Food Sovereignty: A Critical Dialogue

INTERNATIONAL CONFERENCE
YALE UNIVERSITY
SEPTEMBER 14-15, 2013

Conference Paper #47

Exploring the Dialectic of Labor Rights and Food Sovereignty in Everyday Work Conflicts of Argentina’s Yerba mate Country

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Conference paper for discussion at:

Food Sovereignty: A Critical Dialogue
International Conference
September 14-15, 2013

Convened by

Program in Agrarian Studies, Yale University
204 Prospect Street, # 204, New Haven, CT 06520 USA
http://www.yale.edu/agrarianstudies/

The Journal of Peasant Studies
www.informaworld.com/jps

Yale Sustainable Food Project
www.yale.edu/sustainablefood/

in collaboration with

Food First/Institute for Food and Development Policy
398 60th Street, Oakland, CA 94618 USA
www.foodfirst.org

Initiatives in Critical Agrarian Studies (ICAS)
International Institute of Social Studies (ISS)
P.O. Box 29776, 2502 LT The Hague, The Netherlands
www.iss.nl/icas

Transnational Institute (TNI)
PO Box 14656, 1001 LD Amsterdam, The Netherlands
www.tni.org

with support from

The Macmillan Center, the Edward J. and Dorothy Clarke Kempf Memorial Fund and the South Asian Studies Council at Yale University
http://www.yale.edu/macmillan/kempf_fund.htm
http://www.yale.edu/macmillan/southasia

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Abstract

This paper speaks to broad but urgent questions: Should the principles of food sovereignty be folded into the construction and enforcement of labor and employment laws? How can workers’ rights as envisioned by the ILO be coupled with fundamental precepts of food sovereignty in everyday working life at the site of food production? With these questions in mind, I examine every day Argentine politics of yerba mate (a green tea) where it is grown in the poor, Northeastern province of Misiones. Yerba mate is consumed in nearly 100% of Argentine households. It is considered a staple food, and is relied especially on by poor Argentines when food is scarce. But few consumers of the tea are aware of the working conditions under which smallholders and wage laborers work in Misiones. In what was once a vibrant landscape of small farms, neoliberal reforms from the 1990s still wreak havoc in the countryside. More and more small producers of yerba are selling their farms or have converted them to monocultural non-food crops such as the American pine used in regional paper mills. Land consolidation continues to intensify as does rural exodus. As farms are threatened, so too are models of family agriculture that have functioned for generations. In the past, both smallholders and wage laborers managed to produce food for themselves with little state intervention.

At the heart of contemporary labor conflicts in the countryside is the state’s effort to decrease the amount of trabajo en negro, or work under the table, in which workers and employers do not pay taxes and workers receive no benefits. By most estimates, 70% of rural workers still work under the table and unfair labor practices abound. In addressing the relationship between food sovereignty and workers’ rights, I examine two movements. First, I explore the agrarian organizing that has joined together landless workers and small farmers who promote the principles of food sovereignty in the spirit of movements such as La Vía Campesina, with much focus on agroecology, per Altieri and company. Second, I analyze the more recent organizing on the part of yerba harvesters that has pushed for improved labor rights even as small producers press back. Drawing on fieldwork conducted since 2008 as well as cross training in law and social work, I argue that Argentina’s supposedly worker friendly labor laws actually have a pernicious effect on the livelihood of low income workers and smallholders in the countryside. Caught in a symbiotic relationship, rural workers and smallholders cannot live without one another, yet their cohabitation in the work day is replete with tensions, intimidations, fear of lawsuits, and fallings out. Labor laws that were designed for industrial sector production assume abundant capital on the part of employers, ignoring the dearth and unpredictability of small farm income. Principles of food sovereignty are ignored for the most part. As a result, small yerba farmers often cannot afford to hire harvesters of yerba because of limited capital, state taxes and potential fines. Low wage harvesters in turn struggle with unemployment and are forced to rely on state welfare even as they flee the countryside. In
doing so, they often abandon family agriculture. Finally, I argue that the rights of both producers and workers have to be considered together if the Argentine state is serious about curbing the continuing stream of rural exodus, resolving long-term unemployment and welfare reliance, and ensuring food security in the countryside.

Introduction

In 2007, an International Labor Organization (ILO) report on rural workers and their relationship to sustainable agriculture laid out the realities of long neglected rural workers and the way that they connect to food sovereignty. Its authors wrote that words like ‘food security’ and ‘sustainable development’ are mere “buzzwords which do not mean anything to the vast majority of grassroots agricultural workers or even many union officials and leaderships. The challenge is how to make these concepts real for agricultural workers and their trade unions” (ILO, 2007, Preface). A year later, in a report on the connection between rural employment and poverty, the ILO alerted that “the labor protection gap” for rural workers remained “huge” (ILO 2008, 100). Both reports discussed a long tradition of ignoring the critical role that wage workers play in sustaining rural economies and preserving food security. How is it that we came to think of the labor involved in ensuring food sovereignty around the globe to be only that of small farmers who own their land? How did the omnipresent role of wage workers get disappeared as the terms ‘farmer’ and ‘peasant’ predominate in discussions about who shall control food production? The timing of these reports coincided with a food system crisis that has invoked the specter of global famine (Cribb 2010) even as it has spawned movements across the globe such as La Vía Campesina that mean to bolster food security by returning food production to smaller, local hands (See for example Desmarais 2002, 2013; Borras and Franco 2012; Da Vía 2012: Van der Ploeg 2009; Wittman 2009; Altieri & Toledo 2011; Fonte 2008; McMichael 2003, 2008; Perfecto 2007; Patel 2009, 2006: Friedmann 2000).

This paper speaks to broad but urgent questions: Should the principles of food sovereignty be folded into the construction and enforcement of labor and employment laws that affect agricultural workers? How can workers’ rights as envisioned by the ILO be coupled with fundamental precepts of food sovereignty in everyday working life at the site of food production? In considering these questions, I present part of an ethnographic ground-up study on Argentina’s most commonly consumed beverage, yerba mate. Mate (a green tea) is the everyday drink of Argentina, consumed in nearly one hundred per cent of Argentine households. Long considered to be el pan de los pobres or ‘the bread of the poor’ for its relative cheap price as well as its properties for curbing hunger, it is a staple food, forming part of the basic food basket alongside staples such as flour, oil and sugar. It has also been termed
green gold for the livelihood it has given to its producers, particularly in the early 1980s boom. The tea comes from the annual pruning of the tree *ilex paraguariensis*, which is native to the triple border region of Argentina, Paraguay and Brazil. Although *yerba* farming is increasingly controlled by larger farms, eighty per cent of its producers are small farmers who hold ten or less hectares. In spite of some ancillary mechanization in the harvest, *yerba* continues to be largely hand-harvested, meaning that even large farms rely on agricultural wage workers to cut green leaf for the drying mills. *Yerba* production places these small farmers and agricultural wage workers in a symbiotic relationship rife with conflict and struggles for survival of both.

My purpose in this paper is to examine the everyday relationship between small farmers and agricultural wage workers in order to illuminate the contradictions and intricacies that arise on the ground in efforts to ensure labor rights and food security simultaneously. My aims are 1) to set the stage of yerba mate production in Argentina revisiting the ILO’s discussion of the labor rights of agricultural laborers in the context of food sovereignty 2) to sketch out the social organizing of both small farmers and *yerba mate* harvesters (tareferos) and the interplay between food sovereignty and labor conflicts and 3) to analyze how welfare and labor laws interact in ways that threaten principles of sustainable agriculture, food sovereignty, and food security all at once. In doing so, I present an ethnographic portrait regarding food sovereignty that attempts to break through the oft circulated binary of utopian agricultural cooperatives and mega corporate agriculture (See also Paper #1 Agarwal). The case of *yerba* mate production in Argentina shows that there is much in between. Much of food security in Misiones still hinges on everyday relationships between small landowners and agricultural wage workers who are needed to bring harvests to tables. Meanwhile, Argentines rely on this harvest through their daily consumption of *yerba mate*.

**Introducing the Symbiotic Relationship Between Farmer and Wage Laborer (Tareferos)**

*Yerba mate* trees can only be grown in the particular subtropical climate and red soil that forms the triple border area of Paraguay, Argentina and Brazil. Ninety per cent of the *yerba* in Argentina is grown in one of the poorest provinces of the country, the Northeast province of Misiones. The geopolitical dimensions of Misiones are important: It lies in extreme northeast Argentina and shares ninety percent of its border with Brazil and Paraguay. It is Argentina’s most ecologically biodiverse region, containing some of the last swaths of the critically endangered Atlantic (Paraná) Forest. It also hosts extraordinary ethnic diversity in its residents, who represent over twenty different nationalities due to waves of immigration from Europe in the first half of the twentieth century (Gallero and Krautstofl 2007; Caseres 2006). In spite of being Argentina’s second smallest province, Misiones is Argentina’s lead producer of *yerba mate*, manioc, citrus, tobacco and timber. The province in its entirety is a superb example of
what has been called an “agro-ecological matrix” (Perfecto et al 2009) which necessitates that the politics of conservation and food production be considered together.

The labor history of yerba is a dark one in which late nineteenth and early twentieth century harvests relied on the system of los mensú, which was essentially a form of debt peonage in which many laborers lost their lives in the forest harvest. But by the second decade of the twentieth century, the Argentine government promoted colonization by European immigrants of the triple border area, requiring new farmers to plant yerba mate plantation style in order to ensure a supply for the whole of Argentina. Since then, the politics of yerba has been plagued by labor conflict and cycles of boom and bust related to the state’s failure to control overproduction (Ferrara 2007; Nardi 2011; Gortari 2007). The complicated history of yerba production in Misiones is beyond the scope of this paper. Rather, I now turn to more contemporary labor issues of the everyday.

Few consumers of the yerba mate are aware of the working conditions under which smallholders and wage laborers now work in Misiones. In what was once a vibrant landscape of small farms, neoliberal reforms from the 1990s still wreak havoc in the countryside. More and more small producers of yerba are selling their farms or have converted them to monocultural non-food crops such as the American pine used in regional paper mills. Only four companies control the final production of yerba mate and its distribution, and their control effectively dominates prices of raw material (green leaf) in the province (Ferrara 2007; Almeida 2007; Gortari 2007). Although yerba prices have improved since the commodity protests of 2012 which I will discuss below, the province is still seething with social problems and conflicts at every level. Since I began ethnographic research in 2008, land consolidation continues to intensify as does rural exodus. More prosperous small farmers invest as much as they can in the education of their children which means their children often do not continue farming, calculating that problems with farm management outweigh any potential profit. Poor people who fled the countryside live huddled into makeshift neighborhoods on the edges of towns and cities throughout the province; many of these newly urban poor once lived on small farms in the countryside. As urban villas grow, social problems abound within them. With farms threatened, so too is the model of family agriculture that has functioned for generations. In the past, both smallholders and wage laborers managed to produce food for themselves with little state intervention. Most of the new swathes of urban poverty are void of food production (Ortt and Ortiz 2013, Altieri 1996). Meanwhile, an unrestrained forestry industry threatens to forever change the biodiversity unique to this subtropical area (Chebez and Helgert 2003).

The Yerba Mate Harvest

In spite of these changes, the Argentine appetite for yerba mate has not diminished. Nor is there significant increased consciousness about the working conditions in the harvest. Outside
of Misiones, few people understand that yerba farmers have to rely on wage workers for harvest. Of the approximately 70,000 producers of yerba in Misiones, about 80 per cent of them are still considered small producers, because they hold less than 10 hectares of yerba (Ortt 2013). For the other 20 per cent, 15 per cent have up to 100 hectares, while 5 per cent have 150 hectares or more. Only a very few of those holders, those who have up to about 3 hectares, will harvest their yerba on their own which means harvesting with immediate family and friends. Surely for those who have 5 hectares or more, they turn to a third party who is charged with putting together and managing the field crews. In recent years, homemade harvests are becoming less frequent as farmers prefer to contract out the harvest because of labor and tax laws (Ortt 2013). Neoliberal fallout from the 1990s brought the contract system to the center of yerba production, and it has only grown since then.

Every year the yerba mate harvest comes to fruition via the work of anywhere between 12,000 and 16,000 wage workers (tareferos) who perform the annual harvest called the tarefa on land that they do not own. For the outside eye, there is a stark difference in who is farmer and who is laborer, i.e. farmers are largely white and of European descent while laborers are mostly brown-skinned criollo workers. In spite of recent attempts to conduct a census of tareferos, it is not clear how many workers there really are, in part because the harvest depends also on undocumented laborers that cross primarily from Paraguay but also from Brazil. Each fall, farmers begin to make plans to have their yerba cut by field crews. They either cobble together the crews themselves or more often, look to contractors to handle the harvest. Producers tell contractors how they wish their yerba to be cut, and contractors proceed to manage the entire harvest, most importantly the everyday complications of maintaining a crew that brings the harvest to fruition. Some of these laborers live in the countryside, but often large crews are trucked out to the fields from the poor neighborhoods that encircle provincial towns and cities. Traditionally, the harvest was a family affair in which whole families labored in the field. But recent state efforts to curb child labor through conditional cash transfers to women have decreased to some extent the amount of child labor. Yet, most of the harvest is still carried out under the table, and state inspections of labor camps regularly find minor workers in the yerba fields.

Certainly, tareferos in Misiones must be considered in a global context for their daily struggles closely mirror those of others around the world. Agricultural workers are an important sector in rural landscapes as demonstrated in the ILO Report from 2007. 45 million men and women work worldwide as waged workers in agriculture, forming 40% of the world’s agricultural labor force as well as part of the “core rural poor” in most countries. These workers neither own nor rent the land they live on. They are often poorly paid, living below poverty line with employment often unstable and temporary. Yet they remain mostly invisible in the formation of policy and goals that mean to eliminate poverty and strengthen the role of major civil society
groups that promote sustainable agriculture and rural development, world food security (WFS) and sustainable development. (ILO, 2007). Perhaps most important is the way that wage insecurity affects food on the table; worldwide, worker households often spend over 70% of their cash wage on food (ILO 2007, 41). Rising food prices can push them into or further into poverty as has the current soaring inflation in Argentina that the government denies exists. Indeed the current Argentine government has cruelly underestimated the amount of money needed to buy a basic food basket, even as food prices go through the roof (Warren 2013). It is widely agreed in Argentina that without recent welfare programs to sustain the county’s poor there would be widespread hunger due to the rise in food prices and continued underemployment and unemployment of masses of poor people. For rural wage workers, poverty and food sovereignty are closely linked: “Improving earning power and livelihoods and ensuring food security are closely linked issues for agricultural workers and their trade unions.” (ILO 2007, 41).

Mobilizing for Sustainable Agriculture: Is There Room for Everyone?

In the vibrant small farmer landscape of Misiones, a strong history of social organizing has evolved that continues today. Social movements abound throughout the province even as the government remains one of the most corrupt in Argentina. As an anthropologist, I was initially drawn to the spirited organizing of the Agrarian Movement of Misiones (MAM) which is the most visible advocacy group for small farmers, reflecting its tradition as the largest and most durable of the agrarian movements in Argentina. Leaders of MAM were tortured and disappeared during Argentina’s last military dictatorship (1976-1983), but MAM reorganized to spawn much more agrarian organizing in the 2000s (Ferrara 2007, Schiavoni 2005). In the last fifteen years, MAM has worked with other groups to re-craft agrarian reform by forging direct ties between small farmers and consumers. These groups have taken on monocultural production and threats to biodiversity in the following ways: preserving organic/native seeds, creating a province-wide farmers’ market movement which prohibits the sale of genetically-modified produce, promoting modes of sustainable agriculture, and establishing the Rio Paraná Cooperative, which produces yerba mate through a non-certified fair trade distribution system. MAM has worked intensively against the use of herbicides such as Roundup which since the 1990s have been used in abundance to kill weed cover both in yerba mate fields and in food crops in Misiones (Ferrara 2007, 279-285, Nardi 2011, Altieri and Toledo 2011). The group has played an important role with organizing of all kinds, including advocacy for landless workers and support of families who have been evicted from their land.

In response to the farm crisis of the 1990s, MAM slowly but surely began to organize the network of farmers’ markets (ferías francas) which today operate throughout the province. Since 2009, I have documented how these markets are important portals to food sovereignty in
multiple ways: they allow farmers to continue on their farms by providing additional income, they ensure local food production, they provide local food for growing towns and cities, and through the provincial program to fight hunger called Hambre Cero (Zero Hunger) they provide food for indigent families who cannot feed themselves (Ferrara 2007). Qualifying families receive their food weekly from the farmers’ markets.

However, in my original work with small farmers documenting the inroads they had made in maintaining a food sovereign model and pressing back against neoliberal fallout, I began to see contradictions in how they addressed the wage workers upon whom they relied for the yerba mate harvest. An intense exclusionary politics was practiced toward tareferos in which they were viewed as ‘other’ and blamed for all kinds of social problems. Tareferos were accused of wanting more even as they worked less. Indeed MAM and other farmer groups had not managed to include the rights of these workers in their organizing. In fact, MAM’s fair trade yerba mate which is sold only in Argentina in limited places largely ignores the role of agricultural workers and is marketed as though the harvest is done only by farm families themselves. Additionally, I came to see a marked historical erasure of wage workers. It was as though they had never existed. Although MAM has been well known for decades, the history of tarefero organizing has not.

It turns out that Misiones has a long, unpublished history of tarefero resistance. In the last several years, labor rights harvesting has intensified on their part. Several budding unions exist throughout the province, with the strongest being in Montecarlo County where since 2009, tareferos have had the help of history teacher and community organizer, Rubén Ortiz. Ortiz has been active for decades in the province on issues regarding landless and unemployed workers as well as rural teachers. Since 2011, I have followed the dilemmas the Montecarlo union faces in trying to better the conditions in which harvesters work. The union pushes constantly for the enforcement of labor laws and for a climate in which they can work above the table and receive social security and health benefits. In line with its slogan “the pleasure of drinking mate should not rely on the slave labor of tareferos,” tareferos in Monetcarlo use strikes and highway blockades to push for in kind assistance, improved wages and better working conditions. Often they come up against small farmers in their organizing and tensions run high. Nevertheless, tareferos continue to struggle against exclusion and exploitation. As Roque Pereira, an organizer from the Civil Association of Tareferos and Rural Workers (Asociación Civil de Tareferos y Obreros Rurales) says: yerba “cheers people up at parties and comforts them at funerals. But excluded from that is the enslaved rural laborer who harvests the crop” (Valente 2012).

One group of small farmers that has joined with tareferos on occasion is the group APAM (Association of Small Agricultural Producers of Misiones) which has organized to protect small
producers of *yerba* mate. While many farmers express disdain for *tarefero* rights movements, one of the leaders of APAM, Carlos Ortí often includes *tarefero* rights in his discourse against the monopoly that controls final *yerba* mate production and distribution. In the next section, I use interviews with both Ortí and Ortiz conducted between 2011-2013 to frame the labor rights dilemmas that occur in the context of the *yerba* mate economy. I must place to the side longer explorations of the *tarefero* rights movements and the complicated history of class and race that underlies labor conflict, in order to focus on the way everyday conflicts threaten food sovereignty. Importantly, these two leaders’ views coincide closely with the ethnographic accounts of both *tareferos* and farmers that I have gathered over the last years.

**Harvest en negro (under the table)**

When reviewing Argentina’s labor codes, the country appears to be a worker’s paradise. Going beyond basic rights as outlined by the ILO such as minimum wage and restrictions against compulsory labor, Argentine workers, on the books at least, are entitled to a variety of benefits: From day one, vacation pay begins to accumulate as does the right to an *aguinaldo* or bonus pay that comes in the middle and end of the year. Workers have a statutory right to both severance and vacation pay. In Argentine labor courts, workers are given the benefit of the doubt more quickly, even though burdens of proof shift back and forth between worker and employer. In reality, however, huge numbers of Argentine workers work *en negro* or under the table and thus have less access to these rights than would seem clear when just reading the labor codes. Moreover, of the universe of labor violations in play, very few will actually be litigated. This is especially true in the countryside where by most accounts, almost three quarters of workers work *en negro*. This means not only do they not pay taxes, but they also do not contribute to their own retirement nor do their employers under the contribution system that exists.

Again and again, local, provincial and national presses decry the amount of *trabajo en negro* in rural areas, calculating it often to be over 70% (MisionesCuatro 2013; Nardi 2011). Argentina’s National Institute of Statistics and Census shows that the number of people in the informal sector is still high, in spite of almost a decade of strong national growth. The status of *tareferos* fits neatly into what is described in the ILO’s 2007 report on agricultural laborers. Importantly, critical variables of poverty elimination among these workers around the world are wage levels and employment. However, “enforcement of minimum wages is widely thought to be difficult if not impossible in rural areas in view of the extent of surplus labour and widespread unemployment. The largely informal nature of labour contracts in agriculture seems to preclude the possibility of enforcing a non-market determined minimum wage” (ILO 2007,43). Like in other areas, in Misiones, it is often impractical to be able to enforce labor laws. The enforcement of labor laws is weak, and workers often do not know their rights. The ILO
determines that that factors that affect wages are agricultural growth, food prices and food security, labor supply, non-farm employment, minimum wages (ILO 2007, 45, 41).

But in Northeast Argentina, I have found additional intervening factors that keep wages down, promote rural exodus and threaten food security. I now turn to the more complicated everyday conflicts that call for additional factors to scrutinize in analyzing the plights of both small farmers and wage workers. As I conducted ethnographic research on both sectors, I always kept in mind the optimal goal that people could stay on in the countryside, both farmers and wage workers, and continue to have a hand in their own food security. I now conclude that conflicting welfare and labor policies as they play out on the ground actually foment rural exodus and decrease food security. Moreover, the Argentine government’s relentless pursuit of tax revenue along with widespread kleptocracy only makes redistributive policies seem more cynical on the ground. While the rich get richer, the poor have just barely avoided hunger.

Green Gold Double Binds up Close

Zero Hunger and Labor Rights
How can a family go hungry in a fertile countryside? What ingredients make the death knell sound for food sovereignty? In 2010, two child deaths from malnutrition in Misiones drew national headlines (Sánchez Bonifato 2010). This might not have been an issue in other countries around the world, but the time and place were significant: Argentina is considered one of the breadbaskets of the world for its vast swaths of productive agricultural land, and the country was experiencing huge increases in state revenue due in large part to the global commodities boom from which it was benefitting heartily via exports in crops such as soy, wheat and corn. Misiones, far north of the fertile pampa, remained one of the country’s poorest provinces. Despite being poor for generations, people in Misiones had managed to take advantage of the fertility of their own tierra colorada (red soil) in which poor families had produced at least manioc and peanuts for themselves along with eggs and milk. Yet at the time this death was recorded, Misiones has the second highest number of chronically malnourished people (Sánchez Bonifato 2010). Ironically, both of the children were enrolled in Plan Hambre Cero (Zero Hunger), implemented by the province the year before to address hunger.

The politics of food, hunger and yerba all come together at the feria franca or farmers’ market in Montecarlo, Misiones. On Wednesdays, people registered for Hambre Cero come to get their bag of produce which the farmers pull together from what is available that day. Most of these farmers also grow yerba in order to add to farm income, and they rely on agricultural wage labor for the harvest each year. Together they formed what is one of the healthiest farmers’ markets in the province, but they struggle daily with labor issues. Ana, a small producer who has done quite well in recent years with her son producing vegetables for sale at
the farmers’ market, tells of how difficult it is to find stable workers to maintain her growing number of greenhouses where she grows green peppers, cucumbers and tomatoes. “In the end,” she says, “it costs us less just to employ people en negro and deal with issues as they come up. Too many people just want to live off welfare so it takes a lot to find workers at all.” Here, in a prime space of food sovereignty is where the contradictions play out when labor rights are placed on the table. On the one hand, one does not want to support Ana’s employing people under the table. On the other, if she were to rely only on registered workers, she probably would not be able to provide produce for reasonable prices nor would she be able to afford the van for trucking the produce into town so that it can be accessed by town residents. Argentine labor minister Carlos Tomada has consented that labor laws fall hardest on small employers, and these small employers most often employ workers under the table: “For every 100 pesos of monthly wages, the employer has to pay 43 in social security and other contributions” (Valente 2012). Tomada himself has argued for a more relaxed regime for small employers, but that the government has made no move to distinguish between large and small. Thanks to small farmer advocacy, those who receive Plan Hambre Cero have access to fresh produce. But farmers like Anita who has worked from sunrise to sunset all of her life still marvel at the way she works to provide food for those who do not work. Farmers readily talk about past days when the poorest of the poor still produced most of their food for themselves.

A Welfare State that Wreaks Havoc

One afternoon while sitting on the porch of Celia and Cándido, life-long tareferos, Cándido told me: “When I see a yerba field, replete with green leaf, I see total hope.” Indeed for generations now, yerba mate has been the everyday bread and butter to both small farmers and to wage workers. Celia and Cándido found their way out of poverty through their fierce work ethics combined with their becoming labor contractors and producers all at once. Having labored all his life for others, Cándido discovered along the way that what he most loved was being a farmer. Any Sunday, he could be found working somewhere on the farm. Celia, on the other hand, found her passion in yerba and operated as the field boss for the crew of harvesters they managed that included a number of their own family members. But talk with them revealed, as with all others, that green gold is fraught with everyday labor conflicts. Celia herself had to fight off a labor lawsuit from her own brother who had lied about the amount of time he had worked for her in order to get access to greater severance pay. Although Celia won the case because of her brother’s inability to document his claim, Celia now approaches labor contracting with a much more cynical view. Having labored all her life in the yerba fields, she is astounded by how few people want to work now that they receive government welfare.

Among the varied voices throughout the provinces of Misiones that address these everyday politics of yerba are Carlos Ortt who has been the voice of the small yerba farmers’ organization (APAM) for years and Rubén Ortiz, a critical voice in organizing for improved rights of tareferos.
In multiple conversations with them overtime as well as dozens of others, I learned about the everyday details that cause more and more farmers to leave yerba production, and prolong abysmal working conditions for tareferos. As the plight of each worsens, so also does their connection to their own food security: Both are inclined to leave the country, abandon any rural food production they had practiced, and turn themselves over to full consumption of food produced by others at high prices.

According to the Argentine state, each worker a farmer employs (even if via a contractor) should immediately be registered with the National Social Security Agency (ANSES) so that employment taxes can be taken out, and contributions for health benefits and retirement can be received. As I have mentioned before, this looks like a ripe opportunity that no one in their right mind would turn down. If a worker is not registered and continues to work, then she is considered to be working en negro. According to Ortт, until around four years ago, about 80 per cent of small producers put together their own field crews. However, in the last years, greater regulatory presence of the Department of Labor (Ministerio de Trabajo) and the Internal Revenue Service (AFIP) have caused farmers to contract out the harvest to third party contractors who manage papers and the field crew. In this process, the contractors have to manage everyday intricacies of the harvest such as putting together and maintaining a crew, transporting workers in reliable transport that is approved of by the state, and paying bribes to local police in cases in which the transport does not comply with laws. Contractors themselves often cheat workers in multiple ways, and they are viewed as a malignant presence by many. Even still, the ultimate responsible party is the landowner herself in terms of whether or not workers are working en negro. If a fine is to be rendered, it goes toward both farmer and contractor.

A key complexity in the labor-food sovereignty weaving has to do with state taxes. Let us consider the cost of employing a single worker for a smallholder, i.e. employing a worker en blanco. The obligatory social charges represent 60% of the cost, according to Ortт (2013). In the 2013 season, a ton of green leaf was valued at around 400 pesos. A producer must pay a worker that plus around 160 more of costs toward workers benefits and state taxes. Once the worker is released from work with the end of the harvest, producers are responsible for paying prorated amounts of severance pay (indemnización) (5.85 of salary), vacation (8%) and bonus (aguinaldo) (5% of salary). Even though these costs come from work completed by tareferos who are not permanent workers, it still amounts to almost unworkable amounts. Workers themselves also experience a deduction for health insurance and social security.

The seasonal income insecurity provides grave problems for tareferos that coincide with others around the globe. According to the ILO “agricultural workers are especially vulnerable economically when loss of wage-earning power occurs in the event of death, injury, ill health,
invalidity or natural disasters” (Hurst 2007, 59). Indeed, injuries about in the countryside in Misiones along with premature death. In one family of harvesters I knew, the father died of lung cancer at age 52, leaving a widow with five children. Fortunately, she applied for a widow’s pension and continued to work in the yerba harvest in the next season. Because of widespread use of agrochemicals, Misiones has one of the highest rates of cancer in all of Argentina. It is also common to find children with disabilities that may be linked to these chemicals, and surely so in the case of tobacco production.

ILO data also shows that less than 20% of agricultural workers in the world are covered by one or more of the nine standard contingencies (medical care, sickness and maternity benefits, family benefits, unemployment benefits, employment injury, invalidity and survivor’s benefits, and old age benefits (ILO 2007, Hurst, 59 and Ginneken 1991). Workers forced to work in the informal economy are enslaved to poverty for the short and long term. Working en negro means they do not have to pay taxes, but it also means that they have no health insurance, which means they will have to rely exclusively on public hospitals which often are sorely lacking in their care. They also will not be saving money toward their retirement. Finally, when they leave the harvest, they lose their rights to legally mandated vacation, bonus and severance. Having worked under the table, they will not be eligible for inter-harvest stipends.

**Severance Pay: Another Barrier to Employing Workers for the Long Term**

As I have mentioned, just a generation ago, farmers were able to employ wage workers all year round. But they now cite labor laws and dependence on herbicides as the reasons that they turn only to seasonal labor. One of the greatest barriers to employing long-term employees in the country is the amount of severance pay that mounts with each year of employment along with the other costs. Argentina goes beyond basic labor rights in mandating severance pay or indemnización, and although severance pay seems like another no brainer in terms of securing workers’ rights, it turns out that it too can be counterproductive. Recent research shows that higher firing costs increase discrimination against unemployed workers, because they increase the costs associated with hiring a bad worker. Moreover, in the presence of higher severance costs for older workers, separation decisions may be biased against young workers. In other words, it seems that large firing costs contribute to the emergence of dual labor markets, with well-protected formal sector workers (predominately prime-age males) and much less protected informal sector workers and the unemployed. Other researchers have found that pro-worker legislation may work against the poor in developing countries ((Kugler and Saint-Paul 2000, 3, Besley and Burgess 2004 and Ahsan and Pages 2009).

Recent research lends credence to what I heard on the ground about severance pay. In theory, severance pay promotes longer-lasting employment relationships and improves employers’ incentives to provide training, thereby increasing the productivity of workers as well as their
future employability. But among the costs severance pay is recognized as a source of labor market “sclerosis” reducing the intensity of labor market flows, particularly to and from employment. Severance pay makes firing more costly and thus hinders job creation (Kugler and Saint-Paul 2000, 4; Blanchard 2000). A number of studies show that strict employment protection, including hiring and firing rules as well as severance pay, reduces employment. Employment protection contributes to longer unemployment spells (stagnant unemployment pool), thus compounding the difficulty of leaving unemployment. Severance pay does not create a moral hazard problem by lowering job search effort, but it does affect incentives to enter unemployment and hence creates a different moral hazard problem. De Ferranti and others (2000) report that large litigation costs arise from disputes over the cause of separation in Latin America (Ahsan and Pages 2009) (Kugler and Saint-Paul 2000, 4).

In Misiones, it is common for farmers to recite stories about farmers who lost their farms because of labor lawsuits. Indeed a labor lawsuit brought by a long-term employee can result in significant costs. As each year of employment passes, the amount of money owed to an employee adds up. But in Argentina, a supposed welfare state accompanied with an abundance of populist rhetoric has actually shifted the burden to the private sector for caring for the seasonally employed poor, or more specifically, job creation has fallen by the wayside in favor of alternative policies. Again, this seems like a good idea when private sector consists of large companies, but the small farmers of Misiones end up unable to bear the cost. Unable to shoulder this cost along with so many others, farmers do whatever they can to avoid employing workers. In so many instances, this means selling their farms and moving into towns where they will become consumers of food rather than producers of it.

The Cunning of Seasonal Work and Welfare

Importantly, as soon as a worker registers with an employer via the Social Security Agency (ANSES), the agency immediately drops her from the welfare rolls if she has been receiving aid. In the last several years, this has had key consequences because of new welfare programs designed to help unemployed workers. It is important to keep in mind first that all wage laborers in the country are also seasonal, part-time workers who endure spans of unemployment at some point in the year. In 2009, the Argentine government launched the Universal Child Allowance (UCA) (Asignación Universal por Hijo (AUH)) in order to provide support for unemployed families. Recently popular throughout Latin America, conditional cash transfers (CTCs) are ways that the state attempts to assuage systemic long-term poverty and to curb reliance on child labor (ILO 2007, 2008). In Argentina, the transfer is provided per child and it is conditioned on mothers sending their children to school and updating their vaccines (ANSES, Argentina government website). The program began by providing 180 pesos per minor child under 18. But by May 2013, the amount had grown to 460 pesos per child. Official registers estimate that 3.6 million children receive the stipend, or almost 9% of the population.
(Ministerio de Economía y Finanzas Públicas and Administración Nacional de la Seguridad Social websites). Mothers usually receive the payments and can receive the stipend for up to five children which means currently up to $2300 pesos per month as of August 2013. If a mother is able to receive that amount per month without working and for 12 months out of the year, it makes little sense for her to drop the plan and head off to seasonal work, especially if the political climate does not ensure she will be able to get the stipend back.

Indeed tareferos face some of the hardest times during the off season which amounts to six months of the year. Whereas they used to work on jobs such as weeding of the yerbales, increased uses of Monsanto’s Roundup and fear of labor lawsuits have left them largely unemployed during this time. Tareferos have used everything from hunger strikes to highway blockades to call attention to the desperate situation that occurs when families do not income for as much as six months out of the years. Since 2011, the new Agrarian Law (Régimen de Trabajo Agrario) gives tareferos a state stipend in the off season, but workers have to be formally registered in order to qualify, which means that probably only about 10% of workers are able to access the interzafra subsidy. Out of around 16,000 tareferos, only 1750 earned the stipend in 2011 (Valente 2012).

Why don’t more tareferos register so that they would receive the subsidy? The first clear answer is that it is much cheaper for producers of any scale to employ harvesters en negro; they avoid all taxes altogether as well as the time and effort of getting and keeping employee papers in order. Tareferos who want to work will more often be recruited in a climate where they will not be contracted en blanco. Secondly, many tareferos believe they will lose their benefits of the Universal Child Allowance if they start to work en blanco. On the ground, tareferos who do manage to work en blanco for several months during the harvest, then have to reapply for welfare as unemployed persons. The money they receive every month on welfare can easily be greater than the fairly paltry inter-harvest subsidy, especially if there are many children in the family. It is important to understand that working en blanco does not take into consideration the fact that the yerba harvest is only part of the year. Getting back on the Universal Child Allowance can take up to two or three months in which families are without income. Moreover, there are more cases of workers who are denied the welfare altogether once they try to regain access to it (Ortt 2013 and field interviews). To this end, workers prefer to keep their welfare benefits and earn whatever other income they can en negro they can to supplement their welfare payments. The fact is that the yerba harvest is temporary work that lasts at the very most six months of the years. When smallholders finish their harvests, they have no choice but to send tareferos on their way. Workers now fear losing the basic monthly security of the UCA which is what prevents them from facing real hunger. It is enough that the amount of money is so little. Moreover, with the election year of 2013, people throughout Misiones see that the hegemony of the Kirchner regime is threatened.
Ortt sees “a grave contradiction in the fact that those who receive this plan (welfare benefits) cannot work en blanco” (Ortt 2013). According to both Ortiz and Ortt, the Universal Child Allowance is a path to eternal misery for workers. The state provides welfare which is barely enough to meet the daily calorie needs for one person (Ortiz August 2013), and it makes it difficult for them to work freely, because of the penalties that come from working (Ortt, August 2013). This leads to the widespread charge that many people now prefer to “sit under an orange tree and drink mate” rather than go out and confront the tricky conditions of working life (Ortt 2013).

Grateful for this steady stream of state aid over the entire year, families desperately want to hold on to it, and when push comes to shove at election time, they will vote for the same state officials who gave them the welfare benefits to begin with. Talking with workers throughout the province, they have become dependent on the stipend, even though many consent that soaring inflation has sliced the value of their monthly benefits by several fold. But in Misiones and throughout Argentina, there is a strong grassroots perception that the stipend creates a reliance on state aid, crushes incentives to find work, and grounds out a work ethic in youth. For example, a headline from another Northern province, Salta, announces the results of its survey with the headline: “for many, la AUH forments laziness (El Tribuno de Salta 2013). When I came to see the daily struggle families had to put food on their tables even with the Universal Child Allowance, I felt it was hard to be against it. But after many interviews with farmers and tareferos alike, I now consider it to be a pernicious intervening force which attempts to put a band aid on the larger problems of disappearing jobs, long term unemployment, and the failure of the state to enforce labor laws for provincial power players. According to Ortt and many others throughout the province, the Argentine government is desperate for funds; he and others view the AUH as just one more populist move to get votes from the poorest of Argentines. Even Ortiz would agree with this, yet he argues that the real problem is that the labor laws are not enforced. For very large landowners and the companies who control the last leg of yerba production, a bribe is always a way to get state labor inspectors to turn the other way.

The issue of child labor in the yerbales resounds frequently. Celia and Cándido, for example, would always bring their children to work with them, because there was no one to care for them. Bringing them to the yerbales really helped fuel their motivation in the classroom, according to Celia, for they wanted anything of their futures but to spend their lives in the hard work of the harvest. One problem with the Universal Child Allowance is that the school day in Misiones is usually only several hours a day. In other words, older children helping their families out and going to school are not mutually exclusive. But for smaller children, the state welfare condition that one cannot work, means that mothers are forced to stay at home and rely on welfare rather than go out and work. There is no childcare option for them. Ortt and
others have called for state intervention in childcare but none has come. Still, even sympathetic portrayals of the child labor dilemma do not take into account the fact that women workers simply do not have good, safe child care for their children that would permit them to go to work. (See Longley 2010, attributing child labor still to a family need for income; ILO 2008, 90 child care is not included in the main gaps to be addressed regarding child labor).

According to Ortt, workers and producers are finding new alliances against the state, because workers are afraid of losing their welfare benefits. A common refrain that I have heard from all sectors of the yerba industry in Misiones is that people are working to pay for those who do not want to work. Many people feel that there is no incentive to work and that the government welfare plans punish those who do work. For small producers, they perceive the more virulent state presence in the countryside as a desperate attempt at more aggressive tax collecting. The funds then go to maintain those who supposedly are not working. Ortt, he is in favor of the UCA, but believes that it drives a huge wedge between hardworking folks who want to work and small producers who want them to work for them.

In short, labor laws that intertwine with welfare laws in complex, politically motivated ways have created a climate of fear in the countryside: farmers are afraid of labor lawsuits even as they are afraid of being fined by the Department of Labor for not having workers’ papers in order. This has contributed to a significant labor shortage in the countryside according to multiple contractors and small producers that I have talked to over the year. Ortiz believes that if farmers were to pay all of the legally required benefits to workers, they would choose to work en blanco. Yet farmers report an inability to do so as well as welfare barriers to being able to fully register employees.

**Everyday Labor Inspections**

The conflict around informal work plays out in everyday work in the fields. In 2012 an operation by the Argentine Internal Revenue Service (AFIP) was carried out on farms in the San Pedro area with helicopters and 4 x 4s looking for field crews en negro. Several farmers ended up with embargos on their farms and/or severe fines. More recently, on more than one occasion in the counties of Oberá and San Pedro, agents of the Department of Labor as well as the AFIP were chased out of yerbales by workers yielding sticks and machetes and throwing stones. The state presence was perceived to be interfering with their ability to work. When the agents returned with police and gendarme reenforcements, the workers scattered into the surrounding countryside, making themselves nowhere to be found. Often, when the government trucks come into the yerbales, workers either decide to run themselves or are instructed by contractors or field bosses (capotaces) to get lost so that no one will be fined. More and more workers take off so that they will not get caught working en negro and lose their welfare benefits (Ortt 2013).
In the case of Misiones, the added concerns of contradictory goals of agencies as well as corruption need to be taken into consideration, for bribing one’s way out of law enforcement exists at all levels in the province. In fact, during a critical point in the highway blockades during the commodity protests of 2012, the Department of Labor official arrived in to the blockade in pickups and were escorted by the largest labor contractor in the county who also had just recently lost a labor lawsuit for depriving tareferos of benefits. When I confronted the labor inspectors, they acted as though they had no idea what I was talking about. I noted that it was absurd that they would be working in this ‘fox in the hen house’ sort of way. Workers themselves, of course, were either used to this kind of contradiction or felt powerless to confront it. Confrontation meant retaliation, and workers were desperate for employment.

Ironically, though, for the tareferos who have fought against exploitation in the yerbales and for more state scrutiny of labor practices, one of their only tools against labor exploitation is to threaten to pressure the state to intervene in informal work. As the 2012 commodity crisis was taking root in Montecarlo County, tareferos were the first to impose highway blockades, demanding both better wages and an increase in the price of green leaf. I attended assemblies and meeting during the blockades in which tareferos patiently tried to create a dialogue with the cooperative, asking for the coop to use its leverage to ensure that contractors were paying tareferos a fair wage and not taking advantage of the low price of yerba to exploit workers. At a critical moment when representatives of the local cooperative met with tareferos about the possibility of increasing their wages, they were met with cold indifference. After months of patience and meetings, Ortiz was fed up: “If you all are unwilling to budge on harvester wages, we have no other choice but to call the Department of Labor and have them come make all of you employ only workers en blanco.” With this threat, the meeting ended abruptly with each side going different directions.

Unfortunately, labor inspections do not seem to be the answer according to sociologist Eduardo Donza of the Catholic University of Argentina, because the risk is that these small employers will close down, firing the few workers it has (Valente 2012). Moreover, those tareferos who have fought for improved workers’rights in Montecarlo now face unemployment as they are blacklisted not only for their union activism but also because small producers fear they could lose everything due to fines or lawsuits (Ortiz 2013). A vicious circle is then in play in which ideal workers’rights ultimately are traded in for unemployment, rural exodus and growing welfare dependency in which workers no longer produce their own food and fight daily battles for increased state assistance.

As a small producer known for good labor practices, Ort laments what has happened. “Many of us, we grew up together. But so many of the other guys have left the country altogether and have gone to live in town. Others that work with me, say to me, let me work en negro, because
if I work *en blanco*, they are going to take my *señora* off the plan (Ortt 2013). Women with seven children receive a pension for life, and even though the pension is hers, there are cases where she loses the pension, because of perceived welfare fraud. Again, spouses see themselves as being penalized for working.

Meanwhile, the Kirchner government continues to display a sort of arrogant ignorance for the conditions in which *yerba* mate is produced. The Secretary of Commerce, Guillermo Moreno, said in a meeting to producers in the 2011 crisis over low prices: “if you can’t produce *yerba* mate at a cheap rate, you should be working in something else.(MisionesCuatro 2011). As election politics heat up in 2013, welfare benefits for the long term unemployed are clearly an essential part of the current government’s strategy for continued control of all sectors of the government. Again, families are left in a Catch 22 situation in which they shall not bite the proverbial hand that feeds them, and yet find themselves caught in a labor and unemployment quagmire in which they are damned if they do and damned if they do not.

**The Fraying of Food Security and Sovereignty at Once**

Both the key organizer for *tardefero* rights Ortiz as well as the small *yerba* producer advocate Carlos Ortt consent that very few *mate* harvesters produce their own food anymore. According to Ortt, he can track this change back to about twenty years ago, which is the 1990s when neoliberal reforms bottomed out *yerba* prices and rural exodus accelerated throughout the province. Ortt recalls that on the farm on which he grew up, the family had 6 *peones* (workers) who lived in houses on their land. Both the owners of the land and the *peones* had chickens for both meat and egg production, cows for both milk and meat production, and pigs. Ortt recalls:

“All the guys had their own milk cow that they took care of, their pigs and they had their vegetable gardens. Four of them retired with my family. (meaning that they worked for enough years to retire with the family). Today we have double or triple the amount of hectares and we do not have a single contracted *peon*. They all left. And, I am really too afraid to put someone on the farm, the risk is just too high. To have a stable *peon*, I would have to employ him *en blanco* which will cost me $6000 pesos a month. If I employ him *en negro*, I run the risk of the AFIP coming and being fined by the AFIP. I run the risk all around.”

Ortt´s account certainly invokes a picture of inequity—those with and without land, bosses and workers. But it is significant because it underlines that in the recent past, many families were almost entirely self-sufficient with what they were able to produce. There was a sacred triad (cow, pig and chicken) borrowed from the European model of farming that *colonos* (farmers) brought with them and mixed with other modes of agricultural already in place. But today,
according to Ortt, most wage workers who he knows produce “not even a chicken or an egg since around 15 or 20 years ago”.

Now, very few yerba farmers produce any of their own food (Ortt 2013 and Ortiz 2013). Indeed, caring for animals is an intensive task that requires an everyday presence on the farm. For decades now, the children of farmers have been leaving farms in search of urban capital of many farms. They have gone to work as domestic employees as is often the case for women and as taxi drivers, etc. For more poor families, young girls often fall into prostitution as domestic work is so severely underpaid. This has meant that farmers have grown elderly on the farms and no longer have the capacity to take care of animals on a day to day basis. Cultivated crops too have fallen by the wayside. When I lived in Misiones for a year doing fieldwork in Montecarlo County, I lived with my family in a rural colonia. Many of my neighbors were in their 80s or 90s, and all of their children lived in town or in other parts of the province or country.

According to Ortiz, of the tareferos in Montecarlo who participate in the union, only a very few produce their own food. Tareferos in rural areas are more likely to produce some of their own food, but those who have been routed into viviendas or attached housing are less likely to produce their own food, in part because these viviendas come with almost no land attached. Rather, once the yerba harvest ends each year around the end of September or even earlier, tareferos enter into a six month period of precariousness in which they struggle for income. With resistance that has included hunger strikes and highway blockades, tareferos have pressured for inter-harvest subsidies and food relief, but both are fraught with political manipulations that often leave tarefero families struggling to eat during this time.

Lost to the politics of the state too are the politics of la minga which is the traditional system of labor bartering that has existed for many years in the area. In this system, neighbors lend a hand during planting and harvest season to get work done and compensation is both monetary and in kind. Many small farmers still use this system, and in my fieldwork, I saw its practice, particularly among farmers closer to the Brazil border. When this system was used, I observed that there was less labor conflict. And yet this kind of system is technically under the table in terms of Argentine labor and tax laws.

**Conclusion**

In this paper, I have introduced the ways in which labor laws and their enforcement collide with welfare policies on the ground in Misiones, Argentina in ways that threaten principles of food sovereignty. There is much more to be written on what is at play in the province in terms of food sovereignty. But in an ethnographic view of the everyday production of yerba mate, it becomes clear that we must consider the welfare of wage workers and smallholders together if
we are to ensure food sovereignty and prevent hunger in rural areas. Individual policies meant to alleviate poverty and promote sustainable agriculture must be considered together rather than apart for it is in the complex fusion of the everyday that the real impact is felt. I have considered labor laws and welfare policies as they affect both smallholders and wage workers. But in the end, those who suffer most are people who are already the most vulnerable. As farmers try to make do in the everyday, wage workers are the ones who pay the ultimate price. Even though current welfare policies keep them from starving, the state has also created a double bind for these workers which Argentines often refer to as *pan par ahoy, hambre para mañana* or ‘bread for today and hunger for tomorrow.’ With these realities, the organizing between farmers’ organizations and *tarefero* unions become all the more important.

In his important essay on farm workers in the tobacco industry in the U.S., Peter Benson found that tobacco growers were “a node through which harm passes and at which it is localized”. He argued against blaming growers and in favor of labor organizing that combines the interests of growers and wage workers in the face of larger forces which dictate conditions and prices (Benson 2008, 621). Well-intentioned policies like the simple requirement that growers install portable bathrooms actually had counterproductive fallout on the ground. As Benson stresses the importance of ethnographic research in understanding how policies play out, I too have found that ethnographic research in which culture is taken into consideration provides invaluable insight into contradictions that emerge on the ground from well-meaning policies that backfire once they come into contact with the everyday dynamics of farm production.

Who could be against severance pay, welfare for the unemployed or benefits for workers? And yet, when analysis is carried out keeping the frame of food sovereignty in mind, the evidence in Misiones suggests that current poverty alleviation practices as well as redistributive labor laws can actually fray the everyday fabric of food sovereignty not because they are bad laws, but because the political and economic climates on the ground distort their original intents. To that end, discussions on food sovereignty must begin to take corruption into account, assessing the ways that it thwarts well-intentioned policies.
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A fundamentally contested concept, food sovereignty has — as a political project and campaign, an alternative, a social movement, and an analytical framework — barged into global agrarian discourse over the last two decades. Since then, it has inspired and mobilized diverse publics: workers, scholars and public intellectuals, farmers and peasant movements, NGOs and human rights activists in the North and global South. The term has become a challenging subject for social science research, and has been interpreted and reinterpreted in a variety of ways by various groups and individuals. Indeed, it is a concept that is broadly defined as the right of peoples to democratically control or determine the shape of their food system, and to produce sufficient and healthy food in culturally appropriate and ecologically sustainable ways in and near their territory. As such it spans issues such as food politics, agroecology, land reform, biofuels, genetically modified organisms (GMOs), urban gardening, the patenting of life forms, labor migration, the feeding of volatile cities, ecological sustainability, and subsistence rights.

Sponsored by the Program in Agrarian Studies at Yale University and the Journal of Peasant Studies, and co-organized by Food First, Initiatives in Critical Agrarian Studies (ICAS) and the International Institute of Social Studies (ISS) in The Hague, as well as the Amsterdam-based Transnational Institute (TNI), the conference “Food Sovereignty: A Critical Dialogue” will be held at Yale University on September 14–15, 2013. The event will bring together leading scholars and political activists who are advocates of and sympathetic to the idea of food sovereignty, as well as those who are skeptical to the concept of food sovereignty to foster a critical and productive dialogue on the issue. The purpose of the meeting is to examine what food sovereignty might mean, how it might be variously construed, and what policies (e.g. of land use, commodity policy, and food subsidies) it implies. Moreover, such a dialogue aims at exploring whether the subject of food sovereignty has an “intellectual future” in critical agrarian studies and, if so, on what terms.

ABOUT THE AUTHOR

Jennifer S. Bowles is a PhD candidate in Anthropology at the University of Michigan. Since 2008, she has been working on labor and agrarian rights movements in Misiones, Argentina, particularly on the politics of yerba mate production. Trained as an attorney and clinical social worker, she has advocated for low wage workers and practiced as a mental health therapist for homeless men and women recovering from addiction.