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Documenting the Seasonal Agricultural Worker Program: A Filmed Interpretation

Documentación del Programa de Trabajadores Agrícolas Temporales: una interpretación filmada

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ABSTRACT

This article uses a qualitative content analysis to examine the documentary *El Contrato* (2003), directed by Korean-Canadian documentary filmmaker Min Sook Lee and produced by the National Film Board, from two complementary standpoints: first, the critical portrait it paints of the Seasonal Agricultural Worker Program (SAWP), a partnership of governments and agro-industrial firms, its social consequences, and the integration problems it presents; and second, the importance of documentary cinema in making visible and analyzing the conditions of temporary workers in Canada. The author concludes that this documentary's activist strategy contributes to making integration easier.

Key words: Seasonal Agricultural Worker Program (SAWP), Canadian documentary, integration, activism, migrant workers

RESUMEN

Este artículo se basa en un análisis de contenido cualitativo para examinar el documental *El Contrato* (2003), dirigido por el documentalista coreano-canadiense Min Sook Lee y producido por el National Film Board, a partir de dos perspectivas complementarias: primero, se revisa la caracterización crítica que realiza acerca del Programa de Trabajadores Agrícolas Temporales (PTAT), una asociación de gobiernos y empresas agroindustriales, sus consecuencias sociales y los problemas de integración que presenta; y, en segundo término, la importancia del cine documental para visibilizar y analizar las condiciones de los trabajadores temporales en Canadá. La autora concluye que la estrategia activista de este documental contribuye a facilitar la integración.

Palabras clave: Programa de Trabajadores Agrícolas Temporales (PTAT), documental canadiense, integración, activismo, trabajadores migrantes.

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INTRODUCTION

Since 1966, Canada has been hosting *temporary* workers to labor in its fields thanks to agreements first with certain Caribbean countries and, starting in 1974, with Mexico. These agreements became the Seasonal Agricultural Worker Program (SAWP) (Díaz Mendiburo, 2015). Decades later, the agreements were extended to other industries, and the Canadian government created the Pilot Project for Workers with Lower Levels of Formal Training. Its main objective was to allow the entry of workers from any part of the world to carry out the C- and D-skill-level jobs specified in the National Occupational Classification (Díaz Mendiburo, 2015).

The governments state that the sawp has its own norms to safeguard farmworkers' fundamental rights. According to its website, the Mexican Consular System in Canada visits workplaces and hospitals to "ensure respect for Mexican workers' labor rights during their stay in that country" (Consulado General de México en Toronto, 2014). Existing norms stipulate eliminating from the program the farms that do not comply with the working conditions established in the contract. However, the documentary *El Contrato* (2003), by Canadian film-maker Min Sook Lee, paints a portrait of a situation in which the workers are exposed to exploitation and their health is endangered.

A documentary is a piece of cinema that deals with real events and situation, where social actors of the real, historic world participate, and the perspective that explains to the viewers the events depicted is determined by the film-maker's point of view (Nichols, 2013). One distinctive characteristic of most documentaries is that they forge a commitment to social issues (Nichols, 2013; Sierra and Montero, 2015; Mateos and Gaona, 2015). For example, in North America, we can trace a tradition of denunciations in films in the second half of the twentieth century and the entire twenty-first century (Cordero Marines, 2019). The case of Canadian documentaries is particularly representative in that they combine documentary-making with social activism (Sadoul, 2010; MacKenzie and Martínez-Zalce, 1996; MacKenzie, 1996, Waugh, Baker, and Winton, 2015). It should be mentioned that, from the earliest productions until today, many of these documentaries have been financed by the National Film Board (NFB), a governmental cultural institution whose main objective has been to promote a Canadian point of view about the country, on a provincial, national, and international level.

El Contrato and Min Sook Lee are part of a universe of creators and works that make up the NFB, as well as of the series of documentaries that have been actively connected to social struggles. In fact, both this director and this documentary have been recognized for having contributed to making visible the exploitation of migrant farm workers (Butovsky and Smith 2007). In the theory of social movements

bolstered by Alberto Melucci, visibility is one of their fundamental aspects (Chihu and López, 2007: 148-149). That visibility brings the conflicts, the actors involved, and their demands into the sphere of the public, which makes them active entities of the network that sustains the organization of the social movement.

Today, the sawp is one of the most important instruments in the binational Mexican-Canadian relationship. It is a very active program, and, as such, the conditions that migrant workers hired through it experience have become more difficult since the beginning of 2020 due to the COVID-19 pandemic. As a result, it is important to analyze the critical portrait *El Contrato* paints and to understand its importance for the struggle this community is facing. Despite the fact that the film debuted 17 years ago, certain kinds of injustices continue to be committed, as can be seen in the articles and reporting that have been published during the pandemic.

RELEVANCE

Canadian documentaries' interest in social and political issues is nothing new. Some examples of this are the reflections that arose regarding the activism of groups like Studio B (MacKenzie and Martínez-Zalce, 1996); the Quebec series *Panoramique's* rejection of being subjected to the English language (MacKenzie, 1996); the different expressions of the *Challenge for Change* initiative (Waugh, Baker, and Winton, 2010); ethnic resistance and multiculturalism in the contemporary documentary (Anselmi and Wilson, 2009); as well as the work by indigenous documentary-maker Alanis Obomsawin (White, 2002).

In the same way, the interests sparked by the analysis of documentaries that depict migration around the world are very broad and are a reflection of how important they are as a source of information. They include the issues unfolding along the Mexico-U.S. border (Hernández, 2014; Mercader, 2014), migration to Western Europe (Rodríguez, 2010; Palladino and Gjergji, 2016), the Latin American diaspora (Loustanaou, 2018), and the consequences of the feminization of migration (Zegrebelnaia, 2014), among others.

Despite this growing universe, in Canada, few documentaries have been made about temporary migration (that is, migration covered by binational governmental programs). While *El Contrato* is frequently mentioned in academic literature as an obligatory reference point both for understanding sawp migrant workers' precarious conditions (Butovsky and Smith, 2007) and talking about the fight of collectives like Justicia for Migrant Workers (J4MW) (Paz and Jihye Chun, 2016), the fact is that there is still scant analysis centering on its content. It remains to be understood how

this work deals with temporary migrant workers, which has made it legitimate in this community's struggle; not to mention that Min Sook Lee's film, as a documentary-maker and activist, has been given little attention in academia despite having been awarded several prizes both for its quality and for the social importance of the issues it deals with.

THEORETICAL-METHODOLOGICAL STRATEGY

To analyze *El Contrato* and understand its importance as a research source, a series of ideas have to be put forward. The first is that it is part of the documentary archives of the NFB. An archive is the result of a process of selection and classification of objects, in this case documentary films, that reflects the cultural production of a community (LAIS, 2014: 55).

When it is accessible, we can acquire information about the group that has produced it in a specific time and place. It gives us concrete data and references about different social processes. This is why the material it contains can be understood as sources of knowledge (LAIS, 2014: 13-53).

The second point refers to the relationship between activism and documentaries. As Cordero Marines (2020: 21) correctly writes, the documentary plays an active role in configuring our surroundings and social debates. Mateos and Gaona (2014: 106-133), for their part, have stated that cinema has been used as an instrument for social and political transformation for more than a century and can be seen in different places and at different times.¹ They also see a series of constants, outstanding among which are the conception of the documentary as a tool to spur and motivate actions that bring about change, that have an impact in the dynamics of society, and that undermine injustice or inequality. It is also understood as an instrument for facilitating economically challenged communities and subjects' access to public discourse, as well as to being protagonists, a role traditionally reserved to groups with economic and political power. Another characteristic is that the authors (both men and women) are social actors who are distant from society's hegemonic groups. It is

¹ The examples are numerous, including the cinema of Dziga Vertov during the Russian Revolution; the documentaries of Netherlander Joris Ivens about different peoples' struggles; the productions of U.S. film-making groups like the Workers Film Photo League and Frontier Films, which reacted to the 1929 economic crisis and a context of censorship; the English Free Cinema, whose intention was to motivate action by viewers; Latin American experiences, such as Tercer Cine, created by Fernando Solanas and Octavio Getino, Glauber Rocha, or Jorge Sanjinés's Ukamau Group; the Newsreel organization, which conceived of cinema as a revolutionary weapon during the civil rights struggles and the anti-Vietnam War protests in the United States; the French group SLOAN; San Francisco's Cine Manifest, etc.

important to mention that the different expressions often coincide in contexts in which domination, social dissatisfaction, and discrepancies prevail.

In accordance with these ideas, the activist –or even militant– documentary has been defined as a political instrument used to attain certain objectives, such as calling to action, lifting informational blackouts, or heightening consciousness (Mestman, 2009). The political documentary, for its part, has been characterized by assuming certain positions in power-related conflicts, where different ways of understanding society, the community, and identity are involved; its aim is to generate backing, empathy, commitment, responsibility, and mobilization (Dittus, 2012).²

The third point refers to audio-visual language and the way in which the documentary has dealt with social and political issues. Theoretician Bill Nichols (2013) identifies two main forms. The first has the aim of portraying the issue from a broad perspective. Subjects participate in groups and the issue is presented as a representative example of a broader scale conflict. The second is a personal portrait, which gives more weight to the individual history and experience because it puts forward a close link between the personal and the political. These traits will help us understand the strategy behind *El Contrato* for showing the situation that migrant SAWP workers face.

The last point makes it possible to link up the foregoing ideas about documentary cinema and place them in the proper context of the sphere of political and social mobilization; specifically, the context of the forms of protest and action strategies discerned by theoretician Alberto Melucci. Their objective is to reinterpret norms, to redefine the social field of activity, to construct new meanings and identities, which seek the possibility of erecting meanings appropriate to the world,³ as well as to reject the domination of a single cultural and social form.

Melucci pointed out that these kinds of social movements exist on two levels: underlying networks and visibility (Chihu and López, 2007: 149). The first is the power that gives the organization life, that produces new codes, and sustains resistance strategies. The second is the social impetus that spotlights the mobilization, the subjects, and the demands. Both levels correspond to the activism that has taken place in documentary cinema because, to the extent that its practitioners see it as a resource for transformation that promotes action and confronts power, it is possible to think of it as part of the fabric of society that strengthens displays of discontent, whose main task is to contribute to making the conflict visible from the point of view of the

² The theory of the documentary has shown that the different characterizations that make up the universe of cinematographic forms and expressions are never found in pure form (Nichols, 2013; Plantinga, 2014). Quite to the contrary, a single product may display traits of one and the other.

³ Regarding ethnicity, gender, sexuality, ideology, etc. (Chihu and López, 2007).

marginalized and downtrodden. In the case of *El Contrato*, this involves demonstrating the inequality and injustice that SAWP migrant workers face, making them protagonists by having them explain their own experience and fostering support that will strengthen their organization.

Based on these ideas, I used a qualitative content analysis methodology (Giroux and Tremblay, 2011) to identify the central bases of *El Contrato*'s critique of the SAWP, as well as the elements that foster the visibility and understanding of the situation migrant workers face.

THE SEASONAL AGRICULTURAL WORKER PROGRAM

The SAWP is Canada's oldest and most important temporary migrant workers program, and Mexico is the country that contributes the largest number of workers to it (McLaughlin et al., 2017: 683). Mexico's participation in this program has grown steadily since the beginning; in fact, its own Ministry of Labor recruits the personnel. The recruits must, among other things, be between the ages of 18 and 45, married, preferably with children, to avoid them deserting the program and remaining in Canada irregularly; the women must be single mothers, following the same logic. All the workers must have some kind of prior experience in the sector for which they will be hired.

For the Mexican government, the SAWP is a mechanism that "allows for the circular, legal, orderly, and safe mobility of agricultural laborers"; at the same time, it "guarantees respect for their labor, social, and human rights" (Secretaría del Trabajo y Previsión Social, 2017). For the Canadian government, it is a program that "enables employers in Canada to hire foreign workers on a *temporary* basis to meet short-term skill and labour needs when Canadians or permanent residents are not available" (Global Forum on Migration and Development, 2014).

Here, we are talking about a bi-national policy involving the hiring of mostly men and a few women for a maximum of 8 months to work in one of the 16 branches of goods and services industries ranging from apiculture to the processing of different farm products. Some governments officially characterize the SAWP as an international model for temporary work. However, we should question the term "temporary," since the farmworkers hired in Canada under this program spend more months of the year there than in their own country. As Díaz Mendiburo (2015) points out, "The seasonal nature mentioned by Employment and Social Development Canada is arbitrary. According to 2012 statistics from Mexico's Ministry of Labor Office of Labor Mobility, 64.989 percent of the agricultural workers who go to Canada stay there for from six to eight months, longer than they spend in their own country."

Employment and Social Development Canada describes the program as allowing employers to hire workers for a period of no greater than eight months, from January 1 to December 15, and for no fewer than 240 hours in a six-week period or less. Based on this, both academics and NGOs point out the paradox of how workers who, even living most of the year in Canada, continue to be considered temporary, in particular when in addition to this already considerable yearly “temporary stay,” you add these same workers’ repeated participation in the SAWP.⁴

Most of these workers return every year to the same communities in Canada, some even for more than 25 years (Hennebry, 2012). From this perspective, clearly, the adjective “temporary” is not applicable to most of the workers in the program, of whom only 35.02 percent spend more time in Mexico than in Canada (Díaz Mendi-buro, 2015: 235). According to Mexican government data (Secretaría de Relaciones Exteriores, 2020), in 2018, 25 331 agricultural workers participated, 751 of whom were women. In 2019, the figure increased to 26 399 774 of whom were women. These figures indicate the number of families impacted by this labor dynamic.

Mexico’s consulates in Canada say that Mexican labor is preponderant in vegetable crops (especially tomatoes, cucumbers, and peppers); fruit (mainly apples, peaches, and strawberries); tobacco; agricultural packing plants; and flower cultivation. In addition, they say that, due to “Mexicans’ good performance and excellent willingness to work” (Consulado General de México en Toronto, 2014), farmers prefer them as employees. Meanwhile, for the Canadian government, Mexican temporary workers are in the same position as those from 11 Caribbean countries, and it underlines that what is really important to it is that the employer, on the one hand, and the sending country, on the other, comply with the legal requirements and the age and skills stipulations in order to reach market goals. In short, governmental representatives argue that this is “a bi-national policy that guarantees the complementary nature of Mexico-Canada labor markets; that is, Canada needs labor to work on its farms and Mexico needs better job alternatives for its workers” (Televisa News, 2017).

As already mentioned, the Mexican government’s official position notes that the Canadian government’s historical preference for Mexican labor is due to its effectiveness. Nevertheless, research has shown an institutionalized process of racialization (Hennebry, 2006) that profiles temporary workers and includes employer practices of maintaining and legitimizing a migratory system based on unequal power, in which resources are assigned depending on the worker’s race and ethnicity. It has

⁴ Justicia for Migrant Workers has been campaigning to change these conditions; Harvesting Freedom raises funds for injured migrant workers; and the Canadian Council for Refugees/ Conseil canadien pour les réfugiés calls these migrant workers Canada’s disposable workforce.

also been documented that these migrant workers are not trained in the use of pesticides or reducing on-the-job risks; this has meant that approximately one-fourth of them have suffered some job-related disease or injury (McLaughlin, Hennebry, and Haines, 2014). This can be seen in the testimonies included in Min Sook Lee's documentary,⁵ analyzed later, and in Aaraón Díaz Mendiburo's *Matices* (2011). Both films include testimonies of workers that show that the employers employ a strategy of dividing farmworkers by nationality and race, threatening them with hiring those of another nationality or race if they get sick or voice any discontent, leading to mutual suspicion among those with different backgrounds.

This is why Jenna Hennebry argues that the SAWP is an example of "time-space compression" in action that leads to the exploitation and subordination of "Mexican migrant workers" (Hennebry, 2006). And she adds that migratory systems like the SAWPs are linked to globalization, given that these programs are born of it and perpetuate it thanks to dependence on foreign labor and the economies based on remittances.

Mexico's Foreign Relations Ministry states that the program contributes to improving bilateral relations between the two governments, in addition to being a model for international cooperation, since the SAWP shows that migratory flow can be maintained "in a regulated, decent, effective fashion" (Secretaría de Relaciones Exteriores, 2020). Thus, Mexican migrants who go to work under it are situated in positions of subordinate power, and the governments, employers, and other intermediaries exercise significant control over them and their daily lives (Hennebry, 2006).

EL CONTRATO

The genealogy of the Canadian documentary is marked with the intention of transformation. Documentary-maker John Grierson, whom the Canadian Parliament charged with founding and heading up the NFB in 1939, thought that the documentary should contribute to people's understanding of the events unfolding around them (Breu, 2010) and to the resolution of social difficulties (Mateos and Gaona, 2015: 107). In fact, the common characteristic of Francophone and Anglophone Canadian production is the concern with the issues confronting their distinct communities (Sadoul, 2010).

The paradigmatic example of the link between activism and the documentary is the Challenge for Change project, born of the nfb. Its main objective was to empower

⁵ The director's most recent film, *Migrant Dreams* (2016), documents the lives of mostly Asian women hired through Canada's Temporary Foreign Worker Program and focuses the problem of families torn apart by these types of contracts.

the community through the participation of social actors in production and making them visible through the dissemination and distribution of what they produced (Waugh, Baker, and Winton, 2010: 6). In this way, a series of films were made that were seen as part of an activist practice. This tradition continues to this day.

Min Sook Lee, is a Canadian of Korean origin; she is a filmmaker, activist, and university professor. As she has said, her political position is informed by belonging to a group of immigrant workers who faced many difficulties. She has participated in different social justice movements.⁶ At the Ontario College of Art and Design, she co-founded the Art and Social Change program, which teaches students the social function of art. In her opinion, it is fundamental to participate in the media, since it is a way to have an impact on one's surroundings and make space for disadvantaged groups. She has directed eight documentaries and received an important number of honors.⁷ In *El Contrato*, Lee benefits from the contradictions inherent to filming with the nfb as the main producer: with public money, she fiercely criticizes a program that is one of the success stories of bilateral relations between the governments of Mexico and Canada.

El Contrato is a medium-length production.⁸ The film's context is the economic crises that have continuously expelled groups of Mexicans from their homes and forced them to emigrate far from home to do the jobs Canadians themselves refuse to do. The original Spanish-language title alerts us from the start that the predominant view is that of the Mexicans, who, as we see from the initial sequence, enrolled in the Seasonal Agricultural Worker Program for Mexicans wishing to work temporarily in Canada.

The film documents a complete season; it begins and ends following the main character, Teodoro Bello Martínez, from poor neighborhoods in the outskirts of Mexico City's metropolitan area, who, along with another 4 000 of his countrymen, moves for eight months to Leamington, Ontario, the largest greenhouse-tomato-producing region in North America.

⁶ She founded the Asian Canadian Labour Alliance and a national group for workers' rights. She has participated in actions against racism and in favor of women's and LGBTQ2 rights.

⁷ *Migrant Dreams* (2016), which received the Canadian Hillman Prize for Journalism, the Hot Docs Top Ten Audience Choice, and the Best Canadian Documentary Award from the Fort McMurray International Film Festival; *The Real Inglorious Bastards* (2012), which won the Yorkton Film Festival Best History Doc; *The Real M*A*S*H** (2010), which was given the Columbus Award Honourable Mention; *Badge of Pride* (2010); *Tiger Spirit* (2008), winner of the Donald Brittain Award for Best Social/Political Documentary Program; *Hogtown: The Politics of Policing* (2005), winner of the Best Canadian Feature Length Documentary Award at the Hot Docs Festival and Best Feature Documentary at the Innoversity Creative Summit; *El Contrato* (2003), winner as Best Documentary at the Iberoamerican Festival; and *Profiles* (2001-2002). In addition, in 2016, she was given Cinema Politica's Alanis Obomsawin Award for Commitment to Community and Resistance. She is currently working on a documentary about native languages.

⁸ *El Contrato*, which means "the contract," is purposely titled in Spanish, although the film is produced in English.

Although an apparently obvious symbol, the Monarch butterflies, the metaphor for migration from Canada to Mexico and back, are used as a transition in several parts of the journey and in the sequences of the film; however, the metaphor –in a sense– is ironic, given that butterflies travel freely without borders and workers do not: on arrival at their destination, they are enclosed in “las farmas,” the farms, in their dilapidated, insecure rooms, with permission to visit the local village only one afternoon a week, thus being inexorably tied to the farm owners who signed the contract with them through an international agreement. And for eight months, the filmmaker documents how they work and live in a secluded Mexican, exclusively male community, similar to a prison.

The documentary follows three interwoven stories, whose participants are mostly male, providing the audience with a multifaceted vision of the program and its realities: the story of the protagonists, Teodoro and his colleagues; of the bosses and Mexican government authorities, portrayed as a single team; and the story of “M.,” a Mexican who denounces the injustices that he and his compatriots experience during their stay. Because *El Contrato* is committed to the reality it is documenting, Lee has chosen to focus on an individual protagonist who represents the whole group of men, someone who is the face of a collective that is valuable only commercially.

On the screen, the viewer sees the full sequence of time in which the workers live, from farm to seclusion: we see the beginning of a frozen spring, a summer full of intense activity, a short autumn that gives way to a snowy winter. We see the harvest cycle and the distribution of the packed tomatoes. We witness the short homecoming and the sad deliberations with the families about travelling back up North. All these activities are interspersed with economic figures and social and political restrictions.

Min Sook Lee puts into practice the two strategies Nichols (2013) identified in the production of a documentary for dealing with social issues. On the one hand, the portrait of an annual cycle of migrant workers, which includes both Mexico and Canada, makes the audience note the complexity and scale of the conflict. On the other hand, her focus on Teodoro Bello and his intimate moments with his family allows the viewer to relate emotionally. Regarding what Nichols (2013) pointed to as the modes of documentary, we can say that the intention of informing and moving the audience falls within the expository mode.

The perception of continuity among the subjects, their testimonies, and their actions are traits of the observational mode. But the confrontation constructed between the attitudes of the sawp authorities and the farmers versus the experiences of the migrant workers denote qualities of the participatory mode.

It is important to note that, both the strategies and the modes used in dealing with the theme jibe with some of the traits that have characterized the genealogy of

the Canadian documentary; that is, the need to understand the world from the perspective of the social actors and make their view visible to have an impact on conflict resolution. In that sense, *El Contrato* is also relevant because it nourishes the activist tradition inside the nfb, as well as the growing body of documentaries that have been portraying the terrible difficulties involved in migration, both in North America and elsewhere in the world.⁹

DOCUMENTING THE SEASONAL AGRICULTURAL WORKING PROGRAM

Once we have identified the coordinates around which *El Contrato* is constructed, we can distinguish the three main crosscutting themes of its critical portrait of the sawp. The first aims to show how both Mexican government officials and the agribusiness companies conceive of the migrant workers, regardless of bilateral agreements and norms. In Mexico, at the Ministry of Labor, as Teodoro applies for the program, in the background are stands full of thousands of folders that act as metaphor for all the men whose lives are only numbers and statistics for the agroindustry that is a very successful bi-national achievement.

In one of the most violent scenes, the Mexican diplomats visit a farm and, instead of attending to workers' needs, tell them that anyone not satisfied with the work can return to Mexico, thus signaling that they are unwilling to start a fight with the owners since, contrary to arguing with them, they want to invite them to invest in Mexico, as we are shown in a later scene. At the same time, the Mexican agricultural workers emphasize to the voice behind the camera that 12-hour shifts, seven days a week, plus insults and bad treatment are all too much to sacrifice for such a low wage, though it is, of course, much larger than they could get in Mexico.

Parallel to Lee's critique, Karla Valenzuela (2018) has pointed out that, despite the fact that Mexico has infrastructure in Canada to deal with the difficulties that sawp workers face,¹⁰ service to the Mexican community is seriously limited due to issues such as racialized relations between consular officers and migrant workers, the asymmetrical link between Mexico and Canada, legal impediments, issues involving Mexican public administration, etc. This shows that the migrant workers

⁹ Since multiculturalism is one of the fundamental traits of the Canadian nation, the issue of migration is very important in the nfb repository, with highly contrasting nuances. It includes, for example, a series of animated shorts that tell the stories of different migrants, created for educational purposes to be distributed in primary schools so that young immigrants can be welcomed empathetically by their schoolmates. It also includes autobiographical audiovisuals by many Canadian artists with origins elsewhere, as well as a hundred or so documentaries about migration and work.

¹⁰ Six consular offices, Mobile Consulates, Health Windows, and Community Plazas.

are trapped in a binational dynamic in which they are merely an easily replaceable work force.

The second crosscutting theme reveals some of the social consequences of temporary migration. The interviews with the bosses, who have signed waivers so that the filmmaker could shoot on their farms, reveal the naiveté of a certain latent discrimination due to race and class. We become aware of the wealth they amass from the 100-percent male Mexican workforce who they hire “because there’s no other choice.” Local storekeepers are happy, because every Friday afternoon their sales shoot up. However, the Leamingtonians feel they are being invaded; one of the owners talks about problems rooted in nostalgia and alcohol: “The policemen call their owners and they come to pick them up.” She refers to them as “things” and to their bosses as if they “owned” the workers, bringing to mind the days of slavery. In the village where the documentary was filmed, shots show white people looking askance at the river of male workers crowding the streets and stores. In short, just as recent research confirms (Valenzuela, 2018), the migrant workers are restricted to acting in labor and community circumstances in which racist stereotypes about Mexicans prevail, justifying both the daily mistreatment and the disdain for their well-being, health, and safety.

The last and most important crosscutting theme underscores the impossibility of integration. Even though this is not the general tone of the film, as an irony, utilizing fragments with archival images of the Tomato Festival, with only white attendees, one of the sequences in the documentary is scored with Stompin’ Tom Connors’s *The Ketchup Song* (1970), giving it a certain temporary ambiguity: the viewer is never sure if these are scenes from the past, when tomatoes were harvested by Ontarians, or if the festivity is contemporary to the film diegesis and Mexican workers are not welcome to join in, even though it would be impossible without their active participation. This scene underlines what ngos try to communicate to Canadian consumers: there are people harvesting their food who cannot participate in the privileges of harvest celebrations.¹¹

The relevance lies in the fact that these three aspects identify the main factors responsible for the exploitation that the migrant workers suffer: Mexican officials who should guarantee the proper functioning of the sawp but who do not ensure that the norms that should protect them are respected; the partnership with the Canadian businessmen who only look out for their own interests; and the profound, invisible racism toward this community of Mexican migrant workers.

However, *El Contrato*’s activist interpretation of the sawp is not limited to denouncing the main constraints to which the migrant workers are subjected for eight

¹¹ This is done, especially, at Thanksgiving and Christmas, through awareness campaigns.

months of the year; it also aims to gain empathy and commitment around the issue. A female voiceover representing Lee explains the details of the temporary worker program to the audience, along with the conditions it involves in Ontario, a province where agricultural unions are prohibited and where the migrants, despite having paid their taxes and the quota for their retirement (some of them for more than 20 years), receive neither the medical nor social benefits to which they are entitled. This voiceover is one of the main vehicles for achieving the activist point of view in the documentary: the facts she presents frame the injustice that will be portrayed by the characters' working and living conditions, the interviews with their employers, and the activity of Mexican consular officers.

Min Sook Lee explains that workers are segregated by gender and nationality so that the farm owners can apply the politics of divide and conquer. If men believe that women can have more privileges, or if Mexicans hear that people from Central America and the Caribbean will get their jobs if they are seen as troublemakers, they will be suspicious of one another; they won't gather or talk or get to know their shared rights and expectations. They will never become a community, despite activists' efforts in their favor.

Since the documentary's main objective is to lead us to awareness about the unfair treatment of temporary workers, it is not only important to document their daily lives, but also to directly denounce concrete cases. That is why, interwoven throughout the plot, the masked Mexican man, M., provides testimony of the mistreatment on some farms and the paradox in which the workers must live: anonymity is the only way to make a complaint, because opinions or claims are considered signs of rebellion. Therefore, they lead directly to expulsion from the program. So, the film makes the point about the lack of liberty, in so many aspects, that the contract forces the signers into. Talking freely about their situation is a luxury these men cannot afford if they want to continue participating in the program to make a living earning their wages in dollars.

And something that comes to mind while watching the film is that, even though it is called *El Contrato*, no one—not the subjects documented, not the viewers—get to know the full contract ever. In the diegesis, this is quite significant because the object that ties one side to the other, the one that, on paper, forces both signers into obligations that must be fulfilled, the reason these migrants are moved to another country is left out of the narration. The narrator states that the program seeks employees, a cheap temporary workforce, not probable future citizens, agreeing with what ngos involved with temporary migrants have been stating for quite a long time. This necessary evil is portrayed in different scenes throughout the film.

The farm owners, for their part, did not stand idly by in the face of Lee's critique. She has written, "Upon release, the growers in Leamington who appeared in the

documentary launched a million-dollar libel suit against me. In the libel suit I was named, as were the producers of the National Film Board of Canada, and any venue that attempted to screen the documentary was served with a libel notice. The growers alleged I had defamed them. And they were using a tried and true tactic of corporations to muzzle media –a strategic lawsuit against public participation, a SLAPP suit. SLAPP suits are used to intimidate and censor critics by burdening them with costly legal expenses that drain resources and ultimately silence the public debate. For a year, *El Contrato* sat on the shelf while lawyers hashed it out. No broadcaster would touch the film, despite initial interest from the provincial broadcaster TVO. The legal threat embargoed the release. Eventually, after a year, the NFB lawyers agreed to release the film with the proviso that I include cards at the front of the film that clarified that the footage had been shot with permission from the participants in the film. There was no hidden-camera footage and the growers had signed off on participant waivers during production” (Martínez-Zalce and Díaz Mendiburo, 2019: 31-40).

Naturally, it is by no means a coincidence that *El Contrato* was so upsetting for growersw: it clearly shows that their business is profitable because of the exploitative practices used against the migrant workers, and it questions the comfortable dynamic they enjoy as businessmen. In fact, Lee’s explanation of the difficulties she faced to get the documentary shown is further evidence that they are not willing to lose their privileges. The film’s distribution will pressure them to comply with the established norms and recognize the workers a people with full rights.

CONCLUSIONS

El Contrato clearly showed the exploitative conditions that the sawp migrant workers still face before they were discussed by academia. Recent literature affirms that the program has been fundamentally benefitting Canadian agroindustry for 40 years, while the migrants have been working in inequitable conditions (Venegas, 2018). The way in which the film achieves its denunciation is by documenting the daily lives of the Mexicans not only on the farm, but also at church, in the stores, and their houses, and their difficult, tough meetings with the consul general, thus giving them a singularity, creating the representation of a community and providing them with a human perspective, the one that is taken away from them by their employers and the Mexican authorities, who consider them numbers, disposable bodies, a replaceable workforce.

With all the different tools analyzed, *El Contrato* is successful in making its point: life in the Ontarian agricultural region is not willing to really include Mexican immigrants, but rather marginalizes them. We must keep in mind that the construction

of regions always implies normative components, given that institutional structures are made up of rules, power, and confidence, and that these limitations, symbols, and institutions converge by way of the material practice in the tomato-producing region of Leamington, under the institutional structure of the Seasonal Agricultural Worker Program. This program obliges the Mexican workers to live like recluses within the confines of the farm where they are employed, under strict rules regulating their movement, amid symbols such as the language and the local religion that differentiate them from the community of local residents.

This activist documentary lets us know that they have no possibility to integrate, because *El Contrato* is designed to forbid integration. The region that receives them is only temporarily transformed by their presence; so, the program is successful in maintaining them as foreigners. Neither the possibility nor the willingness to change exists; at least, this is what some NGOs, academics and filmmakers state. So ...why do these workers return to this island of lonely men? Because they have dreams for their children; because they hope for a better income, which does not always mean, as we can see, a better life. And because, as the documentary concludes, it's a necessary evil that affects everyone and benefits, in extremely different ways, both the workers and the employers; and also, the governments both in Mexico and Canada.

In this sense, it is interesting to note that *El Contrato* has had several effects as an activist tool. In addition to making visible and denouncing the issues involved, the documentary gave migrant workers access and a place in the public discourse because relating their experience severely questions the behavior of farm owners and SAWP officials. But even more transcendental is the fact that it makes them members of the Canadian community that does recognize them, that gives them their important place in the process that guarantees their access to foodstuffs, and that is willing to fight by their side for decent working conditions. It makes them part of a network, and being part of that network is the beginning of their integration.

Finally, on the NFB digital platform, where the documentary is accessible for free from anywhere on the planet, a dialogue has opened up with the public in which anyone can participate. All manner of opinions can be read there about *El Contrato*. The fact is that the vast majority express indignation about the SAWP temporary workers' conditions on the job. But, since the NFB earmarks funds to disseminate its own point of view both in Canada and the world through the production of documentaries, Teodoro Bello, "M," and the rest of their colleagues' viewpoint, preserved by Min Sook Lee's committed lens, now form part of Canadian audiovisual history. This demonstrates the complexity of a state in which inclusive cultural initiatives like the NFB coexist with neoliberal economies.

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