted at SAWP workers by citizen-residents. I suggest that this regulative and disciplinary power has strong impacts on SAWP workers, and draws from racism and the continued institutionalized non-belonging that maintains these individuals as permanently foreign. I proceed to discuss additional, often more subtle techniques utilized by SAWP employers and supervisors. Some techniques I identify focus on coordinating and sustaining the production of these workers at desired levels, while others attempt to regulate SAWP workers in aspects that are beyond their work, and that often draw from various non-institutionalized and personal understandings and discourses held by employers and supervisors. In this discussion of regulation I draw from Foucault’s recognition of the relationship between disciplinary power, increased aptitude and increased domination. I also build on SAWP scholarship that has problematized the control of SAWP worker housing by employers, and identify techniques of regulation enacted through this control. Here I offer insight through Foucault’s work on the relationship between the organization and partitioning of personal space, surveillance and domination.
Rooted in my experience supporting SAWP workers around understandings of health, injury and illness, and recognizing the power of discourses of health and medicine, I shift discussion to my interest in how understandings of health and ill-health can also be drawn on to create and legitimize regulatory and disciplinary practices deployed at SAWP workers. From my investigation I suggest that many SAWP workers are also regulated and disciplined through a complex and fragmented discourse of health and a particular idealization of a ‘healthy’, health static SAWP worker, whose health cannot fluctuate. I argue that this discourse and ideal are mobilized and reinforced institutionally through the SAWP medical exam, which all SAWP applicants must take. It is also reinforced through the known deportation or non-rehiring of particular workers with problematized health statuses, as well as through day to day regulation wielded by individuals over others and over themselves that draw from personal interpretations of this exam, and from broader conceptualizations of health and ability within the context of the restrictive SAWP.

With an interest in more closely understanding how SAWP workers encounter the regulation I discuss, I am inspired by the work of Binford (2009) and his discussion of external and internal conditioning experienced by SAWP workers, and the frames of reference they develop to contextualize their experience working in Canada. I utilize Foucault’s differentiation between techniques of domination and techniques of the self to contribute to this discussion. I suggest that among SAWP workers there are those who engage with systems of regulation in strategic ways, evaluating and abiding by regulation based on understandings of the potential results of not abiding (being reprimanded, fired, deported, and or banned from working under the SAWP), which is further contextualized by the currently limited opportunity to generate income.
in their home countries. I suggest that though these individuals abide by these regulations, many nonetheless maintain understandings of themselves and of their work and life in Canada that challenge understandings institutionalized by the SAWP and its discourses. These challenging understandings become important to further explore as they represent important points of resistance. On the other hand, I suggest that for other SAWP workers these understandings and techniques targeting them seem to initiate more of an internalization, which I suggest results in them organizing their understandings of themselves, towards a closer embodiment of the restricted SAWP worker. I approach my discussion around these ‘practices of the self’ with caution. I do not suggest I can fully grasp the understandings and constructions of each SAWP worker I spoke to, as these processes are complex and influenced by various factors. I also do not idealize particular SAWP workers over others and I cannot begin to suggest I know what is best, or what would be the outcomes of the diverse decision making taken by these individuals in their day-to-day strategizing towards an increased quality of life. I also recognize my disconnection from fully understanding these processes rooted in my class, citizenship and light-skinned privilege. I recognize that we are all actively enacting regulatory and self-shaping practices on ourselves every day, amidst the continual mobilization of discourses, and regimes of control and discipline. However, in order to support increased space for personal agency amidst these realities, and based on my continual work to be an ally to those working under this program, I proceed with recognition of the need to better understand these more dominating techniques. I argue that doing so is an important part of identifying and better supporting understandings of resistance held by SAWP workers.
Lastly, to better understand the regulation of SAWP workers, I suggest that it is also useful to situate these practices within the context of understanding broader systems of regulation whose jurisdictions include, but go beyond the SAWP worker to also regulate the broader ‘Canadian’ population. Some of these systems have the potential to be points of access to institutionalized resources and conduits of power available to SAWP workers. Specifically, I explore discourses of labour rights and human rights, and the systems in place to regulate for the standards these discourses have currently institutionalized. This exploration identifies channels through which power can be wielded both on as well as by SAWP workers. However, I make visible and question inconsistencies in the accessibility and deployment of these systems and therefore the inconsistency among SAWP workers in their access to power through these channels. I also discuss the idea of the “foreignness” or the unfamiliarity of some of these discourses among some SAWP workers and discuss subsequent considerations. Finally, I conclude with a discussion regarding the implications of my findings for ongoing efforts to challenge the restriction and domination of those living and working in Canada under the SAWP.

In the following chapter I discuss the theoretical tools from which I draw. I specifically review the works of Michel Foucault and his theoretical and methodological contributions to my analysis. I also outline the details of how I conducted my research.
Theoretical Grounding and Methodological Approach

Michel Foucault: Tracing Histories, Discourse and Techniques of Power

Michel Foucault has been an important contributor to sociological thought. His work has shed light on the creation and dominance of particular discourses, and on the relationship between knowledge, truth claims and power. Foucault’s work has sought to question and disrupt understandings and practices that become normalized and institutionalized, presented as neutral, universal or obligatory (Foucault 1997:53). Through his work examining discourses of madness, or institutions such as the prison, or the hospital, Foucault has made visible inconsistencies and discontinuities amidst the histories of particular institutionalized understandings and practices, to as Timmermans (2012) suggests, “show that what many take for granted is socially and historically contingent” (2), with the intention, as Sharp (2011) notes, of “opening up new possibilities for thought and action”. As shown in my introduction, Foucault emphasized the need to challenge discourses that attempt to limit and shape how the individual is understood and how they understand themselves, and from which particularly powerful practices and techniques of control, discipline, and violence are created and sustained. Foucault worked to illuminate how power flows through discourse, and to better understand the applications of power through mechanisms he termed ‘techniques’ or ‘technologies’. The path plotted by Foucault’s work and the tools which he offers have been useful in setting the objective of tracing the histories of the SAWP and its discourses, to question processes of normalization, to understand how discourse continues to subjugate the SAWP worker, as well as to make visible the practices and mechanisms that actualize and apply this subjugation. The following chapter will review
Foucault’s theoretical and philosophical groundings, as well as aspects of his work which have been particularly useful for my analysis.

First, differentiating Foucault’s work around knowledge creation from other sociological endeavors, Nettleton (1992) suggests that while other scholars have sought to expose “the social, technical or ideological interests which distort or contribute to the creation of certain types of knowledge”, they nonetheless advance from a perspective that there remains an underlying truth, “a real external world which remains more or less disguised or more or less understood” (149,136). In contrast, Foucault does not focus on engaging with the determining of truth in understanding or on epistemological questions of how we obtain true knowledge, but rather as Jackson (1995) suggests, his concern is around “how does a given statement come to be accepted as truth in a given historical and social context”, and how at particular moments in history have these ‘truths’ worked on the individual (1). To expand on the first point, Foucault (1997) argues that established and institutionalized understandings, be it understandings regarding the individual, those coming out of medicine, psychology or science for instance, should not be seen as the outcome of ‘advances’ in the progression towards more ‘authentic knowledge’, or getting closer to a truth. He suggests that dominant discourses can become further institutionalized through a constructed narrative where they have been developed from historical improvements and advances, neutral progressions of a perfected understanding, a discovering of ‘the truth’, ‘the right way’. This is a premise that he suggests needs to be challenged (Foucault 1997; 2003). Foucault argues instead, that dominant or institutionalized understandings have been the result of changes in societal focus, changes in methods or procedures, which are all part of processes of knowledge creation, and need to be contextualized by socio-political influences and interests.
present and dominant in particular times and places. He suggests that institutionalized understandings need to be recognized as emerging from discursive fields in flux, and from histories of contestation and rupture in thought, rather than histories of neutral improvement or progression. In this area of investigation, Foucault identified his work as exploring the formation and maintenance of what he called ‘modern theoretical constructions’ (1993: 202-203). As the name suggests, and as Sharp (2011) notes, modern theoretical constructions are explicit theoretical claims that concern themselves with the subject in general terms. These could take the form of theories one may find coming out of, for example, religious, philosophical or scientific discourses, and that establish the discursive plane from which particular truth claims can be made. As noted, in this area Foucault concentrated on discourses that at particular times in history have emerged from efforts to define the individual, that have worked to create and recreate the mind, body and soul. Indeed, Foucault states that through his work, his objective “has been to create a history of the different modes by which, in our culture, human beings are made subjects” (1982: 777). He saw the individual “as a complex and variable function of discourse” (1977:138), established, pressured and shaped by particular constructions and truth claims (Annandale 1998). Again, Foucault’s focus was to challenge the limits and confines established by particular discourses, towards creating space for the individual, for increased agency amidst the swarm of discourse and particularly strong societal pressures, interests and truth claims.

It is important to note that according to Foucault, these theoretical constructions cannot stand alone. As part of the complex processes involved in the workings of discourse creation and maintenance, is the recognition that discourses, such as those of medicine, science,
demographics, criminality or religion for example, do not exist isolated from institutions they have created or in which they have been embedded, and the social practices through which they are recreated, sustained, and through which they assert power on the individual. Recognizing this, Foucault became particularly interested in his later work in what can be seen as the social grounding of discourse. As Sharp (2011) notes, this work included the exploration of what Foucault termed ‘techniques’ or ‘technologies’ (Foucault 1993: 203). Clarifying what he means by techniques, Foucault states:

One can distinguish three major types of techniques in human societies: the techniques which permit one to produce, to transform, to manipulate things; the techniques which permit one to use sign systems; and the techniques which permit one to determine the conduct of individuals, to impose certain wills on them, and to submit them to certain ends or objectives. That is to say, there are techniques of production, techniques of signification, and techniques of domination (1993:203)

Later in his work, focusing on discourses of morality and sexuality, Foucault also identified a fourth type of technique. He states,

I think, in all societies whatever they are, another type of techniques: techniques which permit individuals to effect, by their own means, a certain number of operations on their own bodies, on their own souls, on their own thoughts, on their own conduct, and this in a manner so as to transform themselves, modify themselves, and to attain a certain state of perfection, of happiness, of purity, of supernatural power, and so on. Let’s call this kind of technique a technique or technology of the self (1993: 203).

As Sharp (2011) notes, in investigation, “one can treat these techniques as separate, and analyze each in its specificity, although in the end these technologies of course hang together in some complex relations”. Similarly, McLaren (2002) notes, “All four technologies – of the self,
of domination, of production, and of signification – are present simultaneously. However, the importance of a particular type of technology may depend on the historical period” (147).

Understanding the creation and maintenance of discursive constructions, as well as understanding their application through institutions, mechanisms and techniques is very useful to my thesis. Specifically, contributing to mapping the discursive field which allowed for and shaped the SAWP and the SAWP worker is central. As touched on, this theoretical frame has allowed me to re-present the histories of the SAWP outlined in the work of Satzewich (1991). It has allowed me to more clearly present the tensions, inconsistencies, strategies and interests active among government and industry stakeholders, and the understandings around work, and the differences among people, all from which the SAWP was created. In addition, understanding the grounding of discourses in the institutional framework of the SAWP, and the strategies and techniques of domination and of the self, discussed by Foucault, has allowed me to take discussion of the regulation of the SAWP worker further, to better understand the nuances of this regulation as attempts are made to shape, discipline and control these individuals. As mentioned, aligning with the focus of Foucault’s work, my intention is to challenge both discourse and practice marginalizing the SAWP worker, towards the increased agency of these individuals. In line with this aim, it is beneficial to elaborate a bit more on tracing the histories of discursive constructions, as well as better understanding techniques and technologies discussed by Foucault.

From the aforementioned intention and philosophical foundations, Foucault identified the practical work of tracing the histories of present thought and practice through methodological exercises which he termed archeological and genealogical investigation. Though an in-depth
discussion of the difference between these two modes of investigation is beyond the scope of my thesis, it is useful to explore this difference a bit further. O’Farrell (2005) makes the distinction that through archeological investigation Foucault worked to identify the histories of the creation and re-creation of ‘rules’ and organizational systems, processes of grouping, identifying similarities, differences, and categorization, as constructed processes connected to how we have endeavored to understand subjects. Whereas in genealogy, O’Farrell (2005) suggests that Foucault shifts away from identifying these rules or organizational systems and becomes more concerned with the process of dividing among true and false, right and wrong, inclusion and exclusion, and the mechanisms through which these answers act on the individual. Foucault therefore shifts his concern from the history of organization in thinking to concerns with the exercise of power on the subject. O’Farrell (2005) suggests; “In short archaeology is about the ‘conditions of possibility’ which give rise to knowledge whereas genealogy is about the ‘constraints’ that limit the order of knowledge (69). To clarify this further Foucault (1982) states,

If we were to characterize it in two terms, then ‘archaeology’ would be the appropriate methodology of this analysis of local discursiveness, and ‘genealogy’ would be the tactics whereby, on the basis of the descriptions of these local discursivities, the subjected knowledges which were thus released would be brought into play (85).

Powell (2002) contributes to this clarification, by suggesting that archaeology provides a snapshot of sorts, “a slice through the discursive nexus”, isolating the interaction of particular discourses “which laid down the conditions for articulating ‘truths’”. He suggests that genealogy focuses on processes active within this nexus, mechanisms of power through which discourses shape the understanding and actions of individuals. As Powell (2002) suggests, both archaeological and genealogical analyses have in common the exploration of the histories of
discourses and understanding, into particular times and places from which knowledge and practice have emerged. These analyses are inquiries into history, but as Sharp (2011) suggests, the historical focus is of a particular kind. Speaking to genealogy he notes, “Genealogy is not history for history’s sake: its concern is diagnosing or understanding the present”, and as he and Armstrong (1990) suggest, it is from this basis that Foucault characterized his work as writing the “history of the present” (Foucault 1977). Further differentiating these methods from other historical investigation, Sharp (2011) notes that in Foucauldian analysis one does not proceed in a linear manner back through history, searching for a single unified process through which our current reality was shaped, in hopes of producing “a singular, condensed, narrative”. Rather again, from the basis of understanding history as complex process of discourse creation and confrontation, Foucauldian analysis traces back through a plurality of narratives, focusing in on a particular context in history, where various discourses, theories, subjects and truth claims are created and engage in confrontation and domination.

Central to these analyses is the ‘document’, understood as the recording of statements made as reflections of the discursive fields present in different times and places. However, again differentiating archaeological and genealogical analysis from other historical investigations, as Balasak (2013) notes, “Documents are not to be understood by the archaeologist as the utterance of a fixed and structured subject”, as Foucauldian analysis displaces the individual’s central position in this regard (5). Instead, as Balasak (2013) adds, “the archeologist reads the document as an effect of the surrounding discourse of a given epoch” (5). Balasak (2013) further sums this up by stating, “Foucault is not interested in statements insofar as they are concerned with the subjective utterance of a particular person, but instead, with the discursively uttered” (5).
Therefore, he is concerned with ‘utterances’, or statements, as demonstrative of the discourses present and dominant at particular times and places.

To elaborate further, if one was focusing on understanding a particular modern theoretical construction in medicine from a Foucauldian perspective, one may trace through medical indexes, journals of medicine, written medical records, possibly through to older texts from which modern medicine emerged or drew influence. One would focus on trying to identify the point in time from which the theory emerged, as well as the processes through which particular discourses allowed for the theory’s creation, gave rise to a broad enough consensus for its support, institutionalization and maintenance. Moreover, this exercise would seek to identify and understand the fractures, discontinuities and shifts in thought present within these histories, the theories and constructions that were dominated or delegitimized in the process. Armstrong (2009), who conducted a Foucauldian study of the notion of health behavior, to explore where and when a strong enough consensus was reached that behaviour is a central component of health within western bio-medicine, searched for the use of the term ‘behaviour’ in numerous public health, medical, psychological and sociological journals tracing back to 1823. Armstrong (2009) was able to map the changes and discontinuity of “behaviour” as it related to health and medicine, noting that what was expressed by the term changed through confrontations with various emerging discourses. He suggests that the contemporary understanding of behaviour as it has been synthesized into modern, western understandings of health, originated from a point where focus shifted to the increasingly popular psychological behaviour theorists and their increasing focus, interest and discourse creation around the development of children (Armstrong 2009). The institutionalization of theories and framework coming out of the work of these
theorists shifted and set a new path for analysis in health intervention, structuring a new premise from which to proceed in knowledge creation. Similarly, Armstrong (1990) gives the example of investigating the origins and changes in the idea of chronic illness, noting that this pursuit would entail, “scanning the everyday talk of a period” to “identify when it first became possible to speak of chronic illness, in particular the earliest occurrences of the concept and its more general acceptance in discourse” (1225).

Connecting this discussion to my work, this theoretical frame has again allowed me to more clearly explore the histories of the SAWP, and, for example, raise such questions as how were understandings that problematized conditions in the agricultural industry delegitimized or evaded leading up to the SAWP’s creation? How were the claims made by agricultural producers of not being able to better conditions in the industry, accepted as truths? How have these claims continued to be sustained as truths and normalized into the present day? As well as how was the labour of foreign workers under problematized work conditions accepted? And how has this acceptance and normalization been sustained? This framework also highlights the importance of recognizing a legacy within the histories of the Canadian agricultural industry, where the strategic identification and targeting of socio-economically and discursively marginalized groups has been central to the continuation of production in the industry. As such, this theoretical frame has supported a more critical exploration of these histories, to challenge the normalization of the SAWP and the perception that it merely emerged as a neutral, sensible, and sole solution available to labour shortages in Canadian agriculture.

Foucault’s work on understanding the grounding of discourse, both as institutions and in direct practices of domination and of the self, is also an important contribution to my discussion.
In Foucault’s historical tracings of for example, madness and the asylum, or the prison, he outlines shifts in understanding which have legitimized at different times and places, the emergence of institutions of authority, and legitimized clear practices of violence as well as more subtle mechanisms of regulation, control and discipline. As in his investigations of modern theoretical constructions, Foucault places particular attention on making visible the interests that have influenced and supported the emergence and maintenance of these institutions and practices. As part of this, and particularly useful to my discussion, Foucault identifies the relationship between intensified concerns for societal regulation and economic interests of production. This relationship, at various points in history, has supported the emergence of various practices of differentiation among groups of people, and has created profitable production practices that have benefited from the legitimization of techniques of confinement, surveillance, discipline and control.

In his work focused on tracing the shifting meaning of madness, and the subsequent changes in treatment of those understood as mad, Foucault identifies what he termed ‘the great confinement’, taking place in Europe during the mid-17th century (1988). Amidst a growth in population and urbanization, Foucault (1988) notes a shift towards a heightened preoccupation with societal management and regulation, and the rise and dominance of dividing practices based on notions of morality, immorality, reason and unreason. Prior to this intensification, as Foucault (1988) outlines, those identified as mad were understood to have wisdom of sorts, an ability to explore realms of reality and consciousness not accessible to others. The mad were often depicted in Renaissance literature as guides and revealers, and though these individuals were largely located at the fringes of society, according to Foucault they were essentially left alone
(Foucault 1988). With this shift and its regulative gaze, Foucault (1988) identifies the emergence and dominance of a more defined understanding of madness, centred on a newly clarified dichotomy of reason and unreason, which was integrated with notions of morality. As Foucault (1988) discusses, this lead to a newfound shift to seeing madness as a moral error, a succumbing to madness, which brought the mad person under a social framing shared with those understood as vagrants, blasphemers and sex workers, among other ‘undesirables’ of the time. This brought the mad under an emerging institutionalized regime of confinement and new techniques of punishment and regulation (Foucault 1988). This shift to institutionalize the regulation of the ‘immoral’, allowed for the development of a system of legitimized social cleansing, brought about by an ability to round up ‘undesirables’ and confine them. Foucault (1988) also identified the utility of this confinement for economic and production interests, as a ready pool of cheap labour was created through the integration of forced production practices as part of confinement and control (Foucault 1988). This in turn created an economic benefit to these institutionalized understandings and the practices they authorized. In addition, this confinement also provided a utility for the emerging dominance and authority of medicine, which, as will be further touched on, also emerged from the histories of concern for demographic regulation and control. The captive mad were a physically and discursively accessible target for emerging medical investigation and its lens, as these individuals were already gathered under a system of control, and discursively normalized as subjects for practices ranging from punishment, regulation, and later those of knowledge creation and forced therapy. These practices of knowledge creation mobilized by the institution of medicine and its specialists, though drawing from emerging discourses of the therapeutic care of the ill, nonetheless centered on a heightened control and regulation of these individuals, practices that maintained degrees of violence and subjugation.
Understanding the interplay between dividing practices and the technique of confinement, as well as recognizing the utility this relationship has historically provided varying parties at varying times, is important for my discussion. Among what I am sure is an extensive list of historical examples, this relationship is visible within the histories of the discursive, and racist othering of First Nations communities in Canada, and their government sanctioned confinement in reserves and residential schools. As will be further discussed, this discursive othering constructed First Nations communities as immoral and savage, and as a policy issue to deal with in relation to the emerging white settler Canadian nation, and subsequently authorized practices of confinement towards a heightened regulation and social cleansing. In addition, these communities were also created into pools of available cheap labour that could be coordinated under various degrees of coercion (Laliberte and Satzewich 1999). The histories of the confinement of Japanese-Canadians as prisoners of war during the 1940s also stand as an example of these processes. As will be discussed, these captive individuals were regulated through alarmist and nationalist war time sentiments, as well as racist othering that intertwined with constructions of these individuals as a moral threat to the Canadian nation. This confinement and regulation also lead to this group being organized as a productive unfree labour force during the time in question. Though in the case of the SAWP worker, their confinement takes on a less direct form, the underlying processes follow the other historical examples noted. As will be discussed, amidst continuing practices of regulation targeting the Canadian nation, of racism and classism that continue to be central to the creation of the undesirable ‘foreigner’, and of demographic pressures and the increasing stigmatization of particular work, the confinement and control of the SAWP worker has emerged as both a policy of demographic regulation and of economic utility.
Also useful to my thesis is Foucault’s work *Discipline and Punish* (1977), where he discusses the 18th century reordering of the carceral system in Europe. In this work he identifies emerging techniques of surveillance and disciplinary power, which he suggests introduced effective means to regulate populations, techniques which I suggest are active in the regulation of the SAWP worker. In this work, Foucault (1977) identifies demographic changes taking place in the 18th century, which as Annandale (1988) notes, came with, “the development of capitalism, growth in population and concentration of large numbers of people in urban spaces” (36). As Foucault suggests, these changes brought on a focus on demography and the importance of not only counting and sorting the population, but also on questions of control (1977). As Annandale (1998) states,

People were now to be counted, monitored and surveyed and new forms of expert knowledge-sanitary science, the study of crime and its punishment, medicine – emerged, all of which aimed to predict and control these populations (36).

Furthermore, as Foucault notes, at play was also a strong emphasis not only on coordinating people into standards of ‘normality’ being set, but also on molding and improving the individual body, as well as the body of the population, which was driven by a motivation to heighten utility. Indeed this was the creation of a relationship between concerns of order, health, control and utility. As Foucault (1977) writes:

The human body was entering a machinery of power that explores it, breaks it down, and rearranges it. A ‘political anatomy’, which was also a ‘mechanics of power’, was being born; it defined how one may have a hold over others’ bodies, not only so that they may do what one wishes, but so that they may operate as one wishes, with the techniques, the speed and the efficiency that one determines. Thus discipline produces subjected and practised bodies, ‘docile’ bodies. Discipline increases the forces of the body (in economic terms of utility) and diminishes these same forces (in political terms of obedience). If economic exploitation separates the forces and the product of labour, let us say that disciplinary coercion establishes in the body the constricting link between an increased aptitude and an increased domination (138).
Elaborating on the processes and strategies through which individuals are identified, controlled and regulated towards ‘improvement’, again in his work *Discipline and Punish* (1977), Foucault charts changes that took place in the regulation of populations, and identifies the rise of surveillance as an effective technique. He suggests that the shift towards centering regulation on surveillance came about through the recognition of the impracticability of the use of violence as a continual form of regulating against criminality, again in light of the eighteenth century rise of a much larger and more mobile population. Indeed Foucault suggests that in the place of violence and physical force, surveillance, both from outside as well as self-directed surveillance, became seen as a more effective method. As Foucault (1977) discusses, and as Annandale (1998) elaborates, this was epitomized by the development of new ‘scientific’ discourses of surveillance embodied in Bentham’s Panopticon, a circular prison building constructed around a central raised tower, into which prisoners could not clearly see. This design was intended to create a sense of the possibility of constant surveillance, suggested to have produced a disciplinary force leading to inmates ‘policing’ and disciplining their own behaviour. Foucault suggests that this ‘panoptic mode of power’ was diffused throughout society, in the army, in the school as well as into psychiatry and medicine. As Foucault (1980) states, further describing the coming together of surveillance and disciplinary power,

There is no need for arms, physical violence, material constraints. Just a gaze. An inspecting gaze which each individual under its weight will end by interiorizing to the point that he [sic] is his own overseer, each individual thus exercising this surveillance over, and against, himself. A superb formula: power exercised continuously and for what turns out to be a minimal cost (155).

As touched on in my initial description of techniques and technologies discussed by Foucault, at different times and places multiple types of techniques may be functioning together.
Indeed as part of the effectiveness of surveillance and disciplinary power, is the assumption that failing to regulate oneself to the particular behaviour, normality or utility sought, will have negative implications, whether it be the threat of punishment, violence, confinement etc. Though again the direct applications of force, punishment or violence lose their centrality within this new regulatory regime, they however loom as part of its effective functioning. As noted, in her work McLaughlin (2009) discusses disciplinary power and the effects of a perceived constant surveillance on the SAWP worker. McLaughlin (2009) discusses the surveillance of security cameras, signage, and randomized employer or supervisor inspection as part of this regime active on SAWP workers. Furthermore, as Preibisch (2003, 2014) suggests, the threat of dismissal and deportation is an effective mechanism for the regulation of SAWP workers, and though she notes that the numbers of these dismissals has been low, the recognition of deportation as a possibility, institutionalized within the SAWP framework, establishes its effectiveness as a form of disciplinary regulation. In my discussion on the regulation and disciplining of the SAWP worker, I elaborate on these findings. I also draw from the work of Foucault to discuss the relationship between regulation and attempts to increase the ‘aptitude’ of SAWP workers, and the relationship between increased aptitude and increased domination. I also draw from Foucault’s insights into the use of spatial separation, and the designation of particular people to particular spaces which can be understood as a tool through which to discipline the individual. In Foucault’s discussion, as noted, he identifies disciplinary power as active within the application of discourses of health and medicine. Speaking to the relationship of surveillance, disciplinary power and medicine, Lupton (1997) states,

From the Foucauldian perspective, power as it operates in the medical encounter is a disciplinary power that provides guidelines about how patients should understand, regulate and experience their bodies. The central strategies of
disciplinary power are observation, examination, measurement and the comparison of individuals against an established norm, bringing them into a field of visibility” (99).

In my analysis I draw from this relationship to identify disciplinary power active within the experience of SAWP workers with their health, and with the medical regulation that is structured into the screening process of the SAWP, the SAWP medical exam. I discuss how disciplinary power works through understandings of health, sickness, and injury within the context of the SAWP, to further regulate the SAWP worker. I center this discussion on Foucault’s insights into the regulative medical examination, and I connect the recognized risk of deportation due to problematized health conditions as a collaborative regulating force and discuss the effects this has on SAWP workers. This discussion contributes nuanced analysis that I hope will take discussions on the health of SAWP workers further. Lastly, with the intention to more deeply explore the regulation of the SAWP worker, I explore techniques of the self and attempt to clearly differentiate them from less internalized regulatory pressures directed at SAWP workers. Foucault (1977) describes techniques of the self as active at, “the point where power reaches into the very grain of individuals, touches their bodies and inserts itself into their actions and attitudes, their discourses, learning processes and everyday lives” (1977:39). Though McLaughlin (2009) discusses the self-regulation of SAWP workers, I suggest that it becomes important to further differentiate between self-regulation that is mobilized by SAWP workers as part of a strategy to remain under the program, and a more complex self-regulation that I suggest goes deeper, and more thoroughly represents Foucault’s techniques of the self, through which the SAWP worker engages with a deeper internalization of the discourses the SAWP maintains. This differentiation is important, as it enables the exploration of processes that may lead to more intensive regulations and arguably a more thorough domination. Furthermore, this differentiation
also provides a glimpse into alternative discourses held by some SAWP workers through which they separate themselves from understandings institutionalized through the SAWP. These alternative discourses become important to understand and support as forms of resistance.

Lastly, prior to discussing the specific methodology through which I conducted my research, it is useful to briefly touch on the utility of Foucault’s understanding of power for my investigation. As Pease (1999) suggests, Foucault challenges the polarization of such categories as ‘powerful’ and ‘powerless’, or the dichotomous understanding of power. Foucault (1997) instead suggests that power does not belong to particular individuals, but rather flows through individuals as they are positioned amidst particular discourses, their institutions and authority. Similarly, Crinall (1999) suggests that power flows through patterns dependent on the individual’s positions amidst spaces where knowledge, meaning and truth claims as well as human subjectivity are produced (76). As Crinall (1999) further notes, Foucault does not see power as a force which finds itself at the top of a hierarchy, nor only as a negative force, flowing downwards to repress. Rather, Foucault describes power as a positive and productive force that operates in a ‘capillary’ manner (Crinall 1999). According to him, power flows through the diverse channels of discourses, directed and redirected, as part of the creation and confrontation of discourses. Though the individual who is subjugated by a particular discourse may find themselves entrenched in a particularly restrictive and institutionalized identity and reality, as Crinall (1999), Pease & Fook (1999) suggest, the non-fixed subjectivity of the individual, according to Foucault, can shift and change according to discursive confrontations, and through the reestablishment of institutionalized discursive fields. These shifts and confrontations may unravel, and delegitimize particular discourses which may close channels of power. This view
recognizes the ability for the individual to be repositioned within flows of power, as well as the ability for discursive challenges to be mounted, towards rerouting the applications of power. These understandings become very useful for recognizing the resistance of the SAWP worker.

**Methodology**

Transitioning to specifically looking at how I conducted my analysis, methodologically, I proceed through two routes. The first, as noted, entails a historical re-tracing of the SAWP. I do not suggest this is an archeological tracing because it is quite limited in its historical depth and heavily relies on historical tracings produced by other scholars, specifically Satzewich (1991). In the future I would like to refocus and go deeper within the histories I map; however, here I contribute a re-presentation, or reinterpretation of histories laid out by Satzewich (1991). I contribute additional materials to further present tensions around conditions and labour shortages within the agricultural industry at the time in question, as well as contribute historical points of relevance to make visible the legacy of the SAWP, specifically touching on the regulation of Chinese immigrant workers who constructed the Canadian Pacific Railway in the 1880s, Japanese-Canadians who were interned as prisoners of war during the 1940s, as well as the labour coordination of First Nations communities during the 1950s and 60s. I continue my discussion by drawing from existing materials and information, including government resources, as well as existing literature and its documentation.
The second methodological component of my investigation includes 27 semi-structured qualitative interviews with individuals working under the SAWP. These interviews were conducted face-face with workers in the Ontario communities of Simcoe and Virgil, during the farming season. I approached participants at a variety of community support initiatives taking place in these communities. I approached these individuals in moments of privacy and asked them if they would be interested in participating in my research. In other cases I connected to interviewees through a snowball sampling method, where individuals were referred to me either by others working under the SAWP, or by community support workers. I conducted some interviews in Spanish and others in English, depending on the language preference of my interviewee. All of my interviewees were men, and their ages ranged between 24 and 68 years of age. My interviewees were born in Mexico, Jamaica or Trinidad, and also ranged in the number of seasons they had been coming to Canada to work under the SAWP. My interviews took place in a coffee shop, a restaurant, a community centre lounge area, a park, as well as in the housing of some SAWP workers. Some interviews occurred in the evening, while others took place during the early afternoon on weekends when individuals had time off work. Interviews lasted on average 30 minutes to one hour. All interviews were conducted one on one. As part of my analysis I also touch on informal conversations I have had with other individuals working under the SAWP during the period of working on this thesis. I believe that the inclusion of these informal conversations is important and legitimate, as I include testimonies of experiences being shared among broader SAWP worker communities, and therefore are understandings of experiences which are circulating among these communities, and which I suggest are important to capture.
My interviews were semi-structured, and I set out asking particular standard questions but in many cases conversations were directed towards other areas by interviewees. Initially my interview questions were centered on understanding workers’ experience with health and ill-health under the SAWP. I asked participants about their experience with the SAWP medical exam, and how they found the exam. I asked them if they could tell me what the exam was looking for as it assessed them. I also asked interviewees whether they worried about their health while they are in Canada, and if so what specifically worried them. I asked interviewees whether they had ever hidden any illnesses or injuries while they worked in Canada or knew anyone who had. I also asked them if they had ever seen a doctor or health service worker in Canada, and if so I asked them to describe their experience. I also asked workers about their experience at work, what kind of work they did, and whether they found it to be difficult. I also asked them to describe their relationship with their supervisors and employers. These were the principal focus of the majority of my interviews, as I had initially intended to focus entirely on understanding whether discourses or understandings of health were actively regulating SAWP workers.

Midway through my interviews, a couple of interviewees directed conversation towards feeling pressured to work in particular ways, at particular paces for example, and interviewees spoke about attempting to get better at their work, and attempts at trying to meet the work standards set, while feeling intimidated that if they could not, they would be sent home. Another interviewee directed conversation around his experience at his bunkhouse and specifically the rules around cleaning that were set by his employer. Interviewees also directed conversation to how they felt in the communities, to which they arrived to live and labour in, and how some of them felt watched or judged by some of the citizens of these communities. I found these later conversations quite interesting, and therefore decided to broaden my analysis to looking at other
ways SAWP workers are regulated, working off the examples interviewees had identified. Therefore, I asked subsequent interviewees whether they thought there were a lot of rules they had to follow at their work, and if so what were they. I also asked interviewees about their housing, how they felt about their housing, and whether there were any rules they had to follow in relation to their housing. I asked individuals about their experience coming to Canada through the SAWP, and whether there were many rules they had to abide by based on the program’s regulation. I asked participants whether they were ever worried about being fired or sent home. I asked them whether they had heard of raids and deportations, and if they knew who was in charge of these practices, and if they knew why they happen. Lastly, I asked these interviewees about how they felt in the communities to which they arrived to live and labour in, and in general how they felt towards the citizens of these communities.

Once I finished collecting and transcribing my interview data, I organized and grouped segments of text and analyzed their content. The themes that were identified through my data review included an identification of work being difficult, with a sense of a pressure to keep up or improve to standards set. Tense, intimidating, aggressive, or violent relationships with supervisors and employers were identified, as was a perception that individuals felt intimidated to ask questions or bring up concerns to management. Interviews showed recognition of the extensive screening that is the SAWP medical exam, and a clear sense that ill-health or injury would jeopardize their work in Canada. Interviews identified a coupling of understandings of health with factors such as strength, and ability to work hard, and health as connected to ability to meet the work expectations set out for them. Interviews showed an understanding that SAWP workers could not get sick in Canada, in the way that some understood being sick in their
countries of origin. Interviewees showed an awareness of raids and deportations, and recognition that working without a work permit or outside of tied work permits were reasons why people got raided and deported. The theme of feeling a sense of surveillance directed at them from citizen community members was an unexpected theme that came out of these interviews. Regulation through bunkhouse cleaning regimes was also an unexpected theme that emerged, as were examples of employers and supervisors attempting to influence or regulate workers on non-labour related issues such as nutrition and questions of morality and religion. Varying opinions regarding working without work permits was also an unexpected finding of my interviews, as were the varying sentiments people shared about continuing to work under the SAWP. In my discussion, the testimonies of SAWP workers are referenced as MFW 2013, Migrant Farm Worker 2013.

An important point to note is that in working with Foucauldian literature, I became aware of a gray area around the production and use of qualitative interviews. Like other techniques, interviews are understood in Foucauldian analysis as inextricably linked to knowledge production, which raises concerns of their implication in processes of objectifying and subjugating individuals. Instead of merely drawing from existing documents and texts to map discourse, or to understand systems of power being developed, through qualitative interviews one is contributing to the production of such documents. The concerns touched on here go beyond common apprehension in qualitative investigation around questions that are perceived as leading the interviewee, or of taking too many broad leaps from the interviews to discussions and conclusions, to being conscious of deeper processes of production. It seems that this concern lies in two areas of interviewing, in the process of asking particular questions, and in
the risk of objectifying and subjugating individuals. How is this addressed in terms of proceeding from a Foucauldian position? Armstrong (1990) for one suggests that our work should be open to an analysis of its own productive force. Indeed being reflexive in our contributions is needed, as is being critical of what we suggest our work represents. To work to address this concern, I ensured my interviews allowed space for being guided by the interviewee. As well, I tried to maintain a discursive openness, as much as possible. An important recognition that provides some leeway is the fact that in Foucauldian analysis we understand ourselves as a product of discourses and thus proceed through discourses. This should not be seen as inherently negative, it is how we organize ourselves, our experiences and thinking, and it is not possible to avoid this in its totality, nor should we necessarily try. Here, what is important is the recognition that some claims that are made can attempt to limit or set boundaries on thinking, and attempt to limit the discursive field. These claims may present particular understandings and practices as right vis-à-vis those that are wrong, and may present understandings as universal, necessary or obligatory, a reduction which can initiate processes of control, and can also be active in the objectification of individuals. Academic contributions need to contemplate these types of processes. Connected to this is the concern of subjugating individuals through creating them or, in other words, offering a representation of them in a form that may suggest a universalism, or a limit to how they may be understood. Here it is possible to fall into cloaking diversity or complexity in order to facilitate a particular claim. I have tried to address this concern by presenting the findings of my interviews as testimonies from SAWP workers among many SAWP workers I did not interview. The voices I include represent the experience of individuals targeted by my techniques of knowledge creation, individuals also targeted by techniques of domination and of the self. These voices are not offered as a universal representation of all individuals under the SAWP, but again the voices...
of 27 individuals. These testimonies should be considered as glimpses into complicated processes not fully understood, and thus I conceptualize my analysis as part of an ongoing assessment and dialogue with those working under the SAWP. Again, these testimonies are intended to open up space to think about how these regulative processes are affecting individuals, rather than to propose definite, universalized examples and answers. In line with this, in Tanya Jakimow’s (2011) article Cultivating model developing citizens: exposing the grassroots to the MDGs, she utilizes ethnographic methods in order to explore how individual North Indian villagers experience techniques of domination and of the self she identifies, directed through a Non-Governmental Organization discursively organized by the Millennium Development Goals (MDGs). Presenting testimonies of villagers challenging and questioning instructions during community meetings with this NGO, she suggests, “Discussion of the MDGs remains at the policy level and are debated amongst development practitioners, but not with the ‘targets’ of change” (557). She nonetheless does not make broad sweeping narratives for the villagers, or her work, noting,

I have no evidence that the poor are interested in contextualizing their condition globally or their role in achieving global and national objectives. It does appear dishonest however to be silent about their role and subsequent obligations to become ‘developed’ (557).

In addition Jakimow (2011) states,

At the very least, we need to consider and discuss how the ‘targets’ of the MDGs experience these sets of objectives, not as reflected in indicators about their lives, but the experience of being an indicator of global development” (557).

The author calls for an effort to support increased accounts by the villagers themselves of their thinking surrounding the NGO’s initiatives. Similarly to Jakimow’s (2011) conclusions, I suggest that my thesis attempts to identify techniques of domination and of self, targeting those
under the SAWP, and like Jakimow I do not suggest my work represents a broad contextualizing by SAWP workers of their position under this program as part of the confrontation of discourses and discursive practices. However, like Jakimow I do recognize the importance of exploring how SAWP workers experience and recognize their regulation under the SAWP.

My research has various limitations. As noted, the historical tracings of the SAWP I provide are limited and are largely a reorganization of pre-existing scholarship. The histories of the subjugation of racialized people in Canada deserve a more thorough and deeper historical tracing as well, and a clear recognition of the extensive scholarship of anti-racist, anti-colonial, academics and activists that have created a wealth of scholarship around these histories. The historical tracings of discourses active during the time of the SAWP’s creation, would also benefit from a more thorough exploration through the use of a broader compilation of materials and evidence, such as historical documents, reports and newspaper materials, among others, in order to more thoroughly explore the discursive fields present during the times in question. Also, the fact that I changed the focus of my investigation after already conducting a series of interviews resulted in having less interview data available to work with around particular themes I identify. Lastly, this thesis relies entirely on the experience of men under the SAWP. It would have benefited from a greater acknowledgement of gender differences as they play out in the dynamics I map out. As the large majority of workers coming under the SAWP are men, and as the majority of my community networks consist of men under the program, unfortunately my interview pool reflected this limitation. However, a focus on the particular experiences of woman, their regulation, and their understandings of health and illness under this program through a Foucauldian lens would be a very useful contribution.
In the following section I work through my historical tracings of the SAWP, and of other histories I relate to the SAWP, followed by my findings from my analysis of techniques of domination and of the self, presently targeting SAWP workers.

**Discussion: Challenging the SAWP through Historical Analysis**

It is generally understood and often communicated that the Seasonal Agricultural Workers Program (SAWP) was created to address intensified labour shortages in the Canadian agricultural industry emerging in the 1950s, as the citizen population increasingly avoided this work. As such, the SAWP can be understood as a response to labour shortages that centers on the recruitment and coordination of non-citizen workers into this industry. However, as noted in the previous chapter, recognizing the extensive restriction and control experienced by SAWP workers, it is important to challenge presentations of the SAWP that depict a linear narrative of this program founding, and to avoid having the rationales and discourses that have contributed to the creation and maintenance of the SAWP seem as though they emerged singularly, and in an uncomplicated manner. As such, it becomes important to trace the histories of the SAWP to make visible the contradictions, discursive confrontations and interests from which this program emerged. Recognizing the utility of historical mappings, Foucault et al. (1975) state,

*They give us a key to the relations of power, domination, and conflict within which discourses emerge and function, and hence provide material for potential analysis of discourses which may be both tactical and political, and therefore strategic* (xiii).

In this section I begin by tracing the histories of other labour coordination schemes developed by the Canadian government and agricultural industry stakeholders. These examples
provide recognition that labour tensions within the agricultural industry have been longstanding. Furthermore, as I argue that the successful implementation and maintenance of the SAWP has depended on the discursive creation of a labour force understood in a way as to normalize the labour of these workers under problematized conditions, these examples of other labour schemes demonstrate that this tactical function of discourse is not new to the Canadian government or the agricultural industry. I suggest that by reviewing the subjugating experiences of other historically marginalized groups coordinated to work under particular labour regimes, similarities are made visible through which the subjugating practices of the SAWP are rendered increasingly clear.

A Canadian Legacy of Benefiting from Marginalization: The Coordination and Exploitation of Workers before the SAWP

The process of ‘othering’ is rooted in ‘dividing practices’, or the construction of understandings through which techniques of sorting, differentiation, and categorization are infused with understandings of idealization. In the case of populations, this takes the form of sorting, evaluating and idealizing between people and groups of people. As Sharma (2001, 2004) has identified, dividing practices may also strategically enable and authorize the coordination of certain populations towards work under particular conditions, conditions that may be understood as not suitable for broader populations. Indeed, constructions of difference that legitimize difference in treatment and a heightened control towards production have been mobilized strategically at varying times to create populations that the Canadian state and agricultural producers have been able to put to work under varying levels of coercion and
domination. In tracing histories within the agricultural industry prior to the SAWP, Satzewich (1991) notes,

Between 1943 and 1966, at different times and with varying degrees of success, the Canadian state and employers have attempted to mobilize temporarily unemployed farmworkers by paying for their transportation costs from their place of residence to the harvest. They also attempted to mobilize the urban unemployed from the Toronto, Hamilton and Windsor areas, Quebec, and the Maritimes, children between the ages of ten and sixteen with the assistance of the YWCA and YMCA, female household workers, military personnel, aboriginal peoples, high school students and patients from Psychiatric hospitals (69).

Prior to focusing in on the Canadian agricultural industry and on groups among those identified by Satzewich (1991), an important example to draw from in this discussion is the coordination of Chinese workers in the early 1880s as part of the construction of the Canadian Pacific Railway. The Toronto based migrant farm worker advocacy group Justicia for Migrant Workers (J4MW) has long connected the experience of these Chinese workers to workers labouring under the SAWP. J4MW has organized commemorative visits by SAWP workers and their supporters to a memorial statue erected on the corner of Blue Jays Way and Navy Warf Ct, in Toronto, that pays homage to Chinese railroad workers. Though the histories of these workers merit a thorough review, here I only draw from documentation to again demonstrate the racism and discursive ‘othering’ that at the time authorized the difference in treatment of these workers and their exploitation for heightened production and economic gains.

Documentation of the coordination of Chinese railroad workers has noted that amidst what was suggested to have been a ‘popular’ proposal for an immigration program coordinating individuals from the British Isles to build the Canadian Pacific Railway, Chinese workers were sought and directed to this work instead. Historical documentation suggests that this policy was supported by the fact that these workers could be paid less (UBC 2014; Li 1998). As Premji and
Lewchuk (2013) note, “Chinese laborers were exposed to more hazardous working and living conditions than other workers in exchange of a fraction of their salaries” (524). Indeed Chinese railroad workers were paid a third of the wages paid to other workers, and it is suggested that by employing them the Canadian Pacific Railway saved an estimated $3.5 million at the time (CCNC 1997; UBC 2014). Documentation of this coordination shows that working conditions involved in the building of the railroad were problematized and seen as too difficult and dangerous among populations already in Canada, yet the coordination of Chinese workers to what was considered the most dangerous tasks, including the building of bridges, and the clearing of paths through the use of explosives, was not problematized by the state or the company constructing the railway (CCNC 1997; Li 1998; Library and Archives Canada 2013). Documentation identifies numerous fatalities of Chinese workers; fatalities which are suggested to have been largely normalized based on racism and constructed understandings of these workers as disposable. Scholarship has also noted that the government of Canada at the time followed the coordination of these workers with techniques to control the subsequent inflow of Chinese individuals into Canada, institutionalizing them as ‘undesirables’, and implementing a formal regulative framework in 1885 (CCNC 1997). This regulation against Chinese settlement functioned through the introduction of a taxation system for those coming to Canada of Chinese decent, a tax that reached up to $500 in 1903 (CCNC 1997). This taxation system was eventually replaced by an outright ban on Chinese immigration in 1923 under the Chinese Immigration Act of that year (CCNC 1997). The labour coordination of Chinese workers that enabled the construction of what continues to be understood as a central infrastructural project that catalyzed the expansion of the colonial Canadian state, and the subsequent exclusion of Chinese immigrants following the conclusion of the railroad, demonstrates the tactic of the Canadian state
to identify economically dispossessed groups of people, and understand and differentiate them in a way as to normalize their exploitation under stigmatized and dangerous conditions. It also demonstrates a capacity by government to mobilize strategic techniques of regulation, towards increased economic gains with discriminative population control.

Connecting to the Canadian agricultural industry, during the Second World War the Canadian state coordinated Japanese Canadian internees, conscientious objectors, and German prisoners of war under highly restrictive conditions, towards the agricultural industry under the Order-in-Council, PC 2326 of 10 May, 1943 (Satzewich 1991: 73). Satzewich (1991) notes that by 1945, 584 prisoners of war were labouring in approximately 19 different industries, and he suggests this population was an important contributor to the harvest of grain in the prairies, fruit and vegetables in the province of Ontario, and particularly important to the Ontario sugar beet industry. Satzewich (1991) quotes the then Deputy Minister of labour who noted in 1947, “if it had not been for the Japanese labour and the German prisoners of war who were available during the war years, the sugar industry would not have been carried on” (in Satzewich 1991: 74).

Agricultural employers paid the going wage rate to the Department of Labour, who Satzewich (1991) notes initially paid a nominal wage of one dollar per day to the internees, lowering it to fifty cents between 1944 and 1946. The difference between the wage provided to the Department of Labour and the wage they provided the prisoners, was a source of revenue for the state (Satzewich 1991). In Bangarth’s (2005) article entitled, *The Long, Wet Summer of 1942: The Ontario Farm Service Force, Small-town Ontario and the Nisei*, she explores the coordination of Japanese-Canadian internees in the Ontario agricultural industry. She traces how this population was suddenly criminalized through wartime induced fear, and discusses how racism directed at
Japanese individuals was active prior to this criminalization, and supported it. As Bangarth (2005) notes,

The idea that underscored the decision to use Nisei [first generation Japanese-Canadian men] labour was not simply an aberration, but part of the long tradition of the legal, political and social marginalization of Asians in Canadian history (42).

Further noting the interaction between active racism and a need to secure labour and continue production, Bangarth (2005) states, “Certainly, a racist animus pervaded the motivations behind the work camp project, but so too did the need for labour, which was serious in Ontario in many industries, most especially mining, lumbering, and farming” (44).

Speaking to the understandings that awaited the Japanese-Canadian internees once they arrived in Ontario communities, including the racism that was targeted at these individuals, Bangarth (2005) states,

The reasons for this animosity- which at times echoed the fervent racism in British Columbia’s Okanagan Valley when it was faced with an influx of evacuees from the west coast- had a similar ring: inassimilability, lower standards of living, and threats to national security. Added to this litany of alarm was the often expressed, but undefined, fear that the Nisei workers also posed a threat to the white girls who worked in nearby fields. Sexual morality, in particular, represented an increasing concern in the early-to-mid twentieth century. Racial thinking of the time held that races less evolved than Anglo-Saxons were likely not only to contaminate the “moral fiber” of the nation, but would also pose a specific threat to white women whose health and safety were essential to the future of the Anglo-Saxon race in Canada, possibly leading to “race degeneration”. Similarly, inassimilable races such as Asians and Africans were considered “dangerous to Canadian interests,” a threat to “the life of this democracy,” perpetually and inconceivably “alien” (46-47).

Bangarth (2005) includes documentation of Chatham city council meeting, noting that this city was among the most outwardly aggressive in their protests against the labour coordination of the Japanese-Canadian internees. Bangarth (2005) identifies a resolution passed
by the council requesting that, “the purpose of the Japanese here be fulfilled by requiring them to work and keep out of town during labour hours, or be confined to camp at all times under detention” (quoted on page 47). Similarly Banarth (2005) notes that the housing of these workers was organized in many cases to address the complaints of community residents who argued that housing should be set up outside of city limits. Identifying tensions produced by the interaction of racism, vilification, and criminalization amidst a need for labour, Banarth (2005) suggests,

Japanese-Canadian labour was seen as comprising part of Canada’s wartime resources that had to be utilized to their maximum. At a meeting of the Wartime Agricultural Committee, the words of Reeve Kind of Dover Township demonstrated this point: People of Kent Country who object to the importation of Japanese farm labour are merely crying out in the wilderness in a false effort to make people think they are patriotic… We’ve got to utilize all of our resources. We have even got to make use of our enemies. It is time that we realize that war is serious business (50).

This statement demonstrates the ability of discourses of dividing practices, such as racism, and villainization, among others, to legitimate highly strategic and profitable practices of domination, and the understanding and use of particular people as economic resources. Once the war ended prisoners were sent back, and Japanese-Canadian internees were released though some were deported to Japan (Satzewich 1991). The coerced or forced labour of these populations did not continue, as the understandings authorizing and sustaining their coercion and domination were not maintained to high enough degrees beyond these particular times and places. As Laliberte and Satzewich (1999) note, “When the war ended, the Canadian government had to return (somewhat reluctantly) German prisoners-of-war to Europe, and reinstate the citizenship rights for conscientious objectors and internees” (73).
After this point, a return to the use of market mechanisms to supply labour occurred, however, as shortages endured efforts to identify and coordinate alternative populations to the industry also continued. Satzewich (1991) and Verma (2003) discuss various schemes mobilized by the government and agricultural stakeholders. Among them were schemes to coordinate the movement of unemployed populations between provinces, as well as from urban centers within the province of Ontario to agricultural sites of production. Basok (2002) identifies the provision of bus fares and additional allowances for room and board to unemployed people from Quebec and the Maritime provinces in order to entice them to work in Southwestern Ontario agriculture. Satzewich (1991) mentions government advertising projects to recruit unemployed workers from Toronto and Hamilton for day to day labour in surrounding agricultural production sites, noting that the government at the time dedicated an employment officer to coordinate this particular movement. These schemes did not retain labour in the industry, shortages continued, and the individuals coordinated through these schemes under limited coercion or control eventually left the industry. However, the Canadian government and agricultural industry stakeholders continued in search of populations for this work.

In the post war period, attempts and strategies to coordinate First Nations communities to the southwestern Ontario’s fruit and vegetable harvest were deployed. Though the histories of these communities, as those of the other examples which I have touched on, deserve a more in-depth discussion than I can provide here, their experience is important to include as another example of how institutionalized dividing practices were used by government and industry to authorize violence, and labour control. Prior to the time in question, First Nations communities had already been targets of State sanctioned violence through practices of colonization, including
confinement, regulation, attempts at cultural eradication and assimilation, and supported by recent historical discoveries, violent techniques of knowledge production which included the withholding of food from Aboriginal youth as part of studies around nutritional deprivation (CBC 2013). These practices were legitimized as state policy through racism and constructed understandings that marginalized these communities. Prior to the institutionalization of the SAWP, and amidst this violence, the Canadian state mobilized ‘incentives’ to coordinate aboriginal peoples to labour in Southwestern Ontario’s agricultural production through numerous strategies including paying transportation costs as well as subsidizing the construction of special worker camps and housing (Laliberte and Satzewich 1999; Satzewich 1991). By 1964, some 255 aboriginal peoples from areas in the north of Ontario were provided with transportation by the department of Labour to southern Ontario for the fruit and vegetable harvest (Satzewich 1991). To fully explore this labour coordination an exploration of understandings among aboriginal peoples themselves is needed, however what is important to recognize here is that these communities were understood by the government as a strategic target for work in the industry due to their marginalization, and thus understood as more willing to accept problematized conditions. In their article, Native Migrant labour in the Southern Alberta Sugar-beet Industry: Coercion and Paternalism in the Recruitment of Labour, Laliberte and Satzewich (1999) identify various strategies mobilized by the Federal government, the Dominion-Provincial Farm Labour Committee (DPFLC) and the Indian Affairs Branch (IAB), focused on the recruitment and maintenance of Aboriginal workers in farming jobs. Among these strategies, Laliberte and Satzewich (1999) describe the inclusion of education on farming practices as part of residential-school curriculum, and the prohibition of traditional cultural and religious practices as part of an active program focused on adapting Aboriginal males to wage labour. Indeed the
Canadian government was actively mobilizing various techniques as part of creating and shaping Aboriginal people as an available workforce. In line with this aim, as an example of a more severe strategy deployed by the government of Canada, Laliberte and Satzewich (1999) describe the strategic leveraging of social assistance payments as a means to coordinate and control workers from these communities. The authors note,

Undoubtedly the linchpin in the IAB’s strategy to recruit Indian workers was the economic coercion it exercised, because of its control over social assistance payments to Indians on reserves. In the late 1960s, the Branch began to get Native people under their jurisdiction to migrate to Alberta’s sugar-beet field, and to get them to remain there until they were no longer required, by terminating welfare payments in their communities during the months of May and June, which was the peak period when farmers required labour (80).

Confirming these practices in various studies conducted in the 1960s, the two authors also note that non-status Indians and Métis also had their social assistance payments strategically halted by agencies in Alberta and Saskatchewan, which they suggest, “effectively forced the majority of them to seek employment in the sugar-beet industry” (Laliberte and Satzewich 1999: 80). In light of what Lux (2010) notes has been the sociocultural disruption and economic dispossession of aboriginal peoples in Canada through the Canadian colonial state enterprise, the coerciveness and violence of practices of terminating social assistance payments as techniques to mobilize aboriginal workers to stigmatized farming jobs is rendered particularly clear. Reflecting the conditions faced by Aboriginal farm workers during this time period, an Ontario Federation of Labour (OFL) report published in 1974 stated, “Exploitation of our native people in farm work has long been practiced” (11). On this topic, the report goes on to reference a seminar on poverty held in Paris Ontario in June of 1974 by the United Church, and states,
A representative of the United Church Social Services reports visiting an Indian farm worker employed in the Beamsville area where due to inclement weather this “full-time” farmworker had only made $29 for an entire week’s work. The family of six children had been without milk for four months and were destitute when the church worker visited them. The ‘house’ provided for the worker and his family was far below any acceptable standard of decency. The oldest boy, 15 years of age, had to sleep in a make-shift hammock suspended above bunk beds occupied by the other five children (11).

The report also shares the testimony of another Aboriginal worker who states that he was housed at a farm where every time it rained he was forced to move his bed to shield it from the entering water (OFL 1974: 11).

Aboriginal workers were central in the continuation of agricultural production under conditions identified as substandard. However, as the number of these workers was small, and as many of the workers did not remain in the industry, they did not resolve labour shortages. Satzewich (1991) notes, that the Canadian government also coupled these strategies with attempts to coordinate patients from psychiatric hospitals in southern Ontario towards the harvest as well. Similarly, Satzewich (1991) also identifies the use of convict labour from penitentiaries in Quebec for the apple industry during the early 1970s. Though a more in-depth exploration of these strategies would be beneficial, considering the intense regulation and violence experienced by many through understandings and practices around mental illness and criminalization, the institutionalized understandings and marginalization of these individuals were surely active in authorizing their particular strategic coordination towards problematized agricultural work.

These examples along with those discussed previously, demonstrate a legacy of labour tensions within the agricultural industry, and the longstanding stigmatization of work conditions. They also demonstrate how the Canadian government has benefited, and itself contributed to
both discourses and practices that have marginalized particular populations, at various points in history, to maintain the agricultural industry in production.

In the next section I include documentation of conditions in agriculture during the time leading up to the SAWP. This documentation supports a better understanding of how this industry was being problematized, and work conditions stigmatized during the time of the SAWP’s implementation. This further contributes to the recognition that tensions in Canadian agricultural industry were longstanding and broadly recognized. Furthermore, I show that conditions were being problematized amidst a growing standardization of conditions in other industries. I suggest that this shows that there were understandings present during the time that identified opportunity for a regulative change to the agricultural industry to address labour shortages by improving conditions. This also provides the context to understand how such an opportunity was largely evaded by the continuation of strategies to normalize the work of marginalized populations under problematized conditions.

The Canadian Agricultural Industry: Histories of Tension and Evasion

Satzewich (1991), in his investigations into the histories of the SAWP contextualizes agricultural work during the period leading up to its institutionalization. Satzewich (1991) notes that in the year 1949 the monthly wage for a farm worker was $85, while the average wage in all other industries was approximately $172 (62). A significant wage differential between agriculture and other industries continued to be recognized throughout the period in question, as Satzewich (1991) includes data recorded in 1961 that identifies the average hourly earnings of
agricultural labourers as 77 cents per hour, compared to $1.83 per hour in manufacturing and $1.98 per hour in construction (62). Further contextualizing agricultural work in this period, Satzewich (1991) notes that as is currently still the case, the agricultural industry remained exempted from institutionalized employment standards and the majority of health and safety legislation that at the time had begun to be institutionalized and implemented on production sites in various industries. Indeed, agricultural workers laboured under conditions shaped by their exclusion from these emerging standards. Satzewich (1991) notes the exclusion of farm workers from standards set on minimum wage, hours of work, institutionalized decisions around public holidays, and vacations or vacation pay. Moreover, he notes that until 1965 farm workers were also exempted from institutionalized support and compensation in the case they were injured or became ill due to their work (63). Satzewich (1991) identifies that during this period there were various “journalistic, trade union and government task force ‘exposes’” that identified working and living conditions in agriculture as substandard (62). Satzewich’s (1991) work suggests that at this time tension was developing as there was an increasing move towards the institutionalizing of standards and practices understood as adequate in the context of work and employment. These standards and the understandings supporting them were being normalized and actualized at various worksites in various industries, against an increasing understanding that agricultural employment conditions were not following suit. Though as noted in the previous section, governments had previously evaded concerns over work conditions in the industry, during the time leading up to the SAWP, the government began to incorporate these concerns within their statements and policy positions. In the book entitled, Labor in Canadian Agriculture, published in 1960, George V. Haythorne, then Canadian Assistant Deputy Minister of Labour and eventually appointed as the Chairman of the International Labour Organization’s Governing
Body, discussed various factors he identified as affecting agricultural production in Canada during his time. On working conditions Haythorne (1960) notes,

Improvements in farm working conditions over recent decades have made employment in agriculture more attractive than in earlier years. Some of these improvements have resulted from farmers recognizing that they cannot obtain or retain good workers, particularly during periods of high employment, unless they provide job conditions reasonably similar to those offered at the same level in other industries. In general, however, working conditions on the farm still lag behind those in urban jobs (57).

Though this comment seems to suggest that improvements were being made, Haythorne includes an endnote after his statement quoted above, that seems to present a more serious concern with the conditions in Canadian farm work. Haythorne’s (1960) endnote, speaking to the lagging behind of working conditions in Canadian agriculture notes, “This is also the case in the United States” (119). To this he attaches a quote made by then US Secretary of Labor James P. Mitchell during an address to the US National Conference of Farm Labor Services that took place in Los Angeles on February 23 1959. Mitchell states, “the conditions under which far too many of our farm workers live and work today is an affront to the conscience of the American people” (in Haythorne 1960: 119). Without any additional commentary that would address the seriousness of Mitchell’s statement in relation to his Canadian comparison and his understanding of it, Haythorne (1960) continues his discussion. Describing the housing situation in rural localities for example, Haythorne (1960) suggests,

Improvements in housing for farm families and for single and married employed workers directly affect the supply of labor. When housing is adequate, workers are likely to be more contented and also to do a better day’s work than when it is not. In 1931 only 12 per cent of Canadian farm homes were equipped with running water in the kitchen. By 1951 the number with water piped into the house had increased to 33 per cent. The percentages were highest in British Columbia with 57 and in Ontario with 41, but these were still much lower than for urban homes in these same regions (57-58).
On the number of hours and days worked he notes,

In the case of hours of work, for example, over 50 per cent of those in agriculture in 1958 worked in excess of 54 hours per week, as compared with only 8 per cent in other industries taken together. Closely related to hours is the five-day work week which has become the general practice in other industries. On most farms a full six-day week is required, and usually the worker is expected to do milking and various other chores on the seventh day (57).

In this statement Haythorne identifies tension between understandings arising at this time around standards in working conditions, what was becoming ‘general practice’, and the understandings of the difference in agriculture, and what was understood as the more demanding way farm work continued to be organized. Further touching on this point, Haythorne (1960) states,

Vacations with pay are becoming standard practice in most other industries as are eight or more paid statutory holidays during the year. These are matters which are generally written into employer-employee agreements where there is collective bargaining. In the absence of collective bargaining and of any formal working agreements on most farms, vacations or holidays when they are taken are based on custom in the area than on any deliberate policy or understanding. Some more farsighted farm operators, who recognize the importance of annual vacations, do provide for them regularly, but these are the exception rather than the rule” (57).

Speaking to the agricultural industry’s exemption from worker’s compensation systems, Haythorne (1960) notes,

Workmen’s compensation is another social security measure with only a limited application to those who work on farms. All ten Canadian provinces have workmen’s compensation legislation, but agriculture is not included under the usual type of industrial coverage in any case. In some provinces, however, provision is made for farm workers to be covered on a voluntary basis. Coverage is not mandatory as in most other industries, and there are relatively few farmers who take advantage of this legislation. It cannot be said that the absence of this legislation discourages many workers from taking farm jobs, but fewer efforts have been made in the past to promote safety in agriculture than in other industries. There is some evidence, moreover to suggest that accidents are becoming more frequent with the increase in farm mechanization (59).
Again Haythorne’s (1960) statements illuminate the government’s recognition of the exemption of agriculture from systems of regulation that promote adherence to what was being understood as ‘important’ developing practices and standards. These statements also underscore the recognition that the exemption of farm workers from collective bargaining, or non-voluntary compensation regimes, resulted in those “standard practices” that were being introduced in other industries being left to ‘custom’, that is, to the individual choice of particular employers, and largely not adopted. Another important point here is Haythorne’s mention that some employers were taking it upon themselves to incorporate the standards that were becoming institutionalized in other industries, calling these employers ‘farsighted farm operators’. As will be discussed further, the existence and recognition of agricultural employers who were incorporating the standards increasingly being institutionalized in other industries is quite important and allows for the consideration of what was and is possible in the industry. Also contributing to the tension amidst these understandings are Haythorne’s comments regarding the identification of ‘evidence’ suggesting that accidents in agriculture were increasing in frequency as the industry became more mechanized. On this point, Haythorne (1960) references an article he published in 1958 in the Journal of Farm Economics entitled, “Discussion: Technological Change and Farm Manpower Adjustment”. In this article, on the topic of mechanization and injury he further notes,

The data on farm accidents are incomplete in Canada, but those that are available for farm fatalities indicate that over the past five years there have been on the average 12 deaths per 100,000 farm workers. This number compares with 10.6 on the average during the years 1934 to 1937 inclusive. Mechanization is not the only factor involved here even though it, no doubt, has some significance. In any event these data emphasize the need for greater attention in both Canada and the United States to farm safety and to workmen’s compensation for people employed in agriculture who in most provinces and states are still unprotected by this legislation (Haythorne 1958:1452).
Haythorne’s (1958) statement identifies another point of tension, in that his identification of data, albeit a limited amount, that nonetheless suggests an increased rate of accidents in the industry, comes into conflict with the recognition that the industry was largely continuing unregulated by health and safety and compensation standards. On this point, it is useful to recognize the connection of the availability of this data to the use of techniques of visibility and information accumulation that, Foucault suggests are important components in establishing systems of regulation. These techniques made it possible to identify, track and compare, providing the basis from which decisions around norms and standards began to be made. The limited data that Haythorne (1958) presents on accidents, alongside the data quoted above on wages and housing conditions, demonstrates a gaze by the government into the agricultural industry that provided the means to speak about conditions. It also provided the means from which the government could compare the industry to others and from which it identified and problematized conditions and production practices in agriculture.

From this increasing understanding and problematization of agricultural work conditions, alternative understandings and policy thinking were available and being offered during this time, organized loosely as solutions to the tensions being identified in agriculture. Though Haythorne (1958, 1960) did not situate his discussion within the context of a labour shortage, he framed his discussion as reviewing factors affecting labour in the industry. From Haythorne’s (1958, 1960) writing it is possible to extract a sense of recommendation, in that by speaking to certain standards being ‘important’, noting that improvement to housing would directly and positively affect the supply of labour, and noting that data on farm accidents emphasizes the need for greater attention to farm worker safety and workplace compensation, a prescriptive character in
his writing is clear. In his writings Haythorne (1960) also provides more direct suggestions that he frames as potential improvements to labour conditions in the industry. For example, in addition to discussing the benefits of improving housing in order to attract farm labour, he also recommended increased training on agricultural and business practices to support the industry in general (1960: 57-60). Haythorne (1960) also discusses the need to maximize the benefits of developing mechanization in the industry by ensuring growers understood how to best utilize machinery (1960: 57-60). In discussing what he saw as the benefits of mechanization, Haythorne (1960) highlights the increased output mechanization can facilitate as well as suggest that mechanization would result in reduced work hours for individual farm workers, providing them with what he notes is important ‘leisure’ and ‘recreational’ time (1960: 60-61).

Demonstrating an exploration into emerging farming methods of the time, and proposing them as capable of improving work in the industry, he suggests,

> The Research Branch of the Federal Department of Agriculture and the extension services of the provincial departments are contributing to better methods in farming, better techniques, and better buildings. (60).

Further on this point, Haythorne (1960) states,

> With shorter hours and especially with greater mechanization there can be more time for recreation. There can also be more enjoyment obtained from agricultural work. The drudgery connected in the past with some farm jobs is removed with modern equipment. This means that when workers take time for recreation they are not so likely to be physically exhausted, as they would have been in former years. They can use their leisure hours to better advantage and this in turn can be beneficial to the performance of their regular work (1960: 61).

In addition, on the issue of farm workers losing important offseason employment in other industries where positions were being cut due to mechanization, Haythorne (1958) suggests, “…more consideration is needed, both of the possibility of developing more year-round
employment in agriculture, and of suitable joint or complementary occupations for farm
workers” (1452). Though again these statements deserve further exploration, and would benefit
from support from a broader historical tracing of additional sources, Haythorne’s (1960)
 writings, supported by the work of Satzewich (1991), do problematize conditions in farm work,
and suggest that understandings were being explored as potential improvements. Furthermore,
these writings demonstrate that these considerations were being articulated, and even worked on
at the government level, which suggests they were well established during the time. Similarly, in
Laliberte and Satzewich’s (1999) exploration of Aboriginal workers in the sugar beet industry,
they also identify recommendations being proposed during the 1950s and 1960 for possible
improvements to labour standards in the industry. The authors note that during this period the
federal Indian Affairs Branch representative, D. Jackson, submitted a report at an annual
National Agricultural Manpower Committee meeting which contained various recommendations
around the employment of aboriginal workers. The report recognized that even the availability of
Aboriginal labour would benefit from increased improvements by employers. The report noted
for example, that employers should ensure that earnings for workers matched those available in
other nearby industries such as construction, tree planting, and firefighting among others
(Laliberte and Satzewich 1999). The report also recommended that employers provide the
following:

- properly equipped accommodation of an acceptable standard; provide facilities
  for workers to board themselves according to their individual tastes in food; afford
  workers an opportunity to rest after an arduous three-or four-day trip south;
  promote an orientation to their new work setting and community; instruct workers
  adequately in preferred harvesting techniques… except employees from
  harvesting operations when field or weather conditions were unsuitable; consult
  with leaders elected by native workers in matters affecting or involving them;
  provide transportation facilities for shopping, recreation and sightseeing; and
waive charges for accommodations when workers were unemployed due to factors such as weather or other conditions beyond their control (Jackson 1966 in Laliberte and Satzewich 1999)

Similar to Haythorne’s (1960) work, these recommendations presented a standard in treatment and conditions around labour in the agricultural industry. As Laliberte and Satzewich (1999) note, these recommendations were not followed through, and those offered by Haythorne (1958, 1960) were also largely not implemented during this time. However, these examples provide the recognition of the availability of alternatives towards reorganizing work in this industry, understood as capable of improving conditions. Haythorne (1958, 1960) and D. Jackson offer in a sense, alternative visions of the agricultural industry and its practices. Haythorne (1960) makes the following statement,

This combination of easier and healthier jobs with improved recreation opportunities can be an important factor in encouraging more workers to accept farm jobs, and thus, to increase the supply of farm manpower. It can also lead to more successful farming operations, which, in turn, can have a positive influence on the demand for skilled workers in all categories (61).

Amidst this problematization of work conditions in agriculture, agricultural industry producers and stakeholders continued to resist pressures to alter conditions and practices. They claimed that the industry was unable to do so due to market pressures. As such the development of the SAWP arose within this conflict, as an industry-led answer to the continuing labour shortages, and as an alternative to a policy of improving conditions to attract and retain national workers. Leading up to the SAWP’s implementation, the problematizing of the agricultural industry was strongly integrated into the policy thinking and positions of the Canadian government, so much so that this problematizing was articulated by the government as part of their initial rejections of the SAWP. As scholars have shown, this rejection by government was
based on the understanding that labour shortages in the agriculture industry were caused by poor employment practices by growers, and that the solution lay not in the hiring of foreign labour, but in the need to alter industry practices. Indeed, government seemed to be drawing from discourses of labour regulation and standardization in work conditions, calling growers to improve wages and conditions to attract and retain workers already in the country. This is important, as it demonstrates the existence of this opposing understanding to the SAWP that was maintained at the government level. In the next section I focus in on documentation around this initial government rejection of the SAWP, to better understand the confrontation of discourses at play, and the subsequent strategies utilized as part of this conflict.

**Government Rejections of the SAWP**

Scholars have identified documentation of the back and forth debating by government and industry stakeholders as part of the push to implement the SAWP. In his historical tracings Satzewich (1991) identifies appeals made to government throughout the 1960s for the implementation of the SAWP by southwestern agricultural producers, the Ontario Fruit and Vegetable Growers Association (OFVGA), as well as ministers and high commissioners from Jamaica and Barbados. Satzewich (1991) notes that the government continued to refuse proposals for the SAWP, and confronted them with continued critiques of agricultural work conditions (157). Satzewich (1991) presents statements by the government of Canada of the time suggesting that the shortages were relative and not absolute and that employers were
“themselves the cause of their own problems” (157). He notes that during the 1960s the Chief of the Settlement Division of the Department of Citizenship and Immigration identified particular features of farm labour employment as the cause of the recruitment and retention problem. The Chief suggested that these features were not structurally induced or endemic to farming, but rather that they were organized, maintained and “chosen” by farmers (158). Satzewich (1991) quotes the Chief of the Settlement Division, who stated that the shortages were caused by,

> The almost complete lack of accommodation provided by the employers; the reluctance of growers to provide transportation; instability of wages, and the lack of arrangements to assure continuity of employment from one grower to another (quoted on p.158).

While faulting employers for the labour shortage, Satzewich (1991) identified that the government of the time also countered proposals for the SAWP by identifying a growing unemployed population already in Canada, and calling for agricultural employers to draw from these workers instead. Though this government proposal could be further explored, to unpack additional interests and understandings that may have been drawn from, this proposal still identified an alternative citizen workforce for growers. More importantly, though the government suggested that employers could draw from this group of unemployed workers, government representatives were clear on what they thought employers would have to do to attract and retain these workers. Referencing a letter from the Acting Director of Immigration to the Ontario Fruit and Vegetable Growers Association written in 1964, Satzewich (1991) notes that the Acting Director suggested that the successful use of unemployed workers was dependent on employers improving industry wages, working conditions, accommodations and offering additional incentives such as paying worker transportation costs to the work site (Satzewich 1991: 158). Therefore, during this time the Canadian government was providing employers with
suggestions of a population they could target, while continuing to suggest that employers needed to standardize and improve their work conditions and practices to effectively recruit these workers. Though other discourses were also active around the initial rejection of the SAWP by government, as will be discussed shortly, the problems identified around the industry and the options being proposed as improvement were actively confronting suggestions to employ non-citizen migrant workers under problematized industry conditions. In recognizing this conflict we can identify this as a historical moment during which a strong inclination towards a change in the agricultural industry was present and active, even reflected at the federal government level. On this point, a particularly important statement to consider was made by the Minister of the Department of Citizenship and Immigration in 1964 (Satzewich 1991). In a statement amidst ongoing proposals to approve the SAWP, the Minister stated,

It is my responsibility to see that the immigration process is not used to bring people to Canada for employment under conditions and wages unacceptable to our native population. Exploitation of immigrant labour is something which this department in Canada’s interest and good name, is committed to resist (quoted in Satzewich 1991: 159).

As is clear, this statement utilizes strong language and articulates understandings of a particular standard in working conditions, what is acceptable and unacceptable, and presents the understanding that during this time conditions in agriculture were unacceptable. Furthermore, the statement presents the idea that this standard should be established and maintained for all workers, independent of where they are born. Of particular importance, is the suggestion that the alternative, the working of ‘foreigners’ under conditions not accepted by Canadians at that time was understood and articulated by the Minister and his department as exploitation. It seems possible to understand this statement as establishing a strong discursive standpoint positioned
against the understandings and rationalizations that would eventually support the institutionalization of the SAWP. Indeed, this institutionalized problematization of the agricultural industry, the faulting of employers, and the framing and articulation of the entrance of foreign workers into the industry as exploitation, were all bypassed and dominated by the eventual institutionalization of the SAWP and its discourses. To better understand the processes involved in this shift, in this domination, it is important to explore the understandings and rationalizations from which the SAWP itself was created and has been maintained. I suggest that these understandings were effectively established, and changes to the industry were largely evaded through strategically creating and legitimizing a program that coordinated an ‘othered’ work force whose work under problematized conditions was normalized. This differentiation was also aided by additional discursive techniques which were also deployed amidst this conflict, which I will further discuss in the next section.

**The Institutionalization of the SAWP: Strategy and Discursive Techniques**

In exploring the eventual implementation of the SAWP, the historical tracings realized by Satzewich (1991) are extremely useful. The understandings that were being presented as part of proposals to establish the SAWP were based on two central claims. The first was that agricultural producers were unable to make improvements to the industry required to attract national workers. The other was that the agricultural producers had found workers who were more than willing to work under the problematized conditions found in the industry. I suggest that the effectiveness of these claims resulted from the use of various discursive strategies and practices
by agricultural producers, stakeholders, and eventually their supporters in particular departments of government.

SAWP scholars such as Satzewich (1991), Verma (2003) and Wall (1992) review documents that present the claims of employers and their associations on the issue of labour shortages during the time in question. As Verma (2003) suggests, agricultural producers confronted the government’s position on the need to improve conditions with claims of an inability to do so, and suggestions of an inability to match conditions possible in other industries due to a price-cost squeeze, and pressure from imported foods (8). As previously noted, the government continuously rejected these understandings and claims. However, as Satzewich (1990) suggests, after 1964, government representatives began to change their initial position and to support the claims and understandings forwarded by industry stakeholders. I suggest that it is difficult to fully grasp the processes involved in this change, as they were surely diverse, and intertwined with contradictions. In Satzewich’s (1991) work he takes the position that the ‘reality’ of the situation was indeed that, “There was recognition that the problems of labour recruitment and retention were structurally induced problems and not simply matters of farmers’ own choosing” (162). He suggests that the claims made by employers of a structural inability were valid, and interprets the government’s change in position as in part due to recognition of this validity as well. However, analysing this from a Foucauldian perspective, I do not see this in the same light. I suggest that it is important to recognize that the contradictions and tensions around the agricultural industry initially presented by the government, problematizing the industry and outright calling the hiring of foreign workers under these conditions exploitation, were not discursively delegitimized, but rather evaded. To me this presents itself not as a conflict
of truths against non-truths, but as a conflict through which truth claims were deployed, and supported by various political and strategic techniques. This reading provides space to question what I suggest is the simplified claim of an inability for Canadian agricultural producers to better industry conditions. Prior to further disrupting the claims made by agricultural producers and stakeholders, it is useful to highlight documentation that presents these claims and strategies in more detail.

An interesting documentation identified by Satzewich (1990) that presents the claims of industry stakeholders is the appeal made by Eugene Whelan, a farmer and Liberal Member of Parliament for the region of Essex South, who later became the Minister of Agriculture under Trudeau. Satzewich (1991) suggests that apparently under pressure from his constituents, Whelan began to actively support and contribute to the calls directed at the government to implement the SAWP. Satzewich (1991) notes,

In a letter to Tremblay, he claimed that during the previous year, fruits and vegetables rotted in the fields for want of harvest labour. He told Tremblay that he himself lost $4,000 worth of crops because of the ‘instability and insecurity of obtaining help’. He argued further that, Ontario fruit and vegetables growers faced unfair competition from American growers because they had access to cheap foreign labour, and that farmers in his constituency were seriously considering cutting back on seeded acreage in 1965 because of uncertainties over the supply of labour (in Satzewich 1991: 157).

From this statement it is possible to identify that Whelan’s claims in support of the introduction of the SAWP was in part political and strategic. As a member of parliament amidst a constituency suggested to have been strongly advocating for the SAWP, it becomes important to consider how supporting the proposal for implementation became available to him as a potential opportunity to garner continued support in his riding. Furthermore, as a grower, Whelan
was able to mobilize claims of his own experience, and present understandings of emergency, of alarm, of fruits and vegetables rotting in the fields, and of an industry that would have to scale back production, of lost revenue and a risk of broader economic ramifications. These alarmist claims had the intention of creating urgency and pressure. The strategic nature of Whelan’s statement can also be identified through his claim that American growers had an advantage at the time through their access to cheap foreign labour. This provided the government with the understanding that the use of foreign labour in agricultural was taking place, and was benefiting a competing industry. This countering of concerns for labour standards with a comparison of production practices in competing economies has been an effective discursive strategy that has endured into the present day. On a practical level, the ability to draw from understandings stemming from the coordination of Jamaican temporary workers into the American agricultural industry was very useful. This provided Canadian growers and their association the ability to present a policy framework already organized for the Canadian government to consider. This framework and supporting understandings identified a population and enabled a detailed consideration of how a managed migration scheme coordinating and controlling this particular population functioned. Connected to this, it is possible to identify from historical tracings, employers who also strategically mobilized techniques of knowledge creation, accumulating information, constructing it as data and offering it as evidence to further present the coordination of these Jamaican workers as an effective policy. As part of offering the government information and understanding regarding the labour scheme being mobilized in the US, Satzewich (1991) notes that a chairperson of the Farm Labour Committee of the Niagara Peninsula Fruit and Vegetable Growers Association, affiliated with the OFVGA, took a ‘vacation’ to southern Florida where he spent time observing the ‘use of Jamaican workers’ in the sugar cane harvest.
During this trip he interviewed growers, and reported both his observations and their statements praising the employment of Jamaican workers to the secretary of his association (155-156). Strategically, copies of his letters were eventually forwarded to the Departments of Labour and Citizenship and Immigration, along with a broader package that included a summary letter describing meetings the association had organized with Ontario growers on the subject of labour shortages. This package also included a summary of the criteria arrangements establishing the Florida hiring and coordinating of workers from Jamaica, and a proposal for a scheme to do the same within Ontario for the 1964 harvest (Satzewich 1991: 155-156). The chairperson who traveled to Florida also took it upon himself to conduct a survey of 150 growers in the Niagara Peninsula, identifying from their testimony, what Satzewich (1991) reports was an estimated number of workers these producers felt they would need for this harvest, above their known available supply. Both this chairperson’s trip, the interviews and surveys he conducted, and the organizing of information regarding the Florida framework, are examples of a quite organized and strategic mobilization of techniques of visibility and knowledge production, to construct, prepare and support the presentation of their position to the government. Further exploring these strategies, in the letter this chairperson sent to the government, he describes speaking to some of the workers from Jamaica. He states,

I was impressed with their moral and general attitude. They seem to have one objective, that is to go back home with as much loot as possible. Hours of work appear to be no object if the pay is there. I talked with 6 or 7 groups ranging from 3 or 4 men to 30 and 40. As soon as they heard I was Canadian they were coming from all directions and would have climbed in the car and come with me right then…. I am quite satisfied that these men are highly suitable for our own harvest needs. The accommodations I saw were no better than what we could now offer (in Satzewich 1991: 156).
In this statement the chairperson challenges the understandings the government held around working conditions in the Canadian industry being inadequate by suggesting that for these Jamaican workers, making money was their ‘one objective’, and that hours of work seemed to be “no object if the pay is there”. In addition, through his suggestions that the accommodations offered to these workers in Florida were “no better” than what could be offered by Ontario employers, the chairperson attempted to normalize the conditions in the Canadian industry, and suggest that the concerns regarding working and living conditions raised by the government should not be concerns when it came to this particular population of workers. These discursive strategies are important, as the suggestion that these Jamaican workers were eager and happy to work under problematized and stigmatized work conditions, presents a very simplified understanding, but one that has remained as a strong discursive claim integral to the SAWP and the conditions it sustains. Amidst these discursive strategies, employers also strategically utilized accusations of racism against the government. As the federal government at the time continued to reject the proposals to initiate the SAWP, Satzewich (1991) references one of Whelan’s letters in which he suggests that Whelan accused the Department of Citizenship and Immigration of ‘racial prejudice’ in their continuing refusal to allow the coordination of workers from Jamaica. As will be discussed shortly, racialization and racism were quite active in the understandings of the government at the time, however during this time racism was also identified among growers. I suggest that the accusations made by Whelan against the government were not part of attempts to challenge racism, but a strategic tactic to direct pressure at the government to implement the SAWP.
Simultaneous to these discursive techniques, the governments of Jamaica and Barbados were also actively mobilizing tactics that contributed to those deployed by the agricultural growers in support of the implementation of the SAWP. Satzewich (1991) effectively contextualizes the fact that the governments of Jamaica and Barbados at the time were involved in coordinating surplus labour from within these countries to work abroad. Though it would be important to further explore understandings of this coordination from amidst those who were coordinated to work abroad, these labour schemes can be understood as part of a state project to coordinate unemployed populations towards offshore labour to seek economic gains. The coordination of these workers to the United States had been directed by the United Kingdom, during its colonial rule of Jamaica and Barbados, as a response to the US’s wartime-induced labour shortages (Satzewich 1991: 147). Contextualizing these histories further, Satzewich (1991) identifies a 1947 restriction imposed by the government of the United States on the employment of Caribbean workers in agriculture. Satzewich (1991) suggests that therefore leading up to the time in question, the governments of Jamaica and Barbados had been in search of an alternative ‘outlet’ for the ‘surplus labour’ they governed, therefore engaging with the Canadian government and equipping Ontario growers with information regarding their labour coordinating schemes can be understood as particularly strategic. Though this analysis would benefit from further evidence and sources from these governments, and those coordinated to work under these schemes, and a contextualization of the implementation of this labour strategy, it is clear that these governments were actively working to facilitate and normalize this coordination of Caribbean labour to agricultural industries in North America.
As Satzewich (1991) suggests, while growers, their associations, and the governments of Jamaica and Barbados deployed their discourses and evidence in attempts to persuade the Canadian government to adopt their understandings and their solutions, they were refused and confronted by the Canadian government’s continued suggestion that through improved conditions, producers could attract and retain workers already within established Canadian borders. However, after the 1964 harvest, Satzewich (1991) suggests that representatives of the Canadian Ministry of Citizenship and Immigration began to change their previous position. Satzewich (1991) documents a meeting during the summer of 1965 between a representative of the Jamaican High Commissioner’s office, a representative of the British West Indian Labour Organization and representatives of the Canadian Department of Citizenship and Immigration. Satzewich (1991) notes that in this meeting the Commissioner’s office and Labour organization outlined in detail the framework and criteria of their labour coordinating scheme. Satzewich (1991) suggests, that at this meeting the Department of Citizenship, in contrast to its past refusals, instead suggested that in actuality the decision was within the jurisdiction of the federal and provincial Departments of Labour. This arguably opened up space for consideration and opportunity. Satzewich (1991) notes that the Department stated,

If they [ministries of labour] could certify that there were no workers available from within Canada to do the work, then they were prepared to admit Caribbean workers to the country on a temporary basis. They also stated that they would urge the Department of Labour to give the proposal ‘consideration’ (161).

Here, very important to recognize, is the department’s introduction of the idea of certifying that no workers from within Canada were available to work in agriculture as a prerequisite to having the SAWP move forward. This is important because discursively, this call for this certification manoeuvred around the understandings that changes to agricultural industry
conditions were central to making workers ‘available’ to work in the industry. This therefore created a legitimized space to present an ‘unavailability’ of workers, which has continued institutionalized into present policy as the requirement of receiving a positive Labour Market Opinion (LMO) prior to hiring workers under the SAWP. This requirement has nothing to do with attempts to better conditions to attract national workers. In 1965 the Department of Citizenship and Immigration went on to develop a position paper on the question of the admittance of workers form the Caribbean. The Assistant Deputy Minister stated,

The N.E.S. [National Employment Service] position may be correct if we accept two basic assumptions: (a) That the growers can offer better wages and accommodations. They may be able to do so but one must ask whether it is possible to increase agricultural wages beyond certain economic levels. Farmers must compete with industry for workers but must also compete price-wise with imported foods. Use of the phrase ‘acceptable wages and living accommodation’ implies that there exists some form of standard to determine whether the employer is offering adequate inducements to labour. There is no such standard, as yet, and it is extremely difficult to convince the farmer that his inability to attract labour is because of his inadequate wages and working conditions when we have no objective standard we can point to as an illustration. (b) That Canadian workers will do the work if wages and working conditions are improved. This is arguable. It may be that the improvement necessary to achieve this result would be greater than any farmer could afford (in Satzewich 1991: 162-163).

This statement is important to consider. First, it can be identified as directly confronting statements made by the Minister of the Department of Citizenship and Immigration a year prior. The Deputy Minister very strategically targets each point that was raised against the SAWP in attempts to discursively disrupt the government’s initial position. Interestingly, the Assistant Deputy does not say that growers cannot improve wages and accommodations, but he does attempt to present an uncertainty that frames this as an unclear policy. In addition, the Deputy Minister also targets the previous certainty with which the government of Canada claimed that conditions in the agricultural industry were substandard. In his statement the Deputy Ministry
attempted to destabilize this by suggesting that at the time there was actually no set standard in place in the industry, and that without a clear illustration of standards, employers could not be expected to alter conditions. This statement recognizes the focus on standardization emerging during the time, but attempts to utilize the very fact that these standards had not yet been introduced into agricultural production to present this policy as unclear, and to question its applicability. Working to further disrupt the certainty presented previously, the Deputy Minister also suggests that even if conditions were to be improved there may not be any guarantees that ‘Canadians’ would work in the industry regardless. This is also an important claim to consider as it presents a very important discursive shift towards suggesting that even under improved conditions, somehow agricultural work may not be for Canadians. I suggest that together with the tactic to construct a particular understanding of the Jamaica temporary farm worker in the US, these strategies shifted focus away from concerns for the stigmatization of this work by citizen workers, to seeing the migrant farm worker as the industry’s only available workforce. Prior to exploring this further, it is useful to further discuss the strategic use of claims of impossibility, to better understand and challenge the claim made by agricultural producers of an inability to improve industry conditions.

To understand claims of impossibility as tactical, it is useful to explore how claims that attempt to assert what is possible, valid and true, function discursively. Such claims actively engage in processes of creating limits, and presenting particular systems of reasoning and referencing as the only legitimate frameworks of understanding. Claims that set limits on what is possible and impossible may actually be conditioned through understandings of difficulty, of ease, of practicality, of limits constructed personally, interpersonally, socially, but constructed
through particular and specific understandings and evaluations. These claims may attempt to set clear limits from less clear understandings of what is known and unknown at particular times and places. It is important to recognize that the understanding of a structurally induced inability of employers to better conditions should be understood as itself situated within particular decisions and prioritizations, as well as contextualized understandings and discourses of what constitutes limitations. Indeed one could ask whether these claims of employer inability to better conditions drew from an inconvenience felt by employers of needing to invest more resources to improve conditions, from resistance against increasing wages for example, based on the potential decrease in profits below a particular standard employers do not want to endure. Or maybe this claim of an inability drew from an actual acute lack of resources needed for improvements that would mean a real inability to continue to produce if these changes had to be made. Though these questions cannot be answered for each employer during the time in question, I suggest that we can assume that there would have been diversity in answers from producers during this time. This diversity and possibility is important to consider, to challenge the simplification of the multiple realities of agricultural producers at the time into an ‘inability’ to be used strategically. More so, this claim of an inability of agricultural employers to improve conditions also presents a political position or prioritization of continued production over and above other factors. It presents an understanding that even if an agricultural producer is not able to afford better conditions to approach standards increasingly being normalized, they should still be producing, and efforts should still be taken to support them to produce, over and above other factors. Indeed, this understanding of employer inability is based on the understanding that the industry should be growing and increasing, even when conditions in the industry are increasingly problematized and stigmatized by the citizen labour force. Though questioning this political commitment to
continue production amidst the problematization of this industry raises questions that may be hard to clearly answer, questions regarding economies, production, and livelihoods connected to agriculture, it is important to recognize that these claims of an inability to better conditions in the agricultural industry are indeed political and do not tell the whole story. As Haythorne’s (1960) testimony suggests, during the time of his writings some employers were able to implement some of the practices Haythorne (1960) identifies as potential improvements to agricultural conditions. Again, he refers to these employers as “farsighted farm operators”, who ‘recognized the importance’ of particular practices and standards (57). Furthermore, in a study published in 1974 by the Ontario Federation of Labour, the author cites a Globe and Mail article published the same year, and challenges the simplified claim of a lettuce farmer that “no one wants to work on their knees anymore” by stating,

The article described work in the Holland Marsh lettuce patches where the workers get up before 5 a.m. and spend the 10 to 12 hour day working on hand and knees. For this back-breaking work the hourly rate is $2.25 an hour. The farmer conceded that this is probably why farmers can’t get labourers to commute the 40 miles from Toronto, and also admitted that farmers who paid $3.25 an hour had no trouble getting workers (21).

Though of course the resources of particular employers during the time surely varied, possibly dependent on what crop they produced, this ability of some to improve practices, or pay higher wages as the example above shows, provides space to consider the possibilities in the industry. Similarly, speaking to claims of an economic vulnerability experienced by Canadian farmers, claims which continue to be part of suggestions of an inability for producers to improve conditions, Basok (2002) suggests,

…this perspective ignores the fact that some agricultural sectors are not vulnerable but have enjoyed stability and growth. The green-house industry sector
is one of them. The high profits made by many growers in this sector should make it possible for them to increase workers’ salaries in order to improve the rate of labour retention (17).

Preibisch (2010) suggests that migrant workers can be understood as a form of subsidy to the agricultural industry, enabling not only a continuation of production, but an expansion. Satzewich (1991) himself suggests that the tensions around the question of producer ability to better conditions are affected by what he suggests has been the Canadian state’s ‘cheap food policy’ and the implementation and coordination of various production management regulations including the particularly low tariffs on imported agricultural produce (67). In the end, amidst economic diversity among producers, amidst varying understandings of capacity and incapacity, inconvenience, profit, production, and stigmatization of work, the SAWP allowed for the avoidance of the need to explore these differences and possibilities more thoroughly.

The last influence I identify as important to recognize in the conflict and shift towards the eventual implementation of the SAWP, was the tension and racism surrounding the Canadian immigration system during the time in question. Tracing the development of this system, Satzwich (1991) shows how blatant racism was central among other dividing practices in the understandings on which the immigrant system’s assessment was based. The Immigration Act of 1952 for example, empowered the Minister of the Department of Citizenship and Immigration to prohibit the entrance of people into the country for any of the following reasons:

(i) Nationality, citizenship, ethnic group, occupation, class or geographic area of origin;
(ii) Peculiar customs, habits, modes of life or methods of holding property;
(iii) Unsuitability having regard to the climatic, economic, social, industrial, educational, health or other conditions, or requirements existing, temporarily or otherwise;
(iv) Probable inability to become readily assimilated or to assume the duties and responsibilities of Canadian citizenship within a reasonable time after their admission. (In Satzewich 1991: 124-125).

Satzwich (1991) documents very clear examples of racism directed by the Canadian government at black people from countries in the Caribbean. Quoting the Director of the Immigration branch, who in 1958 noted,

It is not by accident that coloured British Subjects other than negligible numbers from the United Kingdom are excluded from Canada….They do not assimilate readily and pretty much vegetate to a low standard of living. Despite what has been said to the contrary, many cannot adapt themselves to our climatic conditions (in Satzewich 1991: 127).

Further demonstrating this racism, Satzewich (1991) quotes the director, who stated,

It has been our long-standing practice to deal favourably with British subjects of white race from the British West Indies provided there are reasonable grounds for assuming the proposed immigrant will become satisfactorily established and has either sufficient funds for maintenance or evidence of satisfactory settlement arrangements. On the other hand, apart from a limited domestic movement, no encouragement is given to persons of coloured race unless they have close relatives in Canada or their cases have exceptional merit, such as graduate nurses, qualified stenographers, etc (in Satzewich 1991: 126).

Here understandings of unwanted ‘races’ were constructed through ideas of climatic familiarity, and degrading, classist stereotypes. As the second comment illustrates, there were also understandings of ‘exceptional merits’ implanted with prestige and economic and social value, idealizing particular characteristics among people of colour themselves. This racism was obviously active throughout the period leading up to the SAWP, and it surely at varying times collaborated with and incentivised the positions taken by the government of Canada. As I have touched on, and will further discuss, central to the success of those agricultural industry producers and their SAWP, was their ability to create an ‘othered’ worker, through which
concerns for problematized working conditions could be relieved. As part of this process, and in collaboration with the presentation of the Jamaican migrant worker labouring in Florida, as happy to work under problematized conditions, racism was also active in the construction of this ‘othered’ worker, and as discussed, supported the choice to exploit socio-economic marginalization towards production. To understand this more thoroughly, it is useful to explore the various ways racism functioned amidst the processes that established the SAWP.

Satzewich (1991) notes that in 1962, under pressure from increasing criticism, the Canadian state tabled regulations to alter its immigration criteria and framework towards what was suggested to be a ‘non-racialized’ system. This policy reorganized the dividing practices governing immigration to Canada, away from exclusion based on blatant constructions of race. As Sharma (2011) suggests, this change in immigration policy should be understood as influenced by the mobilization and strength of anti-racist movements that gained influence during the time. She makes note however, that a substantial amount of literature around these changes, points to the fact that even after the policy shift, racism has continued to be active in the State’s immigration selection process. Moreover, she argues that these changes merely entailed a reorganizing of dividing practices, to add what she notes were “new preferred immigrant characteristics”, those that idealized professional, middle class cultural and financial capital (93). The pressures that mobilized to push for this shift in the immigration system also influenced the implementation of the SAWP. Satzewich (1991) notes that the Canadian government not only was being pressured by critiques of its racist immigration policies, but was also being pressured by Caribbean states, who were appealing for the Canadian government to admit more immigrants from their respective countries, in part by drawing on a shared connection to the Commonwealth. Here Satzewich (1991) suggests that amidst this pressure, the SAWP was infused with a new
strategic value, and the admittance of the Jamaican temporary workers who were strategically presented by the agricultural producers, was seen as an opportunity to quell pressure to admit Caribbean immigrants to Canada. Indeed this pressure and strategic value, added to the lobbying pressure from the agricultural industry. Demonstrating the interaction of a racist rejection of the permanent settlement of people of colour, the heightened need for labour, and the increasing recognition and understanding that this population could be highly controlled, coordinated, and expelled, Satzewich (1991) quotes the Deputy Minister of the Department of Citizenship and Immigration who in 1960 noted,

> We do not want these people to remain in Canada: we do not want to get involved in difficulty or embarrassment forcing them out…. [It must be gotten] across to the workers themselves that we are willing to try this once on a small scale, but if we have any difficulty at all, it would not be repeated. If it works well the first year, we might well be encouraged to repeat it and after a few years possibly enlarge it. But the minute we find that these transient workers are causing difficulty by refusing to leave we are through” (quoted in Satzewich 1991: 173-174).

Furthermore, Satzewich (1991) quotes the Assistant Deputy Minister of Immigration who in 1965 speaking to the instituting the SAWP stated,

> Such a measure would not only meet the need of Canadian employers but it might also have a very real side effect of value to this Department. By admitting West Indian workers on a seasonal basis, it might be possible to reduce greatly pressure on Canada to accept unskilled workers from the West Indies as immigrants. Moreover, seasonal farm workers would not have the privilege of sponsoring innumerable close relatives [to come and settle in the country] (in Satzewich 1991: 175).

Satzewich (1991) suggests that racism was the primary discourse being drawn from to initially reject the SAWP. He seems to suggest that the government’s initial articulations problematizing the conditions in the agricultural industry and their calls for employers to better
conditions were misguided, or short-sighted as he contributes to claims of a structural inability of agricultural producers. He also suggest that the initial government calls for growers to improve conditions and their rejections of the SAWP were largely a government guise or tactical effort to hide their actual preoccupation and concerns around the admittance of racialized workers based on constructions of racial incompatibility, purity, and maintaining a dominant Canadian white nation. Satzewich (1991) also challenges the claims made at the time by government that employers could draw from unemployed citizen workers as an alternative to implementing the SAWP. He suggests that by the mid-1960s rates of unemployed citizens had been reduced by half, noting that in 1965 for example, there was a drop to 120 000 unemployed people of working ages. Though I certainly believe that racist concerns were central in the Canadian government’s thinking and policy decisions during the time in question, and surely influenced their engagement with and reluctance to accept proposals to implement the SAWP, I suggest that racism, white supremacy, as well as the problematized understandings of the agricultural industry should be understood as discourses active simultaneously, and grounded in actual understandings present at the time. Again, I challenge the claims of an employer inability to better conditions in the industry, as I challenge the claims that a reduction in the number of unemployed workers during the time in question delegitimized improving industry conditions as a policy to address the stigmatization of agricultural work by citizen workers. It is possible that improvements could have led to workers in other industries becoming interested in working in agriculture, and subsequent shifts in labour and demographic patterns could have introduced new possibilities. Though it is important to resist speculation, it is also important to recognize possibility. Though it is important not to suggest we can clearly trace all the understandings of those engaging with the proposal to initiate the SAWP, or again understand what exactly caused
the shift to institutionalize this program, what becomes important to understand is that amidst this conflict there was alternative thinking challenging the SAWP, there was a legacy of marginalizing practices and understandings that very much were central to the answers the SAWP presents. It becomes important to recognize that these alternative understandings and the recognition of the legacy of marginalizing practices are not somehow less accurate, but that during the time in question they were understandings that were not successfully established at sufficient levels to dominate those supporting the SAWP. Furthermore, it is important to recognize that the understandings supporting the SAWP were encouraged by various strategic techniques employed in support of industry interests, and therefore that the SAWP emerged as a political and economic strategy out of tension with other potential policies, not as a neutral labour policy. More so, what is also clear is what the institutionalization of the SAWP achieved. It achieved a shift away from concern around the stigmatization of agricultural work by national workers, and evaded pressure directed at growers to better conditions in the industry. This was achieved largely through the discursive construction of a labour force that was normalized to work under these problematized conditions. These workers became institutionally understood as a different type of worker and a different type of individual. The discourses the Minister had articulated about exploitation and the need to avoid working ‘foreign’ people under conditions refused by Canadian workers dissipated, as understanding of a difference of these individuals, and the recognition of the exploitability of this difference dominated these concerns. From these processes and the ‘othering’ of this group, emerged the construction of criteria that established the SAWP and that legitimized a hyper regulation and control of the SAWP worker.

In the following section I shift from discussion on understanding the discourses and practices from which the SAWP and the SAWP worker emerged, to identifying the established
criteria that sets the parameters of the SAWP worker, and the regulative framework in place that works to actualize this criteria and shape and regulate these individuals. The following discussion demonstrates the high level of restriction and control the SAWP legitimizes and directs at those working under it, and thus is part of further disrupting the program through recognition of its marginalizing and subjugating practices.

The SAWP in Current Times

Criteria and Systems of Regulation

As Foucault prefaces in his (1977) work, *Discipline & Punish, the Birth of the Prison*,

There can be no question here of writing the history of the different disciplinary institutions, with all their individual differences. I simply intend to map on a series of examples some of the essential techniques that most easily spread from one to another (139).

The proceeding is an exploration in mapping systems of regulation targeted at those working under the SAWP, and is by no means suggested as an exhaustive analysis.

On Employment and Social Development Canada’s (ESDC) website, one of the governmental departments which administer the SAWP, ESDC lists the criteria that structure the program. As touched on through the historical tracings in the previous section, these criteria can be understood as particular answers, rationalizations and interests given primacy, which have emerged out of the legacy and the conflictual discursive field presented in the previous section. The SAWP’s ‘answers’ are specifically conditioned and shaped out of a goal to resolve continuing labour shortages in the agricultural industry, by an interest to avoid changing industry conditions, to continue and increase production, by the interest of millions of working poor to
migrate to Canada in search of work, and by the interests of sending country governments to address population pressures and access remittances for economic gain. The SAWP’s answers have also been conditioned from racism and the mobilization of dividing practices that have and continue to render billions of individuals inadmissible into the constructed ‘Canadian nation’ under full rights. From these interests, prioritizations and understandings, systems of regulation have been created, among others already active, functioning to actualize the regulation of those accepted under the SAWP. Again power flows through these discursive channels and regulatory practices in a variety of forms, and understanding these systems and the power with which they target SAWP workers is important to understand the SAWP as the marginalizing institution that it is. However, as will be discussed later on, not all systems actively channeling regulation and power on and around the SAWP worker are marginalizing. Among these systems of regulation some may provide access to particular resources, rights and standards which may be drawn on by SAWP workers and their allies. These systems as well as those that do focus on restricting and marginalizing the SAWP worker, are deployed at various levels; federal, provincial, municipal, local and interpersonal, formally and informally. As will be discussed, the impacts of these systems and regulation largely dependent on their accessibility and on patterns, consistencies and inconsistencies of their deployment.

Among the most central systems or regulation currently active in creating the SAWP worker is the federal Immigration and Refugee Protection Act (IRPA), which can be understood in its current form, as a highly sophisticated and strategic system of regulation and disciplining. As the historical tracings conducted by Satzewich (1991) show, this Act and its framework continue to be institutionalized out of histories of colonialism, racism and domination, and
continue to mobilize dividing practices to screen, sort and differentiate between those identified as foreigners. The assessments and calculations this system employs are constructed largely out of what Sharma (2000) notes are ‘the preferred immigrant characteristics’ of the time. With the exemption of those accepted as refugees, who experience an assessment largely based on humanitarian understandings and calculations of violence and persecution experienced by individuals, like Sharma (2000), I suggest that the majority of other foreigners are largely assessed through a privileging of pre-existing wealth, of their employability in high paid industries, and a perception of a particular level of potential contribution. I suggest that integral to this assessment is an evaluation of what can be understood as the discipline or commitment of individuals towards standards and practices expected of the Canadian capitalist nation. These characteristics are assessed against concerns of ‘risk’, connected to understandings of indiscipline in the sense Foucault describes, deviance and criminalization, among others. Indeed, I suggest that the IRPA system excludes those individuals it calculates as being too ‘undisciplined’; those who are understood as not able to assimilate into the disciplinary standard sought, again drawing from particular understandings of morality, of health, of wealth, of western education and economic viability. I suggest that these individuals are understood as requiring excessive coordination and targeted practices of disciplining, and therefore what the government sees as too many resources to meet standards sought. However, this system does admit some among those identified as not meeting standards set, or as Sharma (2001) calls them, “undesirables”. These individuals are admitted strategically through the system’s process of compartmentalization, through which it attempts to control for these understandings of indiscipline, while seeking productive value. The federal IRPA constructs those it admits as particular, institutionalized categories of people, hierarchized through the granting of access to
institutionalized resources, services, and permanency within the Canadian nation. It authorizes others as excludable from access to certain resources, and removable as potential targets of systems such as those of detention and deportation. Indeed the more ‘undisciplined’ the still admissible individual, the more the state has been able to legitimize a heightened control and regulation over them, infused with interests of economic production. As Sharma (2001, 2006) notes, these individuals become more easily organized into strategic labour forces, to work in stigmatized industries. Among these ‘inaccessible’ categories is that of the SAWP worker. As noted in the previous historical tracings, from the founding of the SAWP the government has made it clear that those employed under the program do not qualify for admittance as residents of Canada, and that they are to be ‘temporary’ and deportable. Therefore, the IRPA and its assessments are at the centre of screening SAWP applicants, both establishing the non-belonging of these individuals, as well as assessing them on the spectrum of indiscipline to ensure they still qualify to come under the program.

The criteria established by the IRPA are targeted at SAWP applicants by multiple Canadian government departments which include Employment and Social Development Canada (ESDC) (formerly Human Resources and Skills Development Canada), Service Canada, Citizenship and Immigration Canada (CIC) and the Canada Border Service Agency (CBSA) (Government of Canada 2013; HRSDC 2013). The involvement or roles these departments take on in the organization and regulation of individuals as SAWP workers are summed up on ESDC’s website where it is stated,

Human Resources and Skills Development Canada/ Service Canada works with employers who want to hire foreign workers. Citizenship and Immigration Canada
and the Canada Border Services Agency work with foreign workers who want to work in Canada (HRSDC 2013b).

ESDC, along with Service Canada, receive and process applications from agricultural employers interested in hiring SAWP workers. ESDC does limit which producers can hire workers under the program through the identification of restrictions on what commodities SAWP workers can work in, specifically identifying that they can work in apiary products, fruits, vegetables (excluding legumes), (including on-farm canning/processing, greenhouses/nurseries), flowers, Christmas trees, sod, tobacco, bovine, dairy, duck, horse, mink, poultry, sheep, and swine (HRSDC 2013b). On their website, ESDC also specifies that SAWP workers can only work in ‘on-farm primary agriculture’ and lists work tasks that fall under this category. ESDC is also active in assessing employers through requiring them to have a positive Labour Market Impact Assessment (LMIA), formerly known as an LMO. ESDC provides employers with this (LMI) assessment, which is a government assessment of national labour patterns and as touched on, connects the hiring of foreign workers to understanding around national employment policy. Effective July 31, 2013, employers are required to pay a processing fee of $275 to cover the cost of the LMIA (ESDC 2013). Connecting this to the historical tracings at the beginning of this chapter, the LMIA can be seen as the legacy of the condition to certify that there are no Canadian workers ‘available’ for these jobs, having nothing to do however with assessments of conditions that may be keeping them away. The LMIA assesses whether the employer has made ‘sufficient efforts’ to hire or train Canadian or permanent resident workers prior to applying to hire migrant labour and the government suggests the LMIA assesses how the hiring of migrant workers impacts the Canadian labour market (HRSDC 2012). Again, ‘sufficient efforts’ to hire or train Canadian permanent residents to fill labour needs, entail a requirement for producers to
advertise the job to Canadian worker pools, seeking out Canadians to work under current conditions. As such, this assessment has more to do with ensuring that ‘Canadians’ do not perceive that they are being denied work opportunities through the hiring of a foreign worker, and centers around what Verma (2003) notes is referred to as the Canadian first principle. As ESDC suggests, “A negative LMO will be issued if an assessment indicates that hiring a TFW will have a negative impact” (2013). An employer cannot hire foreign workers without a ‘positive’ assessment. Once agricultural employers receive a positive LMIA, they provide the preliminary criteria through which the SAWP worker is organized. As McLaughlin (2009) notes,

Once growers receive the positive LMO, they can request Mexican or Caribbean workers through the SAWP. Employers may specify the desired number of workers from each nationality and gender... (147-148).

Employers are able to choose the country or nationality of those they would like to hire, from the countries with which Canada has ratified the SAWP, including Mexico and the Caribbean Commonwealth countries of Anguilla, Antigua and Barbuda, Barbados, Dominica, Grenada, Jamaica, Montserrat, St. Kitts-Nevis, St. Lucia, St. Vincent and the Grenadines and Trinidad and Tobago (ESDC 2013). As noted, these employers can choose whether they would like to hire men or women. As many scholars have documented and discussed within the SAWP literature, some employers make these choices based on varying logics that integrate essentialist understandings of particular nationalities or races, with the ability to succeed in particular work tasks and practices (McLaughlin 2009; Preibisch & Hermoso 2006; Preibisch & Encalada Grez 2010). For example, the trend of some individuals from Caribbean countries to be taller than some Mexicans has translated to a heightened employment of individuals from the Caribbean for fruit tree and orchard work, while some scholars have documented employers who have stated
that they value what they perceive is docility among Mexican workers. Others have been
documented to comment on women being better suited for work in fruit and vegetable packing,
as well as specifically for work with tender fruit, suggesting women have increased dexterity as
well as a more careful touch (Preibisch and Encalada Grez 2010). Very much in line with the
of these gendered and racialized discourses has a number of functions”, including actively
“constituting the perceived ideal worker for production” (302). The SAWP literature has
documented other understandings that seem to be motivators for employer recruitment criteria,
but what is clear is that among the criteria established through the IRPA, the choices of
employers trigger a process that begins to further shape who the ideal SAWP worker is, and
which directs recruitment processes that take place in the home countries of potential applicants.
As McLaughlin (2009) points out, this shaping process has a long history which may be traced to
the initiation of the program. She notes: “From the beginning of the SAWP, Canadian interests
have dictated the parameters of selection for participating workers” (146).

Again, those screened for inclusion under the SAWP are among those constructed as
inadmissible into Canada as permanent residents. Their perceived indiscline seems to outweigh
their perceived potential contribution, and is framed in a way as to legitimize their exclusion
from citizenship rights, while they are accepted strategically towards work in the Canadian
agricultural industry. The screening and assessments deployed by sending country governments
are structured by various criteria including age, requiring SAWP applicants to be at least 18
years old, have experience with farming, a lack of criminalization, and the requirement to pass
the SAWP medical exam- identified as being healthy enough to work, and not posing what is
understood as a health risk to the Canadian nation. As McLaughlin’s (2009) notes there are also criteria which particular sending countries have established themselves and which they idealize and screen for. As she notes, the Mexican state screens potential SAWP applicants with a focus on recruiting those with dependents, men with families, partners and children, as well as woman who are single mothers, whereas the Jamaican state functions more through patronage and informal relationships that connect individuals to the SAWP application process. The result of this assessment is the identification of the SAWP worker who is 18 years of age or older, ‘healthy’, someone who has not committed a crime, and though their potential contribution is again understood as not sufficient to merit residency or citizenship status, they are understood as having valued experience and an ability fill labour shortages in Canadian agriculture.

The department of Citizenship and Immigration Canada (CIC) finalizes this regulation, by confirming that the SAWP applicant is eligible to work in Canada based on criteria established through the IRPA. CIC screens for an assessments of risk, satisfying concern that the worker is ‘temporary’ (in that is it believed that the individual will leave Canada at the end of their employment term with limited coordination or pressure), and that the individual has not been criminalized in their home country or is not perceived to be a danger ‘to the security of Canada’. CIC also assesses that the individual will be able to financially sustain themselves upon initial arrival in the country to work (CIC 2012b), which excludes those experiencing more intense financial hardship. If individuals pass this screening, CIC provides them with a temporary work permit.

Although the criteria that CIC uses to screen applicants is more detailed than presented, what is important to recognize is the heightened level of restriction that shapes this process. In
addition, as is the case with other discourses regulating the SAWP worker, the criteria establishing their non-belonging and that of other undisciplined foreigners are understandings that have emerged out of histories of inconsistent and contradictory understandings, strategies and interests. A closer analysis of how these discourses emerged as part of the broader immigration system, and the techniques that have led to their institutionalization and maintenance becomes an important task. Nandita Sharma (2000, 2001) has focused on particular times in history, for example focusing on the government of Canada’s policy institutionalization of the 1973 Non-Immigrant Employment Authorization Program (NIEAP) and the introduction of bills such as Bill C-11. She discusses how in this program and bills the government drew from particular timely discourses of criminality, terrorism and national threats, as well as those of economic competitiveness to institutionally increase immigration restrictions, as well as the ‘flexibility’ of foreign workers accepted into Canada. Further historical tracings would better identify tensions amidst these discourses and tactics, and would provide resources to disrupt some of the restrictions currently being mobilized on the movement of people.

Towards recognizing tensions and contradictions in the criteria that regulate and structure the SAWP worker, the following section identifies exceptions that have been made to particular screening criteria and employer requirements in the hiring of foreign workers. In this discussion, exceptions in regulatory frameworks present themselves as fracture points in the discourses and logics that continue to support subjugating and violent understandings and practices.
Exemptions in Policy

As of April 1, 2011, the government of Canada put in place a restriction on foreign workers that limits their work in Canada to four years, after which they must leave the country and wait four years before applying again to work in Canada (CIC 2011). This restriction is suggested to have been a government response to growing criticism from labour and immigration activists and scholars who voiced concern that through temporary foreign worker programs, the government continued to institutionalize individuals as ‘permanently temporary’. Previous to this regulation, there was not a clear limit to the amount of consecutive reapplications of temporary work permits, therefore individuals could be present, working within Canada as ‘temporary workers’, theoretically for the majority of their life. This regulation establishes a limit, understood by the government as a resolution to this tension. However, this four year limit does not apply to SAWP workers, some of whom have worked consecutively under temporary status for as long as 40 years. Such extensive periods of time working in Canada can be seen as rendering many SAWP workers ‘permanently temporary’. Understanding this four year regulation as a political strategy to challenge criticism, and not grounded in a thorough consideration of the experience of all workers currently labouring under temporary status, reflects how regulations, amendments and exemptions are techniques to maintain political authority rather than actually resolve tensions in understanding and practice. Along with the introduction of employer fees for LMOs applications, as of July 31, 2013, the government of Canada introduced additional changes to the hiring of temporary foreign workers. Among these changes were new requirements for employers to increase their efforts in advertising their employment positions to Canadian workers, prior to applying to hire those from abroad (ESDC
As Employment and Social Development Canada suggest, “As of July 31, 2013, employers will need to make greater efforts to hire Canadians before they will be eligible to apply for temporary foreign workers” (2013). Furthermore, ESDC states,

In addition to advertising on the national Job Bank website or the equivalent provincial/territorial websites, employers must prove that they have used at least two other recruitment methods that are consistent with the advertising practices for the occupation (2013).

They also note,

If hiring for a lower-skilled occupation—employers must demonstrate that they made efforts to target under-represented groups in the labour force. Employers must also continue to actively seek qualified Canadians to fill the advertised positions until an LMO has been issued (2013).

The introduction of these advertising requirements and LMO fees were among additional changes in the hiring of temporary foreign workers, partly introduced in a March 2013 budget, but expanded and institutionalized by the federal government in July 2013 (ESDC 2013; CP 2013a,b). Importantly, these changes, suggested to be a heightened regulation on the hiring of temporary migrant labour, were largely a response to an intensification in ‘Canadians first’ sentiment and publicly supported criticisms that foreign worker-hiring regulations enabled the ‘offshoring’ of ‘Canadian jobs’. This intensification and criticism reached a peak point in April of 2013 during the high profile ‘RBC Scandal’, where approximately 45 citizen-workers were instructed to train foreign workers hired to replace them. The RBC scandal ignited public debate that had also been kindled by earlier allegations that HD Mining LTD initiated the hiring of 201 Chinese workers to positions in a British Colombia coal mine, positions of interest to citizen workers. Multiple labour unions alleged that they had seen HD Mining job ads listing Mandarin as a language requirement for these positions (CP 2012, 2013a, b.). However, as ESDC notes on their website, these new requirements and regulations do not apply to the Seasonal Agricultural
Workers Program (SAWP), or in general around temporary foreign workers directed to work in the agricultural industry (ESDC 2013). The fact that to date SAWP workers are not restricted under the four year employment limit, or increase their efforts to hire Canadian workers, lends to the realization that these regulations and the discourses through which they have been created, are changed or bypassed at different times through confrontations with other interests and power. I suggest that the ‘Canadian first’ sentiment, a discourse focused on the need to protect citizen worker from the intrusion of the foreigner, has had a clear ability to challenge criteria establishing the hiring of foreign workers. However, it becomes clear that this sentiment or discourse is largely triggered upon contact between the citizen-worker and the foreign worker, in competition within the labour market. As citizen-workers have continued to stigmatize agricultural work conditions beginning before the 1960s, this Canadian first sentiment is not wielded at the hiring of foreign workers within agriculture, but only at the temporary foreign worker program that increasingly brings migrants closer to the positions citizen-workers may still be interested in working. Second, though there has been success in altering criteria establishing the Live-in Caregiver Program (LCP), supported by the March 22, 2010 coming into force of the Employment Protection for Foreign Nationals Act (EPFNA), which addresses various concerns brought forward by live-in-caregivers employed under the LCP, it would seem as though broader concerns for the experiences of foreign workers, including SAWP workers, are not resonating with as much force to challenge established criteria. Again, concerns around migrant worker programs have largely drawn from an interest in ‘protecting Canadian jobs’, rather than from the experiences and concerns of temporary foreign workers.
In understanding these exemptions and policy inconsistencies, it is important to explore the influence and mobilization of interests from other parties, including agricultural stakeholders. Though without clear evidence here via policy documents or documented lobbying efforts, the exemption of the SAWP from the four year limit or advertising requirements has been suggested by SAWP critics to be part of a legacy of government resistance to regulating the agricultural industry, a resistance largely supported by suggestions of the significant influence of the agricultural lobby. The lobbying efforts of the industry can be noted in the histories presented previously in my thesis, but although limited here, recognition of the industry’s influence could benefit from additional historical examples. In support of this, Aversa (2013) notes that after the tragic death of Paul Roach and Ralston White, two Jamaican migrant farm workers who were overcome by fumes and died in the fall of 2010 while working at Filsinger’s Organic Foods and Orchards, the Ontario Minister of Labour Peter Fonseca claimed that the OMOL would implement “aggressive inspections in agriculture” (quoted in Aversa 2013: 9). As Aversa (2013) notes, the United Food and Commercial Workers Union of Canada (UFCW), through data released under a Freedom of Information Request showed that these ‘aggressive inspections’ had actually targeted veterinary clinics and animal shelters that technically fall under the ‘agricultural site’ category. As Aversa (2013) further notes,

Speaking for the inspectors, Inspector Len Elliott said in his presentation April 18, 2011 to the Bill 160 hearings following the 2011 Expert Panel on Occupational Health and Safety that the 16 inspectors that were to inspect in the agricultural sector were told by their bosses how and where to carry out inspections in the farming sector and “that if they did not like it they could leave the program” (Elliott 2011). Essentially, Elliott confirmed what UFCW had been saying, that the Ministry of Labour’s enforcement strategy in the agricultural sector had ignored farms. Elliott said that he wrote more orders in the one farm he was able to visit before being told to steer clear than the inspectors wrote for all other workplaces they visited combined (9).
Though again, without clear evidence of direct pressure from the agricultural industry lobby, the government’s avoidance of regulating the industry requires further exploration, and nonetheless demonstrates an interest to avoid inspecting farms, and an ordering of inspectors to follow suit. This example is important to consider in contextualizing the industry exemptions around the requirements discussed. In addition, the fact that calls to respect the ‘Canadians first’ principle are not being directed at the agricultural industry and that the industry continues to maintain that Canadians are ‘unavailable’ to work in farming, may be the reason why their exemption from four year limits and increased job publicity requirements have not received a broad level of public criticism. Though again it would be important to trace and track discussion around this exemption in support of what I am suggesting here, a continued resistance by government to regulating the Ontario agricultural industry is undeniable.

The last example I discuss here is the exemption under Chapter 16 of the North American Free Trade Agreement (NAFTA), of Mexican ‘business’ people from requiring a labour market opinion to be hired for work in Canada (CIC 2012b). Indeed under NAFTA, Canadian employers do not require an LMO to hire Mexican individuals who fit defined categories of ‘professionals’, traders and investors (CIC 2012b), nor do they require an LMO to hire individuals under the General Agreement on Trade in Services GATS. Here, exemptions in the differentiation between foreign and national workers in hiring procedures and in discourses of protecting Canadian labour, ‘Canadians first’, seem to be bypassed or overpowered by discourses of free trade, free trade commitments, and discourses of who can produce great enough economic gains for Canada to deserve exemption, expedited inclusion and employment. The examples of both the successful amendments and exemptions discussed lend to the recognition that the discourses and logics
behind the regulation and screening processes targeting temporary foreign workers are in large part tactical, to be drawn on to support policy that reflects particular economic and political interests as they are prioritized. It is clear that these discourses and logics are malleable at points of confrontation with power and particularly supported economic and political interests.

Shifting back to further understand the criteria that creates the SAWP worker, the SAWP Employment Agreement or contract that is signed between workers, their government representatives and employers, provides an extensive outline of criteria organizing the living and working experience of the SAWP worker. The contract groups these criteria into headings including, ‘scope and period of employment’, ‘lodging meals and rest periods’, ‘payment of wages’, ‘deduction from wages’, ‘insurance for occupational and non-occupational injury, disease and illness’, ‘travel and reception arrangements’, obligations of employer’, ‘obligations of worker’, ‘premature repatriation’ and ‘miscellaneous’ (HRSDC 2013b). Though the specific criteria under each of these groupings will not be explored in full, some of these criteria are particularly important to highlight further, as through them particularly restrictive and marginalizing techniques of regulation and discipline are legitimized and deployed.

The SAWP Employment Contract

Under scope and period of employment, these contracts establish that the work term of these individuals and therefore their stay in Canada cannot exceed eight months and that they are required to exit the country no later than December 15 of the year they arrived (HRSDC 2013b). The employment contract notes that the ‘normal’ work day for these individuals should be an 8
hour day, but that “employers may request”, “and workers may agree” to extend the duration of work in “urgent situations” (HRSDC 2013b). This contract however suggests that even this “urgent” work day should not exceed 12 hours (HRSDC 2013b). The agreement states that for each six consecutive days of work, the worker is entitled to one day of rest, but notes that again if ‘urgency’ to finish a work task cannot be delayed, “the employer may request the worker’s consent to postpone that day until a mutually agreeable date” (HRSDC 2013b: 2). The agreements stipulate that the worker is to be provided with 30 minutes for meal breaks, and at least two rest breaks of ten minutes, one in the morning and one in the afternoon, and that workers are to be provided with a minimum work week of 40 hours (HRSDC 2013b). The employment agreements also note that SAWP workers are to be paid the greater of the minimum wage rate, the prevailing wage for agricultural work, or the rate being paid to Canadian workers performing the same work (HRSDC 2013b). Presently, SAWP workers are being paid $11 which is the Ontario minimum wage. Though the criteria outlined by the employment contact may seem as stipulating or describing what seem like ‘standard’ work practices in an industry understood as difficult and demanding, it becomes important to recognize that these conditions (a 40 hour work week, a six day week, with the possibility of employer requests to continue work on the seventh) depict and normalize (through contractual agreement) conditions discussed by Haythorne in the 1960s as negatively affecting labour retention (57). Indeed these are conditions that were understood as substandard among citizen-workers since prior to the 1960s. Here the effectiveness of the SAWP and its domination over concerns with conditions in the agricultural industry are contractually affirmed. The conditions shaping work in the industry, left largely unchanged, are contractually agreed to by tens of thousands of individuals looking for employment in Canada, for whom accessing what is a rare employment opportunity is dependent
on them abiding by these work conditions. As noted, through the institutionalized understanding of the SAWP worker as a different kind of individual, these conditions and this contract are also normalized even amidst seemingly opposing understandings around adequate working conditions currently being directed at other industries and workers.

Having outlined the criteria and discursive restrictions through which the SAWP worker is organized, the next section will explore how these restrictions act on the SAWP worker. This section of my thesis is quite important as I contribute to understanding the implications of these policies and criteria that often can remain in the abstract, to understand them in a manner that makes visible the subjugation they authorize. This section also includes the testimonies I have recorded through my interviews with SAWP workers. I also discuss systems and discourses that may be utilized by the SAWP worker through which to assert power and claim particular standards and rights.

**The Regulation and Disciplining of the SAWP worker**

McLaughlin (2009) provides a very useful discussion on the regulation of SAWP workers. Her work discusses intense regulation as it plays out at the workplace, the bunkhouse, through the authority of employers as well as sending country representatives. McLaughlin (2009) also discusses this regulation as activating processes of disciplinary force. Drawing from the works of Griffith, Goffman and Foucault, she describe the SAWP as a ‘total institution’, “aimed to create and manage entire social contents, in which employers have power over all aspects of workers’ lives, including both living and working environments” (2009: 29). She
further suggests, that many SAWP workers live and work under severely regulated conditions, “evocative of a carceral space”, where workers are restricted, controlled and isolated in virtually every aspect of their lives (202). Speaking to the disciplinary power of this regulation, McLaughlin (2009) notes,

At both the workplace and residential space (which are always owned by employers and often on their farm property), surveillance methods including security cameras and hired companies; random checks; hidden observation; curtailment on movement and/or visitors, such as signs warning non-residents that they are trespassing; threats against visitors or workers who leave the property at any or specified times; set curfews; and even playing workers against each other as “whistle blowers” for poor behaviour, render migrants in a disciplinary space reminiscent of a panopticon prison (29).

Indeed McLaughlin (2009) suggests that regulation and control is greatly achieved through panoptic techniques of surveillance and intimidation, and “an ever-present threat (of firing, repatriations and future exclusions from the program)” (200). She provides numerous examples of regulatory dynamics (specifically see chapter 5 and 6). In order to avoid restating her clear arguments, in the following discussion I am interested in contributing additional examples of certain regulatory practices, insights into additional practices, as well as differentiating among the character of regulation targeting SAWP workers. First I will discuss disciplinary power that stems from institutionalized understandings of the non-belonging of SAWP workers, of their perpetual foreignness. Following this I will discuss disciplinary power that pressures SAWP workers to ideals set around their work and production processes. I will then discuss regulation and disciplinary power that go beyond work processes and that focus on organizing SAWP workers around understandings held by particular employers, and that demonstrate how SAWP workers are discursively positioned to be subjected to intrusive and non-labour focused forms of control. What further makes my discussion distinct from past
contributions is that I explore the difference in how some SAWP workers interpret the regulation I discuss. I suggest that in past literature there has been some discussion of SAWP workers ‘enduring’ particularly arduous conditions or regulation with scholars often suggesting in a limited depth, that this is due to workers being under an intense threat of losing their employment and opportunity to continue working in Canada, again in light of the limited opportunities to generate income in their home countries. I agree with this, however, I suggest that it is important to more deeply explore these dynamics. Though I do not suggest I completely understand the processes involved, I suggest that in some cases this ‘enduring’ by SAWP workers may result in deeper processes of conditioning. This initiates processes of normalization and practices of the self through which some SAWP workers seem to present themselves closer to the form they have been organized by SAWP discourses and policy. I suggest that others adhere to particular regulations strategically, based on a priority to maintain the opportunity to work under the SAWP, but who present an understanding of themselves that challenge the SAWP’s discourses. I suggest that better understanding these cases can contribute to understanding the marginalization of the SAWP as well as forms in which SAWP workers are resisting.

The None-Belonging of SAWP Workers as a Basis for Regulation and Discipline

In mapping the regulation of the SAWP workers once they are in Canada, I suggest that the federal government of Canada has among the most institutionalized systems of regulation targeting those under the program. The state’s authority, its resources and ability to pass and amend legislation targeting non-citizens, its subsequent control over the policies of ministries and other institutions, are central to its heightened capacity for regulation. The federal
government’s complex systems of regulation and regulative techniques possess a strong institutionalized authority. Some of these systems and techniques targeting the SAWP worker have been developed as responses to evolving understandings of the non-citizen, while others are deployed from broader focused regulative state apparatuses. These techniques can be direct, aggressive and violent, and include among others, techniques of visibility, tracking and investigation, bureaucratic techniques of voiding work permits, stay and visa permits, amending rights around federally provided services, as well as the mobilization of CBSA techniques of raids, detentions and deportations. Though the federal government has an array of apparatuses and systems of regulation at its disposal, I argue that once it has screened SAWP applicants for the criteria it problematizes, once it has collaborated with industry employers and sending country governments to approve the temporary, non-criminal, healthy SAWP worker, the government and its systems disengage and remain largely inactive. Some regulative processes continue, such as Revenue Canada deduction and taxation from SAWP worker wages, and some oversight activities re-activate, for example through ESDC’s assessment of SAWP worker transfer requests, and CIC’s confirmation of the exit of SAWP workers from the country. However, apart from these activities, I suggest that the federal government leaves the further regulation of the SAWP worker in the jurisdiction of the employer, sending country representative, and provincial systems of regulation, and to an array of techniques mobilized by these parties. Though I suggest that the federal government’s regulative systems targeting the SAWP again remain largely disengaged, I argue that it is important to further explore the federal government’s regulative and disciplinary techniques of raids and deportations, as these techniques are among the most direct and aggressive regulative techniques targeting SAWP workers. These techniques are also important to recognize as they have been specifically
developed out of understandings of the current non-belonging of SAWP workers and other non-citizens.

Though raids and deportations do not target SAWP workers consistently, as Preibisch (2004) and Preibisch and Binford (2007) identify low numbers of SAWP worker contract violations which would mean that these techniques have had few targets, they are still important to explore. In a sense raids and deportations represent the clearest grounding in practice of the institutionalized non-belonging of the SAWP worker, and the violence that this non-belonging can authorize. In a CBC Windsor article on the raid and apprehension of seven Thai ‘unauthorized’ workers on a farm in Kingsville Ontario in May 2013, the CBSA stated that in 2012, 27 people were detained in the Windsor-Sarnia area and 45 in the broader Southern Ontario region (CBC Windsor 2013). These techniques and their authority deploy regulative power directly on the ‘unauthorized’ individual they target, but raids and deportations also deploy regulative power more broadly, on non-citizen populations including SAWP workers, as these individuals may become aware of the state’s ability and authority to utilize these techniques. Therefore raids and deportations can be understood as techniques that periodically target individuals with repressive and violent regulation, while also producing a strong reverberating regulative force with disciplinary effects.

During the interviews with SAWP workers I conducted for this thesis, I was able to discuss raids and deportation with 21 individuals. All of the individuals were aware of these practices, and 18 individuals knew that they occurred in Ontario. Though none could identify Canadian Border Services Agency (CBSA) by name, four out of ten Spanish speakers used the
word ‘migra’ (which translates to immigration police). Sixteen, along with using the words police or ‘migra’, stated that these actions are taken by the government. When I asked for what reasons could the CBSA/police deploy these practices, among answering with “breaking the law”, “not having papers”, and “not having permission to work”, 12 alluded to the breaking of tied work permits, with answers including “for working where you are not supposed to”, “for working for another employer”, “for working more jobs” (MFW 2013).

Though my respondents represent a very limited number of SAWP workers, they do demonstrate an awareness of CBSA and their raids. Though CBSA does not specify how many of the 72 raids conducted in 2012 were on farm workers, I would suggest these and prior raids on any foreign worker have the potential to spread awareness of these activities that is reaching SAWP worker communities. One SAWP worker who I spoke to recounted his experience working in Leamington Ontario, and remembering a season when a series of raids on farm workers occurred. He did not remember what year this occurred but he stated, “Yes we all heard about it, people knew that the authorities had come. I didn’t know the details, but yes it was in Leamington. Some people did not go to work and stayed home” (MFW 2013). Exposure to past stories or experiences individuals may have had with raids, or their potential mentioning by sending country governments as a form of deterring workers from working outside of their work permits can also contribute to this awareness and understanding. One interviewee told me, speaking about his country representative, “The consulate told us that if that happens we can get in a lot of trouble. You get sent home, or you go to jail” (MFW 2013). Other workers I spoke to, while discussing raids and deportations did not differentiate CBSA from the local police in the region. One individual noted that he often sees police cars driving around while he rides his bike.
When I asked this individual how he felt to see them driving around he stated, “I get a bit more serious, you stand up a bit straighter” (MFW 2013). Another worker stated that he often sees a police car parked close to a local bar that many SAWP workers go to after work on Friday nights. This individual stated, “Yes, they are often there, parked, watching. They know that is where we all go, so they come check us out” (MFW 2013). When I asked this individual how that made him feel, he stated, “Well I think it is intimidation, they think we are going to cause problems, or maybe they are looking for someone in particular, or making sure no one is causing trouble” (MFW 2013). A third individual brought up a very important point to consider, centered on anxiety he felt around getting into what he called, “a misunderstanding” with police. He stated,

> It is just better to avoid getting into any complications. I just mostly stick to myself, or the few people I have known for some time. It is not worth it. Even if there is a misunderstanding, or trouble understanding each other, or they suspect you for something, you can get into trouble (MFW 2013).

These testimonies mirror those often described by racialized peoples around police practices of racial targeting or profiling. When I asked these individuals if they thought the police intimidated other SAWP workers, one replied, “Yes, I think that people do not want to get in trouble, you get into any trouble and you get sent home” (MFW 2013). The other individual stated, “Yes I think they make people aware, think twice. If you cause problems you will be sent back and that is it” (MFW 2013). The individual who mentioned being worried about ‘misunderstandings’ with local police, repeated, “It is not worth it. In a misunderstanding how will I explain? (Laugh). It is not worth getting sent home”. Furthermore, this individual stated,

> Sometimes you hear about local teenagers getting into fights with farm workers. Sometimes not only teenagers but grown men. Many times this is for no reason.
They just yell at farm workers, or even throw something at us, or walk by and push or bump you. It has never happened to me, but I have talked to coworkers who have experienced this. Imagine. It is not worth it. Maybe the police will come, and how will I explain? They might think I am fighting too, and I will be in trouble (MFW 2013).

From these discussions with SAWP workers, I suggest that the techniques of raids and deportations are known among individuals, and the threat of these practices produce a regulative force that disciplines workers around their tied work permits for example. Furthermore, though it would benefit from discussions with more SAWP workers, it also seems as though workers are aware that their institutionalized non-belonging renders them more vulnerable to police regulation, or at least render the consequences particularly severe.

The SAWP workers I spoke to also mentioned experiences with local residents that identified a similar regulative force as described above. In a lengthy conversation with one SAWP worker, he described multiple situations during which he felt he was being watched or scrutinized by local residents of the rural town in which he works and lives. He recounted an occasion where he felt watched and scrutinized by a local shopkeeper at a small convenience store he once frequented. He also noted that on another occasion at the same store another shopper which he identified as a local resident, was staring at him, and watching him. He noted that in both cases he felt as though these individuals were suspecting him of stealing. Another individual I spoke to noted, “Some local people think we are trouble. Sometimes if they see a few of us walking, they cross the street. I do not know why they think we will harm them or something, I am not sure” (MFW 2013). Two other SAWP workers brought up similar experiences of having local towns people observe them in ways they felt were scrutinizing. One of these individuals recounted an experience where he and two friends were at a local restaurant
after work, and had ordered a couple of beers. He noted that two couples, who he identified as local residents, sitting at an adjacent table, kept looking over at them. This worker does not speak much English, but he noted that when he and his friends ordered their second beer, the local residents looked at them and made some negative remarks. Another individual I spoke to noted that local residents think that SAWP workers are always drinking and cause trouble. In another interview, a SAWP worker told me that he had heard that local residents were complaining about SAWP workers taking up too much space at local shopping centers and grocery stores. He added that he thought local residents saw them as nuisances who made it harder to shop in the downtown.

I suggest that the regulative pressures and scrutinizing experiences shared above stem from the continued institutionalized non-belonging of SAWP workers, which I suggest continues to render them targets of possible deportation, establishes the understanding among SAWP workers that they can be sent home with ease, and establishes an understanding among local residents of SAWP workers as permanently foreign, requiring additional surveillance, or less deserving of accessing local stores or services. In further exploring the implications of these understandings, I suggest that it is possible to differentiate between how some SAWP workers perceive these experiences, regulation and scrutiny. As noted previously, drawing from Foucault’s differentiation between techniques of domination and techniques of the self, I suggest that some of the SAWP workers I spoke to abide by regulation or discipline themselves to scrutinizing judgments, but do so strategically, avoiding potential conflicts, recognizing their discursive and regulatory positioning, and prioritizing their continued opportunity to work under the SAWP. Among these individuals many nonetheless maintain understandings of themselves
that challenge those established by the SAWP and from which these marginalizing practices draw. I suggest that other SAWP workers seem to internalize these marginalizing understandings to a greater degree, and organize their understandings of themselves closer to how the SAWP has institutionalized and normalized the SAWP worker.

First, in my conversations with SAWP workers regarding raids, deportations and police vigilance, I suggest that for some abiding by tied work permits, or being particularly wary of being criminalized is rooted in strategic self-protection, in an effort to avoid deportation and being banned from the SAWP. Nonetheless some of these individuals perceive this regulation or their vulnerability as unjust. For others, this interest in abiding by this regulation or targeted vigilance seems to be rooted in an internalization of state authority and the legitimization of immigration discourses and regulation, through which not only do they seem to see themselves as the restricted non-citizen, but further differentiate to produce themselves as the ‘good’, ‘legal’ non-citizen. In the conversations I had with SAWP workers, I identified these differing understandings. One individual, speaking about undocumented workers that face heightened risk of deportation stated, “Well why do they come here like that? They should do things right, if not, that’s what happens, things work out badly” (MFW 2013). Another worker responding to whether he was aware of raids happening to people he knew, stated, “No, us we are not illegal or criminals, we are here right, with permission” (MFW 2013). One worker stated, “That is why this process is in place, for those who are following the rules” (MFW 2013). Another individual noted, “It happens when people are here like that, it’s not good for us, maybe people think we are all here without permission” (MFW 2013). Similarly, speaking to the issue of police vigilance, one of the individuals I interviewed said, “Well when we are coming over here, they tell us that
we need to be on good behaviour, that we are guests here, and representing our country. When you see them [the police], well you don’t want any problems, you remember that” (MFW 2013).

I commented to this individual that other SAWP workers had mentioned feeling watched in local stores or by local residents, scrutinized, and asked him whether he had experienced this or knew others who had. He stated,

Yes I have heard of this happening, you feel that sometimes when you walk around in town. I think that people sometimes try to be polite, smile when they go into the stores to help with that, so that people know you are friendly (MFW 2013).

Similarly, the individual who noted worrying about misunderstandings with the police repeated,

That is why I stick to myself, I just do my work and do not get into complicated situations. I do not go to some of the places where the young people are around, I go another way. I don’t want to risk it (MFW 2013).

None of these individuals outwardly challenged the authority of raids, deportations, practices of police profiling, or feelings of intimidation at the risk of unprovoked judgment, harassment or violence from local residents. These individuals recognized the authority of these practices, or their vulnerabilities to them, seeming to have internalized them as a force through which they reproduce themselves as non-criminals, ‘doing it right’, and particularly well-mannered and compliant individuals. Similarly, the individual who shared his belief that local residents saw SAWP workers as heavy drinkers and trouble makers, noted,

I do not go to the bars often. Maybe on a very special occasion I have one drink maybe, but I do not want to be seen at the bar really, not regularly, I don’t want people to think I am a drinker, or an alcoholic (MFW 2013).
For other SAWP workers I spoke to, I argue that these practices may still have effective regulatory power, but do not produce the internalized disciplinary force I suggest may be active among those quoted above. For these other SAWP workers, raids, deportations, police vigilance, or intimidation from local residents remain real, repressive techniques, producing a threat of force, or outcomes they believe may jeopardize their continuation under the SAWP. However, while these practices and surveillance regulate these SAWP workers, they simultaneously, through their understandings, resist the authority of these practices and the discourses supporting them. In two interviews individuals challenged discourses that legitimize raids and deportations. One individual noted that a relative of his had worked without papers in the United States and had been detained and deported back to Mexico. He challenged the criminalization of his relative, stating,

It’s complicated, well he needed to work, he was working, some people think its ok to throw people in jail for that, a lot of people think its ok to treat people like that, or talk about ‘ladrones’ (thieves), or criminals, or ‘illegales’ (illegals), and do those things to them. I don’t like thinking like that; it’s not good to treat people like that (MFW 2013).

Another worker I spoke to touched on a similar sentiment. Speaking about people who are targeted by raids and deportations he stated,

They are just trying to work, to make money to survive, they are doing the work, and they are supporting those businesses. In the US they had a day when Mexicans without papers were going to stop working for the day. Can you imagine? Everything would stop, and the economy would collapse (MFW 2013).

This individual added, “In the US they separate families. It is sad, and for what? Because people are trying to work? They put them in jail. It is not right” (MFW 2013). These individuals maintained understandings of raids, detentions and criminalization that challenged
understandings providing authority to these practices, even though in the same conversation they recognized their real threat. Similarly, the person who spoke about local police parking outside the local bar where SAWP workers frequent stated,

To tell you the truth, it is frustrating. They assume we are going to commit some crime? I think that is racism, the way they think of us, how they assume. They should be doing their job, not parked there, but going around finding something to do (MFW 2013).

The individual who spoke about being watched at a local convenience store discussed how he decided not to go to that store anymore. He noted,

After the second time I did not go back. No it is not right. I am there buying things from him, just like anyone else. We all buy and spend money here. For him to be like that, no I won’t go there again, it is not respectful (MFW 2013).

Similarly, the person who described being watched by local residents while he and his friends drank some beer at a local restaurant stated,

I don’t care what they think (laugh). I work hard, long hours, and hard work. When I want to relax I have a right to do so. I am not hurting anyone, and it is not any of their business. They see us differently, and they think they can pass judgments on us. I don’t give them any time. I should have ordered them a beer (laugh) (MFW 2013).

These examples present a deeper resistance to the internalization of discourses creating and regulating the SAWP worker and other racialized non-citizens. In these examples, these individuals may be regulating themselves (e.g. not breaking work permits, or avoiding unnecessary conflict with police or intrusive or antagonistic local residents, as part of strategic self-protection) but may be resisting more internal dividing practices and process of self-regulation under these systems and practices. This discussion does not intend to criticise or shame some SAWP workers, in comparison to others. I can only imagine the importance of
strategic, self-protection under ongoing pressure to adhere to current regulation, as do I recognize the privileged ease of making these comparisons and criticizing this regulation from a position of citizenship, and non-racialized status. However, I believe this mapping and differentiation is useful, not to judge or criticize but to better recognize understandings held by SAWP workers, to understand how they reflect those structuring their status as SAWP workers, and to examine processes of influence, pressuring, disciplining, internalization, as well as resistance. Specifically, recognizing understandings held by SAWP workers that stand in opposition to those institutionalized by the SAWP is important for supporting and strategizing around resistance.

In discussions with SAWP workers regarding other practices of regulation, I identified similar findings. I spoke to individuals about their experiences at work, about how their work is organized, and what types of expectations are placed on them. In these conversations, discussions about relationships with supervisors and employers also came up, specifically about the expectations that management had of them, and how management directed or deployed these expectations. In addition, I spoke to people about how they felt working under the SAWP, and specifically if they were aware of the regulations that are placed on them as SAWP workers.

One SAWP worker told me, “Well we are here to work, they are bringing us here to work, if the boss is not happy with our work we won’t come back, he will find someone else” (MFW 2013). When I asked this individual about his experience with his employer and the expectations his employer has, he noted,

He likes us to work very fast. He tells us we have to keep moving, we cannot kneel or sit down, even for a minute, he wants us to be shuffling and moving while we
are working, so that we keep the speed up. We also have to organize the vegetables like he likes in the boxes, or we have to pack all of them again. We also have to wait for our break to have water to drink; we cannot stop work to drink water. The work is severe. He is strict (MFW 2013).

This same individual, speaking about both the Canadian government and sending country representatives involved in the overseeing of the program, also added,

They do not want us to cause problems in the program; they want to make sure our employer is happy with us. They want to make sure we are only working here on this farm, that we are ready when it is time to go, and that we abide by all the rules of the program (MFW 2013).

Another worker I spoke to noted,

Yes there are a lot of rules here (on the farm), they want you to do things in their particular way. We all follow the way to work, and the rules they have here, there is not much you can do. That way you keep working, and you do not have any trouble. You have to be very clean for example, you have to wash your hands very regularly, you cannot contaminate the harvest, and there are strict rules about that. You also have to finish all the work that is asked of you and finish it in the time that they want (MFW 2013).

Similarly, another worker stated, “It’s very fast, especially when there is a lot of work. There isn’t even much time to breathe. You can’t slow down, or stretch out, you’ll have problems, they get mad” (MFW 2013). Another individual noted, “There are no breaks until it is done. Sometimes it is like a drill, we are moving boxes very fast, too fast” (MFW 2013). One individual responded,

Sometimes the hours can be very long, when we are busy. We start very early, like five thirty in the morning, and they expect you to work till when it is dark, sometimes well into the evening. They say that the work has to get done, and so we do it, we are out there working. Those are very long and tiring days (MFW 2013).

When I asked this individual whether he was informed of the guidelines of the program, of what the rules were set around him coming to Canada, he stated, “Yes, of course, they make
the rules very clear before we come. They tell us what we have to do to be ok in this program” (MFW 2013). When I asked him what some of these rules were, he noted,

Well they don’t want you to really leave the farm, you can’t really go anywhere other than shopping around here, it’s not like you can really move around. You can’t look for other work; you come only to work at this spot (MFW 2013).

Another worker I interviewed told me,

Yes the work is hard. I would like to have more breaks. We only get one, and really it is not enough. We are cutting cabbage, and it takes a toll on your hand, your hand gets sore, sometimes so sore it goes numb. You just cut and cut and cut more, and you have to keep up and work pretty fast, you cannot fall behind. If we got more breaks, or maybe if we weren’t cutting for the whole time it would be better (MFW 2013)

I asked this individual if he had raised some of these concerns or suggestions to management on his farm, he laughed, and stated, “No, you can’t really bring that up” (MFW 2013).

From these statements it is clear that individuals are pressured to discipline themselves to the conditions and regulations directed at them locally, within the industry they work, at their particular production sites. They may be regulated by standards institutionalized broadly in the industry, in the case for example of hygiene criteria focused on avoiding crop contamination, as well as to standards established more subjectively, locally, by those in positions of authority, such as employers or supervisors. These SAWP workers are pressured and disciplined to be the best farm workers, to succeed in the purpose of production, at the rate of production and under conditions varying from one farm to another. As touched on, SAWP workers are pressured to condition themselves to production practices they may see as dangerous or exploitative. The
individual who described having to keep moving during work, and not being able to kneel or sit, told me,

Well I have gotten used to it. At first I did not know how I was going to keep up, it was too fast. At that speed sometimes I felt as though I was going to lose my balance. But now, I have gotten used to it. I can keep up now (MFW 2013).

When I asked this individual if he thought that this work was dangerous, he replied, “I think it was dangerous for me before. It was very hard to keep up, I felt like I was going to fall down, or trip, maybe hurt myself. Now that I am used to it I don’t think it is so dangerous” (MFW 2013). I then asked this individual if he thought it was dangerous work for new workers who recently arrive at the farm for example. He stated,

Yes I think it might be. It depends what they are used to. It is very fast work, I don’t think that many people are used to that. With time maybe like me, they will get better and it would be ok (MFW 2013).

I asked this individual if he knew of anyone who had not gotten used to the pace and conditions of work. He replied yes, and he said that through the years of working at the farm he knew individuals who had not been able to keep up with the work, and that they were not asked back by his employer in following seasons. Interestingly, speaking about these workers he also stated, “They were good workers, they worked hard, the work here is just very tough and very fast” (MFW 14). Similarly, when I asked the individual who spoke about his long work hours, whether he had gotten used to this schedule, he stated,

The first few nights we work late are hard. It is like you are not use to it anymore. Those are very difficult nights, you may only get a few hours of sleep and then you are back to work. You can feel very exhausted, like you are not going to be able to go on. But after, a few days later, it kind of gets better, you kind of get used to it. You go right to sleep when you get in your bed, and at least those few hours are restful (MFW 2013).
When I asked him whether he knew of others who did not get used to the schedule or could not handle it, he added,

Yes, some people can’t cut it. Some guys suffer through it longer. You can see it on their faces; they are on the brink of cracking. With some guys the work makes them go a bit crazy, they are too tense, they get into fights easily about simple things, or some do not talk, they get quiet (MFW 2013).

When I asked this individual what happens when coworkers can’t handle the schedule or the work, he stated, “Well they have to; they have to get the work done. If not they don’t come back (MFW 2013). One worker stated, “I know people who have gone home, yes…not here, but two years ago. Me I just stick to things, keep it simple, do the work… I don’t ask too many questions” (MFW 2013). Even the individual who works cutting cabbage, who seemed to propose potential improvements to his work conditions noted, “You are here to work, and that is the work” (MFW 2013).

The above statements show the processes enacted through disciplinary power discussed by Foucault. Through a consistent repetition, constant surveillance, and assessment under a threat of firing and replacement, individuals may work to ‘get better’ at work practices they previously problematized. Some SAWP workers may increase their abilities to the point where they may eventually normalize particularly arduous conditions, and as such, in a way they sustain these practices, and increase their domination by standards set on them. In this manner, agricultural producers are able to discipline workers to their ideal standards and rates of production. If a worker cannot condition him or herself to standards an employer or supervisor has established at their particular farm, even if the SAWP worker has abided by the regulations ascribed to them through their category as a regulated migrant worker, the employer or
supervisor has the ability to not only fire that person, but can also jeopardize the worker’s future work and stay in Canada. One SAWP worker who I spoke to told me,

I do worry. I have to do the work well, keep up. If not maybe they will not ask me back here again, maybe I will have to go work somewhere else next year. But I do worry that if I don’t work well, maybe they won’t let me come to Canada. I think many people worry about that (MFW 2013).

The individual cutting cabbage noted, “If you want to come back you have to do the work. You can’t really speak out about these things. We need this work” (MFW 2013). Another individual I spoke to noted,

Well you have to follow these rules because well I need to work to keep myself and my family going economically. There is no work for me in Mexico. Yes there is a lot that I don’t like about these situations, the treatment, but I need to work (MFW 2013).

In other interviews I conducted, workers touched on feeling this pressure to varying degrees, even describing situations where this pressure stemmed from very intense and even violent relationships and interactions with employers. What is important to note is that in my years of working with individuals under the SAWP it is clear that the relationships many people have with their employers do not reflect the extreme cases I am about to describe, however, these cases are important to identify as they demonstrate the intense regulation and even abuse that continues to occur under the SAWP.

One SAWP worker I spoke to stated, “The boss orders, he doesn’t talk too much” (MFW 2013). Another worker stated, “You know how things are…well here you don’t have much of a chance to say anything” (MFW 2013). Another worker added, “Yes it is a lot of work, it’s difficult, there is no time to take off, to relax, to go around, but that is how it is, they want you to work like that” (MFW 2013). This worker also noted, “When I first started, I wasn’t sure how to
do it (the work), I was a bit slow, and the boss was getting mad, frustrated. I just kept observing the others, to learn to get better and faster” (MFW 2013). These testimonies demonstrate not only a pressure to work under stressful and intense conditions, but also of a recognition of the authority of employers, and a perception of an inability to speak out, to refuse or challenge these practices. As discussed above, I suggest that these intense work conditions, together with a feeling that they cannot challenge or refuse these practices, creates a disciplining force where individuals push themselves to work at particular paces, or conditions, to meet these expectations, largely motivated by intimidation.

Lastly, similar to testimonies other SAWP scholars have documented, two workers who I spoke to described a direct and violent confirmation of their employer’s authority. One stated, “He was yelling, he even turned red, he grabbed a bag from my hands very aggressively, he asked me if I was dumb, he said I was not doing things right, and he asked me if I wanted to go home” (MFW 2013). Another worker shared his experience of what is among the most violent display of employer aggression and abuse I have heard of. He stated,

It was four of us; we were cleaning. We already knew he had a temper, he was always yelling. I could not hear him well, when I heard him yell, what are you deaf? Or something like that. And then as I turned towards him he sprayed me with a pressurized water hose. The water hit me in the side of my neck, my collar. It was a very painful moment. I thought to myself, this man is crazy. I dropped everything and tried approach him. I was going to hit him. My co-worker held me back, he told me to calm down. The skin on my neck was peeled off. I was so angry. I went inside the housing, and treated my neck. I called the consulate and told them what had happened. I wanted to charge this man. They told me to calm down, they spoke to me like I was a child; they did not take me seriously. I had to work there for 2 more weeks. I did not talk to the boss. I tried to work so calmly, and just get the work done. When I returned back to Mexico I told them I did not want to return to that farm again, I told them what had happened. That is when I was moved here the next season after that. But I know that my old coworkers are
still there. Nothing is done. They (employers) can do whatever they like (MFW 2013).

As the above testimony shows, in addition to the direct act of violence this individual experienced, he also recognized that the authority of his employer under the SAWP left him with what he felt was little recourse but to switch employers. I suggest that this feeling of being unable to have his abuse addressed, and his employer held accountable, should be recognized as an additional form of violence experienced by this individual. Again, of course there is a wide variance in how employers under the SAWP conduct themselves and treat SAWP workers; I do not suggest that this level of violence is at all generalizable. However, as McLaughlin (2009) notes,

the question of “how bad” or “how good” employers are is a subjective one, and not necessarily very useful in the larger analysis of legislative rights issues. Preibisch (2004; 2003) observes that the broader structural constraints of the SAWP enable the situation where workers’ treatment is largely dependent on the “subjective good will” of their employers (207).

Housing

Moving on to exploring other techniques of regulation and discipline directed at SAWP workers, I contribute to discussions on the authority of employers deployed through their control over worker housing. I suggest that SAWP housing in many cases serves as a regulative apparatus through which employers deploy their heightened authority and mobilize techniques or regulation on workers. Both McLaughlin (2009) and Preibisch (2003) offer thorough discussions in this area, and note that the regulation deployed through SAWP housing is influenced by factors such as the close proximity of worker housing to that of the employer, as well as the
ability of the employer to establish systems of surveillance in and around the bunk house, such as 
security cameras or signage identifying rules for visitors, trespassers, curfews, and cleaning 
regimens for example. Preibisch (2003) notes that this authority and the way bunkhouses are 
organized often provide workers with no right to privacy and enable the establishment of a range 
of controls over their lives while in Canada. McLaughlin (2009) notes,

Many employers not only restrict visitors, but also impose curfews on workers. They may enter the workers’ residences at any time. The most restrictive deny workers the right to even leave the property without explicit permission. Even extended family members may be denied the right to visit, and in some cases local community members who have befriended workers have reported being told they would not be allowed to visit with workers, even on their off time, and even off of farm property, or risk the worker’s future employment (216).

McLaughlin (2009) highlights the variety of techniques of regulation and aspects of disciplinary power. She notes,

How employers exercise this sense of ownership and control over the workers’ spaces varies. Some worker residences have signs up which read: “Private – do not enter!” Others place workers’ residences within eye sight of their own. For larger farms that cannot monitor each individual worker, a security company may be employed to monitor their movements. One house that I visited had an award on the wall for having the tidiest migrant worker residence, along with a sign warning that visitors are not permitted at night and indicating that a security company had been hired to enforce this company policy. “Any violation of this rule will result in the privilege of receiving visitors in a house being removed,” it reads (215).

In line with these authors, I suggest that the bunkhouse, to which the SAWP worker is contractually tied, in many cases becomes an important apparatus utilized by employers, and renders these workers accessible to regimes of discipline and control. As McLaughlin (2009) notes, touching on panoptic surveillance and the regulative power channelled through SAWP housing,
All of these reasons – workers’ proximity to their employers who can enter at any time, the threat of security cameras and companies, co-workers who may tell on them, the constant threat of dismissal and repatriation for any reason – constitute the ideal methods of discipline and control which Foucault explicated in his discussion of the panopticon. Workers never know when they might be watched or reported, but they know they could be at any time (218).

To this effective description, I contribute additional theorizing on the strategic use of space that may be useful for further considerations. As noted, in Foucault’s 1977 *Discipline and Punish, the Birth of the Prison*, he discusses the evolving techniques of discipline mobilized on the body. Amidst techniques of discipline, Foucault (1977) discusses what he refers to as “the art of distributions”, or the distribution and organization of individuals through techniques involving the organizing of physical space. Foucault (1977) suggests,

Discipline sometimes requires enclosure, the specification of a place heterogeneous to all others and closed in upon itself. It is the protected place of disciplinary monotomy. There was the great ‘confinement’ of vagabonds and paupers... there were the colleges, or secondary schools: the monastic model was gradually imposed; boarding appeared as the most perfect, if not the most frequent, educational regime (139).

This technique of enclosure, of spatial contribution towards disciplining can be identified as active in the requirement for SAWP workers to reside in the bunk houses provided by their employers, often located on their property, or as discussed, drawn closer to the employer through security cameras and techniques of surveillance. This confinement of sorts brings these workers under a regulated space, where they are easily accessible for instruction and disciplinary regimes. To add to this, the coordination of SAWP workers into particular rooms, touches on what Foucault (1977) suggests is the advancement of techniques of enclosure to the practice of ‘partitioning’ as a further technique to discipline. He suggests,
Each individual has his own place; and each place its individual. Avoid distributions in groups; break up collective dispositions; analyze confused, massive or transient pluralities. Disciplinary space tends to be divided into as many sections as there are bodies or elements to be distributed. Its aim was to establish presences and absences, to know where and how to locate individuals, to set up useful communications, to interrupt others, to be able at each moment to supervise the conduct of each individual, to assess, to judge it, to calculate its qualities or merits. It was a procedure, therefore, aimed at knowing, mastering and using. Discipline organizes an analytical space (143).

This can be identified as a technique active and mobilized by some SAWP employers in various forms. The specific allocation of SAWP workers to particular rooms or particular segments of rooms, and the establishment by employers of bunkhouse cleaning regimens, documented by McLaughlin (2009) and other SAWP scholars, as well as in my own research, provide an increased opportunity to supervise, to match up worker with space, and with assessed levels of discipline and adherence to set standards. This provides an ability for employers to enter the space, to check up, to assess, to judge the particular conduct of particular individuals, based on assessments of particular rooms or sections, ‘the place and its individual’.

Simultaneously this provides the opportunity to, as Foucault (1988) suggests, set up ‘useful’ communications regarding regiment, behaviour, cleanliness, morality, and potentially interrupt other communications that may be interpreted by employers as distractions to workers or disruptions to their regimes of control. The ability of employers to enter the bunkhouse in this way enables them the opportunity to interrupt private communications, or particular groupings of workers or habits seen to result from particular groupings. Furthermore, supported by Foucault’s understanding of discipline as promoting an increased aptitude and, in turn, an increased domination, the confinement and partitioning of workers into employer bunkhouses, amidst cleaning regimes, and inspections, demonstrate a push for workers to increased their aptitudes in cleaning and keeping the living quarters tidy. If successful, the result is the increased domination.
of these workers by the regimen of the employer, both around bunkhouse practices as well as more generally.

What is important to recognize is that not every employer is mobilizing these techniques or mobilizing them to the same degree, which supports the understanding that SAWP workers have different experiences due to differences in the deployment of regulation. For instance, some SAWP workers reside in housing off the farm, they are more independent, and in close proximity to other SAWP worker housing, among neighbours. Some of these workers are able to invite people over, even have celebrations on particular holidays or special days. In their (2013) conference presentation entitled, *Mapping precarity and agency: Farm migrant workers from Mexico and Guatemala in Ontario and Québec*, Danièle Bélanger, and Tanya Basok, discussed the differences among SAWP workers in their access to internet, to informal and formal networks of transportation and to support organizations, and how this difference largely influenced their precarity and agency. Similarly, in some housing there may not be house cleaning regimes in place, or regular inspections. Though this is important to recognize, it does not take away the fact that contractually employers have the capacity and opportunity to regulate workers through worker housing, and there are those who are using these techniques consistently.

As part of my research I visited some housing units of SAWP workers, and discussed housing with other workers as well. One worker told me that his supervisor would enter the bunk house in the mornings to ensure individuals were moving fast enough, and to pressure them to present themselves on time for work. This individual and his co-worker noted that on various occasions the supervisor commented on the breakfast they were eating, suggesting that it was
taking too long to make, and on another occasion that their breakfast was too large and that its digestion would tire them out for work. One of these individuals also noted that during a visit from their employer to check up on tidiness, the employer placed a print-out of the Canadian food guide onto their refrigerator, saying that he had heard that they were not eating well and that they better start eating healthy or he would send his wife to sort through their refrigerator. Here we see the mobilizations of discourses that go beyond those established through the SAWP and criteria around production, to discourses around health, diet, and nutrition for example, and that show the attempt of some employers to mold and discipline SAWP workers through broader understandings and ideals. Again, connecting this to the broad authority of employers, it is very possible for this non-production based, non-institutionalized regulation or disciplining, to have an influence on a worker’s continuation under the SAWP. Resisting or not fitting into these arbitrary idealizations, constructed by employers or supervisors, may indeed result in workers being reprimanded. This allows for the recognition of the institutionalized, subjugating position of SAWP workers.

Similarly, in visiting the bunkhouse of another worker I interviewed for my research, I noticed various religious ornaments, including crosses and paintings hung up throughout the bunkhouse. I commented on how many ornaments there were, and he responded that yes there were many and that they weren’t his or any of the other workers, that they had not decorated the house, and that they were put there by their employer. I asked the worker whether his employer was religious, and he answered that he and his wife were. I spoke to another individual whose supervisor at his farm was also a pastor. This supervisor had ordered and distributed copies of the bible to every one of the close to 300 workers on his farm. The worker also noted that
approximately 25 of the bibles were specially translated into Jamaican Patois. These examples demonstrate efforts by employers to direct religious understandings towards SAWP workers, to varying degrees trying to influence them, or potentially support or reinforce already internalized understandings of religion. Though neither one of these examples demonstrates an aggressive targeting by employers, the extension of religion to the workers at the group or workforce level, should be understood as a targeting of discourse that is neither production-related or regulative for SAWP specific criteria. Again these are examples of attempts to influence and mold these individuals beyond work, to influence them as people, again under a perceived ability by employers that they can do so, I argue, enabled by their institutionalized authority under the SAWP. Though some SAWP workers may receive information or religious activities in a positive light, and see it as providing benefits to them, in the context of others who do not, I suggest that these examples should also be recognized as reflecting colonial histories of attempts at ‘bettering’, ‘saving’, and ‘un-savaging’ racialized individuals by those who have historically been placed in the socially constructed position and authority to attempt to do so. In the case of the SAWP worker, these regulative techniques are again largely enabled through both the criteria of workers living in housing provided and controlled by their employer, as well as through the broader authority that employers maintain over these individuals.

Another individual I interviewed recounted his experience on a farm where he had a very strict cleaning regime. He described a cleaning list that in addition to stipulating cleaning tasks for their individual living spaces, the names of workers were rotated among various additional tasks centered on particular ‘common’ room areas in the bunkhouse. He noted that there was a very thoroughly laid out methodology for the cleaning of each room, posted together with the
cleaning list. Furthermore, this individual recounted that when he first arrived at this farm, his employer asked a co-worker who had been returning to the farm for various years, to run through the particular tasks and show him how to do them ‘properly’ so he would be ‘prepared’. This example demonstrates a highly regimented deployment of regulation through the bunkhouse, acting on standards set on cleanliness, on hygiene, established by employers. This example also supports Foucault’s suggestion that disciplinary force is corrective and attempts to heighten ability and capacity, organized by regimes of instruction, to promote what could potentially be understood as a ‘muscle memory of regime’, an internalization of technique, alongside obedience. As Foucault (1977) suggests, speaking to this force directed as punishment, he states

Disciplinary punishment has the function of reducing gaps. It must therefore be essentially corrective. In addition to punishments borrowed directly from the judicial model (fines, flogging, solitary confinement), the disciplinary system favour punishments that are exercise—intensified, multiplied forms of training, several times repeated (179).

Indeed, the SAWP worker who had learnt how to do the cleaning ‘properly’ had learnt to do so through repetition, through a consistent doing and improving through time. Furthermore, this individual’s aptitude not only normalized and confirmed the cleaning regime, but his aptitude became a tool through which to practice this regime on new recruits, contributing to the disciplinary processes. Also demonstrating the punishment aspect of cleaning regimes, among the workers I spoke to one stated, “Our boss has definitely yelled at some of the guys for not cleaning up in the bunkhouse. One time he told us that if we did not clean the refrigerator he would not take us into town to shop” (MFW 2013).

SAWP scholars including McLaughlin (2009) have provided examples of employers drawing from discourses of morality and understandings around sexuality to regulate SAWP
workers. Documented practices have ranged from attempting to dissuade, or disallowing their workers from having sexual relations or relationships. As McLaughlin (2009) so effectively notes,

In this form of paternalism the protagonists are not children, but rather a racialized Other which, while she may be cared for or pitied, is still inherently deemed as inferior, a position exacerbated by their enforced position of dependency (McLaughlin 2009: 210).

As many SAWP scholars have pointed out, and as touched on already, what provides employers a heightened authority and power to mobilize techniques of control and discipline over SAWP workers is the ease with which employers can dismiss workers, and the broadly authorized reasoning they are provided to do so. Quite different from what may be understood as ‘standard’ consequences of not abiding by employment related duties and rules among citizen-workers, is the fact that through the employment contract the employer is provided the ability to dismiss and repatriate a SAWP worker for “non-compliance, refusal to work, or any other sufficient reason, to terminate the worker’s employment hereunder and so cause the worker to be repatriated” (HRSDC 2013b: 5). Again, as noted, through access to data on repatriations, Preibisch (2004) suggests that “rates of forced return are low” she nonetheless adds, “the threat of repatriation is an effective mechanism of control” (204). Indeed, as many SAWP scholars support, as does my research, the threat of dismissal, potential repatriation and exclusion from further working under the SAWP channels a powerful, regulative and disciplining force. McLaughlin (2009) quotes a worker who states, “They run things – they know that and use it as a trump card so we can’t talk back” (in McLaughlin 2009: 219).
From these and other interviews, the authority of employers under the SAWP is made clear. So too is a hesitation among workers to challenge, or question employers, or to diverge from their instruction or expectations. Furthermore, as in the previous discussion, it is important to recognize difference among SAWP workers I spoke to, in their internalization of these disciplinary practices. McLaughlin (2009) discusses “contradictory views” held by SAWP workers towards their employers. She states,

A prevailing narrative, even amidst extremely restrictive or unjust circumstances, is that workers are grateful to their patrones [employers] for the job, thankful to them for providing services such as transportation, and, most of all, appreciative that the employer continues to choose them amidst a variety of alternatives. Few workers will openly and harshly criticize an employer, even those who complain about poor circumstances. Instead, they recognize that their welfare is very much tied to the welfare of their employers. Thus, workers accept the terms of their employment, even if they also realize they are unjust. In this way, power functions through subjects controlling their own behaviour (207)

McLaughlin (2009) describes understandings held by SAWP workers that seem at tension, or in opposition, including internalizations of gratitude and appreciation of employers and their provision of opportunities for work, alongside recognition of injustice in their experiences and treatment. She suggests that the power and authority of their employers and the position workers find themselves, directs a disciplinary power on individuals that regulate their behaviour nonetheless. This statement from McLaughlin (2009) is effective in presenting the tensions and contradictions that are produced from the pressure and subjugation of SAWP workers. However, I suggest that here McLaughlin (2009) groups together the experience of SAWP workers in a manner that misses important nuances. Though her statement effectively highlights the tensions that are active in the experience of many SAWP workers, she may also conceal examples where workers more clearly challenge SAWP regulation and discourses, as
well as examples of SAWP workers who have internalized these more fully or completely. In an interview I conducted with a SAWP worker, this individual stated, “I am fast, I do the work well. I know how to do it. I’ve been coming here for 12 years now” (MFW 2013). He added, “Yes it is quite difficult, but you get used to it, it’s good... I know how things work at the farm, how the people are”. After he stated, “I am here to work, its strict, it’s not a vacation… when I am done I look forward to going home” (MFW 2013). The understandings presented by this individual represent a fuller internalization of SAWP regulation. Similar to the individuals quoted at the beginning of this section, this individual presents an understanding of getting better at his job, recognition that though it is difficult and strict, he has heightened his aptitude as a farm worker through the years. His statement suggests a recognition that he has also ‘gotten used to’ his broader experience as a migrant worker, of restriction, and most importantly, of the experience of temporariness or ‘non-belonging’ in Canada, after which he returns to his home. This is the embodiment of SAWP discourses. Of course, and in support of McLaughlin’s (2009) recognition of the incompleteness in understandings among people, recognizing that this individual has not known me for too long, and that on another day he may, as many of us do, fluctuate in his understandings of his experience, nonetheless, the confidence, and clarity that accompanied his responses to my questions, need to be recognized as suggesting a internalization of these SAWP understandings. Similarly, another worker who identified being on his 21st season of coming to work in Canada, told me,

Yes I have been coming here for a long time. I do it, for my family back home. I come here to work, after this time you know what to expect. It has always been difficult work, hard work, with the years it does not get easier, but the time can go fast, you are so busy, that the time goes fast. Before you know you are heading back home, and the money you made, well it helps back home (MFW 2013)
I have heard similar statements made by SAWP workers, outside of the formal interviews conducted for my thesis, and again their statements, even when further questioned, have presented a clarity and confidence that cannot be ignored. On the other end of the spectrum, another SAWP worker I interviewed, speaking about the program stated, “It’s not for me; your whole life here is work and work. It’s not good for my body or my mind. I don’t get to see anything, and the treatment is not good” (MFW 2013). McLaughlin (2009) quotes “Lorenzo” who presents a similar position, he states, “They even tell you where you have to live here. If you hate the person you’re living with, you have to live there anyway! I would rather pay rent and have control over my life,” (in McLaughlin 2009: 219). Another SAWP worker I spoke to stated, “I am not coming back. Or maybe I’ll go soon. They are not good people. They treat people like animals not humans” (MFW 2013). The worker whose employer shot him with the pressurized water hose, also told me, “Maybe I will come back for a couple of years to save some money, but I can’t really do this anymore, it is not right. There is no respect, there is no support” (MFW 2013). Though recognizing that understandings among individuals may fluctuate, these statements nonetheless suggest that the regulations and control experienced by some SAWP workers do not seem to be for these individuals. The authority and practices of regulation or control by employer may have been successful regulating certain areas of the experiences and conduct of these workers (for some time), but it is clear that they are challenging this treatment and experiences with personal understandings, including those of respect and good treatment. What makes the above statements particularly powerful is that these individuals present challenges to core understandings that structure the status of the SAWP worker. Their statements problematize the inability to move around when in Canada, to ‘see things’, and problematize the lack of control they have, for example around where and with whom they may
live. These statements present a priority of a life these individuals see as a good life, and recognition that as SAWP workers they are being restricted and denied that life. In addition to directing further investigation into understanding what I suggest are more thorough internalisations of SAWP discourses, it is important to better identify the understandings of the ‘good life’, of ‘respect’, and ‘support’ that some SAWP workers are drawing from to challenge their subjugation under the SAWP.

In the next section, I will discuss what I argue is the regulation and disciplining of SAWP workers through a fragmented discourse of health and ability. I suggest that this discourse is drawn from and contributed to by the SAWP health exam, a medical assessment that all SAWP workers must pass. I suggest that this assessment infuses understandings of health with regulative understandings and a disciplinary force focused on a need to remain ‘healthy’ under the SAWP, and which strongly infuses understandings of health with a static character, and the need to work and produce without interruption. I suggest that through this understanding some SAWP worker are controlled, and enact processes of control and disciplining on themselves.

The SAWP Health Exam: An Apparatus of Regulation and Discipline

McLaughlin (2009) extensively maps the experience of SAWP workers as they navigate through the SAWP health exam. She suggests that as a part of the SAWP, the exam is “the most thorough and consistent element of the recruitment and screening process” (197). This exam is generally depicted as a medical assessment that ensures prospective SAWP workers are cleared for communicable diseases framed as potential health risks to Canadians, as well as assessed
against health conditions that are believed to complicate their work in Canada, or require too much medical attention. However, I suggest that a focused exploration of the SAWP health exam is crucial to discussion around regulation, discipline and domination targeting SAWP workers, as this exam and its discourses direct an extremely powerful force on both the SAWP applicant as well as individual admitted under the SAWP. I suggest that not only do the health exam and its discourses have strong regulative power, authorizing the exclusion from the SAWP of anyone who does not meet the criteria the exam and its discourses establish and screen for, but also among those who are accepted, the exam’s practices and understandings remain active within many SAWP workers and produce effects on how they understand and treat their bodies, health and illness.

Drawing from the work of Foucault, I suggest that the SAWP health exam is part of an intricate institutionalized apparatus through which discourses around health, disease, ability, and borders swarm around the foreigner and his or her body. Specifically, the SAWP health exam explores the foreigner’s body, assesses it through a created standard of health, and if satisfied, admits what it identifies as the healthy SAWP worker. Drawing from McLaughlin’s (2009) outline of this exam, I suggest that this exam can be more fully understood as encompassing the health examiners, social workers, technicians, the examination spaces, the questionnaires and the technologies and tools utilized, established and active in sending countries. Also part of this exam and its processes is the network through which data created from these practices on the bodies of potential SAWP applicants reaches Canadian government sanctioned physicians who assess and verify.
Foucault (1975) makes clear that discourses of medicine, health and disease, channel significant influence over society. More so he recognizes how these discourses have been deployed at times intertwined with discourses of social stigmatization and control, often presented with a neutrality, or as part of actions focused on ideas of betterment, improvement, prevention, or humanitarianism. Medical discourses surely authorize practices that are widely understood as useful and functional, against what is understood as morbidity and mortality. However, as will be discussed further, historical examples demonstrate the power and influence of discourses of medicine and how from these discourses, at particular times and places, violent and dominating practices targeting peoples and groups of people have been authorized. Furthermore, as discussed in the work of Foucault, and in medicalization literature (see Illich 1975 and Navarro 1993), thoroughly exploring the influence and power of medicine becomes increasingly important as medicine continues to expand its influence over more aspects of the individual and society. The following discussion will draw on the work of McLaughlin (2009) and her thorough description of the SAWP health exam, supported by additional theoretical tools and findings I identify from my qualitative interviews.

As Lux (2010) suggests, “Scholars note how Western medicine is implicated in colonialism, occupying what David Arnold calls a central place in the ‘ideological as well as the technological processes’ of colonial rule” (409).

Indeed in the histories of the domination of people, violent ‘gazes’, practices and techniques have been mobilized on the bodies of particular people and groups of people, collaborating with dividing practices, through which the bodies of particular people have been created as dirty, infected, diseased, undisciplined, a risk or a threat. Authority has been drawn
from these understandings and their constructions by government or groups of people, through which various practices of regulation and disciplining have been enacted, as well as practices of violence and killing. Though a thorough historical review of the dominating and violent deployment of medical discourse within the context of Canada, specifically targeted at racialized people, is central to the work I would like contribute to, it is beyond the scope of this thesis. However, one of the most blatant examples through which we can recognize these histories is the use of discourses of health and medicine as part of the colonization of aboriginal peoples of territories that make up present day Canada. As Maureen Lux effectively demonstrates in her (2010) article “Care for the ‘Racially Careless’: Indian Hospitals in the Canadian West, 1920-1950s”, discourses of health were mobilized among other colonial discourses to not only differentiate Aboriginal peoples from the ‘Canadian nation’, but to legitimize their control, isolation and repression. Lux (2010) notes how medical discourses both supported and “recalibrated the colonial binary”, by situating the threat of tuberculosis within the bodies of Aboriginals, intertwining with racism to create ‘Indian tuberculosis’ as a threat to ‘Canadian society’. These medically supported processes were mobilized again amidst ongoing colonial strategies to coordinate and isolate Aboriginal peoples onto reserves. As Lux (2010) notes,

Canada’s colonial policies and practices –sociocultural disruption and economic dispossession-shaped Aboriginal ill-health while rudimentary Euro-Canadian medicine attempted to confine ill-ness on reserves making Aboriginal bodies as fundamentally weak and diseased (409).

Furthermore, as Lux (2010) suggests, through racist discourses intertwined with those of self-care, the Aboriginal person was simultaneously created as ‘racially careless’ and ‘ignorant’ with their health. These understandings were institutionalized by members of the medical establishment of the time, such as Dr. David Steward, superintendent of Manitoba’s Ninette
sanatorium, who as Lux (2010) describes, suggested Aboriginal people could “no longer be left
to well-meaning missionaries and apathetic Indian agents” (409-410). As Lux (2010) suggests,
“Unchecked Indian tuberculosis justified coercive institutionalization, which conjured an
increasingly robust national health guarded by a vigilant state” (410). Lux (2010) adds,

Aboriginal bodies were seen as a menace to their neighbours and a danger to the
country. By the 1940s state-run racially segregated Indian hospitals
institutionalized Aboriginal people who were not welcome in provincial sanatoria
or in the modernizing community hospitals. The opening of the Charles Camsell
Indian Hospital in Edmonton in 1946, one of the first acts of the newly created
department of National Health and Welfare, was a very public demonstration of
the state’s commitment to define and promote ‘national health’ by isolating and
institutionalizing Aboriginal people (407).

Lastly, on this she further states,

The high state drama of the Charles Camsell Hospital’s opening ceremony
demonstrated the state’s commitment to a strategy of Aboriginal isolation and
exclusion in pursuit of white national health and welfare (410).

Indeed Lux (2010) presents a legacy of the use of discourses of health, of the situating of
the isolated disease inside the body of racialized others amidst their continued repression, to
conjure both fear for the security of the ‘Canadian nation’ as well as to authorize techniques of
exclusion, restriction and repressive control. Even though Aboriginal peoples were the first
peoples of territories colonized and settled by the Canadian nation, medical discourses
intertwined with colonial and racist discourses, constructed these individuals as ‘foreign’ and
interactions with them became of ‘national’ concern. In addition, exclusion or control under
restrictive conditions became required for a national-wide ‘health’ that again excluded them. As
the constructed understanding of the Canadian nation continues to secure borders around itself,
in physical manifestations and as Sharma (2000) notes, in institutionalized constructions of
belonging and othering, the Canadian state has continued to mobilize discourses of health,
disease and protection for the health of the Canadian nation, amidst strategies to exclude and control the ‘foreigner’. As Citizen and Immigration Canada (CIC) notes,

The medical evaluation and assessment of foreign nationals applying to enter Canada originated with the first Immigration Act of 1868. The Immigration and Refugee Protection Act (IRPA) is Canada’s current immigration law. It came into effect on June 28, 2002 and it governs the health screening of foreign nationals coming to Canada. The requirement for a medical examination serves several purposes: to protect the health of Canadians; to protect the safety of Canadians; to reduce and prevent excessive demand on Canada's health and social services (2012).

CIC’s comments make visible a consistent continuation into the present day of the discourses that were targeted at Aboriginal peoples described by Lux (2010), and which speaks to the continued power and strategic utility of these discourses. As in the case of the creation of ‘Indian tuberculosis’ which systematically infused the Aboriginal with risk, with what became to be understood as an inherent danger of carrying disease by way of who they are, the foreigner too continues to embody the risk of disease, a threat, a danger, by way of their foreignness, by way of who they are. It is important to recognize that this situating and isolating of risk and disease within the body of the foreigner, as in the case of Aboriginal peoples in Canada, continues amidst the mobilization of direct, as well as indirect policies supported by the Canadian state that can be understood as shaping the ill-health of foreigners that the Canadian state continues to then stigmatize. For example, Binford (2009) and McLaughlin (2009), among other SAWP scholars, have discussed the implications of neoliberal policies on the rural poor of Mexico and the Caribbean. Binford (2009) notes that through NAFTA, between the year 2000 and 2005 a million and a half jobs were eliminated in the Mexican countryside (506). As broader literature on the effects of neoliberal policies have supported, ‘sociocultural disruption and economic dispossession’ continue to be inflicted on many foreigners by the economic policies
supported and contributed to by industrialized countries including Canada. Information on the
practices of Canadian mining companies, largely unregulated by the Canadian state, ties these
practices to corruption, land and water contamination, displacement, all increasingly associated
with creating ill health in surrounding communities (Miningwatch Canada 2007; 2013). This
provides another example of the shaping by the Canadian state of the ill-health of those it then
stigmatizes, constructs as risks, and excludes, and through whom it heightens alarm and priority
for its own ‘national health’ policy.

Medical discourses and fragmented notions of ‘national health’ provide the state-constructed criteria through which to further screen against the ‘indiscipline’ of foreigners
discussed previously. As Lux (2010) notes, colonial and racist discourses that create the other, in
their generalizable form, as irresponsible, as ignorant towards idealized behaviour or practices
(e.g health and hygiene upkeep) ignore the larger impacts of government policy on the health of
these individuals. Again, many of these “undisciplined” individuals are seen to require too many
resources to be disciplined into the standards of the Canadian nation, in this case, their
‘treatment’ poses too great a demand on Canadian health and social services, as do efforts
perceived as required to ‘show them the way’ towards good health. Arguably, in the experience
of Aboriginal peoples within the territories colonized by the Canadian state, these individuals
and their threats of disease could only be excluded and ignored until understandings of
transmission onto the privileged and dominant population became an institutionalized concern.
Though these individuals and communities were moved into reservations as techniques to
prolong exclusion and avoidance, their existence within the territories being claimed by the
Canadian state seems to have been perceived as a continuous threat that legitimizd the
mobilization of techniques to target these communities in an attempt to regulate and discipline them as a proactive protection of ‘Canadian health’. In the case of foreign nationals, the Canadian state, by way of its authority over its borders excludes the ill individual from entering the territory wherein the ‘Canadian nation’ resides. This supports the protection of national health while avoiding the need to mobilize further regulation, treatment, or discipline on ‘foreign’ individuals. Simultaneously, public health regimes, codes and campaigns continue to mobilize within established borders to regulate and protect the ‘Canadian nation’ from itself and its own diseases.

Within these processes the SAWP applicant is targeted by discourses of health, exclusion and control as part of SAWP screening criteria. As McLaughlin (2009) notes, the health exam has been part of SAWP worker assessment from the establishment of the program. The exam consists of a two-day assessment which occurs in the applicants home country, at ministry run clinical spaces, conducted by specific ‘Panel Physicians’ and Designated Medical Practitioners (DMPs) whose participation and qualifications are authorized by the Canadian government. The SAWP health assessment itself includes a mental health evaluation and a thorough compiling of the individual’s medical history, followed by various laboratory examinations which include blood and urine extraction, collection, and testing, as well as a chest x-ray (McLaughlin 2009). The second day of examination includes a ‘full consultation’ with a DMP who reviews the history and laboratory results, screens for a range of conditions which McLaughlin (2009) notes include, “diabetes, TB, kidney, heart and lung problems, obesity, high blood pressure, among others including cancers, addictions or other limitations (e.g. eye sight and restricted movements)” (162). The DMP performs a physical exam, and organizes the information they
have gathered into a six-page report template they must fill in (McLaughlin 2009). Upon conclusion of this, the DMP determines the individual’s admissibility following a scale system that is established by the Canadian government. McLaughlin (2009) reproduces this scale system in her work (Figure 1). From consultations with physicians conducting the health exam, McLaughlin (2009) adds commentary in italics to outline which health categories of individuals are admissible and which are not.

APPENDIX 4.2A - HEALTH EXAMINATION EVALUATION SCALE With notes*

The scale is as follows:

“A – Fit for employment in Canada without restriction [these workers are admitted without problem]

B – Fit for employment in Canada, but likely to require regular medical follow-up and care in Canada [some workers in this category may be admitted, such as controlled diabetes or hypertension, while many others would be denied]

C - Fit for employment in Canada, but will require medical surveillance and follow-up by Canadian public health authorities [none of these workers will be admitted to Canada]

D - Unfit for employment in Canada under the Seasonal Agricultural Worker Program as applicant has a condition or findings that may require more extensive investigations or care or that is incompatible with agricultural work. [none of these workers will be admitted to Canada.]

*These are the actual requirements as listed on the official medical report for the SAWP (See Appendix 4.2B). The comments in italics here are based on interviews with the Physicians who conduct these exams.

(In McLaughlin 2009: 569).

McLaughlin (2009)’s descriptions of the health exam make visible a thorough and extensive medical gaze targeted at SAWP applicants and various techniques of observation. From question based assessments, to bio-chemical assessments of urine and blood, to x-ray
imaging. From these practices on the bodies and the bodily processes of these individuals, information is created and organized into scaling assessment structures and evaluated towards understandings of “healthy” enough or not. McLaughlin’s (2009) discussion identifies a concern for communicable diseases assessed towards a focus on protecting Canadian public health, as well as a concern for conditions that are problematized as an increased burden on provincial health care systems. She quotes a Mexican physician who conducts part of the exam. He states:

Economically it would not suit any employer to be sustaining a diabetic, or anyone with hypertension, or if someone arriving with a urinary infection, this is nothing but lost time, money, and I don’t believe that it suits the employer! I think that the matter is not so much that they worry about the worker’s health; I don’t believe that . . . it is an economic question, nothing more. If I were an employer, I wouldn’t permit that you, with hypertension, or you, as a diabetic . . . . If I have you here as a diabetic and you have a coma, I will lose the worker, I will have the worker’s problem here (McLaughlin 2009: 163).

In this quotation, this health exam physician goes beyond concerns for communicable diseases as they relate to public health concerns, towards attempting to calculate for the future risk of individuals, understanding health not only as a status, in an immediate diagnosis, but as Foucault suggests, connecting it to calculations of risk and of future complications. I suggest that this understanding contributes to the idealization of health as static under the SAWP, of people having to maintain a good health, problematizing any fluctuations or changes. This process of calculations for future ‘risks’ are made clear by CIC who defines the assessment criteria of “excessive demand” on the health system as,

a demand on health services or social services for which the anticipated costs would likely exceed average Canadian per capita health services and social services costs over a period of five consecutive years immediately following the medical examination, unless there is evidence that significant costs are likely to be incurred beyond that period, in which case the period is no more than 10 consecutive years; or a demand on health services or social services that would
add to existing waiting lists and would increase the rate of mortality and morbidity in Canada as a result of the denial of or delay in the provision of those services to Canadian citizens or permanent residents (CIC 2012: 34).

As is clear, attempts are made to calculate and, in the short term, predict how many visits the individual may take up at the health service waiting room, and how many costly procedures these individuals will not only ‘require’ but actually go through with. These calculations and predictions maintain a strong power over the exclusion of people, but are organized through a constructed system of assessment based on a particular understanding of ill health and of illness behavior. This largely singularized understanding of health and how individuals access services and resources may produce calculations that do not reflect actual service utilization or perceptions of need among diverse individuals. In addition, in the above quote made by the physician, these calculations, and the idealization of ‘consistent’ health, and the reduction of future ‘interruptions’, are closely tied to the idealization of continued and uninterrupted production, problematizing the economic burden of ‘interruptions’ in health. In addition, through McLaughlin’s (2009) tracing it is clear that there is attention placed on screening for ‘limitations’ (eye sight, restrictions in movements, etc.) that suggest a broader concern with physical traits organizing understandings of an ideal worker who is ‘fit for employment in Canada’. Though concern for communicable diseases is identified among the structuring discourses of this exam and its evaluation, as McLaughlin (2009) suggests,

It can be seen, then, that the primary purpose of this exam (in contrast to medical exams for other long-term residents to Canada, for which public health concerns is the principal mandate) has been to ensure healthy, fit workers for Canadian employers (160).

McLaughlin also quotes another DHP from Jamaica, who states,

Look at their hands and that will determine if they are hard workers and for agriculture they’ll look at the calluses, the structure. You can feel the muscle in
the back of the hand too, you can feel it, you can know a worker (in McLaughlin 2009: 179-180).

On this, McLaughlin (2009) includes the testimony of “Anthony”, a Jamaican SAWP worker, who also notes,

So they just look at you and judge you by how your hands are and how you move and ask you to stretch out your hand and if you stretch it out they would turn you down. You have to stretch out your hand very fast and they ask you to touch your toe, you just have to go down very quick, they want to know if you have a back problem so you have to touch your toe and don’t bend your knees... Someone told me and if you’re smart you can go and watch the guys before, you see, you have a pretty good idea (178).

As these quotations suggest, there is an understanding among those involved in the SAWP, including workers that the examiner gazes at the body of SAWP applicants with a perception that they can differentiate workers from those that are less able, or less effective at being the workers sought. I suggest that through the established authority of the SAWP and the normalization of the SAWP’s ability to regulate and coordinate people to particular work, this exam and those conducting and interpreting it draw from a version of health discourse that draws from varying understandings and priorities. The exam assesses for disease, predictions of health futures, calculations of economic health ‘burdens’, bodily structures and functions such as flexibility, limberness, strength, endurance which it connects to ability and to suitability, all towards the creation of an idealized SAWP worker.

From a Foucauldian perspective it is important to touch on how this conglomeration of discourses is drawn on by SAWP regulators to deploy established idealizations. This is rooted in understanding how the development of techniques to map the body, to look into it, to extract from it, and to look into those extractions, are techniques of particular understandings and
engagements with the body and its processes that have been currently institutionalized. These
techniques and understandings are organized and made possible by particular systems of
understanding, simultaneously asserting influence and dominance over others. Though the
analysis of these processes here is not centered on judgments of an inherent “good” or “bad”, I
do recognize that through these understandings and techniques authorized individuals are able
to talk about calculations, risk, and risky or infected bodies, as well as bodies that may be ‘costly’
because of particular ideas of required treatment. Therefore, from these health understandings
and practices a broadening of authority is created through which to exclude, regulate and control.
Prior to the wide availability of the x-ray machine or to the ability to assess a blood sample, it is
possible that ‘health’ screenings may have produced less intensive restrictions, possibly with less
of a focus on ‘future health’ calculations, as health screenings may have relied on ‘limited’
observations made from outside of the body. As much of the medicalization literature argues, as
new technology develops in medicine that increases the authority of people to further predict
disease or conditions, screening and its authority to exclude or regulate may intensify (Foucault
1973).

The health exam not only deploys regulative power, in that it is able to exclude
individuals it deems inadmissible, it is also able to enact a strong disciplinary force on
individuals who ‘pass’ the exam and become SAWP workers. Many SAWP workers are quite
aware that their health, as assessed by the health exam, is critical to their continued employment
in Canada. More so, I suggest that the type of assessment the SAWP health exam conducts and
the meanings it establishes around health prompts a concern among some SAWP workers for
risk, for interruptions in health connected to people’s work and productivity, towards the
idealization of health as a static state. Understandings and practices of ‘maintaining healthy’ for
maintained production are internalized and taken on by some SAWP workers, and some enact
practices of the self, through which they attempt to maintain themselves as this health static
ideal. In interviews I conducted I identify examples of this process. When I asked one of the
SAWP workers I interviewed about his experience with the health exam, he stated, “They
checked everything; it was a whole process. They took my blood, and they did an examination”
(MFW 2013). I asked him if the exam had made him nervous. He responded,

Well yes a little bit. You are there, with a lot of people, you see a lot is going on;
you have your papers, and talk to those from the government, and then the exam.
Yes, the examination made me a bit nervous… you get a bit nervous wondering
what they are going to find (MFW 2013).

Another SAWP worker responded to the same questions stating:

It is very thorough; they check your muscles, your bones, your blood, your
reflexes, your strength, to make sure are you are healthy. (Laugh) Yes I was a bit
nervous. I had never had an examination like that before, I was nervous about
them taking my blood; I didn’t like that too much. I know I am healthy though, so
I wasn’t too worried (MFW 2013).

Another interviewee noted,

They ask you a lot of questions. It took me some time to think them through.
About if you have been sick, when? With what? It did get me nervous a bit. After
the testing I thought to myself, I hope they do not find anything wrong. I am a
healthy individual... I am use to hard work, but I wasn’t sure if they would find
something (MFW 9).

Another SAWP worker stated, “It was good. No I wasn’t nervous. I have done it before.
It’s good; you know that you are healthy; it tells you if something is wrong, which is good. Yes it
was ok” (MFW 2013). I asked these individuals whether they thought this exam was important
for their employment in Canada. The first responded, “Of course, it is so they know you are
healthy enough to work, that you aren’t going to be sick over there, here, that you are healthy
and can work” (MFW 2013). Another individual said, “Yes it is important. If they find something you cannot come. You have to be healthy to come here” (MFW 2013). The third SAWP worker replied,

> It is very important, if you fail the exam they will turn you away. Sometimes they will give you some medicine and tell you to come back, and they can re-check you. It is very important; they want you to be healthy for when you come here. You have to be strong, and be able to take the hard work (MFW 2013).

As these statements show, some SAWP workers experience the health exam as a highly regulated and thorough process of examination that produces nervousness in some, including those who have not experienced a health examination before. One individual who had been coming to work in Canada for nine years stated that the exam did not cause him worry. This speaks to the routinized normalization that may come from experiencing the exam multiple times. It is also important to note that in addition to the exam’s authority to exclude individuals, is its authority to ‘find’ something in the bodies of people that would mean present or future ill health. Although two of the SAWP workers noted that they ‘knew’ they were healthy prior to the exam, one individual still recognized the authority of the exam to identify different interpretations. This introduces the important consideration of cases where the health exam identifies and problematizes non-transmittable health conditions, connecting these to an inability to work to a particular level, or to over burden on health resources, in an individual who not only understands him or herself as healthy, but as capable of working and not requiring particular health care. This individual may be active in physical labour in their home country without accessing institutionalized care. This touches on aspects of illness-behaviour exploration, and how different people and groups of people may understand and act on different
understandings of health, illness and treatment. However, as is clear in such a point of contact between the SAWP’s interpretations and those of SAWP workers, the understandings maintained by the SAWP would overrule those held by individual SAWP workers. In such situations an individual who sees him/herself as more than capable of working, may be excluded from coming to Canada based on the medical exam’s assessment.

It is important to explore the internalization of the health exam’s understandings and the possible processes these understandings initiate. As in the previous discussions, this exploration enables a better understanding of the difference in the health exam’s regulative power from more extensive examples of its disciplinary power. I asked a number of those I interviewed what had made them pass the medical exam. Out of seven workers I asked, all stated that it was because they were ‘healthy’. “Because I am healthy”; “Because it did not find anything wrong with me”; “Because I am good, healthy” (MFW 2013). After asking the similarly unclear question, ‘what did it find?’ and after some clarifying, most respondents laughed and repeated that the exam found that they were healthy. However, two individuals responded differently. One stated, “They said that I don’t have anything in my family to worry about, we are healthy... they also said my blood pressure was good” (MFW 2013). The individual who has been coming to work in Canada for nine years, and had said that the exam did not worry him stated, “They said that I did not have any infections, that my blood showed things were good, that my organs were working, that my pressure was good, and my blood sugars were good” (MFW 2013).

The difference among these respondents is not intended to suggest an ‘ignorance’ to understanding health knowledge among some as compared to others, but rather to illustrate varying levels of internalization among these workers of a particular understanding around
health, in this case that of the SAWP. Though these workers represent a small number, I suggest that for some SAWP workers, the health exam may merely be a check mark in a box through which they either get approval to work in Canada or not. Similar to my discussions early in this section, for these workers the exam initiates more of a regulative power through which they recognize the exam’s authority over them that may exclude them from work in Canada. While others may internalize the SAWP’s health understandings to a deeper level, possibly re-creating their blood, their organs and their body in the ways they had not previously understood them. Among these individuals, some may experience disciplinary power through this exam, and may be active in practices of the self.

The varying levels to which SAWP workers internalize the SAWP’s health exam influence their experience as they labour and live in Canada, long after they experience the exam. One individual I interviewed stated, “Yes I worry about my health here (in Canada). I don’t want to get sick, and not be able to work” (MFW 2013). Another individual stated, “If you get sick or hurt here, well they send you back” (MFW 2013). A third responded,

I don’t want to get sick here, every time I leave Mexico, I pray for good health, here they do not help you when you are sick, you don’t have your family to take care of you, to help you get better. No one is here. Maybe a friend will get you some medicine, but they don’t help you here, they just want to send you back (MFW 2013).

Another SAWP worker stated, “(Laugh) No, you can’t get sick here, they will send you back” (MFW 2013). SAWP workers I interviewed also spoke about the practices of self-care they enacted on themselves to ‘keep themselves healthy’ in Canada, many identifying a motivation of being worried that illness would result in being fired and deported. One worked noted,
I take vitamins, I brought them with me… they are just for your body, to help you. I also have some medicine I brought with me for my stomach. I am careful about what I eat… I do not smoke; yes I try to keep healthy (MFW 2013).

Another individual stated, “I take care of myself, I work carefully, take my time, even when people are going fast. I don’t want to have a slip, pull something, or have a muscle pain. I eat healthy; sometimes I stretch and exercise too (MFW 2013). Another stated, “I take vitamins, and eat healthy. I spoke to a pharmacist here, just to see what was good. They gave me the vitamins. I want to keep healthy” (MFW 2013). Some of the migrant workers that I spoke to noted the difficulties in keeping healthy. One individual stated, “Yes I try, it is difficult, you’re working very hard, long hours, your body aches. Also sometimes it rains, and we keep working. It can be cold, and it can be easy for you to get sick” (MFW 2013). This individual also raised concerns about his bunk house. He noted, “All the guys are quite cramped, the space is quite small, you are always close up to people, and with the kitchen there isn’t a lot of space. I think it is easy for you to catch something from others” (MFW 2013). Another worker stated,

The work is hard, some of it is dangerous. We are running behind a tractor, bending and putting boxes, heavy boxes on to it. It is easy to get hurt, but they don’t slow down (laugh). I think it makes it difficult to stay healthy, because the work is dangerous (MFW 2013).

It is clear that some SAWP workers worry about their health while they are living and working in Canada. Though those I interviewed make up a small number, it was clear that they recognize the risk of being dismissed and deported if they get ill or injured. Among these statements, one individual touched on the fact that in Canada workers may not have the ability to access support to be sick or to get better. They also are unlikely to have family in Canada, or those who may help them through sickness. As another individual confirmed, “you cannot get sick here”. This supports the argument that for many SAWP workers, stemming from their
acceptance under the program as “healthy”, and through conceptualizations that problematize ill health as an interruption to production, their health is indeed framed as needing to be static, fluctuations are problematized, and I suggest that some SAWP workers recognize and internalize this. Furthermore, amidst this context many SAWP workers are mobilizing techniques of self-care, drawing from understandings of nutrition, proper eating and vitamins, safer work practices of slowing down paces, and consultations with pharmacists for example, in attempts to maintain or ‘keep healthy’. Of course I do not inherently problematize this, as many of us take on similar practices of self-care in our daily lives. However, I suggest that as many SAWP workers connect the risk of being deported to their health, some of them mobilize these techniques as strategies amidst repression and disposability. In situations where the continuation of individuals under this program, their ability to work and stay in Canada is dependent on strict understandings of ‘good health’, these self-care techniques take on a different motivation, with an aspect of coercion.

On this point I asked interviewees about whether any of them hid injuries or illnesses from their employers, or their country representatives, or if they knew anyone who had. Here I was interested in exploring more extensive techniques of self-care in situations where vitamins and diet could not help them ‘keep healthy’, for example after an injury or in situations where they begin showing symptoms that could be perceived by those with authority as presenting an ‘unhealthy’ ‘incapable’ worker. All those I asked said they personally did not. However, one worker said he had a friend who had been experiencing pain around his hip, and that after a few days of particularly hard work he would have trouble moving and sometimes required bed rest as soon as he finished his shift. The individual I spoke to noted that his friend would say, “I am ok, just resting”, but that he believed his friend, in those moments, was in a lot of pain. The
individual I spoke to said that his friend would say that the bed rest would recuperate him back to being ‘fine’ (MFW 2013). The interviewee stated that his friend was concerned that co-workers might think he was injured or that his supervisor would find out and think he was not up for the work, or able to do it. When I asked whether his friend could work in the same way as other coworkers, the interviewee said he could, that his friend worked hard. Though this was the only example from my interviews that touches on more extensive strategies of self-care or concealment of problematized health conditions, I think it would be useful to further explore this question with other individuals. In their study of migrant farm workers in British Columbia, Otero & Preibisch report,

> Our research found that farmworkers reported working while ill or injured because they did not want to lose income. When our Mexican survey respondents were asked to agree or disagree with the statement “On my farm there are coworkers who work when they are ill because they don’t want to lose paid hours,” 62 percent responded in the affirmative (2010: 64).

Otero & Preibisch (2010) also quote a migrant farm worker who stated, “The other day I was ill, and, even so, I reported for work. I put up with the pain. I didn’t want to lose the hours, so I told them that with the tablets I was fine” (64). From experiences and conversations I have had outside of my thesis research, I have heard of techniques of concealment being used among SAWP workers. I knew a worker who was diagnosed in Canada with diabetes and was very concerned about his employer problematizing this condition, and prioritized being very discreet in his activities around this diagnosis, being very private when checking his blood sugar for example, and attempting to limit awareness among his co-workers. As these examples support, the authority provided to particular understandings of health and capacity, and the authority provided to employers, and country agents, enable and empower these individuals to deploy
medical gazes on SAWP workers, in attempts to ‘read bodies’, and workers themselves may also direct these gazes on coworkers as well. These ‘readings’ of bodies may potentially draw from understandings shared with the health exam, or from additional personal understandings that gain authority from the authority of those maintaining them. Employers, supervisors, country agents, or fellow SAWP workers may attempt to read for symptoms or deviations from what they perceive as normal behaviour, bodily function or processes. These individuals may problematize these observations in relation to capacity to work, and utilize them to influence the continuation of people under the SAWP.

I suggest that the discussion above lends to the recognition that the SAWP health exam and the particularities of the discourses from which it draws need to be further explored, in order to fully understand the implications of the exam as an apparatus that mobilizes a particularly powerful regulative, disciplining, and dominating force on SAWP workers. Again, the ability of the exam’s assessment criteria to exclude individuals makes it a vital component of broader practices that organize, regulate, and subjugate the SAWP worker. This authority to exclude, also creates a force targeting the approved SAWP workers through which they may regulate their body and internalize an understanding that they must maintain the health status under which they were approved. I argue this has created a very restrictive space in which these individuals can express their health and illness, restricted by understandings of a static health connected to a need to continue production. These understandings structure a very limited space for which they may experience health fluctuations or sickness in supported, therapeutic, or recuperative way, without being targeted by particularly severe techniques coordinating and pressuring them to work, or coordinating them towards deportation. As such, many SAWP workers mobilize
varying techniques of self-care to attempt to maintain and ‘keep healthy’, that are largely motivated and pressured by the heightened repression they face. In addition, these pressures and responses occur within the context of work and labour practices considered among the most dangerous and strenuous work, work seen as including various hazards that can contribute to the development of problematized health conditions. The health of SAWP workers and the priority to stay healthy is required of them while they are still expected to labour at the rates, and paces outlined and asked for by their employers and supervisors. Amidst their strategies to ensure they don’t ‘slip’, or ‘pull something’, they may risk being seen as too slow, as requiring too many breaks, or as not working hard enough. Indeed, in trying to strategize to maintain their health they may risk not working in the manner a SAWP worker need to work, possibly leading to their dismissal. This dual focus on achieving success as a SAWP worker, to work under normalized conditions, while simultaneously attempting to maintain good and static health, produces what I suggest is a very high degree of repression on individuals.

To challenge the health exam and its processes, it becomes useful to question the foundations that provide the exam its authority. Though this will not be pursued here at great lengths, the 2009 ‘swine flu pandemic’ provides a fracture point in the discourses around health exams on non-citizens, public health, and a concern for the health of the ‘Canadian nation’. Amidst a very public and alarmist concern around swine flu, and wide-reaching rumors circulating that the flu originated in Mexico, with travel alerts being raised by many governments, Mexican SAWP workers were still brought into Canada to work. In a Canadian Press article posted on the CBC, entitled Risk of migrant worker shortage worries farmers more than swine flu, various farmer association representatives stated that their membership was more
concerned with the potential of not having SAWP workers for the season than they were of the disease. The article quotes Ken Forth of FARMS stating “Farmers are more concerned about losing their workers rather than being infected with flu by them” (Canadian Press 2009). He was further quoted stating, that the media was far more concerned about the flu then farmers, and “that for every phone call from a concerned farmer there are at least a dozen media calls” (Canadian Press 2009). Contextualized further, though mortality from the swine flu was suggested to be influenced by various factors, experts including the WHO estimated that 284,500 people were killed by the disease (CDC 2012). Though these totals were made more readily available in the fall of 2012 and the CP article was written in the summer, this disease, understood within discourses of infectious diseases, did in fact produce heightened alert, but this alert was confronted by employer interest for production. In addition the Canadian Press (2009) article stated,

The government announced Monday that it has beefed up its screening process and all Mexican workers will need to have a fever-check by two doctors, fill out a questionnaire and undergo a physical before entering the country.

Amidst one of the most public campaigns of concern around disease and potential infection of the ‘Canadian nation’, the interest for continued production by agricultural employers arguably motivated the government to bypass this concern or, more so, strategize around it, as they increased the screening of these individuals to legitimize their entrance despite public alarm. This example illustrates the power of economic interest and production, and how the government responds to these interests amidst a threat to the health of the nation. In this case, even amidst discourses of foreigners as burdens to provincial health systems, the Federal government responded with flexibility and additional resources to ensure continued production.
The last section of my discussion will focus on identifying systems of regulation that are theoretically available to SAWP workers, through which they may have opportunities to mobilize challenges or to claim rights that may influence their experience while in Canada. I will discuss these systems and discuss how their deployment affects how effective they are as resources to SAWP workers. I will also suggest that the ‘foreignness’ of some of these discourses among SAWP workers needs to also be considered.

**Systems of Regulation as Resources for Resistance**

In understanding the regulation of SAWP workers, it is useful to situate these individuals, their employer and their worksite within the jurisdictional space of various systems which attempt to actualize or deploy currently institutionalized understandings of rights and standards. Some of these systems provide SAWP workers access to particular discourses from which they can draw to challenge firings and deportations for example, uphold rights provided to them through their Employment Contract, as well as claim rights and standards identified through broader discourses that have been institutionalized in Ontario. Though documented examples show the ability of SAWP workers to access these systems and mobilize these discourses, I suggest that the current opportunities and effectiveness of doing so remain limited, largely due to how these systems and their techniques currently function, and due to their ongoing overpowering by other practices and understandings that continue to repress the ability of SAWP workers to claim rights.
First, though certain standards and rights are provided to SAWP workers through their Employment Contract, as noted, their ability to claim these rights and standards is limited. As scholars such as Verma (2003) suggest, and as I have discussed, not only is the ease in which SAWP workers can be dismissed and deported a strong deterrent for many to claim their rights, under the employment contract there is no clear identification of how rights and responsibilities laid out are to be overseen or enforced, or who SAWP workers are to appeal to. As such, this policy gap has led to many cases where the contractual limit of the 12 hour work day, representing an emergency work situation, for example, is not systematically adhered to, with documentation from scholars reporting work days well beyond this limit (Basok 2002; Fairey et al 2008; Hennebry 2008; McLaughlin 2009, Otero & Preibisch 2010; Verduzco and Lozano 2003). Among those I interviewed for my research, individuals reported working 14 and 17 hour work days. Similarly SAWP literature has reported that rest breaks and days off are not being systematically and consistently provided to SAWP workers as well (McLaughlin 2009, Otero & Preibisch 2010). Again these limits and standards are laid out in the employment contract, but are not being systematically enforced. As noted, the upkeep of housing, a responsibility directed at workers in many cases is consistently regulated and actualized through techniques mobilized by employers, however, the lack of clear enforcement of rights provided to the SAWP worker under the contract also has implications for standards around housing. For example, the Employment Contract obligates the employer to,

Provide suitable accommodation to the WORKER, without cost. Such accommodation must meet with the annual approval of the appropriate government authority responsible for health and living conditions in the province/territory where the WORKER is employed. In the absence of such authority, accommodation must meet with the approval of the GOVERNMENT AGENT (ESDC 2013b)
Here, again there is no clarity as to how the employment contract is to be enforced, or who is to initiate the annual approval of accommodations by ‘appropriate government authority’. Further, there is no identification as to whether a failure to do so is identified, tracked, or to what standard the government agent is to approve housing. This lack of a clear system of assessment and enforcement may contribute to what SAWP workers, scholars and advocacy groups have noted is a wide range in housing situations, with some conditions being reported as quite substandard and degrading. Speaking to housing conditions they have documented, the group Justice for Migrant Workers B.C noted that these include, “grossly unsuitable conditions that violate the most basic acceptable conditions and guidelines, and thus place the health of the workers at risk” (2007: 2). Though some housing guidelines have been identified in B.C and in Ontario, initially produced by the Grey Bruce Health Unit, both documents suggest that the standards they set are recommendations to assist and not necessarily legislative and regulatory requirements (Public Health Grey Bruce 2010). Again, the identification of highly problematic migrant worker housing supports the recognition that the experience of SAWP workers is greatly influenced by the mobilization or lack of mobilization of standards and systems of regulation. In situations where public health inspectors, through local health units, exercise their authority and available institutionalized guidelines, SAWP housing is arguably shaped by these guidelines and standards. If this inspector and these guidelines are not deployed, the employment contract suggests that approval authority is passed to the sending government agent, who I suggest may end up drawing on different guidelines, possibly established personally, or on standards set by sending governments, which in any case are not made public in any documentation.
Further exploring other discourses and systems of regulation as a legacy of the exclusion of farm workers from standards established around employment conditions and practices, farm workers are currently exempted from numerous rights institutionalized under the Employment Standards Act (ESA). These exemptions include the right to a minimum wage, established criteria around the maximum hours of work per day and per week, daily and weekly rest periods and eating periods, overtime pay, vacation pay, and the right to public holidays (OMOL 2012). This exemption therefore sets these conditions outside of the jurisdiction of the Ontario Ministry of Labour who enforces the ESA, and under the jurisdiction of the employment contract. The contract either does not provide these rights to workers, or those that it does establish standards for, nonetheless remain without a clear system of enforcement. Among the rights farm workers are theoretically granted under the ESA, are the right to regular payment of wages, personal emergency leave, declared emergency leave, family medical leave, organ donor leave, reservist leave, termination notice and pay, severance pay, equal pay for equal work, as well as, importantly, having the right not to be penalized or dismissed for asking questions about the ESA or exercising a right under this act (OMOL 2012). In addition, SAWP workers also theoretically have access to rights under the Ontario Occupational Health and Safety Act (OHSA). The OHSA is a legislative articulation of criteria established and institutionalized at the provincial government level, identifying standards around health and safety at work. As the Ontario Ministry of Labour suggests, “The purpose of the Act is to protect workers against health and safety hazards on the job” (2006: 2). Also connecting to the histories of the agricultural industry in Ontario, as the Ministry of Labour notes,

The Occupational Health and Safety Act has been in force since 1970. Prior to June 30, 2006, all farming operations were exempt from the application of the
Act. Since June 30, 2006, the Act applies, with some limitations and exceptions, to all farming operations that have paid workers (2006: 2)

As touched on, the experience of SAWP workers is created and conditioned by the deployment of various systems of regulation, and specifically by the depth, and consistency of this mobilization. First, as the Ontario Ministry of Labour notes, SAWP workers had been exempted from established occupational health and safety standards for over 30 years since the initiation of the SAWP in 1966. In addition once farm workers were included as targets of this system of regulation in 2006, similar to ESA regulation, their inclusion has been limited and exemption based. This has therefore rendered understandings around health and safety and employment standards that are institutionalized on other industries, limited in their effects on the experience of SAWP workers. The rights the OHSA does provide farm workers are the right to participate in activities and practices focused on ensuring safety at work, the right to know about potential hazards implicated in their work, the right to refuse work if they feel it is unsafe, and the right to stop work if they feel that it is unsafe (OMOL: 2006: 2-3).

In addition, the SAWP worker also has access to discourses around human rights, currently institutionalized in the Ontario Human Rights Code, which provides them access in principle to the Human Rights Tribunal of Ontario (HRTO). This tribunal is authorized to protect individuals from discrimination based on race, colour, ancestry, place of origin, citizenship, ethnic origin, disability, creed, sex, including sexual harassment and pregnancy, sexual orientation, gender identity, gender expression, family status, marital status or age (HRTO 2010). The appeals to the HRTO, as well as to the Ontario Ministry of Labour represent points of contact to systems of regulation established in Ontario. These systems have been created and sustained from answers to broad questions around what constitutes adequate labour standards for
example, or what are fundamental rights of people, and have provided an institutionalized basis from which techniques have been developed to attempt to regulate, to actualize and maintain these answers. However, I argue that the discourses maintaining these systems are ‘foreign’ to many SAWP workers, many of which are not active or institutionalized at significant levels back in workers’ home countries. Moreover, most workers do not know about the rights established nor have a familiarity navigating these systems of regulation. This has been confirmed through my work with migrant farm worker communities, as well as in literature including McLaughlin (2009) and Otero and Preibisch (2010). Further, these discourses and their systems of regulation do not mobilize actively, targeting SAWP workers, as do other systems or techniques I have discussed. Currently these systems are not mobilizing their authority, resources and standards proactively, but again remain inactive until they are triggered by the appeals or complaints of SAWP workers. As noted, many SAWP workers are hesitant to challenge conditions or situations they find themselves in, due to the risk and ease with which they may be fired, deported, and potentially ousted form the program. Therefore, as I will discuss further, the process of depending on appeals renders these systems largely ineffective.

Though the exemptions of farm workers from a lot of regulatory standards limit abilities to mount challenges, some regulations available become relevant to confronting particular concerns raised by individuals. For example, if SAWP workers believe as though their dismissal by their employer is unjust, theoretically there are multiple systems they could appeal to. For example, the right under the ESA against reprisals or dismissals related to exercising ESA rights, could be used to challenge particular firings of SAWP workers and direct the enforcement of this right to the Ontario Ministry of Labour (OMOL). In addition, as noted by the OMOL and
mentioned by Verma (2003), workers including those under the SAWP can access the Ontario
common law court on this issue as well, through which they can sue their employer for wrongful
dismissal (OMOL 2012). What is important to recognize is that these mentioned systems
regulating for unfair dismissals come into direct conflict with the rights provided to employers
under the employment contract, and therefore create a situation of competing rights. For
example, the employers’ ability to dismiss SAWP workers based on their ‘refusal to work’,
identified under the employment contract, stands in opposition to the right provided to the
SAWP worker under the OHSA to refuse unsafe work. As the Ontario Ministry of Labour
suggests,

Workers have the right to refuse work that they believe is dangerous to either their
own health and safety or that of another worker. The Act describes the exact
process for refusing dangerous work and the responsibilities of the employer in
responding to such a refusal (2006: 3).

In addition, in a web-based information page entitled Refusing Unsafe Work, the OMOL
further states,

When you've talked to your supervisor (and maybe others), and you still have
reason to believe that the work you have been asked to do may endanger your
safety or the safety of those around you, you have the right under the Occupational
Health and Safety Act to refuse to perform the work. There are times when the
supervisor might not agree with you, doesn't take what you're saying seriously or
politely ignores you. If the problem isn't properly addressed and you still feel you
could be injured say "NO" to the work. You have the legal right to refuse unsafe
work (2013).

The contractual ability of employers to deport SAWP workers based on various reasons
including ‘refusal to work’, without any clarification in the contract of the details or parameters
of this refusal, stands in confrontation with rights provided to SAWP workers under the OHSA.
Similarly, as noted, under Ontario Human Rights Law the HRTO could also support challenges
to worker dismissals if they are found to have been made from a basis of discrimination. Though these examples identify institutionalized discourses that can be drawn on to mount challenges, accessibility of these discourses and their systems of regulation is quite limited among SAWP workers. Under closer investigation, appeals to these systems are complicated and time consuming. They also depend on a familiarity of navigating particular formatted appeal systems that are not systematically addressing language, literacy needs, or resource barriers experienced by most SAWP workers. For example, as the OMOL’s website notes, on filing an employment standards claim,

> It may take you an hour or more to fill out the Claim Form. You must fill out the required information on the Claim Form which is marked by an asterisk (*). It is important to read the important information contained in the Before You Start Booklet before completing the Claim Form (2013c)

Though the Employment Standards claim is available in various languages, including Spanish, and although there are surely SAWP workers that are capable of filing the claim, this format does not address the literacy barriers faced by many SAWP workers, or address potential difficulties accessing computers, the internet, or making initial contact with the OMOL to seek the claim form. The landmark case of Adrian Monrose, a SAWP worker from St. Lucia who was awarded $23,500 by the HRTO after the tribunal decided that he had been dismissed by his employer because he had complained and ‘stood up’ against racial harassment (Keung 2013a; 2013b), demonstrates that SAWP workers can access some of these appeal systems. However, noting that though the HRTO was established in 1961, five years prior to the establishment of the SAWP, the 2013 case, “is the first time a migrant farm worker has ever won a case at the Tribunal” (Rashid 2013), I would argue, that supported by SAWP scholarship and worker testimony, this is not the first violation of the human rights of SAWP workers, but instead speaks
to the accessibility of this system. Touching on the nature of the systems mentioned, Mr. Monrose’s successful case, though largely based on his decision and conviction to come forward and pursue accessing the HRTO, was assisted by his connection to the support and advocacy group Justice for Migrant Workers (J4MW) who aided Mr. Monrose with his claim. The mobilization of migrant worker advocacy and support organizations are not consistently able to reach all regions or all SAWP workers. They also rely heavily on community networks and informal referral activities that may not be established or active in all regions where SAWP workers are arriving. This again raises the question as to how accessible these systems are for use by SAWP workers.

Similarly, the Ontario Ministry of Labour has not to date systematically deployed information and understanding regarding the right to refuse unsafe work among SAWP workers. Recently there has been an increased effort to outreach to SAWP workers by the OMOL arguably motivated by a growing policy discourses articulating the importance of understanding and addressing the needs of ‘vulnerable workers’. This policy focus received attention through the public 2010 report to the OMOL by the Expert Advisory Panel on Occupational Health and Safety. In this report the Advisory Panel noted,

Vulnerable workers, in the context of the OHS system review, are those who have a greater exposure than most workers to conditions hazardous to health and safety and who lack the power to alter those conditions. During the course of this review, stakeholders identified a number of subgroups of the general workforce as being vulnerable. The Panel heard most often about young workers; recent immigrants; workers new to their jobs in in new firms; foreign workers hired to address temporary or seasonal labour shortages, and employed primarily in agriculture... (2010: 46).
Furthermore, under the heading *Better Protection for Vulnerable Workers*, the report states,

Worker vulnerability arises for various reasons: not knowing one’s rights under the OHSA, such as the right to refuse unsafe work; having no work experience or training that is job- or hazard-specific; and being unable to exercise rights or raise health and safety concerns for fear of losing one’s job, or in some cases, being deported (2010: 46).

Lastly, among its recommendations, this report suggests,

To further raise awareness of workplace health and safety issues, the Panel recommends that the OHS system develop basic information on both the OHSA and the WSIA in multiple languages and formats and distribute it in ways that will reach vulnerable workers at the community level. Many options exist for distribution through public and private organizations: settlement and service agencies for newcomers; on government websites aimed at prospective immigrants; through federal administrators and offshore recruiters of temporary foreign workers; at consulates; in ethnic newspaper, radio and television ads; in public places like libraries, buses/subways and community centres; at legal aid clinics; as part of the curriculum in English or French as a second language courses… (2010: 48).

Though in the above quotes migrant workers are categorized as vulnerable workers, a category currently being recognized as requiring heightened policy attention, I suggest that information and outreach regarding the OHSA system has not significantly reached many SAWP workers. This information has largely continued to be circulated by community support organizations working with SAWP workers, whose efforts are sporadic and whose range reflects limited resources.

Further tracing the processes involved in SAWP workers claiming the right to refuse unsafe work, information regarding this right is available in Spanish, a language common to the large number of Mexican SAWP workers, and various other languages on the OMOL’s website.
However, access to this information again requires access to the internet; internet navigation skills, literacy skills, and some workers may require additional aid to work through this information. Though some SAWP workers I have connected with are utilizing the internet, some having laptops in their bunkhouses while others have Smartphones, they still are not the majority. In addition, information regarding their rights established through the OHSA is currently completely text-based which may not be accessible to all individuals. The OMOL’s systems of regulation do not target SAWP workers to enforce their rights in the same manner as do other techniques such as raids or regulation by employers, but again become active once workers connect to them, when they independently or with support, appeal to these systems. Again, this limits the effectiveness of the ESA and OHSA as systems of regulation for SAWP workers. Further illustrating this point, the OMOL identifies a toll-free number workers can call to report unsafe work practices or for workplace health and safety inquiries, and identify this as the main point of contact between workers and the OHS system. On their website and handout card, the OMOL states that staff is available to respond to calls 8:30am-5:00pm, Monday to Fridays, with afterhours services available (OMOL 2013c). Upon calling during the afterhour’s service, a more accessible time for SAWP workers, the call was directed to an automated message first in English and then in French, which eventually explained the wait for available personnel, proceeding to that point without any options to access service in additional languages. Once a person picked up, when I asked in English if he had someone available who could speak Spanish, he stated that sometimes a personnel member who happens to speak Spanish works during the afterhours service, but that he was not in that day. He further suggested calling during the regular office hours, noting that someone may speak Spanish among the personnel covering that shift. I suggest that the rights provided to SAWP workers under the OHSA, similar to rights
under the ESA, are not deployed by the OMOL effectively, both in terms of spreading information about these rights broadly among SAWP workers in accessible ways, or mobilizing proactive techniques to regulate for the actualization of these rights. Again, the OMOL depends heavily on SAWP workers proactively engaging their regulative systems at quite inaccessible points of contact, including internet sites, and language-limited phone services.

Another aspect of the currently limited effectiveness of these discourses and systems of rights and standards can be identified through their confrontation with highly effective techniques to regulate and marginalize the SAWP worker. The limited amount of time SAWP workers may have to make claims around rights and standards is an example of this. In the case where an employer dismisses a SAWP worker, there is arguably a time limit for the SAWP worker to challenge their dismissal once work permits have been voided, and the individual begins to be coordinated towards deportation. In the case of Mr. Monrose who won his claim at the HRTO, he was deported before filing his claim, sent back to St. Lucia shortly after being dismissed. It was through his connection to Justice for Migrant Workers (J4MW) and his appeal to the HRTO that he was brought back to Canada for the proceedings of his case. As McLaughlin (2009a, b) suggests, once SAWP workers are returned to their countries of origin, it is very difficult to continue appeals to systems of regulation within Canada. This short timeline to appeal to rights and standards is strongly influenced by the coordination of SAWP workers to housing owned or overseen by their employer. Accompanying an employer’s decision to dismiss a worker, employer also can mobilize the technique of immediate eviction, through understandings of private property, and understandings of the SAWP worker as a particular kind of tenant that can be immediately evicted based on their dismissal from employment, outlined by...
the SAWP employment contract (Verma 2003). The rendering of the SAWP worker as homeless expedites their coordination towards deportation. If the SAWP worker is unable to strategize and access alternative housing, this may negatively affect their ability to either connect to support organizations, utilize their already established connections, or directly access the systems of appeal mentioned.

Further tracing such a situation, additional techniques influencing the experience of the SAWP worker can be identified, and it is important to recognize additional interests and strategies that may be involved. For example, through speaking to SAWP workers as part of this investigation, one technique they identified that they knew could be deployed in situations where workers are dismissed and begin to be coordinated towards deportation, is the technique of transferring to another farm, directed by sending country representatives who again are provided with institutionalized roles overseeing the SAWP worker. This technique of transfers entails navigating through the established parameters of the IRPA and SAWP structuring criteria, and identifying another employer with an approved LMO to hire migrant labour who has positions available at his or her production site and who agrees to accept the dismissed SAWP worker. SAWP workers in such cases do not need to apply for another work permit, but do require that their new employer has an approved LMO. If this technique is successful, the dismissed SAWP worker can continue laboring in Ontario, or possibly another province, and avoids deportation. However, this technique is not mobilized consistently and is highly dependent on factors such as the time of the season, the availability of positions at alternative agricultural production sites with positive LMOs, aid from country representatives, and the willingness of the new employer to take a worker already in Canada. Even in situations when workers are successfully
transferred, it is important to understand this technique not simply as a means of supporting SAWP workers to avoid deportations and continue employment. As the individual I spoke to who was hit by his employer with the pressurized water hose suggested, his transferring to another farm was in part coordinated by his country representatives as a way for him to avoid ‘conflict’ with his employer. As this individual told me, “the consulate did not want to help me. Yes I wanted to charge him (his employer), but they did not take responsibility for this” (MFW 2013).

This supports previous research that has discussed the tendency of sending country representatives to avoid direct conflicts with employers in order preserve employment positions for their workers (McLaughlin 2009). Therefore, these techniques of transferring have political interests that may attempt to deter workers from claiming certain rights and standards, and avoid holding particular employers accountable.

Refocusing on the example of the deportation of SAWP workers, it is important to also explore the deployment of other strategies and interests that may also negatively influence the effectiveness of SAWP worker to claim particular rights and standards. The Federal Government of Canada, through the IRPA and the criteria that establish the SAWP worker as a temporary individual with an authorized presence in Canada limited to eight months, establishes particular strategic criteria in attempts to ensure the timely exit of SAWP workers from the country. Here the involvement of the Ontario Ministry of Health can be identified in coordination with IRPA and SAWP discourses to establish an expiry date for the Ontario Health Insurance Plan (OHIP) coverage of SAWP workers that provides them access to subsidized health care. The expiration date of coverage for all SAWP workers is December 15th of the year they arrive to Canada. I
suggest that this expiry of coverage should be understood as a technique to deter SAWP workers from remaining in Canada past their allocated time, and should be seen as particularly violent as it is grounded in the denying of access to health services as a strategic coordination towards timely exits. Without pursuing this point too much further, the recent cases of Kenroy Williams and Denville Clarke, two SAWP workers who were injured in a car accident in 2012, make visible this technique to limit OHIP coverage for SAWP workers (Keung 2013b). After their accident Williams and Clarke remained in Canada receiving treatment for their injuries past December 15th 2012, and their coverage subsequently expired (Keung 2013b). These individuals were able to re-access the immigration system and successfully receive visitor visas past their work contracts under the SAWP. Further, the Health Services Appeal and Review Board of Ontario ruled that the province must provide continued health coverage to these individuals as their situation was deemed under the category of a medical emergency, which currently merits prolonged support. This decision was challenged by the Ontario government. In a letter quoted in the Toronto Star online written by Brad Murphy, a manager for the OHIP Eligibility Programs, to the two workers during the Government’s challenge, Murphy states,

A visitor permit is not an OHIP-eligible immigration document…There is no authority in the regulation to allow the (health) minister or any other person to use discretion to provide health insurance coverage to an individual who does not meet the definition of a resident (2013b).

Here Murphy deploys the definitions of a resident and non-resident established federally by the IRPA to legitimize the provincial authority to not provide insurance to non-residents. The Review Board denied the Ontario government’s challenge based on arguments that the cases of Williams and Clarke again represented ‘extraordinary circumstances’ as medical emergencies, and made the decision that the two continue to be residents of Ontario under the Health
Insurance Act (Keung 2013b). This case demonstrates the active confrontation of discourses identifying the need to provide care for non-citizens in cases of medical emergencies, and opposing understandings of exclusion from care based on immigration status and expiration of labour contracts. However, as seen in the recent passing of legislation to cut federal funding to the Interim Federal Health program, leaving many people awaiting refugee hearings without basic health care and medication, techniques to deny health services to individuals as political strategies rooted in discourses of dividing practices, immigration-based exclusion amidst understandings of cost cutting, continue to be mobilized by government at various jurisdictions, federal and provincial. As it relates to the SAWP, scholars have documented how SAWP workers facing injuries or illness continue to be deported shortly after incidents, before they connect to the various systems in place to provide them access to appeals, treatment or compensation, or while they are accessing care. Often these individuals are pressured, intimidated, or their coverage expires (McLaughlin 2009; Preibisch & Otero 2010; Pysklywec et al. 2011). As I discussed in the last section, these techniques utilizing health and provision of health as a weapon of sorts should be understood also as part of the broader creation and maintenance of the ‘healthy’, health static SAWP worker, and the broader problematization of ill health among foreigners, and what is perceived as the health burden of groups of people. I argue that they are also part of current attempts to re-create the refugee applicant both as a healthy non-citizen, not problematized by illness or injuries. Again, this connects illness and injury to deviance as an inability to labour, as well as deviance through being seen as an increased, and illegitimate burden on what continues to be understood as a limited resourced health system needing to cut costs.
This technique to retract health support coverage, along with other techniques to expedite removal from Canada, inflict additional hardship on SAWP workers who attempt to access options of appeal when they believe their rights have been violated. As the Human Rights Tribunal of Ontario notes on their website, “The HRTO’s goal is to have the hearing completed within one year of receiving a completed application form” (HRTO 2010). This supports the recognition that appeal processes may extend beyond the eight month SAWP contract term. Due to continuing criteria that establishes and attempts to pressure towards their ‘temporariness’, SAWP workers attempting to use systems of appeals may find themselves in positions particularly prone to expiring coverage or aggressive government challenges that push for coverage removal.

Though I of course did not include discussion on all the rights held by SAWP workers or those influencing their experience, I suggest that currently the majority of systems available to SAWP workers through which to access resources and institutionalized standards and rights, are largely ineffective. On this point, as Foucault discusses, some systems mobilize techniques of observation or visibility to assess their engagement, to identify gaps and reduce them in their pursuit of effectiveness, arguably motivated and drawing from the relationship between visibility, knowledge, power and control. Though deserving further exploration that is beyond the scope of this thesis, I suggest that systems of regulation targeting SAWP workers are enacting these techniques of visibility. This can be supported for instance by McLaughlin’s (2009) example of video surveillance, surveillance companies hired, practices of bunk house inspections to mobilize visibility towards increased control, as well as constant administrative tracking of tied work permits, and work permit expirations, and timely exits out of Canada.
However, at the other end, currently the OMOL for example does not attempt to track SAWP workers. Its systems of data collection currently do not distinguish between all Ontario workers, and there are no attempts to differentiate non-citizen, migrant workers from citizen-workers. Systematically, the OMOL does not know where these workers are actually located. In addition, the OMOL’s system that receives employment standards claims (call-in or internet OHSA complaints or appeals for inspection) do not systematically flag which of these claims, complaints or appeals are directed by migrant workers. Though arguably these are in all probability quite low numbers, noting the accessibility barriers discussed prior, the OMOL is not systematically tracking the underutilization of its systems of regulation by SAWP workers. These numbers could be used to identify gaps and alter its systems to address them. The WSIB, a system through which SAWP workers can access their right to compensation if they have been injured or become ill due to their work, has begun to track migrant workers through its data collection system. Though the WSIB system has not addressed many of the same inaccessibility issues discussed, it has begun to be able to speak about numbers, and therefore trends, and utilization. What becomes important here to also recognize is through strategies of Public Access to Information claims, the data collected by WSIB can be used by those looking to influence this system, whereas data is not available for OMOL system utilization. SAWP worker utilization or underutilization remains obscured by this government agency. It becomes clear that particular interests and priorities direct the effectiveness and thoroughness of systems of data collection and regulation. A last component of this discussion that provides an important point for further exploration is the understandings of how SAWP workers are currently drawing from these discourses of standards and rights, and the level to which individuals are internalizing understandings of these rights and standards.
Internalization or ‘foreign’ rights and standards

It becomes important to explore the internalization of particular discourses when individuals are claiming rights and appealing to the apparatuses of regulation such as the OMOL or the HRTO. In other words, whether the internalization of these discourses lead SAWP workers to re-create themselves as individuals who have these inherent rights, or whether they see the filling out of an Employment Standards Claim as a random and ‘foreign’ form, through which they are told they may be able to receive resources to resolve a concern or conflict. I have witnessed and assisted workers fill out workers compensation claim forms for example, where the individual, five minutes prior was not aware that he had the right to compensation, and even after filling out the form, did not seem to fully internalize the discourse through which the form, and its system receive their authority. I do not mention this to suggest a sort of ignorance, rather examining how SAWP workers understand these discourses and the rights and systems they create is important to assess the effectiveness of these understandings, rules and regulations. One could suggest that a more internalized absorption of the discourses mentioned may lead to a deeper resonance that may be carried by the SAWP worker beyond the filing out of a form, and change how the SAWP worker understands themselves, and how they navigate these systems. Here, it would be important to explore how some of these understandings may come into contact with the personal understandings of some SAWP workers on what they see as a ‘good life’ as mentioned in the examples of SAWP workers problematizing their restrictions under the program. Lastly, recognizing the increase in social movements of undocumented migrants in the United States, forwarding claims against deportations and for rights as non-documentated people, it becomes important to explore whether in the SAWP worker’s understandings of a ‘good life’
there are more ‘homegrown’ understandings or discourses that can be drawn on and supported through which to challenge their marginalization. As social movements of undocumented people in the US show, though some are using discourses of human rights, others seem as though they are in the process of creating and combining discourses into particular forms. The National Day Laborer Organizing Network for example, as part of their campaigns for day laborer rights and broader immigration rights across the United States, are using slogans that recognize the contribution of undocumented day laborers to the hurricane Sandy cleanup and reconstruction. Among the slogans the network is circulating, one states, “Those who rebuild our cities should not fear being deported from them” (NDLON 2013). Other US-based organizations are mobilizing discourses of not separating families, which has been strengthened by the political organizing of a large number of children born on established U.S territory from undocumented parents. This has produced a reality from which new conceptions of belonging, of claims to stay are being conceptualized, constructed, and wielded. These discourses may have more of a resonance, more deeply internalized, and active in the self-production of people than discourses of human rights as they have currently been codified. Similarly, it becomes useful to explore the potential creation of understandings that may be able to provide similar foundations for challenges among SAWP workers. Before continuing to my conclusion, it is important to quickly consider, amidst this discussion, systems of regulation that are developed to target employers.
Regulation Targeting SAWP Employers

Agricultural producers or employers who are interested in hiring migrant labour, are also targets of regimes of assessment, qualification, and regulation. As touched on, in the section on policy exceptions, recently a new initiative has been developed by the government of Canada to further screen employers and determine eligibility of who can hire temporary foreign workers. In addition to employers being ineligible to hire foreign workers if they do not receive a positive LMO, or for not meeting crop or work specific qualifications under the SAWP, on April, 2011 the government of Canada developed the ineligible employers list, which bans employers from hiring foreign workers for a period of two years, if it is determined that the employer has “failed, without reasonable justification, to provide substantially the same wages, working conditions or employment in an occupation to any foreign worker as those that were set out in their job offer” (CIC 2012c). This regulation would seem to be an attempt by the government to exclude employers that are not abiding by criteria set forth in the Employment Agreement established between workers and themselves. This connects to the important realization that employers are themselves targets of broad systems of regulation and control. As is the case with other industries, agricultural producers are targets of systems of regulation that hone in on their industry, based on criteria outlining standards in terms of production, site conditions and production practices, from the management of inputs, maintenance of outputs, employment regulations, among other components of their production and business. These regimes are structured by acts with scale at the Federal, Provincial and municipal levels, and that establish and create frameworks suggested to organize, regulate and discipline the activities of employers. This includes regimes that control the use of agricultural inputs like pesticides and herbicides for
example, framed by acts like the federal Pest Control Products (PCP) Act, the federal Food and Drugs Act, or the Ontario Pesticides Act Regulation, managed by bodies like Health Canada’s Pest Management Regulatory Agency (PMRA), the Ministry of the Environment, and the Canadian Food inspection Agency (CFIA). Similarly, labour based standards are another example, which are mobilized through the Employment Standards Act, as well as the Occupational health and Safety Act (MOL 2011; 2013). Regimes of control are also being deployed in agricultural production that are not mandatory across the industry, and are not government-led but establish regulations as prerequisites to the access of particular markets and economic gains. For example, CanadaGAP and COSTCO’s Food Safety Criteria, organize two food safety certification programs that have produced an audit checklist of standards focused on production, packing and storing practices. Again CanadaGAP and COSTCO standards are not mandatory but work to differentiate between agricultural producers with the effect of recognizing those that pass certification, benefiting them through the granting of access to sell their outputs to particular, often larger chain grocery stores and food vendors (CanadaGap 2013). In informal conversations with agricultural producers during this research, as well as in my broader work, many agricultural producers articulate frustration with what they see as the over-regulation of their industry and production practices and what they see as the continued intrusion of the government, and other regulative bodies into their businesses. However, based on the identification of particular agricultural companies on their website and through informal conversations with a handful of farms, many are adhering to CanadaGap and COSTCO food safety regulations that lay out quite stringent criteria. This example not only makes visible the current power of food safety discourses and their success in regulating food producers including farmers, but also the power of economic interests, competitiveness, and access to markets as
motivators for organizing production processes. What is important to note here is that the current reality experienced by many SAWP workers, structured by exemptions of farming under government institutionalized systems of regulations, in some cases is being challenged by the optional adoption and implementation of quite strict standards established by these food safety regulators. Among the criteria CanadaGap regulate for in their Food Safety Manuel for Fresh Fruits and Vegetables 2013 includes the provision of “stocked” portable toilets and hand washing facilities, “that are easily accessible” as well as a detailed outlining of what is considered portable water, among other areas of regulation. These are areas of regulation that are far from being regulated and actualized systemically on farms, and have not been mobilized through government criteria or apparatuses of regulation. Here we see a heightened regulation of farms by market auditors over government. In these cases, this market auditing can have very significant effects on the production site of the SAWP worker and on the resources they may have available at their worksite. On the same note, this regulation, like the others discussed, also has the potential to introduce further regulation of the SAWP workers themselves. Strict regulation against contamination that regulates what can be brought into the field, and regulation for a heightened attention to sanitizing hands may affect the ability of SAWP workers to bring water bottles with them into the field for example, as well as introduces routines of hand sanitizing among others. A thorough exploration of this would produce important understanding as to the techniques of regulation and standards being mobilized on some farms and the variety of implications these may have on SAWP workers.

However, what should be recognized in discussion around the regulation of individuals and groups of individuals involved in the SAWP and other temporary migrant worker programs
is the recognition that as historical cases support, regulation may not always focus on people or groups of people to the same degree or extent as others. This understanding is important to this analysis and supports the need to critically assess attempts to regulate employers. In relation to this point, I argue that the authority and lack of oversight of the SAWP has fostered an ability for some employers to direct practices of heightened regulation, control and exploitation. Current many systems of regulation focusing on employer, for example around their responsibilities as outlined in the employment contract, do not seem to be proactive or functioning broadly or systematically. Again I do not want to suggest that all SAWP employers are ignoring standards or regulations placed on them, many employers follow current regulations quite strictly, largely through their own accord, without much outside pressuring. However, I argue that, there are those who are not abiding by standards and regulations, and question the commitment and effectiveness of current systems of regulation to address this issue. Connecting this to the discussion regarding the ineligible employers list on the webpage for this regulation, the government does not include information on how it goes about identifying employers who are violating contracts, nor any policy action it is taking on. Without this enforcement component the usefulness of this list becomes very unclear. Therefore, we are left without an understanding of how this regulation is actually deployed, or if it is. This has been a concern often forwarded by many farm worker advocates who suggest that even in areas where there are regulations on paper and regulating regimes directed at employers, these are not being used ‘effectively’ or consistently on all agricultural production sites. In relation to this, specifically related to CIC’s attempts at regulating employers through their Ineligible Employers list on the program’s website, where as part of the regulation efforts the names of ineligible employers are to be made public, there are currently no agricultural employers listed (CIC 2012c).
Conclusion

In my thesis I set out to explore the histories of the SAWP and better understand the agricultural industry leading up to the program’s institutionalization. I attempted to present how agricultural work increasingly became understood as substandard during the time, against new work norms that begun to be institutionalized in other industries. I have tried to demonstrate the tension between government calls for employers to improve conditions to attract workers, and employer claims of an inability to do so. My intention has been to challenge what I suggest is the simplification of this conflict that focus on determining the merit of these conflicting positions. Rather I have focused on better understanding what could have contributed to employer claims being eventually accepted, and what was achieved by this acceptance. Specifically, I presented and analyzed the various discursive strategies and techniques that were taken on by agricultural industry stakeholders that eventually were successful in normalizing the exit of Canadian workers from the industry, and normalizing the work of socio-economically marginalized Jamaicans under work industry conditions unchanged. I have argued that though a concern around foreigners workings under conditions rejected by Canadian workers was present during the time, even among government representatives, this concern were not sustained at significantly influential levels against the agricultural industry’s lobbying, and its simplistic creation of the SAWP worker as having no apprehension to work under conditions being problematized.

I have also attempted to show that the SAWP connects to a legacy of labour schemes developed and managed by government and industry that normalized the use of other socio-economically dispossessed communities, at varying levels of coercion and violence. This point is
important as it supports the realization that the government and the agricultural industry have had experience ‘othering’ certain racialized communities, and normalizing understandings that positioned these communities as somehow inferior, and targets of heightened regulation, difference in treatment, and exploitation. Touching on the histories of Chinese workers who constructed the Canadian Pacific Railway, of Japanese-Canadian forced labour, and of the marginalizing coordination of aboriginal workers into the agricultural industry, allows for the recognition of similarities shared by these schemes and the SAWP, including the creation and use of difference among people to enable low cost, and increased production.

It would be useful to focus research on bringing forward increased documentation of the historic examples of the labour coordination of racialized, socio-economically dispossessed communities into the agricultural industry. Research that identifies documentation of the experience of First Nations communities for example, would contribute to better understanding how these individuals experienced their coordination to agricultural work, and how they understood industry conditions. Work comparing Bangarth’s (2005) documentation of calls by rural residents to keep the housing of Japanese-Canadian internees outside of town limits, and isolated from community residents, to current hostilities directed at SAWP workers by some local residents, would also be an important contribution. In my opinion, because these past labour schemes, to a certain degree, have now been recognized as examples of state sanctioned exploitation and marginalization, similarities identified between these past schemes and the SAWP, provide a strong discursive basis from which to challenge the normalization of the SAWP.
Continued research of the histories of labour shortages within the agricultural industry is also needed, with an emphasis on understanding how these labour shortages have been understood and discussed at various points in the history of the industry. As part of this work, it would be useful to further explore understandings held around conditions in the industry, for example, seeking to identify documented understandings of conditions among citizen farm workers, through the period during which labour in the industry began to be problematized among these individuals. Further exploring industry claims of being unable to provide better work conditions to attract and maintain citizen workers would also be useful. A deeper look into how employers understand their inability to improve conditions would allow for a clearer identification of priorities, interests and discourses involved in these claims, and may shed light into diversity found among employer understandings and capacities. As part of this, it is important to recognize that to date SAWP literature has not included a substantial focus on better capturing understanding of the SAWP held by more current SAWP employers. From my recent work with SAWP employers, I have gotten a sense that there is diversity among how employers view the SAWP, their role in the program, and SAWP workers. I believe that increasing understanding in this area is very important.

In my thesis I have also focused on identifying some current understandings and practices that continue to maintain many SAWP workers as highly regulated and marginalized individuals in Canada. Throughout my thesis I have provided examples of regulation targeting SAWP workers in various forms, which has resulted in many people continuing to experience heightened control, discipline, exclusion, and violence. I have also explored the difference in how SAWP workers respond to the regulation I discuss, and to the disciplinary force enacted on
them. I do not want to suggest I can fully understand the complex processes through which
SAWP workers contextualize and understand their experience under the SAWP. However, I did
provide examples that showed that some SAWP workers seemed to more deeply internalize the
disciplinary force of the SAWP’s regulations, while others abided by the SAWP’s regulations,
while simultaneously maintaining understandings of themselves and of their experiences that
opposed those maintained by the SAWP. I suggest that both this internalization by SAWP
workers and this resistance are both important to further explore. This would result in
contributions to understanding the extent of the marginalizing effects of the SAWP, as well as to
support challenges.

Additional research needs to continue to comprehend understandings held by SAWP
workers, including those that critique, or challenge their experiences under this program. In
general more opinions and understandings of interested SAWP workers need to be supported in
reaching more people. Research also needs to continue to focus on understanding the barriers
faced by some SAWP workers in accessing resources and support towards deploying rights and
entitlements currently available to them. This research can look for examples of best practices to
suggest strategies to improve this access, for example exploring whether information sharing
media such as videos are more widely consumed by migrant workers, as opposed to heavy
text resources, or whether the increasing use of cellphones by SAWP workers would make
online resources and apps a useful direction to explore. Similarly, more research should focus on
existing regulatory systems that provide potential resources to SAWP workers. As more gaps are
identified within these systems, recommendations to better their effectiveness would be
beneficial as well. Ongoing pressure directed at the MOL to produce information about rights
and entitlements in formats that are accessible to SAWP communities, for example, could be
supported by this research. Based on my findings, these systems also need to be challenged to
deploy proactively and consistently and not rely solely on appeals made by workers.

Increased research on the systems which coordinate SAWP workers to deportation is also
needed, to better document these situations and the processes involved. More research focused
on the concern for the ease with which employers can trigger worker deportation would be
beneficial, to further exploring how this ability to get deported confronts the right of SAWP
workers to for example, refuse unsafe work, or their rights against reprisals and discrimination.
In the context of deportations, more research into the immediate eviction of SAWP workers from
employer housing would be important, to assess how this compares to eviction policies present
for other individuals residing in Ontario for example. From my research I recommend the
organizing of emergency housing options so people are provided time to consider options in
cases they feel as though they have been unjustly dismissed. As part of this, understandings held
by SAWP workers that challenge the authority of deportations should also be further explored.

Connected to this, more of a focus on understanding and documenting cases of injured or
sick workers being deported is much needed. As discussed, this has a severe regulative and
disciplinary force on communities that again unjustly limits and marginalizes workers and their
ability to experience fluctuations in health, or illness in supportive and dignified ways. As part of
this we need to continue to critically assess the SAWP health exam, and processes that exclude
and discipline workers through discourses of health and medicine. We need to continue to
understand and trace these discourses, and the interests and strategies involved in their
development and maintenance. This includes better understanding and challenging aggressive
and violent strategies which use dividing practices among citizens and non-citizens to justify health coverage expiry, withdrawal or denial. As a critical analysis is useful in looking at the SAWP health exam, so too is it useful to understanding and assessing efforts that are working to extend health services and health support to these communities. These efforts are important, and often serve an immediate need identified by SAWP worker communities. However, the dynamics created in efforts to share information, resources and provide services to these communities need to be critically assessed. Medicine channels a lot of influence and power, and has been used in the past to further marginalize particular communities. Examples of the use of medicine to regulate groups of people, to assess their bodies and processes through dynamics of judgment and control, should be continually considered in future research around the health of these communities. This type of research can help solidarity activists, supporters, organizations, and agencies who continue to increase their interactions with these communities, consider power dynamics at play in service provision. It is also important to better understand thinking and practices around health and illness held by SAWP workers, including those that have emerged from times and places less influenced by the SAWP’s dynamics and practices.

Research also needs to be directed at supporting SAWP workers in documenting the micro aggressions directed at them from local citizen residents of communities in which they live and work. These documentations and findings can contribute to pressure to ensure individuals have access to systematic ways to hold their aggressors accountable in situations of direct acts of violence or harassment. We also need to better understand aggression that is more subtle but that continues to marginalize SAWP workers, and which is rooted in racism and the ‘othering’ of these individuals as somehow less worthy of respect. Here work can explore best practices to
identify strategies to address these subtle aggressions. As part of this we need to better capture the understandings of these community residents. If workers are interested, we need to continue to document the understandings of SAWP workers that challenge this aggression and disrespect, to continue to also use these testimonials as tools to raise awareness and challenge these practices and dynamics. Based on my findings, I suggest that as part of these efforts, it is important to support SAWP worker community initiatives to hold celebratory events and activities that take up space in the communities they work and live in.

Research also needs to be focused on further exploring the control employers have on the living spaces of SAWP workers. From discussion with SAWP workers, it is important that researchers document the ideas and proposals for changes of SAWP workers in this area. To identify what type of housing agreements SAWP workers are interested in, to what extent they want to involve their employer in their housing arrangements, and to bring together understandings of formal housing standards currently institutionalized, with standards these workers are setting themselves. I also suggest that more research should focus on better capturing the understandings of country representatives, to better comprehend how they perceive their role and work under the SAWP. In this is it important to identify potential interests at play in the development and maintenance of these understandings, and also potential practices of pressure and discipline that may also target these individuals.

We need to continue to increase our awareness of systems, strategies and techniques which continue to regulate the SAWP worker in repressive ways, and understand the discourses form which these practices have arisen and from which they draw their authority, as recent
examples of CBSA’s collaboration with transportation regulators, and reality TV producer have shown.

Inspired by the work of Foucault, understanding and mapping the conflict of discourses active around the SAWP is vital, to be able to more fully identify the discursive field within which the SAWP and its regulations are situated, to be able to better identify tensions, inconsistencies, interests and strategies at play. Through this work, we are better able to identify fracture points, and strategies through which to destabilize particularly repressive understandings and practices. The goal of this work is to support SAWP workers in repositioning themselves, their understandings of themselves, and of their desires to the forefront, in positions of increased power and respect. In support of this, the work of solidarity academics and activists around the experiences of SAWP workers requires consistent reassessment and self-evaluation. However, it is clear that there is a lot of work to be done.
Bibliography


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