

“The Splendid Gifts of God to the South”: Struggles for Control on Tennessee Plantations

By

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CHAPTER 1

Introduction: Looking for Farms, and Finding Plantations

In the spring of 2013, I went looking for farms, hoping to better understand the lives of workers who plant, tend, and harvest crops in rural Tennessee. I figured that the easiest way to learn would be to work some farm jobs myself, live in the on-farm worker barracks, and move with the season along with the people I met there. Though my parents were skeptical of the plan (hadn't I gone to graduate school to get an office job or something?) and some friends thought the segregated reputation of Tennessee agriculture would make it difficult for me to make the transition to fieldwork, finding work on a farm turned out to be a remarkably straightforward process of meeting a labor recruiter and then showing up to the field the next day with boots on.

During my first weekend searching for a farm recruiter, in the Warren County nursery region 80 miles southeast of Nashville, I stumbled upon a monument honoring “The Farmer” in the parking lot behind the McMinnville town square. Dwarfed by the county water tower overhead, across a parking lot from the empty produce sheds used by McMinnville’s weekly farmers’ market, the granite tombstone-shaped monument displayed a chiseled image of a farmer on foot, guiding a plow behind two draft horses. Beneath, an inscription reads:

*We Honor You, the Farmer
Every Human Being Depends On You
The World is Built Upon Your Toil
And Your Products*

*When You Prosper Men Are Happy
When You Fail All Men Suffer*

*You Live with Nature Where
Brains, Brawn, and Toil Supplies Man's Primary Needs*

*You are Both a Capitalist and Laborer
You Pioneer and You Gamble
Without You Mankind Would be Extinct
Farmer! We Honor You*

The monument's hyperbolic prose reflects the deep, almost instinctive romanticism with which many rural Tennesseans revere agrarian life. On the outskirts of town, though, the 'farmers' referenced by the monument were hard at work putting up Spanish-language 'now hiring' banners proclaiming "*NECESITAMOS TRABAJADORES*" ('We Need Workers'), dodging I-9 (work authorization) audits, and lobbying Congress to provide a pipeline of low-cost immigrant workers to fill 'jobs Americans won't do.'¹ Those workers themselves, some Black and white but mostly indigenous and *mestizo*² from Mexico and Guatemala, found themselves considerably less honored as they went about supplying 'man's primary needs.'

The popular mythology of the Southern countryside rests on this contradiction: agrarian life is a source of liberation, independence, and physical and cultural nourishment; but it is also a source of suffering, captivity, and degradation, escaped by those who are able and endured by

¹ See, for example, contemporaneous articles in the nursery industry publication *Grower Talks* (Zurko 2012; Regelbrugge 2013)

² In this dissertation I use 'indigenous', 'mestizo', 'Latino', and at times 'Hispanic' as terms of self-identification used by various groups of working-class people from Mesoamerica who currently perform the majority of labor-intensive field work in US agriculture. In general, by 'indigenous' I mean those who come from recognizable ethnolinguistic groups (i.e. Maya from Guatemala and Chiapas, Purepecha from Michoacan, Zapoteco from Oaxaca, or Nahuas throughout Central Mexico); by 'mestizo' I mean ethnically-mixed people with substantial indigenous ancestry; and I use 'Latino' as an identifier of Spanish-speaking Latin Americans in the United States. Periodically I use 'Hispanic' (or *hispano*) as a term of self-identification used by many indigenous, mestizo, and Latino people in the United States. Largely I have avoided using the term *ladino* (a term for 'westernized' indigenous people common in Guatemala and Chiapas) unless it is introduced in a specific conversation.

those who are desperate. Both versions are true, depending on which parts of the picture you're looking at; the key difference between these opposite truths hinges on *whose* freedom and *whose* exploitation counts; that is, who benefits and who suffers in today's plantation economy. One of the goals of this dissertation is to expose and reverse the sleight-of-hand that conflates 'ownership' with 'toil' and exploitation with 'prosperity.' Rather than celebrating the image of a white landowner plowing behind his draft horses, I pursue the trail of landowners sitting at desks filling out loan applications to banks and relying on labor recruiters to secure underpaid indigenous and mestizo migrants for the bulk of their actual 'toil'. With one eye on the elites whose effort built and continue to maintain the South's plantation system, I focus most closely on the daily lives of the tens of thousands of migrant workers who make possible the profit-maximizing strategies of elites who rely on their labor. This dissertation will explore how the mixed forms of labor control imposed on exploited rural workers by their employers and reinforced by state regulators affect those working people's ability to build class alliances across difference and make common cause to challenge their degrading treatment. By 'class,' I mean an evolving relationship among diverse groups of dispossessed working people, on the one hand, and their *collective* relationship with the elites who control the land, put them to work, and monopolize the fruits of their labor, on the other (Thompson 1963). Throughout the following chapters, I examine how working people's daily experiences of degradation and loss, and their interactions with the elites who put them to work, structure their assessment of the viability and desirability of these class alliances across differences like race, gender, nationality, language, industry, and citizenship.

In this chapter, I will review the key approaches used by anthropologists and fellow travelers to understand the origins, everyday experience, and possible future of exploited

plantation labor. Beginning with the insights (and limitations) of the recent boom in critical medical anthropology (Holmes 2013; Horton 2016; Saxton 2018), I will then explore how advances in the global study of migration (especially concepts of ‘deportability’ and the ‘production of illegality’ introduced by Nicholas DeGenova and others) helps to broaden our view beyond the limited perspective of North America’s invented ‘immigration crises’ and redirect our attention to collaboration between employers and the state in the making and unmaking of class relations among their migrant employees. I will then evaluate how recent ethnographies in the adjacent sectors of meatpacking (Striffler 2005; Ribas 2016; Stuesse 2016) and farmwork (Griffith 1995; Binford 2013; Gray 2013) have approached the study of class and race in rural North America, and how this work can help us build on the insights of historians (DuBois 1935; Hahamovitch 2011) who examine struggles over the use of captive labor in American plantation agriculture. Finally, I will situate the questions that motivate this dissertation –how rural employers’ evolving efforts to control, exploit, and differentiate their workforce affect the making and unmaking of class in the rural Mid-South– within the emerging focus on dispossession and difference explored by the “global anthropology of labor” (Kasmir and Carbonella 2014; Federici 2004; Nonini 2015; Gill 2016).

But before wading into the more detailed arguments on dispossession and captivity covered by the following chapters, I want to begin with a re-definition of the terrain we imagine when we start looking for ‘farmworkers,’ ‘agriculture,’ ‘plantations,’ or other symbolically-weighted figures in the Southern countryside. Rather than taking ‘agriculture’ as a self-evident thing in the world, this dissertation is premised on an examination of how the periodic re-invention of “agriculture” as a concept tied to a specific work process and a specific terrain is in fact a key profit-maximizing strategy that recurs throughout the history of the Southern

plantation system. Margaret Gray reminds us that “the moral ideal of agrarianism” has been used as a tool and at times a weapon in employers’ “almost constant struggle to secure a stable and controllable labor force” (2013:12), this study rejects romantic notions used to set off ‘agriculture’ as a unique element of human economic life, and instead looks to the how the concept of ‘agriculture’ is being put to use, by who, and to whose benefit or detriment. When Hugo Black defended the Fair Labor Standards Act he had written in 1937 by pointing out that it contained “the most comprehensive definition of agriculture which has been included in any one legislative proposal” (Wason 1966:12), he meant it as a concession to employers, who could avoid honoring new workplace standards by separating unionizable ‘heavy industry’ from the agricultural ‘no-man’s-land’ which had grown to include citrus packing, cotton ginning, and other ‘agro-industries.’ Since the New Deal workplace reforms began to improve conditions in other economic sectors, the repeated rite of excluding ‘agricultural’ workers from coverage has meant that recurrent acts of dispossession came to define ‘agriculture’ rather than the other way around. In order to understand ‘agriculture,’ then, we must look beyond agriculture, to the other closely-linked economic sectors that ‘agriculture’ was carved off from: manufacturing, services, construction, and retail logistics in the ‘urban’ world, and non-farm sectors such as milling, mining, meatpacking, and suburban landscaping, which share space alongside agriculture in the countryside, and investigate how both urban and rural capitalists chose ‘agriculture’ as a dividing line that could fragment the working-class movements that threatened to contest elites’ hegemony across the broad American landscape. Though I began my research by driving the back roads ‘looking for farms,’ I suggest that we scour the rural landscape not for ‘farms’ but for flows of capital and contests of power, the often imbalanced but irrepressible struggles between

those who work the land and those who currently claim its benefits.³

In the 21st-century South, agricultural wage labor is widely assumed to be the most unpleasant, badly-paid, dangerous, and degrading job available to the working poor. A heavy cloud of pessimism hangs over contemporary farmworkers and lingers over rural life in the South, a historic trauma sublimated as a presumption that the work itself, perhaps even the crops themselves, are antagonists which always have and inevitably always will afflict the poor. The presumption that fieldwork is always degrading is the foundation on which immigration and labor policy debates are constructed, leading logically to the apparently uncontroversial assertion that in a country where most workers have other labor market opportunities, there will inevitably be a ‘labor shortage’ in agriculture and other degraded jobs. That labor shortage can, according to this logic, only be resolved by identifying and employing workers who are sufficiently desperate and degraded themselves that they will tolerate the indignities of planting, tending, and harvesting crops. This, indeed, is the position put forth by organized agricultural employers in the United States, echoed by media narratives across the political spectrum, and enshrined in various manifestations of formal state policy from the colonial period to the present. As Hahamovitch points out, the “ideology of labor scarcity” has historically proven to be “dangerous talk” which “gave license to white violence and brought federal sanction for forced labor” (1997:82); critical investigation reveals this ideology of ‘jobs nobody wants’ as a class project that has been weaponized to degrade rural life, and encourages us to resist the temptation

³ Hahamovitch and Halpern suggest that "the countryside is a site where class "happens" and that an understanding of both the rural and urban sectors will be enhanced if we begin to study them both as coequals and as interdependent" (2004:4). Sidney Mintz sketched this interdependence in his book *Sweetness and Power* (1986). Mintz explores how colonial plantation agriculture in the Caribbean devastated vast landscapes and deprived African slaves of their freedom in order to subsidize cheap foods and pseudofoods such as sugar, coffee, and tea for mass consumption in the urban, industrial core of England and allowed employers to keep wages lower for urban workers, who had been displaced from the countryside. See also Wolf 1982, McCreery 1994, Williams 1975

to blame workers' degradation on the elements, the seasons, or the soil; that is, on the very ecology that sustains human life.

In place of the naturalized presumption of rural degradation, the analytical framework of this study will return at each step to a critique of the plantation (*finca*), a human creation that has tormented an ever-increasing share of agricultural workers for the last four centuries. This framework will borrow from two converging streams of thought about plantations. The first stream of thought emerges from the Black-centered multiracial effort against plantation capitalism in the Deep South, uniting critique with political struggle against transatlantic captivity, chattel slavery, Jim Crow labor control, and mass incarceration of Black laborers and their descendants. This stream of thought is best expressed by scholars following in the footsteps of W.E.B. DuBois (1935) and CLR James (1938) to develop critiques of 'racial capitalism' (Robinson 1983) and preserve and nurture the "black radical tradition" through which millions of Afrodescendant people have struggled against the Southern plantation (Kelley 1990, 2003, 2017; Ali 2010; Johnson 2013, 2018; Hudson 2016, 2017; Williams 2014; Ludwig 1999; Websdale 2001)⁴ in sometimes-alliance with and sometimes-tension with the 'white,' indigenous, and mestizo rural workers who labor alongside them under overlapping but always slightly different forms of exploitation.

⁴ The 'plantation' stands in for racial-capitalist power structures of social control in the everyday language of many Black-centered freedom struggles. Ludwig 1999 records the use of critiques of the 'plantation' by Black women organizing a food service union at Duke University; Websdale 2001 draws parallels between slave policing on plantations and the community-policing tactics used to saturate and surveil public housing projects in Nashville; the most well-known example of this discourse is probably Martin Luther King's "Where do We Go From Here?", which argues:

"From old plantations of the South to newer ghettos of the North, the Negro has been confined to a life of voicelessness and powerlessness. Stripped of the right to make decisions concerning his life and destiny he has been subject to the authoritarian and sometimes whimsical decisions of this white power structure. The plantation and ghetto were created by those who had power, both to confine those who had no power and to perpetuate their powerlessness" (King 1967)

The second stream of thought emerges from the Mesoamerican struggle against the *finca*, the site of capture, uncompensated *colonato* labor, and debt peonage that profoundly shaped relations of domination between indigenous highland *campesinos*, proletarianized lowland *ladinos*, and landowning elites from the Spanish colonial period to the present in rural Mexico and Central America, the regions from which the biggest waves of new American migrant farmworkers have fled over the last fifty years. A broad and diverse literature from Mesoamerica explores the dynamics of peasant struggle within/against the *finca* system, from the long historical approach of McCreery (1994) and more targeted histories of agrarian struggle in Guatemala (Handy 1994; Forster 2001; Grandin 2004; Manz 2005)⁵ to the ethnographies of Bobrow-Strain (2007) and Grandia (2012), to analyses of class struggle within the Costa Rican *latifundio* (Edelman 1992) and the Nicaraguan *hacienda* (Gould 1990), to the agitational writings of Guatemala's *Comite de Unidad Campesina* (CUC 2010) and the Mexican EZLN's Subcomandante Moises (Moises 2017; Moises and Galeano 2018) in their call to militant resistance against both neoliberal transformations in Mexico and forced migration to the United States. This Mesoamerican critique of the *finca* argues that the landlessness and internal displacement of dispossessed agricultural workers within Mesoamerica and their migrations to *la finca en el Norte* ('the plantation up North') are two manifestations of the same capitalist assault on indigenous autonomy⁶, one that cannot be remedied by a change of *capataz* or overseer (that is, it won't be halted by electing a different capitalist politician) but only by a *recuperacion*

⁵ Also see several volumes published by AVANCSO and FLACSO in Guatemala (Gonzalez-Izas 2014; Mendizabal Saravia 2007; Palma Murga 2012) as well as Ricardo Falla's recent volumes on the revolution in Ixcán.

⁶ The left-indigenous critique of the the *finca* also highlights an alternative understanding of a variety of social ills (alcoholism; gender violence; mental illness and depression; political corruption and clientelism), as shown through the development of Zapatista *misticas* (a popular education tool based using participatory theater) that illustrate these socially-destructive behaviors as consequences of the racial humiliations, brutal violence, and disciplines of overwork and social subjection imposed by the *finca* system. These *misticas* provide an alternative to popular (and typically politically reactionary) Evangelical understandings of the source of and remedy for these social ills.

(reparation and redistribution) of the *finca*'s land and wealth back to the indigenous and mestizo people who work it.

Within the context of the alienated migrant wage labor that fuels Tennessee's rural economy, I will use the terms 'farm' and 'plantation' more or less interchangeably. By 'plantation' I mean a particular kind of capitalist agriculture⁷ that concentrates land ownership into the hands of a militarized owning class, prioritizes commodity export agriculture over subsistence production, and uses alienated labor that sometimes appears as 'free' wage labor but depends on various strategies of control to dominate and retain workers when needed and expel them when undesired.⁸ 'Plantation' may strike modern observers as a term from the past, but I use it to describe a modern form of production that developed out of past forms of unfree labor, one that is in many ways fully 'industrial' and rationalized according to advanced capitalist principles⁹. As in other historical periods, today's plantation system generates a dialectical relationship between migration and confinement, forcing people into movement in order to 'free them up' and then recruit them for degraded forms of highly regimented work, only to then force some of them once again into movement as they are expelled from their plantation labors at the

⁷ While I primarily use 'plantation' to refer to farms where crops are grown, the capitalist captive labor system popularly associated reaches considerably beyond crop production – as I point out in Chapter 3, the current agricultural labor market mingles and blurs considerably with 'service' and 'manufacturing' labor markets, and even at the 'height' of the paradigmatic slave-plantation period in Tennessee (say, 1850) the largest employers of unfree labor were actually industrial iron works in the coke oven districts surrounding Cumberland Furnace in today's Dickson County (Corlew 1951).

⁸ This definition roughly matches the typology distinguishing the inter-related forms of 'hacienda' and 'plantation' suggested by Wolf and Mintz (1957), using the term 'plantation' to describe the more market-linked and capital-intensive forms of rural estate. See Edelman 2018 for an evaluation of this typology.

While the term 'plantation' often evokes an impression of scale, I use it more to describe a form of production shared by both larger and smaller firms – as Gray (2013) points out, there is nothing inherently less alienated about working for a 'small' capitalist farm. In this sense I think we can talk about a 'plantation sector' or a 'plantation society' which exists as a sort of patchwork checkerboard across the South and country, where the landscape is owned by corporate firms and elites and worked largely by concentrations of semi-free dispossessed laborers.

⁹ McWilliams was already calling California farms "factories in the field" in 1939.

end of a season or at the end of their productive working lives. In rural Tennessee and the United States more generally, this dialectic maintains a class of subordinated semi-free people at the margins of plantation society, who can be further criminalized and expelled by the owning class or re-recruited into the core workforce depending on the labor requirements of their industries and the social requirements of the political moment.¹⁰

Anthropology of Shitty Rural Jobs

While some anthropologists explicitly address peasant and worker struggles against landlords and the plantation as a foundation of their work (e.g. Mintz 1974; Edelman 1992), recent studies of farmworking life in the United States countryside use analytical frameworks based on structural violence, ‘deportability,’ and ‘difference’ to analyze the fragmentation of working-class populations that results in their social degradation and political disempowerment. In this section I will evaluate the ‘farmworker turn’ in critical medical anthropology (Holmes 2013; Horton 2016; Saxton 2018), summarize the ‘deportation regime’ framework for the study of immigration policing (De Genova 2002), and then review how recent ethnographies have approached the study of class and race in both farmwork (Griffith 1995; Binford 2013; Gray 2013) and meatpacking (Striffler 2005; Ribas 2016; Stuesse 2016) in ways that point to the continuing re-emergence of captive labor in American plantation agriculture (Hahamovitch 2011). Finally, I will turn to how the concepts of uneven development (Smith 1984) and dispossession, difference, and disorganization in the emerging “global anthropology of labor”

¹⁰ Marx’s concept of ‘reserve army of labor’ only partially describes this phenomenon. Rather than experiencing vulnerability just based on their access to employment and wages, the ‘deportable’ reserve army consists of a flexible population of semi-employed workers who move back and forth between ‘legality’ (de facto protection) and de facto vulnerability depending on whether industry has need for them / can protect them / decides to employ them.

literature (Kasimir and Carbonella 2014) can provide a framework for analyzing the making and unmaking of class in the rural Mid-South.

Critical Medical Anthropology and ‘Structural Violence’

One of the most prolific and influential approaches to the study of farmwork in recent years has emerged from medical anthropology¹¹, emphasizing the forms of economic and political “structural violence” (Farmer 2004) that provoke the disproportionate levels of workplace injury and illness suffered by farmworkers in the United States. Holmes’ 2013 ethnography on indigenous Mexican berry workers in Washington and Horton’s recent work (2016) on kidney disease and heat deaths in the California fields are good examples of how medical anthropologists have developed the ‘structural violence’ perspective as a way of challenging more dominant ‘power-blind’ public health narratives. Horton notes that health professionals and policy makers tend to see overwork as voluntary, and so they blame workers for the ‘decision’ to keep working when injured, the ‘belief’ that pesticide exposure will not harm them, and other practices that lead to chronic health problems. Like Farmer (2004), Quandt and Arcury (1998), Benson (2011), Holmes (2013), and other scholars in critical medical anthropology who explain working-class people’s unequal life chances in terms of ‘structural violence,’ Horton emphasizes how Central California melon workers are intimidated and bullied into overwork, concluding that worker ‘choice’ is an ethnocentric idea imposed by neoliberal health models based on a “misplaced sense of autonomy” (2016:4) which “exaggerates the agency of vulnerable groups” (2016:5).

¹¹ The continued existence of health-focused farmworker ethnography also depends in part on the fact that farmworker health programs are among the few elements of the migrant welfare apparatus that still attract independent or ‘applied’ research funding.

Holmes and Horton land their strongest punches through their extensive deconstruction of medical assumptions regarding naturalized workplace hazards like “the sun” (Horton 2016) and “stooping” (Holmes 2013), showing how in fact these hazards are unequally distributed, racially- and socially-constructed, and entirely preventable. While this approach brings a passionate, eloquent, and much-needed correction to many of the apolitical and superficial assumptions in the field of public health, when applied to questions of class formation and daily struggles between farmworkers and their employers, the concept of ‘structural violence’ can be an overly architectural metaphor that obscures both the struggles of those who reject their oppression and the identity and actions of the employers and landowners who benefit from it. Despite her profound political commitment and fine-grained ethnography, Horton concludes her book with apolitical references to the “needless suffering” of farmworkers, calling it a “paradox” that “the most vulnerable workers receive the most paltry labor protections” (2016:176-7). This approach underplays both farmworkers’ many efforts to seize agency and claim labor protections in the Central Valley of California, and the substantial resources mobilized by their employers to crush those efforts (e.g. as documented by Bardacke 2012 and Chacon and Davis 2017). In Horton’s conclusion on “Strategies for Change”, rather than directly confronting the role played by landowners and agribusiness associations in intentionally constructing and continually re-creating these systems of ‘structural violence’ in order to extract additional profits from their workers, Horton shies away from questions of direct class struggle¹² and instead suggests an

¹² This apoliticizing approach is periodically reflected in Horton’s at-times ingenuous descriptions of the development of agricultural wage labor in the United States – for example, her concluding observation that “the trend toward governing immigration through crime worsens the working conditions of all noncitizens” (2016:175) is fair enough at face value, but her argument would be richer and her conclusions more embedded in realities of political struggle if she situated her concern about the “governing of immigration through crime” in the longer histories of how labor has been criminalized and captured for centuries through the use of vagrancy laws and property legislation (see for example Linebaugh 2003 *The London Hanged* and 2014 *Stop, Thief!*) or an evolving set of captive labor schemes (Hahamovitch 2011).

outsized role for academics and concerned professionals. “What can anthropologists and the public do to improve farmworkers’ health?”, she asks, and answers with an earnest list of policy recommendations. While the critical medical anthropologists’ recommendations usually aim at reducing growers’ control (and thus their profits), they do so apologetically; Benson emphasizes that tobacco farmers are also victims of the agribusiness economy, in a “shared predicament” with their employees (2011:207) and Holmes absolves berry growers of responsibility, arguing that the hierarchies of ethnicity and suffering that sustain their profits “are neither willed nor planned” by employers (2013:31).

A review of Horton’s work co-written by Dvera Saxton and her working-class students at Fresno State (just down the road from Horton’s field site of Mendota) confirms both the insights and limitations of the critical medical anthropologists’ ‘structural violence’ approach. On the one hand, Saxton’s students (some of whom were themselves farmworkers and most of whom came from farmworking families) “gained new language and frameworks to articulate the injustices they endure, but also expressed shock and anger when learning about the political and social structures that perpetuate their exploitation and contribute to the epidemic of heat-related illnesses and deaths in their communities.” According to Saxton, herself a medical anthropologist, this structural framework “emboldened their critiques of the extractive political economy of agribusiness and our market-based health care system and helped them identify other layered vulnerabilities in their communities” (2018:126). When giving specifics, though, Saxton attributes farmworker suffering to “poorly designed policies” (2018:124), once again intimating that hyperexploitation is some kind of accident. And when the team of students and their professor do analyze the experience of melon workers themselves, they focus primarily on Horton’s descriptions of *coraje* (“outrage”), pausing to analyze at the phenomenological stage of

reaction to the injustices to which they are subjected, rather than moving through that outrage to the challenging but necessary investigation of farmworkers' potential, real, or thwarted efforts to wield political power within their own lives and workplaces.¹³ While this dissertation, too, will expend substantial effort exploring how farmworkers experience the brutal distribution of physical suffering at work, I will attempt in each case to tie these observations to the dialectical relationship between landowner's efforts to design effective methods of division and control, on the one hand, and workers' ability to put their struggles to demand better treatment in collective terms, on the other.

Migration in the US South and the global 'deportation regime'

In the mid-2000's, social scientists developed the concept of 'new destinations' to describe how the 1986 Immigration Reform and Control Act, the intensifying militarization of the US-Mexico border, and a relocation and re-concentration of low-wage industries into states of the former Confederacy drew millions of indigenous and mestizo Mesoamerican migrants and their families to the US South and other 'non-traditional' rural zones (Stull, Broadway, and Griffith 1995; Fink 1998; Massey, Durand, and Malone 2002; Zúñiga and Hernandez-Leon 2005; Massey 2008; Hagan, Eschbach, and Rodriguez 2008; Ansley and Shefner 2009). While the 'new destinations' studies provided important starting points for understanding the mechanisms of new migration and a platform for early efforts at advocacy in favor of migrant

¹³ Significantly, even though many of Saxton's students come from immigrant farmworker families, she continues to frame their potential political commitments as those of policy-makers and even apologizes for the fact they probably won't become academic anthropologists: "While not many of my students will enter PhD programs to become academic anthropologists, the insights and values they are exposed to in anthropology classes have the potential to inspire and transform how they practice their varying professions: social work, medicine, advocacy, law, workplace management, agriculture, and policymaking" (2018:127)

rights, much of this initial literature on rural and Southern migration characterizes vulnerable migrant labor in neoliberal terms, arguing that newcomers should be embraced on the basis of inevitable economic “integration” and, at best, criticizing the contrast of the “free movement of capital” and restrictions on workers as a “massive contradiction” (e.g. Massey 2007).

Departing from this stream of thought, Nicholas De Genova introduces the concept of ‘deportability’ and insists that the often-repeated official goals of immigration policing (i.e. achieving a ‘legal workforce’) are misdirections that we shouldn’t take at face value:

the disciplinary operation of an apparatus for the everyday production of migrant "illegality" is never simply intended to achieve the putative goal of deportation. It is deportability, not deportation per se, that has historically rendered undocumented migrant labor a distinctly disposable commodity [...] What makes deportability so decisive in the legal production of migrant "illegality" and the militarized policing of nation-state borders is that some are deported in order that most may remain (un-deported) –as workers, whose particular migrant status may thus be rendered "illegal." (De Genova 2002:438-9)

De Genova insists that if we begin by assuming “the free movement of people,” then “the problem is the state rather than those who are mobile”; put in other terms, it is the state rather than the migrant who produces “illegality” (De Genova 2002:421). The problem with taking “the stated aims of the law, such as deterring undocumented migration, at face-value”, De Genova argues, is that most scholars “proceed to evaluate legislation –and specifically, various efforts to restrict undocumented migration– in order to sustain the claim that these legal efforts were

somehow not effective or were simply ‘failures’” (De Genova 2002:432). He argues that in most cases the state has no intention of strictly enforcing all immigration laws, and we are better off examining the “tactical” character of the law, “what the law actually accomplishes”, which leads us to an examination of how elites use state policy to produce illegality, which is the same thing as producing deportability, an indefinite state of extreme vulnerability that is used to terrorize working-class people into accepting subordination.

De Genova’s observations are not exactly original¹⁴ –both progressive and conservative observers have noted the connection between hyperexploitation and deportability as far back as the post-Civil War agitation against ‘coolie labor’, explicitly comparing non-citizen contract labor with slavery (Jung 2006). Yet the growing popularity of his ‘deportation regime’ framework (De Genova and Peutz 2010) has given social scientists, activists, and historians a shared language for linking deportation regimes in North America, Europe (Andersson 2014), the Gulf states (Gardner 2010), and Southeast Asia (Derks 2010). The ‘deportation regime’ framework’s attention to the “tactical character of the law” as a means of labor control has also provided a crucial analytical counterpoint to conservative, neoliberal, and humanitarian interpretations of migration which characterize migrants as invaders, individual entrepreneurs, or eternally voiceless victims of invisible hands. In this dissertation, I will build off of De Genova’s concept of deportability in the case of undocumented immigrant workers (which he addresses specifically), in the case of ‘less-documented’ workers on temporary work visas (which he addresses peripherally), and also link his concept of deportability to include other forms of forced movement and incarceration (i.e. parole, work release, and indebted labor) that proscribe workers’ claims to citizenship and limit their ability to move freely or leave their employers.

¹⁴ See also Kitty Calavita’s observations on how the Spanish government ‘irregularizes’ migrants and reaps labor ‘flexibility’ (1998).

Class and race entangled in slaughterhouses and on farms

While new works on ‘immigration’ abound (and we can expect quite a lot more, given the Trump administration’s theatrical and ongoing ‘border wars’), a much smaller number of ethnographers dig deeply into questions of how the modern ‘deportation regime’ has recombined old techniques of labor control (prison stockades, vagrancy systems, pass systems, indebted contract labor) to achieve goals that are by no means new: wage squeezes to keep workers poor and employers profitable; forced immobility to keep workers in place when needed; and forced mobility to send workers and their families away when they are unneeded and expensive. Along with a handful of historians and political scientists, they have tackled the question of how evolving systems of racialized confinement and immigration status structure employers’ attempts to secure these timeworn objectives and shape how workers resist, accommodate to, or maneuver around efforts to control them.

Two standout ethnographies investigate what kinds of understandings, alliances, and divisions have emerged between Black and Latino slaughterhouse workers in the rural South. Based on nearly a year-and-a-half of participant observation and a position that allowed her to pivot between Latina/o and Black co-workers, Ribas has produced the richest and most extensive exploration of the everyday workplace interactions between Latino/a and Black workers in agroindustry, showing how North Carolina meatpacking workers relate to one another through ever-evolving racial boundaries, a process she terms “prismatic engagement” (2016:8). Yet even though she identifies the underlying economic processes that force working people together and “draw, secure, and promote a steady and growing supply of [exploitable] labor” (2016:11) for agroindustrial capital, she studiously avoids drawing conclusions about the making or unmaking

of 'class' relationships within the agroindustrial company towns of the rural South. Instead, she emphasizes how work is "an important social domain", "a field of human life rich in meaning-making", and "a key interactional arena for the mutual construction of group identities" (2016:9). To the degree that she talks about class, Ribas does so by talking about race, recounting shopfloor talk from Latino/a workers reflecting their "certainty that they are the most disadvantaged group" and "that African Americans occupy a position of privilege" (2016:26), and describing in moving detail how Black and Latina/o workers responded (always in ethnoracial terms) to purges of the undocumented workforce, replacement of Black supervisors with white ones, and attempts at unionization.

Though Ribas suggests that 'intergroup relations' are a dynamic and evolving process based on daily interaction, her evaluation of racial formation is unidirectional (that is, always tending toward differentiation and division), in part because she goes to such effort to avoid any explicit discussion of the possibility that workers might build common cause and overcome/transform their current divisions (i.e. build class unity). As a result, despite her exceptionally rich firsthand material, she declines to assess the implications for overall class formation when, for example, she finds her Latinx co-workers unanimously demanding "that African Americans be subjected to the same level of oppressive exploitation they were" (2016:134) or when a Black co-worker begins to draw parallels between a Honduran woman's prosecution for identity theft and his own incarceration due to punitive drug laws (2016:164).

In contrast, Stuesse approaches class politics more directly in her work, having come to Mississippi as part of a project explicitly designed to build class solidarity among Black and Latino poultry plant workers. She builds her ethnography on the foundation of a deep historical engagement with the origins of "plantation capitalism" (2016:127) in Central Mississippi, which

later produced a militant Civil Rights movement that successfully battled for Black inclusion in meatpacking employment, and then fought a series of partially-successful battles to unionize the industry, only to have their tenuous power diluted by the arrival of linguistically- and ethnically-diverse Latin American migrants in the 1990s. Stuesse's ethnographic descriptions are full of hopeful experiments culminating in strategic dilemmas and organizational dead-ends, and her disillusioning experiences with out-of-touch and understaffed meatpacking union officials who she believes are "hobbled by their fundamental orientation toward a politics of class" (2016:166) leads her to disclaim the concept of class formation entirely, in favor of a focus on (racial) difference animated by "a recognition of how overlapping oppressions affect workers' lives" (2016:149). Her rejection of "universal class politics" is largely semantic, though; while she asserts that "diverse groups of individuals will not naturally come together because of their common oppression as workers," (Stuesse 2016:224) she holds onto hope that workers can build "a strategy that might begin to contest racialized and other identity-based divisions upholding industry power and white supremacy" (2016:224) – a position which sounds a lot like the construction of a "universal class politics". The careless and compromised positions taken by the distant union officials in her ethnography (declining to train Latino and Black stewards in joint sessions; shrinking from fights with the company over immigration-paperwork purges; failure to build bilingual staff capacity) would be better characterized as 'shallow' class politics which are not 'universal' enough, rather than accusing union officials' politics of being 'too universal.'

Stuesse's last-minute abandonment of 'class politics' as a category weakens what is otherwise a profound and unique contribution to our understanding of the making and unmaking of class in the rural South.

Finally, Steve Striffler's ethnography about an Arkansas chicken plant (published 10 years before Ribas and Stuesse's books) makes a much simpler observation about the relationship between race and class in the Tyson plant where he worked: since class oppression is understood in a racial idiom, at least by the undocumented Latino migrants at the bottom of the workplace hierarchy, everyone who does the same "crap job" in the plant is a "screwed-over Mexican" during working hours, including the gringo author, because (at least at the time) he "eats with Mexicans, and he works like a Mexican" (2005:124). Striffler suggests that "we should at least consider the possibility that transnational migration may make people question the very categories that borders support", though the "class-based notions of affiliation, identity, and loyalty" run up against entrenched patterns of residential segregation and tend to unravel outside of work hours (2005:125). Striffler concludes that ethnographers should "see culture not just in terms of ethnic-national rituals and customs but from the perspective of class formation"; that is, Striffler suggests that we examine working people's everyday expressions of difference and similarity, their assessments of power and position, and their evolving sense of identity and affiliation, in terms of their tendency towards or away from the construction of common cause and political power and across those differences. His examples from Arkansas point to a conclusion not so different in substance, even if it diverges in principle, from those of Ribas and Stuesse: if you want to understand what exploited rural wage workers think about class, listen to what they say about race.

Compared to slaughterhouse work, the literature on agricultural labor dwells substantially less on relations between Black and Latino co-workers¹⁵. A few researchers explore the ethnic

¹⁵ According to the notoriously-spotty National Agricultural Worker Survey, 3% of farmworkers in 2014-2016 identified as Black or African American (83% were identified as 'Hispanic'). Though many farm sectors continue to hire African American workers (and Haitians are especially prominent in Florida and some parts of the East Coast migrant stream), the phenomenon of mixed Black and Latino farmworker crews is largely unexplored in the social

hierarchies occupied by mestizos and the dozens of indigenous groups who migrate to US plantations from the Mexican and Guatemalan countryside (e.g. Holmes 2013; Fox and Rivera-Salgado 2004; Stephen 2007), but most recent ethnographic studies of class-building and class-breaking in the plantation economy have focused on two primary questions: first, how farmworkers' legal vulnerability (especially 'deportability' and exclusion from collective bargaining protections) constrains their efforts to resist degrading treatment; and second, how workers respond to their hyperexploitation in the context of highly personalistic and intimate forms of labor management by small growers and their crew leaders. As in the rural meatpacking industry, workers' explanations of their exploitation, the possibility of common cause or differentiation among their co-workers, and the nature of the work itself tends to be expressed in (or at least articulated in response to) the idioms of race, ethnicity, and nationality.

A handful of critical social scientists (Binford 2013; Gray 2013; Griffith 1995, 2012) have attempted to knit together a theory of the structural disadvantages designed by plantation owners to more easily exploit their workers (noted by the critical medical anthropologists as 'structural violence'), the tactical use of 'deportability' (noted by De Genova and others as a barely-masked strategy of labor control), and a historically-informed approach to the evolution of capitalist agriculture (advanced most notably by Hahamovitch:1997,2011) in order to investigate the making and unmaking of class in North American agriculture. Tracing the histories of colonialism and enslavement through to the modern era of 'farmworker exceptionalism' laws built into New Deal reforms of the 1930's (Linder 1986; Thompson and Wiggins 2002; Katznelson 2013), they demonstrate how the current forms of 'exclusion' that thwart farmworkers' attempts to build common cause and challenge their conditions¹⁶ have

science literature. See Benson (2011) for a brief discussion of "black jobs" and "brown jobs" in the tobacco industry.
¹⁶ A few works also attempt to highlight how a few farmworker organizations – notably the Coalition of Immokalee

evolved directly from past forms of captive labor refined and adapted by American plantation owners.

One aspect of this captive labor system is the contradictory relationship between farmworkers and employers whose highly personalistic systems of labor management both ‘protect’ workers from the hostile world and ‘confine’ them to the workplace. Workers who are systematically blocked from other protective supports by ‘farmworker exceptionalism’ laws thus become highly dependent on benefits provided by farmers and autonomous crew leaders, including housing, farm products, loans, intervention to help workers' families navigate schools or social services, and protection from hostile law enforcement; in exchange, they exact what Gray calls the “price of proximity”, which workers pay “in the only way they can: with good behavior in the workplace” (2013:54). In a 2012 chapter on “driving while brown” and class consciousness, David Griffith tells a story of Iowa dairy/meatpacking workers whose farm employer by forcing a local deputy sheriff to “back off” and stop pulling over his Latino employees, as an example of how paternalistic control by employers leaves workers indebted to them and undermines class consciousness (2012).

In his study on labor control within the Canadian agricultural ‘guestworker’ program, Binford comes to the same conclusion as scholars of ‘racial capitalism’ (Robinson 1983; Johnson 2013; Hudson 2016; Kelley 2017), arguing that “capitalists have *always* drawn upon unfree labor” (2013:63). Binford suggests a typology of captive laborers including: ‘guestworkers’ who are tied to a single employer, always temporary, and permanently deportable; ‘slaves’ who are uncompensated and permanently unable to leave their employment; and ‘indentured laborers’

Workers, the Farm Labor Organizing Committee, and more recently *Familias Unidas por la Justicia*, have achieved some success in building multiethnic solidarity and worker power even without legal protections, mostly using boycotts and consumer pressure rather than sustained workplace action (Griffith 2009).

who are eventually able to assimilate as 'free' laborers after a brutal initiation period of bonded labor (Binford 2013:2)¹⁷. Binford emphasizes the global-scale processes that undergird modern captive plantation labor, highlighting the role of dispossession in 'sending' regions (he focuses on agrarian crisis in Tlaxcala, Mexico) in forcing workers to accept a “dual frame of reference” that motivates *campesinos* in the Global South to ‘voluntarily’ submit themselves to a captive labor program in the North (2013:63). He argues that this ‘relative deprivation’ also structures the role of Mexican and Caribbean consular officials, who cooperate with growers by suppressing worker rebellions in order to avoid a “competitive disadvantage” that would incentivize growers to look to other countries for more submissive workers (Binford 2013:158, 2019). Despite consular efforts to quiet unrest among their countrymen, Binford demonstrates that a preference for more-controllable labor has driven growers’ tendency toward replacing traditional Caribbean labor with Mexican workers, who they see as less prone to ‘escape’ (2013:103). Finally, Binford suggests that we look towards quantifying the hyperproductivity of unfree labor, citing Sarathy and Casanova’s finding that, after years of employing ‘guestworkers’ on H2B forestry visas, “the productivity level [for reforestation workers] has been raised to a bar so high that all the contractors stated that they could never hire American workers again” (2008: 107). This hyperproductivity is “not the result of some natural proclivity of Mexican and Caribbean workers to work hard, fast, and clean,” Binford insists, “but is made possible by their unfreedom, their

¹⁷ While many generations of Marxist scholars argued that slavery and wage labor are distinct consecutive phases in the history of human economic evolution, historians and anthropologists are largely converging in their conclusion that capitalism and forced labor were and possibly still are co-constitutive. Binford references Harvey but draws primarily from the 1987 work of Robin Cohen and the concept of the ‘New International Division of Labor’. Mintz addressed capitalism’s mixed record on ‘free labor’ in *Sweetness and Power* (1985:59); and many historians of capitalism and the plantation system agree that the relationship between slave and ‘free’ labor is, in Beckert’s terms, a “unity of the diverse” (2014:xix). See Peter Hudson’s review of radical historiography and recent histories of plantation capitalism (2016) for a history and critique of the ‘discovery’ of slavery’s role in capitalist development by scholars who sometimes but not always credit the politically-engaged Black scholars who pioneered their field.

assignment to a single employer, and prohibition from circulation on the labor market [...] as well as the employer's ability to dismiss (and deport) them or deprive them of work the next season" (2013:pp)¹⁸. In her extraordinary history of 'guestworker' programs in the United States, Hahamovitch describes temporary contract workers as "perfect immigrants" who are "neither slaves nor free men" (2011:2), for whom "the threat of deportation became the world's new whip" (2011:85).

The 'modern whip' of deportation, while in debt, to a country in profound economic crisis both helps contextualize the forces that 'capture' undocumented and temporarily-documented laborers, and also explicitly connects our present questions of class formation to the long history of dispossession and captive labor in the American South. A major limitation of the existing literature, though, is that each ethnography tends to limit itself to an analysis of one part of the captive labor system: Gray focuses on the undocumented labor force in New York's Hudson Valley (2013); Binford on temporary 'guestworkers' in Ontario (2013); Holmes on undocumented Oaxacan workers in Washington (2013), making it difficult to piece together how employers interact with each workforce, and mix or segregate them by season or by geography, in order to weave together a heterogeneous and differentiated workforce that allows them to quell eruptions of worker militancy, adjust to spikes in immigration law enforcement, or stifle emergent solidarities between their workers and organized labor or concerned civil society (Griffith 2006; Hahamovitch 1997, 2011). In order to enter the following chapters with a framework that can help us understand these owning-class projects of 'differentiation' and the working-class affinities they work to interrupt but rarely succeed in extinguishing, I turn now to

¹⁸ See Ness 2011 for a critique of the guestworker program as a method of breaking working class power, and Bauer 2013 for a critique of the guestworker program from a legal services perspective, published by the Southern Poverty Law Center

how anthropologists have returned to Marx's concepts of "primitive accumulation" and Harvey's concept of "accumulation by dispossession" to theorize 'difference' and class formation in the 21st century.

The 'Global Anthropology of Labor'

In recent decades, Marxist anthropologists have borrowed from critical geography and history to develop frameworks that tie together the analysis of the making and unmaking of working classes at global and regional scales with ethnographic methods that provide fine-grained analysis of daily life in particular locations. In the last decade, this style of investigation has crystallized under the umbrella term "global anthropology of labor", an approach which guides this study of class formation and fragmentation in rural Tennessee.

The Tennessee plantation system and the new waves of dispossessed Mesoamerican migrant workers that have entered over the last several decades have been profoundly intertwined through multiple waves of what Marx famously referred to as "primitive accumulation." According to Marx, primitive accumulation is the process of "conquest, enslavement, robbery, [and] murder" which "clears the way for the capitalist system" (*Capital* 1867: Ch 26), a violent process of enclosure by which capitalists appropriate other people's productive resources, such as land and labor, for their own enrichment. But 'primitive accumulation', in Marx's understanding, is not just mere plunder, to be seized and then consumed or hoarded; it is the process which 'frees up' resources that can be put to use in capitalist production, under social and political arrangements that allow the new owners to accumulate even further profits. In his original writing on primitive accumulation, Marx is most concerned with how it provides employers both immediate sources of wealth (land, gold, etc)

and a labor force that is apparently willing to work for next to nothing; after the ‘original sin’ of primitive accumulation has been committed, Marx observes, “great masses of men” who have been “suddenly and forcibly torn from their means of subsistence” have “nothing to sell except their own skins”, and their bosses can put them to work for wages that barely exceed starvation levels, allowing the owning class to hold on to nearly all of the wealth those workers create (Marx 1887).

While Marx used the concept of ‘primitive accumulation’ to understand the process of theft at the ‘beginning’ of the capitalist era, Polish revolutionary Rosa Luxemburg argued that capitalism is constantly appropriating and absorbing, making periods of ‘primitive’ accumulation an inherent and recurrent part of life under capitalism (Luxemburg [1913] 2015). During the more recent neoliberal period, David Harvey built on Luxemburg’s theories, arguing that “accumulation by dispossession” (his version of Marx’s ‘primitive accumulation’) had once again become capitalists’ primary mode of accumulating wealth around the world and securing future profits by ‘clearing the path for the capitalist system’ (2005). In this formulation, both the neoliberal turn in the Global North and continued pillaging of resources in the Global South constitute forms of “accumulation by dispossession”, and those working class populations engaged in resistance to these various forms of economic warfare are fighting different manifestations of the same beast.

Many anthropologists have embraced and elaborated on Harvey's idea of “accumulation by dispossession” to help understand and tie together the political struggles of the neoliberal era. As Gill shows in the context of modern Colombia (2016), Harvey’s emphasis on recurring dispossession helps to re-focus our attention on how raw political violence remains a principal tool both for accumulating capital and destroying political alliances among working-class

populations. While Harvey downplays the struggles of unions in the Global North as ‘rearguard,’ Kasmir and Carbonella contend that even the apparent ‘privileges’ assigned to some groups of workers, such as unionized American manufacturing workers, “dispossessed these workers of international alliances and class power”¹⁹ (2008:12). Kasmir and Carbonella encourage us to analyze the making and unmaking of class alliances in terms of the production of ‘difference’ within and between segments of the global working class. Federici’s study of the development of capitalist patriarchy in Western Europe is key to the analysis of difference, arguing that,

“Primitive accumulation [...] was not simply an accumulation of exploitable workers and capital. It was also an accumulation of differences and divisions within the working class, whereby hierarchies built upon gender, as well as “race” and age, became constituent of class rule and the formation of the modern proletariat” (Federici 2004:63).

Developing on Federici and Harvey's insights, Carbonella and Kasmir argue that dispossession should be understood through its complement, ‘disorganization,’ the end result of attacks on working class solidarity that create new forms of “differences and divisions” between dispossessed people (2008; 2014). In addition to the creation of racial, gender, and cultural divisions, one of the key forms of 'disorganization' they point to is the imposition of local boundaries on working class identity and power, which limits working peoples’ ability to “command and produce space” (2014: 20) and challenge the owning classes' control of larger

¹⁹ The ‘lost class alliances’ of ‘privileged’ sectors in the Global North also make for direct negative consequences on ‘Global South’ populations who have been absorbed or ‘insourced’ into the low-wage industries of the Global North (migrants). Not only has the poisoned bait of ‘privilege’ made for a terrain in which newly-arrived migrants find their ability to organize as workers within the United States diminished, but it has also constructed profound obstacles for a working class movement which could harness its economic power in the Global North to oppose the processes of dispossession and exploitation that drive migration in the first place.

territories and workers' own movement across the landscape.²⁰ Working-class 'disorganization' the inability of 'labor' to collectively command space obliges 'migrant workers' to submit to borders, categories of citizenship, and imperial relationships between nations (including the global 'competition for jobs') at the macro scale, and confinement in specific plantation zones, racial segregation, and normalized forms of violence like 'police traffic stops' at the town level.

The 'global anthropology of labor' thus provides three key analytical concepts that animate this study of class formation in rural Tennessee: 'dispossession,' 'difference,' and 'disorganization.' 'Dispossession' helps us to build our investigation of current conditions on a historical understanding of how the region's original dispossessions (colonization, slavery, and later 'exclusion') structured later waves of capital accumulation, and a framework ('recurring' dispossession) for naming the relationship between profit-seeking corporate firms, their appetite for unfree and semi-free labor, and the crippling levels of overwork in the fields. It also helps us understand the relationship of 'uneven development' (Smith 1984) between labor-hungry plantations in the North and labor-expelling regions in Mesoamerica, where sharpening agrarian crises have caused as much as 10% of the rural population to flee into the North American migrant circuit in recent years. The "accumulation of differences" helps us address the dual character of the "differences" so richly observed by Stuesse (2016) and Ribas (2016) – on the one hand, 'differences' of "culture, history, and identity" (Stuesse 2016:224) emerge from linguistic diversity, unique histories of struggle in their countries of origin, variations in

²⁰ Kasmir illustrates this spatial dimension by investigating the divisions imposed by the GM motor company on its US manufacturing workforce by cultivating a 'local' identity in its Tennessee Saturn plant, which ruptured those workers' alliances with other auto-workers around the country and globe and facilitated their "long dispossession" (Kasmir and Carbonella 2014). Carbonella's historical work on the struggle between paper mill workers over and the International Paper corporation reinforces the view that 'localism' is often a kind of division between workers cultivated by corporate owners in order to limit their workers' ability to challenge their rule on the broader geographic terrain necessary to maintain existing or win new victories.

cosmology and belief, and other visible and deeply-felt forms of cultural belonging and affiliation; and on the other hand, many ‘differences’ (in the sense of incompatible divisions that preclude working class unity) are also the result of a process of dispossession, one rooted in processes of colonization and imperial violence that ‘make’ people different and hinder their ability to make common cause in the pursuit of dignified conditions of life and labor. In one key example that I will return to periodically throughout this dissertation, the invention of “agriculture” as a legal concept ‘differentiated’ working populations based on geography and economic sector in ways that would have profound implications for their identities, wages, and wellbeing. And finally, the ‘disorganization’ of working-class autonomy gives us a novel new way of understanding ‘migration’ as a phenomenon within a larger framework of class formation, recharacterizing vulnerable and criminalized migration not as a neutral or inevitable phenomenon, but a consequence of how labor-hungry elites have restricted the working class’ ability to control territory and move about the world’s landscapes as they please.²¹

Methods of Research

My research emerged out of several years as a volunteer organizing with the Nashville worker center *Dignidad Obrera*, and with Nashville Fair Food, an organization I helped found to coordinate Tennessee-based farmworker solidarity work in conjunction with the Coalition of Immokalee Workers, a group of Florida-based tomato workers who at that time were building an escalating pressure campaign against the Publix supermarket chain to force Florida farmers to join their worker-designed Fair Food Program and improve wages and working conditions in the

²¹ This framework could be profoundly productive to apply to the wave of ‘dual-site’ ethnographies, which take transnational networks and larger landscapes including both ‘sending’ and ‘receiving’ areas in their frame of analysis (Fink 1998; Striffler 2007; Binford 2013; Ribas 2016)

tomato fields. My experience as a Nashville worker center volunteer from 2010 to 2013 brought me into contact with hundreds of local construction, service, and cleaning workers as they struggled to recover stolen wages through boycotts and public pressure campaigns, and also demonstrated the barriers workers encountered when reporting employers' abuses to government agencies or filing suit in court. And as several dozen Nashville Fair Food volunteers organized with members of dozens of religious congregations and students at half a dozen university campuses, advocating for concrete improvements in the distant vegetable fields of Florida, I began designing a research project through which I could investigate and also potentially support the struggles of farmworkers closer to our home in Tennessee.

I began that research in the spring and summer of 2012 by conducting a series of interviews and a several-day outreach trip across Tennessee and Arkansas with staff and interns of Southern Migrant Legal Services, a farmworker legal aid office in Nashville. In early 2013, I conducted interviews with Department of Labor officials at the same time that I was accompanying a group of Rutherford County landscaping workers, who I had met at the Nashville worker center, through the months-long process of preparing and presenting an abuse, underpayment, and retaliatory firing complaint to the local federal Department of Labor office; see Chapter 4 for the story of how this complaint was rejected and the workers rebuffed by the Department of Labor investigators. In the early months of 2013 I also began making exploratory trips into the agricultural zones where I hoped to study more deeply, and in March 2013, I moved to DeKalb County southeast of Nashville to work at a large industrial nursery with hundreds of others during the spring rush season. During the month I worked at Berry, one of the largest industrial nurseries in the country, I lived in the on-farm barracks with other field workers, sharing the communal bathrooms and showers and kitchen, and even after I quit my job at the

nursery (in a fit of anger and exhaustion after a particularly-grueling 17-hour shift in the rain) I would return periodically and stay in the barracks to hang out with old co-workers, drink Bud Light, and plan where we were going to go work next. During my month at the nursery, I never talked to my bosses about the fact I was doing research; on my application, I listed landscaping and surveying jobs I had held but left my teaching assistant work off and didn't mention that I was a university student. With co-workers, I only began to open up about my research and the urban worker center organizing I was part of towards the end of my time at the nursery, and only with co-workers I had grown especially close with. For my first few weeks working in the fields I would drive to the town McDonald's every night to write notes on an old laptop while eating dollar hamburgers, but after a few weeks my fingers chafed and cramped enough from the work that typing was difficult and I started recording long voice memos each morning and night for later transcription instead.

From DeKalb County, I returned to Nashville, where I continued volunteering at the worker center and began spending time with two different groups of tobacco workers; in June and July, while waiting for work to pick up in the tomato and vegetable fields in Knox, Hamblen, and Grainger counties in East Tennessee, I started visiting with a large extended Guatemalan family which was trying, unsuccessfully, to recover unpaid wages from the prior tobacco season; see Chapter 4 for my reflections on their struggles to find support from legal services and government agencies. In July, friends at the Nashville worker center referred some Macon County tobacco workers to me who had come to town to look for help getting medical care for their brother who had lost several fingers in a workplace accident, and I started making periodic visits to Macon County to support their organizing process and prepare an eventually-successful

group lawsuit; Chapter 5 details my observations of the tobacco worker rebellion against Marty Coley, a prominent grower and political player in Macon County.

I worked on two Grainger County tomato and vegetable farms during July 2013, sleeping at night underneath my pickup truck, which I would park along with other homeless vegetable workers at the TVA campground by the Cherokee Dam or in hidden gravel turnoffs along the shore of the lake. At these farms I continued to stay quiet about my research with the farm owners (who sometimes suspected me of being a ‘drifter’ or a serial killer), but as I got used to the work myself and encountered other university students working in the fields alongside me to make summer money I began opening up more readily with co-workers about the fact that I was in school and ‘writing a paper’ about the experience of the shit jobs we were doing every day. By early August I left the vegetable fields and traveled with some old nursery co-workers to the tobacco harvest in Smith County. While there I lived with other tobacco cutters in a rundown house owned by the farmer; Chapter 4 analyzes how ‘incentives’ like this farmer’s ‘free housing’ function to capture workers who struggle to get access to safe housing elsewhere due to threats of police or vigilante violence. My time in the Smith County tobacco harvest lasted less than a month, cut a few weeks short by an ankle injury. By November 2013, as I was preparing to head out to the North Carolina Christmas tree harvest with former nursery and tomato co-workers, I met a group of Mexican sweatshop workers from Middle Tennessee’s Bedford County who had come to Nashville to find support after they were fired during a wildcat strike. Days later, I moved to Bedford County with another Nashville-based organizer and spent three months immersed in the daily process of a hundred mostly Mexican and Guatemalan factory workers organizing to demand the firing of abusive supervisors (they won) and a union contract (they lost), sleeping on floors and couches in workers’ homes and participating in the frenetic energy

of the campaign. During the campaign, I was tasked with outreach (especially to white English-speaking co-workers), coalition-building with other worker organizations around the South, and the collection of workers' stories of untreated workplace injuries.

Returning from Bedford County in February 2014 after a devastating loss in the group's highly-anticipated union election, I began reviewing a year's worth of notes and transcribing the many hours of voice memos I had taken in the vegetable, tobacco, and nursery fields. I continued making dozens of follow-up visits to Bedford County in the subsequent years, supporting the worker committee which had formed during the furniture factory strikes in waging a successful boycott demanding the reinstatement of a pregnant worker at a local Mexican restaurant (2015) and in organizing a response to an anti-immigrant convergence planned in Shelbyville by white supremacist groups (2017). Towards the end of my writing process, in 2018, I worked full time for six months at Southern Migrant Legal Services as a farmworker outreach paralegal, coordinating the impossible task of targeted labor rights outreach with the 250,000 farmworkers who labor in Kentucky, Tennessee, Alabama, Arkansas, Mississippi, and Louisiana. As a paralegal investigating wage theft and forced labor cases during those 6 months, I developed further insights into the potential and containing role played by legal services organizations, which I describe in Chapter 4.

Layout of the Dissertation

In Chapter 2, I will examine key moments in the process of 'differentiation' and 'disorganization' that shaped the persistence of Tennessee's plantation society in the 20th century and intertwined it with tens of thousands of migrant workers displaced from rural Mesoamerica after brutal civil wars and economic crises. Focusing on key historical moments which Don

Nonini (2015) calls “conjunctural episodes” of dispossession, I examine the foundational class struggles through which Southern plantation owners defended their privileges against insurgent union and sharecropper movements, and then recruited new populations of dispossessed farmworkers into the orbit of the ‘North American plantation’. This history brings into focus how not only workers themselves but also different territories (‘the South’; ‘agriculture’; and ‘Latin America’) have been ‘differentiated’ as zones of hyperexploitation where elites project governing power across the landscapes (see Carbonella 2014). I begin with the rural worker revolts of the 1930’s United States, which resulted in a containment of revolutionary impulses, the destruction of the Southern agrarian reform movement through the mass expulsion of resident sharecroppers, and a series of New Deal labor laws which systematically excluded farmworkers from protection (Thompson and Wiggins 2002), for the first time ‘differentiating’ workers on the basis of ‘agriculture’ rather than explicitly on the basis of race and Southern geography. Second, I sketch the processes of dispossession that captured Mesoamerican *campesinos* first within the regional *finca* economy and then later, as neoliberal economic ‘integration’ with the United States coincided with intensifying economic and political crises in Mesoamerica, drew the displaced workers into the orbit of the North American plantation system.

In Chapter 3, I turn to farmworkers’ everyday life experiences, exploring how the ‘farmworker exceptionalism’ laws passed as loopholes to the New Deal combine with increasingly restrictive labor-immigration laws and conditions of persistent debt to force rural workers into increasingly exploitative jobs. Drawing from ethnographic research at an industrial nursery in Middle Tennessee, this chapter analyzes the extreme job insecurity, unpredictable wages, intensifying surveillance, and normalization of on-the-job injuries endured by Black,

white, indigenous, and *mestizo* nursery workers who are forced together by circumstance and diverse histories of dispossession. I then analyze how workers talk about boredom at the nursery as a way of expressing alienation, frustration with the relentless extension of the work day, and the denial of the right to self-determined community life. The chapter concludes by tracing how the profits accumulated through dispossession flowed through corporate agribusiness firms, big box retailers, and private equity firms, in direct contrast to the arguments made since the early 20th century that agricultural exclusions from labor law would benefit ‘small family farmers’.

Chapter 4 takes on the continuing relationship between plantation capitalism and captive labor, examining how farmers’ continuing demand for ‘reliable’ workers drives the invention and adaptation of unfree labor regimes in the 21st century. Contrary to popular narratives that blame farmworker suffering on ‘neglect’ by society or the government (i.e. Murrow 1960) and oversimplified narratives of ‘deregulation’, I build on Hahamovitch’s (1997; 2011) observation that the hyperexploitation of agricultural workers is a result of choices made by state actors in alliance with plantation owners. Drawing on ethnographic research with tobacco and rural manufacturing workers seeking state regulators’ support in disputes with their employers, I illustrate how those labor protections/exclusions play out in practice in Tennessee workplaces, limiting frequently-indebted rural workers’ ability to demand dignified treatment and compelling them to continue working for employers who break the law with impunity. Using my interviews with Department of Labor officials and ‘independent’ federally-funded legal service providers, I then explore how actors in the larger state apparatus justify their own refusal to enforce existing labor laws and sidestep the task of defending Tennessee's rural workers from abuse. Finally, I argue that this array of hollow protections and open threats from state regulators, police, and employers, combined with the growth in the ‘identity economy’ and the ongoing explosion of the

H2 ‘guestworker’ program, function as a multifaceted and flexible new captive labor regime of hemispheric scale.

Chapter 5 returns us, now in greater detail, to the original questions of class formation and fragmentation that animate the Global Anthropology of Labor scholarship. Using ethnographic description and interviews with farmworkers on Tennessee plantations, I explore how workers experience the relentless destruction of their bodies and the unequal distribution of suffering in Tennessee agriculture, under working conditions that are both readily acknowledged to be dangerous, and also treated as customary and normal (Benson 2011; Holmes 2013; Stuesse 2016; Horton 2016). I argue that the different levels of physical degradation workers endure feeds an ongoing “accumulation of differences” (Federici 2004; Kasmir and Carbonella 2014) and serves as a wedge of ‘disorganization’ that divides workers who are perceived to have different thresholds of tolerance for pain and injury, or who are expected to accept different levels of bodily risk in order for their employers to remain profitable. I also examine how the hyperexploitation of farm work bonds diverse groups of co-workers together with shared understandings, complaints, and aspirations for change.

Over the course of these chapters, I aim to provide a sketch of the current state of exploitation and oppression endured by hundreds of thousands of rural workers who maintain the fields, tend and slaughter the livestock, and staff the sweatshops that link rural Tennessee to the larger global economy, in conditions basically similar to those found in neighboring states and across rural America. Beyond that, I also aim to provide a basic framework for understanding the continuity of the Southern plantation system: its origins, its adaptations in the face of popular struggle, and its durability and perhaps even intensification in the present moment. And, where possible, I also hope to contribute to honoring, nurturing, and helping create a rebellious and

oppositional and anti-capitalist “dual frame of reference”, based not just on the differences between the plantation empires of the former Confederacy and former New Spain, but on the convergence of the political cultures of struggle that arose in response to distinct manifestations of capitalist dispossession and strive to meet its challenges today.

CHAPTER 2

“No Man's Land”: Dispossession and the North American Plantation

“The situation with regard to agricultural labor, I think, is the most baffling thing in our whole economic structure. I mean it is a "no man's land." [...] I feel that the situation is a little bit loaded with dynamite.”

-Secretary of Agriculture Henry Wallace, 1937 (Wason 1966:19)

When he called farmwork a “no man's land” in 1937, Iowa agribusiness entrepreneur and Secretary of Agriculture Henry Wallace was Franklin Delano Roosevelt's Secretary of Agriculture. It was a position he held for seven key years that would define the parameters of class politics in rural America for the next century, from the dawn of the New Deal in 1933 until in 1940, two years after Congressional Republicans and Southern Democrats united in a “Conservative Coalition” to contain existing New Deal programs and block further progressive reforms. Wallace’s description of agricultural labor as a “no man’s land” emerged during the contentious debate over the Fair Labor Standards Act (FLSA), a groundbreaking new labor code initially proposing to restrict child labor, establish minimum wages, and mandate overtime pay for long working hours throughout the United States economy. When it finally passed in 1938, the last major piece of New Deal legislation to clear the growing reactionary opposition in Congress, Southern Democrats had succeeded in excluding domestic workers and farm laborers from its provisions. These exclusions aimed to keep Southern plantations profitable; during his filibuster of the FLSA, South Carolina senator “Cotton Ed” Smith had argued that, “Any man on

this floor who has sense enough to read the English language knows that the main object of this bill is, by human legislation, to overcome the splendid gifts of God to the South" (Linder 1986:1374).

“Cotton Ed’s” phrase highlighted the ongoing struggle, nearly explosive at the time of this Congressional debate, between the Southern planters who had grown accustomed to enjoying the ‘gifts of God to the South’ and an insurgent left that aimed, perhaps for the last time in American history, to ‘overcome’ both the hegemonic power of the planter elite and the model of the plantation itself. This dialectical struggle over how the South’s agricultural surplus would be managed or monopolized, a contest which had profoundly shaped US history for generations, was once again intensifying in the 1930’s, as both long-excluded and recently-dispossessed working people took steps toward forging a common cause in response to the hardships of the Great Depression. As I explain in greater detail later on, the efforts by both rural and urban elites to fraction off farm and domestic workers from socialist and union movements became a key part of their strategy to stifle the emergence of broader working-class power. Besides the wage savings implied for rural employers, the ‘differentiation’ of agriculture re-made the physical landscape of the rural United States by defining a new (and vast) terrain where labor organizing would be 'off limits' and the protections of new labor laws would not extend, signaling that 'agriculture' would be a symbolic but also geographic front line in an ongoing class war (see Carbonella 2014). While on a visible and material level this alienation surrendered huge expanses of rural land to the control of elite white landowners, it also alienated workers from agriculture on a profound symbolic level: the land itself was made to further betray those captive upon it. Farmworkers, stripped of any right to the land or to the surplus value created by their daily work, were thus told that their lack of rights was justified by virtue of their *landedness*, by

the fact of their being involved ‘in agriculture’. The long process of dispossession also suppressed public memory of the broad class struggles that had once challenged the very existence of the plantation; as the movement to defeat the plantation collapsed under state repression and strategic ‘disorganization’, succeeding generations increasingly described farm workers as ‘forgotten’, ‘neglected’, and ‘voiceless’, objects more of pity than of admiration or solidarity.

This chapter focuses on the struggles and eventual containment of rural working-class aspirations in the years leading up to 1938, and the forces that led the centerpiece of the United States' limited experiment in social democracy, the New Deal, to enshrine racialized exclusions permanently into law and set apart specific kinds of work as outside the scope of social reform, for the first time ‘differentiating’ both workers and vast rural landscapes on the basis of ‘agricultural’ exceptionalism. I argue that the invention of “agriculture” remade the American countryside as a self-justifying zone of hyperexploitation, ‘disorganizing’ emerging class alliances and potential multiracial solidarities between insurgent urban and rural workers, and preserving the plantation economy for decades to come.

Second, I will explore the parallel processes of dispossession that captured indigenous and *mestizo* Mexican and Central American *campesinos* first within the Mesoamerican *finca* economy and then later into the orbit of the North American plantation system. Adopting Hahamovitch’s approach centering class struggle in both ‘receiving’ and ‘sending’ regions (2011) and Smith’s insights on how ‘uneven development’ links regions of capital-intensive labor demand and regions of displacement (1984), I outline how the South’s plantation capitalists both defended their privileges at home and took advantage of new sources of labor ‘freed up’ by brutal conquests and economic displacement in Mesoamerica, the region that now supplies the

majority of Tennessee's migrant plantation laborers. This investigation illustrates how ruling elites' systematic attacks during key "conjunctural episodes" (Nonini 2015) of dispossession (Harvey 2005) structured subsequent decades of deepening exploitation and impeded plantation workers' efforts to organize across differences with each other and with the urban working poor. In these sections, I rely both on critical race scholars' concept of "racial capitalism" (Robinson 1983; Johnson 2018; Black Ink 2020) to understand the central role of racial difference in Tennessee elites' efforts to capture workers' labor and curtail their freedom, as well as on the global anthropology of labor's framework for understanding the creation of profitable 'differences' more broadly (Federici 2004; Kasmir and Carbonella 2014), which allowed rural employers to adapt to emancipation, retain substantial elements of the pre-Civil War captive labor system, and introduce new axes of difference such as 'agricultural labor' and citizenship to maintain control and enhance their profits.

The New Deal, Expulsion of the Sharecroppers, and the Invention of 'Agriculture'

According to the Southern Negro Youth Congress, the New Deal of the 1930's promised to be the 'second emancipation' (Gellman 2012), and like the time of Reconstruction (Du Bois 1935), it would prove to be a time of explosive liberatory potential that achieved major working-class victories which defensive elites succeeded in containing through an effort to 'differentiate' different groups of workers (Kasmir and Carbonella 2014) and territories of hyperexploitation (Carbonella 2014). In this section I will explore how defensive southern planters and industrial elites, now in alliance with surging Western agribusiness entrepreneurs and Northern conservatives, managed to capture and coopt decisive cogs in the ostensibly benevolent New Deal machinery, sabotaging some programs while negotiating deals that would contain the reach

of others, and successfully fragmenting the growing union and socialist movements that threatened to develop new multiracial solidarities and directly confront the plantation system. Initially relying on ‘Southern differentials’ to battle the reach of New Deal reforms, industrialists and planters later united forces in a tactical retreat that successfully aimed to redefine ‘agriculture’ as a zone of hyperexploitation exempt from government uplift efforts.

Though the mass community strikes in Minneapolis, Flint, San Francisco, Toledo, Akron, and other parts of the industrial North, West, and Midwest are the best-known (and most successful) episodes of the 1930’s labor revolt, those years also saw the most significant labor uprisings in the South since the Civil War. Community-wide strikes in textile mills rocked rural Tennessee sweatshop towns like Elizabethton (1929) and Harriman (1933), leading up to a national general strike of half a million mostly-Southern textile workers loosely coordinated from Knoxville in 1934, the largest single strike in the country’s history. Mining workers battled for control over coal and ore mines in isolated company towns, most famously in West Virginia and Kentucky’s Harlan County, and in Tennessee, mine workers launched a series of strikes in 1932 in Fentress and in 1938 in Tennessee’s southeastern Copper Basin (Simson 2010). Industrial workers struggled to organize multiracial CIO unions in rubber, automobile, and food processing plants in Southern metropolises like Dallas, Atlanta and Memphis, and an interracial alliance of Memphis port and riverboat workers successfully struck the riverside industries, shutting down navigation on the Mississippi River between St Louis and New Orleans for a month in the spring of 1939 (Honey 1991). Steel, iron, and coal workers battled corporate giant Tennessee Coal and Iron in Birmingham (Stein 1991; Kelley 1990), and the Southern Negro Youth Congress led mass strikes among Black tobacco workers in Richmond’s processing plants.

Drawing on the experiences of the IWW's radical farm and timber worker unions, which had largely collapsed under intense repression by the late 1920's (Hall 2000), the 1930's also saw an explosion of multiracial farm labor organizing efforts across the country. During that decade, Mexican, Asian, and white and Black Dust Bowl migrants rocked California agriculture with over a hundred strikes involving more than 125,000 cotton, fruit, and vegetable workers (McWilliams 1939). Further north, strikes by white fruit tramps in the Yakima Valley's hop and fruit orchards were brutally suppressed and Filipino migrants led new independent unions in the fields and coastal canneries of Washington and Alaska. Drawing energy from Camden's cannery and shipyard strikes in 1934, Italian migrants from Philadelphia and Black migrants recently arrived from the South struck the nation's largest frozen vegetable producer, Seabrook Farms, in New Jersey's agricultural heartland (Hahamovitch 1997). Mexican-American migrant sugar beet harvesters launched strikes in Colorado and neighboring states in the early 1930s, and Tejano workers waged mass strikes in Rio Grande Valley onion and cotton fields and San Antonio pecan plants (Valdes 1991; Vargas 2005).

In the plantation South, tens of thousands of Black and white farmworkers, tenants, and sharecroppers responded to a staggering economic crisis²² by forming multiracial unions such as the Communist-backed Croppers' and Farmworkers' Union (later the Sharecroppers' Union) in central Alabama and the Socialist-backed Southern Tenant Farmers' Union in the Arkansas Delta. These radical farmworker unions planned strikes, struggled to neutralize or control local political offices, engaged in armed and unarmed collective self-defense, and involved tens of thousands of members in mass agitation for higher wages, racial equality, improved terms for

²² Cotton prices dropped from 20 cents a pound in 1927 to 5.6 cents in 1931; this price crisis was compounded in some areas by the spread of the boll weevil, but more important in the Arkansas delta was the worst drought of the century.

wages and sharecrops, and the eventual redistribution of the plantation soil itself to landless farmworkers. As these organizations of militant white and black workers spread, with goals irreconcilable to the continued existence of a plantation owning class and supported by growing networks of radical working-class support in the North and West, US Secretary of Agriculture Wallace's description of "the situation with regard to agricultural labor" as "a little bit loaded with dynamite" was no exaggeration. Landowners responded to this renewed agitation for redistribution of plantation land by investing in technological and political changes that allowed them to expel a tremendous number of increasingly dangerous tenant farmers from the countryside. Most famously, Southern elites also guided the passage of the deeply divisive Agricultural Adjustment Act (AAA) in 1933, and the Roosevelt administration began direct payments (\$178 million in the first year and amounting to over \$1.5 billion by 1937) to cotton land owners to reduce cotton acreage, with the stated goal of raising crop prices through reducing production levels.

While early proposals provided for crop reduction payments to both landowners and their tenants, in practice the landowning elite received all of the payments, plowed up their cotton lands to 'reduce' the crop, and evicted hundreds of thousands of now-unemployed tenants from their plantations. The spark that led to the formation of the Southern Tenant Union, which "sought to organize a fugitive class at the very moment of their uprooting from the land" (Lichtenstein 1997:53), was the sudden eviction of 23 of the 150 sharecropper families on Hiram Norcross' Tyronza, Arkansas plantation after Norcross received a crop reduction payment. Months later, with support from a handful of local socialist merchants and radical Vanderbilt-trained ministers, seven Black and eleven white sharecroppers founded the Memphis-based union, which claimed a membership of over 30,000 within three years (Mitchell 1979:50).

Positioning their union as a Christian, socialist, multiracial alternative to previous attempts at racially-segregated organizing in the Delta, the STFU also openly agitated for land reform and dissolving the plantation system in favor of a “Cooperative Commonwealth”, earning them the hatred of plantation owners who vowed to drive the union out of Arkansas.

At the same time that the sharecroppers were competing with planters and riding bosses for control over the fields, shacks, and river bottoms of the Mississippi delta, two factions battled in the Washington, DC offices of the Agricultural Adjustment Administration. Initially some AAA contracts required plantation owners to share their reduction payments with their sharecroppers, and as the STFU publicized the sharecroppers’ struggle against evictions, AAA general counsel Jerome Frank and a group of liberal staff attorneys proposed a ban on evicting tenants on plantations under contract. In response, a group of Southern congressmen complained directly to President Roosevelt, threatening that “no significant piece of legislation would come out of Congress until matters were resolved in the Department of Agriculture”, and the AAA fired Frank and most of his staff. As Biles notes, “the famous purge of the AAA liberals silenced intra-agency criticism and ratified the official position on cotton tenancy: the federal government would communicate with the landowners, who would then deal with their workers” (Biles 1994:46). The mass expulsion of tenants from the Southern countryside that followed eventually broke the last mass movement aiming to re-distribute the South’s hills and river valleys to the dispossessed who work its soil.

The planters’ victory in seizing control over the ostensibly ‘progressive’ Agricultural Adjustment Administration, and their ability to wield it as a weapon against their laborers, was the first in a string of battles in which landowners sabotaged or took control of New Deal programs in order to isolate and dominate the rural workforce. The National Industrial Recovery

Act (NIRA) of 1933, a sweeping law that created industry-wide ‘codes’ regulating prices, establishing minimum wages and maximum working hours, and protecting workers’ rights to organize unions, excluded farm and domestic workers from its protections by defining those professions as outside the definition of ‘industry’. That exclusion meant that three-quarters of southern black workers were left out of NIRA coverage, leading black newspapers to refer to the National Recovery Administration as “Negro Rarely Allowed”, “Negro Removal Act” and “Negroes Ruined Again”; even in industries where black workers were technically covered, most employers disregarded the laws’ provisions mandating equal pay between races, and industry boards frequently set lower wage levels for industries dominated by black workers (Biles 1994:111). Just as importantly, the debates over the NIRA prior to passage introduced the concept of regional ‘differentials’, that is, unequal wage scales that would allow employers to pay sub-minimum wages to some of their workers based on race, region, gender, and industry.²³ The NIRA was struck down by the Supreme Court after two years, in 1935, but the ‘regional differentials’ it introduced between ‘industry’ and ‘agriculture’ lived on that year in the 1935 National Labor Relations Act (protecting workers’ right to organize, but not farm or domestic workers)²⁴ and the 1935 Social Security Act (establishing pensions and unemployment insurance

²³ While formally the NIRA banned race-, gender-, and regionally-based differentials, in practice all three forms of ‘difference’ were allowed; President Roosevelt gently endorsed the practice, declaring that “it is not the purpose of this administration to impair Southern industry by refusing to recognize traditional differentials” (quoted in Biles 1994:111). For further analysis, see Raymond Wolters’ book *Negroes and the Great Depression: The Problem of Economic Recovery* (1970).

Katznelson (2013:241) shows how objections from Louisiana Senator Huey Long impelled the bill’s author, Senator Wagner, to reassure Southern elites that agriculture was not considered to be ‘industry’ for the purposes of the NIRA; President Roosevelt, in a series of executive orders, expanded the definition of ‘agriculture’ (and shrunk the scope of ‘industry’) by excluding citrus packers, cotton ginner, and other laborers from the NIRA at the request of their employers.

²⁴ In hearings for the NLRA, the house sponsor and Labor Committee Chairman William Connery expressed “hope” that agricultural workers would be included in the next “mouthful”:

“I hope that the agricultural workers eventually will be taken care of. I might say to my friend from New York at this point, certainly I am in favor of giving the agricultural workers every protection, but just now I believe in biting off one mouthful at a time. If we can get this bill through and get it working properly, there

for workers, but not for farm or domestic workers). The various exclusions in the Social Security Act meant that 65 percent of African Americans nationally and between 70 and 80 percent in the South were ineligible²⁵, a fact which the NAACP described in their congressional testimony as “a sieve with holes just big enough for the majority of Negroes to fall through” (Katznelson 2005:43).²⁶ After a mix of congressional battles that assigned ‘difference’ along lines of gender, race, profession, and region, and industry, defensive elites eventually selected the apparently non-discriminatory terrain of ‘agriculture’ (and ‘domestic work’) as the hard line they would most vigorously defend against the New Deal reform effort.

In the mid-1930’s, landowners also worked to roll back the otherwise-popular federal relief programs that they worried would entice their workers away from the plantation. Growers increasingly attacked both work programs like the Work Projects Administration and relief programs for the unemployed, characterizing them as direct competitors to the vagrancy regime

will be opportunity later, and I hope soon, to take care of the agricultural workers.” (Wason 1966:7)

²⁵ The Social Security Act’s exclusions of farm and domestic workers was demanded by Southern congressional leaders led by Virginia senator Harry Byrd: (Biles 1994:79). While the typical analysis of critical historians has been to emphasize how these exclusions were based on preserving the South’s system of racial apartheid, Social Security Administration historian Larry DeWitt published his own defensive essay in 2010 arguing that since 75% of those workers excluded from the act were white, racial bias could not have been the motivation for those exclusions. DeWitt’s argument is unconvincing, in part because it doesn’t acknowledge the different effects of exclusion from SSA coverage on black farm laborers and on white self-employed professionals and even members of Congress, who DeWitt lumps all into one category in order to make it seem that the rains of exclusion fell evenly on white and black; it also fails to examine how racism served as a profitable rhetorical wedge in the hands of the employing class, which allowed landowners to retain millions of dollars in profit from their workers, both white and black, and that in this case the millions of poor white workers who also suffered from these exclusions suffered in part because of their *proximity to blackness*, which then and now has allowed employers to naturalize the degradation of certain industries. A much more convincing approach is one taken by David Stoesz in his 2016 attempt to calculate the dollar amount denied to excluded workers (and thus pocketed by their employers and the government) due to the SSA exclusion. Stoesz’s total estimate exceeds \$600 billion in 2016 dollars, about a quarter of that amount denied to ‘Negro workers’ and the remaining three-fourths denied to white workers. No one appears to have generated estimates for how much money was dispossessed from workers due to exclusions from the NIRA, NLRA, or FLSA, but those numbers would clarify the situation substantially.

²⁶ Many of these laws were prefigured by state laws, such as the workman’s compensation laws of the early 20th century, which also excluded agricultural and domestic workers, many of them in states without a substantial Black workforce.

that had been so painstakingly assembled to criminalize, capture, and deploy the partially-emancipated rural workforce since the Civil War. Biles compiled this list of ways the planters fought ‘relief’ for farm workers:

“Florida truck farmers and citrus growers charged that CWA employment left no available labor to private industry and demanded that federal wage rates be lowered to the prevailing level of fifty cents per day. [...] A North Carolina plantation owner grumbled: "Ever since federal relief... came in you can't hire a nigger to do anything for you. High wages is ruinin' 'em." The Wilmington, North Carolina relief office withheld assistance to unemployed workers who refused to pick strawberries, even though the landowners paid starvation wages of thirty-five cents per day. The owner of a large Arkansas cotton plantation requested that the WPA suspend all work until the end of the harvest. [...] In 1936 [WPA administrator] Hopkins agreed to the termination of WPA projects in the South so that workers would be freed to harvest cotton. He urged the cotton planters to pay the workers "standard wages" but left the question of remuneration to the landlords' discretion.” (Biles 1994:75)

At the same time, growers continued to use legal and extralegal means to gather and deploy the captive workers needed to bring in the harvest.²⁷ In one example publicized on the front page of the New York Times in September 1937, white growers in Georgia’s Warren County threatened out-of-town ‘enticers’ from a neighboring county who had approached ‘their’ workers in order to offer them twice their current wages; the county sheriff defended his county’s farmers, saying

²⁷ See Hahamovitch 1997 and 2011 for an extensive discussion of how growers responded to the New Deal and wartime disruptions of their vagrancy regime.

“Our farmers just put a stop to it... There was no trouble, although a number of them carried guns and fired them in the air”, which the sheriff explained was “just to show that they meant business” (New York Times 1937).²⁸

In 1937 and 1938, the New Deal coalition was fracturing, and Southern Democrats showed increasing willingness to defy progressive initiatives in defense of the plantation system. In 1938, Southern Democrats used a 6-week filibuster to block an anti-lynching bill championed by the NAACP and New Deal heavyweight Senator Robert Wagner (Pinar 2001; Katznelson 2013). The 1938 filibuster demonstrated that, with the help of Republicans, Southern Democrats were prepared to punish their party by blocking any New Deal legislation that attempted to transcend what historian Ira Katznelson refers to as “the Southern Cage” (2013). Southern Democrats ended their pro-lynching filibuster in February 1938 when Roosevelt pulled the anti-lynching bill in exchange for passing a federal relief bill, a ‘compromise’ which set the stage for negotiating farm and domestic worker exclusions into the Fair Labor Standards Act (FLSA).

The FLSA's regulation of child labor, minimum wage, and mandatory overtime pay for long working hours were initially intended to cover all U.S. workers, but industrial employers (led by former Vanderbilt football star and university board member John of the Southern States Industrial Council)²⁹ and rural employers (led by the Southern Pine Association) joined their substantial resources to lobby for long lists of exemptions. Many of these exemptions hinged on the definition of “agriculture”, which had increasingly come to mean the segment of economy in

²⁸ Quoted in Linder 1986:1350

²⁹ Nashville-based Edgerton was the longtime former president of both the Tennessee Manufacturers' Association and the National Association of Manufacturers, and owner of woolen mills in Lebanon, TN (Minton 1979:174); a major opponent of unions and the Highlander Folk School, he died in 1938 and was replaced that year by Fitzgerald Hall, the Nashville-based president of Nashville, Chattanooga, and St Louis railroad; the SSIC continued to operate as a notorious racist right-wing organization through the 1960's, when Tennessee-based executive vice president Thurman Sensing was implicated in a plot to assassinate Martin Luther King.

which New Deal reforms would not occur. This definition of ‘agriculture’ became a weapon, and that weapon was used broadly by landowners to defend their control over the vast majority of the physical landscape of the rural United States, a new ‘agricultural’ terrain where labor organizing would be 'off limits' and the protections of new labor laws would not extend. Gardner Jackson of National Committee on Rural and Social Planning, one of those fired in the AAA purge of 1935, insisted in the 1938 FLSA hearings that many of those who would profit from the exemption were stretching the definition of ‘agriculture’ beyond recognition:

“there is mighty little difference in the relationships between employer and employee in [large-scale agriculture] from the relationships in our urban industry. Or take the beet workers in my home State of Colorado – there are roughly 150,000 beet workers in the country – in their contractual relations to the beet growers. It has few dissimilarities from an industrial relationship.” (Wason 1966:23)”

In addition to the Southern Pine Association, representatives from the International Apple Association, the American Turpentine Farmers Association, the Dairy Industry Committee, the National League of Wholesale Fresh Fruit and Vegetable Distributors, and the Chamber of Commerce sent representatives to negotiate language and ensure that the gradually-widening definition of “agriculture” would branch out sufficiently to shade their members’ industries (Wason 1966:11). Hugo Black, the bill’s author, observed that the FLSA had created “the most comprehensive definition of agriculture which has been included in any one legislative proposal” (Wason 1966:12)³⁰. Most notably, in the last amendment to the FLSA that finally tilted the

³⁰ Senator Black even boasted, perhaps sardonically, that in addition to previous definitions, “we have drawn liberally from Mr. Webster's definition of agriculture.”

balance toward passage, Representative Fred Biermann of Iowa expanded the definition of agriculture to include any industrial activity such as packing, processing, ginning occurring within the agricultural “area of production” to prepare products for market (Wason 1966:15).

Contrary to the family-farmer imagery championed by the Grange, the major beneficiaries of the farmworker exclusion amendments were Southern planters and California factory farmers.³¹ Cash crop planters in the 11 former Confederate states, and later to the quickly-growing agribusiness ventures of California and the Southwest (Linder 1986:1376-80), thus successfully captured the tremendous accumulated wealth denied to farmworkers through restrictions on minimum wage and overtime standards. Rural elites managed to defend this subsidy and defeat the threat posed by growing rural and urban union movements through the mid-1930’s through a multi-tactic effort to ‘differentiate’ and ‘disorganize’ the working-class movement (Kasmir and Carbonella 2014), initially through an effort to defend their ‘southern differential’ and a successful bid to coopt the Agricultural Adjustment Administration, but eventually through the redefinition of ‘agriculture’ as an economic sector which the New Deal would cede to the totalitarian control of plantation capitalists. This was the tremendously profitable arrangement that “Cotton Ed” Smith of South Carolina was defending in 1937, when he stated during a Senate-floor tirade against Reconstruction, anti-lynching, and the FLSA, that “any man on this floor who has sense enough to read the English language knows that the main object of this [FLSA] bill is, by human legislation, to overcome the splendid gifts of God to the

³¹ Less than one-seventh of American farms hired any non-family labor at all, and less than one percent of farms hired four or more; even without the ‘farmworker exclusion’, most family farmers would have been exempt from the FLSA because they qualified as ‘small businesses.’ Further analysis could look at the role of urban industrial employers in funding repression and legislation against agricultural unionism; Mike Chacon and Davis’ exploration of paramilitary violence in California agriculture suggests that major funders of the Associated Farmers were utility companies and banks who saw both an opportunity to defend agricultural profitability and to prevent and contain the expansion of urban unionism (Chacon and Davis 2017:62).

South” (Linder 1986:1374). In “Cotton” Smith’s victory over the FLSA, he secured “the South” and its gifts for the plantation owner for the next hundred years.³²

Trail of Tears in Reverse: Mesoamerican Migrants Enter the Plantation South

While indigenous and *mestizo* Mexican workers had labored in the plantations of California, Texas, and other parts of the Southwest since long before those regions and their workforces were captured by the United States, indigenous workers ceased to be a major workforce after the mass deportations of the mid-19th century and Mesoamerican migrants did not appear in any substantial numbers in the plantation South until the second half of the 20th century. What explains the sudden emergence of Mesoamerican labor in a region historically known for its white/black racial binary and superabundance of dispossessed labor? And how can we understand the relationship between dispossession in one part of the North American plantation circuit (i.e. northwest Guatemala or the Mexican Huasteca) and captive labor in another part of that circuit (i.e. Tennessee’s tobacco and vegetable fields)? In the remainder of this chapter I will briefly sketch the parallel process of dispossession that captured indigenous and *mestizo* workers first within the Mesoamerican *finca*, and then pushed hundreds of thousands of them into the 21st-century plantation South.

‘We are here because you were there’: Political Violence and Migration in Central America

At the same time that workers and employers battled over the shape of the New Deal in during the Great Depression and war economy of the 1930’s and 40’s in the United States,

³² Two interesting exceptions to the New Deal exclusion of farmworkers appear to be Puerto Rico, where farm and industrial worker strikes won major gains and rights by the Insular Labor Relations Act of 1938, and again later in Hawai’i (Valdes 2011).

Mesoamerican *campesinos* and rural workers launched a series of rebellions for redistribution of arable land, improved conditions for wage laborers, and the abolition of forced labor. These rebellions were met with severe repression in Guatemala and El Salvador, protecting landowners' power and setting the stage for brutal armed conflicts in the 1970's-90's, and a revolutionary victory hemmed in by political compromises (in Mexico) which delivered some benefits to organized constituencies but contained working-class power within national clientelist structures that collapsed under the economic crises of the 1980's and 90's.

In the coffee belt of highland Chiapas and Guatemala, the 19th-century coffee planters forcibly took much of the land previously used by highland Maya villages, and acquired lands specifically in order to compel the inhabitants to pay their rent obligations with the seasonal plantation labor the plantations needed to bring in and process the coffee crop (McCreery 1994). By the 1930's, the Spanish colonial *mandamiento* system and its successor vagrancy systems, had been "nationalized" by Guatemalan dictator Jorge Ubico (Adams 1992) and vast numbers of highland *campesinos* were compelled to attach themselves to specific *fincas* as 'voluntary' workers, either seasonally from the highlands through debt-captivity or year-round as resident *mozos* on the *fincas* themselves (McCreery 1994; Grandin 2004). In 1944, Ubico was overthrown in brief a 10-year democratic opening, concluding in President Arbenz's attempt to institute a nationwide agrarian reform and his overthrow in a CIA-backed military coup (Shlesinger and Kinzer 1982). After the 1954 military coup, thousands of agrarian committee leaders, communists, and community activists were imprisoned and killed (Glejeses 1992; Handy 1994; Forster 2001) and the *finca* economy restored, recapturing hundreds of thousands of mostly-indigenous *campesinos* in hyperexploitative plantation and increasingly untenable subsistence economies back home in the highlands; Galeano refers to the land-poor *campesinos*

farming “plots of land the size of graves” (1967:5) In El Salvador, *campesinos* mobilized in conjunction with a rural uprising led by the Salvadoran Communist Party in 1931 and 1932, which was crushed when the Salvadoran government recaptured rebellious towns and executed 10,000 mostly-indigenous people, devastating the Salvadoran left’s organizational capacity and frustrating *campesinos*’ efforts to resist proletarianization (Gould and Lauria-Santiago 2008).

Before long-distance North American migration emerged as an alternative, and after the defeat of *campesino* revolts against the dispossession of their lands and labor, the Central American *finca* elite continued to remake the rural population into distinct plantation-laboring fragments which could be flexibly mobilized or pitted against each other in moments of worker militancy: the *voluntarios* (plantation belt wage laborers), *mozos colonos* (resident semi-captive laborers), and *cuadrilleros* (temporary indebted contract laborers arriving in work gangs from the highlands). During the 1960’s, motivated by the possibility of renewed leftist insurgencies after the successful Cuban revolution of 1959, the Kennedy administration tripled foreign aid to Latin America under the ‘Alliance for Progress’, a ten-year plan that encouraged the development of capital-intensive agribusiness in Latin America, encouraged small producers to adopt Green Revolution chemical- and cash-dependent growing methods which collapsed when oil prices rose during the oil embargo, and displaced the traditional peasant agriculture which had provided a livelihood that sustained rural communities (Arias 1992; Holt-Gimenez 2006).

The unprecedented plantation struggles of the late 1970’s-early 1980’s (and then again in the early 1990’s) led by the Guatemalan *Comité de Unidad Campesina* rocked coffee, cotton, and especially sugarcane plantation harvests with mass strikes that aimed to unite these three historically-fragmented groups of mostly-indigenous workers (Fernandez 1988), but the emerging revolutionary struggle and subsequent genocidal crackdown forced the CUC

underground, resulted in the deaths of over 200,000 *campesinos* at the hands of the US-backed army and paramilitary patrols (ODHAG 1999), and (in conjunction with the 1990's 'coffee crisis') led to the expulsion of hundreds of thousands of *mozos* and dependent workers from the *finca* system (Grandia 2012; Granovsky-Larsen 2019) and the concentration of refugees in the cities and refugee camps on the Mexican border. Mass strikes and an armed uprising by urban and rural unions allied with a leftist guerilla insurgency in El Salvador were also met by military repression and massacres funded and armed by the Carter and later Reagan administrations, and a quarter of the population was displaced internally or into neighboring countries (Binford 1996; Gill 2004; Todd 2010). Hundreds of thousands of displaced Central American *campesinos* began migrating to the United States during the worst years of violence, at first in 'traditional' destinations like Los Angeles but eventually establishing themselves in the American South in the 1980's and 1990's through gateways in Texas and South Florida (Burns 1993; Loucky 2000; Fink 2003).

The brutal violence used by Central American elites temporarily defeated agrarian and union movements in the 1930's and 1950's, which cleared the way for the ongoing dispossession of *campesino* lands and defended the growth of the regional plantation economy, and forced hundreds of thousands of indigenous and *mestizo* workers into debt peonage, forced labor, and hyperexploitative wage labor. The civil wars of the 1960's-90's in Guatemala and El Salvador arose out of *campesino* efforts to free themselves from that bondage, but the intervention of overwhelming US military aid backing the right-wing governments frustrated those attempts, destroyed the regional left movement, and expelled hundreds of thousands of displaced Central Americans into the larger North American migrant circuit and plantation economy. While Central American migrants labor in the United States under conditions of severe political

exclusion, threats of deportation, and public xenophobia, migrant justice activists are beginning to explain the roots of that migration with the phrase ‘we are here because you were there’; a slogan borrowed from African and South Asian immigrant movements in Britain and France in the late 20th century. The especially-brutal process of dispossession through violence in Mesoamerica, in which US elites play a determining role, thus structures the ‘uneven development’ (Smith 1984) between regions and functions as a sort of ‘spatial fix’ (Harvey 2001) which satisfies US plantation capitalists’ appetite for new sources of hyperexploitable labor.

The neoliberal ‘war on subsistence’ and Mesoamerican migration

In Mexico, the partial revolutionary victories of the Mexican revolution temporarily reversed some forms of capitalist dispossession, but subsequent decades of neoliberal counter-revolution devastated rural economies, threw millions of rural workers off the land, and forced vast numbers of laborers into migration, demonstrating the fragility of working-class victories in a context of ongoing capitalist hegemony (Harvey 2007).

The revolutionary uprisings of 1910-1920 overthrew the dictatorship of Porfirio Diaz, challenged the dispossession of indigenous and *mestizo* lands, and restricted the *hacendados*’ use of debt peonage to capture and control plantation labor (Katz 1974; Marañon-Pimental 2012). However, actual redistribution of land to the rural poor, recognition of mass worker organizations, and nationalization of key industries was not accomplished outside of Zapatista Morelos (Warman 1978) until the Cardenas administration of 1934-1940. During the Cardenas administration, the same years that sharecropper activists of the Southern Tenant Farmers’ Union and the Communist-led Sharecroppers’ Union in the agitated unsuccessfully for higher wages

and control of land in the US South and Roosevelt's New Deal established deep divides between rural and urban workers, Cardenas and the Mexican *agraristas* profoundly reshaped of the *hacienda* system in Mexico, breaking up estates and establishing communal *ejido* lands for land-poor *campesinos* across the country (Joseph and Nugent 1994). That success, though, came at a price: in order to benefit from government reforms, Mexican workers and *campesinos* were absorbed into *ejidos* and official unions explicitly attached to the PRI, Mexico's ruling party, which discouraged independent social movements that might have challenged the party's later pivot towards privatization (Hathaway 2000).

While elites inside the PRI underwent a gradual rightward trend after Cardenas' administration, they presided over a dramatic reversal of Cardenista policy during the 1980's and 90's. Like other capitalists who embraced neoliberalism in the 1980's (Harvey 2007), Mexican elites responded to that decade's economic crisis by slashing social spending, selling off publicly-owned companies, and opening the *ejido* system to privatization (Stephen 2002). After the collapse of Mexican maize economy during the implementation of the North American Free Trade Agreement (NAFTA) and the integration of small Mexican peasant producers into the same corn market as subsidized and capital-intensive corn megafarms in the United States, millions of rural Mexicans left the countryside to seek employment in the United States (Bacon 2008). The subsequent crises of political violence sparked by the growing use of paramilitaries and hitmen to repress anti-neoliberal social movements³³ and the displacement of both urban and rural people due to the expanding regional drug wars and cartel violence continue to drive waves of migration from Mexico, Guatemala, Honduras, and El Salvador.

³³ Holmes 2013 describes how political violence in the Triqui area of Oaxaca directly drives rural indigenous *campesinos* into the migration and farm work on the United States West Coast.

Shopping Around for Captive Labor in the US South

By the 1990's, this vast new supply of dispossessed Mesoamerican workers had become the labor force of choice for United States plantation managers eager to replace both Black and white workers with laborers they imagined could be worked harder and more profitably (Stuesse 2016; Fink 2003; Gray 2013). Southern growers began recruiting Mesoamerican workers both without work documents and through the H2 'guestworker' program, and putting them to work at first alongside and often eventually instead of US citizen farmworkers in sugarcane, sweet potatoes, seafood processing, livestock production, tobacco, cotton, vegetables, forestry, and grains. Seven generations after the final mass deportation of indigenous peoples from the Appalachian Mountains and the Tennessee and Mississippi River valleys in 1838, planter elites were now capturing and importing tens of thousands of 'deportable' and unfree indigenous and *mestizo* workers to tend and harvest the Tennessee soil.

The Mesoamerican *finca* and *hacienda* systems, subject to generations of political struggle between *campesinos* and landlords and structured by the culturally-specific and historically-contingent contours of Mexican and Central American rural life, was thus interwoven with the unique terrain of the American South plantation system of Tennessee and neighboring states. A labor force of rural Mesoamerican workers shaped by the struggles over forced labor, brutal civil wars, and neoliberalism, came to work in tobacco and vegetable fields in the Tennessee hills once exclusively cultivated by Black and white workers forged in the struggles over slavery, sharecropping, racial apartheid, and the New Deal. Due to the process of 'uneven development' which creates and differentiates geographic spaces across which harrowing migrations are then compelled (Smith 1984), this 'new' population of plantation workers migrates under conditions widely understood to be 'better' than 'back home' but

nevertheless not of their own choosing, a contradiction described by a popular *Los Tigres del Norte* song as the *jaula de oro* ('the golden cage'). In the following chapters, I will explore, closer up, the daily work processes of dispossession and hyperexploitation experienced by Tennessee farmworkers, many of whom fled one plantation society only to find another, and examining both how employers work to sow 'difference' and 'disorganization' within their labor force and how workers sometimes find common cause and a reflection of their converging struggles in one another.

CHAPTER 3

Overwork and Dispossession in Tennessee's 'Nursery Capital'

“Labor is the most expensive item in the nursery, and can be the most challenging to manage.

Producers list labor as their worst problem, even above weeds. Today’s labor force speaks

Spanish.”

-University of Tennessee Extension Report on 'Nursery Field Production' (Halcomb 2009)

75 miles southeast of Nashville, Tennessee, thousands of workers labor in the fields, warehouses, and loading docks of Warren, DeKalb, and surrounding counties, which local industry boosters call the 'nursery capital of the world.' During the early spring rush to stock big-box garden centers and retail outlets for planting season, wholesale nurseries recruit large numbers of temporary workers to supplement their workforce, making Middle Tennessee a major stop on the migrant labor route at a time of year when construction is slow and planting season for tobacco and other cash crops is still months away. Where local African-American and white workers once dominated the rural workforce, now an increasing number of mestizo and indigenous workers from Mexico and Central America keep the nurseries running between other jobs, and in some cases make permanent homes and form families in small diaspora communities.

On Tennessee farms, as in the rest of US agriculture, nursery workers are ‘excluded’ from the right to overtime pay and the right to organize unions without retaliation, and smaller farms don’t have to comply with minimum wage or child labor regulations (See Chapter 2).

While many farmworker ‘champions’ have described these exclusions as a form of ‘neglect’ or ‘forgetfulness’ (e.g. Murrow 1960), Hahamovitch convincingly shows that farmworkers’ ‘exclusion’ was a form of highly intentional and organized class warfare strategized by plantation elites and implemented through military force by state officials (1997; 2011). This selective ‘exclusion’ functions as a form of dispossession, now over 80 years in the making, that ‘differentiates’ (Federici 2004; Kasmir and Carbonella 2014) different kinds of workers by industry and increasingly by nationality, using a ‘racial capitalist’ plantation labor management strategy that goes back to the early 19th century (Robinson 1983; Johnson 2018). Historically, Middle Tennessee growers have complained of a ‘shortage’ of qualified local workers willing to work under degraded conditions, and rather than raising wages or improving conditions to attract and invest in a local workforce, the nursery industry relies primarily on capturing dispossessed migrant workers who are fleeing displacement, violence, incarceration, and the dismantling of social safety nets in their regions of origin.

This chapter will apply Harvey’s concept of ‘accumulation by dispossession’ to explore the origins and the ongoing process of dispossession that threatens to intensify the everyday exploitation rural Tennessee workers experience in the fields. While Harvey uses ‘accumulation by dispossession’ primarily as a way to understand larger-scale forms of capitalist looting, especially through privatization, financialization, and war, writing in a birds-eye style of microanalysis, I apply his insights here to explore the relationship between those global-scale processes and the micro-level capitalist theft and class struggles that occur in everyday workplace settings, using ethnographic methods to explore working people’s personal and collective experiences of dispossession and struggle. Based on notes and interviews gathered while working as a field production laborer at a Middle Tennessee industrial nursery, it will

show how employers degrade farm work and farmworkers by subjecting them to extreme job insecurity, unpredictable wages, normalization of on-the-job injuries, and the constant threat of surveillance and deportation. I will then analyze how workers talk about boredom at the nursery as a way of expressing alienation, frustration with the relentless extension of the work day, and the denial of the right to a full community life. It will conclude by tracing how, in the case of the nursery where I worked, the profits accumulated through dispossession flowed through Berry, the largest industrial nursery wholesaler in the country, to big box retailers like Walmart and Lowe's who had become their major clients, and eventually to Insight Equity, a Texas-based private equity firm. In direct contrast to the arguments made since the early 20th century that agricultural exclusions from labor law would benefit small family farmers, these exclusions effectively subsidize some of the wealthiest individuals and corporations in the country.

Cycles of Dispossession in Middle Tennessee

The decorative highway sign announcing the spot where I first crossed into Warren County read “Warren County: Our Roots Run Deep.” I had just driven to McMinnville from the bustle of Nashville, the “It City” bursting with new high-rise construction projects and young cosmopolitan move-ins, and it was easy to imagine that McMinnville's windbreaks lined with flowering pears, its cattle pastures, and its historic square were holdovers from the past, country relics like the agrarian Old South antiques that city people come out on the weekends to take back to their remodeled city bungalows. But much of what grows in Warren County is transplanted: the plants that are shipped in with bare roots by propagation companies, the recently-arrived Latino workers who keep the nurseries running, and the car parts factories where thousands of workers supply the region's automotive manufacturers. And the most important,

most fertile substrate on which the other industries have grown has been the newly-invested migrant capital that has infused Warren County with new money, selectively grafting parts of McMinnville into the regional economy while other towns have been left to decay.

The Tennessee plantation system into which new waves of dispossessed migrant workers have entered over the last several decades was built on several waves of what Marx famously referred to as “primitive accumulation,” the process of “conquest, enslavement, robbery, [and] murder” which “clears the way for the capitalist system” (*Capital* 1867: Ch 26). Two major ‘conjunctural episodes’ of primitive accumulation (Nonini 2015) – the mass deportation of Tennessee’s Native peoples and the expansion of slavery along the Cumberland, Tennessee, and Mississippi River valleys – are the twin projects of racial apartheid and economic enclosure that established Euro-American domination of Middle Tennessee's fertile soil and an ascendant soldier-speculator class’s domination over the Native inhabitants and kidnapped African slaves who were uprooted from it and chained down to it, respectively. Although they lost the Civil War and direct ownership of slaves, Tennessee’s owning elites successfully held off attempts to implement a land reform that would distribute former plantation lands to freed slaves, and by the collapse of Reconstruction in 1877 the former slave-owning class had regained control of Tennessee's land, manufacturing capacity, financial capital, marketing and transportation infrastructure, and political institutions and militias.

From the view of Middle Tennessee plantations, then, the dramatic episode of dispossession that crushed Reconstruction in the 1870’s ushered in a long century-and-a-half of ‘expanded reproduction of capital’ (Harvey 2005), during which rural employers have primarily exploited their labor force through the “silent compulsion of economic relations” (Marx 1867; De Angelis 2001) and only periodically found reason to use extralegal violence to ‘clear the

way' of periodic economic and political crises that arose to challenge their profits (Ali 2010; Stockley 2001). In the following sections, I will explore the interplay between hyperexploitation and employers' evolving strategies of 'dispossession', showing how new pressures are introduced into nursery workers' lives to extract profit and how the consequences of overwork fosters a critical distance from the alienating society that exploits workers and isolates them from the broader political alliances necessary to challenge their conditions.

Finding a Nursery Job: March 2013

From all directions, the roads to and between Smithville and McMinnville (the seats of DeKalb and Warren Counties) are lined with nurseries. Along some stretches of McMinnville Highway, every third or fourth yard is a sale lot filled with balled and burlapped trees ready for shipping, and along the highway you can see endless lines of dogwood and flowering pear plantations. Every billboard hawks a different local nursery and the McMinnville Chamber of Commerce boasts that there are more than 300 in the region, with nearly a quarter of the state's \$400 million in nursery sales brought in by Warren County growers alone (Balogh 2016). Some of the billboards highlight fruit trees; others advertise "container grown ornamentals", of which there are nearly 20 million growing on 35,000 acres in this and neighboring counties (USDA 2007). It has been below freezing for the last couple of nights, and many of the nurseries that are visible from the road have long cloth row covers over the beds.

Just a few minutes outside of McMinnville, I see the first sign advertising work. It's in Spanish, in big red and black block letters: "*NECESITAMOS TRABAJADORES*" (workers needed). The sign is simple and to the point, and I pull up in the driveway of the house and knock on the front door. The woman who answers is surprised to see me, and asks, "did the

unemployment office send you?” I reply that no, I just saw the sign. She invites me in to her living room to fill out an application right there, and when I hesitate before putting down references, she says in a motherly tone, “that’s ok, don’t worry about that part,” and takes the application from me. She explains that some people can’t handle the physicality of the work, that their back hurts, or they don’t like being outside that long. “We need leaders”, she said, people with “common sense – you can tell the tree hasn’t been footed right and is sticking up crooked – because a crooked tree will stay crooked forever,” she says, looking pointedly at me. She explains that their farm is a small agricultural operation, exempt from most labor laws, and they don’t even have to pay minimum wage but they do start people at \$8 an hour, with a 2-week probationary period. She mentions several times that one worker was fired just today. “We need people who are team players,” she says, adding that they work long hours and don’t pay extra for overtime. I say I’m headed down the road to apply at Berry Nurseries in Smithville next, and she looks sideways at me, saying slowly that the work at Berry is “very seasonal,” that they hire everybody else’s workers for about 6 weeks, then no one has a job anymore as soon as the layoffs hit.³⁴ She takes me back into her den, where her husband is sitting on the couch with his feet up, typing on a computer. He asked if I could work any machinery, and I said no. He said what they really need is someone who can drive a skidsteer, but thanks anyway.

Later that day, just a couple miles down the road, I walk into the administrative trailer of Berry Family of Nurseries, by far the biggest operation in the area and a contender for largest nursery wholesaler in the country. Originally founded in Oklahoma, Berry had bought out a big

³⁴ USDA economic surveys for Tennessee indicate that while the acreage in production has remained the same, the number of nursery operations dropped by nearly 10% from 2003 to 2006, indicating that larger operations were either buying up smaller ones or forcing them out of the market (USDA 2007). Further research could clarify or corroborate this potential process of corporate consolidation, and its effect on the relationships between locally-owned and larger corporate firms.

nursery in Michigan and began acquiring other nurseries across the country, including two big operations outside Smithville in Middle Tennessee, allowing the company to create one seamless supply chain across climate zones. The hiring manager, Bob, was out of the office, so I sat in the lobby chairs for over an hour staring at the two-page application, and reading *Grower Talk*, a nursery industry magazine sitting on a coffee table. The job application says up at the top of the page that proof of U.S. Citizenship is required and will be checked in the hiring process. The cover article of *Grower Talk*, on the other hand, denounces the ‘Legal Workforce Act’, arguing that the proposed law barring undocumented workers from employment would devastate the country's nursery workforce – pointing to the failed attempt to replace undocumented migrant farmworkers with prison labor after Georgia passed an anti-immigrant law in 2012.

When Bob arrives, a young white man with a buzz haircut and a manager’s pickup truck, he pulls me aside and says he wanted to tell me “straight out” the situation he's in:

“not to be racist or anything, but we hire our fair share of white guys, black guys – and of course we hire our share of Hispanics, too – but to be honest with you, the white guys we hired this season haven't worked out. None of them stayed this year. It's a challenge- we hire 4 or 5, they don't even make it to the end of the day. Some of them can't handle it, some have problems with other people, problems working with Hispanics. Some people just leave, some we're happy to see them go. We'll see if we can fit you in somewhere. It's 58 hours a week, it's 6 days, Monday through Saturday, and in a couple of weeks it will start being just work until the job's done.”

He finishes by saying that instead of sending me “out to work in the fields with the Hispanics,” they could use me more in the office, so I should show up on Monday to train with the woman they have running inventory.

The nursery bosses’ ambivalent, hesitant, and ultimately accepting responses to me as a young, quiet, white man with glasses and a beat-up pickup truck take place within a larger context of the multiplication of their workforce that has proceeded alongside the multiplication of the regional nursery industry. Designing and adapting a system to manage the constant recruitment and dismissal of thousands of white, black, Latino, and indigenous workers, inhabiting various states of legality, means the nursery bosses have developed parallel systems of employee onboarding through which they attempt to balance their preference for hiring reliable white workers who can be ‘leaders’ with their distrust of white workers desperate enough to labor under these conditions. But in the increasing anonymity of the largest nurseries, built on tightly industrial economies of scale and seasonality, the need to fill out a massive temporary hire, regardless of who those workers are, pressures managers to dispense with any extensive evaluation of their workers. At the beginning of a nursery season, there is a constant tension between squeezing extra profits out of and disciplining the workforce through threats of firing, and maintaining enough manpower to keep the orders shipped out on time.

Two Latina women are waiting outside the Human Resources office as I walk outside to fill out my application. The women are waiting to talk to Bob because they had been promised a transfer away from the sticker-label warehouse (where, I would later find out, the long hours into the middle of the night can be a special kind of torture, and make normal life impossible for mothers with children). Apparently their transfer paperwork hadn't ‘come through’, and I overheard one woman say angrily to the other, “*piensan que pueden hacer lo que quieren.*” (they

think they can do whatever they please). Bob comes out to the parking lot, plants his feet, and tells them in loud, slow, English: “you have two options- you can work over here” -pointing to the warehouse across the gravel lot- “or you can go home.” After the women decide to leave, Bob opens the door and calls into the office, “we've got two quitters!”

On Monday, I go in for my orientation, and before work they take me over to drop my stuff in the converted barn that has been subdivided with plywood to make barracks for worker housing. I sign a form authorizing a \$25 a week deduction out of my paycheck in exchange for a bunk, and an administrative secretary named Lenora gives me a long list of rules- raising her voice as she insists, “I'm not your mother! I can't tell you how to live in your own home... But at the same time, it is on our property...” The rules boil down to no prostitutes, no kids, no drugs. Drinking is ok but littering isn't. She tells me to report anyone breaking those rules- “I'm not making you a snitch or anything...I tell everyone this.” When I meet the other guys staying in the barn, they ask if Lenora said whether we could drink here- we can, I say hesitantly. They talk it over, reasoning that we're allowed to drink here because the housing is already run-down and old. “*Si fuera una casa como esa,*” one tractor driver says, pointing at the modest house next door, “*no nos dejaran porque se puede destruir*” (if it were a house like that one, they wouldn't let us drink because we could destroy it). When I meet my supervisor, Maria, she tells me that the reason the barn is outfitted for people to stay there is that there used to be a lot of people brought as H2A ‘guestworkers’, and that “you know that when they're contracted with a visa you have to do everything the right way”. I ask why they don't use guestworkers any more, and Maria looks sideways at me, puzzled by my ignorance, and explains: “if they hire us instead now, it must be because we are cheaper than guestworkers.”³⁵

³⁵ Maria was correct. In 2012, the AEW (federally-mandated minimum wage) for H2A temporary agricultural workers in Tennessee was \$9.80 an hour, plus provision of housing, transportation to the farm, and visa costs.

On my first day at Berry, the only other worker at the English-language orientation (a couple hours after the much larger Spanish-language orientation) is David, a lanky white guy with Faygo soda in his back pocket, long clean fingernails, and tattoos on his forearms. He had previously worked at another Berry nurseries for 4 years, and recognized one of the Latino supervisors when he walked in. When the supervisor sees David, they hug, and the supervisor says “I’ve been clean for 7 years now! God totally changed my life.” David responds, “I’m clean now too- my kids changed my life.” David is coughing, hacking up phlegm with some kind of cold, but says he needs the job really bad and can’t wait until he’s feeling better to start because his girlfriend just kicked him out of the place they share with their two kids in Wilson County.

During the orientation video, we’re alone in the room without a supervisor and David says, “I don’t know if you’ve done this kind of thing before, but this job will test you. It’s not like the kind of jobs us white guys usually do...” He tells me stories loading trucks all day and night, even during a tornado watch when you couldn’t see your hand in front of your face because the rain was coming down so thick. When the pesticide training video comes on, David raises his eyebrows skeptically, leans over, and says that in his experience the pesticide rigs will come by spraying without any warning; when the narrator of the video says that pesticide safety information will be posted for workers to see, he slouches back in his seat with his hands behind his head, and talks back directly to the man on the TV screen, “well, I don’t know if I believe that.”

From what I can tell looking around the farm and chatting during clock-ins with others, my co-workers are mostly Latino and indigenous migrants from Mexico and Central America, but nearly a quarter are white or black workers from Tennessee or other parts of the South. A lot of the English speakers, who work interspersed throughout the nursery but most frequently end

up in the 2-person crews of ‘pickers’ who use a tractor to shuttle orders from the field to the loading dock, tell me that they ended up working here after being referred by a halfway house, parole officer, or unemployment office. The primarily Mexican and Guatemalan field crews that do potting and planting are about half men and half women. The mostly-Latino loading dock and tractor drivers, as well as the entirely Latino crews that graft the fruit trees, are all men; the regulars who staff the sticker-label room are almost all Latina.

Half an hour after my first clock-in, I’m out in the field counting inventory, pacing for hours with a clipboard along interminable long beds of potted plants arranged in rows of greenhouses or in big blocks of thousands of plants on the graveled nursery lot. The farm is enormous – it covers over 300 acres of row after row of potted ornamental plants which often number over 10,000 per variety, separated by several large ponds which Maria says are full of irrigation water. She warns me that there is “*mucha quimica, fertilizante, pesticida*” (a lot of chemicals, fertilizer, pesticide) in the water, and she says, half-joking, that if I stick my arm in, it will come out without skin, just bones. There’s no sign of life in the water; I joke that we should go fishing, but there are no fish, not even insect larvae. All of the potted plants, their leaves bright green with the first flush of spring growth, are sitting on top of a thick layer of large-diameter gravel, hundreds of tons of it, which have been used to blanket the entire acreage of the farm and prevent the plants from contacting the soil. I watch other workers spraying down the gravel with the herbicide and known carcinogen Roundup – the quantity of poisons used must be extraordinary to keep this incredibly fertile part of Tennessee from colonizing the plants and potting soil with its own purposes and organisms. The Roundup is mixed with some kind of blue/green dye, and the gravel is stained green in the areas where they have just sprayed. I watch two Latino workers walk from one gravel patch to another, spraying the Roundup mixture in a

continuous coat across the ground with wands and backpack sprayers. Their boots are stained green, their shins and pants are stained green. Their fingers are green. During a break, I talk with the two men about religion. I joke, “*no producen Roundup para el alma*” (they don't make Roundup for the soul). One of the men laughs, rolling the phrase over in his mind. Then gets serious: “Cristo,” he replies.

That first day was cold, and windy. At the end of my lunch break, I walk back across the farm from the burrito truck in the parking lot, and I notice two men in industrial-looking respirator masks spraying a big bed of plants with a chemical from a big tractor-pulled trailer tank. As I bite hungrily into my burrito, I watch the gusts of wind carry a big cloud of white chemical mist directly into a group of resting workers, sitting on the gravel eating beans and tortillas out of Tupperware. The workers who are eating continue, and others are laid out napping on the gravel during the short 15 minutes they have to rest. They don't bother getting up as the pesticides waft over them; they just cover their faces with bandannas and wait for the wind to change.

I should know better, but in my tired bones I'm genuinely surprised to find that the farm feels more industrial than agrarian. According to company promotions, Berry Family of Nurseries is “the nation's largest wholesale grower and distributor of container grown ornamental shrubs, trees, perennials, roses and groundcovers”, with operations dispersed from Oregon to Florida. In 2010, Berry's eight nursery mega-farms were bought by Insight Equity, a Texas-based private equity investor, which hoped to “extend its lead” (Berry Family of Nurseries 2012) through “opportunistic acquisitions” (Beytes 2010) and close integration into the supply chains of big-box stores like Lowe's, Home Depot, and Walmart. That integration, especially with Lowe's, became so tight that most of the plants at the nursery were grown directly in a

Lowe's-branded pot, with a scannable Lowe's UPC already printed on it.³⁶ Our movements are dictated by inventory programs in the office computers. The plants grow in interchangeable plastic containers bathed in a chemical cocktail that simplifies the agroecosystem down to a short list of selected species. The vast gravel lot feels and looks like a giant roofless warehouse floor, with product lined up for tabulation and shipment. When I roll out of the company housing in the morning, I wait behind dozens of tired black, brown, and white co-workers who line up to scan their ID cards on electronic timeclocks as the morning shift starts. Far from the warm clichés of agriculture as an intimate, family profession, the terrain here feels like a laboratory experiment in alienation.

What Makes Nursery Jobs Shitty?

During my season at the nursery, workers complained to each other constantly about management decisions that made their lives poorer, harsher, and more disorganized – decisions like transferring moms into a department that keeps them working late at night, or dropping the pay scale and paying the loading dock drivers twice a month instead of once a week. The farm's managers worked to maximize profits by squeezing extra pennies out of the nursery payroll, responding to pressure from the new owners, private equity executives who had bought Berry as a temporary investment. In their search for corners to cut, those managers used and re-designed labor management tools that had been developed by previous generations of plantation owners. This section will illustrate how decision-makers at the top of the nursery industry degrade farm work and farmworkers through subjecting their employees to extreme job insecurity and

³⁶ Since my time working at Berry, the company has declared bankruptcy and restructured multiple times, and several of the massive farming operations have closed, opening the market to competitors in other locations. It turns out that Insight Equity's aggressive growth strategy faced substantial problems from creditors and investors, and its farms turned out to be casualties of the company's 'creative destruction' approach.

unpredictable wages, taking advantage of many workers' 'deportability' to confine them to the farm, and treating their workers as physically disposable. While some of these strategies (like seasonal layoffs or fluctuating piece rates) are often characterized as purely farm-level management decisions, each of them are in fact tied to state policies that permit and subsidize growers' ability to extract additional surplus value from the nursery workforce.

Unpredictability and job insecurity

Working at a nursery means that you might not have a job tomorrow. During the spring rush, firings are relatively rare because of high labor demand, but the unpredictability of the looming end-of-season layoff structures the labor relationship. Everyone knows that when the work tapers off, most of the workers will be called in, told they aren't needed anymore, told to move out of company housing if they are living on the farm, and that's it. No one knows who will be laid off, and workers are constantly talking about their chances of scoring a year-round position, comparing other work options, or announcing their plans to escape the uncertainty by volunteering for a '*descanso*' (an ostensibly voluntary 'break') until next season. Even during the height of the season it isn't unusual for workers to disappear from one day to the next due to a family emergency, an illness, a police stop, a better job prospect, a conflict with a boss, or a car failure; but workers spend those months anticipating the moments in May and June when the bosses will show up at the end of a shift with long lists of workers who are out of a job the next day. That constant conversation about layoffs reinforces the sense that a firing could come at any time, and the prospect of needing a job, and being told you can't have it, affects what conditions workers are willing to accept once they have a job, especially since they only have to put up with the job for "*un rato nada mas*" (just a little while).

Because of the sweeping yearly layoffs, the nursery labor force is tightly embedded in the other industries in the region's low-wage economy. Sara worked as a hotel housekeeper in Baltimore before following her family to Smithville and joining the nursery's inventory team (she says the workload in the hotels is 'worse than farmwork'). She wants a full-time position but pays a lot for childcare and tries to act positive as she explains that it's actually better to be laid off, since she can take care of her kids full time during the slow season until she can get hired on again next February. Cristina, a worker from Ciudad Juarez, is 17, and moved here with her dad after he had a hard time finding work as a house painter in Atlanta. She dropped out of high school to work at the nursery, and got an inventory gig which, apart from counting plants, mostly seems to involve putting up with the supervisors' flirtation while driving around the farm. She still expects she'll get laid off along with everyone else after the rush season ends in a couple months, and she tells me she wants to join the Navy, because she heard they will help her get citizenship, go to school, and – she beams at the possibility – “*have a job for life!*” Every few days someone goes missing from one of the nursery field crews because they found a job roofing or framing in residential construction in Murfreesboro or Franklin – jobs that pay \$12 or \$13 an hour instead of the \$7.25 at Berry. As the season progresses, workers pool money hoping to buy a car, or maybe just a ride, that will get them to the North Carolina Christmas tree harvest in November, the New Jersey blueberry harvest in August, the tomato picking season in the Sequatchie Valley in July, or to Oklahoma or Arkansas when pine planting season comes back around in December.

More than anything else, though, most nursery workers also work at least part of the year planting, tending, cutting, hanging, or stripping tobacco. Carlos, who lives in the barracks with me, says tobacco work is “*sucio y pesado, pero se acostumbra uno, y contratan a cualquier*

persona que quiere trabajar” (dirty and heavy, but you get used to it, and they'll hire anyone who wants to work). For some workers who are especially quick at the athletic work of cutting and hanging, tobacco is good money, and they are anxious to get back to it once the season picks up; for most others, the desire to avoid the tobacco fields at all costs is a major motivation to keep their head down and try to avoid layoffs. Esteban, a seven-year veteran of the Berry loading dock from Juchitán, Oaxaca, describes the one horrible week he spent trying to cut tobacco in the nearby town of Sparta: “the tobacco vapor made me sick and I would vomit and vomit; I quit at the end of the week and had to come back here.”

During the season, then, tobacco and other industries sometimes function as an escape route, an outlet, that gives workers an alternative source of income when the conditions at the nursery become intolerable or when the layoffs inevitably come around; and sometimes jobs like tobacco loom as a last resort in workers’ minds, a disciplining threat that keeps people afraid and stuck, a reminder that if you lose your nursery job you may end up working somewhere even worse. However individual workers rank the desirability of different industries, seasonal nursery jobs are part of a stitched-together whole, in which conditions vary wildly from one job to the next. Despite the fact that some industries outside agriculture have found ways of stabilizing employment for their seasonal workers³⁷, Tennessee farmers have worked to ensure that these major fluctuations in conditions and pay are accepted as normal and inevitable in the nursery industry, as if they were natural cycles of hardship and plenty comparable to rain, snow, and harvest. Although each job is nominally ‘seasonal’, in practice several agricultural industries function together as a single regional low-wage labor market, shuttling workers between harvests

³⁷ Safety net structures applied to other industries include unemployment insurance, job rotation schemes among dock workers, master contracts giving laid-off workers priority for job openings in automotive manufacturing, and industry-wide wellbeing agreements proposed by stage handlers and session musicians, to name a few.

and also back and forth between cleaning, manufacturing, meatpacking, restaurants, and construction, absorbing and shedding off labor in succession throughout the year, each employer avoiding responsibility for the long-term wellbeing of workers and their families³⁸.

Many workers, both US-born and immigrant, end up in the nurseries after losing employment due to layoffs or restructuring of industries in neighboring regions. A couple of weeks into my work at the nursery, my potting crew is reassigned to help prepare a big order of 1- and 3-gallon plants for shipping, and I meet Greg, a white guy who just arrived in Smithville after working 25 years cutting timber in Wilkes County, North Carolina. When he got hired, they put him in a barn putting UPC stickers on pots, which he says bored him out of his mind, and he begged for a transfer until finally succeeding and landing a promotion to drive a tractor. He explains that he moved to Tennessee to be near his kids and their mom, and is staying with his father-in-law here until he can save up for another place. He says the reason he stopped cutting timber in Wilkesboro was that they had switched from a piece rate to a day rate; getting paid by the piece, he could make \$300 or \$350 a day hauling 5 tractor trailer loads of lumber. Then the bosses changed it to a day rate of \$180 a day but expected them to work just as hard, so he said it wasn't worth it and quit. He says he tried to get a job at a chicken slaughterhouse in Wilkes County, but that “the migrant workers have it pretty much filled up,” so he moved out here and is making do with the \$65 a day we take home from each 12-hour shift. He has a really hard time communicating with the Spanish-speaking workers. A boss tells him to have the other workers take the plastic wrap off the plant carts before the carts are returned to the loading dock. Trying

³⁸ Stabilizing the periods of unemployment and preventing wasted energy of fruitless searches for the next job was one of the original tasks of the Farm Security Administration, a New Deal agency that briefly served as low-rent landlord and “crew leader to the nation”, managing transitions between regions and crop seasons quite effectively until it was attacked and dismantled by growers who saw it as a threat to continued labor control (Hahamovitch 1997, 2011). It is also the ostensible purpose of the US Department of Labor’s ‘Clearance Order’ system, which provides the skeleton of a work-offer bulletin board system without providing any substantial funding, public services, or safety net for farmworkers caught between jobs.

to figure out how to pass on those instructions to the rest of the crew, he gets frustrated and ends up just waving his arms up and down at the plastic and shouting “take the plastic off” in English. I step in and translate for him, and he grimaces with embarrassment, saying, “ya, I try, I tell people, but I don't think they understand me.”

Greg isn't the only one who feels alienated, isolated, and frustrated by his inability to communicate with his co-workers. While Spanish is the primary language spoken on the farm, in just my first week I meet workers who speak Ixil, K'iche', Mam, Chuj, Nahuatl, and Zapoteco. According to a couple nursery supervisors, as much as half of the workforce may be from Santo Domingo, a small Zapoteco town outside of Juchitán, Oaxaca. Many of the indigenous workers don't speak Spanish, and have as hard a time as Greg understanding the instructions of their Mexican or Chicano department bosses, much less navigate the social networks and institutions of this mid-sized English-speaking Southern town.

Within the nursery, workers are moved around unpredictably between departments and schedules. Many of the women tell horror stories about being assigned to “*el sticker*”, a large equipment shed where mostly female workers labor in groups around metal shop tables, sticking individual UPC labels from long rolls onto plastic pots in giant stacks. Everyone on the farm gets a taste of the sticker room at some point, because the bosses send us there sometimes in the morning when orders aren't ready to be planted or loaded. But Senaida, who was been working at the nursery for 5 years, worked for two entire seasons putting stickers on pots in the label room, before she managed to get reassigned to potting plants in the field. When asked which job she prefers, she concedes that the sticker room is nice since you aren't in the sun and rain, but the bosses require you to come in super early in the morning, or leave really late at night, sometimes for around-the-clock full 24-hour shifts, and it's “*muy estresante, y la mente se vuelva loca*”

(really stressful, and your mind goes crazy). If workers aren't able or willing to put up with the disruption of life as a sticker worker, like the two "quitters" I encountered the day I applied, they can be fired on the spot. Those who can't afford to risk losing even a couple of months of sub-minimum wage income mostly keep their mouths shut in front of the bosses and just vent to each other in private. The overall combination of constant reassignment, threats of immediate firing, and the certainty of an eventual layoff reinforces a more and more ingrained message: you don't control the work; the work controls you.

Unpredictable Wages and Changing Piece Rates

All of the entry-level workers at Berry make the federal minimum wage (\$7.25 an hour, since Tennessee has no state minimum wage law)³⁹, minus federal withholding and deductions for housing and often unexpected costs like rubber gloves, rainsuits, and safety glasses, which are taken out of workers' checks, sometimes putting our final earnings closer to \$6 an hour (before taxes) on a bad week. Many workers are also offered a piece rate as an incentive to work faster, and in this section I will analyze how 'piece rates' function both as a standard instrument of 'surplus extraction' by incentivizing overwork, and also as a key site of small everyday dispossessions whereby managers engage in outright theft by manipulating workers' labor output through deceptive and shifting piece rates. I will also describe how collective responses to the piece rate are a key form of worker struggle against speedups.

When I requested a reassignment from inventory to a planting crew, the hiring manager was initially hesitant to 'send me out in the field with the Hispanics', but when I insisted that I

³⁹ The fact that nursery workers are entitled to federal minimal wages at all is a substantial victory, given that they were explicitly excluded from those protections in the original 1938 Fair Labor Standards Act. 'Large' farms that employ more than 500 'man-days' of hired labor per year were covered by minimum wage laws after amendments made in 1966.

preferred a job ‘where I could use my hands’, he approved the transfer and advised me that “there's an opportunity for good money there if the piece rates work out.” But what exactly is required to make that 'good money' is often unclear. One day during a lunch break I'm sitting under a wagon with a group of Guatemalans from Huehuetenango, and after chatting for a while one of the women leans over and asks me slowly, almost chewing her words, “que es...*pirey*?” She explains that they were told that they were '*pirey*' the other day, and they didn't know what it meant, but they gathered that it meant they were supposed to speed up and work faster. And I say the words more slowly, “*por pieza*, piece rate, *pirey*”⁴⁰, and I say I think it means they get paid by how much they produce - a simple concept in theory but hard to explain in practice, since there are different piece rates for planting, for picking orders in the field, for loading orders on the dock, and for the field crews that go around “*acomodando bote*”, re-arranging or moving thousands of potted plants from one section to another when the managers decide to re-shuffle the inventory. Most workers know when they are working for piece rate (if they didn't, it wouldn't be an effective method of speeding up their work), but most have trouble navigating the complex algorithms that company accountants use to calculate workers' final pay – for example, in potting you might get paid a certain piece rate for every 1000 pots, divided by how many workers are in the group, and you have to compare that against minimum wage pro-rated to specific start and stop times; and then the variables might change ten minutes later, when someone joins or leaves the group, or when your crew starts potting day lilies instead of raspberries (pretty much every plant has a distinct piece rate), or when you get suddenly reassigned, voluntarily or not, from a planting crew to the loading dock because they're short-

⁴⁰ I'm using a Spanish phonetic spelling to indicate how the word sounds and is used in practice. I imagine some of the workers are intending to use the English phrase “piece rate” when they say *pirey* but for many of the nursery workers it's just another Spanish word that governs the rules of compensation and production.

handed that day, and you're 'offered' a piece rate that might bring good money once you're familiar with the loading dock and the equipment and the algorithm used but it is pretty much impossible to master in just an afternoon. For a worker exhausted by the long days, without access to a clock or a method to write down detailed notes, with a bandanna over your face, dirt in all your pockets, and pesticide-stained mud over your numb hands or slippery gloves, it's not technically impossible to keep your own tally of what you're owed to compare with your check two weeks later, but workers often don't challenge the numbers when their paycheck is ultimately smaller than they had been promised.

At the Berry nursery, "piece rate" has become an ambivalent catch phrase that workers call out to each other as a greeting, that you use to present yourself as macho and capable, to brag that you're worth more than minimum wage, and also to complain that you are exploited and overworked. When I tell the guys who are working and living in the barracks with me that I've switched to a planting crew, they put on a grin, slap my back, and say "*ahhhh, puro pirey!*" (straight up piece rate!) On the loading dock, when we get back into our golf carts after a dinner break and start zooming around to pick up orders for the 18-wheelers, the young men hang out the side of their carts and shout to each other, "*puro pirey!*" It means that you work really fast and hard and get a little more money, but always with a sense of impending risk: if you mess up or don't get assigned the right orders, or your cart breaks down, it only takes a few minutes of delay and you're back to minimum wage again. Piece rate is both a threat and a reward. It is a way to convince the workers to identify with their employers' production goals. It's also a way of diffusing control through the workplace: most piece rate is calculated by the crew (2 to 6 people

splitting the bonus), so piece rate incentivizes workers to push each other to go faster, produce more, and skip breaks, because you have a stake in how hard your co-workers push themselves⁴¹.

Most importantly, piece rate obfuscates the real source of workers' precarious situation, suggesting to workers that low pay is their own fault, or the fault of a lazy or incompetent co-worker, rather than a calculated decision on the part of the company to pay them less for their work. And workers resent and push back against the introduction of worker-on-worker policing, mostly through jokes: when I am planting and start gaining on the worker in front of me, they will say in exaggerated mock indignation, "*me estás presionando?!*" (you trying to speed me up?). It's a reminder to slow down, to take it easy, to make piece rate but not at someone else's expense. And sometimes we reject the boss's piece rate system entirely; on some days, an informal crew leader or some insistent team members will announce to the group that we will be working for an hourly rate today, since someone is hurt or everyone is tired or the piece rate doesn't look favorable, and we'll all agree to take it easy. On those days, we only speed up when the bosses are watching.⁴²

For all its problems, working for piece rate is nevertheless one of the few ways that workers expect to see any real appreciation or compensation for the effort they are exerting. That's why, despite the abuses and inequalities inherent in the piece rate system, workers often defend their piece rates so fiercely. When I arrived at Berry, the loading dock drivers complained

⁴¹ See Burawoy's *Manufacturing Consent* (1979) for an extended treatment of piece rate schemes in the Chicago tractor factory where he worked, which he argues had the effect of recruiting workers' consent to their own exploitation.

⁴² This is why the inclusion of farmworkers in minimum wage protections at *some* but not *all* agricultural workplaces is so significant; even in workplaces where prevailing piece rates come out to more than minimum wage, that hourly minimum wage floor determines workers' ability to resist speedups. Battles over piece rates are at the root of most farmworker strikes and battles, as reflected today in the 'one more penny per pound' campaigns of the Coalition of Immokalee Workers designed to challenge the "*dime y dia*" piece rate system in the Florida tomato fields.

every night about how the bosses had dropped the piece rate this year instead of raising it- and then had distributed the money to crew leaders instead. On more than one occasion last season, the workers whispered, the drivers had stopped working to protest management cutting the piece rates, and a lot of drivers walked away from the loading dock when the piece rates didn't go back up. There was excitement, and resolve, and some hopefulness in the whispers of those loading dock strikes: after the walkout the bosses gave in on the frequency of paychecks (which they had attempted to cut back to every two weeks, and ended up returning to the weekly paycheck system) but that boost was bittersweet; we were the ones who had stayed and taken or inherited the pay cut, and our loading dock life was worse than ever: short-handed, long hours, and missing some of the most experienced drivers who had commanded the work floor in previous seasons. The loss of experienced co-workers and the rawness of the recent mostly-defeat kept the loading dock frantic but any open explosions of resentment muzzled the season I arrived, and the lower piece rates kept us working even longer hours to make up the difference.

In the midst of this simmering conflict over piece rates and hours, most expressions of resistance occurred 'offstage' (Scott 1990) in complaints and whispers, and would only periodically boil over in outright resistance: quitting, intentional oversleeping, and periodic small crew rebellions. The dispossession experienced by workers 'back home' in countries where their meager wages were the main source of support for their families, and their heightened vulnerability to immigration and other policing here in Tennessee, made it all that much easier for employers to get away with additional everyday dispossessions that might extract an extra 10 or 20 percent effort out of a worker's 16-hour shift only for them to later find that they hadn't made any extra money at all in the weekly paycheck. The next section, on 'disposability', will explore how systematic overwork has translated into the preventable degradation of workers'

bodies, as health and safety protections have been systematically denied nursery workers, and both chronic and catastrophic injury have been normalized by employers who treat workers as replaceable and unworthy of protection.

*Disposability*⁴³

Entry-level nursery workers are treated as seasonal, shed like spent leaves or ‘renewable stock’ to be replaced next season. With the constant layoffs, the threats of firing, and a barely-subsistence wage, all signs suggest that we are expendable, and the nurseries constantly communicate that their immediate production levels matter more than workers’ well-being, health, training, and longevity. The labor disciplines that compel nursery laborers into overwork, then, dispossess them and their communities of their most basic possession: bodily strength and vitality. The courts and the legislatures have defended their decision to exclude farmworkers from many health and safety regulations farmworkers (including exclusion from the entire workers’ compensation system, in Tennessee and seven other Southern states) by insisting that “the exclusion of agriculture from employment compensation can be seen as an indirect subsidy

⁴³ ‘Disposability’ evokes a particular polemical meaning in the global anthropology of labor. Kasmir and Carbonella critique the growing body of scholarship asserting that capitalist processes are “creating people and communities who are permanently constituted as the “outside” of capitalism” -referred to as “bare life,” “disposable people,” “surplus populations,” “states of exception,” “wasted lives,” or “the biopolitics of permanent joblessness” (see Denning 2008: 3). Instead, Kasmir and Carbonella follow Wolf’s description of a “general tendency of [capitalism] to create a ‘disposable mass’ out of diverse populations, and then to throw that mass into the breach to meet the changing needs of capital” (Wolf 1982: 379–380 quoted in Kasmir and Carbonella 2014). Their point is that the capitalist processes that are stripping wealth, dignity, and livelihood from the world’s most dispossessed populations are at the center of capitalism, not at its fringes, and that the criminalized, informal, invisible, or unrecognized labor of these billions of working-class people is in fact indispensable to capitalists seeking new sources of profit. In this chapter, I use the term ‘disposable’ to describe employers’ choice not to invest in farmworkers’ long-term wellbeing, their choice to accelerate the degradation of their employees’ health and bodies, and their search for a perfect system (i.e. temporary ‘guestworker’ programs) which would allow them to seamlessly discard and replace workers or perhaps even entire workforces from an infinite and renewable stock available for their consumption and exploitation.

of a ‘beneficent enterprise.’”⁴⁴ By withdrawing resources from even the most fundamental investments in worker safety and health, the nursery industry relies on the projected moral beneficence of ‘agriculture’ to seek greater profits at the expense of actual workers' bodies and families (Gray 2013).

This divestment from workers' well-being straddles the line between caution and indifference. One of the most disorienting experiences for me when I began working at Berry was what to make of pesticide warning markers. All over the nursery there are orange traffic cones with signs taped to them announcing “Danger Pesticides Do Not Enter.” The message seems clear, except that they are *everywhere*. The alarmingly-labeled cones are sitting in doorways, used to prop open greenhouse entrances, employed as weights to hold down tarps, and laying casually on their sides in roadways. It is totally unclear, in a given instance, whether they are actually there as a real warning that workers and visitors should stay clear, or whether they are just being used as regular objects that are readily available to be repurposed for random tasks. I ask around and no one seems to know either; some act as though it is an inappropriate or insubordinate question to ask. My perceptions of risk are adrift, and I find myself spooked by probably-harmless odors one moment and unperturbed by spray coming from tanks labeled “TOXIC” at the next moment. Every once in a while, I overhear that some of the soil we are working with has “*mucha quimica*” (a lot of chemicals), but it doesn't seem to change how that object is treated. Rubber gloves are available at seemingly random times. Someone announces

⁴⁴ This language comes from a challenge to ag workers' exclusion from the California workers' comp system, in which the US Supreme Court ruled against workers with the explanation that a desire to subsidize agriculture was a good enough reason to deny farmworkers the injury care protections available to other workers (Romero v Hodgson, 403 US 901 (1970)).

In a 1979 case temporarily overturning the ND workers' comp exclusion of ag workers, the court found that preferential treatment of farm employers was allowed because “a subsidized agriculture appears to have been accepted as inherent under our economic system” (Benson vs North Dakota Workmen's Compensation Bureau, 1979)

one day that the plants we are working with have just been sprayed with pesticides, but it doesn't seem to affect how we handle them. A pesticide rig towing a massive steel cylindrical tank drives by a line of roses 10 meters from the barracks where I live at the edge of the farm, and the overspray drifts directly through the open windows onto our beds and belongings; the tractor driver waves at me with both hands but gives no other indication of whether I should take cover. I walk over to my roommate, who is working on his car subwoofer, and ask him what they are spraying. He says it keeps the plant leaves green, and kills the *gusanos* (worms) that eat the plant from the roots. He wiggles his finger upward when he says *gusano*, and turns back to his speaker wires.

When I ask whether I should keep counting inventory while the sprinkler system is spraying water with fertilizer additives over the plants, my supervisor just says, “It depends on each person, everyone has different skin” (she eyes my skin, as though daring me to declare that it is more sensitive than others’). I rely on tips and hearsay to try to dodge the most hazardous substances; one day during lunch break I decide to approach a group of white guys lounging by the tractor barn, and I meet Chip, the amateur chemist in charge of mixing the potting soil during lunch. He explained that he works mixing the compost, listing all these different chemicals he puts in, 5 different kinds of soil, and he gave me some advice: “remember, there's a rule: with the black mulch use gloves. With the red mulch you're ok, but with the black mulch, it's full of chemicals. Sometimes it will heat up enough to burn your hands on contact. Those little chemical pellets, we put in, they're hard as BB's, you can jump on 'em all day and they won't break, but you stick 'em in the soil, and those chemicals melt them right down.” Chip seems to know his stuff, but there’s no signs about the soil chemicals posted anywhere, no warning labels on the

wagons heaping with freshly-mixed black mulch reeking of ammonia, and no training to confirm or deny Chip's warning.

One day after work we are forced to sit through what the other workers call an “*escuelita*” (little school). The topic was how to not fall off of ladders. Carlos, one of the managers, is hauling a group of us back from the fields in the back of his pickup truck, wet and cold and exhausted after a 12 hour shift potting thousands of heritage raspberries under a drizzling rain. This was a particularly rough shift. I have the sensation that I might vomit from the pain in my back, I am near crying from the pain. There are still significant sections of my hands that I can't feel after the chafing and bruising from contorting each of my hands into a permanent claw to grip 2-gallon pots at a time with each hand. We are pulling into the parking lot, about to stumble down and clock out, when Carlos walks up with 4 pieces of paper, 2 in English and 2 in Spanish. He says, “hey, read this,” and drops the sheets in someone's lap. No one volunteers, all of us sitting in silent and sullen rebellion, and after about 2 minutes my co-worker Wendy snaps, picks up a sheet, and starts reading it out loud to everyone, skimming every other line in a monotone. I peek over her shoulder; the paper is titled “how to avoid accidents on ladders”, with a form that says it is a training given by Carlos, who is clearly not giving the training. It has notes to the trainer and activities on the side, which Wendy either doesn't see or skips. After a minute, clearly nobody is paying attention, and she just skips down to the last question written on the page, which is “does anyone have questions?” And there is a chorus of “*no, nadie,*” and we all blow it off, hop out of the truck, and go clock out for the day.

When workers do have medical problems, they are largely left to figure it out for themselves. One morning Sara came in with her back hurting- “*pero adentro*” (“on the inside”), she said with a pained grimace. She worries it is her kidney. Julia asks Sara questions about how

it feels when she pees, and suggests some charity clinic she can go to where they don't ask for insurance, where they just charge \$70 a visit. Nobody here has health insurance. Nobody gets vacation days or sick days or retirement. The flu is going around, but we work while we're sick. One day Sara and Wendy go around to the different field crews taking up a collection for the family of a neighbor of theirs who died the day before when a cinderblock wall fell on him at a construction site near Nashville, to help his widow and orphans pay for the funeral. Everyone knows that the bosses at the construction site are like the bosses at the nursery: the loss of the wall will be mourned but the body of the worker will be forgotten. In the Tennessee plantation economy, dispossession begets dispossession: the inevitability of a layoff means workers have to make as much money as possible before losing work, and the piece rate system encourages crippling overwork that promises to increase our pay but often fails to deliver additional income in the end. The workers' comp system is in retreat everywhere in Tennessee and neighboring states – at first only agricultural workers were excluded, but now the legislature is cutting the program that had protected previous generations of workers in other industries. The next section, on 'deportability', will explore how dispossession 'back home' and threats of state violence here on the plantation serve to keep workers captive and productive despite the hyperexploitation, outright theft, and extreme bodily degradation they experience at work.

Deportability

In June, as the nursery season was winding down, workers spent much of their free time calling old friends about job openings, comparing information about piece rates in upcoming harvests, and scheming how to get to their next destination in the migrant stream. One day Raul and Jesus, two co-workers who lived in a room next to mine in the barracks, approached me with

a proposal: they would buy a beat-up car and pay me \$500 to drive them to New Jersey and join them for the blueberry harvest. “They pay \$4 a bucket!” Raul blurted out, giddy with the possibility of easy money. I wasn't ready to make the commitment to leave Tennessee for the summer, and suggested there are probably buses that go up to New Jersey. Jesus and Raul just looked at each other until one said the obvious: “ya...but *la migra* stops the buses sometimes, that's the thing.” His scheme frustrated, Jesus goes back to dialing old co-workers, checking on job options with local recruiters who take workers to nearby tobacco fields, down to Florida for the watermelon harvest, and up to Indiana to de-tassel corn on Monsanto's massive seed farms.

The threat of deportation links together the systems of violence that afflict working-class people in four otherwise-distinct places: 1) in the workplace and company town itself, where workers are nominally ‘free’ but pressured to submit to severe constraints on their time and mobility; 2) in the prisons where the poor are confined, either temporarily to discipline or warehouse them or for longer periods of time as an example to terrorize the rest; 3) ‘back home’ in the town or region where each worker is originally from; and 4) in the increasingly hostile territories workers are obligated to re-cross if they are selected for deportation. While the violence workers are subjected to in these different places may seem disconnected, and are inflicted by very different actors (i.e. falling agricultural prices in Mexico; private prison guards in detention centers; vigilantes or small-town sheriffs in the Tennessee countryside; and smuggling cartels on the Arizona border), theorists like Nicholas De Genova (2002) and Peutz (2010) show how the effectiveness of the “deportation regime” as a labor control system is its ability to articulate each element into a larger whole. Although ‘deportability’ is a concept that has been developed specifically to describe forms of oppression that have been designed to divide workers along lines of citizenship / place of birth, I will also argue that the ‘deportation

regime' converges with the historical practices of vagrancy control and parole used to discipline and terrorize Black and white US citizen agricultural workers in ways that are not always so distinct from the tactical effects of 'deportability.'

As discussed in Chapter 1, De Genova introduces the concept of 'deportability' in order to remind us that the supposed goal of immigration policing (achieving a 'legal workforce') is secondary to the 'tactical' character of the law, whereby "some are deported in order that most may remain (un-deported) –as workers, whose particular migrant status may thus be rendered 'illegal'" (2002:438-9). State officials and large employers actually work together, De Genova argues, to 'produce illegality,' because 'illegality' makes it easier for employers to immobilize working-class people and terrorize them into accepting hyperexploitative working conditions. The primary calculus, then, of deportability is how much additional profit employers are able to accumulate by mass-producing illegality at the same time that they produce car parts, tobacco leaf, potted flowers, or bushels of organic green beans.

Illegality (and, by implication, deportability) is reinforced in the hiring process at each job an undocumented worker begins. Cesar, from the Mexican state of Tamaulipas just south of the Texas border, originally came to Tennessee as a landscaping worker with an H2-B 'guestworker' visa. He has been here for over 12 years, one of many who proudly claim to be "the first Mexican in town!" Since he went 'out of status' when he overstayed his original H2-B visa, he and his brother have been limited to applying for jobs "where there wasn't any trouble" (*donde no había problema*) - that is, where employers or state immigration officials or both don't verify their work authorization during the hiring process. As a result, they have worked in nurseries and construction crews ever since- accepting lower wages from the agricultural

operators and small contractors that lubricate their profitability with the open secret of an underpaid and unauthorized workforce.

Once in Tennessee, the threat of deportability severely limits workers' ability to move around, trapping them inside segregated plantation towns within the United States.⁴⁵ Karla, who is working her first nursery season, usually lives in Scottsville Kentucky with her husband on a tobacco farm. Her husband is a 'guestworker' with a temporary H2A visa which requires him to return to their home in Oaxaca for 3 months each year, but without a visa of her own, Karla can't travel back home with him and has to seek other work by herself during the tobacco farm's off season, until she can reunite with him and the others from her town when they return for tobacco planting in May. She says that living in the US is "all work" (*puro trabajo*), and she is looking forward to returning to Oaxaca permanently as soon as she can. Workers who have been in Tennessee for decades talk about the days before September 11, 2001 as a time when they could travel safely within the state ('back when we had drivers' licenses') and back and forth across the border ('when there wasn't as much trouble crossing'), and have experienced the last two decades as a process of gradual enclosure, encroachment, and confinement that has forced them to remain semi-permanently inside segregated workplace communities here in the Mid-South.

The most immediate threat facing 'deportable' workers is arrest and confinement in a county jail, most often by getting pulled over for driving without a license at the police checkpoints common in rural Southern towns (Ribas 2016:126), and then being transferred to an immigration detention center by local sheriffs collaborating with federal ICE agents. While a network of more than 300 immigration detention centers is quickly growing across the country,

⁴⁵ A number of sociologists point out that anti-immigrant policing that supposedly exists to 'exclude' undocumented workers actually has the effect of preventing workers from leaving to visit family elsewhere, which compels migrants to bring and raise family members within the 'new immigrant destinations' of the plantation South (Massey 2008; Winders 2013; Ansley and Shefner 2009; Massey, Durand, and Pren 2016; Armenta 2017).

the geography of 21st century immigration detention remains tellingly similar to the network of prison camps used to deport indigenous people from these same lands in 1837 and to confine the growing slave population during the subsequent agribusiness boom. Nursery workers caught up in a speed trap on Smithville Highway or picked up for ‘public’ intoxication at a party in their McMinnville trailer park are first taken to a local county jail, and then transferred to northeast Alabama, where the DeKalb County jail has become a major waystation for ICE detainees due to a lucrative contract with the federal government in the county seat of Fort Payne, a town originally named for the US military commander who built a stockade on the site to confine and later deport thousands of Cherokee men, women, and children during the Trail of Tears. At the other end of the confinement chain is Alexandria, a central Louisiana city that was originally built up to supply a major slave-trading depot⁴⁶ and now serves as the final detention center and embarkation point for deportation flights headed to Central America and Mexico⁴⁷. The airplanes’ passengers are shackled, restraining hands that are calloused and sunburnt from working the 21st century plantations of the US South. The thousands of agricultural, manufacturing, construction, and service workers transferred through DeKalb and Alexandria each year are once again largely indigenous and mestizo workers, this time displaced primarily from rural plantation zones in Mesoamerica.⁴⁸

As I analyzed in Chapter 2, it was the military capacity of policing and incarceration developed during the 19th-century plantation boom, and preserved through the struggles of Reconstruction and Jim Crow as a ‘vagrancy regime’, that continue to give teeth and

⁴⁶ The original slave-trading depot was run by the slave-trading firm Mosely & Spragins (Deyle 2006); Alexandria would also become one of the largest military air bases in the United States during the middle of the 20th century.

⁴⁷ <https://trac.syr.edu/immigration/detention/201509/JENATLA/exit/>

⁴⁸ I could add some ethnographic detail about prisons here if it was useful- i.e. how people refer to jails and court dates at the nursery; long nights I’ve spent in the Bedford County jail trying to bail people out before ICE gets alerted; frustrated visits to the DeKalb County (AL) jail during the ICE sweep in February 2017; or experiences in the Nashville Community Defense anti-raid mobilizations of summer 2017 in Nashville.

organizational force to the ‘deportation regime’ in today’s rural communities. But 21st-century economies of extraction continue to evolve around the modern incarceration of plantation workers, such as the many thousands of dollars in fees collected through uncontested and uncontestable local traffic ‘violations’ such as driving without a license: a single citation often costs a low-wage immigrant worker more than \$500, most of whom hurriedly pay the fee the same day as their court date in the crowded weekly drivers-license dockets of county courthouses. CoreCivic, a corporation operating private immigration detention centers in Georgia and Mississippi from their Nashville headquarters, and GEO Group, which operates several Louisiana facilities from their Florida headquarters, detain immigrants for around \$150 per detainee per day, a business which brought these two corporations \$300 million in profit in 2018 but also functions to subsidize agriculture (and other related industries) by keeping the workforce more compliant and exploitable.

In the summer of 2013, while I was picking vegetables outside of Knoxville, a group of activists discovered that Sheriff JJ Jones of Knox County was in the process of signing a memorandum with the Department of Homeland Security, establishing a 287(g) program at the Knox County Jail. The 287(g) program effectively deputizes local law enforcement as immigration police, and gives ICE the ability to detain and deport any undocumented residents who enters the county jail. Activists from the *Comité Popular* (People's Committee) of Knoxville, made up of Latino farm, construction, and landscaping workers supported by allies from local labor and religious groups, immediately launched a campaign to pressure Sheriff Jones to drop the plan.⁴⁹ The Department of Homeland Security eventually called off the

⁴⁹ Their main talking points were drawn from an ACLU white paper critiquing the workings of the 287(g) program in Nashville, which the Davidson County Sheriff finally abandoned after a lawsuit and public outcry when it was revealed that sheriff’s deputies had shackled an immigrant mother, Juana Villegas, while giving birth at the jail.

partnership (and even initiated a civil rights investigation) after Sheriff Jones, angry about budget-related delays to the deal, announced that,

“An inept administration is clearing the way for law breaking illegal immigrants to continue to thrive in our community and ultimately be allowed to reside in the United States. [...] I will continue to enforce these federal immigration violations with or without the help of U.S Immigration and Customs Enforcement (ICE) [...] If need be, I will stack these violators like cordwood in the Knox County Jail until the appropriate federal agency responds.” (Knoxville News Sentinel 2013)

While Sheriff Jones had no intention of actually conducting a mass deportation campaign in the midst of the local tomato harvest and a profitable construction boom, threatening to hurl workers, unprepared and unshielded, back into the low-intensity war zones of Mesoamerica puts tremendous power in the hands of plantation owners, for whom the ‘deportation regime’ is a risky⁵⁰ but highly effective method of labor control. Most Mexican and Central American workers see themselves as refugees of the drug wars and political crises that have expanded through the region after the Central American civil wars came to a formal close in the 1990's. While drinking at night or in casual conversation during the workday, many of the nursery workers describe being driven from their homes, abandoning businesses due to the threat of gang extortion, and losing family members and childhood friends to violence. The situation in their

⁵⁰ While many employers use workers' deportability to their advantage, current immigration law and policing also makes it difficult for large agricultural employers to maintain a stable low-wage workforce. Major sectors of agribusiness currently support some form of 'comprehensive immigration reform', or an expansion of the H2 'guestworker' visa program, labor management systems designed to match agribusiness labor preferences (Bacon 2008). See Chapter 4 for more detailed analysis of the farm owners' affinity for an expanded temporary captive 'guestworker' program.

home countries traps many workers in jobs they would otherwise reject, since the stakes of a layoff, a deportation, or a missed remittance can be life and death. One morning as the nursery workers clock in, rather than calling out the usual morning jokes, a group of women are huddling together talking in low, serious voices. We ride in the back of a pickup to the field site in silence, until finally a crew leader explains that a woman who works here in the label room just heard that one of her sons was kidnapped on the border while he was crossing, and the gang said they were going to kill him if she doesn't pay up. "She doesn't have the money," someone pointed out, and we return to silence. The first few hours of work that day are quieter than usual, as each hour the woman in the label room earns another \$6 an hour for her son's ransom.

In Leon Fink's book on Guatemalan civil war refugees who formed a union in a North Carolina chicken processing plant in the 1990's, he quotes a manager who understood very clearly how violence in workers' countries of origin can translate into increased profits for employers:

[P]ersonnel manager Beecher recalled another selection factor: "I didn't want [Mexicans]. I got nothing against Hispanics, because these people [the Guatemalans] speak quite fluent Spanish, but Mexicans will go back home at Christmas-time. You're going to lose them six weeks. And in the poultry business, you can't afford that. You just can't do it. But Guatemalans can't go back home. They're here as political refugees. If they go back home, they get shot. So they stayed on with us, and we went from running 50 percent production and in six weeks, I had it fully staffed and running at 100 percent production." (Fink 2003:20)

Beecher's distinctions between Guatemalans and Mexicans are less pronounced now than in the 1990's: the extraordinary state violence faced by Beecher's employees in the Guatemalan departments of K'iche' and Huehuetenango during the army-backed genocide of the 1980's subsided with the signing of the Peace Accords in 1996 and was replaced by selective state repression and 'gang violence' throughout Central America's northern triangle (Little and Smith 2009). At the same time, conditions have deteriorated in much of Mexico, where tens of thousands have been murdered or disappeared since the mid 2000s and drug cartels openly control substantial swaths of the country, diversifying the income through a takeover of the smuggling, kidnapping and gasoline theft (*huachicol*) economies (Slack 2019). When a conversation among workers at the nursery turns to organized crime and drug violence, everyone has a story. As we cook up our breakfast in the barracks before clock-in, Alfredo scandalizes us spinning stories, both true and exaggerated, about the Gulf cartel, the Zetas, their dealings with *coyotes*, their legendary brutality. Raul chimes in, saying that all this violence began when President Calderon started killing the narcos, and the narcos retaliated. They swap gruesome stories, about narcos killing *coyotes* (border smugglers) along with all of the people who happen to be crossing the border with them if the *coyote* failed to pay a fee to the cartel. Felix says where he is from in Tamaulipas near the Texas border, people are pretty used to the killing— "if you see someone shot on the side of the road, they're shot and that's all there is to it."

In both Mexico and Central America, that spectacular violence exists alongside the less visible but widespread experience of increasing economic precarity. Several decades of neoliberal dispossession have led to the privatization of key industries and *ejidos* (communal lands), the auctioning off of public utilities like water, electric, and telephone systems, and the lowering of trade barriers through NAFTA and CAFTA that drove millions of *campesinos*

bankrupt, forcing them to flee to the cities or north to the United States in order to make a living (Bacon 2008). That economic dislocation has caused the near-abandonment of entire towns, especially in Southern Mexico, as huge numbers of residents make their way to diaspora communities where they can find work (Holmes 2013).

During those same years, militarization of the border has made it much more difficult, expensive, and harrowing to cross back and forth or to re-cross to the United States after a deportation, effectively trapping workers inside the United States. For many workers, the experience of the border is still fresh, and they are willing to accept many compromises to avoid reliving the experience. While re-potting arborvitae shrubs, Genaro tells about the first time that *la migra* caught him on the border, jailed him for a few days, and then deported him across the border to Nogales where he regrouped for a couple days before crossing again, this time successfully. But as the border has become more violent, with sophisticated paramilitary smuggling operations controlling access to it and constantly-evolving innovations on the part of each United States administration to brutalize migrants⁵¹, the costs of deportation and re-entry have risen steeply, and with them, the effectiveness of its threat. As De Genova points out, the primary impact of these policies is not on those who are visibly targeted for detention and deportation each year but rather on those estimated 17 million undocumented people who live and work in the United States, “un-deported”, making them, at least in theory, a “distinctly disposable commodity” that secures additional profits for the owners of the enterprises in which they labor. The ‘deportation regime’, with its increasingly expensive border-crossing market, also compels farmworkers to “consent to such relationships” of hyperexploitation because they are

⁵¹ i.e. Operation Gatekeeper under the Clinton administration, Operation Streamline under the younger Bush, new family prisons under Obama; family separation and a new ‘zero-tolerance’ expansion of Operation Streamline under the Trump executive orders.

obligated to go into debt in order to get to the United States to work in the first place (Gray 2014:60; Horton 2016).

The Deportation Regime and Migrant Consciousness

How, then, do these interlocking systems of violence, this condition of ‘deportability’ with its many hydra heads, shape the ways that Middle Tennessee nursery workers view themselves and one another? On one hand, the fact that ‘deportability’ is painted with such a broad brush means that workers from a variety of countries and cultural/linguistic backgrounds, who would normally have very little in common, are now forced together into a very specific kind of suffering, one which dictates many of the constraints and opportunities they experience in their day-to-day working lives, their commute, their home living space, their kids’ schools, their limited access to health care, and more. This dispossession of liberty, of free time, of livelihood, of citizenship, of identity, and of public social existence pushes many migrant and undocumented workers into an unchosen collectivity, across nationality and sometimes across traditional ethnic divides⁵², and is one of the primary ways that they have begun to identify with each other as a class. One day while taking a break from potting plants at the nursery, covered head to toe with chemical fertilizers and potting soil, I find myself standing with two women, Teresa from San Luis Potosi in Northern Mexico, and Wendy, a woman from Tapachula Chiapas, in South Mexico near the Guatemalan border. We have been potting plants in the sun, it's not too hot but it has been a long day. We overhear another work group about 50 yards away,

⁵² This is complicated, though. While some of the distinctions between indigenous and *ladino* people that have been deeply drawn in places like highland Guatemala and Chiapas begin to loosen, especially among the second generation, in the United States, it is arguably through a process parallel to that of *ladinization* (lamented as ‘indigenous culture loss’) in Mesoamerica itself. And for populations such as those from Southern Guerrero or Northern Honduras with substantial Afro-indigenous mixing, new forms of anti-blackness may be rising for Mesoamerican migrants when they come into contact with legacy white-black segregation in the United States and are expected to ‘choose sides’ upon arriving in the US (see Ribas 2016).

speaking in another language. Teresa says, “*están hablando diálecto*” (they are speaking a ‘dialect’)⁵³. Wendy says, “they’re from Guatemala.” And all 3 of us stand and look across the field while Wendy recalls, “They suffer so much! We suffer when we come here, but those poor people suffer the most” (“*Como sufren. Sufremos cuando llegamos aqui, pero ellos pobrecitos sufren mas*”). Wendy remembers her grandmother’s home in Tapachula, along the train tracks where Guatemalans, Hondurans, and Salvadorans catch the dangerous freight train known as “La Bestia” to come up to the US. “How they abuse the people there,” she goes on, “what awful things they do- they kill people and rob from them and rape women and harass them, and then the [Mexican] immigration police come in and start all over again.” She says there was a time as a girl when she encountered these 10 Salvadoran men who said that they didn’t have anything to eat, that they had been hungry for some time. And she gave them 80 pesos, 8 dollars or so, so that they could, between them, get some food, and she told them “be smart, spend it well.” And she says that right after that, she saw the Mexican police pull up to them, right in front of those migrants, and stop them. And she had the most awful feeling as she watched how the police treated them, and “on top of everything else, they took the money.”

In moments like these, migrant identity begins to approximate class solidarity, as women from northern Mexico and southern Mexico bond together as they reflect about what the migration is like for the Guatemalans, and how they, in turn, also suffer. And those women recommit themselves to the belief that none of us deserve to suffer, the recognition that all of us suffer but some of us more than others, and also that our paths converge here in the nursery. In

⁵³ Linguistically speaking, there are dozens of distinct indigenous languages in Mesoamerica. In this conversation, Teresa is using the term ‘*dialecto*’, a general term for those languages widely used by both mestizo and indigenous people in the region. Most linguists understand *dialecto* to be a racist and diminutive term for those languages, which diminishes the cultural legitimacy and validity of the dozens of mutually-unintelligible languages spoken by dozens of indigenous groups, but I preserve it here as a reflection of the more-common Spanish term for those languages in everyday usage.

moments of imaginative solidarity, especially once in the United States (where everyone without papers is vulnerable to a traffic stop or workplace raid), that class consciousness transcends national boundaries; it was, after all, the Mexican migration police and Mexican gangs that harass the Central Americans as they passed through Wendy's neighborhood in Chiapas, but Wendy identified with the Salvadorans rather than with her own Mexican neighbors.

On the other hand, the affliction of 'illegality' is often felt so uniquely that it makes broader identification and imaginative solidarity with other exploited rural workers difficult. To the degree that some undocumented plantation workers bond with one another across ethnic, national, and linguistic differences, an implicit difference also emerges between those who have directly experienced the unique horrors of the deportation regime and those who haven't. To the accumulating dispossessions suffered by indigenous and mestizo farm workers, in their countries of origin, along the migrant trail, in the expanding immigration prison system, and in the confinement of the plantation, is thus added one more: what Kasmir and Carbonella (2008) call 'disorganization', the fragmentation of working populations from one another and a breaking of the bonds of broader class solidarity. In the case of middle Tennessee nurseries, the migrant solidarity that has emerged in response to the deportation regime is both a powerful resource in bringing together millions of workers into an unprecedented sense of unity and common purpose, and also a profound separation from the other dispossessed workers who otherwise might have been their most natural class allies.

Nevertheless, even though 'deportability' as a mode of labor control was designed specifically to divide undocumented workers from their citizen co-workers, a broader view of the 'deportation regime' framework also sheds light on the forms of surveillance and forced

expulsion used to terrorize (primarily Black and white)⁵⁴ US citizen agricultural workers in Tennessee. In the nursery, many of the workers are looking over their shoulder, scared to lose the job or get on the boss's bad side, because their conditions of parole or probation require them to 'get to work or go to jail' (UCLA Labor Center 2016). Nearly 5 million people live under judicial supervision in the United States,⁵⁵ including so many of the nation's US citizen farmworkers that in some areas it is virtually assumed that US-born workers in the fields have some kind of criminal record (see, for example, my experience with tobacco and vegetable employers in Chapters 4 and 5). A 2016 article from the UCLA Labor Center quotes a drug court exchange that illustrates how parole has developed alongside other tools of mass incarceration to fill the gap left by explicitly race- and class-based vagrancy statutes:

[Judge to the employer:] Okay, I'll make a deal with you, you take him back and I'll add another weapon to your arsenal. If he doesn't come to work when he is supposed to, doesn't come to work on time... I'll put him in jail, on your say so.

[Judge to the defendant:] Your employer is now on the team of people who are reporting to me. When he calls up and tells me that you are late, or that you're not there, I'm going to send the cops out to arrest you.

(Nolan 2002 quoted in UCLA Labor Center 2016)

⁵⁴ Presumably, the dynamic evolves somewhat differently in areas where there are larger numbers of *mestizo* and indigenous workers with residency or citizenship, or as the younger US-born generation comes of age in the US South – in times and places where the citizenship divide does not map as neatly onto perceived racial difference.

⁵⁵ The argument of parole, probation, house arrest, and other forms of judicial supervision as an extension of the labor-control effects of mass incarceration is further developed in Michelle Alexander's groundbreaking book *The New Jim Crow* (2010), and Doherty 2016

To the degree that the experiences of confinement and control experienced by workers on different sides of the citizenship divide in many ways re-converge⁵⁶ (Wacquant 2010; Gomberg-Muñoz 2012, Zatz 2016), ‘deportability’ can function as a way for employers to differentiate and divide their workforce *or* an axis of common experience, critical distance, and struggle, points which I will expand in my larger analysis of rural Tennessee’s captive labor regime (Chapter 4) and the development of ‘difference’ and class consciousness (Chapter 5).

These four profitability strategies (job insecurity; fluctuating piece rates; treating workers as disposable; and deportability) are not exhaustive, but do give a brief sense of how the nursery both fits into and helps create a broader social world in which rural workers’ options are severely constrained, compelling them to accept underpay and overwork. In the context of a recent change in nursery ownership and a wave of cost-cutting, new dispossessions are re-woven into the everyday experience of exploitation, inspiring widespread grumbling and periodic collective protest, and re-shaping how workers view each other and their possibilities of making common cause in the face of unfair treatment. In the remainder of this chapter, I will focus on how constant overwork interferes with nursery employees’ social lives, structures the relationship between the workplace and the social life of the town, and brings additional profits to large capitalist firms at the top of the retail market.

⁵⁶ Gomberg Muñoz argues that, “unauthorized immigrants and those under the control of the criminal justice system have several important things in common. First, they are disproportionately composed of working-poor minority males. Second, they are excluded from many political rights in the United States. Third, as a labor force, they are underpaid, largely unable to organize for better wages and working conditions, and have limited access to other employment opportunities. Fourth, they are denied access to most public services, making them especially dependent on work. Fifth, they are profoundly stigmatized and held personally responsible for their political, social, and economic marginality.” (2012:348)

“My Life is the Loading Dock”: Boredom and the Length of the Workday

Working hours throughout the nursery are variable and unpredictable. Even at 2 in the afternoon, if someone asks what time we will be able to finish and leave work, supervisors usually answer the same way: “*No sabemos todavia. No nos han dicho.*” (We don't know; they haven't told us). If someone asks whether we will have to work on Saturday or Sunday, we are told we will get an answer by the end of the day Friday. Workers are simply expected not to make other plans, and to schedule everyday needs like babysitters, car maintenance, doctors' appointments, and court dates around the constantly-changing dictates of the nursery.

In mid-April, the bosses roll around the nursery in their pickup trucks to tell the workers that the hours will be extending, and everyone has to be at work by 6 AM and clock out at 6 PM from now on, (3:30 PM on Saturdays). Workers respond to the announcement with silence and nods, one or two joking about how much more money we'll be making now, with ten extra hours in our paycheck every week. As the boss's truck rolls away, the mood turns and production stops while people vent their anger. “They're crazy!” one woman calls out, hitting the side of the compost wagon with a shovel handle. “That doesn't even make sense, we won't even be able to see the plants that early in the morning!” someone else says. Others just mutter, “*esas son horotas*” ('those are some long-ass hours'), and gradually the crew returns to work, comparing notes about other jobs that might be opening up when the tobacco or tomato seasons begin.

Extended hours take an additional toll on families with children, especially the women who are often expected to continue performing household tasks even while working a 12- or 14-hour day. After the word goes around in my potting crew that we'll be working 6 AM to 6 PM, Teresa asks Wendy what she's going to do when she gets home. Wendy laughs shortly, answering “I'll start working again. I'm going to cook, for my husband and kids.” She got up at 5

minutes before 4 AM this morning, to select and lay out her daughter's clothes, prepare breakfast for her husband and her daughter, and pack lunches. This afternoon, she doesn't get off work until 6 PM, a more than 14 hour workday before she gets home to start cooking and working again.

Some nursery jobs like shipping and labeling are particularly notorious for brutally-long shifts, making sustainable personal and family lives impossible. Just before dawn one day, only fifteen minutes after we begin potting the day's quota of raspberry canes, our boss pulls up and shouts out the window for everyone to stop what they are doing and hop in the back of the truck. He takes us to the loading dock, where some stragglers are still slogging through the end of a 24-hour shift loading and packaging plants. Many of the workers have abandoned their posts during the night, exhausted, and many don't show up at the 6 AM clock-in, so management is pulling workers from other departments to cover the vacancies and stay on their shipping deadline.

Veteran loading-dock workers initiate the newcomers with a warning: the loading dock takes over your life. They say that a 17-hour shift (6 AM to around 11 PM) is typical from late April until June, though shifts can famously last more than 24 hours on a long night, and then the work drops to 8-10 hours a day for those who aren't laid off in early summer. None of the workers are paid any overtime pay, though many loading dock workers are proud of their ability to make more than minimum wage by working for a piece rate (usually paid by the cart or by the truck), which sometimes comes to 10 or 11 dollars an hour if you go fast. While moving their things into the barracks, workers arriving from other states are told that the barracks has stoves for cooking, but it doesn't matter anyway because, "*aqui no hay tiempo para cocinar. Puro desvelado*" (here there is no time to cook; you'll be up all night). The housing supervisor says when the season 'really gets going' we'll be working 7 days a week, for 2 months without

stopping, and that we will have to run around during our lunch break in order to wash our clothes or hang them to dry. Even breaks long or consistent enough to run errands are rare, though: on my first day on the loading dock, we take a 15 minute break at 9 AM, a 30 minute lunch break at 11:30 AM, a 15 minute break at 2 PM, a half hour dinner break at 6, and then work continuously without breaks from 6:30 PM to 1 AM, when I finally clock out.

The actual work on the loading dock is done in pairs, riding around in a shared golf cart. Each team is assigned an order from a specific client, and the order sheet shows the location of the store the plants are headed to: my first two sheets were Lowe's stores in Illinois and Ohio. After tagging, stickering, and plastic-wrapping the plants, you arrange the pots, shelf by shelf, on tall, heavy metal wagons hitched behind your golf cart. When building out big orders, you end up hitching 8 or 10 carts together, rolling one after another like a long leafy steel tail or a cobbled-together miniature freight train behind the driver. With as many as twenty pairs of workers navigating their golf carts around the narrow paths of the loading dock, the space is packed with long curled trains of heavy steel carts that suddenly lurch into motion. Everyone has seen someone pinched or gashed by a cart abruptly launching into their leg or their face without warning, and when someone's been hurt recently we try to remind each other to shout out "*carro!*" before hitting the gas, to warn anyone who might be carelessly stepping between carts. Almost all of the loading dock workers are young men, and during the long days and nights they race each other across the loading dock in impromptu plant-packaging competitions, yelling encouraging jokes and insults to each other over the din of rattling steel carts and revving motors.

Omar, a driver tagging plants next to me on the loading dock explains that the worsening shift schedules that loading dock drivers had protested last season happened after a new owner

from Texas or Oklahoma bought the nursery company. As part of the restructuring, the bosses lowered loading dock workers' wages, and it's been harder and harder to find people willing to work around the clock, making things even harder for the group that stayed on. There was a small rebellion, he remembers, last year, and the last straw came when the company announced that paychecks would come every two weeks instead of every week, with a two-week delay, meaning that workers would have to survive on savings for over a month before receiving their first paycheck. "*Mucha gente se decepcionó*" (lots of people felt betrayed), Omar remembers, and a lot of drivers left and didn't come back, forcing the company to switch back to paying every week to retain the remaining workers. But staffing the loading dock has remained difficult with the lower piece rates and longer hours, and the bosses have only been able to get the trucks loaded on time by periodically raiding the other departments for workers.

Omar explained that it's been hard for him to keep going, since he has a wife and a newborn baby at home, who was awake when he got home "early" the night before, at 2 AM, and the baby kept him up the rest of the night until he had to drive back to work to clock back in. He said he used to live down the road in McMinnville, but he moved to a run-down apartment closer to the nursery because the hours are so long, and he didn't feel safe driving 25 minutes each way at 2 or 3 in the morning. He points out that many workers try to ask for permission to leave early, and even more of them simply go home early, come in to work late, or skip workdays when they are too tired or have competing demands for their time. He says that during the height of the season, we can get away with a certain amount of skipping work and coming in late: "*No dicen nada, no castigan, porque se necesita gente ahora. Después, cuando están agarrando cualquier razón para correr la gente, dicen ya no.*" ('They don't say anything, they don't punish you, because they need workers right now. Later, when they're grasping for any

reason to lay people off, they'll tell you that you no longer [have a job]'.] Even when the overtime is 'optional', some workers set everything else aside and chug tall cans of energy drinks to keep going, especially those with families dependent on their income, in the hopes that they'll impress a supervisor and make the cut in the end-of-season layoff. While the decision to work all night on a DeKalb county loading dock is ostensibly a voluntary one, the plantation owners have managed to stack all of the conditions in their favor: excluding their workers from overtime pay, threatening them with layoffs, fine-tuning the piece rate, avoiding all but the most superficial commitments to worker safety, and preying on workers' vulnerability and desperation. These prior arrangements, the fruits of both historical and ongoing "dispossession", grease the wheels of everyday exploitation and make it possible to normalize loading dock workers' take-home pay of \$6 to \$12 an hour for a 24-hour shift.

Boredom and Exclusion from Town

As the demands of a never-ending workday crowd out their other relationships and activities, talking about boredom is one of the main ways that workers express the frustration of alienation from home and work. Cristina, the 17-year-old girl working in inventory, declares daily how much more boring it is here than it was in Atlanta or Juarez, the last stops in her family's search for stable work, because "it's all work here" (*aqui es puro trabajo*). She quit school in order to work full time, and she complains that there isn't anything to do in town, except on Saturday and Sunday nights when she goes to Walmart to see her friends for a few hours.

Each day is a battle in the war against boredom. Silvia has been working here for five years, though this is her first season working year-round. She explains that it's exhausting for her

working out in the cold, the rain, the sun, but that she had to switch from the label room to potting out in the field because “the day goes by faster” (*pasa el día mas rápido*). For that reason, there are two main virtues for any nursery crew member: first, being a hard worker, but second, above all, being able to make your co-workers laugh. Joking is as necessary as lunch, energy drinks, and PVC raincoats at the nursery. Even those without a trace of comedic talent are begged to invent anything even halfway absurd to talk or joke about, to get people talking, babbling, laughing or dancing, and for that moment everything is better because it takes your mind off the physical pain and the emptiness of the job.

The best job is the job that goes by quickly, people say, and much is forgiven in the effort to distract each other from the daily grind. There's a constant buzz of flirtation bordering on or crossing into harassment at the nursery. The banter often turns irreverent, clownish, or sexual, even among socially-conservative workers who might be more reserved in other contexts. Especially in the mixed-gender planting, potting, and field crews, made up of 5 or 6 people, married men and women joke and flirt with each other, make barely-veiled references to visiting each other in their off hours (funny in part because of the punch line: “*what* off hours?!”), and spreading rumors that so-and-so must be tired at work today because he was up having sex all night with so-and-so (the actual punch line: he’s actually tired because last night was a 19-hour shift). This dynamic was even more pronounced in the vegetable farms where I would work picking in later seasons. With some imagination, most vegetables on a farm that grows cucumbers, zucchini, and squash resemble penises. Sometimes the vegetables even have growths or deformations that make them even more dicklike, or in some cases a couple cucumbers fuse together and they're testicle-like. These malformed fruits are a constant pretext for banter, but the meaning of the dick joke is variable, ranging from an expression of jovial camaraderie between

men to a not-so-subtle flirtation between co-workers, to an explicit threat that many women in the fields laugh off in defensive and practiced dismissal calculated to avoid escalation. The vegetable gets picked, someone's name is called out provocatively across the work rows, and the vegetable is held aloft to indicate its similarity to or attraction for the person whose name is being called. Sometimes the vegetable is thrown, sometimes tossed aside, sometimes coddled or treated with exaggerated affection. The dick joke is repeated 10, 20, 30 times a day, between friends, between rivals, as a show of affection, as a tool of harassment. Usually the joke is abbreviated, since everybody knows without even having to look up what it means. In most cases the dick joke is only a brief interruption – it's picked, someone's name is called, someone gives a knowing look around while others giggle nervously, and everyone goes on picking while the group carries on conversation for a minute or two.

While the elements of on-farm dick jokes that embody the sexual harassment and gender violence systematically inflicted on working women are perhaps the most immediately-important explanation, given the epidemic of rape and harassment in the fields (Bergman 2013), workers' overwhelming boredom was the explanation most commonly invoked by my co-workers in the fields. Everybody likes to joke and have a positive upbeat feel for the day, which is a lot easier when you're joking and laughing and talking. But sometimes not everybody has something to talk about, and dick jokes are something that cut very easily across language lines and the diverse experiences of workers from different cultural backgrounds. It is grounded in the actual work- in the course of a work day, you'll inevitably see vegetables protruding many times a day, and it doesn't tax your joke-making abilities much to just shout a name and share it with others. It's provocative, and easy, and accessible, and repeatable. And to the degree dick jokes provide a break from the monotony, they provide a distraction that both reinforces gendered divisions and

also bonds together workers through the collective experience of violating the social mores prevalent outside working hours.⁵⁷

Boredom is, it turns out, a somewhat underexplored element of class theory. Most writing about boredom and capitalism focuses either on boredom as an affliction of the privileged bourgeoisie (i.e. Benjamin 2002) or on the idled worker excluded from the pleasures of consumer capitalism – i.e., O’Neill’s description of boredom as “an enduring affect of globalization” suffered by the homeless and destitute in Romania (2017) –rather than on how boredom is generated by all-consuming and constant activity. In his books *Flammable* (2009) and *Patients of the State* (2012) –Auyero analyzes the “everyday reconstruction of political domination” by observing the “innumerable acts of waiting” inflicted on the urban poor (2012:156). While O’Neill and Auyero’s analyses center on those who are kept idle by the powerful, they suggest that boredom is not a function of (in)activity, but rather an effect of power, a relational experience of disempowerment and alienation from our time, our surroundings, or our labor. At the nursery, we suffer boredom both when we are idle and when we are busy (more to the point, when we are ‘kept idle’ as well as when we are ‘kept busy’), stretched involuntarily between “the stress of the assembly line” and “the boredom of the dormitory villages” (Kumar Sen 2014:86).

Nursery towns are boring places because the town is an extension of the job.⁵⁸ When you live in a worker barracks with a roommate, sleeping on a sheet of plywood, but you never see

⁵⁷ See Ribas 2016 for a nuanced description of sexual banter in a slaughterhouse work setting.

⁵⁸ ‘Boredom’ is also a euphemism sidesteps directly acknowledging the threats of violence that underpin the racial and class segregation of rural towns. In 2006, a Salvadoran family on the Tennessee-Kentucky border found a cross burning in their front yard, along with a handwritten sign that read “in my country maybe, in my Neighborhood, never.” (Tobia 2006)

In the Middle Tennessee tobacco town of Springfield, alderman Ken Cherry proposed banning Latino residents from the town’s public parks, citing a ‘public safety concern’. Just up the road, an ordinance proposed by Clarksville City Councilman Wallace Redd aimed to fine landlords who rent to undocumented workers; Redd

each other during the season because the shifts end five hours before sunrise, ‘home’ is just a place to crash, a place to store your beer, or a place to hang up your spare work uniform to dry in between shifts. As Cristina put it, 'it's all work here' for the nursery workers, *puro trabajo*, and it feels like even the homes and shops only exist as an extension of the nursery, a warehouse and a pantry to maintain the basic physical viability of the workforce without offering them a vibrant and independent social existence. As working hours get longer, there is less and less time for family and leisure, and the ability of workers to create their own social institutions, gathering places, and forms of fun is severely constrained. The boredom we experience during our working hours is thus organically connected to the boredom that we experience in town during our time 'off.'

For the undocumented workers in the crew, there’s another reason why they don’t venture much outside the plantation: the state banned licenses for undocumented workers in 2007⁵⁹ and Southern towns are infamous for police *retenes* (‘checkpoints’) where local officers check drivers’ licenses and immigration papers (Ribas 2016). For nursery workers, a ban on drivers licenses makes driving to or from work, taking family into town for shopping or events, or leaving the area to seek a better job a profoundly risky and potentially costly experience.⁶⁰ Combined with local policies such as 287(g) and 'Secure Communities' that deputize local law

explained the proposal by saying, “we need to encourage them to leave Clarksville.”

⁵⁹ Right-wing politicians argued (and many immigrants agree) that many migrants originally came to Tennessee in the early 2000’s because it was easy to get a drivers’ license here.

⁶⁰ One day at work we heard about the Boston Marathon bomb attack, where a lot of people were injured, and an 8-year old kid was killed. And the first thing I heard someone say was “pray to god the bomber wasn’t a Hispanic.” And a lot of people were talking about how this could make things bad for Hispanics, and I said “why?” and they said; “you’ve never tried to travel as a Hispanic, have you?” Checkpoints start to happen a lot more frequently, the border gets a lot worse, cops start pulling people over and saying 'you don't have documents', when things like this happen. People tell stories about the night-and-day changing experience of being Latino before and after the 9/11 attacks in 2001 (the main justification used during the following few years that led to the ban on drivers licenses for undocumented residents).

enforcement as immigration police, banning drivers licenses effectively means banning undocumented workers from the public street itself, and maintains racial and class segregation (especially in the wealthier suburbs that require a car to drive to) without having to openly spell out race- or class-based exclusions⁶¹. Even when they aren't always enforced, bans from public space and transit routes remind nursery workers of their precarity, communicating both that their presence is temporary and that during the time they are here their access to the city will be severely limited.⁶²

In June, the nursery's busy season tapers off and the bosses tell most workers to move on. As the big box garden centers of the Midwest stop buying, and fewer trucks arrive each day, loading dock drivers suddenly find themselves with nothing but time. We sit outside the barracks in the warming 3pm sun, slumped back on the seats of our golf carts using borrowed flip phones and cheap Androids to try to buy or sell cars to get us to our next job, if we have one. Everyone becomes an amateur labor broker, putting together a crew to seek out work where there is a good piece rate (New Jersey blueberries), free housing (Smith county tobacco), or a caravan with spare seats leaving first thing in the morning (Georgia watermelons). Labor contractors show up

⁶¹ See *Pulled Over: How Police Stops Define Race and Citizenship* (2014) by Epp, Maynard-Moody, and Haider-Markel. On the topic of criminalization as a form of de facto racial segregation, see Alexander's *The New Jim Crow* (2010)

⁶² Marxist geographer David Harvey borrows Lefebvre's concept, 'the right to the city,' as a way to analyze how different social classes remake themselves through remaking of city in which they live:

“the question of what kind of city we want cannot be divorced from the question of what kind of people we want to be, what kinds of social relations we seek, what relations to nature we cherish, what style of life we desire, what aesthetic values we hold. The right to the city is, therefore, far more than a right of individual or group access to the resources that the city embodies: it is a right to change and reinvent the city more after our hearts' desire. It is, moreover, a collective rather than an individual right, since reinventing the city inevitably depends upon the exercise of a collective power over the processes of urbanization.” (2012:4)

Harvey argues that capitalists monopolize the right to the city, “one of the most precious yet most neglected of our human rights,” and deny that right to the working class, whose exploited labor makes both urban and rural areas inhabitable. While the 'right to the city' has typically been used to discuss the class struggle over urban policy in large cities, it is equally applicable to workers' alienation from their own living space in rural towns like Smithville.

unannounced to recruit pickers for shorthanded farms and construction companies, and the walls of the local *tiendas* are crowded with fluorescent papers advertising farm jobs.

Suddenly in possession of free time but with limited experience exploring outside the farm itself, many of the nursery workers still don't go into town. I'm restless and I ask around where there's a spot to shoot pool, catch catfish, or meet girls. "We don't know our way around here" (*no conocemos aqui*), Javier says. "I don't know anything around here except the work" (*no conozco nada aqui menos el trabajo*), admits Carlos. Going fishing, hunting, or camping is out of the question without a guide who knows whose land is whose. The suppression of independent community life is manifested in a sort of learned unfamiliarity, a forced disorientation, a de facto segregation that prevents nursery workers from wandering beyond the workplace. Workers' boredom is difficult to contain, though, and their frustration and their creativity rise hand in hand. Luis, an irrigation worker, pops the trunk of his beat-up sedan one day to show me the giant subwoofer stored inside. He grins as he points out the separate volume line hidden under his dash: "for police", he explains, so that if they pull him over for playing loud music he can turn down the bass without dropping the volume of the rest of the stereo system and hopefully stay out of jail.

When the young men who bunk with me at the nursery barracks say that life in Smithville is *puro trabajo*, their most bitter complaint is that there are no women here.⁶³ Without girls to meet, date, seduce, flirt with, they see no way to create a reproductive place, a place where social life can be rich, multiplying, stable, rooted, and procreative. When a worker leaves work and doesn't show back up, it's often because they 'found a girl'; Mono, who lives in the barracks,

⁶³ See Griffith (2006:145) for a discussion of agricultural guestworkers' struggle against captivity, containment in company towns without independent venues for socialization, and the prohibition of sexual relationships with locals.

spends a lot of his time driving back and forth to Lafayette after he met someone recently. He brags to the other guys in the barracks that he has a “chava” there who *knows how to cook*, and he goes there three nights a week to “cogerme” (get laid) because “se cansa la mano” (your hand gets tired). He pumps his fist up and down in front of his belt to emphasize the point. The next week, when Mono doesn't come back to work, his old roommate, Lorenzo, grumbles, “he's got a girl now! What's he gonna come back here for?! It's boring as hell here!”

While many scholars of social segregation have accurately and bleakly described the exclusion and confinement of modern migrant labor, Harvey and Lefebvre's concept of ‘the right to the city’ (Harvey 2012) provide a useful counterpart to Harvey's concept of dispossession (2005) in that it offers a name, a weight, a political assertiveness, and a positive expression of the aspirations implied by workers' complaints that the nursery is ‘boring’ because it is ‘all work’. That aspiration for freedom and community autonomy, even in a new land, is expressed instinctively but often not assertively; when pressed, workers commonly justify the limitations placed on them by reasoning that “we aren't in our own country” (*no estamos en nuestro pais*).⁶⁴ But workers' complaints of boredom betray a profound attachment to a moral economy where work and recreation strike some balance, where workers' ability to provide for a family and their ability to start or enjoy their family are not contradictory, and where they have some say in reinventing the town that they help to replenish each day through their labor.

⁶⁴ Striffler's 2007 article “Neither Here nor There” suggests the dialectical construction of a ‘mythic Mexico’, an imagined place where Mexican workers in Arkansas slaughterhouses remember or imagine independence, freedom, and in particular the absence of an overbearing legal system that prevents them from drinking in the street- in short, a place where they can freely “be Mexican”.

Nursery Capital and Hyper-exploitation

Workers' complaints about the boredom of life in a nursery town reflect their frustrated claim to a satisfying community life in the place that they have helped to build – and, implicitly, their hope for a reversal of the several dispossessions they have been subjected to as a consequence of their employers' quest for additional profit. They express an anger that they are treated as disposable; that they have to spend so much of their precious time working, seeking work, or waiting for work; that they are denied the basic freedom to build a full life without harassment or confinement. Those complaints indicate workers' resignation to the nursery world as it is, a world which they one day hope to escape; they also express, however tentatively, the aspiration for a rural life that is less exhausting and exploitative, where workers can make a living without having to sacrifice their bodies or their freedom.

Day-to-day, most workers vent their frustration at their immediate bosses rather than the distant owners of the company. They're much more visible, and you can tell who's a boss by looking at them. They wear clean clothes, while we are dirty head to toe. Our skin is covered by bandannas and long sleeves to keep the sun off, but the bosses have bare arms and necks, because they sit in a car all day, and they have shade, they don't have dirt flying at them. While the workers all wear second-hand hooded sweatshirts and jeans from thrift stores or church donation racks, the bosses wear clothes with name-brands: Hollister, American Eagle, fitted caps, boot-cut jeans. Most of the crew leaders are Latino men, and most of them speak some English⁶⁵. Those crew leaders act as intermediaries with the English-speaking bosses, while most of the field workers can speak just a little English. The bosses have cars (trucks, mostly) and they

⁶⁵ Although most of the office staff are white, almost all of the crew leaders that run the farm are Latino. For most workers, white managers exist somewhere higher up but are not really in any kind of significant contact with them. Specific Latino workers have been promoted to run all of the main operations of the nursery, or at least to execute and adapt instructions from above, and are the ones who actually direct the labor of field workers day-to-day.

drive them around the farm on their own schedule. The workers, on the other hand, are transported by others, in pickup beds and on tractor wagons; if we get around the farm on our own it is on foot. Most noticeably, the bosses do little or no physical work. They don't lift things, pot plants, or pick orders, except while training someone, or if they're bored. An overbearing boss that orders others around a lot is a *culero* (asshole), workers say, and we use the word to distinguish between bosses who help us work in the field and bosses who just drive around in their trucks, and between bosses who stress us out by trying to speed us up and bosses who take it easy. Monica, one boss, overhears us one day, and shouts back, insisting- "*no es ser culera! Es que te ponen a trabajar y nadie quiere trabajar!*" (it's not being an asshole! It's that they put you to work and no one wants to work!). She says that if we don't work fast enough, she gets in trouble as a supervisor and her boss will come after *her* job.

Monica's complaint that her job is on the line too may fall flat for most nursery workers but it also redirects our attention in the right direction: up. At Berry, the exclusion of workers from overtime pay and other rights thus primarily benefits the capital-accumulation strategy of two allied groups: an absentee private equity firm, and some of the largest and most profitable big box retailers in the country, whose brands are displayed on the plants months before they are even formally purchased by the retailer. These two beneficiaries play the extremes of visibility: Insight Equity is entirely unknown by workers in the fields, while the retailers are dramatically and immediately obvious. Workers on the nursery loading dock spend their days slapping big box brands onto plant after plant, and the retailers' just-in-time logistics combine with Tennessee's erratic spring weather to exacerbate the already-unpredictable working hours of the rush season. Workers labor over concrete, under rain, labeling Junipers, Lilies, Figs, Phloxes, Pachysandras, and Arborvitaes with the Walmart logo, the Home Depot shelf price, or Lowe's

UPC barcodes. The products are grown to retailers' specifications, and workers are often instructed to do things differently because one of the buyers 'likes it better' some other way – integrating us directly into their retail-preparation process as we assemble ornate decorative tags out of complex assemblages of plastic struts and glossy poster paper.

Because Berry qualifies as an agricultural operation, private equity investors and big box retailers are able to pocket the considerable surplus value produced by workers during their 12-, 14-, and 24-hour shifts without having to navigate the partial barriers in place to temper hyperexploitation in other industries. The mystique and legal exceptionalism of 'agriculture' thus becomes a key pillar in Berry's political economy of ornamentation, or, borrowing a phrase from Anna Tsing, an 'economy of appearances' (2005). It is as important for Berry to continue to brand itself as 'agricultural', to acquire the substantial subsidies conferred by the law on 'agriculture' as a 'beneficent enterprise', as it is for Berry to brand its specific products for easy consumption. Working at an industrial nursery is working at a warehouse with no roof, but 'agriculture' makes farmworkers ineligible for even the meager rights that other warehouse workers are entitled to.

In their advertising and their industry magazines, Berry deploys a typical neoliberal narrative to obfuscates the directional flow of power and resources through appeals to the consumer as sovereign. “The consumer is king, all the time,” asserted Berry CEO Randy Roush after he took control of the company in 2012.⁶⁶ But Roush also asserted that,

⁶⁶ The Dallas Business Journal reports that after 24 years working in publishing and telecommunications, Mr. Roush prepared to lead the nursery industry's largest wholesaler by spending six months reading, as well as visiting a few big box garden centers “to see what customers were drawn to and how Berry could attract more green thumbs.”

“people are sometimes clueless, and unless they’re expert gardeners, they really don’t know what to do [...] What we are doing, we are looking together with the retailers at ways to direct them to the right things. Whether it’s signage, if it’s easier, simpler tags in the pots — all those types of things [...] A consumer is making that decision based on the little tag that appears in a pot. ... We’re basically selling a promise.” (Mlynski 2012)

In Tennessee agriculture, promises are made to customers (not to workers), and owners invest in brands (not in communities). And for the excluded workers whose labor makes the industry profitable, wealth is something that flies in and out on an airplane: David has worked at the nursery on and off for a decade, and on the first day of orientation he turns and confides, “sometimes the owner of the company flies in from Oklahoma ... He's a very rich man ... when he visits, it's like the president visiting.”

Some of the wealthiest firms in the country thus reap the subsidies ostensibly reserved for the ‘beneficent enterprise’ of ‘family farming,’ while workers suffer daily dispossessions through the loss of stable employment, the manipulation of piece rates that leave them overworked but undercompensated, the degradation of their bodies through normalized exposure to occupational hazards, and the control and surveillance of the intensifying and multifaceted ‘deportation regime.’ Some of these forms of dispossession are experienced more ‘evenly’ by workers of different racial and national backgrounds, like layoffs and monetary losses due to changing piece rates, whereas several are felt much more uniquely, like the Latino workers who are much less likely to be offered medical care after an injury, or undocumented Latino workers who are uniquely vulnerable to deportation while white and Black co-workers may experience similar threats of control due to parole conditions but experience those threats as highly distinct. The

‘boredom’ and confusion felt both by English-speaking workers out of their element in a Spanish-language workplace and by overworked Latino workers excluded from the social life of the community function both as a dispossession of workers’ broader capacity and desire for fun and human connection, as well as a wedge of ‘disorganization’ that keeps co-workers from developing deeper relationships of trust and collective interdependence. In the following chapter, I will explore in much greater detail how a combination of hostile neglect and criminalization by state officials (and even ‘progressive’ social service agencies in what I call the ‘para-state’) collaborate with growers to maintain a captive labor system which aims to keep labor immobilized, productive, and subordinate. And then in Chapter 5, I will turn to the question of ‘difference’ and ‘disorganization’, examining how forms of dispossession like systematic preventable injury and vulnerability to deportation impact workers’ understandings of their relationships to other working-class people.

CHAPTER 4

Captive Labor and the State on 21st-Century Plantations

“We don't know how to find [migrant farmworkers] – we can't just drive around all day looking for a farm up in every holler.”

-US Department of Labor official in Tennessee, 2013

Since the 1970's, U.S. workers and their organizations have struggled to cope with neoliberalism and deregulation. During the last four decades, business owners have succeeded in undoing many of the New-Deal era gains won by past generations of workers, such as minimum wages, workers' compensation insurance, and collective bargaining. The neoliberal process, often named as ‘deregulation’, has been imposed on workers through a variety of means, including hostile neglect (e.g. letting minimum wages stagnate into irrelevance by refusing to raise them in response to inflation); new legislation actively dismantling existing protections (e.g. laws prohibiting collective bargaining or gutting the workers' compensation system); and also by capturing, dismantling, and defunding the state mechanisms of investigation and enforcement that working-class movements had partially and temporarily succeeded in bending to meet their needs. This employer-class movement has brought tremendous profitability to a small number of business owners, but disaster for most workers, who have seen the disappearance of stable employment that pays a living wage and benefits sufficient to maintain a household, the collapse or retreat of many unions and working-class organizations, and the withdrawal of state agencies that once defended workers' gains (Harvey 2007).

But in the rural plantation economy, especially in the South, state institutions have never embraced ‘New Deal’-style regulation. In Chapter 2 I described how New Deal-era battles over the definition of ‘agriculture’ became the latest in a series of planter-class strategies used to differentiate rural workers and defend ‘vagrancy regimes’ which had secured captive workers for plantation labor since the collapse of post-Civil War movements for full Black emancipation. After New Deal legislation left farmworkers ‘excluded’ from labor protections, growers repeatedly mobilized to prevent the victories of the 1930’s from extending to agricultural workers, and when some partial measures did succeed in becoming law, such as the Farm Labor Contractor Regulation Act in 1974 or the enhanced H2-B ‘guestworker’ rules in 2012, growers’ associations immediately acted to block their implementation.⁶⁷ In the context of a liberal state presiding over a gradually-expanding social welfare regime, farmworkers’ problems came to be understood in terms of their ‘exclusions’ from otherwise-widespread labor protections (Goldberg and Jackson 2011; Excluded Workers’ Congress 2010) and their employers’ ability to avoid becoming subject to ‘regulation’ (i.e. Murrow 1960; Thompson and Wiggins 2002; Katznelson 2013). And since the 1970’s, mirroring ascendant free-market intellectuals’ characterization of their neoliberal project as a triumph against ‘regulation’ and ‘government interference’ (Friedman and Friedman 1990), many critics of neoliberalism tend to emphasize how increasingly precarious employment and increasingly mobile capital are a kind of ‘abandonment’, signaling ruling elites’ divestment from the wage-dependent workforces that they and their predecessors created and dominated (e.g. Davis 2006; Bauman 2003).

⁶⁷ The 2011 H2-B visa program overhaul sought to implement a ban on paycheck deductions for tools, visa expenses, or transportation; remedies for blacklisting and retaliation against workers who seek assistance in defending their rights; and a revised calculator for pay that would have resulted in a more than \$4/hour raise of the wage rate. See below for a discussion of the legal battle over these provisions.

This chapter argues, in contrast, that the myth that farmworkers are an ‘abandoned’ or ‘forgotten’ people who suffer in the absence of state intervention reveals a profound misunderstanding both of the extent of the special attention inflicted on rural laborers and of the overall needs of employers in the plantation economy. Building on the work of Cindy Hahamovitch (2011), who characterizes the process of dispossession not as a ‘freeing’ or ‘abandonment’ but as an ever-tighter embrace of diverse groups of exploited workers, I argue that employers are able to degrade farmwork and hyperexploit farmworkers not just because of government ‘inaction’, but also as a result of government ‘regulation’ and arrangements that allow growers to contain and capture state regulatory power while exercising governing power themselves across large expanses of rural countryside. Neoliberalism is not really about ‘deregulation’ or the ‘shrinking of the state,’ but rather in whose interests the state is committed to intervene.

As I tracked in detail in Chapter 2, the fundamental challenge for Tennessee plantation owners since the eighteenth century has been, first, how to capture a ‘reliable’ labor force which can be put to work for a cost low enough that the enterprise makes a profit, and second, how to prevent that labor force from leaving or stopping work during the most vulnerable /profitable moments of the season. Plantation owners have designed and implemented a legal system premised on ‘racial capitalism’ to govern and ‘differentiate’ farm laborers in each historical period to meet these two fundamental needs—beginning with systems of indenture and enslavement; evolving into peonage, convict leasing, vagrancy laws and regulations prohibiting ‘enticement’ and ‘contract fraud’ in the post-emancipation period (Robinson 1983; Hahamovitch 1997; Black Ink 2020). Each of these captive labor systems have now been prohibited by law (Mancini 1996; Blackmon 2008; Goluboff 2016), but plantation employers continue to depend

on their ability to make their laborers *come* and *go away* at will, and have devised three major new forms of captive labor which remain legal: the ‘deportation regime’ used to terrorize undocumented and ‘less-documented’ workers by incarcerating and deporting some of them (De Genova 2002); the prison work-release system with parole requirements that obligate workers to ‘remain employed’ in order to remain free (Zatz 2016), and single-employer ‘guestworker’ programs which assign rights only to those who remain in good standing with their employer (Binford 2013; Hahamovitch 2011). This chapter will evaluate how that multifaceted captive labor system shapes the everyday lives and class relationships of laborers put to work on the land.

First, I will illustrate how the ‘deportation regime’ terrorizes workers, using two ethnographic examples of Tennessee rural workers engaged in open conflict with their employers under substantially different circumstances. I begin by recounting how an extended family of Guatemalan tobacco workers struggled with the threats of the ‘deportation regime’ as they unsuccessfully sought state regulators’ support in a wage claim against a small East Tennessee tobacco farmer. Then, I turn to the prison work-release system and describe how a diverse group of Mexican and Guatemalan immigrant workers attempted to make common cause for unified action with Black and white US-citizen co-workers in a rural sweatshop, challenging both the ‘deportation regime’ used to threaten and terrorize immigrant workers and the halfway-house labor program used to immobilize US-born workers with the threat of re-incarceration. These two examples allow us to compare the difference ‘agricultural worker exclusions’ make, as well as how state officials’ failure to enforce minimum wage and workplace safety protections transcends ‘agriculture,’ limiting rural workers’ ability to demand dignified treatment and compelling them to continue working for employers who break the law with impunity. Second, I

demonstrate how State agencies' pattern of direct worker outreach followed by 'hostile neglect' captures worker complaints while creating a distrustful distance between hyperexploited workers and their supposed 'defenders', isolating workers from each other and enabling employers to establish totalitarian control of life and labor on their plantations. To illustrate the sources of this distrust and isolation, I examine the way elites have coopted key institutions established in the New Deal (the Social Security Agency, National Labor Relations Board, and Department of Labor) and then draw on interviews with state Department of Labor officials to explore how actors in the larger state apparatus justify their own refusal to enforce existing labor laws and sidestep the task of defending Tennessee's rural workers from abuse. I also use my observations of federally-funded legal service providers as an example to show how this same non-enforcement of labor protections infiltrates through the wide array of semi-independent agencies that I refer to as the 'para-state'.

Finally, I explore how workers experience the combined and contradictory threats posed by state regulators, hostile police, and employers as an evolving captive labor regime which severely restricts the rights and ability of 'migrants' to safely move across the landscape, but obligates them to do so as part of growers' strategy to profitably capture their labor in the right place and at the right time. Using the examples of two groups of temporary 'guestworkers' in Tennessee, I argue that the rapid growth of the H2 'guestworker' system, combined with the explosion of the identity-paper economy, constitutes what Don Nonini refers to as a "conjunctural episode" of dispossession (2015), the latest in a series of captive labor systems that growers have turned to as a way to trap workers in degraded agricultural employment. I conclude by evaluating how the contradictory elements of the captive labor system have both 'unmade' the rural working class – by dividing it into selectively and unevenly deprived groups – and 'made'

new class relationships by provoking farmworkers to reshape their collective understandings of what they can expect from bosses, each other, and the state.

Rural Workers in a Regulatory ‘No Man’s Land’

During the summer of 2013, while I was picking vegetables on an East Tennessee vegetable farm, someone passed my phone number to Rolando. Before calling me, regulatory agencies had bounced his case as a referral across several states, and he eventually ended up at *Dignidad Obrera*, a small Nashville-based worker center where I volunteer, after his case was ‘closed’ by an apologetic legal aid attorney who told them that the federal Department of Labor had declined the case and they were out of options. A small tobacco farmer in East Tennessee's Hawkins County owed Rolando and his family members (16 workers in all) a few thousand dollars, and after about nine months of waiting they had lost hope that the farmer still intended to pay them.

I wasn't sure how I'd be able to help, but I had been keeping a lookout for any sparks of worker organizing in the East Tennessee plantation belt where I had been working for the last couple of months, and I drove up to the Virginia border to spend some time with Rolando's family. As we talked in their little rented house in an unincorporated town near Bristol, three generations of the family explained how they had struggled to escape various forms of plantation captivity for the last several decades. Rolando's father Manuel, speaking mostly Akateko, explained how he and his wife Hermelinda had taken their children and fled their small highland town in the northwest Guatemalan *finca* belt during the height of the US-backed genocide against indigenous *campesinos* in the early 1980's,⁶⁸ and in their first years in the U.S. they

⁶⁸ See Lagier 2013 for information on the scale and brutality of the genocide in San Miguel Acatan, and Siegel 1954 for brief notes regarding migrant work of Akatekos on coffee fincas and the Mesoamerican vagrancy regime.

worked picking vegetables and berries in the fields of Central and South Florida, like many other refugees from Central America and Haiti. Each summer in the 1990's they joined migrant crews headed north to pick tomatoes in East Tennessee, and in the early 2000's they settled in Appalachian Virginia/Tennessee after encountering local tobacco farmers who needed extra seasonal help in the fall and winter. Manuel and Hermelinda raised the next generation of their family, Rolando and his siblings, on the migrant trail and then in Appalachian tobacco towns, cutting and stripping leaves for small farmers who put the whole family to work for intensive spurts. Rolando's siblings and their spouses speak to each other in Spanish and to their parents in Akateko. The youngest generation, born here, speaks English with a strong Appalachian accent. When tobacco work is scarce in the off season the family works cleaning, construction, and other jobs in neighboring towns; Manuel works the night shifts cleaning the Target store in Kingsport, where the supervisor shaves a few hours a week off of workers' timesheets and pockets the difference. Manuel shrugs in resignation, saying he figures it's not worth speaking up and risking their boss getting mad and calling immigration or the local police in retaliation. Most of the family members nod in agreement and a few share their own stories of abuse from local bosses who have openly exploited them and threatened to call ICE on them for years.

When he first called the federal Department of Labor, an investigator dismissed Rolando's complaint against the Hawkins County tobacco farmer under the logic that Rolando was a contractor, not an employee (since the farmer had put Rolando in charge of distributing payments to his family members); when Rolando and the other family members called the Department of Labor investigator back, rejecting that explanation and pressing him to re-open the case, the investigator explained that the farm was too small and wasn't 'covered'⁶⁹ under the

⁶⁹ In many ways this is a story about 'coverage', an expression of the *internal* differentiation of US law enforcement. While it is not actually 'legal' to hire someone and never pay them, state regulators insist that enforcement only be

jurisdiction of the Department of Labor. The investigator suggested conspiratorially that Rolando could try filing a claim anyway and hope that the investigator assigned did not notice the details; Rolando sent the complaint in but never received a response. Hearing he might be able to pursue a breach of contract or fraud claim, Rolando contacted the state-level Department of Labor office in Virginia, where he lives, but was told that the case had to be filed in the state where work was performed; he then tried going to the Tennessee State Department of Labor, but was warned that Tennessee's Department of Labor is involved in checking migrant workers' authorization papers so he decided not to call them after all.

Like many other precarious workers, Rolando and his family found themselves in a regulatory 'no-man's-land', where every plea for relief was met by an apologetic dismissal, a self-absolving bureaucrat washing their hands, an unconvincing referral that looked and felt suspiciously like the government was just on the grower's side. They escaped one plantation system, in Guatemala, only to be recruited into another, which captured their labor, absorbed the wealth their bodies could produce, and left them wageless, rightless, humiliated, and enraged. In the end, they received no pay at all for the hundreds of hours they worked, and none of the agencies charged with protecting their welfare indicated any hope that their working conditions might improve in the future.

pursued by the agency assigned by statute to monitor that particular legal provision. The problem in Rolando's case, as in most 'cases' of abuse in the plantation economy, was that 'coverage' tends to be ambiguous. Definitively proving coverage tends to take substantial effort on the part of an investigator, in order to make a case either that the farm is covered because it's involved in the 'stream of interstate commerce' or because abuses were so severe that they amount to labor trafficking, or digging to make a case that the farm had hired enough 'man-days' to pass the 500 man-day threshold. Since the federal Department of Labor typically doesn't put in that kind of effort, usually the only institutions that succeed in winning 'coverage' in ambiguous contexts are specialized legal aid lawyers or especially motivated worker organizations (neither stepped up in this case). In Rolando's case, the last option for enforcement of his wage claim under 'contract law' would be the Tennessee state 'Department of Labor and Workforce Development,' an agency with a weak track record of taking workers' sides in disputes, weak enforcement provisions, and an alarming mandate to check plaintiffs' work authorization status.

Several months later, after a stint cutting tobacco in Smith County, I met with a group of workers who had gone on strike at a rural Bedford County mattress factory to protest abusive treatment by their supervisors. These workers had been involved in a series of work stoppages over the years, but after supervisors retaliated by firing seven assembly line workers and threatening others, the strike grew from a 1-day event to a 3-month community-wide campaign for better treatment and the reinstatement of rank-and-file leaders. A local community organizer and I moved to town to support the campaign full-time. A team of local lawyers and supporters mobilized to support the workers' demands from Nashville, and representatives of the national Food and Commercial Workers union began collecting authorization cards for a union election at the plant. The mattress workers' campaign illustrates some of the advantages available to industrial (non-agricultural) workers engaged in rural labor struggles,⁷⁰ as well as many of the larger limitations imposed by employers, police, and their political allies which served to keep workers afraid, quiet, and hardworking.

Like most rural Tennessee employers, the plant hired a mix of Mexican and Guatemalan immigrants⁷¹ (some with papers and some presumably without), and white (and a few Black) US citizen workers. In the year or two prior to the campaign, at the same time that national

⁷⁰ The sweatshop was located in Shelbyville, a town of 20,000 people and at nearly 25% one of the highest concentrations of Latino residents in Tennessee, largely on the strength of its sizeable Tyson chicken processing plant and proximity to the Middle Tennessee nursery hub of Warren County. Many mattress factory workers were former farmworkers and chicken plant workers and during the duration of the struggle several who were fired for organizing went to work in nearby nurseries, herb packinghouses, chicken catching, and livestock or horse farms. Like Immokalee, Florida (a town of 25,000), McMinnville, Tennessee (13,000), Morristown, Tennessee (29,000) Bainbridge, Georgia (12,000), Forest, Mississippi (6,000) or Kennett, Missouri (11,000), Shelbyville is a key site in linking rural 'agricultural' labor markets and rural manufacturing and service economies.

⁷¹ The considerable majority of the Guatemalan workers are indigenous Chuj speakers from a northwest Guatemalan municipality just a few miles from San Miguel Acatan; the differences of trust, organizing style, and language between the Mexican and Guatemalan workers became a major wedge issue towards the culmination of the (ultimately unsuccessful) union authorization vote.

campaigns for Comprehensive Immigration Reform⁷² raised hopes among the immigrant workforce, two major hiring changes broadened and intensified bosses' leverage and ability to confine workers in the sweatshop. First, in 2012, Tennessee implemented a state law requiring all employers to check the immigration status of their new hires⁷³; this policy blocks off alternative employment options, forcing newly-hired undocumented workers to purchase expensive 'good' identity documents rather than using the 'fake' social security numbers often accepted in the past, and pressures longtime employees to keep a low profile, dreading a call from the administrative office that they need to acquire a 'new' social security number or face termination.⁷⁴ Second, the plant began hiring US citizens, most of them white Southern men, from a cluster of halfway houses in town where former prisoners live in semi-freedom during the most constricted phase of their parole and re-entry process.

On the one hand, the mattress workers' right to engage in 'collective concerted activity,' protected under the National Labor Relations Act, turned out to be a game-changer in providing them some ability to organize openly: over a hundred workers wore handmade union T-shirts to work, interrupted captive audience meetings in the plant, made joint complaints resulting in the

⁷² So-called 'comprehensive' because the proposed reform both benefits and punishes immigrants. Even more significant in raising hopes at this time was the victory of DACA in the Summer of 2012, followed by rumors of the DAPA program granting work permits to parents of US citizen children, which was announced in November 2014 but blocked by a judge three months later and never implemented.

⁷³ The "Tennessee Lawful Employment Act" was signed by Governor Haslam in June 2011, requiring employers of more than 6 workers to *either* participate in the federal E-Verify database *or* perform immigration status checks themselves. A 2016 amendment to the law dropped the second option and simply mandates the use of E-Verify <<https://www.shrm.org/resourcesandtools/legal-and-compliance/state-and-local-updates/pages/tennessee-employers-e-verify.aspx>>

⁷⁴ While the support of the union and access to the legal apparatus that protected their right to organize was a tremendous resource to the mattress workers, many of the Latino workers began to worry that unionization would lead to firing of workers without papers, since many of them insisted 'they had never seen a factory with a union that hired Hispanics'. Though the union representatives who came to meet with the workers attempted to deflect those fears, saying 'we represent the worker, not their social security number', union reps stopped short of committing to a developed strategy to fight E-verify enforcement at the plant. In private, some of those union officials acknowledged that the plant might start cracking down on work authorization if they got a union contract, but advised me to focus on the positive in my own conversations with workers.

firing of three particularly-hated managers, and flyered and marched during clock-ins. Workers were also able to win protection in the face of company retaliation, when all seven workers fired during the campaign eventually won their jobs back as a settlement of an Unfair Labor Practice charge filed with sympathetic NLRB officials in Nashville.⁷⁵ On the other hand, both citizen and non-citizen workers faced many of the same forms of surveillance, intimidation, and control perfected in the plantation labor system. In addition to the threat of deportation faced by immigrants in the plant, many of the US-born workers complained that their supervisors used the threat of jail and the requirements of their work-release programs to keep them working even when they wanted to walk out with their co-workers in protest.

The workers' organizing committee recruited me to help translate organizing conversations between Mexican and recent white hires who were sympathetic to the union, many of whom described a system of surveillance and control reminiscent of the 'deportation regime' faced by their undocumented co-workers (Wacquant 2010; Gomberg-Muñoz 2012, Zatz 2016; UCLA Labor Center 2016). In a trailer park behind the plant, Jim, who had been on parole for around a year while working at the plant, said that he had wanted to walk out with the other workers on strike months ago, and he had put down his tools and was turning his station scanner in to his supervisor to walk out too, when a manager rushed up and shouted that if he walked out they would straight away pick up the phone and call his parole officer. Jim stared at his big, empty hands, shaking his head. "I decided to stay and keep working," he said, "instead of calling their bluff," but was happy to sign a union authorization card. A Quality Control worker named

⁷⁵ Just as importantly, the legal team mobilized a memorandum of understanding between ICE and the NLRB which committed ICE to a 'hands-off' policy, gambling that the Obama administration would honor a mostly-untested policy protecting workers from immigration enforcement for the duration of a labor dispute. The legal team also experimented with forms of immigration relief (especially U-Visas) that could help workers win residency if they suffered illegal retaliation at the hands of their employer during the campaign. Both avenues seemed promising during the second Obama administration but have been mostly foreclosed in the subsequent Trump administration.

Tom said he wanted to see changes as much as anyone, but that he can't take the risk of losing his job: "I've got three felonies on my record, I've got 3 kids, and I have house payments," he explained; "they pay me \$8.25 an hour but I don't have the option of finding another job." I caught Dave, another of the white workers, on his smoke break, and he told me that he lives at a halfway house and drives the carpool for 3 or 4 other guys. He felt like the work was wearing him down, but he said he couldn't come to any of the worker meetings because the halfway house and parole officer put restrictions on where he can go, so he set up to secretly meet me in a McDonald's parking lot ten minutes before clock-in at dawn the next morning while the other guys were grabbing breakfast, in order to sign a union authorization card without anyone seeing him.

Partly out of sympathy with the risks faced by their co-workers, and partly out of pragmatism, some of the Latino workers began to shape a message that they thought would be more palatable to the white workers who were beginning to join their movement. While I was helping edit a publicity video cut from worker testimonies Jeremias, one of the Mexican workers who was fired for organizing a strike, told me to cut out the testimonies, mostly from Latino workers, about racial favoritism in the factory. "There's white people with us now," Jeremias said, shrugging, "and they're not going to want to hear that." While it may seem like a reversal of the typical racial hierarchy documented in many workplaces across the country (i.e. Holmes 2013), the Mexican workers' avoidance of a racial-favoritism narrative is also rooted in the relatively unprivileged position of white workers within the factory: around half of the Latino workers in the factory worked for variable 'piece rates' that might make them \$10-\$15 an hour on a good day,⁷⁶ while most of the US citizen workers worked at or just above the hourly

⁷⁶ See Chapter 3 for a more developed discussion of the prickly issue of piece rates; at least in the context of this factory, while piece rates were highly contested (pretty much every piece-rate worker was convinced the rates were

minimum wage of \$7.25; in terms of wages and mobility, the white workers in the factory often complained that they in fact suffered the brunt of racial disparity and in many respects they did, working at the bottom of the wage hierarchy in a factory where the middle-management who interacted with shop floor employees were largely Mexican men.

During the Bedford County campaign, I helped the organizing committee compile and analyze hundreds of safety violation and injury complaints reported by workers in the factory. The complaints included traumatic injuries including hearing loss, major puncture wounds and broken bones from nailgun accidents, back injuries from prolonged heavy lifting, and assaults and harassment by supervisors. Many workers shared stories of being denied medical care for their injuries and being mocked or threatened by supervisors when they tried to get care, like Simon, who recalled an accident when a foam saw deeply cut all eight of his fingers, and after being left to find his own ride to the hospital and making his way back to work, “the manager mocked and made fun of me, when I wasn't even able to eat with my own hands.” Another older worker, Gerardo, remembered “one night while I was cutting a big wire and it came apart cutting my right wrist,” after which “they never sent me to the hospital, they just came and gave me medicine and said that will scab over quickly, and I had to keep working, still bleeding out of my wrist, out of necessity.” Julia, a white former safety compliance officer who had quit in disgust after raising concerns about widespread safety violations, recalled that the “running joke” among factory management was that no one would dare call the “toothless” Occupational Safety and Health Administration (OSHA) to complain since so many workers weren’t citizens. As she put it at the time, “there's absolutely nothing stopping a supervisor from picking out someone they

manipulated and their paychecks were being shorted), the piece-rate positions were the most highly-coveted in the factory and many of the American citizen workers complained bitterly at their exclusion from the piece-rate crews. See Chapter 5 for more about racial differentiation and collective grievances in this mattress factory.

don't like and stomping them to death, basically.” Sitting in her living room at her small farm outside town, Julia described the federal OSHA whistleblower paperwork that she filled out and kept sitting on her desk for months, as she weighed whether it was worth risking that management might retaliate against whistleblowers by closing the factory. She never did send it in but in the end, she reflected, it might have been better for the plant to just shut down: “they're eating them up in a machine anyway.” The report compiled from these hundreds of testimonies was never released, because the agency tasked with monitoring factory occupational safety rules, the Tennessee Department of Labor and Workforce Development, is the same body that enforces rules banning the hiring of undocumented workers. After multiple attempts, the workers’ legal team was unable to get a commitment from the state labor department that the safety complaints wouldn’t trigger a larger immigration raid, and the workers’ legal team decided to shelve both the formal complaints and the public report. Months later, workers had won the firing of several hated managers, fired strikers had been reinstated but had lost the union election, and the team of supporting organizers and lawyers gradually disbanded as workers hunkered down to return to the normal, everyday struggle of getting through the workday without losing a limb to a faulty machine or hours on their paycheck to an unscrupulous supervisor.

In the case of Rolando’s family of tobacco workers in Hawkins County, as well as during the Bedford County mattress factory struggle, workers had approached state officials with hope that their claims would be vindicated and their law-breaking employers punished. In the end, Department of Labor investigators rebuffed the tobacco workers entirely, while the rural sweatshop workers were substantially protected by one major federal agency, the National Labor Relations Board, and undermined by two state-level agencies: the Tennessee Occupational Health and Safety Administration and the Tennessee Department of Labor and Workforce

Development. These examples demonstrate how the degradation and control workers suffer emerges not just from the original sin of the New Deal ('exclusion' of some workers) or from 'deregulation' but from the co-optation of those New Deal institutions themselves, ostensibly designed to protect workers, by employers who have remade 'regulation' as a way to maintain their class power throughout the rural South. In the next section I will use interviews and observations of state regulators to suggest a framework through which to understand how 'exceptions', regulatory withdrawal, and direct state violence have nourished the continuation of the captive labor 'vagrancy regime' on the 21st century plantation.

“Why Doesn't the Government Do Something?”: Hiding Captive Labor in Plain Sight

It can be tempting to mis-characterize the troubles of rural workers simply through a vocabulary of inaction; the literature on farm labor is peppered with references to neglect, invisibility, and people who have been 'forgotten' or 'left out' or abandoned. This misrecognition of the machinery of exploitation helps to explain why many urban-dwellers, when they first encounter information about the widespread abuse of farmworkers, ask some form of the above question: why doesn't the government get involved, make some laws protecting vulnerable workers, or enforce the laws currently on the books?

While the physical dispersion of farmworkers in rural areas and their absence from urban consumers' imagination does isolate workers and is a major problem that farmworker organizations struggle against, farmworkers have not been forgotten or neglected by the law. Rather, farmworkers are pointedly, frequently, and repeatedly selected for special forms of coercion and actively excluded from legal frameworks that ostensibly exist to protect workers from the worst forms of exploitation and abuse (Hahamovitch 2011). While this exclusion may

sometimes ‘look like’ neglect, and in many cases is explained that way by state actors as well as advocates, it is instructive to analyze ‘exclusion’ as an active process— which requires ideological, political, and physical work from decisionmakers at political institutions to low-level bureaucrats. In this section, I will draw on interviews and observation with the labor regulators and policing agencies (often merged by recent legislation) and rural legal service providers who are tasked by the state with defending farmworkers’ wellbeing, to show how state actors accomplish the differentiation and disorganization of broader class relationships among rural workers, and how that effort is disguised as normal, passive, and even accidental.

Capturing the State through ‘Exceptions’

The National Labor Relations Board, the Social Security Administration, and the Department of Labor’s Wage & Hour Division are the three main New Deal agencies designed to enforce (and contain) gains won by militant unions during the worker rebellions of the 1930’s. These institutions were purportedly designed as social democratic pillars that would forever enshrine workers’ right to collectively bargain and form unions without retaliation, the right to assistance during major life hardships, and the right to be paid at or above a minimum wage for a regular 40-hour workweek, with a bonus for any “overtime” hours worked past 40 hours in a week. As discussed in detail in Chapter 2, farmworkers were excluded from all of these provisions in the 1935 National Labor Relations Act (NLRA) and Social Security Act (SSA) and the 1938 Fair Labor Standards Act (FLSA), due to ultimatums from Southern Democrats and California growers who wanted to take a stand against racial equality and safeguard their profits by excluding millions of black, white, and Mexican workers from the new protections. In the subsequent decades, each of the legal regimes created by these three layers of New Deal

‘protective legislation’ would become, directly or indirectly, tools of employers in keeping rural workers divided, disorganized, compliant, and confined.

The Federal Department of Labor

The Federal Department of Labor (DoL), which is supposed to enforce the Fair Labor Standards Act (FLSA) and Agricultural Workers Protection Act (AWPA), is thus the primary federal institution tasked with monitoring those workplace abuses that farmworkers do have formal recourse for addressing. But in practice, the DoL is highly ambivalent about its role. Sympathetic observers point out that the DoL has been systematically and intentionally starved of resources, resulting in understaffing, unsustainable caseloads, and long response times (Gordon 2009; GAO 2009). In 1973 Congressional hearings, one Department of Labor official testified that they were unable to enforce labor laws because “we do not have a Spanish-speaking compliance officer” (Whittaker 2007:37), and many Department of Labor offices, especially in the South, are no more language-competent today.⁷⁷

Excerpts from an interview with Russ⁷⁸, a federal Department of Labor (DoL) official in Nashville, demonstrate how the limits forced onto the DoL by hostile legislators have translated into a less-ambitious enforcement culture among investigators, whose commitment to protecting farmworkers is diminished by their sympathy with small farmers and their resignation in response to chronic underfunding mismatched to the scale of their task. Russ began by

⁷⁷ On one occasion in 2014 I was accompanying a Guatemalan worker, bilingual in Spanish and an indigenous Mayan language, to the Nashville office of the EEOC, the DoL division responsible for handling racial and national origin discrimination cases. She had to take off work, arrange child care, and take the substantial risk of driving without a license into an unfamiliar county to come to the DoL office and give a statement regarding the harassment and discriminatory firing she had endured from a supervisor. When the time for her appointment came, the investigator come out into the waiting room and apologized, saying that there was no one who speaks Spanish on staff, and so they are currently unable to do any intakes at all unless the worker speaks English.

⁷⁸ A pseudonym

complaining that his Wage and Hour Division office has always received far more wage complaints than they can handle. He attributed this caseload problem to the fact that there is no state-level wage law in Tennessee⁷⁹, leaving the burden of investigation and enforcement burden entirely on the federal agency, and leaving Tennessee workers with extraordinarily long wait times.⁸⁰ Leaning conspiratorially over a conference table in the Nashville DoL offices, Russ revealed that the DoL only has 8 investigators in the Nashville office – he chuckled, saying some businesses think the DoL is lurking around every corner, and do not realize how understaffed the regulatory agencies really are. When the DoL do find violations, Russ said their mission is ‘general compliance’ through attempting to persuade employers to cooperate, rather than punishing employers or winning back wages for workers in individual cases. He said that their internal office rule is that the first investigation is used to ‘educate’ the employer, with no fines unless they find something tremendously abusive happening.

When there are problems, according to Russ, they originate not with the “American” or local bosses, but with immigrants and those who come from other states. “Some of the ethnic employers are incredibly abusive,” he said; “I’ve read some of those books out of Florida and that sounds really scary to me. But it’s not like that here.” I asked why he thinks things are different in Tennessee, and he muses, looking to the side reflectively, “it [agriculture] is *smaller* here – and I think people are more *human*.” He speculated that the Mexican and Guatemalan bosses, who he associated with Florida produce crews, are the real problem: “those people are practically gangsters... but Tennessee is different.” The “little tobacco farmers,” he allowed, do “hoodoo the workers a little,” but he asserted that the big tomato farmers treat people right

⁷⁹ Tennessee is one of five states, all in the South, with no minimum wage or overtime law.

⁸⁰ An internal Government Accountability Office reports from 2009 gives extraordinary detail into the failures of the DoL to prosecute, investigate, or even keep records at all of worker complaints of their employers’ law-breaking.

because they're on a tight harvest schedule and can't afford to have problems. When I asked about workers who are fired or blacklisted for organizing or filing complaints, Russ gave a blank look, paused, and said "we're not really aware of it." He thought for a second, and went on to say that blacklisting doesn't occur much because "the good farmers – which is most of them – really value these people". He said that "[the Legal Services lawyers] are always saying 'these [farmworkers] are so scared', but that hasn't been our experience."

Russ explained that the vast majority of labor violations are never brought to the DoL, and that "we mostly rely on people like you...who are out there and establish relationships with the workers, and people tell you things about the housing conditions,⁸¹ or you see a violation". DoL investigators rarely venture for prolonged periods of time into the fields, and most of their visits to rural areas are pre-announced and arranged with the employers, "especially if it's 2 or more hours outside of Nashville, so that it doesn't end up being wasted time" if the boss isn't there to give the DoL access to the business' books. He says that his habit of pre-announcing visits is "just being practical", but it gives employers a chance to clean up and hide violations, as well as to coach and threaten their workers, long before the DoL investigator actually shows up, allowing bosses to control the scene of the investigation. Russ talks about one legendary investigator in East Tennessee who "wanted to actually live in farm country", and he raises his eyebrows and shrugs, before explaining that he really prefers being in bigger cities himself, with 'culture' and a lot of entertainment options.

Department of Labor investigators largely confine themselves to the city, preferring to avoid the complicated maze of agricultural exclusions and distrustful workers who Russ says

⁸¹ The Tennessee state-level department of labor is obligated by statute to inspect farmworker housing across the state, but in Tennessee like several other states the Department has completely abandoned any pretense doing those inspections (Wadhvani 2014).

“lots of times think we're immigration.” That's when the DoL investigators locate the farms at all – Russ shrugs and says with resignation, “we don't know how to find them [farmworkers] – we can't just drive around all day looking for a farm up in every holler.” The overall effect of these constraints, both external and self-imposed, is that the DoL has effectively withdrawn from any serious enforcement of wage and hour laws or other protective statutes in agriculture, and the substantial profits that employers are sometimes able to accumulate as a result of their tacitly-acknowledged privileges of under-regulation are, effectively, a subsidy to farmers paid for by their hyperexploited workers.

The National Labor Relations Board

The NLRB is the main federal agency tasked with protecting workers who attempt to organize or form unions. Arguably the most significant reform of the New Deal years, the new labor relations system facilitated the growth of massive new industrial unions, and during its first decade the number of unionized workers grew nearly 400% from 3 million before the National Labor Relations Act (NLRA) to 14.3 million at the close of World War 2. As described in Chapter 2, agricultural workers were and still are excluded as a class from all the protections of the NLRA, and no equivalent state-level law exists to protect workers in Tennessee or any other Southern state.⁸²

In a context where union organizing was already a dangerous uphill journey, the NLRA's agricultural exemption incentivized labor organizations to selectively abandon rural workers in favor of focusing on growth and density in the urban areas and industries where the NLRA

⁸² Further research might be directed toward assessing the wage gap (the ‘difference’) created between unionizable and excluded industries in the years after 1935, and thus quantify the actual economic impact that partial-unionization had on those workers and industries and farmworkers’ ‘lost earnings’ due to their exclusion.

provided some basic protections from retaliation. The segregation of vulnerable immigrant workers in agriculture thus became both a cause and an effect of the exclusions: unions were less likely to fight to include the Black, Latino, and East Asian workers who did much of the most visible plantation work in the fold of the labor movement in the first place; and because unions were never successful in raising workplace standards in agriculture the way they did in industrial employment⁸³, better-positioned workers moved into or held onto ‘good union jobs’ and the most vulnerable workers continued to be forced into plantation farmwork, perpetuating a racially-segregated workforce in the most degraded sectors of the American labor landscape.

The example of the Bedford County manufacturing workers (above) indicates the real difference that NLRA coverage can make in a collective workplace struggle, and how vulnerable those workers would be to retaliatory firings without that modicum of protection. In response to the growth of union organizing among undocumented workers in industrial and service sectors in the 1990s,⁸⁴ employers circumvented the NLRA’s anti-retaliation protections by firing union supporters and refusing to reinstate them on the basis of the new (1986) immigration law’s prohibition on hiring undocumented workers. One such case found its way to the Supreme Court, which ruled in favor of the union-busting Southern California chemical manufacturer Hoffman Plastic Compounds, in a devastating 2002 case which has become a new legal basis for employers’ impunity in committing every type of labor abuse against undocumented workers (Smith, Mark, and Sinha 2004; Garcia 2012)⁸⁵. In the aftermath of *Hoffman*, employers found

⁸³ With the dramatic and brief exception of the United Farmworkers in the 1970’s (Bardacke 2012).

⁸⁴ The best-known example would be SEIU’s celebrated *Justice for Janitors* campaign, but a substantial wave of organizing in construction, meatpacking, and other industries grew at that time as well (Milkman 2006)

⁸⁵ After *Hoffman*, lawyers and unions developed a framework for working around the new citizenship exclusions: using external pressure to put additional strain on the employer, discouraging the employer from bringing up immigration status by implying it might make them liable for sanctions, and negotiating reinstatement in a settlement before the NLRB reaches the ‘trial’ phase where immigration status of workers can be raised. These

creative ways to carve new exclusions *in* to industries which had been covered by New Deal protections for the previous 65 years. *Hoffman* provided legal cover for a new era of union-busting and exploitation, deepening the differentiation between citizen and non-citizen workers at the same time that it restored the continuity of captivity between farmwork and other industries that had been interrupted by the New Deal reforms.⁸⁶

The Social Security Administration, E-Verify, and ‘Chuecos’

The Social Security Administration was initially heralded as one of the great social democratic reforms of the 20th century, creating a massive national program of old-age pensions and unemployment insurance that promised to provide for the welfare of those who would otherwise be wageless and destitute under an increasingly capitalist economy. As described in Chapter 2, the major criticisms of the Social Security system at the time were that it was not far-reaching enough; racial-justice advocates and socialists objected to the exclusion of nearly 10 million farmworkers and 5 million domestic workers (including as many as 2/3 of African American workers nationwide), calling it a “a sieve with holes just big enough for the majority of Negroes to fall through” (Katznelson 2005:43)⁸⁷. Although liberals in Congress ended Social Security’s domestic and farm worker exemptions through amendments to the law in 1950-54⁸⁸,

creative tactics sometimes work, but are increasingly technical and specialized and indicate the weakened hand undocumented union members are dealt under the current legal regime.

⁸⁶ This employer victory traded one kind of ‘difference’ for another; as a result of their fight to re-conquer the entire labor landscape, farmwork is no longer so ‘exceptional’, but citizenship is a new, weaponized, dividing line of ‘difference’ in their strategy to retake full control and undo the New Deal reforms.

⁸⁷ However, as I explore in Chapter 2, 75% of those excluded were white farm and domestic workers (DeWitt 2010).

⁸⁸ Social Security covered 4.7 million farmworkers and 650,000 domestic workers in 1950 (Cohen and Myers 1950) and an additional 2.1 million farmworkers and 200,000 domestic workers in 1954 (Cohen, Ball, and Myers 1954)

they continued to exclude nearly half a million ‘Mexican contract farm workers’ (i.e. ‘Braceros’)⁸⁹ and Caribbean workers on temporary visas under the H2 program.

Over the years, Social Security identification numbers slowly but surely became the universal national ID for purposes of work authorization. Social Security has increasingly been weaponized as a tool of differentiation, dispossession, and control against the half to two-thirds of farmworkers who are undocumented migrants and millions of rural and urban workers who labor in the broader plantation-adjacent economy.⁹⁰ In the 1970’s and 1980’s, some ‘progressive’ remnants of the New Deal coalition began demanding ‘employer sanctions’ for hiring workers without valid Social Security numbers, a ‘pro-labor’ version of xenophobic immigration control that the United Farm Workers, the AFL-CIO labor federation, and the NAACP argued would help regulate the labor market in favor of native US workers.⁹¹ By the time it passed in 1986, though, the anti-immigrant ‘employer sanctions’ law had been captured by those very employers, neutralized, and again repurposed as a tool to threaten and control their workforce.

In Tennessee, the legislature implemented regressive legislation at the state level in 2011 that tasks the state’s Department of Labor and Workforce Development with verifying workers’ immigration status, primarily by tracking workers’ Social Security numbers through the national E-Verify program. The policing work done by the Tennessee Department of Labor in

⁸⁹ This was the same year that the INS removed over a million Mexican-Americans in a paramilitary mass deportation campaign called “Operation Wetback”. The mostly-Black and hyper-exploited turpentine plantation workforce was also excluded through two more rounds of amendments and were not included in Social Security until 1958 (Schottland 1958; Shofner 1981; Outland 2004)

⁹⁰ The overall ideological shift here, as Chomsky (2014:25) points out, is one in which labor is no longer unpleasant tasks people are coerced into by hunger or force, but rather a privilege available only to high-status people.

⁹¹ As documented by Hahamovitch (2011), the lineage of ‘employer sanctions’ in agriculture goes back to the post-World War 2 efforts of the National Farm Labor Union (formerly the Southern Tenant Farmers’ Union) to exclude immigrants (and Communists) from agriculture (2011:123). The NFLU would eventually become the AFL-CIO’s Agricultural Workers Organizing Committee, the organization that would evolve into the United Farm Workers in the 1960’s.

collaboration with the Social Security Administration keeps dispossessed workers under control in four related ways. First, in addition to directly harming workers by encouraging their firing or detention, the re-tooling of the state labor agency as an immigration police sabotages workers' ability to trust the agency and effectively neutralizes it as an ally to migrant workers, who are much less likely to turn to state officials for other protections they supposedly enforce, such as farmworker housing standards, workplace safety rules⁹², and workers' compensation claims. Both Rolando's family and the Bedford County manufacturing workers decided not to even risk speaking to state-level labor investigators for exactly this reason. And even when labor regulators do try to enforce the labor protections that are on the books, they rarely know where to begin, having already lost the trust of those workers with direct knowledge of the worst workplace abuses. For employers who want to keep their workers scared, isolating workers from 'regulators' is considerably simpler and quieter than building the political will for outright repeals of existing housing standards, safety rules, and the workers' compensation system (though Republican supermajorities are also applying themselves to that task across the South). Second, it is increasingly difficult for workers to switch jobs, since their new employer will likely check their immigration documents upon initial hire. While the threat of an immigration raid or 'papers check' at a current job is intimidating enough, most workers hope to coast under the radar as long as possible before having to subject themselves to a new work authorization check at a new employer. That threat helps employers keep a captive workforce permanently confined to their current jobs, less likely to complain over wage theft or other abuses or leave for a better offer elsewhere. As I describe above in the case of the Bedford County sweatshop, the

⁹² OSHA has a 'state plan' in Tennessee, outsourcing investigation and resolution of workplace safety complaints to a branch of the Tennessee Department of Labor and Workforce Development

recent implementation of new work authorization audits made it much riskier for workers to contemplate strikes, safety complaints, and other confrontations for better conditions.

Third, the ‘papers check’ generally takes a few months to occur, after which employers fire, transfer, or re-hire their workers through a staffing agency. As in much of the post-Fordist world, even jobs that once provided some long-term stability are turning into contingent, ‘gig’, temp work, and the 90-day E-verify deadline gives employers one more incentive to adapt their workforces to short contracts and withdraw entirely from long-term employment commitments. The uncertainty created helps employers tap into a constant flow of desperate workers seeking employment throughout the low-wage economy, as agencies hire and then lay off workers who are obligated to move more quickly from job to job (Bacon 2008). Fourth, E-Verify and I-9 audits have dramatically reshaped the undocumented labor economy by making it necessary for workers to buy ‘good’ (i.e. fraudulent) Social Security numbers that match an actual name in the SSA database, rather than using the invented numbers of years past (Stuesse 2016; Ribas 2016). These purchased documents or *chuecos* cost hundreds and sometimes thousands of dollars, and are often sold by forgers and identity scammers within the workplace itself, giving supervisors and crew leaders a lucrative side-hustle that functions as an additional deduction from workers’ wages (Carcamo 2019). The use of *chuecos* has proved to dramatically intensify workers’ vulnerability under the ‘deportation regime’, since workers caught up in immigration raids are now regularly prosecuted for ‘identity’ crimes on top of detention for their civil immigration violations (Bethea 2019).

Legal Services for Captive Workers: the ‘Para-state’

For many Southern plantation workers, one of the main labor rights organizations they are likely to encounter are the ‘poverty lawyers’ that work for Legal Service Corporation⁹³ affiliates – housed in state-based legal offices such as Florida Rural Legal Services and Georgia Legal Services Program, in addition to a regional 6-state affiliate based in Nashville, Southern Migrant Legal Services, which at peak capacity deploys a staff of around six lawyers and paralegals to cover the employment law needs of farmworkers in the six states of Kentucky, Tennessee, Alabama, Arkansas, Mississippi, and Louisiana.

The 1960’s wave of new concern for farm workers’ wellbeing coincided with the formalization of federally-funded Legal Services -also called ‘legal aid’ or sometimes ‘poverty law’ - a Great Society initiative to make free legal services available to low-income people around the country. Congress earmarked specific funds for a ‘migrant program’, offering farmworkers the dedicated attention of hundreds of professional, free legal workers distributed throughout the country just as the United Farm Workers movement in California was capturing the nation’s attention. As Legal Services began to grow and achieved a succession of ‘law reforms’ on behalf of the unemployed and working poor, two Republican presidential administrations closely tied to California agribusiness moved to isolate and contain the poverty

⁹³ The first transfusions of millions of dollars of federal funds in the mid-60s transformed ‘poverty law’ from a scattered and diverse assemblage of philanthropist-funded legal service projects into a state-sanctioned and state-funded enterprise under the new Office of Economic Opportunity (OEO). Like other Great Society projects, Legal Services sought to tame the revolutionary upheavals of the time by channeling them into liberal reforms; Attorney General Katzenbach praised “a new breed of lawyers” who were “dedicated to using the law as an instrument of orderly and constructive social change” (Houseman and Perle 2018:10) and the following year Legal Services Director Clint Bamberger gave a celebrated speech declaring that “lawyers must be activists to leave a contribution to society” and “The law is more than a control; it is an instrument for social change” which could “release the bonds which imprison people in poverty” (quoted in Quigley 1997)

Despite the exaggerations of boosters like Bamberger that “we are engaged in giving arms, not alms, to the poor” (Bamberger 1966), the new federally-funded Legal Services remained squarely within the confines of legal institutions and democratic process, steering the program away from the community-organizing focus that might have established legal services as a tool of class struggle for the organized poor.

lawyers' sources of funding and political cover, setting in motion decades of attrition and political exhaustion that would sharply curtail the ability of farmworker lawyers to strengthen the capacity and autonomy of rural working-class organizations. Beginning with Nixon's conservative counter-movement in 1968, successive administrations threatened to cut part or all of the Legal Services program, often deferring to the interests of the Farm Bureau by singling out complaints against the 'migrant program', and harnessing new waves of xenophobic sentiment by implementing bans on legal services for undocumented workers.

The overall arc of Legal Services' rise and fall in the working class struggle, then, was that in the 1960's-70's the government 'captured' the independent Legal Services community through generous funding; and in the 1980's and 1990's, at the same time that the undocumented population was skyrocketing due to a mix of political/economic crisis in Mesoamerica, a new post-1986 immigration law system that blocked Mesoamerican migrants from obtaining legal status, and preferential recruitment of exploitable migrants to replace citizen workers by major US industries, the US government then used its leverage to force Legal Services affiliates to curtail, and then abandon, its attempts to empower and defend those same undocumented workers. Under these recurring pressures and uncertainties, the developing network of national Legal Services staff embraced a siege mentality that Menkel-Meadows calls "programmatic survivalism" (1984), suspending their larger goals of social change in exchange for continued funding, however restricted it became⁹⁴, and growing increasingly distant from the poor peoples' movements of the 1960's that had previously fought to stretch boundaries of the 'War on Poverty'. By the 1980's, Congressional hostility toward Legal Services had all but ended the

⁹⁴ Abel and Kaufman (2003) describe how the Virginia Farm Bureau lobbied the Virginia legislature to severely curtail state-funded legal services, and Virginia Legal Services programs only succeeded in saving their state funding by agreeing to exclude migrant farmworkers entirely from their employment law practice (Weinstein 2001).

dream of a publicly-funded legal aid network that would ‘belong’, in any meaningful way, directly to the organized poor (Menkel-Meadow 1984:51-61).

In Tennessee and other Southern states, farmworker legal aid lawyers and paralegals are nevertheless among the few agencies attempting to engage farmworkers in defending their employment rights, but the exclusions and limitations built into their work have far-reaching consequences on the ability of farmworkers to find support in organizing across differences to improve their conditions. The co-optation of Legal Aid as an engine of division and differentiation among co-workers illustrates how the state employs not only its own bureaucracy but also the ostensibly ‘progressive’ and independent social service infrastructure, what I call the ‘para-state’, to further growers’ objectives of working-class disorganization.⁹⁵

In 2001, LSC-funded Texas Rio Grande Legal Aid opened a farmworker-specific office in Nashville⁹⁶, named Southern Migrant Legal Services, to represent migrant laborers in the Deep and Mid-South plantation zones of Louisiana, Mississippi, Alabama, Arkansas, Tennessee, and Kentucky. But the same LSC funds that allowed TRLA to expand its geographic reach⁹⁷ also required SMLS to discriminate between workers who Congress has determined are ‘eligible clients’ and those who aren’t (i.e. the undocumented), despite the fact that they work on the same plantations under similarly exploitative conditions. The maze of regulations restrict the ‘eligible’ farmworker population in the six Mid- and Deep South states where SMLS works to between

⁹⁵ The principle applies broadly to many other social service outfits in the broader para-state: Migrant Education, Departments of Health, Migrant Clinics, Migrant Head Start.

⁹⁶ I worked as an outreach worker for SMLS in a volunteer capacity for 6 years (2012-2018) and as a full-time staff paralegal for 6 months in 2019.

⁹⁷ Following Carbonella’s insights about scale and the extension of power across territory (2014), SMLS’ decision to integrate the struggle for workers’ rights across a larger regional territory can be seen as an attempt to project worker struggle across a geography that better matches the actual workings of the migrant farmworker economy, but this improvement was deeply undercut by the tradeoff of accepting the ‘differentiation’ and exclusion of the considerable majority of farmworkers from their potential pool of clients.

10% and 30% of the overall farmworker population (depending on the state), isolating them by naturalizing and constantly reinforcing, through outreach, intake, and litigation procedures, the message that ‘eligible’ and ‘ineligible’ workers could not and should not form common cause with their working-class neighbors and co-workers.⁹⁸

Congressionally-imposed limitations on SMLS have an outsized role in constraining broad farmworker solidarity in part because the growth of SMLS’ employment law practice has coincided with the ‘H2 boom,’ in which hundreds of farm employers across the region have moved to hiring workers through the H2A ‘guestworker’ program. Since H2A workers are eligible for legal services representation, and are easy to find since the addresses of employer-provided housing sites are publicly available, the combination of LSC restrictions and H2 growth have had the effect of diverting legal aid resources from farmworkers in general (most of whom are undocumented and thus ‘ineligible’) and redirecting those resources towards H2 workers, who have extremely limited rights as ‘temporary nonimmigrant workers.’ As a result, in much of the South, ‘farmworker law’ aiming to improve conditions for all farmworkers have given way to episodic litigation to enforce the extraordinarily meager protections available under ‘guestworker’ contracts.

Though the impact of these Congressional limitations on lawyers’ ability to seek ‘equal justice for all’ commands an extensive literature (i.e. Quigley 1997; Abel and Kaufman 2003; Heeren 2011), there is comparatively little attention in the law journals to how the restrictions impact exploited workers’ own ability to develop broader class alliances of their own choosing (see Abel 1984; White 1988; Cantrell 2003). Even when they do their jobs well, insofar as the

⁹⁸ Additionally, workers who are ‘eligible’ for legal representation while on a guestworker contract become ‘ineligible’ for legal services in their next job as soon as they leave their guestworker contract, regardless of the reason.

poverty lawyers obey their Congressional restrictions, their work advances the division of the overall plantation workforce into ‘legal’ and ‘illegal’ categories and help to naturalize that difference by seeking, receiving, and finally ‘rejecting’ hundreds of complaints from ‘ineligible’ workers each year. When farmworkers do reach out to legal services lawyers for support, typically through hotlines and word-of-mouth referrals, the actual process of consultation, ‘intake’, and ‘advice’ instructs workers to individualize their problems, re-frame the abuse they suffer in terms of the formal rules and remedies of the captive labor system, and isolate themselves from other workers: intake procedures instruct workers not to discuss their workplace problems with organizers, family members, or co-workers, since those conversations are not protected by lawyer-client privilege and could be ‘discoverable’ in future legal proceedings. Legal Services intakes typically guide workers towards the end goal of an individual or small group complaint, in court or with the Department of Labor, seeking individual money damages for violations of the law. As a result, workers without clearly actionable legal claims (i.e. workers who object to not being able to freely change employers, or wish to remove a verbally abusive supervisor, or want to seek a raise or a protection against retaliation for reporting workplace injuries, none of which are ‘rights’ under existing statutes) have their cases “closed,” often after a months-long process of fact-finding that demoralizes and isolates workers who spend dozens of hours of precious free time and risk surveillance and retaliation for speaking with lawyers about workplace abuses. When Legal Services intake procedures instruct ‘clients’ not to speak about workplace problems with co-workers, family members, organizers, or anyone else not covered by lawyer-client privilege, these ‘isolating procedures’ substitute the development of strong relationships between co-workers with a dependent ‘patient’ relationship between an individual worker and a distant ‘expert’ lawyer with limited personal experience of

plantation work and life. The gradual process by which Congress successfully captured and contained the larger Legal Services movement has thus allowed the plantation owners behind much of that restrictive legislation to re-make the institutions that ‘defend’ farmworkers in the mirror image of their differentiated and disorganized workforces, recruiting well-intentioned semi-independent legal services workers into perpetuating the fundamental power dynamics on which farmworker hyperexploitation is based.

The co-optation of New Deal institutions, including the Department of Labor, the National Labor Relations Board, and the Social Security Administration, as tools used to ‘differentiate’ today’s plantation workers and compound their original ‘exclusion’ from the New Deal’s protections, thus serves rural employers who are able to extract additional work and profit from farmworkers. By extending these hierarchies of ‘differentiation’ throughout the non-profit and liberal social service sector, employers are able to divide and isolate rural workers from each other, severing working people’s most fundamental class alliances and stifling efforts to unify around collective complaints. In the next section I will explore how the containment of the ‘progressive’ elements of state regulation combine with the ‘oppressive’ elements of state regulation in ways that allow employers to portray themselves as protectors and gain substantial power over their captured workers.

Regulation, De-regulation, and Hostile Neglect: Clearing the Path for Employer

Totalitarianism

Entering the second decade of the 21st century, the state’s policing bureaucracies have been split between agencies that actively hunt and harass rural workers (ICE, local police, parole officials, the Social Security Administration), formal agencies that pay only half-serious lip

service toward protecting them (the Department of Labor and National Labor Relations Board), and pseudo-independent agencies co-opted by state interference (i.e Legal Aid), the road is cleared for employers to have tremendous leverage over their workers through very little effort of their own. In this section I will return to ethnographic observations from a Tennessee vegetable farm and a Tennessee tobacco farm to piece together how workers experience this mix as a ‘captive labor’ system using many of the same methods and achieving the same goals as the Jim Crow-era ‘vagrancy regime’ of the early 20th century.

On an East Tennessee vegetable farm where I worked picking cucumbers and beans, I met Luis, who worked on the same farm for almost two decades after retiring from migrant tobacco and tomato work to raise a family. He eventually recruited a network of siblings and their families to the area, and they all worked for different local farmers that borrowed the whole group when they needed more people for an urgent harvest. Luis looked out the window at the fields while driving back to the packinghouse one day, saying, “*Es muy tranquilo vivir aqui, se acostumbra*” (‘it’s really quiet living here, you get used to it’). Then he elaborated, “*casi no hay policia,*” (‘there aren’t many police’). Luis explained that your boss keeps you safe: if you’re working for one of the farmers, if the police stop you and they ask who do you work for, and you can give a name and maybe their phone number as a reference, the police say ok and let you go. Not like in Knoxville or Morristown, Luis said; there, if you get caught, they’ll take you straight to jail. He said he thinks the police are better out here in the country, because they know your boss, and that protects you.

In the absence of pro-worker regulation or enforcement of labor standards, and in the presence of hostile immigration policing and racial exclusion from public space, workers are forced to strike unpleasant alliances with employers who are already overworking and

underpaying them, alliances which are extremely difficult to escape. In the case of the East Tennessee vegetable farm where I worked with Luis, we slogged through 11-hour shifts in the fields followed by 6-hour shifts in the packinghouse, all for minimum wage. Bosses may not always respect workers' off time, expectations of prompt payment, or desires for equal treatment, but their patronage can save a worker in a brush with the law or a confrontation with a racist neighbor. As a result, employers have new, substantial sources of power which rival the discredited power imbalances of the Jim Crow era, in which employers both blocked workers' alternative sources of employment through 'non-enticement laws' and took advantage of vagrancy laws and widespread racist vigilante violence which persuaded Black workers not to venture too far from the 'protection' of their employer (Alston and Ferrie 1993), and the Mesoamerican *finca* system in which workers without obvious employment could be imprisoned and sentenced to hard labor on plantations or state infrastructure projects (McCreery 1994; Marañon-Pimental 2012). Labor regulations that are often supposed to balance the power that employers have over workers are not only removed from the equation, but actually reinforce employers' advantage- any boss who wants additional power over their workers only has to threaten to withdraw their protection from local and national law enforcement, begin checking identity documents more closely, or in especially threatening cases to directly contact the sheriff or department of labor, exposing workers to the uncushioned brunt of state violence and community exclusion. But even in the best-case scenario, when a well-meaning employer sincerely cares and holds off external threats, those pressures normalize the pernicious assumption that avoiding violence and imprisonment depend on your ability to find and obey an employer powerful enough to intervene with the police. Implicitly, migrant workers are governed by a new de facto vagrancy regime, a labor management system with roots in the slave- and post-

slave South in which workers' limited claims to freedom are contingent on whether they have a job (i.e. their willingness to submit to exploitation). Gray calls this submission the "price of proximity", which workers are expected to pay "in the only way they can: with good behavior in the workplace" (2013:54).

In a 2012 chapter on class consciousness among immigrant workers in the rural United States, David Griffith points out that rural workers often have ambivalent feelings towards their employers, since their bosses often intervene with law enforcement on their behalf by 'vouching for' their workers, generating relationships of patronage and dependency where workers often feel indebted to their employers for 'protecting' them from the police and helping them navigate hostile institutions like banks, schools, and courts. Griffith carefully illustrates how employers' double role (exploiter and protector) can confuse the typical lines of class struggle by providing important social cover for otherwise vulnerable migrant workers. And many employers take advantage of disguising this captivity as benevolence; despite the fact that so many of the legal structures afflicting farmworkers were designed by agricultural employer associations, today's farm owners often still take the position that they are the 'good guys,' looking out for and protecting their workers, and that they appreciate and care more for their workers than the rest of the hostile world around them.

At a Smith County farm where I cut and hung burley tobacco during the late summer of 2013 alongside both undocumented workers and 'guestworkers', we experienced several versions of the control-through-patronage approach, some of them more subtle and some more jarring. All of the workers on the farm got free housing, with the 'guestworkers' in one house that was more or less up to code, and the rest of us in a much more run-down second house, since inspectors and outreach workers only ever visited the guestworker housing. The workers that

lived in the second house with me all complained that the building was falling apart, but since it was free, it was tolerable for the month or two that we would be here. On the other hand, though, they said the boss was using the free housing as an excuse to underpay us, keeping the piece rate at 40 cents a stake when other bosses were rumored to be raising piece rates to 60 or 70 cents a stake to attract workers. But for workers with past problems with the police, or concerns about hostile neighbors, safe housing could be difficult and dangerous to find in Smith County, so we took the tradeoff of lower wages in exchange for the boss's protection from the potential hazards of living on our own.⁹⁹ In the run-down house, the farm owner let some workers stay on even after the season ends, and that can be a buffer for workers during the winter; as Marcos pointed out, “*está cabrón para pagar renta cuando no hay trabajo; la casa está jodida, pero está gratis.*” (It's tough to pay rent when there isn't work; the house is fucked, but it's free).

The house was full of mice, echoing with a chorus of squeaks through the night and marked by piles of droppings across the bedroom and kitchen floors. The main entrance door had “100% Oaxaca” scrawled across it in permanent marker. The rooms were piled with trash coated in dust from last year's crews, and in the room that did have a mattress, the pad smelled like urine and had “*puto*” (bitch) spray-painted across it. There were holes in the ceiling with black mold growing around them, and the doors dangled off their hinges. The windows were boarded and the roof didn't leak much, so things stayed pretty dry, and at least a few outlets worked so lights, fans, and a refrigerator all stayed running. None of the doors had working locks or doorknobs, so we barred the door closed by jamming a long wooden beam between the door and an opposing wall when we were in at night. On my second day staying at the house, Marcos pulled me aside

⁹⁹ The threat of violence or profiling by law enforcement or local vigilantes effectively subsidizes low-wage industries by making it more costly for workers to change jobs, find independent housing, or otherwise leave the sphere of control of their employer.

and casually suggested that I check all my things to make sure it was all still there; he said someone kicked in his door while we were out working that day, and took a fistful of coins and a backpack he had in his room. He said he's pretty sure it's this girl he knows, who had done this before, but he wasn't too worried because they didn't take the loaded rifle from his closet.

The housing was convenient, just walking distance from the tobacco fields where we suckered and cut each day, but that also meant that the bosses had easy and constant access to our personal space. The farm owner had delegated our crew leader, Julio, to maintain the house, and Julio often stayed over or spent time there drinking. On more than one occasion, Julio would stumble into our bedrooms during the middle of the night to ask favors, beg for attention, or threaten us. From my fieldnotes one night:

“My boss, [Julio], drove up to the house around midnight tonight, pushed my door open, and staggered in. He is drunk, stumbling, slurring, smells like alcohol. He asks if I will give him a ride to town to get some more beer. I consider it. He asks if I will help, and explains that I have a drivers' license¹⁰⁰ and he doesn't. He says he will pay me for the gas. When I hesitate, he gets a little smile on his face, and exclaims “you have a problem with the police! You're in trouble! Are you afraid of the police?” I say yes, I try to avoid the police. And he says “I've seen your picture before on TV- with that hair- but if you help me, I will help you. Don't be afraid I'm going to turn you in! I don't want you to leave tomorrow, either. If the police ask me, I'll tell them 'he came and he left.'” He rehashes this over a few times, asking me again to give him a ride, and finally I say no,

¹⁰⁰ There may also have been an element of racialized revenge in Julio's drunken harassment of a young white farmworker, a reversal of the racial power dynamics he had most likely experienced for most of his time in Middle Tennessee.

not tonight. I start to say it more firmly. He says, turning the phrase over pointedly, “don't be afraid I'm going to turn you in”. I say I'm not afraid, firmly. He gradually, slowly, leaves. I hear his car revving up. Around 2:30 AM he comes back in, wakes me up again, and says he is going to Texas and will be back in a couple of days. He asks to borrow money for the trip, and says he will mail our paychecks to us from the road. I say no and ask him to leave.”

(fieldnotes, August 2013)

After falling asleep, I don't see him again until the next day, when he shows up, hungover, to cut tobacco with us. He never pays my \$160 paycheck for cutting that week.

The substantially different conditions on these two farms give a sense of how the ambiguous but ever-present power dynamics of the hostile plantation countryside shape employers' ability to dictate workers' conditions and mobility. At the East Tennessee vegetable farm, we had everyday contact with the owner, who we understood was overworking us who we also understood to be a protector who would vouch for us with local police. At the Smith County tobacco farm, where the 18-man crew was composed of 12 'guestworkers' from Hidalgo, Mexico (in the 'good' housing), five former nursery workers in the 'fucked' housing (all but me undocumented), and an older white worker who lived in the neighborhood and had been 'helping out' during cutting season most of his life, most of us never met the farmer and instead dealt with an abusive supervisor. At the tobacco farm, all of us worked under similar conditions, with roughly equal pay (I made the least since I was a novice at tobacco cutting, and because Julio stole my last check), but the pressures that kept us at the farm varied: some of us confined by deportability and seeking exploited and unsanitary but tolerable refuge in a tucked-away rural corner of the state; some of us laboring under not-so-veiled threats from employers of 'turning us

in’ to the police, with whom we were presumed to fear any kind of contact; and some of us laboring as ‘guestworkers,’ semi-free laborers temporarily in the United States as a distinctly 21st-century kind of property. It is to this last sort of laborer, the fastest-growing part of the plantation workforce, that I will turn in detail in the next section.

The Guestworker Trap: Corporate Landscaping, Fish Farms and Captive Labor

Profitable plantation systems have long depended on capturing the labor of workers in the prime of their life, while disavowing what Marx calls ‘the costs of reproduction of labor’¹⁰¹: the health and wellbeing of families, the costs of care for the young and the aging, the costs of convalescence and rest. The international migrant labor system is intensifying that split, and nowhere more deeply than in temporary ‘guestworker’ programs, which are proliferating around the world. As Cindy Hahamovitch chronicles in her detailed history of ‘deportable labor’, a captive labor program based on “forced immobility” (sharecropping, convict labor, and the wartime ‘Work-or-Fight’ regime) “gave way to a new one based on forced mobility,” conforming to growers’ need to profitably capture, deploy, and re-deploy workers across vast landscapes (2011:6). She recounts how plantation owners successfully militarized agricultural production during World War 2, putting hundreds of thousands of Japanese and German prisoners of war to work alongside Mexican Braceros and Caribbean contract laborers at the same time that the War Food Administration banned US-born workers from quitting their farm jobs, in order to break the emergent rural working-class solidarity that was threatening to raise wages and improve conditions in US agriculture in the 1930’s and early 1940’s (Hahamovitch

¹⁰¹ See the chapter “Bodies on Hold” in Griffith 2006, on employers’ attempt to separate the living space and reproduction from work space in an international division of labor where young immigrant women’s bodies are expected only to perform wage labor while present in the United States.

1997, 2011). After progressives in Congress and the emergent United Farm Workers successfully shut down the Bracero program in the 1960's, the pendulum of plantation labor management appeared to swing away from formal 'guestworker' programs for several decades, instead seeing the vast growth of undocumented and thus deportable Mexican labor in the fields. The H2 program was preserved, though, in the same 1986 IRCA legislation that instituted employer sanctions and tightened border controls, and the threat of labor supply disruptions stoked by populist anti-immigrant campaigns in the 1990's sparked the rapid growth of 'guestworker' job orders through this then-obscure unfree labor program, especially in the Southern states where new xenophobic laws began to multiply in the early 2000's (Hahamovitch 2011; Stockdale 2011; Vivian 2005; Ness 2011; Hall 2002).

Under economic pressures to employ dispossessed immigrant workers but moral and political pressure to maintain 'legal' workforces (Calavita 1990), plantation elites have pursued two major proposals over the last decade. The first, part of the recurring Comprehensive Immigration Reform packages since the early 2000's, is a farmworker legalization program in which workers are granted a path to citizenship in exchange for a period of continuous farm employment. Similar to the Special Agricultural Worker (SAW) program in the 1986 'amnesty', this program would use conditional legal status as a 'reward' to immobilize hundreds of thousands of farmworkers in continued agricultural employment.¹⁰² Employers' second (and increasingly preferred) option has become an ever-expanding H2 'guestworker' program, one

¹⁰² This program, dubbed AgJOBS in 2000, was designed by agribusiness and is supported by influential farmworker organizations, and is designed primarily in order to 'retain' workers within agricultural employment; the 'blue card', a form of legal status, only provides holders with eventual permanent residency status after proving they have worked an additional three to five years on US plantations (See Familias Unidas por la Justicia 2019 and Comité de Apoyo a los Trabajadores Agrícolas 2019 for critiques of the proposal, currently called the 'Farm Workforce Modernization Act', which includes the implementation of mandatory E-Verify in agriculture and an expanded H2 program). Chomsky 2014:127 notes that the presumed trajectory of 'comprehensive immigration reform' throughout the 20th century has been a legalization of some undocumented workers in exchange for an expanded guestworker program

that creates “perfect immigrants” (Hahamovitch 2003) who are immediately deportable and replaceable if their employer is unsatisfied with their performance or if they leave the plantation. Employers have worked to normalize this system of permanent apartheid, thinly disguised as ‘hospitality,’ by insisting that agriculture is plagued by a fictitious ‘labor shortage’ and arguing that a vast global system of recruitment and forced expulsion is the only way to save ‘family farming,’¹⁰³ which is presented as moral and sacred non-capitalist domain that is both protected from government intervention and subsidized through special government programs designed to secure captive workers (Hahamovitch 2011; Binford 2013; Gray 2013). While supposedly arguing for ‘deregulation,’ growers and their neoliberal allies are in fact proposing an intensified system of labor regulation which once again deploys state resources to secure that slippery resource on which each iteration of the American South has been built: a captive labor supply, or as farmers put it, a ‘reliable workforce.’ As anti-immigrant laws and xenophobic public sentiment have proliferated across the US South since the first George W Bush administration, so have the number of H2 job orders, which have risen over 700% nationwide (primarily in the South) since 2003. As Greg Schell, a Florida attorney famous for decades representing agricultural worker against plantations, put it,

“It’s an employer’s dream. I can go to a Third World country and select the workers I want. And they’re gonna come here and they can only work for me. So if I treat them poorly or if they want a raise or more benefits I can just say, “Well, sorry. I’m not gonna give it to you. And if you don’t like it you have only one legal choice. Go home. [...] It is

¹⁰³ Ironically, in an effort to save the supposed intimacy and traditional lifestyle of local ‘family farming’, growers are inventing novel methods of recruiting workforces from an unprecedented distance, while rejecting as unsuitable working-class populations who live nearby and who have actual historical ties to the land.

outrageous and unacceptable. Business left to its own devices will try to employ labor at the lowest possible cost. The wage that is paid the H2B worker becomes not the floor, it becomes the ceiling. The employer knows that he can get an unlimited supply of workers at that price without any benefits; he will never have to pay a penny more.” (Rather 2010)

As one forestry worker on an H-2B visa explained to a Sacramento Bee reporter in 2005, plantation crew leaders use workers’ vulnerability as a tool to extract substantial additional profit from them with little risk of facing state sanctions:

“If we worked 12 hours, the foreman would write down eight,” Pérez said. “If we planted 2,000 trees, they’d say you planted 500 of them bad. They had the perfect formula to have the worker unable to escape.” With so little money, Pérez and his fellow guest workers had to borrow from their employer, contractor Progressive Forestry Services Inc. That meant more deductions. With every paycheck, “we would earn less and owe more,” he said, “until we realized, ‘We’re never going to be able to pay this off.’” (Knudson and Amezcua 2005)

In the following section, I will discuss two examples of how growers, workers, advocates, and regulators interact in contests over the management of captive labor in rural Tennessee, and those contests’ consequences for the dispossessed people who are put to work. The first explores growers’ efforts to block new protections for H-2B workers and implications for a group of Tennessee landscaping workers, and the second example explores how a group of H-2A tomato

workers battled with abusive growers, and the role played by the Department of Labor and Legal Services attorneys.

H-2B Landscaping Workers in Murfreesboro

In January 2012, Domingo contacted me about support in filing a complaint with the Department of Labor, for himself and a group of seven other Guatemalan workers in Lascassas, a rural suburb of Murfreesboro about an hour southeast of Nashville where they worked for a regional landscaping corporation. They and all of their co-workers come from the same small town in Guatemala, most of them as seasonal ‘guestworkers’ with H-2B visas. When we met, at the *Dignidad Obrera* worker center in Nashville, the landscaping workers explained that each season, in exchange for getting their name on the visa list, the ‘guestworkers’ are charged sizeable bribes (around \$400 a person) by a recruiter in Guatemala, and then at the tail end of the season are forced to work their last two weeks for free (another \$1000 or so per worker) in order to stay on the list for the next year.¹⁰⁴ As we researched the company together, we discovered that their employer had been ordered to pay nearly \$500,000 in stolen overtime pay just a couple of years earlier (H2-B visa holders are entitled to overtime pay, unlike H2-A and other ‘agricultural’ workers), and the workers said they had heard about the investigation but many of them had never received back wage payments and the company had continued to deny workers time-and-a-half pay for their overtime work. Workers complained that they were paying rent to live in company housing despite promises of free accommodations, and were being illegally charged for their transportation costs from Guatemala. Domingo and three of his friends, who had been employed as supervisors, detailed how the bosses had coached workers to lie to

¹⁰⁴ The ‘recruiter fee’ system is illegal but pervasive throughout the guestworker regime (Legrain 2019)

investigators during previous inspections, and how workers who complained were being quietly blacklisted and left off of the list for visas the following year. When the eight workers decided to band together to complain, they were fired in retaliation.

Taking me along as a witness, the workers went to the Department of Labor to speak with a Spanish-speaking investigator, Gerald.¹⁰⁵ When we arrived at the Department of Labor's offices in a corporate park in South Nashville, Gerald apologized that the Department of Labor didn't have any meeting space big enough to accommodate eight workers, and so we crowded into the office's break room. While the workers explained their case, Gerald repeatedly turned to me to ask me for translation, but he didn't take any notes. When they asked questions about their rights and how the DoL could support them, Gerald turned his palms to the ceiling philosophically, saying "there's a lot of things I don't know... we all hope to learn a lot in life." While we met, Gerald periodically searched through their office pamphlets to find answers, apologizing that his office had only ever done a couple of H-2B contract investigations before.

One by one, Gerald deflected the workers' questions about extortion by recruiters, about blacklisting, about threats, and about retaliatory firing, apologizing nervously that each of the abuses they had experienced were outside his jurisdiction: "If this were high school, let's say we're here in the mathematics business, and not in social sciences...so abuse, speed-ups, firings aren't important to us." He explained that "not all exploitation is prohibited by law." Little by little, Domingo and the other workers got quiet, and eventually Gerald thanked them for coming, shook their hands, and gave them stacks of pamphlets about the DoL's Wage and Hour Division. Before they walked out of his office, quiet and confused about whether they had come to the right place, Gerald said, "my guess is that they're mistreating you...let's call it an injustice.

¹⁰⁵ A pseudonym

Injustice is big, but we just have one thread, minimum wage and overtime law.” Then, exasperated, pressing his lips together and turning his palms to the ceiling, he says in Spanish, “*ojala que fueramos más poderosos*” (‘if only we were more powerful’). As the workers file out quietly, Gerald turns to me, and says, embarrassed, “we are unfortunate bureaucrats who listen to stories and then we say, well, it's slightly possible that we could help you.”

While in this case Gerald’s intervention was almost comically inept (in part because he was so open about the limitations of the office and statutory framework), his task was admittedly a tricky one, in part because of the legal limbo confronting the H-2B program rules. In 2011, the Department of Labor had proposed a major overhaul of the H-2B guestworker program¹⁰⁶, which permits employers to hire over 100,000 temporary workers each year for low-wage jobs in non-agricultural industries, more than half of those as landscapers.¹⁰⁷¹⁰⁸ Organized employers, though, successfully blocked the rules through a combination of legal and legislative maneuvering. While three lawsuits against the Department of Labor made their way through court, senators Shelby (AL) and Landrieu¹⁰⁹ (LA) successfully added a rider to the Congressional appropriations bill removing Department of Labor funding for implementing the new rule for the

¹⁰⁶ The H2-B program, which applies labor relations borrowed directly from migrant farmworker crews to industries outside of agriculture (i.e. construction and landscaping), has served as a major agricultural ‘doorway’ through which captive labor is re-established in plantation-adjacent jobs.

¹⁰⁷ By law, the H-2B program can only be used to recruit foreign workers when local workers are ‘unavailable’ (the federal Department of Labor is tasked with ensuring employers comply with local hiring requirements but have almost entirely abandoned that task). When guestworkers are hired, they are to be paid a minimum wage rate designed to ensure that their employment will not “adversely affect the wages and working conditions of similarly employed U.S. workers”

¹⁰⁸ The new 2011 rules attempted to address some of the most egregious abuses in the H-2B program, which had been documented in a 2010 Government Accountability Office report on abuses and fraud in the H-2B program. Documented abuses included corrupt recruiting practices outsourced to labor contractors in sending countries; a ban on paycheck deductions for tools, visa expenses, or transportation; remedies for blacklisting and retaliation against workers who seek assistance in defending their rights; and a revised calculator for pay that would have resulted in a more than \$4/hour raise of the wage rate.

¹⁰⁹ Landrieu pushed the rider through around the same time that the National Guestworker Alliance publicized trafficking and forced labor cases against H-2B workers in her district's seafood industry (Thompson 2012).

duration of 2011 and 2012. Eventually, in one of the cases, *Bayou Lawn & Landscape Services v. Solis*, a Florida judge ruled that the Department of Labor doesn't have the authority to issue guestworker program rules and blocked their implementation, arguing that enhanced rules would result in “lost revenue, customers, and/or goodwill” for H-2B employers (Wilmsen 2014).¹¹⁰

In this atmosphere of misdirection and ambiguity, Gerald promised to read up on the H-2B visa rules to see what he could do and call back, but in the end, the Department of Labor never pursued the case. When I sat down with Domingo and we called the DoL office to press them for an explanation, an investigator told me that H-2B workers and undocumented landscaping workers have different rights under the law and it is hard to manage them in a single case. Many of the abuses in the workers' complaint ‘might be’ against the law, they said, but were administered by other agencies; the retaliatory firing, for example, was clearly a violation of workers' right to Protected Concerted Activity under the NLRA, but Gerald said the DoL could not do anything about that and did not know who could¹¹¹.

This landscaping workforce of dozens of workers, all from a string of *Maya/ladino* villages in highland Guatemala, had known each other since childhood and found their way to Middle Tennessee through a variety of routes, many them fluctuating between ‘documented’ (H-2) and ‘undocumented’ work statuses over time. They approached the Department of Labor and the still-inexperienced local labor movement with a proposal of seeking justice through solidarity across immigration status, uniting the entire workforce in pursuit of an end to wage theft, extortion, and overwork. ‘Regulation,’ in this case, served both as a confusion-inducing haze and

¹¹⁰ After 2011, employer associations and advocates battled in a series of lawsuits and the Department of Labor made several new attempts at rule-writing; in a subsequent twist, in early 2015 Legal Aid attorney Greg Schell, representing a Miami busboy, managed to win a ruling that temporarily shut down new visa processing for the entire H-2B program, since the Department of Labor no longer had any rules which the courts held to be legitimate.

¹¹¹ The best practice for a DoL investigator would have been a referral to the NLRB office in Nashville, just a couple of miles away, to help with that part, but Gerald said he didn’t know how to contact them.

eventually as a tool through which to arbitrarily differentiate workers into two different status groups of unfree laborers, neither of which, it turned out, was likely to receive enthusiastic support from state regulators. The workers continued to meet for a few weeks to strategize how to move forward, but as it became increasingly clear that Gerald's tepid response would be the last they'd hear from the Department of Labor, most of the workers still working at the landscaping company kept their heads down, and those who had been fired gave up hope that their rights would be vindicated and moved on to other landscaping jobs in the area. As Griffith points out, the "tendency has been for the H2 program [...] to devolve into a system that approximates the exploitive, illegal, underground labor market it was (in part) designed to replace" (2006:211). In the next section, I will explore how the H2 program serves as an extension of the 'deportation regime,' intensifying rather than remedying workers' vulnerability to employer totalitarianism.

Fish Farms: H-2A tomato workers

In 2010, Fish Farms was a large corporate 'family farm' growing tomatoes in Newport, Tennessee, in the middle of the 'guestworker boom' during which farm managers decided to replace their South Florida migrant crews with 'guestworkers' on H-2A visas. After a conflict between workers and employers over pesticide spraying escalated in the fortuitous presence of state officials, Fish Farms would become one of the few growers in Tennessee to face legal consequences for terrorizing, assaulting, threatening, and attempting to privately deport their workers in recent years. Workers first contacted Southern Migrant Legal Services to report substandard housing and exposure to pesticides in June 2010, and got help filing complaints with the state pesticide board and the Department of Labor. At the end of August, Department of

Labor investigators arrived at Fish Farms to inspect the housing and talk with workers; the farm owners followed them, “brandishing firearms,” and called local police, saying one of the workers had threatened a family member of the boss. After the DoL investigators had left, police arrived and arrested Guillermo Ruiz Zeferino, one of the guestworkers, in front of his co-workers. He spent several days in jail, and other workers started leaving the farm unannounced. In September, when pesticides were sprayed near their housing, some of the guestworkers tried to record video, and the farm owners responded by firing the entire crew on the spot. According to the complaint filed by SMLS:

“The circumstances of the termination of Plaintiffs’ employment were willfully and wantonly abusive. Defendants Jimmy and Walter Fish arrived at Plaintiffs’ living quarters, began swearing at them and cursing them, shouting “fucking Mexicans,” “motherfucking Mexicans,” “no more work for Mexicans,” “Mexicans are shit” and “[you are all] going back to Mexico.” Several Plaintiffs, fearing for their physical safety, withdrew to their trailers, attempting to lock themselves inside the trailers to protect themselves. Defendant Walter Fish followed after them, kicking in the door of one of the trailers. Defendant Walter Fish also forcibly confiscated cell phones he saw, including those of Plaintiff Ismael Ruiz Zeferino and Miguel Angel Cristobal Lopez, hoping to seize all video evidence of pesticide exposure violations. [...] Defendants Jimmy and Walter Fish then rounded up all the Plaintiffs and forced them to board a bus (normally used to transport workers from living quarters to the tomato fields). The Fishes photographed each Plaintiff as he boarded the bus, continuing to curse the Plaintiffs,

assaulting them with slurs such as “You are shit,” and “Mexicans are shit.” (Cristobal Lopez et al v Jimmy Carroll Fish et al 2011)

The Fishes kept the farmworkers on the bus, and when one of them managed to call the DoL and an investigator showed up, the Fishes instructed the bus driver to drive to Morristown and put the workers on a bus to Mexico. Failing to find a bus, the driver abandoned the workers at a motel in Morristown.

Fish Farms was subsequently fined over \$200,000 by the DoL and in 2013 the farm agreed to pay a settlement of \$390,000 to the 14 guestworkers. The DoL temporarily¹¹² banned Fish Farms from hiring guestworkers through the H2A program, and the farm transitioned back to using an alternative excluded workforce: migrant crews from Florida. The significant cash settlements won by the guestworker defendants in this case were unusual, reflecting a fortuitous combination of solidarity between workers who carefully documented violations, a temporary focus from the Department of Labor on tomato farms, and a vigilant team of Legal Aid attorneys. While the 2010 Fish Farms case is cause for some hope, as it had a relatively positive outcome for the abused workers involved, an examination of the moves made by each side also underscore the deeply disadvantaged position in which H2 ‘guestworkers’ are confined. Since the tomato pickers were bound by law to a single employer, the Fishes knew they had the power to return ‘their’ workers to Mexico at a moment’s notice, and that their sufferance of continued employment was the only thing that stood between their workers and deportation. The Fishes’ relationship with local law enforcement strengthened their hand, and most instances of private

¹¹² The Fish Farms case illustrates the profound ineffectiveness of ‘disbarring’ employers from the guestworker program as a deterrence strategy. Since 2010, multiple crews have been approved for work at the main farm address of Fish Farms, which has cycled through multiple corporate re-namings and re-branding partnerships over the last decade.

employer-directed deportation go smoothly, uninvestigated, and unprosecuted, either because of limited regulatory resources or because workers don't trust regulators' ability to defend them from retaliation if they speak up.

The 'boom' in H2 visas will become, it appears, an increasingly key ingredient in the mass confinement of plantation workers in the American South. As Hahamovitch points out, 'guestworker' programs and 'illegal' labor regimes are two systems of recruiting foreign labor that have "always existed in symbiosis" (2011:237), as employers shift back and forth between undocumented and H2 workers depending on cost and fluctuations in immigration policing and worker militancy (Griffith 2006:64). As undocumented workers and their organizations have grown in militancy since the mass 'immigration-reform' marches of 2006 (Milkman 2010), and anti-immigrant backlash following the 'Great Recession' has proven a dependable electoral strategy for Republican politicians, the implementation of E-Verify and the expansion of the guestworker program (especially to year-round work and the dairy industry) are first on the menu in nearly every viable immigration policy reform package today. The implementation of E-Verify doesn't exclude undocumented workers from the workforce, but it does extort millions of them for several thousand dollars each and makes them additionally vulnerable to felony identity-theft prosecutions (Carcamo 2019), just as the 'guestworker' program doesn't 'regularize' migrant labor in any major way that benefits workers, but it does establish lucrative networks of extortion for 'recruiter fees' and empowers growers with a captive labor force that can be brought to work and sent away at will. The combination of the booming *chueco* market and the expanding H2 program constitutes a "conjunctural episode" of dispossession (Nonini 2015) under an expanding 'deportation regime' (De Genova 2002), similar to the post-Civil War

immobilization of labor under the vagrancy regime and the mass ‘exclusion’ of farm and domestic workers from the New Deal of the 1930’s.

How Does Employer Totalitarianism Transform Class Relationships in Rural Tennessee?

After this litany of organizing dead-ends, co-optations, dispossessions, and open threats, all conjugated in somewhat different registers to target different groups of workers in distinct ways, what can we conclude about the ‘exclusion’ of farmworkers as a class, the selective degradation of farm and farm-adjacent work in rural Tennessee, and workers’ collective understandings of what they can expect from their jobs, their bosses, and each other? And how can we understand the contradictory role of the state as the primary captor through which plantations absorb and ‘harbor’ their laborers (when they need them) and subsequently expel them (when they are no longer profitable), now that more formal slavery and vagrancy systems are frowned upon and legally abolished?

The confluence of a ‘deportability regime’ (De Genova 2002), a coercive ‘work-release’ system that Zatz calls “the new peonage” (2016), and an expanding H2 ‘guestworker’ program that the Southern Poverty Law Center glosses as “close to slavery” (Bauer 2013)¹¹³ perform two closely related functions for plantation employers. Most importantly, these regimes are tools of dispossession that strip workers of specific rights such as overtime pay or choice of employer, holding them captive and reducing their control over their labor and their wages, reducing the share of farm profits that they receive as compensation. Second, these regimes perform a defensive function of ‘disorganization’, splitting up workers into groups oppressed for

¹¹³ A few organizations, like the Farm Labor Organizing Committee (FLOC), have championed a ‘guestworker turn,’ in which they embrace the guestworker program as a way of neutralizing the worst aspects of the ‘deportation regime’ and negotiating for labor protections with major guestworker employers within the context of the growing program (Ness 2011; Smith-Nonini 2009; Benson 2011; Griffith 2009).

converging reasons but through differing mechanisms. As argued by Kasmir and Carbonella (2014), disorganization is a political form of dispossession, designed to split up working populations and undermine their capacity to organize collectively for improved conditions.

One major way that class politics are ‘disorganized’ by the new assemblage of captive labor programs is that despite their (sometimes behind-the-scenes) role in setting state policy, the state is often seen as the primary aggressor while plantation bosses are seen as patrons who can provide ‘protection’ from the threats of state violence rather than simply as agents of exploitation. This displacement of blame and misidentification makes it more difficult for workers to hold their employers accountable even when they are specifically violating labor standards, since those violations can so easily be characterized as ‘doing the workers a favor’¹¹⁴. This makes it challenging (and dangerous) for rural working-class organizations to name their employers as collective opponents and challenge them as a class.

Another major way that these regimes ‘disorganize’ workers is by deepening rifts between different ‘class fractions’ – i.e. undocumented Latinos, documented and semi-documented immigrants; ‘guestworkers’, *americano* (‘white’) workers, *moreno* (‘black’) workers, those with felony records/probation and those without, etc. The threats used against each group of workers are experienced with such specificity that they function not just to capture

¹¹⁴ One interesting response to this problem is the ‘market turn’ of the Coalition of Immokalee Workers, which has reacted to the neoliberal hollowing of the state by going directly after corporations who purchase farm products and demanding that they ‘regulate’ their suppliers through third party agreements backed up by social protest and contract law rather than by pursuing ‘regulations’, in a situation where the government is understood to be ‘clumsy’ or ‘slow’, or even dangerous since any possible ‘regulations’ might further threaten workers who are undocumented. The apparent withdrawal of the state / abandonment of farmworkers to the whims of the captive labor system has led to a situation where the most dynamic farmworker organizations (especially CIW, but also FLOC and FUJ) have abandoned the goal of directly harnessing state power to challenge the industry through regulation, and instead have shifted strategies toward an industry-partnership model focusing on brand reputation and the recruitment of consumers as the main vulnerable point of corporations, which attempts to turn rather than topple neoliberal ideology. This is a challenge, and there are pros and cons to the resulting disappearance of claims on the state.

and put those people to work but also to split them off socially and psychologically from their co-workers and neighbors, articulated through cultural presumptions and narratives about freedom, obligation to work hard, racialized work ethic, laziness, etc. In the following chapter, I will dive more deeply into the ‘accumulation of differences’ among rural workers and how these differences shape the possibilities of Southern class politics in the 21st century.

CHAPTER 5

“You Can Take More Pain”: Overwork, Suffering, and Class Formation in Tennessee Agriculture

“Trabajo si hay, pero no hay trabajo para todos en la sombra”
(*“There's work, but there isn't work for everybody in the shade”*)
-indigenous Mexican farmworker in Grainger County, 2013

“Y me dijeron, tu eres Hispano- aguantas más. Y seguí trabajando así, sangrando.”
(*“And they told me, you're Hispanic, you can take more pain. And I kept working like that,*
bleeding.”)
-indigenous Guatemalan migrant worker in Bedford County, 2014

The summers have been getting hotter across the South. During one especially intense heat wave in June 2012, with news stations warning that our daytime temperatures, above 110 degrees, matched those of the 1930's Dust Bowl, I traveled with legal services volunteers who were zigzagging across Tennessee and Arkansas' Mississippi River Delta to talk with workers about workplace and housing rights. Despite the dire heat wave warnings being broadcast across the South, farmworkers continued the summer harvest of tomatoes, watermelons, and other vegetable crops uninterrupted. The workers we talked to, mostly ‘guestworkers’ with temporary H2A visas from Michoacán and Hidalgo, Mexico, observed that the risks of working in the suffocating heat were real but unremarkable. One day the farms took the uncharacteristic step of

canceling work at 2 in the afternoon due to the rising heat, and hundreds of idled vegetable pickers sat around in the shade outside their run-down apartment complex, playing cards and washing laundry in 5-gallon buckets. One long-time guestworker from Guanajuato explained with a tired grin that the sun and exertion don't bother him: “*es que estamos acostumbrados a trabajar asi,*” (we're used to working like this). A dozen others seated nearby grunted and nodded in agreement, swapping stories of hardship back home and insisting on their ability to endure conditions much ‘heavier’ (*mas pesado*) than ‘Americans’ can.

In this chapter, I will explore how workers experience the relentless destruction of their bodies and the unequal distribution of suffering in Tennessee agriculture, under working conditions that are both readily acknowledged to be dangerous, and also treated as customary and normal. I will pay particular attention to how the physical degradation workers endure fuels an “accumulation of differences and divisions within the working class” (Federici 2004:63), and how these different bodily experiences serve as a wedge of “disorganization” (Carbonella and Kasmir 2008; 2014) that challenges collective class identity among workers who are perceived to have different thresholds of tolerance for pain and injury, or who are expected to accept different levels of bodily risk in order for their employers to remain profitable. I will also examine the opposite: how diverse groups of co-workers form an intimacy with suffering and each other that bond diverse groups of workers together and form a vernacular basis for shared understanding, discontent, and aspirations for change. By exploring how the distribution of farmworker suffering makes and unmakes class relationships, I aim to move past rigid and ahistorical concepts of “structural violence” and “hierarchies” of vulnerability in farmwork (e.g. Holmes 2013; Horton 2016) or reified “identity-based divisions” between workers (Stuesse 2016:224; Ribas 2016), and refocus on the process by which farmworkers and their captors shape their own

identities through the “fierce struggle over geography, history, and class composition itself” (Carbonella 2014:78).

Beginning with a review of how ethnographers write about “suffering” in agricultural and slaughterhouse work and their conclusions about whether workers ‘accept’ their situation, I then build off of Binford’s (2013) observation of the “dual frame of reference”¹¹⁵ that structures Tlaxcalan guestworkers’ perceptions of fairness and reward on Canadian farms, outlining how Tennessee plantation workers’ experiences of degradation and the pressures of dispossession in their home regions feed immigrant workers’ “certainty that they are the most disadvantaged group” (Ribas 2016:26). Then, I will draw from my ethnographic work in Grainger County produce farms and Smith County tobacco farms to illustrate the everyday contours of the “accumulation of differences” (Federici 2004) among workers with different experiences of physical suffering in Tennessee plantation towns, showing how many workers respond to their hyperexploitation with ethnic pride in their capacity for overwork. Third, I will examine the captive labor system used by Tennessee tobacco grower Marty Coley, and his entanglement in local and national politics, to explore the relationship between workplace captivity and injury, and how the insult of physical degradation can spark workplace resistance against employer tyranny despite tremendously lopsided power relationships and state actors’ complicity in workplace abuses. Comparing the internal solidarity of Coley’s rebellious workers to racial wedges in worker solidarity that emerged in the Bedford County sweatshop struggle a few counties over, I show how this contradictory process of struggle can both inspire collective resistance and ‘disorganize’ worker struggle by reinforcing competing allegiances of class and race. Finally, I will conclude by arguing that plantation elites’ efforts to ‘differentiate’ workers

¹¹⁵ Binford borrows this phrase from Waldinger and Lichter’s analysis of immigrant labor in Los Angeles (2003)

and the imagined geographic terrain of ‘agriculture’ should be understood as a ‘disorganization’ of working-class autonomy of hemispheric scale, through which labor-hungry elites have restricted the working class’ (migrants’) ability to control territory and move about the world’s landscapes as they please.

“How the Poor Suffer”

Plantation farmwork is a shitty job, one which workers, scholars, farm labor recruiters, and politicians all recognize, in their own way, to be exhausting, badly compensated, and dangerous. But different players explain farmwork’s shittiness in very different ways; Florida farmworker and labor organizer Lucas Benitez insists: “*no somos pobres en este pais; estamos jodidos,*” (we aren’t poor in this country; we’re screwed), emphasizing that farmworkers’ degradation is an active political choice made by those in power¹¹⁶. For their part, plantation owners attempt to tamp down discontent by naturalizing the degradation of farmwork and farmworkers with racialized narratives about who is ‘suited’ to degraded work, from the Black workers a Florida grower in the 1960 documentary ‘Harvest of Shame’ speculated had “a little Gypsy in their blood” (Murrow 1960) to the Mexican workers that Sunkist Trust president Charles Teague argued were “adapted to field conditions” in 1928 because they “can withstand the high temperatures of the Imperial and San Joaquin valleys” (Balderrama and Rodriguez 2006). The dominance of this narrative, which has sunk deeply into the consciousness not only of employers but also of exploited workers and their allies, has above all reinforced the idea that farmwork and farmworkers are ‘different,’ that is, agricultural is a distinct arena of labor, one

¹¹⁶ See *Food Chains* (Rawal 2014). For Benitez, in the midst of a campaign against national supermarket chains, the distinction is one of class exploitation: there are people and corporations up top (not necessarily our immediate employers) who are making money off of our labor, and better conditions for farmworkers will only come through a confrontation with those exploiters.

which is uniquely degraded and thus unsuitable for local (white; citizen) workers. In this section I will review how ethnographers write about the ‘special suffering’ of farm and livestock workers, and suggest how we can analyze suffering as a consequence of dispossession without perpetuating the existing racial and citizenship categories on which racial capitalism relies.

In his book *Fresh Fruit, Broken Bodies*, medical anthropologist Seth Holmes describes how indigenous Triqui berry workers from Oaxaca, Mexico are incorporated into Washington's fresh fruit industry, which profits from their labor while restricting their freedom and wearing down their bodies through overwork, denial of medical care, unsanitary housing, and disproportionate exposure to workplace hazards (2013). Relying on a phenomenological narrative approach with international scope, Holmes begins his analysis in the ‘sending communities’ in the Mixteca Baja of Oaxaca, showing how transnational neoliberal policies have devastated the local economy, forcing Triqui *campesinos* into destitution or migration, or as Phillippe Bourgois describes it in his foreward, “a choice between hunger and repetitive strain injuries” (2013:xiii). Holmes then follows the berry workers' migration circuit from their home village through the Sonoran Desert border zone, the crossing point that workers identify as the site of their most intense risk and suffering. Finally, he travels with Triqui migrants to Washington berry farms and central California vineyards. Following the migrant circuit allows Holmes to show how the fruit industry externalizes the costs of their workforce's reproduction, degradation, and convalescence by recruiting healthy and able-bodied workers as adults and then returning (or deporting) them back ‘home’ once their bodies give out. Holmes' analysis of the role of the farm owners leans toward sympathy, makes a point of reminding his readers that farmers are participating in a global capitalist system that they, too, are trapped by, and argues that the hierarchies of ethnicity and suffering that grind down their workers are “neither willed

nor planned by the farm executives and managers” (2013:52-3).

While Holmes’ ethnography and other critical public health scholars that emphasize ‘structural violence’ (Benson 2011; Horton 2016) have generated rich ethnographic data and effectively challenged ‘power-blind’ public health narratives (see Chapter 1), their approach risks an ahistorical acceptance of racial categories as normal, static, and immutable. In contrast, historian Cindy Hahamovitch’s extraordinary work on the Atlantic coast plantation world shows how differences and divisions among the farm workforce have often been designed by plantation elites in response to historic contests for power between rural workers and landowners (2011), and Binford convincingly argues how profitability concerns drive ‘racial preferences’ of Mexicans over Caribbean guestworkers in the Canadian horticulture industry (2013). Harrison and Lloyd’s work on Wisconsin dairy managers catalog ways that Wisconsin dairy managers intentionally segregate their workforces as they “select for subordination”, while masking their workers’ domination as personality characteristics such as “good attitude,” “work ethic,” and “soft skills” (2013:282).¹¹⁷

Still, the lived experience of physical suffering described by Holmes is a starting point for individual workers evaluating their political position, for ethnographers analyzing evolving social patterns of dispossession, and for working-class organizations seeking a strategy to contest for political power. Stuesse, for example, points out in her ethnography of Mississippi poultry workers that Black workers were most politically attuned to struggles against ‘crippling’ through repetitive motion injuries, while Latino workers were more sensitized toward fighting for the

¹¹⁷ Lloyd and Harrison go on to argue that, “workers’ “reliability” should be understood as a rhetorical placeholder for compliance. These narratives about “reliability” and “strong work ethic” fetishize unauthorized immigrants’ structurally produced propensities to self-exploit and be compliant; obscure the ways that they shoulder the burden of current U.S. immigration policies, law enforcement practices, international trade policies, and farm restructuring; and depoliticize these consequences with claims of cultural difference. This coding of compliance as “reliability” becomes clear when dairy farmers disparagingly characterize as “Americanized” those immigrants who reject or critique the terms and conditions handed to them” (2013:292)

right to medical care (without retaliation) for acute injuries (2016:140). In her analysis of unionized shipbuilding workers in Spain, who complained in the post-Franco transition that union officials had “lost touch with the immediate reality of work and hardship,” Narotzky points out that “people believe in those that suffer with them [...] collective suffering, the shared embodiment of work and hardship, is seen as being the basis for any possible collective identity and action” (2014:189).

For migrant workers who are familiar with both the reality of a ‘home country’ and the reality of a ‘host country’ that exploits but also rewards their labor, patterns of suffering are inevitably interpreted through a “dual frame of reference” (Binford 2013) which compares their higher wages in the plantation North with their relative deprivation ‘back home’ in the Global South. This dual frame of reference helps clarify how uneven development (Smith 1984) ‘differentiates’ and ‘disorganizes’ the global working class’ larger collective interests (Kasimir and Carbonella 2014), since many Mesoamerican workers support large numbers of dependents and debt repayments with wages that their US-born co-workers would struggle to support a family with. This profound difference explains why many migrant workers tolerate, or even embrace, hyperexploitative work that many native-born Americans despise and seek to flee (even if they continue to work because other options are foreclosed). As Margaret Gray argues in *Labor and the Locavore*, farmworkers in New York’s Hudson Valley see migrant as a “golden cage” (2013:64) which they are “not free to leave” (2013:109) and “don’t have a choice” because “we are the slaves” (2013:117); nevertheless, she concludes that workers are “largely accepting of the poor working and living conditions offered on the region’s farms without much questioning” because “workers’ plans to return to their home countries allow them to rationalize their situations through habitual comparison with their lives there rather than with those of other

U.S. workers” (2013:13)¹¹⁸. Her data suggests, though, that workers do indeed question their mistreatment, even if they submit to it in the end after weighing their options. In his discussion of “dual frame of reference”, Binford emphasizes that it is not simply a different cosmivision or cultural attitude towards labor, but rather a form of brutal coercion¹¹⁹ premised on violent patterns of dispossession such as civil war, widespread narco-gang violence, the threat of incarceration, and the collapse of rural economies due to ‘free trade’ agreements with the United States. In Hahamovitch’s terms, “deportation became the world’s new whip” (2011:85), a form of naked violence that veils its embodied consequences by outsourcing the brutality to out-of-sight prison guards and armed actors in other countries.

‘Suffering’ on Tennessee plantations, then, is both a result of hemispheric-scale circuits of dispossession (as discussed in Chapter 3) and a source of compulsion for workers who see few opportunities, and many risks, to challenging the confinement into which they semi-voluntarily submit themselves (as discussed in Chapter 4). Some ethnographers argue that the profound fracturing of working-class experience, based on the very different ways that working people have been subjected to suffering, means that ‘reaching across difference’ requires ‘reaching beyond class politics’ (Stuesse 2016; Grey et al 2017:9).¹²⁰ Instead, I ground this chapter in Kasmir and Carbonella’s effort (2014) to double-down on class politics, analyzing those very

¹¹⁸ This is the key reason why Gray emphasizes a road to the improvement of farm working conditions through coalitions and advocacy alliances with consumers, rather than primarily through collective action on the part of farmworkers.

¹¹⁹ In a less bleak variation of this theme, Griffith points out that many guestworkers (and other international migrants) choose to engage in temporary overwork specifically in order to live a more leisurely lifestyle (and a publicly visible one) ‘back home’ at other times during the year (2006: 82).

¹²⁰ Stuesse observes that “while many of poultry’s dehumanizing practices cut across lines of difference, its leveraging of workers’ differences—both real and perceived—mean that these practices are experienced in distinctive ways by different groups” and “even when people do experience oppression similarly, relations are structured such that they may not recognize the similarities they share or respond to their lived experience in the same ways” (2016:9).

fractures between workers, racial differences, inequalities of citizenship, and variations of bondage, through the lens of ‘disorganization’, a profound form of dispossession and class domination which tests workers’ ability to find common cause and build collective power to regain control of their lives and labor.

The “Accumulation of Differences” on Tennessee Plantations

In the following sections, I will use examples from my ethnographic work in Grainger County produce farms and Smith County tobacco farms to illustrate the everyday contours of the “accumulation of differences” (Federici 2004) among workers with different experiences of physical suffering in Tennessee plantation towns. In part one, I will compare the descriptions of vegetable harvest work made by white workers who ‘help out’ and ‘receive help’ versus Mexican workers who felt worn out and discarded by farmwork, and workers’ ambivalent assessments of whether the solidarity felt among Mexican workers extends to *Americanos*. In part two, I will describe how tobacco harvest workers talk about feeling stuck in especially exploitative work, and how this leads to heightened risk of injury and harm without any serious consequences for their employers. In part three, I will illustrate how many farmworkers respond to their constrained autonomy by normalizing their capacity for overwork as a valuable ethnic characteristic, displacing feelings of lost autonomy with a racialized language of ‘liking’ hard work, and stigmatizing those workers who they perceive to have access to social safety nets and welfare programs.

Mexicans and Boys Who Are “Too White to Pick” in East Tennessee Vegetables

Lakeshore Drive winds along the edge of Cherokee Lake in East Tennessee's Grainger County, dividing the landscape between a recreational shoreline dotted with white families' lakehouses, RV campgrounds, and marinas, and an uphill landscape of tomato farms worked by primarily Mexican immigrants. The lake itself is an impoundment of the Tennessee River, dammed for rural electrification in 1940 and then named in memory of the native people who had been forcibly removed a century before; the plentiful late-summer reservoir water also turned out to be a major boon for the tomato industry, which made Grainger County famous and local farmers profitable when the area became a major summer stopover for Mexican and Guatemalan migrants following the harvest north from Florida.

I started looking for tomato work on the first day of July. At each of the fields and farmstands on Lakeshore Drive, I stopped and asked for a picking job. Farmers squinted their eyes as they looked me up and down, asking if I had ever picked tomatoes before. When I said no, so did they. One tomato farmer stopped watering to look at me and say slowly, with pity, "it's hard for young guys like you because of the Mexicans... they have their own trucks, and pay workers by the box." Finally the manager of one of the packinghouses asked if I had checked with Jack, who, he said, was always looking for workers. I agreed to take anything that was available and within a few minutes Jack was on his way to pick me up.

Jack had a couple of other workers picking that day, too: a white high school kid named Mike and a Oaxacan guy named Sebastián. Jack showed us the size and color of the tomatoes he wanted, mostly green with just a hint of pink color showing, and then jumped in his truck and drove off without saying anything about what the hours or pay would be like. We started filling cardboard boxes with big heirloom tomatoes, shuffling down the muddy rows on our knees. Mike said they had been working long hours: 11 hours yesterday, nine hours the day before that,

without any days off, and that he was fixing to quit as soon as high school started up again. Mike said he had been working for Jack on and off since he was a little kid, and that Jack was frazzled right now because he was in debt from putting all his money into new greenhouses and could only get out of it if everything got picked on time.

When Jack’s truck roared up next to the greenhouses a couple hours later he dropped off another couple of Latino workers and another young white guy, Aaron. We got rained out after a couple more hours of picking, and took the bushels we had filled to Jack's mother's garage.

While we waited out the rain, Aaron said he was on probation for selling drugs, and once his probation was over he was planning on quitting this job and “getting the real money again.”

Aaron complained that he couldn’t pick beans worth shit, that Jack only had him do it as a favor while he’s on probation; and Aaron proved it by filling one bushel to Sebastian’s five. Sebastian didn’t say much, and Aaron finally declared, “I’m too white to pick beans!”, in a sort of defeated and apologetic tone, before we got a call from Jack saying to quit and come back in the morning.

In the morning, though, Jack was nowhere to be found, and I called the phone number from a “workers wanted” flyer I’d picked up at a Mexican *tienda* in Morristown. An hour later I had a new job and I was picking tomatoes at another local vegetable farm a couple of miles away.¹²¹ Luis, the foreman, handed out stacks of bushel baskets made of pine strips with wire handles, and each picker chose a row. The workers at this farm operated much more as a group; over time new workers learned to go back and help someone else finish their row if they were lagging behind. “*Para que sea todo parejo*” (‘so that everything is even’), as Luis put it. In the

¹²¹ Toward the end of the day, when I mentioned offhand that I had been working in Jack’s fields until that morning, Luis said the farmer we worked for would have to call Jack to ask if it was ok, because they didn’t want him to think they were ‘stealing’ his workers. Once we were back out in the fields, Luis shrugged, muttering to me, ‘it’s a free country, you get to choose which boss you want to work for’; but then he thought about it for a second and clarified that in reality the two farm owners would talk it out and decide between themselves which one I would work for. Apparently Jack didn’t fight much to keep me on his payroll, and I never heard about it again.

morning about 20 men, women, and teenagers would pick tomatoes together, but as we moved on to the second crop of the day, the women would go to the packinghouse to start sorting and processing the produce we brought in from the fields. Many of the workers at this farm were related, coming from the same towns in Michoacán, Mexico, and the crew operated in three languages. The younger kids spoke to each other in English, some of the workers from Chihuahua and Chiapas spoke in Spanish, and most of the crew went back and forth between speaking Spanish (intelligible to the whole group) and Purepecha. Sometimes in a group conversation a phrase or a joke would be translated 3 different times so that everyone in the work crew could follow.¹²²

We started picking each day around 7 AM and we kept going until dusk, and then came back to the packing shed to sort and load produce for the next day's shipment until 9, 10, 11, or later at night. The work schedule left us around 8 hours from clocking out until we had to clock back in in the morning, so we slept as close by as we could; several of us who were new or temporary slept in or beneath our cars in a gravel lot just down the road beside Cherokee Lake, and we showered and got hot water for an instant oatmeal breakfast in the bathrooms at the TVA campground.

Alex, a Mexican kid picking squash in the row next to mine, said he usually works construction, but it was slow right now and he was working here until they had another house contract to work on. He was in 9th grade, and he talked about girls and movies and music. Mario, the foreman's son, was going to community college a couple of days a week but worked on our

¹²² The tools we use at the farm also reflect, in subtle ways, the simultaneous globalization of supply chains and racialization of East Tennessee produce plantation work. For tying the tomatoes up we mostly used white twine produced in Turkey by Intergro, a Florida-based international farm supply company, with the slogan “Hola Amigo! hecho para ti” (*hey buddy; made just for you!*) emblazoned on the side of the box in Spanish.

dawn-to-midnight shift every other day of the week. He proudly proclaimed himself to be a redneck, showing off his customized truck horn, which played the main riff from “Dixie” in a trumpet tone whenever he honked. He wore a John Deere hat and cowboy boots and drove a 4x4 Ranger, and got married to a local white girl who he went to high school with, but had to court secretly because her family “didn’t like me because of my race.” After 2 years together, though, he reported that “they’re just starting to be able to accept me.” While loading cucumbers one day, 15-year-old Alex announced to the group that he wants to become a police officer. At first everyone joked about how as a police officer he could “lock up the Mexicans” (*agarrar a los Mexicanos*). Everyone started making fun of Alex, sharing stories about the racist local police, but after a while Luis got serious. He encouraged Alex to use police training to get ahead – “don’t be just a regular cop”, he said, “have them train you for a career, like a police medic or something, because the regular cops don’t make much money either.” Luis told Alex that anything would be better than working in the fields: “if when you’re grown I see you come looking for work in a tomato field,” he told him sternly, “I’m going to tell you to get the hell out of here.”

We would pick squash, then cucumbers, trying to work through the back pain without thinking too hard about it. At the end of the rows, we would stand and rest for a minute, or help the person next to us finish their row. Then everyone would line up in front of their next row, waiting to start until the whole group was ready. During that glorious brief moment of rest we would put our boxes down and have a long pause, lasting 1 or 5 or even 10 minutes, until we could start and ‘move on together’ (*avanzar parejo*). Nobody ever said anything about our precious few minutes of stolen rest time. While we were lining up to pick cucumbers one day, a guy that goes by Tomatito said, “we’re all Mexican, right?” (*todos somos Mexicanos, no?*). Then

he turns and looks at me, before saying, “You're Mexican too, because you're here with us” (*eres Mexicano, pues, por que estás aquí con nosotros*).¹²³ Luis said that most people, especially *Americanos*¹²⁴, would come out and work 2 or 3 days but not many of them would show back up: “there's plenty of work,” he mused, “but there isn't work for everyone in the shade.” These two comments start to indicate the contradictory idiom of racial and class identification in the East Tennessee fields. First, Tomatito included me, a visibly white *Americano*, within the circle of Mexican solidarity, which on this farm animated a remarkable sense of unity, a sense of shared effort and exertion in which younger and more agile workers ‘helped out’ older workers, and a degree of collective control of the work process, with which the crew sought to relieve unnecessary suffering. Second, Luis reflected that these aspects of solidarity generally didn’t extend to *Americanos*, either because they disdained the work, couldn’t hack it, or both.

The longevity and level of control Luis’ family enjoyed within the farm, mixed with their constant references to their vulnerability to racial exclusion and violence,¹²⁵ left me with a deeply contradictory impression of their status in the community. On the one hand, they controlled production, hiring, and work pace to a remarkable degree. On the other hand, as I described in greater detail in Chapter 4, they have secured their place here in this corner of Eastern Tennessee at the cost of attaching themselves to an exploitative patron who they hoped

¹²³ See Striffler 2005 for a description of a similar interaction in a Tyson chicken slaughterhouse in Arkansas.

¹²⁴ In farmworker Spanish, *Americano* typically refers to a ‘white American’, but it can also mean anyone who is an American citizen, indicating that many immigrant workers understand white people to be the ‘real’ citizens of the United States. See discussion on *Americano* in Ribas 2016:80)

¹²⁵ This part of Tennessee would become nationally famous in April 2018 when it was the site of the largest workplace immigration raid up to that point during the Donald Trump presidency, when 97 workers were arrested at a small cattle slaughterhouse in Bean Station (Lakin 2018) . Bean Station, incidentally, is incorrectly famous as the site of the ‘first white settlement in Tennessee’, named after the Bean family of Revolutionary War soldiers and gun manufacturers. The 2018 raid revealed the participation of the slaughterhouse owner in both ‘protecting’ his workers (by sidestepping work authorization requirements) and exploiting them (by paying them as little as \$6 an hour, cash). Subsequent journalism on the Bean Station raid: <<https://www.nashvillescene.com/news/cover-story/article/21015652/the-uncertain-fate-of-migrant-workers-and-their-families>> illustrate how even ‘sympathetic’ narratives naturalize the degradation and inequality of the plantation system.

could intervene to ‘protect’ them from the hostile world. No matter how consistent their current employment, a cloud of uncertainty hung over them as they went about their lives, and the older vegetable workers talked openly about their eventual expulsion from the United States. Around dusk on the 4th of July, as squash-picking was finishing, one of the younger bilingual workers asked his uncle, Juan, whether they would have an Independence Day party that night. Juan, sitting down to rub his foot, shot back, “*Para qué voy yo a celebrar? Qué tengo que celebrar? No soy de aquí, soy Mexicano* (“What would I celebrate for? What is there to celebrate? I’m not from here, I’m Mexican”). Juan had been nursing a worsening foot injury for several days, with a hard spot in the sole of one boot that had been poking up, digging into his foot, and he almost couldn’t walk. His foot was swollen, and when he took his boot off he couldn’t force it back on. Luis had told him to go rest, but Juan said he didn’t have anything else to do here besides work, and he kept picking through the day.

Someone asked Juan if he thought he would go back to Mexico, then, and he answered, sure, I have to eventually. “(*Ya no somos como eramos antes*” (we aren’t like we used to be), he said, looking over his worn-out body. He pointed at his foot: “*se cansa el cuerpo... a veces exigen mas, pero hace mas calor*” (your body gets tired... sometimes they demand more out of you, but it’s just too hot). Over the years, the work here in Tennessee had worn his body down, and he knew that when he can’t work here anymore, he won’t be able to afford the rent in the on-farm housing anymore, or put together payments for the medical care he’ll need, and he will have to return to Mexico. Juan was approaching the end of his cycle of exploitation: Tennessee’s tobacco and produce plantations captured his strength and the most productive and energetic years of his life, but all the costs associated with birthing, raising and nourishing him before

arriving in Tennessee, and all of the costs associated with caring for him in his old age, will be borne by his home community in Michoacán.

Mike and Juan are, in a broad sense, co-workers. Both are exploited as they labor in the vegetable fields, making roughly the same hourly wage as they struggle through the day to secure profits for the landowners who put them to work. But in several key respects their experiences diverge. Juan and his family have been displaced from their village in Mexico, both by economic hardship and by the rise of narco-trafficking entrepreneurs who have disrupted or taken control of the livelihoods of much of the Purepecha population of Michoacan. They live in East Tennessee, where their vulnerability before the law and hostile neighbors keeps them severely indebted and subordinate to their ‘protective’ employer (see Chapter 3 on the 287(g) immigration policing program expanding in neighboring Knox County as the time, and Basham 2018 on the major immigration raid that occurred in this same stretch along Cherokee Lake in 2018). And at any moment, in their prime or as their bodies wear out, they are in danger of being forcibly expelled back to Mexico, one more wave of disposable Indians removed from the fertile hills of the Tennessee River Valley to clear the way for uncontested Euroamerican control. In contrast, Mike and Aaron’s relationship with their farmer neighbor goes beyond a strictly alienated employment relationship. While still not a relationship between equals, Mike and Aaron talk about farmwork in terms of ‘doing a favor’ for your neighbors- either by providing needed labor to the farmer, or by providing needed income to the field hand in a tight spot. Like other white workers I encountered working on small tobacco and vegetable farms, Mike and Aaron explained that they were “helping out” the farmer (referring to them by their first name), rather than that they were “working for” them. In Aaron’s case, the difference between ‘helping out’ and ‘working’ appeared quantifiable: one bushel of beans versus five. The mixture or

disguising of wage labor as neighborliness dramatically changes the conditions of labor and the power relationships between white wage workers and their white landowning neighbors, while distancing them from the pure wage-labor relationship that other workers (of color) experience doing much the same physical work.

As the migrant population matures and reproduces, younger workers like Mario, Mexican by lineage but ‘redneck’ by aesthetic affinity and marriage, find themselves embodying both the bridges and the divides between the fragments of East Tennessee’s rural working class. In the following section, I will use examples from tobacco plantations, the crop most notorious for the exploitation and destruction of workers in Middle and East Tennessee, to explore how daily workplace practices influence workers’ sense of their own captivity, disposability, and physical degradation, generate an “accumulation of differences” between co-workers, and structures laborers’ understanding of their place within the overall rural working class.

Working in Tobacco Towns With ‘No Way Out’¹²⁶

¹²⁶ Though cotton has become the primary crop associated with the proliferation of captive labor in the American South, tobacco was its grandfather. During the initial invasion and colonization of the Cherokee and Chickasaw territories that became Tennessee in the late 18th and early 19th centuries, tobacco was the main labor-intensive cash crop that Virginian and Carolinian land speculators rushed to plant, and thus the main impetus for the early growth of slave labor in Tennessee. Slave-grown tobacco had been the primary export the Chesapeake Bay ‘tidewater’ colonies for 150 years already, which were exporting a hundred million pounds of leaf a year to Europe¹²⁶ by the start of the American Revolution; as a result, early Tennessee planters had both a developed global market and a sophisticated captive labor system that allowed them to quickly secure credit and import slaves to work the exponentially-expanding new lands of what was then called the American Southwest.

Tobacco so shaped the contours of America’s landowning elites that conflicts over how to distribute the profits extracted from the slave tobacco system were of central importance in the American Revolution and subsequent formation of the United States. As Gately puts it in his cultural history of tobacco, “If one were to search for similarities among the fifty-six men who drew up the birth certificate for the most powerful nation in history, one would discover a belief in God, and tobacco interests.” (Gately 2007:140). As described in greater detail in Chapter 2, this ‘tobacco rebellion’ was the main impetus that cleared the way for the expansion of a large-scale and well-capitalized plantation system in what is now Tennessee. By 1800, Joseph Washington, a distant cousin of president and prominent Chesapeake tobacco planter George Washington, had founded Wessyngton Plantation near Springfield in Middle Tennessee, the largest tobacco plantation in the United States and the second-largest in the world, where nearly 300 enslaved tobacco workers produced leaf for the international market on 15,000 acres (Baker 2010).

Tobacco growers use labor-intensive crews of temporary workers for setting, topping and suckering, cutting, hanging, and stripping tobacco.¹²⁷ In August 2013, I linked back up with old co-workers from the Warren and DeKalb County nursery towns and traveled with them to nearby tobacco farms looking for jobs topping and eventually cutting tobacco. We borrowed phones to call up co-workers and old bosses who were hustling to assemble ideally-sized crews, connect us to tobacco growers, negotiate favorable piece rates and housing, and time our arrival to maximize the money we might just walk away with if conditions worked out just right.¹²⁸ This was the tobacco-cutting season that Warren County nursery workers had talked about with such mixture of anticipation and dread, drawn to the variable piece rates that can earn workers double the minimum wage, from before dawn to past dusk, if they can push their bodies past the normal limits of exhaustion. While a few workers stayed on as extended-season laborers in the nurseries, most had to move on and picked up tobacco or other work whether they liked it or not, many of

Because of its prominence in Middle and East Tennessee, in this region tobacco work is the archetypal ‘degraded’ job, infamous for wearing out whichever workers are lowest on the totem pole of prestige and stigma: the place held by cotton in the Lower Delta and the Alabama/Georgia Black Belt, or by turpentine plantations in North Florida, or by timber mills in northwest Louisiana.

¹²⁷ Machinery is becoming available that can harvest tobacco in much less labor-intensive ways (and, potentially, in ways that greatly diminish workplace hazards), but growers have largely decided not to mechanize because the machinery is imprecise and expensive, and many growers are hesitant to invest the several hundred thousand dollars in machinery when they are not sure if they will be able to grow a profitable tobacco crop even next season. Instead, they continue to opt for the relative flexibility of hand-harvest crews, which are still cheaper than machinery and can be discarded more easily than fixed-capital investments in machinery if the tobacco market dips unexpectedly.

If the price of labor increases or machinery improves in quality, it's possible growers could pursue a similar strategy as the south Florida sugar growers, who transitioned from Caribbean hand-harvest labor to mechanization after a series of targeted lawsuits by workers against sugar growers in the 1980's (Hahamovitch 2011)

¹²⁸ Growers have managed to outsource many of their costs of recruiting workers by assigning that uncompensated labor to their regular workers, who put in time finding jobs for their friends and acquaintances and negotiating terms of employment. My co-workers at the nursery referred to Julio as “*el que tiene el trabajo*” (the guy who has the work), and during the time I was seeking work I and other applicants were often asked to assemble work crews ourselves, tapping our own networks of acquaintances. Farmers often express feeling out of control of the situation, since they have to rely on others to find workers and tap into Spanish-language recruitment networks (see Hahamovitch 1997 for examples going back to the New Jersey *padrone* system).

them masking the frustration of the inevitable layoff with a superficial enthusiasm to be moving on to a new job.

Another nursery worker introduced me to Julio, a field worker at the nursery who also worked cutting tobacco at a medium-sized farm about an hour north in Smith County. The farm had already shipped in over a dozen ‘guestworkers’ from Hidalgo, Mexico¹²⁹, and the boss had told Julio to spread the word among his friends that they were filling out a second cutting crew to speed up the harvest. The final size of the workforce came to about 20 workers, including several local workers originally from the Mexican states of Chiapas, Oaxaca, and Tamaulipas who had shown up after hearing there was work available, as well as a middle-aged white guy who said he had been working tobacco for neighboring farmers in town most of his life. Word came down that one last crew of workers were on their way from Chicago, and we nervously awaited their arrival, passing the time ‘*quitando flor*’ (topping) until we could leap into action making better money cutting and hanging, but those crews never arrived and we began the season short-handed.

One or two of the ‘guestworkers’ had worked on this same farm during previous seasons as undocumented workers, but for most of the H2 workers, this was their first time cutting tobacco and their first time in Tennessee. For most of the migrant workers without visas, this farm had become one stop on their yearly circuit; my roommate, Marcos, had been cutting tobacco on this farm for over 15 years, beginning when he was 14 years old, and often migrated south to Florida for the winter vegetable harvest. As we began to work, older *tabaqueros* teaching less-experienced workers the mechanics of cutting and spiking the tobacco plants, or

¹²⁹ Hidalgo has its own traumatic history of *hacienda* captive labor. Many indigenous H2 farmworkers from the Huasteca region surrounding Cahuazas and Chapulhuacan were themselves engaged in a long struggle against landlords where agrarian reforms of the Mexican revolution never took place and rural movements escalated into mass peasant mobilization and armed struggle in the 1960’s (Garcia and Leoncio 2013).

how to select which leaves to pull off while suckering, workers told stories about how this work compared to that of other regions. To motivate each other, workers tell stories about legendary cutters who can earn *billetote* (serious money), cutting and spiking as many as 1200 stakes by noon (\$240 at our current rate).

While we wait for the mysterious Chicago crew (which never arrives), we pass our days *quitando flor*, or ‘topping,’ which involves pulling the flower stalk off of the tobacco plant a few weeks before harvest to direct the plant's energy to leaf production. If workers arrive before harvest begins, or if it is too rainy to cut tobacco, workers spend their days walking across the long field rows yanking flower stalks down from sunup to sundown. Around the same time, workers are told to pull off the *retoño* (sucker), a process which gradually coats your entire body with gummy green ‘tar’. For first-time workers who haven’t gotten the hang of things yet, it can be hard to choose which suckers to pull, and the new guestworkers from Hidalgo were constantly correcting each other's technique. In a tall field with tobacco plants towering up to 8 or 9 feet, making your way across long field rows can take over an hour, and the heat, dehydration, and lack of visibility can be disorienting. Suckering is paid by the hour, so there isn’t much incentive to rush and most workers keep a common pace and work across the field in a single wave, gossiping and encouraging each other as they go.

Once the lower tobacco leaves begin to turn yellow, cutting, spiking, and hanging begin. Cutters work all day bent at the waist, making their way down double-planted tobacco rows cutting the base of the tobacco stalks with a light steel-bladed hatchet, twirling the blade through the stalks with one hand while guiding the plants down into piles of six plants each with the other hand. With some experience, workers can perform the motions smoothly, cutting each stalk cleanly instead of having to hack at them or getting the blade stuck. An experienced cutter cuts a

couple of plants with each step, swaying forward down the row with their head hunched down to belly-button level, cutting each set of six plants in 3 or 4 seconds. Cutters hope for a clear, cool day, but rain or excessive heat can slow you down; on my first day cutting, it poured down rain and our feet sank down to our shinbones in mud. As the thunder started booming and the wind picked up, the crew leader got a call from the farmer saying we could quit, but we already had a few long rows of tobacco cut and laying on the ground, so we kept going to avoid losing our day's pay. Julio howled out across the field, just before the heavy rain really started: "*nos vamos a mojar hasta los cojones hoy, muchachos!*" (we're gonna get soaked all the way to our balls today, boys!).

After the tobacco is cut, workers carry heavy bundles of 5-foot hardwood stakes down the rows, tossing a stake onto each pile of six plants in preparation for spiking. Once everything is in place, workers plunge a stake into the muddy ground at an angle, and set a removable, needle-pointed 9-inch steel spike on the end of the wooden stake, with the spike's point facing the sky. Next, they swing the thickest end of the tobacco stalk onto the spike, forcing it down over the spike onto the wooden stake. This is the tricky part: you have to hit a sweet spot on the tobacco plant's stem that is just one centimeter across in order to spike the plant without splitting it, and it can take some practice to learn how to spike plants quickly enough to make good money but carefully enough to avoid damaging the tobacco plant or yourself.

On their way into the fields, veterans casually warned new workers not to spike their body parts, with offhanded advice like "by the way, be careful not to impale your hand on the spike" or, "don't put your hand too close to the spike while you're packing the leaf down- or it will go through your hand." Marcos grimaced as he showed me how to set a spike, saying "*he visto muchos batos muy mal lastimados*" (I've seen a lot of guys badly injured). During his first

season, when he was 14, he accidentally shoved a spike through the middle of his hand all the way to the bone. He said it burned like hell because of the chemicals in the tobacco, but that he wasn't hurt as bad as another friend of his, who came from Mexico to work with him, who once had a spike stab all the way through his forearm with the point sticking through on the other side. Others recounted injuries where workers slipped in the mud or miscalculated, and ended up with the spikes stabbing through their lips, eyelids, and legs. Jason, the middle-aged white worker, said that when he cuts tobacco, he takes his time: "I knew a guy who spiked his hand and got lead poisoning once – it ain't worth it to me to get hurt for some other guy's tobacco." Other workers, trying to take advantage of the piece rate to get paid for as many stakes as they can, speed up and play the odds of getting injured, accepting a few puncture wounds, gashes, and longer-term musculoskeletal injuries as the inevitable cost of walking away with a little more money during the one part of the season where they feel that harder work can translate into higher pay.

After spiking, we tossed all the tobacco stakes, now heavy with leaf, onto wagons. We hauled the heaping wagons down to the hanging barns, where we hung the tobacco between rafters two, three, and four stories high. During hanging, workers shimmy up the barn's support beams and stretch their legs apart spread-eagled with a foot on each rafter, about four feet apart – for the shorter workers, stretching their legs across that span is challenging, and puts a lot of lateral force on the rafters, causing them to bend and sway ominously. In some older barns, the rafters are weak or broken; in one of our Smith County barns, a broken rafter was simply tied with a loop of rope to the third story beam, and it swung freely back and forth like a pendulum, so the hanger standing on that rafter had to work more slowly to avoid falling face-first to the

barn floor twenty feet below¹³⁰. While hanging, we worked with our legs spread-eagled, bent down at the waist with our head almost between our ankles to reach down to the worker below. When they passed us a loaded tobacco stake, we would swing up to a standing position and pass it to the worker above. In the middle and top positions in the barn, workers perform this action thousands of times during a day, without safety ropes or even a free hand to hold on to the side beams. Experienced or particularly agile workers work comfortably in the rafters, and can move quickly enough to make good money; at this farm, 20 cents per stake, split between the 4-person hanging crew working at maximum pace, came to about \$10 an hour. But most experienced workers also have a story about some co-worker who worked too fast or too carelessly, and tumbled out of the rafters, incapacitating themselves for the day, for the season, or for life.

One day while hanging tobacco, a couple of workers gossiped about how some Mexican workers were murdered mysteriously a few years ago just down the road. After airing a few speculations about who might have killed them and why, Julio took a pause from hanging, stood up straight, and said: “*cuando se matan Mexicanos, nadie hace nada. Lo agarran y lo sueltan. Cuando se matan Americanos, se notan y investigan* (when they kill Mexicans, nobody does anything. They arrest the person and let them go. When Americans are killed, they pay attention and investigate). Many tobacco workers have heard gruesome stories about compatriots who have disappeared working in the fields; stories that are perhaps true, or which in some cases may be exaggerated or rural legends that serve to remind each other of their insecurity in a hostile environment. Marcos, a longtime tobacco worker from Oaxaca, told a story he had heard about a

¹³⁰ The volatility and competition instability in the globalizing tobacco leaf market influences why tobacco farmers don't mechanize and why increasingly they don't plan very many seasons out, with the exception of some of the big ones, since they aren't sure whether they'll 'stay in tobacco' much longer. This narrative of precarity is used by tobacco farmers to justify even more precarious conditions for farmworkers, in some cases with the active collaboration of farmworker advocates like FLOC (Benson 2011)

worker who fell from the rafters in Macon County while hanging tobacco: after the worker fell to the ground, in order to avoid paying workers' compensation to an employee who could be incapacitated for life, Marcos said that the boss drove a truck over the worker's body to 'finish him off'. According to the story, the boss then promised to pay all of the workers in exchange for their silence, and instructed them to take the body somewhere and get rid of it. In a final turn, Marcos reported that all of the workers were shaken but one of them was outraged and called 911 to report the murder.¹³¹

Like the vegetable-picking work along the shores of East Tennessee's Cherokee Lake, the daily rhythms of tobacco work ingrain a certain set of assumptions, sentiments, and categories of difference, what Raymond Williams might call a "structure of feeling" (1977). When workers swap stories of Mexicans murdered and forgotten in the fields as they dangle precariously from the shattered beams of struggling tobacco farms; when indigenous men who anticipate their looming expulsion from America ruin their feet working until dusk on the 4th of July because 'there's nothing else to do'; when vegetable pickers work together, 'helping each other out' to keep the picking crew's progress even on some days and then enter a lonely race against our own bodily limits on days with an individual piece-rate; they build a muscle memory, a bodily resentment built more out of callouses and scars than verbal statements of resistance or submission. When the white boys, who already have a pickup truck before graduating from high school, or who are just here temporarily until they can go back to the "good money", say they are "too white to pick"; or that they take it easy on piece rate days since "it isn't worth getting hurt for some other guy's tobacco"; or when they call the boss by a familiar first name that rolls easily off the tongue; in these moments, the sense of shared exploitation gives way to the signs of

¹³¹ This story sounds is strikingly similar to one which Laura Germino of the Coalition of Immokalee Workers took to trial, of a boss murdering a worker from Comalapa (Griffith 2006:205-210)

difference, our hyper-visible variations of accent, skin tone, and work pace. All workers are workers, we know, but some workers seem more stuck than others, some workers' bodies take more of a beating with less of a choice.

Grumbling, symbolic stories, and complaints constitute the “small arms fire of the class war” (Scott 1985), by which workers question their exploitation while implicitly acknowledging that their ‘dual frame of reference’ and the boss’s strong bargaining position will usually compel the most vulnerable workers to acquiesce to their degrading exploitation. Around mid-afternoon one day, after a 9-hour shift cutting tobacco, Julio asked us if we wanted to go and sucker some neighboring tobacco fields until sun-down. The crew, all of them Mexicans but me by this point, complained and debated, and there was talk of going fishing for the afternoon, or just calling it a day and coming back rested to start cutting again at dawn the next morning. But the boss was paying \$8 an hour for suckering, and the boss’s suggestions could turn into orders without warning, and eventually everyone grudgingly agreed to put in a few more hours of work. Jesus, one of the workers from Tamaulipas, complained as we walked toward our next assignment, saying “*todavía tengo ganas de trabajar pero mi cuerpo no me deja!*” (I want to keep working...but my body won't let me!). He showed us the callouses on his hands, how they had split in dry bloody cracks under the strain, caustic tobacco tar gumming in the cracks. “*Como arde!*” (How it burns!) he said, his hands shaking. Marcos muttered back, “*tampoco tengo ganas de trabajar. Pero no hay de otro*” (I don't really want to work either. But there's no way out of it). We all went together to sucker the fields together until dusk. In the next section, I will analyze another way which migrant workers choose to respond to their lack of good options for asserting self-determination: embracing their capacity for overwork as a source of pride which distinguishes them from other, less cooperative co-workers.

***“Estamos Acostumbrados”*: Overwork, Ethnic Pride, and the (Un)Making of Class**

As in other parts of the capitalist world¹³², the “accumulation of differences” between co-workers in rural Tennessee has sparked two profoundly contradictory sentiments: on the one hand, of anger and resentment towards their exploitation; and on the other hand, a genuine and sometimes perverse sense of group, usually ethnic, pride that simultaneously resists and normalizes mistreatment and degraded working conditions. Workers who are stuck in jobs in which they have no choice but to *aguantar* (endure, tolerate, bear, suffer through) sometimes come to partially embrace that suffering as a badge of honor, proof that they and their people are hardy and sturdy and capable, despite or perhaps because of the disrespect and devaluation they face.¹³³ Holmes reports watching a video on pesticide risks one day in his shack at the berry farm, and “One [Triqui farmworker] told me matter-of-factly, “pesticides only affect white Americans [*gabachos*] because your bodies are delicate and weak.” Another said, “We Triquis are strong and *aguantamos*” (2013:173)¹³⁴. Like the Mississippi Delta tomato and watermelon workers who assert that they are “*acostumbrados*” (used to) working in 100-degree heat, many workers simultaneously resent the conditions under which they are obligated to labor, and criticize other workers as lacking for complaining or being unable to hack it under similar conditions.

¹³² See Kalb 2014 for an instructive comparison among right-wing workers in post-Communist Poland, who respond to their dispossession with assertions of defensive ethnic pride.

¹³³ In Alison Lee’s work with migrants who have returned to Puebla after years of dangerous and degrading work in the United States (2013), she discusses the emergence of the “working oneself to death” (*trabajar para matarse*) discourse as part of a shared understanding of what a migrant must do in the US to “be someone” (*ser alguien*) or to scale the social hierarchy (*hacer algo*) within the transnational migrant circuit.

¹³⁴ Holmes’ references to Triqui workers’ grandstanding about their physical tolerance should be taken with a grain of salt. In other moments, a Triqui berry worker told Holmes, “People work a lot. They suffer. Humans suffer.” Then, reflecting and correcting himself, the farmworker pointed out that the bosses and the workers actually experience different levels of suffering: “it is easy for them, but for us it is not” (2013:76).

Masking the painful reality of desperation that compels workers to accept unsafe and humiliating work¹³⁵, my co-workers typically asked why *Americanos* don't 'like' to work, shifting to a language of preference rather than one of necessity, suggesting that overwork depends on enjoyment or disposition rather than on disempowerment. During a conversation about the heat wave the summer before, a crew leader on one East Tennessee vegetable farm complained that it was difficult to find enough pickers to fill the crews during July and August; another long-time migrant tomato picker from Oaxaca chimed in, observing that *Americanos* (and US-born Latinos) “*ya no quieren trabajar en el sol*” (don't want to work in the sun anymore). The crew leader grimaced and nodded, acknowledging the lack of options that drives people to work in the fields: “well, there’s work, but there isn't work for everyone in the shade” (*pues, trabajo si hay, pero no hay trabajo para todos en la sombra*). Silvia, another worker, suggested that *Americanos*’ ‘dislike’ for outdoor work mirrored patterns of racial segregation: “*a los Americanos no les gusta el sol. Se sienten que hace demasiado calor, y no les gustan estar parados aquí bajo el sol con nosotros*” (Americans don't like the sun. They feel like it's too hot out here, and they don't like to stand out here in the sun with us).¹³⁶

¹³⁵ Quandt et al 1998:360 argues that attitudes toward hazards like pesticide exposure reflect power imbalances in which farmworkers have "a cognitive strategy of accepting danger" since they don't believe they are able to control their exposure levels anyway, leading some observers to exaggerate the 'cultural differences' of Mexican farmworkers. Gray, for example, states in passing that “studies of Mexican farmers and farmworkers show men engage in risky work habits since they perceive themselves as impervious to injury (2015:20). While this explanation has a kernel of truth, it's also true that Latino workers see themselves as exceptionally vulnerable to harm; the *machista* rejection of danger is partly a Latino-accented universal quirk of youth/male experience; but it is also partly a cover for the lack of choice/control available to workers (once again, quite different from “not questioning their conditions”), a rejection of oppression transmuted perversely into positive assertions of pride and invulnerability.

¹³⁶ For their part, many white and black workers in Tennessee complain that Latino migrants' (presumed) endurance for suffering, animated by their ethnic pride of being *brutos para trabajar* (Holmes 2013), disrupts the potential for workplace solidarity and worker-to-worker agreements limiting the pace of work and the levels of suffering they are willing to endure. While I was working in Grainger County, I met white chicken slaughterhouse workers at the Koch foods plant in Morristown who warned me that “they don't like white guys in live hanging” because white guys slow the line down.

Perhaps noticing that I paid extra attention when they discussed *Americanos*' dislike for hard outdoor work, co-workers often reassured me that I was a good worker, and that as a result I had 'become Mexican,' like them. As noted above, and by Striffler (2005:124), on the one hand this identification serves as a cultural expression of class solidarity: that anyone who works hard, suffers together, and creates surplus value for the white landowner is Mexican. On the other hand, this offer of inclusion is also meant as a clear expression of 'difference' between typical *Americanos* and *Mexicanos*, based on the perception that *Americanos* don't like working. One crew leader evaluated my work by telling me, "*la cosa buena de ti es que te gusta trabajar. Casi todos los Americanos no les gusta trabajar*" (the good thing about you is you like working. Almost all Americans dislike working). At first I took these strange blanket statements as compliments, like I was doing a good job at proving myself as a dependable worker, but over time it became clear that this discourse of pride in overwork was rooted in a deep divide within the rural workforce, between the undocumented and less-documented workers who continue to be excluded from even the most basic protections and benefits, and those who had managed to win some small claim on the redistributions of social welfare: native-born white and Black workers,¹³⁷ and in some cases naturalized or US-born Latino workers that bosses describe as

¹³⁷ As Benson remarks in his extraordinary book *Tobacco Capitalism*, local black neighbors are thus often accused of being "lazy" or of 'not liking work' – but black "aversion to the harshest forms of manual labor do not so much index their laziness as show a clear awareness of how certain forms of employment deeply exploit them" (2011:226). In Benson's research in the early 2000's, he found that many black workers still work in the tobacco belt around Wilson, North Carolina, and specific racialized job categories of "brown jobs" (the lowest-status and hardest jobs) and 'black jobs' (slightly higher-status jobs such as driving tractors) have emerged. See also Gray on how "the replacement of black workers with Latinos" in New York agriculture is due in part to the fact that "hard-won social-welfare policies... put black U.S. workers in a position to demand more from employers" (2010:172). Within actual rural towns (as opposed to in media portrayals that erase white and Black farmworkers), it is taken for granted that both white and Black people work in the fields and in sweatshop manufacturing, but white (and sometimes Black) workers are also understood to occupy incrementally more favorable niches within low-wage labor markets. In the Grainger County vegetable farms, for example, white women worked with Latina women grading vegetables in the packing house, and white men sometimes picked or did tractor work but only Mexican men (and me) worked picking in the fields during full workdays. In Bedford County, Latino workers work in the (lower-paying) mattress factory while many white and Black workers work in the (higher-paying) Calsonic car parts factory down the road.

“sorry” (Benson 2011:224) or “Americanized” (Harrison and Lloyd 2013:295). As one undocumented tobacco crew leader, Emilio, put it, *“hay mucho trabajo. Mucho mucho trabajo. Pero nadie quiere trabajar. Solo quieren pedir estampillas, que el gobierno paga gratis”* (There’s a lot of work. Lots and lots of work. But no one wants to work. They just want to apply for food stamps, which the government gives them for free).¹³⁸

Bosses and workers also naturalize the deep vulnerability experienced by captive Latino workers by treating Latino migration patterns as normal while reacting to similar migration by US-born white or Black workers as suspicious. At one farm where I went to ask for work, the farmer asked where I live, and I named a town about an hour away where I had been staying. He asked me how long I had been there, and I said just temporarily, and he tightened up his face, grimacing, while he lectured me: “Well, you a drifter? Not worth it to us if you're just going to give 2 or 3 days. We've got locals that help long term, but if you're just here for a couple of months, that probably won't help us much. Picking starts soon, but we've got crews from Florida that are coming to do that. We'll call you if something comes up.” Meanwhile, in the parking lot next to us indigenous and *mestizo* day laborers had just arrived and were loading shovels in a minivan to get ready for a one-off day of field work. At another farm, after working for a couple of weeks the farm owner caught me as I was leaving late at night and asked me, “so...what are *you* doing here?” I explained I was looking for something temporary and I liked working on farms. He accepted my answer, but explained that the reason he asked was that he had two former white workers that had turned out to be murderers. One of them killed an 11-year-old girl,

¹³⁸ Emilio didn’t specify whether he was stigmatizing Black Americans or all Americans in this comment about food stamps, but it certainly reflects the disparaging discourse popularized among white Americans to stigmatize Black welfare recipients since the 1970’s.

In her book on chicken plant work, Stuesse points out that workplace sabotage and everyday worker resistance (‘weapons of the weak’) carried out by Black workers are often “misinterpreted” by Latino workers as “laziness, poor manners, and lack of education” (Stuesse 2016:156)

and one killed an 80-year-old woman, he said, both right after they had worked for him and then left the farm. “That's no lie,” he said, looking at me sternly. I said I hadn't killed anybody and wasn't planning on it. He softened, snickering “you're not on America's most wanted, right?” The farmer didn't ask any of the other workers, mostly Mexicans from Michoacán, if they were murderers, though many of them quietly slept in their cars in the same TVA campground as me, and only worked at the farm for a few days or a week before moving on.¹³⁹ This farmer saw nothing particularly strange about Latino and indigenous workers enduring disproportionate suffering, but felt his suspicion triggered by the prospect of a white drifter experiencing the same thing.

While the forces that propel dispossessed migrant workers into the fields and the conditions that they confront there are not of their own choosing, workers respond to those conditions both by rejecting and by embracing the cruel tests of endurance that are forced upon them. Their expressions of resistance and stubborn pride then shape the idioms and capacities with which they endure, challenge, or submit to racist logics of deserved suffering and exploitation¹⁴⁰. Indigenous and *mestizo* Mesoamerican workers' complaints of pain, stories of

¹³⁹ This farmer's suspicious reaction might be a result of how white drifters invert the ‘traditional rural values’ often ascribed to agriculture, as an important way that rural white children and adolescents learn ‘work ethic.’ Holmes analyzes the racial dynamics of teenage white workers on Washington berry farms, observing that the long-term ‘lessons’ they learn in agriculture are lessons about their (superior) place in the racial hierarchy: “Although the farm management -- including Shelly, who supervises the white picking and checking crews -- sees the employment of white teenage checkers as developing positive values toward agriculture and diversity in the valley, checkers learn also that they deserve to have power over Mexicans, even those old enough to be their parents or grandparents. The teenagers are paid minimum wage while being allowed to talk and sit most of the time; the pickers have to kneel constantly and work as fast as possible in order to keep their jobs. The white checkers are given power over how many pounds are marked for the pickers, and I observed more often than not that checkers marked less weight on the cards than the scale displayed” (2013:70). These ‘lessons’ and ‘values’ are visibly betrayed when white drifters occupy a similar workplace niche as migrant Latino workers.

¹⁴⁰ One interesting example would be when a group of Bedford County workers returned to work from a prolonged ‘strike’, many Latino co-workers saw it as selling out (i.e. a lost struggle for dignity) while the organizers and many white co-workers saw it as a strategic and triumphant return. At least part of this difference in feeling stems from the presumption that Latino workers have been involuntary ‘stuck’ in these jobs, and that a full reclamation of dignity involves leaving the fields or sweatshops behind entirely (see Bardacke 2012 for examples of how this played out with farmworkers who joined the UFW boycott teams, and were encouraged to stay quiet in public about the fact

extremely lopsided experiences of physical suffering (including murder!), frustrations at their lack of autonomy and vulnerability to incarceration or deportation, and ambivalent expressions of solidarity or difference as they contemplated *Americano* co-workers who had ‘become Mexican’ (but not entirely) are then put to the test under conditions of open struggle between workers and employers, to which I will turn in the next section.

Captive Labor, Racial Solidarity, and the Struggle Against Suffering

In this section, I will analyze interviews and press accounts of Mexican workers who rebelled against a Middle Tennessee tobacco farmer's captive labor scheme to trace how collective experiences of heightened physical suffering can form a basis for worker solidarity against employers who abuse totalitarian power and legal process to exploit and dispose of their workers. Then, I will use reflections from participants in a strike in a Bedford County mattress factory to show how these uneven and racialized forms of physical humiliation complicate workers’ experiences of racial and class solidarity.

In the summer of 2013, a group of Oaxacan migrant farmworkers were preparing trays of tobacco seedlings for transplanting in the greenhouse of a large Macon County tobacco farm owned by prominent landowner Marty Coley. Preparing seedlings involves trimming the leaves to stimulate even growth, and rather than using a commercial trimming machine, hedge shears, or a weed-whacker, Coley had rigged up a regular gas-powered lawn mower a foot or two up in the air and welded it to a metal frame with a conveyor belt of metal rollers below. In order to trim the plants, the workers were told to crouch and push the trays of tobacco seedlings under the spinning lawnmower blade with their fingertips, while another worker reached in underneath the

that they had no intention of returning to the fields because they saw it as inherently degrading).

moving blade from the other side to retrieve each tray. Without any training, safety equipment, or guards on the machinery, the workers say it was inevitable that someone would eventually be seriously injured using the machine, but kept working there anyway, worried about the difficulty of finding another job and the threat of losing their job or worse if they complained or tried to leave.

Josael,¹⁴¹ a seventeen-year-old worker from Oaxaca who had arrived to work in Tennessee just a few months before, was the unlucky worker who was finally injured by the shearing machine, an accident that sparked a months-long confrontation between Coley and his workers. One rainy June morning in 2013, Josael was pulling tobacco trays out of the shearing machine, with an agitated Coley standing over him, yelling at him to speed up and push the trays through the machine faster. Josael miscalculated while grabbing one of the trays, and the lawnmower blade sliced off two of his fingers and the tip of a third. After some delay, friends took Josael to a nearby clinic, which referred him to the Vanderbilt Children's Hospital in Nashville. At the hospital, they tried to re-attach Josael's fingers but said that the fingers were in too many pieces to reconstruct them. Over the subsequent months, Coley refused to pay his injured employee's hospital bills, which eventually ended up going to a collection agency, and refused to pay Josael any workers' compensation for medical care, the permanent injury, or his recovery time. Later, when Josael and the other workers decided to fight Coley for compensation, they discovered that the attending doctor hadn't given Josael the permanent disability estimate required to file a workers' compensation claim, because, as a lawyer involved in the case explained it, kids 'aren't supposed to be working', so the children's hospital doesn't have a standard protocol for processing work injury claims and the nurses didn't think to ask. In

¹⁴¹ A pseudonym

the months following the injury, Coley gave Josael one \$100 check to compensate him for the loss of his fingers and then fired him.

Josael's injury proved to be the last straw for many of Coley's tobacco workers. They began meeting among themselves, with other supportive former co-workers, and with allies and lawyers in Nashville to prepare a lawsuit and a campaign to denounce years of abuses, as well as to win compensation for Josael's injury and years of unpaid wages to over a dozen other workers. Coley had recruited most of the workers as minors, and many had spent nearly their entire working lives since mid-adolescence laboring on Coley's farm; now, as a group, they began speaking up about a long pattern of injury and exploitation. One undocumented Oaxacan worker had fallen from barn rafters while hanging tobacco; a local white woman (partnered with one of the Oaxacan farmworker men) had worked while pregnant and had lost her baby due to the stress and overwork; others were forced to work while sick, threatened with direct violence and reports to ICE if they stopped working; another Oaxacan man had 3 ribs crushed when he was jammed between two tobacco wagons; others had repetitive strain injuries in their wrists; and at least one more worker, who had since returned to Oaxaca, had lost part of his hand in the same mowing machine that had crippled Josael. None of the workers were ever compensated for their injuries, sustained while working for \$6 an hour (almost 20% below the minimum wage), all day for 6 and sometimes 7 days a week. They had to live crammed into a 3-room barn with up to 18 people (a structure which they had to help build and remodel, uncompensated, in their 'free' time), where Coley had constant access to them and where he would often come in at odd hours of the night to send them out to work without warning, including during heavy storms. Workers remember that Coley didn't let them use their phones, and liked to shout "*no eres empresario!*" (you're not a businessman!) and confiscate their phones. When Coley took his crew as forced

‘volunteers’ to do the landscaping at his church, workers remember him telling other church members not to talk to them or offer them food.

Over the years the tobacco workers had periodically considered switching jobs to one of the other nearby employers who paid \$7 or \$8 an hour, but Coley used various methods to keep them captive at his farm. During the cutting season, Coley would withhold over 10% of their piece rate pay as a ‘retention bonus’ at the end of the season to prevent them from leaving the farm ‘early.’ In August, when he sensed they were considering leaving anyway, Coley threatened to turn them in to the police if they left his farm. From a summary published in Nashville's *Tennessean* newspaper in September 2014:

“When one worker spoke up after the accident to say he and others were leaving to work for another tobacco grower who would pay them more, the farmer threatened retaliation, according to a transcript of the conversation filed in federal court.

"I no like it here," the worker told owner Marty Coley, one of the largest tobacco growers in Macon County. He explained that another tobacco grower near the Kentucky border had offered to hire him and his co-workers for \$2 more per hour, instead of the below-minimum wage of \$6 they were earning from Coley.

"I'll tell you all what," Coley said. "You all go there and I'm going to call immigration and clean the whole damn bunch out."

"Why, Marty?" the worker asked.

"I'll call immigration and clean the whole damn bunch out," Coley repeated, telling the worker that he did not believe the new employer would pay them more and reminding the

worker he had been good to them, providing a free place to live, electricity, water and occasional loans.

"So nobody come talk to Marty and say, 'Thank you for all these years, Marty' — just go behind Marty's back and find another job," Coley said before the conversation ended."¹⁴²

Coley turned out to be able to make good on at least some of his threats- a few months after the workers escaped his plantation and got higher-paying work with a neighboring farmer, Coley successfully pressured their new employer to fire them, resulting in their eviction from the neighboring farm's housing one day after Christmas.

Coley, it turns out, is one of the largest tobacco growers in the state, the top recipient of federal tobacco subsidy payments in Macon County, and a major player in regional politics. He was involved in the design of the state agricultural extension's risk management analysis around the tobacco quota buyout in the early 2000's. Most disturbingly, he was appointed to represent agricultural interests in the region as part of a 9-member 'round table on immigration reform' in Macon held by Congresswoman Diane Black.

Coley's place on a congressional round table on immigration reveals the shocking degree to which state officials have worked together even with the most egregiously abusive local employers to create and maintain a captive workforce selected for heightened suffering. Workers recall Coley being an unusually possessive employer, using threats and paycheck deductions to keep workers from leaving his farm, but the policies enforced by state and federal agencies, including E-Verify and drivers' license exclusions are the hostile regulation that make it especially difficult for workers to escape abusive and exploitative workplaces like the Coley

¹⁴² Wadhvani 2014

tobacco farm (see Chapter 4 for more discussion of ‘captive labor’). Coley's opportunity to weigh in on immigration policy also demonstrates that he and other employers are not passive observers or fortuitous beneficiaries of their workers’ suffering, but rather have taken on leading roles in creating and designing the policies that make their workers especially vulnerable. In his case, Marty Coley donated political support and campaign funds¹⁴³ to Tennessee Representative Diane Black (a major opponent of immigration reform in Congress), Kentucky Senator Mitch McConnell (who has helped to pass dozens of bills increasing the militarization of the US-Mexico border and to expand the national use of E-Verify), and Jim Tracy (the prime sponsor of E-Verify legislation in TN legislature in 2011); but he also ran his tobacco operation primarily by exploiting migrant workers who he threatened to turn into ICE if they escaped his employment. He saw his tobacco workers as so indebted and vulnerable to him that he demanded their deference and gratitude for “all these years” in his service. The contrast of Coley's outspoken anti-immigrant politics and his choice to almost exclusively recruit indigenous Mexican teenagers as workers could be understood as contradictory or hypocritical, but is actually a highly revealing example of what De Genova calls “the deportation regime” (2002). As described in more detail in Chapters 3 and 4, De Genova argues that “it is deportability, not deportation per se, that has historically rendered undocumented migrant labor a distinctly disposable commodity” (2004:437).

In this case, though, over a dozen workers defied Coley’s multifaceted system of captivity, went on strike in the midst of the harvest season, sued their employer for hundreds of thousands of dollars of damages for accumulated abuses and stolen pay, publicly shared their

¹⁴³ In 2017 Coley was included on the audit committee for Macon County by the State of Tennessee; and continued to receive tens of thousands of dollars in federal commodity subsidies in 2014, 2015, 2016, and 2017, even after workers revealed his abuses. His H2 ‘guestworker’ applications, filed in a relative’s name, are routinely approved each year by the federal and state departments of labor.

story to the state's largest newspaper, and stuck together to ride out nearly a year of threats and retaliation from their former captor. In conversations with the workers before the struggle went public, preparing for the inevitable retaliation to come, Josael and his brother and friends said that it was precisely the common experience, stretching over years, of 'getting hurt for some other guy's tobacco' that inspired them to challenge Coley's control when their youngest cousin, Josael, was on the job less than two months before losing his fingers in a totally preventable accident. Their alliances with local white workers (including several white women who married into the family as the Mexican men aged into their twenties) made a crucial difference in workers' feeling that they could weather Coley's retaliation, but their internal solidarity as Mexican men who faced years of disrespectful and debilitating abuse fueled their determination during the long legal battle.

Antonio, a former farmworker in Bedford County, recalls episodes of similar humiliation that yield a more complicated view of competing class and racial solidarities in his workplace (see Chapter 4 for background on the strike and unionization battle in this mattress factory). Antonio's job was to staple mattresses together with heavy industrial staplers, and he was put to work at such a rapid pace that he miscalculated and repeatedly stapled through his free hand, on one occasion injuring himself three different times in one day. After the first two injuries, he tried to take a break to go to the clinic, but his (Latino) supervisor Elias told him, "*tu eres Hispano, aguantas más*" (you're Hispanic, you can take more pain). He recalled the pain being so intense and the pace so fast that he was sweating profusely when Elias sent him back to the line, the sweat pooling on his brow and running into his eyes, slowing him down and distracting him, and he eventually slipped and stapled his hand a third time. As Antonio tells the story, during a nighttime meeting in a co-worker's kitchen, other Latino sweatshop workers nod

grimly, and one explains, “when you get injured, even with a nail gun, they just put a band-aid on you and tell you to get back to work! But when the white workers get injured, they give them a break and take them to the clinic.” Antonio said he had thought about just taking the risk of walking out, possibly losing his job, but he didn't know how to get to the clinic, in Murfreesboro, about a 25-minute drive away, and was nervous about being stopped on the road without a drivers’ license by police and being unable to rely on his employer to vouch for him.¹⁴⁴ Instead of risking it, Antonio kept working, ‘sending the mattresses down the line stained with blood’.

As Antonio's story highlights, the fact that Latino workers' options were constrained meant that those workers' bodies are expected to *aguantar* (endure) more suffering than others, an expectation which profoundly shaped their understandings of class and race. Being confined in bad employment meant that workers felt trapped into trading their body's vitality, strength, and integrity for a paycheck, in an alienating workplace where, as one North Carolina slaughterhouse worker put it, “you earn money by suffering pain” (Arcury et al 2013). This traumatic process can have profoundly contradictory implications for racial and class identity. Just a few days after interviewing Antonio about the abuse and pain he endured from Elias, and after gathering dozens of stories from other plant workers about a string of egregious abuses Elias had committed (primarily against Latino workers) over the years, Antonio told me about a conversation with one of his white co-workers, a supporter of the union campaign that Antonio was leading in his department. While they worked, the white *Americano* complained about Elias,

¹⁴⁴ Sarah Horton describes another significant barrier to medical care and workers’ compensation in her discussion of “trabajando fantasma” on California plantations (Horton 2016). She describes ‘ghost’ work as a form of identity-masking imposed on farmworkers in California by employers seeking to avoid regulations such as document-checking and overtime pay; in the fields where she studied Sunday was referred to as “*el dia del fantasma*” (ghost day) and workers were often ‘loaned’ a second identity in order to overwork a 6th and 7th day without receiving overtime pay. This system precludes workers from accessing workers’ compensation benefits when they are injured because of “proof problems”; even in the best scenario, where supervisors intervene on workers behalf, this system casts supervisors in the role of benevolent patrons who can ‘rescue’ workers’ identities, and thus their health care (becoming benevolent patrons to their captive employees)

saying he didn't like that Elias "walked around like he owned the place". The *Americano* said, "I was born here, and Elias is an illegal, I should call immigration on him." Antonio bristled, asking the *Americano*: "but what about me? Do you like me?" He recalled that the *Americano* acted surprised, saying yes, I like you, we work well together. But Antonio was insistent, saying, "but if I was in charge, you wouldn't like me," and refused to talk with the *Americano* after that. Eating hamburgers in a Burger King later that night, Antonio told me that despite all the ways he was abused by Elias, and how everyone (including the white workers) were still mistreated every day by Elias, he still felt bad when the American worker criticized Elias and said racist things about him. "I wanted to defend him," Antonio said, staring at the hamburger in his injured hands.¹⁴⁵

As workers like Antonio work out contradictory feelings towards their exploitation and physical abuse by supervisors (many times white but just as often within their own racial group), their feelings of special vulnerability and degradation, and resentment towards better-situated co-workers within the plantation's racial hierarchy, and their relationships of imagined solidarity with both 'protective' bosses and racially-alike crew leaders (Griffith 2012), the lines of offense and defense cut directly between rural workers whose mutual feelings of solidarity and support are constantly in question. These lines of difference, which run along evolving fault lines of race and citizenship, are today reconstituting the categories of class fragmentation and differentiation that Cedric Robinson called "racial capitalism" (1983), Federici called the "accumulation of differences" (2004), and Kasmir and Carbonella refer to as the "disorganization" of the global working class (2014). In the next section, I will conclude with insights from Kasmir and Carbonella's work on 'disorganization' to suggest how the concepts of 'exclusion',

¹⁴⁵ Quotes from my fieldnotes, December 2013

dispossession, and ‘disorganization’ can animate a larger hemispheric struggle that reframes ‘migration’ in terms of overall class formation rather than as a consequence of invisible forces of market integration.

Migration and the ‘Disorganization’ of the Americas

As noted in Chapter 1, much of the sociological literature on migration characterizes vulnerable migrant labor in neoliberal terms, arguing that migration is an inevitable byproduct of economic “integration” and suggesting that the “free movement of capital” while workers’ movement is restricted is a “massive contradiction” (Massey 2007). By now it should be clear that economic ‘integration’ is an overly delicate term for the process of violent dispossession that ripped indigenous peoples from the Tennessee landscape and deported them en masse to foreign lands (Inskeep 2015), captured millions of African laborers to put them to work in the ‘empire of cotton’ that jumpstarted the industrial revolution (Beckert 2014), and seized productive lands in Mesoamerica, expelling millions of inhabitants who made their way to the United States as refugees of political and economic warfare (Manz 2005; Foxen 2007; Holmes 2013; Chomsky 2014). The ‘economic integration’ at play is better understood as an uneven and recurring process of dispossession (Harvey 2005), in which systematic looting by capitalist elites on both sides of the border disrupts working-class livelihoods and strips working people of hard-won victories, forcing those people into deeper exploitation and, at times, desperate migrations.

Carbonella’s extraordinary century-long analysis of localism and class formation on Maine’s “paper plantation” (2014) provides a framework with which to understand migration in terms of working-class power, aspiring to Harris’ suggestion that we begin from a perspective embracing “the free movement of people” and insist that the “problem” of ‘irregular migration’

lies with “the state rather than those who are mobile” (1995). Carbonella encourages us to see how “localism” (including the nation-state itself) can be a “tool of disorganization” in the hands of labor-hungry plantation elites who control the terms on which different working-class populations will engage with one another. During a period of labor strength in the early 20th century, Carbonella describes how the ethnically-diverse “paper plantation” workers created a “vibrant working-class public” which “lessened ethnic hostilities” and developed a regional network of labor councils which “allowed geographically separated and ethnically divided working populations to create a language of labor” that “helped them to make sense of their shared conditions and, ultimately, forge a common class identity” (2014:87). Working-class hegemony gave workers control over hiring and significant questions of work discipline, allowing them to manage their own forms of ‘difference’ from a position of strength (i.e. ‘French leave’, which established break periods in the mills that allowed Canadian workers to return to tend farms in Quebec during harvest times). Carbonella also describes how International Paper broke mill and forest workers’ incipient multiethnic working-class unity by encouraging “localist affinities and identities” that pitted workers of different ethnicities and towns against each other (2014:88) in order to later use its “enormous spatial advantage to defeat the strike and destroy the union” (2014:114).

As I illustrated in Chapter 3, plantation elites, national big box retailers, and private equity firms have leveraged the ‘differentiation’ of “agricultural” workers to squeeze extra profits out of the ‘excluded’ and hyperexploited workers that staff the fields and loading docks of Middle Tennessee’s ‘nursery capital.’ This ‘differentiation’ divides workers through projecting onto them the imagined geographic terrain of ‘agriculture,’ which since the 1930’s has been a way to ‘disorganize’ working-class movements within the United States. In Chapters 3 and 4, I

show how plantation employers have used the ‘deportation regime’ as a way of managing ‘migration’ and dispossessing their workers of autonomy at a hemispheric scale, capturing North American migrants in a militarized labor circuit and depriving them of the ability to control territory and move about the world’s landscapes as they please. This geographic differentiation generates class ‘disorganization’ at every scale, in the rapidly-multiplying barriers being erected at Central American border crossings as well as in the local drivers’ license checkpoints which prevent Middle Tennessee nursery workers from going ‘into town’ and building familiar relationships with their class allies in the bars, churches, parks, and fishing holes of the rural and urban South. Only by prioritizing and struggling to win the free movement of working-class people, and contesting employers’ and owners’ control over each aspect of production and governance, can the labor movements of the Americas heal the deep racial fractures between workers, surmount the inequalities of citizenship, undo the many variations of bondage, and build collective power to regain control of their lives and labor.

CHAPTER 6

Conclusion: Captive Labor, Attacks on Immigrants, and Class Politics Today

During a community meeting in Forest, Mississippi in the fall of 2019, just months after ICE agents executed the nation's largest workplace immigration raid in generations in Mississippi's immigrant-heavy poultry plant towns, I sat with a group of unemployed poultry workers who were discussing the question, "does this country want immigrants or not?" The circle was made up of *mestizo* and indigenous migrants, mostly women, many of them wearing a *grillete* (electronic shackle) on their ankle that monitored their movements after having been released from ICE custody for 'humanitarian reasons' after the raid. All of them had family members and neighbors still working long hours for low pay in the region's poultry plants, and all of them had family members and partners still locked up in private immigration detention centers downriver in Louisiana. The question proved difficult to answer: on the one hand, everyone in Forest knows that Mesoamerican immigrants are employers' workforce of choice in low-wage field and factory work and the disappearance of the region's tens of thousands of immigrant workers would likely cause the industry to collapse overnight; even some local Republican politicians, chiefs of police, and conservative churches were putting out statements that the Trump administration had gone too far and defending recent immigrants as important community members. On the other hand, local plants were (temporarily, as it turned out) firing their immigrant workers in mass layoffs and announcing job fairs for 'legal' workers, while soon-to-be-governor Tate Reeves announced on Twitter that he was "glad to see that ICE is working hard to enforce our immigration laws" in order to protect the "safety of all Americans."

Throughout this dissertation, I attempt to reframe the perception that vulnerable, immigrant, and agricultural workers are ‘excluded’, abandoned, or unwanted. Instead, I understand employers’ attempts to hyperexploit, differentiate, and control their workers as an effort to grasp their workers more tightly and forcibly incorporate them into the American plantation’s evolving captive labor system. This perspective dramatically flips common-sense narratives about neoliberalism as a move towards ‘deregulation’ and the retreat of state functions, and instead centers the role of the state in using military force to dispossess, capture, contain, incarcerate, deport, and otherwise control the movement of working people between regions and within the plantation landscape itself.

In these concluding pages, I will review my arguments about how the differentiation of ‘agriculture’ and continental-scale battles over dispossession of land and labor shape the making and unmaking of class on Tennessee plantations. I will then attempt to bridge these arguments, developed during the particular era of the Barack Obama administration, to the particular challenges of class differentiation and disorganization under Donald Trump’s apparently anti-immigrant administration, which I argue has shifted in tone and in emphasis but remains essentially similar in terms of the underlying structures of plantation labor control. I will then reflect on the political risks of continued division, disorganization, and differentiation currently faced by farmworker organizations who advocate uncomfortably for a grand bargain with agribusiness that could better some farmworkers’ lives in exchange for an expansion of captive labor for the foreseeable future. Next, I will briefly address the class relationship between workers and consumers, which I have largely avoided in my exploration of everyday work dynamics on contemporary plantations, but which dominates the public efforts of farmworker organizations and their allies. Finally, I will conclude with tentative reflections on the strategic

and organizational potential for a universal class project which engages the many ingrained forms of difference suffered and celebrated by diverse populations of plantation-dwellers on the contested and contradictory terrain of Southern ‘agriculture.’

Review of Main Arguments

I begin this dissertation with a critical engagement with recent work on farm labor emerging from critical medical anthropology, which provide profound insights into lived experience of structural vulnerabilities endured by farmworkers, but have tended to underplay both the agency of farmworkers and their bosses by attributing workers’ suffering to a faceless racial-economic system that is “neither willed nor planned” by employers (Holmes 2013:31). I argue that an over-reliance on architectural metaphors of “structural violence” (Benson 2011; Horton 2016; Saxton 2018) masks the role of rural elites in labor control and draws our attention away from the active process of class struggle in which millions of rural workers are engaged, in diverse forms and with variable levels of militancy, to defend their dignity and freedom. While I resonate with and appreciate the compassionate and concerned practices of writing and accompaniment of these critical medical anthropologists, ultimately I choose instead to emphasize the dialectical and constantly-evolving class struggle between employers and employees. While plantation owners leverage relationships with the state to escalate hostile policing activities which then force workers to seek refuge with exploitative employers who offer to shelter them from vulnerability and wagelessness, the ‘structures’ of violence imposed by employers are never absolute or conclusive and frequently provoke rebellion that requires employers to adapt to the real power exercised by their workforce.

Drawing on the concepts of ‘deportability’ and the ‘production of illegality’ developed by Nicholas DeGenova and others (De Genova 2002; De Genova and Peutz 2010), I argue that US employers are currently utilizing ‘deportability’ as a captive labor system akin to the 20th-century Jim Crow vagrancy regime, which aims to clear the way for employer totalitarianism and give plantation owners tremendous advantages in their effort to extract overwork and additional profit from workers who depend on their bosses’ favor to weather the threats of hostile immigration enforcement. Centering ‘deportability’ as a labor control system rather than as a purported attempt to remove vulnerable immigrants from the workforce helps expose the false narrative of ‘protecting Americans’ through “working hard to enforce our immigration laws” applauded by politicians like Mississippi Governor Tate Reeves (the investment banker son of a millionaire construction contractor) and redirects our attention to collaboration between employers and the state in terrorizing and then exploiting their immigrant employees.

Building on recent ethnographic work in meatpacking plants (Striffler 2005; Ribas 2016; Stuesse 2016) and farmwork (Griffith 1995; Benson 2011; Holmes 2013; Binford 2013; Gray 2013; Horton 2016), I argue that the crucial study of racial differentiation in the North American plantation economy should be matched with an equally robust study of class formation, and its opposite, class disorganization. This approach to racialization as a key component of capitalist profit-making strategies, and humanistic investigation into how these profound divisions affect workers’ ability to build bridges across difference, borrows from Du Bois’ study of racial differentiation and the potential ‘emancipation of labor’ before, during, and after the “brief moment in the sun” of post-Civil War Reconstruction (1935:30), and the more recent elaboration of concepts of ‘racial capitalism’ (Robinson 1983; Johnson 2013; Hudson 2016; Kelley 2017) as a framework for understanding how the power of working people is ‘disorganized’ through the

strategic deepening of racial difference. I interweave this historical approach to the long history of class struggle in the plantation South, both to address the leading historical role plantation elites in the US South have taken both within their region and globally in shaping the “global history of deportable labor” (Hahamovitch 2011) and to trace the continuity of labor control strategies used by those elites to capture and deploy labor across oceans and continents. Finally, I adopt the combination of fine-grained local ethnography and a theoretical focus on dispossession, ‘differentiation’, and ‘disorganization,’ coined by Marxist anthropologists as the “global anthropology of labor” (Kasmir and Carbonella 2014; Nonini 2015; Gill 2016), in order to explore how rural employers’ evolving efforts to control labor affect working people’s ability to make class alliances with one another in the rural Mid-South.

In Chapter 2, I explore two distinct but converging strands of political struggle and working-class disorganization in the North American plantation system. Beginning with the “conjunctural episode” of dispossession during the 1930’s New Deal era that defined agricultural labor in the US as a “no man’s land” where labor reforms would remain off-limits, I recount how rural and industrial capitalists’ fear of collective class struggle between rural and urban workers inspired unity between employing elites in different sectors and their unified efforts to repeatedly exclude ‘agricultural’ workers from progressive reforms. I argue that employers’ success, time and again, in dividing off the (losing) rural workforce from the (apparently privileged) urban workforce meant that recurrent acts of dispossession and class disorganization created and defined ‘agriculture’ as we know it. This approach is directly contrary to the ‘romantic agrarian’ narrative of innocent yeoman farming (Gray 2013), which portrays the degradation and isolation of agricultural workers as a consequence of some mythical pre-existing agrarian economy which inevitably demands the sacrifice and suffering of its workforce. In the second part of Chapter 2, I

explore how parallel processes of dispossession and suppression of working-class organization destroyed efforts to win agrarian reform and dignified livelihoods in Mesoamerica, forcing millions of rural indigenous and *mestizo* workers into migration first internally and then into the larger North American plantation economy. Throughout this continental-scale analysis of dispossession, forced migration, and captive labor in the rural Americas, ruling-class efforts to project their own power by monopolizing land and mobilizing labor across broad geographic landscapes parallels their efforts to disorganize and fragment working people's relationships into localized and isolated pockets.

Chapter 3 draws on my ethnographic observations working at a large Middle Tennessee industrial nursery to describe how the historic and ongoing dispossession of workers' autonomy, both in birth countries and in the Tennessee plantation workforce, subject them to surveillance and control and pressure them into dangerous and exhausting overwork. I explore how dispossessed workers from different backgrounds are both forced together by differently-felt but converging economic and political pressures, and adapt De Genova's concept of 'deportability' to describe a broader set of practices of surveillance and confinement that shed light on the captivity of native-born citizen-workers whose prior incarceration and conditional freedom converges in important ways with the ways that 'deportability' threatens to incarcerate and separate workers from their livelihood, communities, and loved ones. I analyze nursery workers' discussions and comments about boredom as a way of articulating the deep alienation, power imbalances, and frustrations of plantation work, which prevent nursery laborers from accessing the full social existence they aspire to. Finally, this chapter follows how the profits extracted from nursery employees' overwork flow to corporate firms such as private equity investors and

big box retailers who have integrated the hyperexploitative sectors of the ‘agricultural’ sector directly into their business operations.

In Chapter 4, I map out key elements of today’s captive labor system, emphasizing how initially progressive New Deal institutions like Social Security and the Department of Labor have been co-opted by plantation elites and weaponized against their workforce in order to keep agricultural labor underpaid, divided, and submissive. Using interviews with state officials and federally-funded legal aid lawyers and ethnographic examples of workplace struggles waged by Tennessee tobacco, landscaping, and sweatshop workers attempting to win back pay and safety protections, I demonstrate how state actors justify the non-enforcement of labor laws and reinforce the differentiation and ‘disorganization’ of working people. I conclude by arguing that employers’ successful co-optation of New Deal labor regulation and social welfare institutions, combined with the apparently ‘external’ presence of hostile police and immigration patrols and the growth of the H2 ‘guestworker’ program, allows rural elites to benefit from a multifaceted and adaptable captive labor regime that commands the semi-free movement of workers across the Americas.

Chapter 5, I analyze how the bodily experiences of unequal physical fuels an “accumulation of differences and divisions within the working class” (Federici 2004:63), which can both bond diverse groups of workers together and generate shared understandings of exploitation and aspirations for change, and can also serve to ‘disorganize’ potential class alliances between workers who are subjected to different levels of physical risk. Rather than focusing on how physical suffering reveals “structural violence” and “hierarchies” of vulnerability in farmwork (e.g. Holmes 2013; Horton 2016) or reified “identity-based divisions” between workers (Stuesse 2016:224; Ribas 2016), I focus on how farmworkers and their

employers battle over power and identity through the “fierce struggle over geography, history, and class composition itself” (Carbonella 2014:78). Using the example of tobacco workers who rebelled against a captive labor regime designed by Tennessee grower and anti-immigrant political fundraiser Marty Coley, I emphasize the role of plantation owners in structuring the ideological terrain of anti-immigrant politics and the physical use of state force against defiant workers, as well as showing how the relentless physical abuse of farm laborers, often lived and understood in uniquely racial terms, sometimes sparks workplace resistance against tyrannical but also sometimes serves as a wedge of ‘disorganization’ that challenges workers’ ability to build common cause across difference.

The Machinery and Purpose of Mass Deportation Under Donald Trump

The fieldwork on which this dissertation is based took place under the Barack Obama administration, between 2012 and 2014, a time in which the rural Tennesseans, primarily Mesoamerican migrants, who plant, tend, and harvest the region’s plantations lived under the profound contradictions of mass deportation and expanding work prohibitions alongside the promise of substantial reforms and the possibility of ‘legalization.’ President Obama’s announcement of DACA (‘Deferred Action for Childhood Arrivals’) in 2012 extended work permits and a partial reprieve from ‘deportability’ to half a million young people, including some farmworkers and many of their children; and Obama’s announcement of the never-implemented DAPA (‘Deferred Action for Parents of Americans’) in November 2014 seemed to open the door to work permits and semi-legal presence for millions of undocumented adults, 75% of whom were migrants from Mesoamerica. At the same time, the Obama administration was executing the largest sustained mass deportation program in American history, deporting 10,000 people

from Nashville alone, with the cooperation of the Davidson County Sheriff, between 2007 and 2012 (Kee 2012). Another federal-local collaboration, the E-Verify work authorization program, was implemented the same year my fieldwork began, and it every month more employers were firing workers or offering to rehire them with ‘good papers.’ These contradictions of constant and worsening threat combined with suggestions of hope and possible leniency formed the psychological and legal basis for what migrant justice activists call the “good immigrant/bad immigrant” narrative, which purported to divide up immigrant workers into deserving and undeserving groups under the pressure of intensified criminalization and enforcement while simultaneously bestowing safety and rights onto select categories of those who fit eligibility guidelines that demonstrated their desirability as American workers.

In 2017, the election of Donald Trump on an explicit anti-immigrant platform dramatically shifted the official public narratives regarding migrant labor, as a xenophobic president promised to return jobs to Americans and exclude immigrants from a redeemed American society. Despite the apparent differences between Trump and Obama’s discourse on migrant workers, though, the Trump administration’s anti-immigrant policies demonstrate continuity with Obama-era immigration policy and indicate that despite rhetoric to the contrary Trump-era employers aim to continue their reliance on semi-captive Mesoamerican (and other) immigrant laborers throughout the low-wage and plantation economy.

As under Obama, the purpose and function of the Trump Department of Homeland Security’s deportation machinery remains to terrorize immigrants by incarcerating and deporting a substantial but proportionately small fraction of ‘deportable’ workers each year. A year-by-year breakdown shows an overall decline in arrests by ICE, from a high of 322,000 a year in 2011 during the peak years of the Obama administration deportation programs to a low of 108,000 in

2016; rising again to 140,000 in the first year of the Trump administration, to 153,000 in the second year, and then back down to 137,000 in the most recent year (2019). In practical terms, this means that of the estimated 10-20 million undocumented workers in the United States (Fazel-Zarandi, Feinstein, and Kaplan 2018), around 1% are targeted for direct ‘immigration enforcement’ in the interior of the country each year.¹⁴⁶ That’s a proportion high enough that everyone knows someone (or, more likely, many people) in that group, effectively terrorizing the entire population by maintaining a constant sense of threat; but not so many that it substantially diminishes the number of terrorized undocumented workers laboring in the overall economy (though there are substantial disruptions at the state level when particularly punitive immigration laws have passed, i.e. in Georgia and Alabama in 2011 or Central Mississippi in 2019). The primary ways that ‘deportable’ workers are terrorized and subjected to control, as De Genova observed in his articles on the ‘deportation regime’ (2002), continue to be less through *removal* from the labor force than through intimidation and exposure to constant and escalating threat, through police stops, firings, E-verify checks, and the looming possibility of arrest and incarceration.

Like Obama, Trump has focused his anti-immigrant narrative on the bogeyman of migrant ‘criminality’, tasking government agencies with publicizing sensational stories of crimes committed by migrants as part of a public relations effort to demonize impoverished migrants, especially those from Latin America and the Middle East (reflected in his comments regarding “shithole countries”). As under the Obama administration, the considerable majority of those arrested by ICE are captured through collaboration with local law enforcement in county jails, generally after a brief incarceration while charged with a nonviolent infraction. This emphasis on

¹⁴⁶ Importantly, these numbers don’t include the hundreds of thousands of people directly apprehended and deported at the border it

‘criminality’ is deepening the profound fragmentation of the two main sources of captive migrant labor: the undocumented population forced into purchasing a ‘work identity’ on the *chueco* market and unfree laborers in the H2 ‘guestworker’ program (which has boomed even further under the Trump administration), who are held up as the only possible dependable replacement for stigmatized ‘unauthorized’ workers. The massive August 2019 workplace raid in central Mississippi, during which 680 workers were arrested at several chicken processing plants in a single day, demonstrated what threatens to become the new normal in immigration enforcement: since most chicken plant workers are obliged to purchase identity documents to pass successfully through the E-Verify system (Carcamo 2019), immigration agents can pick out any large workplace in the country known to hire recent immigrant arrivals with the virtual guarantee that upon arresting the workers the Department of Justice will be able to charge them with identity felonies and characterize them before the public as ‘criminal aliens’ with ‘felony convictions’ (Bethea 2019).

Political Compromise and the Differentiation of Labor

Under these circumstances, the temptation is strong to yield to the Obama/Trump discourse of good immigrant/bad immigrant in order to secure a reprieve from the increasing threats of ‘deportability.’ Current proposals written by agribusiness and endorsed by the UFW farmworker union and the non-profit Farmworker Justice, for example, endorse the implementation of E-verify throughout US agriculture and the massive expansion of the H2 ‘guestworker’ program in exchange for a provision that would open a path to legal status (the ‘blue card’) for a substantial number of currently-undocumented farmworkers on the condition that continue to work in agriculture and don’t have criminal records. The proposal has split the

farmworker movement, with most actual farmworker organizations coming out against the proposal because it would “give more power to the growers” (FUJ 2019).

A historical approach that challenges the growth of captive labor and takes on the problem of class ‘disorganization’ and ‘differentiation’ more profoundly can guide the farmworker movement away from repeating the mistakes of the past, such as when the United Farm Workers and the AFL-CIO advocated for a ‘sanctions’ law punishing employers for hiring undocumented workers, part of the Reagan-era IRCA which granted existing undocumented workers ‘amnesty’ but created the legal framework which mutated into E-Verify and currently makes millions of undocumented workers vulnerable to felony prosecution. The 2017 battle over the ‘Clean Dream Act’ gives some cause for hope, when immigrant youth organizations and nonprofits which under Obama had signaled their willingness to trade a path to citizenship for young immigrant so-called “Dreamers” in exchange for more punitive border militarization provisions reversed their positions and closed ranks around a demand for a ‘Clean Dream Act’ with no additional immigration enforcement resources.

Less promising is the ongoing differentiation of working-class demands for migrant justice within the United States and those for working people in Mesoamerica – whether demanding the ‘right not to migrate’ (i.e. public services and access to a dignified livelihood within their home countries) or the right to free movement across the countries of Mesoamerica for migrants headed north towards the United States. Deep waves of xenophobia against Central Americans in Mexico, implemented by an ostensibly leftist Mexican government through militarization, raids, and mass incarceration, paved the way for similar developments in Guatemala and even Honduras, where right-wing presidents have signed agreements with the United States promising to detain and confine migrants and refugees within their borders to

prevent them from reaching the United States. On the part of working people in the United States, a serious commitment to demands for free public education, health care, land, and public utilities within Central America for Central Americans is almost entirely absent from popular demands for the ‘resettlement of refugees’ and ‘respect for the right to asylum’ which dominate liberal discourses on the North American migrant circuit.

Rural Class Struggle and Consumer Alliances

Within farmworker movements in the United States, the last few decades have seen a partial abandonment of worker-to-worker alliances as the path to working-class power and collective action, favoring instead worker-consumer alliances which harness the power of the market to pressure sellers and buyers of farm goods into improving farmworkers’ working conditions. Since the grape boycotts of the United Farm Workers (Bardacke 2012), farmworker organizations have pursued consumer boycotts as a way to open new fronts and bring their employers to the table. The Farm Labor Organizing Committee (FLOC), a farmworker union that emerged in the 1960's in the Midwest, launched boycotts against North Carolina pickle producer Mount Olive in the 1990's and tobacco producer RJ Reynolds more recently, aiming to pressuring large food and agricultural corporations directly to win union contracts. The Coalition of Immokalee Workers, a South Florida-based farmworker movement, launched a successful boycott of Taco Bell in 2000 which led to a series of successful consumer campaigns against the buyers/retailers of fresh Florida tomatoes and resulted in the creation of the market-based Fair Food Program which raised wages and created unprecedented grievance procedures in the tomato industry. And in 2014, Familias Unidas Por la Justicia, a Washington-based farmworker

union, launched a 2-year consumer boycott of Driscolls berries, which they leveraged in order to win a union contract with the Sakuma Brothers berry farm.

Critiques of ‘market-based’ consumer campaigns emphasize how they implicitly endorse neoliberal relations of individual choice, empower affluent consumers rather than the exploited workers who produce consumer goods, and release governments from their obligations to enforce labor protections and recognize working-class organizations (Jaffee 2007; Seidman 2007; Gill 2009). Indeed, farmworker organizations are often clear about how they have been pushed into the consumer campaign strategy after years of heroic but ultimately unsuccessful workplace actions and fruitless attempts to win the support of state officials. However, consumer campaigns and boycotts also give worker organizations a tremendous tool with which to project power at a larger scale than point-of-production workplace action alone, since they (can be) premised on seeking the solidarity of the millions of working-class people who consume the goods produced on US plantations, and seek to exert indirect worker control over their employers’ sales, directly interrupting their employers’ profitability. This is why secondary boycotts waged by unions were banned in the 1947 Taft-Hartley act, since business elites considered the consumer boycott to be too powerful a tool to allow unions to wield it freely.

An exclusive reliance on market-based programs, and the tendency for farmworker organizations to embrace affluent consumers’ passing interest in ‘where their food comes from’ and academic fetishes of the unique promise of ‘food politics’ (Guthman 2011) is surely a reflection of overall working-class weakness and the challenge of the hostility of the state in a neoliberal era. Still, the use of commodity-supply-chain strategies to exert power and ‘command space’ within the spheres of capital accumulation that matter to growers should be embraced as a

key weapon in the arsenal of working-class struggle, as long as it doesn't eclipse or replace actual worker-to-worker organizing on the land and for control of the work process.

Identity, Class, and Agriculture

If the uniqueness of 'agriculture' is, fundamentally, a way for plantation owners to justify the profitable hyperexploitation of plantation labor by differentiating specific sectors of the economy and vast agrarian landscapes as 'excluded' from labor protections, we can both seek to undo that differentiation and appreciate and affirm that working people caught up in generations of heightened oppression have strong identities affirming the uniqueness of suffering that takes place and has taken place on the land. In this way, 'agriculture' as a terrain of struggle lends itself both to an insistent and universal class politics, reclaiming the rural landscape and its agroecology as an integral part of overall working-class life and aspirations for liberation; and it also lends itself to a variety of group-specific struggles for dignity and inclusion, such as the fight for reparations for the descendants of enslaved Black plantation workers, the struggle for land ownership among farmers of color who were excluded from agricultural extension services, and the struggle for dignity and alternative sources of employment for the millions of Mesoamerican workers who are currently working in the lowest-paying and most-dangerous rural industries, etc.

A successful rural movement of working people is faced with the task of forging a collective class-based project that remains sensitive to and is able to incorporate and unite the variety of identity-based experiences of differentiated consumption, unique grievances through a material emphasis on the land base itself. This project requires a historically-informed critique of the various employed by plantation capitalists in racializing and differentiating those who have

been put to work on the land, but also requires a level of subtlety, authenticity, familiarity, and organizational skill that often confounds a contemporary left, which remains deeply divided between competing emphases on different combinations of ‘identity’ and ‘class’, often in crude and polarizing ways. A left movement committed to deeply challenging the plantation system in order to wield class power more broadly, though, can embrace the vast rural landscape as a place not just where “class happens” but where class can “be made” among workers who have been deeply separated by the conditions of their labor, to the collective benefit of the many dispossessed people who have been ripped from it and forced onto it.

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