

# THESIS

## “EVEN MACHINES GET A REST”: THE COMMODIFICATION OF THE H-2A INDIGENOUS SHEEPHERDER IN COLORADO’S WESTERN SLOPE

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In partial fulfillment of the requirements

For the Degree of Master of Arts

Colorado State University

Fort Collins, Colorado

Spring 2018

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## ABSTRACT

### “EVEN MACHINES GET A REST”: THE COMMODIFICATION OF THE H-2A INDIGENOUS SHEEPHERDER IN COLORADO’S WESTERN SLOPE

This project uses an exploratory, qualitative study to examine the ways in which the H-2A “guestworker” program in the United States is racialized and gendered as a temporary, state-controlled, foreign labor system. This project is accomplished through the exploration of testimonios of H-2A shepherders in Colorado, and how these narratives are informed by race, class and the gendered identities of guestworkers. While there is significant descriptive work on labor and migration throughout U.S. history, there is a paucity of contemporary scholarship on guestworkers situated within a critical race and gendered lens. This work aims to bridge that gap by drawing from the conceptual frameworks within ethnic studies to integrate both race and gender. By analyzing patterns that emerge within the H-2A visa workers narratives, one can gain a perspective on the role of temporary guestworker programs in modern day transnational immigration practices. This leads to a basis for a theoretically grounded perspective on how race and gender influence modern guestworker labor practices.

## ACKNOWLEDGMENTS

My sincere thanks go to my committee. Your insightful feedback and continuous support have made my project possible. Thank you to the Department of Ethnic Studies and to the Department of Women Studies, the vibrant and interdisciplinary intellectual community from which my project has tremendously benefited. Our cross-cultural dialogues about the world have brought laughter and light to the sometimes-enjoyable-and-other-times-dreary process of writing my thesis. And finally, I wouldn't be here if it wasn't for the struggle of my ancestors. As the poet Sonia Sanchez reminds me, "I write to keep in contact with our ancestors and to spread truth to people." For my grandmother, Man-Kin Leung Fok, and my mother, Mary Jo Coenen and my father, Felix Kar-Wah Fok. Thank you for your unconditional love and for always bringing more flavors and meanings into my life.

## DEDICATION

*To Jaime, Miguel, César, Jorge, Humberto, Marketa, Ignacio and Ricardo. For your spirit, your words, your time, and contagious joy. It's been a humbling and unforgettable journey working with you on this project.*

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## CHAPTER ONE: INTRODUCTION

In 1882, the U.S. imposed a head tax then a bar against “undesirables,” then a literacy test during World War I, and finally a quota system rigged to vastly reduce the number of immigrants from around the world, except for Mexicans, because this group “constituted a source of cheap labor and was therefore preferable” (Hahamovitch, 2012, p.23). This trend of exclusion towards all groups except an easily deportable, cheap source of labor was the context for the country’s first guestworker programs, and served as the essential precursor for the Bracero Program and later the H-2A guestworker program. Since the passage of the Immigration Reform and Control Act (IRCA) in 1986, more and more U.S businesses rely on a system of migrant labor that involves guestworkers (Ness, 2011). As such, since the 1990s we have seen the steady rise of people living outside their country of origin for work purposes on a short-term/temporary basis (International Organization for Migration Report, 2005).

Temporary migration schemes are conducive, if not necessary in the current U.S neoliberal context to maintain a flexible pool of cheap labor that is easily deportable and exploitable. It is an efficient process of engaging migrant workers when and where needed. However, there are concerns with this scheme. The migrants dependence on the employer for their continued legal and legitimate employment/residence status raises concerns, founded on unequal power dynamics between the sponsor (employer) and the migrant (Wright, 2006). How can we assure that power dynamics between the employer and migrant will not result in various forms of control where the worker is deemed voiceless by this labor system? How can we overcome the implicit inequalities that define a structure where the choice of extending one’s

stay, and therefore settling in the destination country is based on one's capacity to accumulate capital in a country buttressed by the ideology of for-profit capitalism?

By examining the experiences of the H-2A workers as a particular contracted labor scheme, one can see how the temporary migrant is viewed as a resource drawn on when needed and allocated to satisfy a gap in the labor market, with little, if any consideration of the 'human' element involved in this mobility. At times a reliance on intuition has been necessary for me in this thesis. As the authors of Hispanic Women: A Prophetic Voice of the Church state, "The self-definition of a vast number of persons is an intricate element of reality" (p. 69). In my own experience with dominant intellectual spaces, both within and outside of academia, women of color are often dismissed for our attempts to use personal experience and perceptions as the basis of theorizing and producing knowledge. As Castillo states, "because of the assumptions of 'objectivity' in traditional scholarship, our deductions are viewed as biased and therefore invalid when we base them on our experiences and perceptions," (p. 221). I locate myself within Western academia, as a student and a Chinese-American woman whose perspective is deeply embedded within Chinese Buddhist spiritual practices. I have been taught in school that learning about the 'other' is tolerated and almost always done so in a patronizing manner as to not interrupt or interrogate the myriad ways in which we enact violence upon the philosophical beliefs of Indigenous and People of Color that rely heavily on oral history, mythology, ancestral spirituality, and dreams.

From a spiritual and intuitional place of knowing and seeing the world, I understand that learning often happens in a transformational way when the researcher does not see herself as entirely separate from her researcher participants. This research is guided by a deep spirituality that transcends male-constructed theologies. Through the *testimonios*, *voces y palabras* of the



Indigenous shepherders in this thesis, I seek to foreground the millions of immigrants, guestworkers, and Indigenous peoples who live on both sides of the border and whose lives for generations have been reduced to the level of dehumanized utilities or machines. Here, I do not speak from or privilege my own voice alone because unlike millions of marginalized people, I have a voice that can be heard.

This fact has marked my life as indisputably distinct from those who do not- Miguel, César, Jorge, Humberto, and Jaime- the herders whom I center in this work. I began this work with the intention of illuminating the opportunities of agency and power the Indigenous shepherders in the Western Slope of Colorado maintain, while working under the H-2A guestworker visa program. Importantly, they occupy essential spaces in the labor market without the prospect of establishing a foundation of power and support, because they have no permanency and are almost always sent home upon completion of their work (Ness, 2011).

I was intellectually interested in the dialectical relationship between capital and labor, which is essential to the growth of the guestworker under for-profit capitalism. While historically we have seen the economy restructured in a way that industries and manufacturing move off shores, certain occupations such as the H-2A shepherd must have workers imported. However, during the past year of meeting the shepherders, spending countless hours conversing over the phone, I have witnessed my own consciousness and intention behind this thesis shift through my writing. I understand that I must live with the very injustices presented in these testimonios. Each of us must learn to voice the contradictions, to see them, to comprehend them, to live in and with them. Thus, within this thesis, the principal thematic concern is that of relationships or connections, with all their seemingly irreconcilable complexities. As Lim (2014) states, “Much of the discourse continues to be generated through or against the dominant gaze of

the straight white male and his mythic nativized other. This classical dyad, a familiar colonial legacy of the West, continues to be a core problematic in border and postcolonial epistemologies,” (p. 188). This work aims to point readers toward and make visible the multiple relations of power within the spaces occupying what has become known as “the national” and “the transnational”, as well as free and unfree labor, while emphasizing the Indigenous shepherd’s inherent complexity and multiplicity. Chapter Two will be a literature review, which examines different core concepts related to this work from the areas of ethnic studies and political science, with an emphasis on feminist writers and interdisciplinary contributions. Chapter Three dives into the methodology of testimonios, the theoretical frameworks of Critical Race Theory and LatCrit, both foundational to formulating the research questions, and lastly outlines the rationale for the use of qualitative research and methods for this project. Chapter Four analyzes the emergent themes found within the research from the testimonios of the shepherders. These themes include: subjugation of the Indigenous ways of knowing and herding, the dehumanization and commodification of the shepherd and finally the agentic power of the herder as seen in their lived experiences. To finish, the conclusion will tie together the findings to the research questions, the themes found in the testimonios, and the existing literature to direct the reader’s attention into contemporary implications of this research for each of us as we bear witness to the suffering of these shepherders.

## CHAPTER TWO: LITERATURE REVIEW

This chapter defines and examines concepts related to the background, theory and methodology employed in this thesis. To do so, I carried out a literature search across political science, ethnic studies and economics, albeit in distinct ways. I used this strategy because political science and economics approaches tend to touch upon race and labor only tangentially, whereas ethnic studies approaches are too often limited by only shallow engagements with economics and politics. Each discipline offers its own important contributions; however, the complexity of the issue is such that no one lens can sufficiently capture the complicated, contradictory processes and experiences involved. This therefore provides for the contribution of this study, namely one that honors the complexity, ambiguity, intersectionality and fluidity of the H-2A guestworker program through an intentional interplay across disciplines.

The combination of terms and concepts in this study include a brief background to the H-2A visa program, the theoretical integration of race and gender, the process of racialization of migrant workers, political and social efficacy within the H-2A visa program, and the concept of the North-South Divide as it relates to the history of guestworker programs. Each of these elements from within each discipline forms the innovative approach of this study.

### **The H-2A Visa Program**

A guestworker is a foreign laborer temporarily authorized to work in a host country with the knowledge and acquiescence of that country. In the United States, employers recruit guestworkers to perform both skilled and unskilled labor in newly restructured industries (Ness, 2011). These workers sign contracts with specific companies before migrating temporarily to the U.S to perform highly structured jobs for a fixed duration of time (p. 13).

The U.S. Department of Labor processes applications from the H-2A program, which allows employers seeking temporary foreign agricultural workers to hire foreign workers on a temporary basis (Government Accountability Office, 2013). In order to participate, employers must ostensibly demonstrate a shortage of U.S workers and that their working conditions meet certain minimum requirements. Most applications for H-2A worker positions are submitted to the U.S. Department of Labor by individual employers, but the U.S. Department of Labor also accepts applications from associations of agricultural employers, such as is the case with sheep herders in Colorado. During the George W. Bush administration these regulations were not strictly enforced, and employers needed not supply verification of a labor shortage or of attempted recruitment for domestic workers (Government Accountability Office, 2013). The analysis of congressional hearings (Agricultural Labor: Subcommittee on Immigration and Border Security) clearly indicates the current need for comprehensive immigration reform, which necessarily includes all visa programs.

Because of the nature of their contracts, these migrants face a number of unique challenges, including confinement to one employer, onerous work arrangements, and governing minimum wage and hour standards. Why do so many migrant workers participate in such an exploitative system? As economic conditions worsen, foreign workers desperately seek jobs in the U.S as a means to provide for their families and communities through remittances for basic needs such as food, housing and education (Ness, 2011). As the guestworker programs expand, these new migrants are inevitably a part of the subaltern underside of their respective labor markets in the United States and the Global North as labor markets are transformed through the expanding use of foreign temporary workers (p.13).

## Shepherding

Since precolonial times Andean people have shaped ritual calendars, kinship patterns, agricultural practices, and community organizations around the life cycles and needs of their camelid herds (Krögel, 2010). When the Spaniards arrived in the 16th century with new, wool-producing creatures, they realized that indigenous Andeans' knowledge of camelid husbandry could be used to coax ovine flocks to thrive in exacting Andean ecosystems (Flores Ochoa, 1982, p.72-74). From the 1940s-1970s, most of the guestworker shepherders were from Spain, not Latin America. They also came under contract via the Western Range Association. Many were Basque, others from Aragón or other regions. Only after the death of the Spanish dictator Franco in 1975 did the flow of Basque herders to the US begin to decline, and U.S. ranchers began to seek labor primarily from south of the border, especially Peru. Under the Franco regime, Basques met most of the criteria of indigeneity—they are a defined ethnic community with their own distinct language and culture, are a minority within the nation of Spain and during the Franco era they were politically oppressed and culturally marginalized (speaking and teaching Basque was forbidden, for example). Since the 1970s, sheep ranchers in the United States have also come to depend on Andean peoples' knowledge of sheep husbandry (Lee & Enders, 2010). Flocks in western states such as the case in the Western Slope of Colorado are now cared for almost exclusively by herders hailing from Andean countries such as Chile, Perú, and Bolivia.

Shepherding is a demanding occupation that requires long weeks or months at a time in remote, isolated mountain locations. A single H-2A shepherd is responsible for hundreds of sheep and is housed in a camper without electricity or running water. The H-2A program, continuing the tradition of guestworkers programs preceding it, provides employers with an endless supply of physically strong, economically vulnerable, politically powerless workers from

poorer countries, who will work to the limits of human endurance in dangerous conditions for low wages.

The H-2A sheepherders in Colorado are recruited by organizations such as the Western Range Association. The visa and recruiting fees can range as high as U.S. \$5,500, which must be paid by the guestworker, incurring in debt before arriving in the United States (Hispanic Affairs Project website, 2016). Herders are not treated like most of the farm workers in the H-2A program. The U.S. Department of Labor has issued regulations and special procedures that provide specific guidelines for ranchers bringing herders into the U.S. on H-2A visas. These special procedures exempt herders from many of the standards that exist for non-herding H-2A agricultural workers (U.S. Department of Labor, 2001). For example, ranchers can pay herders substantially lower wages and pay them less frequently. They often work around the clock, 11-14 hours a day, seven days a week, caring for the sheep and yet earn only around \$1200 a month<sup>1</sup>. The H-2A sheep herders covered in this project are largely from Perú, Bolivia, and Chile, and are vulnerable to abuse, exploitation, and harassment. Their labor is crucial, yet undervalued; necessary, but often invisible and unrecognizable within the epistemologies that govern Western academia.

The sheepherders' labor takes place in a larger framework of Global South integration into global capitalism. This next section will briefly situate the key points of literature on global economic restructuring, and underscore the significance of locating historical, structural specificities for developing an understanding of race and gender-based divisions of labor on a transnational scale. This discussion will also serve as an entry point for reviewing how the

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<sup>1</sup> Wages vary among states. In Colorado, the monthly wage was \$650 per month prior to 2016 when a lawsuit filed by the Hispanic Affairs Project against the Colorado Department of Labor successfully doubled the minimum wage. Refer to the conclusion and findings chapter for more details on the implications of this recent wage increase.

models used in the mainstream immigration literature in the U.S., specifically in recent conceptualizations on unskilled migration, have framed the issue of H-2A workers.

Analysis of the terms in which Global South labor has been incorporated within global production regimes has produced a rich body of literature that brings into relief the structural and ideological significance of race and gender-based asymmetries and exploitation behind this labor induction. For example, the works of Mohanty (1986, 2003), Parrenas (2001), and Salzinger (2016) have demonstrated that race and gender play among the most critical roles in realigning global divisions of labor. The idiom of labor creation and incorporation has been produced, nurtured, maintained, and protected through a host of factors and conditions and given the colonial, white supremacist and capitalist historical circumstances. One of the central tasks in analyzing the place of H-2A guestworkers in the U.S. is to identify these factors.

Based on my reading of the literature on global restructuring and Global South labor induction, I argue that there are three key interconnected frameworks that help identify the conditions that enable and maintain the terms through which Global South labor is employed in transnational capitalism. I have broadly termed them the three modes of labor integration, as they refer to relationships among colonial continuities, current post-colonial economic circumstances, and state policies and labor incorporation in the context of asymmetrical relations. They are: (1) historical antecedents and existing axes of inequality between Global North and Global South economies; (2) increasing poverty, inequality, and economic displacement in the Global South as a consequence of neoliberal economic policies; and (3) the racial gendering of labor through the state's regulatory interventions. The following section will address each of these intersecting frameworks in detail in order to later discuss how they are useful in identifying the factors that shape and sustain the H-2A visa.

## **Historical Continuities**

Scholars like Elson & Pearson (1981), Wright (2006) and Parrenas (2015) have argued that colonial relations of rule have fundamentally altered the basis of capital and resource ownership in the Global South, whose resources and labor have then been systematically exploited for capital accumulation in the North through various means. Their critique of the ways in which a hegemonic (Western) model has been imposed for Global South development shows how capitalist development in the Global South has not been the same as in the North, due to the history of colonialism and imperialism.

Challenging these models from the late 1970s and 1980s which convey assumptions of an evolution of the core and the periphery through inevitable and depoliticized territorial conquests, scholars have proposed that the trajectory of capitalist development in what is termed the Global South has to be understood as being fundamentally different from that of the Global North. As such, Global South activities must be examined within the context of how relations of production as well as the circuit and final destination of surplus have been determined in the favor of the capitalist development in the Global North.

## **Dominant Rhetoric of Globalization**

The link between the Global South- North colonial mode of capital accumulation and contemporary trends in transnational division of production and labor for surplus extraction is direct (Weinstein & Davis, 2001). In an effort to develop their economies and to rise from poverty, governments of Global South states have adopted economic and export policies, which have made available their population as an accessible and flexible pool of labor.

This conceptualization of a global division of production, labor, and employment of Global South people for export commodities helps us historicize and understand the division of



labor we are witnessing in our times, and to also decode and destabilize the language of globalization which tends to obscure its colonial antecedents and neo-colonial underpinnings. In fact, the dominant rhetoric of globalization, enlisting the language of new opportunities in a level playing field, has succeeded in obscuring the history of power and economic asymmetries between the colonial centers and post-colonial developing world and in muting challenges and criticisms of neo-liberal policies posed by the South (Wright, 2006).

The question of excavating the significance of the “post or neo-colonial” becomes possible only with an appreciation of what transpired in the context of development agendas and economic policies adopted within the framework of socio-economic inequalities between the global North and the South (Mohanty, 1986; Ong, 1999; Wright, 2006). This analysis allows a space to scrutinize these policies and their implications on temporary labor programs.

### **Racial Gendering of Labor**

Feminist scholars like Fernandez-Kelly (1983), Ong (1999), and Mohanty (1986, 2003), have demonstrated how colonial and postcolonial historical specificities and their intersections with gender, race, class, and nation, have informed the ways in which labor, particularly that of non-white, marginalized, Global South people and immigrants, has been deployed and represented in serving the needs of capital accumulation and production on a global scale. Hegemonic notions about race, gender, class, caste or nation—specific to the geographical and social spheres of their operation—have been co-opted, cultivated, and artfully reinvented to mobilize the needs of labor extraction (Mohanty, 2003; Standing, 1989).

Hence, state practices and policies such as the H-2A program, operating through the fault-lines of social inequalities, seek to discipline workers and to facilitate their admission into relations of labor in a way that also obscures historical and socially embedded inequities formed

in labor and production regimes. This framework underscores the imperative of mapping the overlapping of advanced capitalist and post-colonial state practices to locate the history of asymmetrical relations in global divisions of labor and in disciplining workers.

Based on this literature, I argue that neoliberalism's creation of contemporary racialized labor structures in the H-2A program has been reinstating certain principal elements of the relations embedded within former colonial processes of surplus accumulation. Thus neoliberalism has consolidated neo-feudal relations of power, patronage and control.

The scholarship on the world-wide gendering of the workforce has shown how the socio-economic burden of debt servicing, neo-liberal economic policies and export-oriented market liberalization have contributed to the destabilization of traditional employment sectors, and led to impoverishment and displacement of people in the Global South (Elson & Pearson, 1981; Fernandez-Kelly, 1989). Guestworker programs in the United States are no exception to the feminization process, however the industry of sheep herding has showed its preference for hiring 'able-bodied', young immigrant men who have been stereotyped as 'masculine yet docile'.

Institutions backed by advanced capitalist interests, such as the World Bank, the International Monetary Fund (IMF), and recently the World Trade Organization (WTO), have served as intimate allies in instituting these policy changes in the Global South such that their labor and consumer markets could be made accessible and be exploited for profit (Harvey, 2007). Internationally, the IMF-WB sponsored macro-economic structural adjustment implemented in August 1990 under president Fujimori stands out in terms of its social impact as being the most severe form of 'economic engineering' ever applied to Latin Am, Sub-Saharan Africa or Eastern Europe since the 1981-82 world economic recession (Chossudovsky, 1992). Fujimori was democratically elected, however the seminal economist, Michel Chossudovsky has

demonstrated how the program was more brutal than what was applied to the dictatorship in Argentina (1976) or Chile (1976).

These programs and mandates policies have had devastating social and economic impacts (Sassen, 2000). Immigration to advanced capitalist economies, as a survival strategy, is seen as an organic tandem to increasing unemployment and poverty in the Global South (Sassen, 2000). As the forces of neo-liberal and export-oriented economic policies impoverish and displace labor in the Global South, the same labor then has been forced to migrate to the capitalist center, to the U.S., in search of better employment.

### **State Policies and the Racial Gendering of Labor**

Analysis of the terms in which Global South labor has been incorporated within global production regimes has produced a rich body of literature that brings to light the structural and ideological significance of race and gender-based asymmetries and exploitation behind this labor induction. For example, the works of Evelyn Nakano Glenn (2009), Mies (1999), Mohanty (2003), Ong (1999), Sandoval (2000), and Salzinger (2016) argue that race and gender play one of the most critical roles in realigning the global division of labor. State practices (labor and employment laws) have served as one of the key factors that contribute to gendering of labor in the context of flexible specialization, subcontracting, and low-wage reproductive work (Parrenas, 2001).

The gendering of labor refers not only to the rapid increase in the number of women in global capitalism, but also to: 1) the steady degradation of the conditions and terms of work for immigrant men and women so that their labor remains inexpensive and disciplined; and 2) the extension of ideologies and exploitation typically associated with women's labor/status/ability to both men and women workers employed in precarious occupations in global capital (Safa, 1981).

Both are important points for the H-2A shepherders, who are positioned in a male-dominated industry.

Increasingly, immigrants of color are being incorporated into the economy, through the help of the state's racializing and feminizing immigration laws, as inexpensive, flexible labor. This historicization of U.S. immigration law provides a way to understand how the state has been complicit with capitalist needs in constructing a flexible pool of disenfranchised workers from multiple Global South countries (Safa, 1981; Ong, 1999; Wright, 2006). Immigrant labor in the U.S. continues to be defined by race and gender (Glenn, 2002) and the racialization of immigration as a process that has relied on gender in a fundamental way (Fernandez-Kelly, 1983).

### **Guestworkers**

Historically, economic and state policies classify a certain population of immigrants as temporary workers, whose contribution is valued as being nothing more than the circumstantial contribution of labor. In this way, they are not perceived as imminent citizens who will form permanent attachments to the host society and become part of the political process and social fabric (Motomura, 2013). Further laws that perpetuate short-term work contracts and impede immigrants and their children from becoming citizens and legal residents, when combined with labor market segmentation and the lack of work options available to immigrants, can lead to the reality of immigrants being stuck in an underclass (Fernandez-Kelly, 1983).

The framework of racial gendering of labor and the examination of what goes into constructing labor as such opens up space to raise questions about state policies (e.g., immigration laws), which sustain the conditions under which labor is incorporated (Free

Trade Zones, Maquiladoras, the Bracero program) and maintain ideological constructions about race, gender, and work (e.g., Asian women's obedience, Mexican farmers, etc.). These critical relays between the realignment of North-South state and corporate relations in the neocolonial context of global restructuring and the issue of state policies and racial gendering of labor, provide the framework from which to understand the H-2A visa program. The following section will trace some of the key moments in the literature about skilled and unskilled immigration and how they have conceptualized the migration of guestworkers. Here my intention is not to provide a general overview of this body of work literature. Rather, the discussion will situate the reasons behind these models' inadequacies in developing a critical reading of guestworkers' racialized positioning as migrant labor in the U.S.

### **Immigration and the Framing of 'Unskilled' Labor**

What is interesting in the literature on unskilled immigration is that unlike the mainstream immigration literature, which operates primarily from the framework of the nation-state, this body of work has organized its interpretations from within the context of globalization even as it has maintained its original ties with the push-pull and demand-supply models. This way, recent conceptualization about skilled immigration has emerged as a unique formulation that seems to blend together two seemingly discrete and incompatible frameworks, namely the nation-state based push-pull model and the one based on global political economy, to explain the positioning of unskilled workers in capitalist countries.

Given this model's affiliation with insights from globalization, it could have dealt with issues of state policies and racial gendering of labor in immigrant labor incorporation. Instead, to substantiate its theoretical positions in explaining skilled migration, this literature has focused

primarily on new demands for unskilled labor in the context of transnationalization and the polarization of the U.S. economy.

As a result, it has foreclosed the possibility of identifying the terms in which unskilled immigrant workers are contracted and to question the very construct of unskilled migration and its distinction from that which is labeled as skilled migration. Moreover, the creation of binaries in these models, such as “skilled and unskilled,” and “legal and illegal,” have further purged them from critically engaging with the state as an analytical category and an agent in facilitating labor relations, immigration, and labor surplus accumulation both in advanced capitalist and Global South economies.

The following discussion provides some details on this subject, and explains why the current unskilled immigration model cannot account for the gendering and racialization of H-2A workers or include in its framework a critique of state policies despite this model’s conceptual ties with the literature on global restructuring. A significant portion of immigration literature in the U.S., particularly that which deals with issues of labor, has understood and explained immigration from the interplay of push and pull factors and explained migration on the basis of individual rational choice centered arguments. The different variants of the push-pull model, widely used in the conventional immigration literature, have attributed immigration to push factors, such as poverty, overpopulation (understood as a contributing factor in creating a labor surplus), famine, and unemployment; and to pull factors, such as prospects of better employment and wages in the U.S. compared to the immigrants’ sending countries (Caraway, 2007; Elson & Pearson, 1981; Ong, 1987). This approach, based on neoclassical economics, offers insights on the specific reasons behind individual immigrant’s decision to migrate.

This framework, however, continues to operate within the analytical boundary of the nation-state and not in the larger framework of transnational neoliberalism. For instance, when issues of poverty and unemployment are reckoned with migration push factors, they are not problematized in the context of IMF policies or U.S. imperial interventions in the Global South (Harvey, 2007). This framework does not provide a critical explanation as to how economic changes have created significant demand for low-wage immigrant workers and how this type of work relies on the racialization and gendering of immigration. Recently, there has been a marked shift in the idea of pull factors through the conceptualization of “demand-pull immigration” (Taylor Phillips, 2013), which acknowledges and introduces the point about the structural need for immigrant labor to fill the demands of neoliberal capitalism in the U.S. This reveals the significance of immigrant labor in maintaining economic efficiency. This revised model, however, has not dealt with the central issues of how economic restructuring and increasing trends in flexible accumulation have intersected to create a demand for racialized and feminized labor that can provide low-cost labor.

Immigrant typologies, based on the binary of low and high skills (Taylor Phillips, 2013) serve to sustain demand-supply based understandings of immigration. The scrutiny of skills and language abilities of new immigrants has been extensive (see, for example, Borjas, (1990; 1999, 2015; Massey, 2009). Doubts about unskilled immigrants’ contributions to the economic health of the nation have also been rampant. Low-skilled immigrants are seen as potential public charges and a burden on the welfare state (Borjas, 1999). Immigrants’ self-employment, as opposed to well-paid employment, is systematically attributed to lack of education, poor English skills, and insufficient access to cultural capital needed to enter the labor market’s formal and better paying sectors (Massey, 2009). Immigrants’ low-skill level continues to be identified as a

key reason behind immigrants' participation in the low-wage sector of the economy and low incomes (Borjas, 2015). On the other hand, skilled immigrants have been deemed to be more beneficial and desirable for the U.S. economy compared to unskilled immigrants (Borjas, 1999). These ideas relate then to a large body of literature based on a cost-benefit analysis of immigration, which measures the economic contribution of immigrants to society (Borjas, 1999; Massey, 2009). Although this literature has extensively mentioned how the majority of immigrants, during the last few decades, have been immigrants of color, it has been uncritical of how and why the logic of U.S. capital has historically relied on a racialized and gendered immigrant workforce (Zentgraf, 2001).

The body of work on H-2A workers in the U.S. is not extensive. Papers and articles about guestworker programs have been focused on the historical and/or legal lens with no critical frameworks around race and gender, and the H-2A abuses have largely been cited by non-profit and legal advocacy groups.<sup>2</sup> Hahamovitch (2012) has written extensively on the history of guestworker programs in the United States, discussing the "no man's land" between freedom and slavery, where they are neither welcomed nor encouraged to stay in their host countries (p. 14). This concept is poignant for the Indigenous shepherders who are not quite Latina/o, not immigrants, nor are they undocumented migrants. They exist in this liminal space as Quechua and Mapuche people, colonial subjects whose ancestral knowledges of shepherding has been exploited for imperialist gains since the 16<sup>th</sup> century arrival of the Spaniards in their land.

This project aims to critically analyze the central feature of the U.S capitalist economy that relies on racialized and gendered systems of control for employers. Racialization in the labor market is buttressed by a system of citizenship designed to reinforce the control of employers

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<sup>2</sup> For instance, see Colorado Legal Services 2010 report at [www.coloradofarmworkers.org](http://www.coloradofarmworkers.org)



and to constrain the mobility of workers (Glenn, p.5). My hope is that the comparative analysis of the H-2A visa sheep herders in Colorado can shed light on the historical development of the inequality showing up in twenty-first century America.

### **Intersectionality**

To examine how labor and citizenship constitute and are constituted by race and gender, conceptualization of race and gender as interacting, interlocking structures is necessary. Followed by how they are incorporated into and shaped by various social institutions (Sewell, 1998). This concept of interlocking structures is consistent with Sewell's definition of structure as "composed simultaneously of schemas, which are virtual, and of resources, which are real" (p. 13). Historically race and gender were seen as two separate fields of scholarly inquiry (Glenn, 2009). African American, Latina, Asian American and Native American queer women scholars beginning in the 1980s said they experience race and gender as simultaneous and linked (Crenshaw, 1989). They theorized "intersectionality," and developed concepts such as "multiple consciousness," "interlocking systems of oppression," and "racialized gender" to express their simultaneity (Glenn, p. 7). Building on the valuable work of Kimberlé Crenshaw (1989), Leslie McCall (2005), Ann Stoler (2004), Patricia Hill Collins (2005) and Tessie Liu (2010), I argue that a synthesis of social constructionist streams within critical race and women of color feminist studies offers a framework for integrated analysis. Social constructionism provides a common vocabulary and set of concepts with which to look at how gender and race are mutually constituted, that is, at ways in which gender is racialized and race is gendered (Shields, 2008). Intersectionality goes further than the multicultural viewpoints of group identity, replacing the modernist emphasis on identities in common with a post-modernist, post-structural concept of subjectivity, i.e., a person's sense of self (Oleksy, 2011

## **The Concept of Racialization**

Many studies on shifting racial formation and category meanings have been influenced by the theoretical framework of the sociologists Michael Omi and Howard Winant. Their model of racial formation is rooted in neomarxist conceptions of class formation, but they specifically position themselves against existing models that place race under some presumably broader category, such as class or nation. They assert that in the United States, “race is a fundamental axis of social organization,” not an epiphenomenon of some other category. Simultaneously, race is not seen as fixed but as an “unstable and decentered complex of social meaning constantly being transformed by political struggle” (p. 19-20). Omi and Winant (1994) assert that race is a central organizing principle of social institutions, focusing especially on the “racial state” as an arena for creating, maintaining and contesting racial boundaries and meanings. Their concept of a racial state is akin to white feminist conceptions of the state as a patriarchy (Pateman, 1988).

There are important points of congruence between the concept of racial formation and the concept of socially constructed gender. These convergences direct to a framework in which race and gender are defined as mutually constituted systems of relationship including symbols, norms and practices, all organized around perceived differences. This conceptualization focuses attention on the processes by which racialization and engendering occur, rather than on characteristics of fixed race or gender categories.

## **Relationality within the Racialization of Labor**

The concept of relationality is important in this thesis because it helps to problematize the dominant categories of masculinity and whiteness, which depend on contrast within Western dualism. Contrast is important because it illustrates the formation of ‘linked identities’ in the case of the racialized guestworker and their white employers, in similarity to the colonizers and

colonized peoples (Palmer, 1989; Ware, 1992; Pascoe, 1990). Consequently, for example a white land owner in Colorado enjoys privileges and a higher standard of living in virtue of the subordination and lower standard of living of the H-2A Indigenous guestworkers, even if that particular white person is not exploiting or taking advantage of the foreign laborer of color. It is important to note that there are multiple layers and systems of subordination (Crenshaw, 1994), such as labor market segmentation and stratification of government benefits along race and gender lines, which continually reproduce real-life differences that must be understood in a framework of labor racialization.

Racialization of labor is often times the framing of racially disparate citizenship rights and levels of labor exploitation, as employers naturalize workers of one group as well-suited to a kind of labor, but others as lazy or incontinent (Maldonado, 2009). The United States historically drew upon representative symbols of masculinity and race, claiming rights based on this status: e.g., “free labor” in contrast to black slaves (Glenn, p. 15). Historically, the nineteenth century’s ‘race-labor hierarchy’ had free white labor on top, then ‘degraded’ or ‘unfree’ Chinese indentured servitude, black slavery, and Mexican peonage at the bottom. Naturalization of work suitability by ethnicity and citizenship produces hierarchies (Saxton, 1990).

To conclude, race and gender play one of the most critical roles in realigning global divisions of labor. With the rise of neoliberal ideology and colorblind ideology as hegemonic tools shaping our discursive boundaries, it becomes imperative to acknowledge the real lived experiences of these Indigenous shepherders. One of the inherent contradictions of neoliberal ideology is that it implies unfettered mobilization of workers and flexibility in the name of capital accumulation (Harvey, 2007). Yet this is happening within a post- September eleventh, xenophobic, racist, nativist context. This is where the white supremacist logic of guest worker

programs is located. Another defining feature of neoliberalism is how it shapes public conversation. Along with the rise of colorblind ideology (which renders invisible the lived experience of any marginalized group), a defining feature of neoliberalism is that it ignores complex social circumstances that surround policy initiatives, replacing them with sanitized, overly-simplified and depoliticized versions of reality (Harvey, 2007). Lastly, the ideology of colorblindness reconstitutes the terms of debate, controlling what we see and what we do not in a way that allows hierarchies to remain intact. Colorblind rhetoric masks racism and virtualizes real people, blunting the empathetic response, which opens up space for scapegoating of people of color, making exclusionary policies appear justified (Longazel, 2016). The debate remains on the ideological turf of those who sit atop racial and economic hierarchies. This makes it vital to examine the lived experiences of the Indigenous shepherders in terms of their racialization and gendered testimonios.

## CHAPTER THREE: METHODOLOGY

In this study, it is my goal to better understand the lived experiences of H-2A shepherders working in the Western slope of Colorado. It is my belief that the best way to accomplish this is to use *testimonios* as the research approach, situated within a Latina/o Critical Race Theory lens. By doing this, I believe readers will see the depth and richness of the experiences of these shepherders whose stories have rarely been told in academia. In this chapter, I will provide an overview of my conceptual framework, my multiracial feminist epistemology, and my qualitative research design. I will also describe the data collection processes, analysis processes, and trustworthiness.

### **Critical Race Theory (CRT)**

Critical Race Theory emerged as a way to examine how the law and legal institutions uphold white supremacy in the U.S. (Crenshaw, 1995). I entered this research with a desire to understand the experiences and views of H-2A shepherders in Colorado; to let these experiences be heard with the intention of dialogue and understanding. This research is guided by a critical race paradigm that provides a framework for challenging dominant ideology. Critical Race Theory (CRT) calls into question traditional claims of objectivity, race neutrality, meritocracy, equal opportunity and color-blindness, proclaiming that such claims function as camouflage promoting and protecting the self-interests and privileges of the dominant groups (Tate, 1997; Solórzano, 1997). Dominant ideologies are challenged based on their maintenance of racial inequities that persist at macro and micro levels of society from under the ideological veils benefiting persons with inherent power over others (Bonilla-Silva, 2009).

Essential to the foundations of CRT is a recognition that the experiences of persons of color have, in general, been historically marginalized, silenced and often distorted in ways that produce inaccurate accounts of individual and shared experiences (Solórzano, Ceja, & Yosso, 2000; Yosso, 2002). The importance of storytelling and gathering counternarratives (Delgado, 1995) meaningfully facilitates self-reflection of experiences within marginalizing conditions and engages one in a process of critical thought to advance a consciousness of the complexities of race and racism (Solórzano & Yosso, 2002).

CRT also acknowledges that scholarship on race “*can never be written from a distance of detachment or with an attitude of objectivity... [there is] no scholarly perch outside the social dynamics of racial power from which merely to observe and analyze. Scholarship...is inevitably political*” (Crenshaw, 1995). The theoretical positions assumed by scholars of CRT serve an unapologetic, intentional agenda to abolish racism, narrow racial gaps in society and dismantle other marginalizing forms of subordination (Solórzano, 1997; Tate, 1997). Collectively, the tenets of CRT are the positions of a movement whose interests lie in ‘studying and transforming the relationships among race, racism, and power’ (Delgado & Stefancic, 2001, p. 2).

### **Latina/o Critical Race Theory (LatCrit)**

Latina/o Critical Race Theory is an extension of the efforts of CRT in research and is used to reveal the ways Latinas/os experience race, class, gender, and sexuality (Pérez Huber, 2010). LatCrit enables researchers to better articulate the experiences of Latinas/os specifically, by addressing issues often overlooked by CRT such as immigration status, language, ethnicity, culture, identity, and phenotype. LatCrit is also concerned with a coalitional pan-ethnic identity and community memory to create a sense of empowerment (Solórzano & Delgado Bernal, 2001).

LatCrit also serves the overall purpose and hopes of this project—the complicating of H-2A shepherders perceptions of race, class and gender in order to help imagine opportunities to generate discussion that could potentially combat and dismantle the rendered invisibility of the Latino guestworker in Colorado’s Western Slope.

### **Grounding in Decolonial & Multiracial Feminist Epistemologies**

My work is situated within Black and Chicana feminist epistemes with the wish to repair and heal, as well as rewrite the stories of suffering and exclusion; stories that lead out of passivity and into agency, out of devalued into valued lives (Anzaldúa, 2002b, p.563). Collectively in both Black feminism and Chicana feminism there is an urgency to heal fragmented lives and to illuminate complicity in dominant thinking (hooks, 2010). Elenes (2000) contends that the testimonio is a “map of consciousness” (p. 115) and, thus, can be used to look deeply within to change the inner, colonized self while bringing about collective transformation of H-2A shepherders in Colorado (Saavedra & Salazar Pérez, 2012).

Hill Collins (2000) argues that the emphasis on social scientific knowledge has hindered social reform. In this way of thinking about things, all knowledge is political and can be used to serve specific group interests. Social science is particularly susceptible to this because it simultaneously objectifies its subjects and denies the validity of lived experience as a form of knowing. These critical lessons happen in nontraditional spaces and, unfortunately, are not recognized as theoretical locations. In these ways, Black and Chicana feminist epistemology speaks to my life force (or as it is known in a Western context, my soul). Thus in trying to juncture my mind-body-spirit, I allow myself to learn from the spiritual self to be borderless, flexible, and fluid.

## **Racist Nativism**

A further framework has been developed from LatCrit, specific to the intersections of racism and nativism in the U.S. (Pérez Huber, 2010). Racist nativism is a conceptual framework that helps researchers to understand how the historical racialization of Immigrants of Color has shaped the contemporary experiences of Latina/o undocumented immigrants (Pérez Huber et. al., 2008). In order to understand this framework and how it is applied in this study, it is first necessary to describe how the terms race, racism and nativism are operationalized and how these understandings lead to the definition of racist nativism.

While numerous different definitions of race exist, most scholars agree that race is a socially constructed category (Haney-López, 2000; Omi & Winant, 1994; Solórzano & Yosso, 2002). Historically, racial constructions have used tools to maintain and perpetuate racism, and more specifically, institutional racism that creates social inequities based on racial hierarchies (Banks, 1995).

Racial definitions mediate power to benefit whites by validating white values, beliefs and knowledge over that of others and normalizing these privileges to subordinate People of Color (Delgado & Stefancic, 2001; Gillborn, 2006; Sue, 2003; Pérez Huber, 2010). Understanding racism as a tool to subordinate People of Color reveals its intent as an ideological function of white supremacy. White supremacy can be understood as a system of racial domination and exploitation where power and resources are unequally distributed, and which privileges whites, and oppresses People of Color (Bonilla-Silva, 2001; Dubois, 1999). Following these scholars, for the purposes of this study racism is framed as institutional power that People of Color have never significantly possessed and has been protected by racist ideologies rooted in notions of white supremacy.



This study seeks to extend the discussion of racism for guestworkers and Latinas/os specifically, by also acknowledging the role nativism has historically played in the ways people and Immigrants of Color have been racialized. Contemporary discourse around issues of race and racism are most often devoid of nativism, engendering an “historical amnesia” about the ways nativism has consistently been tied to race (Gallindo & Vigil, 2006). The framework of racist nativism seeks to inject the discussion of nativism into racial discourse and examine its complex intersections (Pérez Huber, 2010). Nativism has been approached in various ways, however, there are at least two critical components consistently identified with this concept. They are: (1) there is an often intense opposition to the “foreigner” which; (2) creates the defense and protection of a nationalistic identity, where the foreigner becomes a perceived threat to that nationalistic identity (Gallindo & Vigil, 2006; Pérez Huber, 2010). This description of nativism highlights the ways white superiority justified the belief that the United States belongs in some special sense to the Anglo-Saxon ‘race’.

Scholarship on nativism acknowledges how contemporary nativism has targeted specific groups according to racialized perceptions of who fits into the “American” national identity (Gallindo & Vigil, 2006). Thus, nativism in this study is defined as the practice of assigning values to real or imagined differences, in order to justify the superiority of the native, and to defend the native’s right to dominance, at the expense of the non-native (Pérez Huber et. al., 2008). This definition of nativism departs from previous descriptions, in that it acknowledges the preoccupation of who is perceived to be native, rather than who is considered foreign, and positions power on the native oppressor (De Genova, 2005; Pérez Huber et. al, 2008).

## **Defining Racist Nativism**

Historically, perceptions of the native have been directly tied to definitions of whiteness (Pérez Huber, 2010). Beliefs in white superiority and historical amnesia have erased the histories of the indigenous communities that occupied the U.S. prior to the invasion of colonial settlers. Whites have been both historically and legally deemed the native “founding fathers” of the U.S. (Higham, 1955). With this important connection between nativism and whiteness in mind, Pérez Huber (2008, 2010) defines racist nativism as; the assigning of values to real or imagined differences in order to justify the superiority of the native, who is perceived to be white, over that of the non-native, who is perceived to be People and Immigrants of Color, and thereby defend the native’s right to dominance.

Various groups of immigrants throughout U.S. history have been targeted by racist nativism. As the perceptions of whiteness changed, so have the racial groups included in the “American” identity. Historically, U.S. immigration law has been used as a tool to legally exclude and marginalize immigrants and People of Color. In the current historical moment, racist nativism continues to exclude guestworkers, largely from the Global South who are perceived to be foreign and unwanted. It is within this context that a racist nativism framework is used in this study. Through the critical race testimonios of the H-2A shepherdder participants, this study will also show how racist nativism becomes layered with class and gender at particular moments in their lived experiences. Accordingly, two research questions underpin this research:

*Primary RQ 1:* How are the shepherdders’ experiences informed by their race, gender identity, class, and other cultural aspects of their work?

*Primary RQ 2:* In what ways do the current shepherdders navigate the insider/outsider paradigm, as foreign temporary workers?

## Testimonios

Before I begin to explain how I see the framework of LatCrit to be aligned with a methodology of testimonio in this research, I will first briefly describe testimonio as method and methodology. Testimonio emerged from the field of Latin American Studies and has generally been used to document the experiences of oppressed groups and denounce injustices (Booker, 2002). While there is no universal definition of testimonio, scholars have identified several important elements of testimonio to consider. For example, Yúdice describes testimonio as an ‘authentic narrative, told by a witness who is moved to narrate by the urgency of a situation’ (1991, 17). Brabeck describes testimonio as a ‘verbal journey ... of one’s life experiences with attention to injustices one has suffered and the effect these injustices have had on one’s life’ (2001, 3). Cienfuegos and Monelli describe the process of testimonio, which ‘allows the individual to transform past experience and personal identity, creating a new present and enhancing the future’ (1983, 46). The Latina Feminist Group (2001) describes the method of testimonio as a way to create knowledge and theory through personal experiences, highlighting the significance of the process of testimonio in theorizing our own realities as Women of Color (Pérez Huber, 2010). Testimonio is often told by a witness, motivated by a social and/or political urgency to voice injustice and raise awareness of oppression. Testimonios are usually guided by the will of the narrator to tell events that she sees as significant, and is often an expression of a collective experience, rather than the individual (Pérez Huber, 2010).

Testimonio in this study is used to shape a methodology which departs from the Eurocentricity of traditional research, guided by an anti-racist and anti-hierarchical agenda (Pérez Huber, 2010). While dominant scholarship might push aside methods such as Indigenous storytelling or testimonios as not rigorous enough or as ‘identity politics’, the use of testimonios

in this thesis grounds our knowledge in the material realities of the Indigenous shepherders in Western Colorado whose lives bear the scars of colonialism and the long histories of resistance and triumph. Centering their voices in this work, subverts and re-creates what the Western academy puts forward as valid ways of knowing. By reclaiming the epistemic ground that was erased by colonialism, these testimonios are not only agentic and individual, but they are communal sharing which bind the communities of Indigenous shepherders together, spiritually and relationally. These testimonios act as mediums for the herders to analogize their suffering, their long history of colonial violence, and to resist it in real ways. There is long tradition of witnessing injustice and oppression with testimonios in Latin America (Ross, 2003; Felman & Laub, 1992; Beverly, 2004).

As I began my research, the power-laden dilemmas that surrounded this project at first seemed insurmountable. I understood I needed a methodology that took the necessary risk of seeking transformative possibilities for knowledge. Testimonios build upon and linger within, rather than just moving past the key insights regarding the messy contradictions of representative marginalized peoples that are necessary in order to envision a way out of these structures. Feminist scholar Leela Fernandes (2003) does the work to connect knowledge production as an ethical practice.

“A central dilemma that has shaped the politics of representation has had to do with how academic texts and activist organizations have represented the oppression of subordinated groups. Such questions are fundamentally linked to questions of methodology—that is, how we do our research and writing or how we work in and with communities... I want to consider the ways in which an understanding of knowledge as ethical practice can move us beyond these oppositional poles of objectivity and power. What is needed is a form of ethical action that is embedded in practices of research and representation (p.83).”

Following Fernandes’ work this research project treats knowledge as ethical action and utilizes testimonios as the methodological tool to begin to disrupt Western Academic ways of ownership

over knowledge in a way that aligns with my own spiritual responsibility. I viewed myself as a witness to each shepherd's testimonios. This was fundamentally different than the objective or detached researcher because, "the witness consciously accepts both the power-laden relationship and the ethical responsibility of the act of witnessing" (Fernandes, p. 83).

In order to engage in this ethical form of witnessing, an honest, self-reflexive examination must be taken seriously as a responsibility of the witness. How we witness is akin to how we theorize and reproduce knowledge. This affects reality; in fact many Western theorists come from an individualistic centering and location which alienates the spirit, as well as other detrimental effects. A collective, intersectional understanding of how knowledge functions is fundamental to denaturalizing the taken-for-granted, "naturalness" that defines who can and cannot be knowers. To speak of witnessing, is to humble myself in a way that is currently unimaginable in many Western academic spaces- it suggests that those of us who claim to be knowers are in fact the ones being taught. For myself, witnessing is based upon reciprocity or giving back as much as I receive- as a way of maintaining balance within myself spiritually, my research, and within the universe.

Within the theoretical frameworks of CRT, the process of *testimoniando* is to denounce racial and social injustice, and allows for the repositioning of power in the traditional academic roles of researcher – 'participant' relationships (Cruz, 2006). Sojourner Truth's speech "Ain't I a Woman" predates contemporary concerns with what was termed "intimate citizenship" (Plummer, 2003). In part, Plummer addresses concepts such as "outsiders within" (Collins, 1999) or "wanting ones," a perception succinctly captured by Judith Butler (2007, p. 41) — with a particular emphasis on storytelling (Oleksy, ed. 2009, pp. 4–5). Sojourner Truth, not a citizen herself, skillfully mixes elements of poetry and protest, and uses her own story to "construct"

herself in the slave-owning society. Her “political identity ... is never taken as a given but is performed through rhetoric and narration” (Brah & Phoenix, 2004, p. 77). Reliance on narratives also characterizes an important tenet of intersectional methodology: “intercategorical complexity” or “categorical approach,” (McCall, 2005, p.1786). The subject of this kind of analysis is a “multigroup, and the method is systematically comparative.”

This research seeks to document the experiences of five Indigenous H-2A shepherders working in the Western slope of Colorado. Through the process of *testimoniando* the shepherders have showed me that their stories and experiences are powerful as a collective.

### **Aligning Testimonio and a LatCrit Framework**

Building upon the work of Pérez Huber (2010), ‘critical race testimonio’, explicitly links testimonio with critical race research. This is done in the following three ways, One, revealing injustices caused by dominant systems of oppression; Testimonio describes the injustices Immigrants of Color face as a result of oppression. A LatCrit lens helps expose the structural conditions which cause oppression in Latina/o immigrant communities. Two, acknowledging and validating the power of narrative collectivity; Testimonio and LatCrit acknowledge the liberatory elements of revealing oppression through the lived experiences of People of Color, which are rooted in the histories and memories of a larger collective. And last, commitment to racial justice; Revealing oppression moves People of Color toward dismantling and transforming oppressive conditions to end white supremacy and injustice.

### **Recruitment**

During the months of June and July 2017 I conducted five semi-structured interviews with H-2A shepherders working in Colorado. All of these individuals are employed legally through the H-2A visa as shepherders. I chose Colorado as a geographic location for two

reasons. First, my own priority as a researcher is to do work locally with immigrant populations in the state. I also had connections with activists and lawyers working with sheepherders from various colleagues and professors at Colorado State University. These relationships serve as an entry point into these communities that I could not have otherwise established elsewhere with H-2A sheepherders in the United States. I limited my recruitment to adults. The H-2A visa itself limits guestworkers who are younger than 18 years old, and I also found that the population of those in the non-profit and legal industry supporting the guestworkers locally were of adult age.

I built trust with my participants by engaging in informal introductory conversations with them. During this time, we shared life experiences with one another rather than engaging in structured, rigid interviews. I also used open-ended questions with my research participants, allowing for more free-flowing, thought-provoking responses.

Because of my connections to the non-profits, activists, and lawyers in Colorado that support sheepherders in some capacity, I began my recruitment by reaching out to these people and working to build relationships with them via phone and email, as they are located all over the state. I chose initial purposive sampling and subsequent snowball sampling in order to gain entry into the community of sheep herders. Purposive sampling allows participants to be selected based on their ability to provide the most information (Merriam, 2015). Snowball sampling, or having initial participants refer other potential participants, allows me to recruit people that I did not know, and allows for a more diverse sample. I also found this strategy necessary while working with such a geographically stratified population, such as sheepherders.

The process of conducting initial interviews with the support community, then having those interviewees “vouch” for me and share my own intentions and experience, resulted in a more open, transparent willingness from the research participants. Due to the nature of the

shepherders' isolated work, and status as a foreigner in the country with little English proficiency, I anticipated that it would be common for them to be hesitant and wary of any visitors who are not their employers.

### **Ensuring the Trustworthiness of the Study**

When considering the trustworthy approaches I used for this study, I reflected on Glesne's (2006) approach on pilot testing (p. 85). This process calls for using the expertise of collaborators who are outside of my research project who will review my research processes and ask questions for clarity and fit. These individuals also offer their perspectives on the people to be interviewed given that their own experiences may be similar. During the spring 2017 semester, I engaged in a prepilot project. For this project, I interviewed two former H-2A shepherders. Both participants were Chilean and were currently living in Colorado after ending their H-2A contract several years ago. I used these experiences as preparation for what I should expect when I interviewed the current H-2A shepherders for my study. During this project, I also interviewed several professors working in the School of Agriculture at CSU, who are shepherders and sheep ranchers, as well as faculty members. Through this pilot project, I also gained helpful advice and validation from the participants on the content of the research questions that I used for my interviews. The participants also validated that my testimonios methodology would be the proper way to approach this particular population, given that their stories have the ability to be extraordinary, especially in academia, and they also believed that the proper way to convey them will be *a través de sus voces* (through their voices).

Finally, I reflected on research on trustworthiness as presented by Lincoln and Guba (1985). This process states that the researcher first must establish: (a) credibility and confidence in the truth of the findings; (b) transferability in showing that the findings have applicability in



other contexts; (c) dependability in showing that the findings are consistent and could be repeated; and (d) confirmability, where the findings of the study are shaped by the respondents and are not researcher biased (p. 290).

### **Data Collection**

Open-ended questions give participants the best voice to express their experiences (Creswell, 2008, p. 225). The interview protocol for this study is semi-structured. Riessman (2008) noted, “The standardized protocol (where the question order is invariant) gives way to conversation where interviewees can develop narrative accounts” (p. 23). Each interview was audio recorded and transcribed. Interviews are one of the recommended methods for obtaining data during a narrative methodological study (Clandinin & Connelly, 2000; Creswell, 2007; Czarniawska, 2004; Merriam, 2009) and guided the participants to focus on experiences leading up to, and relating to, their lives as H-2A shepherders. The interviews provided narrative data for analysis by using “the stories people tell, analyzing them in various ways, to understand the meaning of the experiences as revealed in the story” (Merriam, 2009, p. 23). This study is analyzed at the individual level; it explores habits of the individual’s identity, making the unit of analysis for this study the individual.

In alignment with my research problems, the semi-structured nature of the interview facilitated many open-ended questions, which as Harvey (2011) suggested, produces a more open response. The questions the participants answered, providing the depth of information necessary for the researcher to construct the storied counter narratives, ranged from their background to current work experiences as an immigrant (see attachment A).

## **Data Analysis**

The method of analysis for this study follows the recommendations for conducting decolonizing research, which promote co-constructing and co-learning with the community and researcher (Wilson, 2008; Smith, 1999; Kovach, 2005 & Bishop, 1997). Indigenous researchers have written about the lack of appropriate analysis methods for working with narratives and story data. The inherent incompatibilities while conducting thematic analysis align with the challenges of devising more appropriate data analysis methods that challenge Eurocentric, Western epistemes (Kovach, 2005; Smith, 1999; Wilson, 2008; Held, et al 2016 & Bishop, 1997). In Bishop's (1997) method, the researcher and participant are engaged in a collaborative storytelling method, which allows for a deeper understanding of the participant's experience. Bishop and Lather (1989) highlight the importance of sequential interviews, using dialogical reflexivity. The analysis, therefore, is a collaborative effort between the researcher and participant, challenging the power laden dynamics of external researchers imposing their analyses onto the stories from the community.

Further, this research was analyzed using informal discussions among individuals with differing levels of exposure to the data including classmates in an ethnic studies research methods class and other ethnic studies professors, or as Dr. Tom Cavanagh described it, "experiencing the data" (Held et al, 2016). I situated my work within the context of these participants testimonios in their words, mindfully reflecting on my process and product (Mauthner & Doucet, 2003). Just as building a story or a relationship is a collaborative, reflexive and sacred process, so too is the analysis of the data (Wilson, 2008).

## **Limitations**

There are several limitations which presented challenges to the researcher throughout this study. These included: language, the researcher's outsider status as a female, the researcher's non-shepherding position, and the small sample size. The researcher is a non-native Spanish speaker, with Spanish proficiency. The second possible limitation is the gender of the researcher being a woman, since the shepherders are all men. The researcher is also an outsider, as having a non-shepherding occupation, and further, being a naturalized U.S. citizen when the interviewees are guestworkers. Lastly, the limited number of participants used in this study, does not serve as a representative sample of the population of individuals that are shepherders in Colorado under the H-2A visa program. Interpretations of this study, therefore, should be limited to the individuals and are not intended to be generalizable to any larger population.

## CHAPTER FOUR: FINDINGS

The five H-2A shearherders interviewed for this study worked for ranchers based in the Western Slope of Colorado. I bore witness to, and recorded their testimonios, as well as other ethnographic data related to herders' living and working conditions, during a three-week period of fieldwork carried out in June, 2017. Ranging in age from their mid-twenties to their mid-fifties, these male shearherders all hailed from agropastoral communities, small towns, and cities in the Andean regions of Perú and Chile. The three men in their forties and fifties told me that prior to receiving their H-2A contract they had worked as subsistence agropastoralists, or as animal caretakers on large livestock corporations such as the SAIS Pachecutec or SAIS Túpac Amaru operations in Perú. The two younger men had worked previously as miners or shopkeepers.

The herders working in distant pastures often see no one besides the ranch foreman for months at a time. In order to avoid any miscommunications and earn the trust of herders, I was guided by a former H-2A shearherder, Ignacio, who works as an advocate on behalf of the herders for the non-profit organization Hispanic Affairs Project. Ignacio was able to call the herders on their cell phone to determine the best time for us to set up informal interviews and fieldwork observations. Despite this, many of the herders were still surprised to be interviewed by a young, female graduate student. I introduced myself as a Spanish speaker who had spent over a year studying and living in the Andes. In this way, they perhaps perceived me as someone capable of understanding their situation. As well, the trust between Ignacio and the herders was apparent.

Herders shared personal stories of their own despair and asked me to warn others in their home country that this was not a good place due to the bad working and living conditions. I left behind small tokens of gratitude- my cell phone number to follow up with me, business cards that had the information for an immigration lawyer at Colorado Legal Services who could assist them with any visa related questions or issues, as well as fresh food from a local bakery that Ignacio recommended I visit beforehand. The sociologist Abdelmalek Sayad has expressed the hope that his often heart-wrenching interviews with Algerian migrants working in Paris might provide a sort of “liberating function,” as interviewees “confess” their situation to a stranger (Sayad 2004, p.160). I felt that my interviews served this purpose, yet what I perceived as their misperception of my power to rectify their situation (influenced in part by their observation of my ability to enter and exit the “fields” whenever I pleased), created another layer of complexity in herders’ expressions of solitude and their relationships to power in remote Western Colorado pastures.

In Colorado, most herders live in dilapidated sheep wagons in the autumn, winter, and early spring, and in canvas tents during the summer. During the winter months, many herders use horses to move sheep wagons behind roaming flocks. Rancher-employers exert almost complete power over herders, while hostile and unfamiliar wild animals, weather, language, customs, and rules pose their own challenges. The Chilean and Peruvian herders face both subtle and openly aggressive conflicts in most aspects of their lives, making them one of the most vulnerable groups of U.S. guestworkers. Recruited for their extensive knowledge of ovine husbandry, Latin American (those I met were Chilean or Peruvian) sheepherders feel frustrated and overwhelmed by pastoral tasks that bear little resemblance to their own Indigenous herding traditions carried out in the central Peruvian highlands and Southern Patagonia region of Chile. In the Western

Slope of Colorado they struggle to work in a hostile landscape, with unfamiliar animals and without the community, family, mountain deities, and rituals that provide them with support and protection in Perú and Chile. Many herders insist that Colorado's desolate, rugged expanses of mountain plains and forests cause them such problems because of their status as "outsiders" (*forasteros*). The first theme will discuss the various ways that the herders' Indigenous cultural ways of knowing and connecting to their livelihoods of caring for sheep are subjugated while working as a *pure corporeal* commodity within the American capitalist system.

### **Theme #1: The Deliberate Devaluation of Indigenous Ways of Herding**

Since precolonial times, Andean peoples have shaped ritual calendars, kinship patterns, agricultural practices, and community organization around the life cycles and needs of their camelid herds (e.g. llamas, alpacas) (Krogel, 2010). When the Spanish colonizers arrived in the 16th century with new, wool-producing animals, they realized that indigenous Andeans' knowledge of camelid husbandry could be exploited to ensure a thriving system for their own flocks in the new Andean ecosystem (Flores Ochoa, 1982, p.74). This colonial relationship of knowledge extraction has been intact in the United States since the 1970s, as ranchers have also come to depend on indigenous Andeans' sheep husbandry knowledge (see the literature review for further details).

The majority of Colorado's approximately three hundred shepherders are either Peruvian or Chilean men, many of whom are Indigenous Quechua or Mapuche (respectively) agropastoralists recruited from the Peruvian highland province of Huancayo or from southern Chilean provinces (personal communication, Marketa Zubkova, June 2017). For decades, these regions have contained some of the most economically depressed communities within these two neighboring countries (Instituto Nacional de Estadística, 2010).

Throughout the 1980s and early 1990s, Perú's security forces battled two insurgent terrorist movements: Sendero Luminoso (Shining Path) and Movimiento Revolucionario Tupac Amaru (Tupac Amaru Revolutionary Movement, MRTA). Ultimately the MRTA was defeated and is no longer operational, while Sendero Luminoso's remaining fighting faction operates only in an isolated area of the Peruvian highlands. During its height of terror and violence, the violent Maoist guerrilla organization, the Sendero Luminoso, devastated the Huancayo area, and killed nearly 70,000 people throughout the country (Degregori, 1986).

In fact, their initial push was into Huancayo, and the adjacent Mantaro Valley (Perú's breadbasket in the 1980s). The guerrillas assassinated hundreds of large property owners, mayors, police, and other local officials and destroyed a dozen state-owned farms (Degregori, 1990). They redistributed most of the state-owned and large private lands-along with cows, sheep and other animals to peasants, which led initially to a surge in support for rebels. But the peasants lacked money so most of the animals died and the lands became abandoned and unusable. Sendero Luminoso also alienated many peasants by forcing them to grow only subsistence crops and prohibiting commercial trade (Degregori, 1990). For example, the peasants were only allowed to buy matches, salt and kerosene and were banned from selling their once-vast potato crop. The result was the impoverishment of one of Perú's's most prosperous regions, with virtually no government officials or police in the sixty-mile area between Huancayo and Jauja. Huge tracts of some of the country's most fertile land were forcibly abandoned, and the region was dotted by burned-out haciendas and dynamited houses. Not only was there a power vacuum with no civilian authority, no police or local governance, but the central government in Lima suspected any peasants or civilians in the area to be rebels as well and offered no support (Starn, 1999; Comisión de la verdad y la reconciliación 2003:13).

Most Latin American historiography concurs that the greatest transformation of the Mapuche society in Chile itself was provoked by the genocidal war waged against the Mapuche by the Chilean state, euphemistically known as “Pacification of the Araucanía” (during the years of 1860-1891). Following forced annexation and the murderous usurpation and cruelty that ensued, surviving Mapuche groups were placed into small “reservations” while their lands were auctioned and settled, and their forests burned by Chileans and foreigners in the name of peace, order, and progress (Bengoa 1985, 2000; Millalen et al., 2006; Caniuqueo, 2009; Comisión Verdad y Nuevo Trato, 2003). Just a little over a century later, the majority of the Mapuche now live in Santiago and regional urban centers such as Temuco and Concepción, with some two hundred thousand continuing to inhabit the small portion of their ancestral lands “granted” to them as *titulos de merced* by the Chilean government (INE, 2002). After the state forcibly annexed territories south of the Biobío through the genocidal twenty-year long War of “Pacification” of the Araucanía (1861-1881), the neo-colonial pact reflected dominant landed liberal agendas up until World War II, and was based on the massive incorporation of rich agricultural lands and other resources to global markets (Toledo, 2005; Caniuqueo, 2009; Millalen et al., 2006).

From then on, internal colonialism has conveyed both dispossession and dehumanization, and a protective treatment of the “inferior race” or “ethnic group” through a special land tenure regime (“the reservations”) linked to specific forms of social and labor control, distribution of wealth and power, and state-sanctioned institutional mediations (Mallon, 2009, p. 157). Continuing forward to contemporary times, there is an intractable conflict between indigenous Mapuche grassroots activism on the one hand, wealthy landowners, corporations, and the Chilean state on the other.



Considering both the decades-long history of the colonization, and the recent state-sanctioned violence inflicted upon both of these Indigenous regions, it is of no surprise that the large ranching organizations in the Western United States, such as the Western Range Association, have focused their recruitment efforts on contracting labor sources from these highly impoverished, marginalized regions containing highly skilled agropastoralists.

As in the majority of American indigenous peoples' cosmologies, for Mapuche and Quechua people all of nature is alive, populated by beings or entities they have social relationships with – relations between humans and nature where the visible and invisible worlds overlap or intersect (Descalo, 1998; Mora, 2001). In fact, one of the foundational principles of Indigenous agropastoral practices is woman-centered, when life is either taken (for example, hunting is taught by grandmothers) or when life is given, the women and female animals are recognized in their unique part they play in the life-giving process (Flores Ochoa, 1982). Indigenous practices and philosophies ensure that healthy life is maintained through a balance between various life forms- men and women, animals, nature- and how they exist in a non-hierarchical structure. Women herders are prevalent and common in both of these communities. The H-2A visa program, operates within the Western framework of masculinity, rugged individualism and capitalism, therefore asserting its preference for the male, able-bodied herder. For Indigenous people, animals in particular have enormous relevance in the universe of meanings and are strongly connected with the different spheres of their reality, including subsistence relationships, connection with their ancestral lines, the representation of their social and ritual organization, and origin myths among others (Montecino, 2005; Villagran, Villa, Hinojosa, Sanchez, Romo & Maldonado, 1999; Grebe 1971). Thus, animals are part of their oral tradition and therefore subject to processes of cultural transmission (Castro & Romo, 2008).

Through their own testimonios, the subversive and imaginative storytelling of the herders is a more than just a personal narrative. “In the face of colonial extermination, the articulation of Indigenous stories, epistemologies, and cultural groundings are inherently resistant and threatening” (Sium & Ritskes, 2013, p. VI). As I bore witness to the sharing and reclamation of Indigenous ways of sheepherding through their testimonios, I was shown how their poetry, art, self-expression and stories are truly the continuing fire that keeps them thriving, as if their stories of their ancestral ways of herding were “a living thing, an organic process, a way of life (Graveline, 1998, p. 66). Further, as they shared their own Indigenous ceremonies, rituals and sheepherding processes with me, I found my own Western imagination to be disrupted. My own colonial mindset which viewed their work as simply a transactional affair or labor was transformed when I began to consider their ongoing role in their own communities, and their roles in culture and maintaining creation in all its forms. From the herder’s words we can begin to examine the meanings and importance of the spiritual to Indigenous life for them. But in what way is the spiritual a part of a decolonizing practice and process? Tuck and Yang (2012) challenge us when they write:

“Decolonization is not a metaphor’, Within settler colonialism, the most important concern is land/water/air/subterranean earth (land, for shorthand, in this thesis). In the process of settler colonialism, land is remade into property and human relationships to land are restricted to the relationship of the owner to his property. Epistemological, ontological, and cosmological relationships to land are interred, indeed made pre-modern and backward (p. 5).”

As a witness to these testimonios, my intention here is to command the reader’s attention to the ways in which their lived experiences are grounded in immediate, relational, and spiritual underpinnings of Latin American Indigenous thought. This brings us to the work of decolonizing our minds, and allowing our own Western fantasies and cultural logics to be disrupted as they

were in this process for me- this demands a personal and relational understanding of the shepherders, and demands the richness and creative vitality which testimonios bring. As Leanne Simpson claimed, “Spiritual and social practices such as storytelling, the oral tradition, ceremonies, feasting, and gift-giving are designed to bond people toward a common understanding” (2013, p.21).

*“I have heard the phrase ‘human rights’ but here I haven’t seen anything that resembles that phrase.” – César*

When asked to describe their lives in Colorado, the herders began with the intensity of the weather, both frigid and very hot temperatures, and the constant threat of dangerous, predatory mammals. However, when I pointed out that herding in Perú and Chile must also be difficult, lonely, and poorly remunerated work carried out on freezing, windswept mountain pastures, they acknowledged that this was true. Why then, should labor as a herder in Colorado prove so unbearably taxing? Sayad’s concept of the immigrant’s contradictory existence helps to explain both the causes and the implications of herders’ narratives of suffering, which reveal struggles with inhabiting the contradictory role of the “temporary that lasts” (Sayad, 2004, p. 297). For many “guest” herders, their physical presence in the United States is *not* accompanied by their emotional presence, since the latter remains in Perú or Chile—the space from which they are, at the same time, physically absent (Sayad, 2004). Most Peruvian and Chilean herders working in Colorado suffered from poverty, arduous working conditions, racism, and socioeconomic marginalization in their own country, but only upon arriving in the United States do their existences become wholly defined through work. As Sayad posits, and as herders’ narratives illustrate, feelings of suffering stem from this “negation of the immigrant” as a

socialized person, which reduces and limits daily experiences to exclusively work-related events (Sayad, 2004, p.180). As Sayad asserts,

[The immigrant] is the only worker who, not being a citizen or a member of the social and political body (of the nation) in which he is living, has no other function but work. Ideally, the immigrant worker should be nothing more than a *pure* body, a *purely* corporeal machine, a *pure* mechanism ... which requires no more than the minimum input needed to keep its cogs working properly (2004, p.204, my emphasis).

Sayad's repetition of "pure" in conjunction with his description of the immigrant worker's life as an empty and mechanical existence, closely echoes one herder's testimonio.

*How much do I suffer, how much have I suffered, how much will I suffer? I feel sad, my family is far away ... too far, and I am here, imprisoned twenty-four hours each day working, working. Now I'm living only pure reality, just so you all understand. -César*

Conversing in Spanish, César repeatedly used the verb *padecer* to describe the intense feelings of suffering, loneliness, and exhaustion that contributed to what he characterized as a realm of "pure reality" ("realidad pura"). His narrative communicates a vision that borrows from multiple linguistic and cultural registers in order to communicate new realities and reveal and condemn their marginalized position as transnational workers (Sayad, 2004)

Herders struggle with their contradictory existence within this space of the "temporary that lasts," and consequently, their narratives focus not on the low wages paid but instead emphasize characterizations of their lives as "orphans," and descriptions of ranchers' treatment of sheep as productive machines instead of animate beings. In this way, tropes of orphanhood and the impersonal, "mechanized" treatment of sheep serve as metaphors for herders' own suffering in a place where their entire existence focuses on production and they remain removed from meaningful social and familial contexts. Indeed, both the U.S. Department of Labor and U.S. Department of State legally classify the H-2A guestworkers as 'nonimmigrants' (Congressional Research Service. Report for Congress, 2012). This labeling matches the

sentiments of nonexistence that pervaded many of the testimonios, which this thesis claims is connected to their Indigenous cultural identity, as well as their gender and race.

The frequency and intensity of herders' expressions of orphanhood and "suffering in solitude" suggest that while their experiences with socioeconomic marginalization, oppressive power, and harsh Andean climates had prepared them for Colorado's low wages and working conditions, without the support of their families, communities, and culturally-based rituals and celebrations, they had not found a way to mitigate these challenges on U.S. pastures. Their suffering stemmed from the physical and emotional trials of working in a context which does not ritually link their herding labor to their families, communities, and mountain deities.

*Here there are never any festivals. Only work, work, work and, of course, the animals behave badly. If you manage the animals with happiness they behave better. -Jaime*

When discussing feelings of solitude and isolation, herders explained that the lack of herding celebrations in the United States made their work more monotonous and unfulfilling. While they did not expect U.S. ranchers to honor their animals in the same way that they are ritually acknowledged in the central Peruvian highlands and in the Patagonia region of Chile, they found it "very unhealthy" that U.S. sheep owners did not formally fête their livestock. Throughout both regions in Perú and Chile, agropastoralists strive to maintain positive, reciprocal relationships between humans, animals, and the surrounding landscape. The whims of mountain deities alternately nurture or curse the important life events of sheep, alpacas, and llamas, influencing cycles of birth, mating, shearing, and death. Herders asserted that Colorado ranchers failed to recognize their contributions to the maintenance of the herds' health, and were also disrespectful towards the sheep.

*In Perú ... we celebrate the lives of the animals. For example, during the carnival season [February or early March] we celebrate señalakuy to make the animals happy, to*

*improve reproduction ... and later another important date is the festival of Santiago on July 25<sup>th</sup>.*

*... Of course the animals perceive the happiness of the festival, they know that everything is for them and there is a psychological factor there (pause) throughout the entire year our animals, our sheep, alpacas, llamas and cattle are easier to manage because they have enjoyed their festival and they know that we have given thanks to them. - Jaime*

The pan-Andean celebration *La Marcación* centers on showing appreciation to a community's mountain deity protectors, livestock, and herders, in the hopes of stimulating the animals' fertility during the mating season. The celebration takes place throughout the Andes during the rainy season (December–March). Although each community honors its animals and deities in a slightly different manner, the festival generally centers on the preparation and distribution (to animals and humans) of a fermented corn drink (*chicha*), the performance of songs and dances, and the perforation and decoration of each animal's ears with coloured ribbons or string.

In asserting the importance of this festival, these sheepherders are talking about the epistemological, ontological and cosmological relationships to land, animals, ceremony and spirit. When we consider the significance of *La Marcación* and the ongoing role of this and other ceremonies in the lives of community, and their roles in culture and maintaining creation in all its forms, we disrupt the assumptions that land or animals are possessions, that land or sentient beings can be owned, when indeed they are both central to live the ongoing history of Indigenous peoples (Iseke-Barnes, 2002).

In many communities throughout the province of Huancayo, *La Marcación* occurs during the Carnival season and it is one of the most important festivals celebrated in honor of a community's sheep flocks. Jaime, a middle-aged herder from Huancayo, describes how his village celebrates the festival:

*For la Marcación of the lambs we hold a big celebration. It could be with the tinya [a drum of pre-Colombian origin], it could be by singing an orchestral number, always singing ... they don't have that here, it's a novelty. No, no, they don't understand it at all. Whereas in Perú, yes, it's a custom there and we organize it in the month of March during the carnival season when we begin to dance the huaylash in our region (pause) this is for the festival of the sheep, the Marcación held each year.*

When asked about the manner in which Colorado ranchers mark their sheep, Jaime explained, *"Here in America they do the marking directly, the difference is that there is no Marcación festival. They don't use songs, names, or orchestras, nothing ... , they don't understand those things. Instead here the work is purely dry."* When I asked Jaime what he meant by "directly marking," he explained that each animal was quickly and "directly" tagged, *"as if they were machines and didn't need to be spoken to, sung to, and the process explained to them."* Jaime and others repeatedly described U.S. ranchers' impersonal treatment of their flocks. In bemoaning what they perceived as the poor treatment of sheep, herders' narratives implicitly expressed frustration that guestworkers' labor also remained undervalued, even as they struggled to care for large, underappreciated flocks.

Herders also worried that they had never seen a weaver in Colorado, and lamented that since ranchers value their animals' meat more than their wool, most sheep remained uncooperative throughout the year. I asked herders at several ranches if sheep might appreciate a marking celebration with colored ribbons, dances, and songs. One herder joked, *"Maybe it would do the American sheep some good, maybe they'd reproduce more - - - that's why there are carnivals in Perú, so that there will be more animals the next year."* Then, more seriously, he said, *"What we carry out over there is a belief that is unique to Peruvians, but maybe it wouldn't work here - - - we think that it wouldn't work [in the US]."* Several herders hypothesized that United States' sheep did not need celebrations and rituals in order to stimulate fertility since they consumed large quantities of "antibiotics and other medicines." Others believed that the different

breeds of sheep raised in the United States would not appreciate such festivities; many thought that the scarcity of skilled musicians and singers would render the ritual null. Most herders insisted that in a land bereft of mountain deities—“enchanted ones” (*encantados*)—there would be no one to hear their call for protection and fertility.

In the central Peruvian highlands and Patagonia regions, yearly ritual events such as the Carnival and Santiago festivals offer herders a celebration that honors their toil (Bradby 2006, p.93). Herders in Colorado rarely mention the challenges faced while tending sheep at home; yet what they *do* explain is that Colorado ranchers’ lack of appreciation for their animals and employees, and failure to organize herding festivals, reflects their frustration with a U.S. herding culture bereft of the ritual opportunity for “reckoning” with an employer. Many herders suggested that their own suffering could be traced to U.S. agropastoral practices that concentrate more on profit margins than on relationships between humans, animals, and the land. Jorge explained that the smaller flock sizes in Chile permit animals to graze closer to towns and villages. Smaller flocks need less space for grazing and can remain in the same vicinity for a longer period—allowing for the rotation of herding duties within a family or kinship group. Jorge described how his life as a sheep owner in Chile differed from his present reality in Colorado:

*In Chile my family has thirty-five sheep and then the families of my brother and my compadres also have more or less the same number—each one of us helps with the herding... Here in Colorado of course things are much different; I’m with the animals all day, everyday. For the past year I’ve been here and I can tell you that my life is sad, very sad ... the solitude kills, my family is over there, here everything is difficult, but with the [economic] crisis in my country it’s hard. Here there is work (pause) work and also exploitation. There’s exploitation too. And of course the solitude (pause) it’s the solitude that kills. -Jorge*

Miguel, a middle-aged herder from Huancayo, Perú, explained that in his community families pasture cattle and sheep in addition to farming “subsistence” food crops and raising



pigs, chickens, and guinea pigs. He noted that in Colorado most ranchers concentrate their energy and resources on maintaining huge flocks of sheep destined for the mutton market.

According to Miguel and others, the sheep are aware of this grim future and resent the fact that their wool is not esteemed:

*In Perú the sheep are for subsistence, for the wool, and of course we thank our animals by giving them their chicha, their flowers. Here the bosses have a lot of angry sheep—between 1,800 or 2,000 in each group—and one has to invent some way to manage them ... it's just more difficult - - for us humans and for the sheep. -Miguel*

## **Theme #2: The Commodification of the Herder**

Jorge, a sheepherder from the Patagonia region in Chile who has worked in Colorado's Western slope for six years, expressed a sentiment that surfaced repeatedly in his testimonio:

*“Here I am suffering for my family, for my mom, for my dad, I only suffer for them.”* Another herder, Miguel from Huancayo, Perú, lamented the void between his expectations and the reality of his work in the United States.

*“It was a very bad situation, the worst was the isolation. I always, always was alone in the desert in my small camper, no telephone, I couldn't communicate. I was alone all the time. Everything changed when I arrived in Colorado. Truthfully, I had no idea it was would be so hard and I would feel so alone.” -Miguel*

Both testimonios expressed intense suffering and long work hours that were not only unexpected but they were very surprised upon their arrival to the U.S. on the way that their immigrant bodies were dehumanized and appropriated for labor. Jorge recalled that when he heard about the guestworker program from other herders in his Chilean village, they described it as an American Dream... *“When I came to Colorado, before I admired the United States as a country a lot. I thought I could learn so much here, you know; pursue the American Dream for my family!”*

When I asked him to tell me more about how he found out about this job and how he would describe the American dream, he said: *“Oh yes well, everyone knew about the United States in our town. There was no question, that life was easier over there... if you could get a job. Then you automatically have a road to improving your life.”* Through both interviews, it was clear that the image of an imagined and particular American Dream had reached the far distances of Southern Chile. Consequently, many peasants and subsistence farmers have become attracted to the idea of emigrating in order to provide for their families and relatives. However, Miguel then goes on to describe how the conditions were “rustic” and not any better than in his home country. I asked him to describe what he meant by this word and he told me:

*“But then when I arrived I realized that the working conditions were not any better than in Perú, everything was very old and very rustic...by this I mean, I expected I would have the necessities to live: good housing, food, water...but no. I felt imprisoned every day, just working all the time. So, my idea of the United States changed because when I was working, it felt like a prison.”*

The unequal power dynamic between the rancher (employer) and the herder (guestworker) permits the ranchers to extract high productivity from compliant guestworkers. Ranchers are able to do so not only because a guestworker’s visa is tied to the employer but also because guestworkers serve as an essentially captive workforce, comparable to prisoners, as Miguel described in his testimonio.

In addition, the existence and absence of certain regulatory standards in the H-2A program permit employers to further degrade the working conditions in guestworker jobs. While the existence of certain regulations gives the appearance of minimum standards, these outdated standards actually release employers of the obligation to improve or modernize working conditions (Lee, 2017). As a result, employers have the ability to transform these jobs into extremely undesirable ones given the absence of regulatory guidelines relating to breaks, hours,

housing, or workplace safety. Because a guestworker's visa is issued to a particular employer or association, an employer may dominate all aspects of the guestworkers' existence—including the key aspects of being able to remain and return for another season. This control and the ways in which it makes guestworkers obedient and susceptible to exploitation are evident in the stories of both Miguel and Jorge.

According to Jennifer Lee, a lawyer who has worked with hundreds of shepherders in the state of Colorado in the past ten years, "This climate of fear can be created by the employer's' explicit threat to call immigration officials, the existence of a blacklist, or even the mere fact that the employer holds the deportation card. Workers are unwilling to come forward given all that they have to lose" (personal communication, Jennifer Lee April 20, 2017). When asked about his knowledge of the working conditions for the shepherders, an animal husbandry professor in Northwest Colorado (he preferred to not provide his name because of the work that he does with ranchers) told me in an interview (personal communication, confidential informant, April 12, 2017):

*"Ranchers practically have zero impetus to improve these intolerable [working] conditions because there will always be desperate guestworkers who will accept them... I mean, I have known shepherders over the years who had accumulated significant recruitment debt and became susceptible to debt bondage and I'd even say it was like forced labor. Ranchers almost always confiscate their passport or social security card so they don't run away."*

Conversations with herders revealed that they hold much fear of being deported. In fact, one Peruvian guestworker, César, explained how his fear became reality. He was promptly deported after complaining to the Western Range Association about the quality and quantity of food provided by his former boss:

*“The boss told me: ‘How is this? There are people here who have worked for years and have never complained, now you arrive and start to cause problems?’ I had worked in Idaho before and there my boss was kind, he gave us good food, time to go into town ... here in Colorado ...I discovered that everything was going to be different. I have heard the phrase ‘human rights’ but here I haven’t seen anything that resembles that phrase.” - César*

This herder now works for another rancher a few miles from his previous employer. He repeated that he only complained about the poor working conditions because he had experienced such a markedly different standard in Idaho. This suggests that had it not been for his previous experience on another U.S. ranch, he would not have complained, since the oppressive working conditions would have resembled those he was accustomed to enduring in Perú. Ranchers clearly understand this dynamic and several said they specifically request recruits with no previous experience living or working in U.S. or Peruvian cities, “so that the tough conditions on the Colorado range won’t even faze ’em and we won’t hear any complaints” (Robert, a rancher in Montrose, Colorado, interview June 10, 2017).

While the enforcement of existing U.S. legislation would significantly improve the lives of sheepherders and other temporary workers, after more than seventy years of complacency it seems unlikely that state or federal regulatory agencies will ever adequately monitor guest workers’ labor conditions. Furthermore, as historian Cindy Hahamovitch highlights, “What history shows is that when workers are bound to employers who have the power to deport them, no amount of federal enforcement is going to make a difference” (cited in Williard 2005, p.1). Thus, Congress and voters must consider whether they wish to continue to offer “guests or nonimmigrants” a labor contract that establishes living and working conditions, but which ties them to the potential hostility of one specific, unsupervised host. Moreover, Peruvian and Chilean herders’ experiences of oppressive labor practices in the Andes often tempers their reactions to U.S. working conditions.

In addition, H-2A shepherders' status as workers who are *both* temporary and legal contribute to legislators' chronic neglect of their situation, because attention is focused instead on the larger numbers of unauthorized workers who decide to remain permanently in the United States. As Smaïn Laacher has explained in relation to the European Union, "The state concerns itself politically only with people who entered its territory without authorization and who have the intent of *remaining*" (2007, p.22). While people categorized as "illegal aliens" may not have legal rights, they *do* maintain a public presence; efforts to regularize their status are often recognized as "part of a larger struggle with other social and political groups" (Laacher 2007, p.18). Peruvian shepherders and other U.S. guestworkers fall into an ambiguous and dangerous space, which Laacher identifies as a "political blind spot" since many employers assume that the mistreatment of temporary "guests" will never cause a legal conflict (Laacher 2007, p.26). Thus, the linguistic obstacles<sup>3</sup> that impede herders' comprehension of their contracts, together with their contradictory status as a "temporary that lasts," and whose legal presence is tied to the whims of a specific rancher-host, combine to create the trap which ensnares H-2A "guest" workers.

Beyond the policy implications of herders' temporary legal status, the testimonios suggested that as a survival strategy most classify the physical and emotional exhaustion of life in Colorado as a temporary, if excruciating, sacrifice. Herders' testimonios alluded to the fact that in the U.S. their relationship to power is not characterized by a need to resist a *permanent* landlord exacting unfair tributes from the community's pastures, as it is in Perú or Chile. Instead, they described their lives there as a *temporary* hardship meted out on the land of another, which

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<sup>3</sup> The shepherders I met were literate in Spanish, however it was their second language, with Quechua or Mapuche being their native tongue.

must be endured to ensure a better future for their families in a physically distant, but emotionally present, homeland.

### **Theme #3: Racialized Guestworker Labor**

American immigration is a story punctuated with racialized and criminalized images of immigrants (Obinna, 2017). Bridging ethnic, racial and gender currents, this work seeks to understand how these effects continue to shape contemporary H-2A visa policy. In the literature review, I situated the emergence of a racialized temporary workforce within the capitalist transition to an increasingly contingent workforce which provides U.S. businesses with greater flexibility and a greater measure of workplace control. This shift implies several detrimental effects for workers, including lower wages, reduced health care protection, and the loss of pension and retirement benefits (Harvey, 2007). In this labor process, these developments have been particularly detrimental to members of the working class generally, and immigrants, people of color, and women. At its base, the creation of a new contingent economy is part and parcel of corporate America's attempt to secure greater control and intensify the rate of exploitation of their labor power in the U.S. and the world (Parker, 1994).

While I was meeting Jorge, one of the foremen also happened to stop by the pasture with some supplies and to count the sheep. The foreman regularly stop by to count sheep to be sure that the shepherd is being attentive to the herds, not allowing any to get killed or run off, or as in some cases, eaten by a hungry shepherd who is left with meager food supplies. The foreman seemed amused to meet me, and was happy to allow me to interview the herder as long as it did not take away from his work and as long as I agreed to interview him afterwards too. I obliged and spoke with him after my meeting with Jorge.

The foreman, whom I will call Huberto, began immediately to tell me about his own journey to the United States as an undocumented Mexican immigrant, who dropped out of high school due to gang violence in his home village in the state of Veracruz. He began as an H-2A sheepherder in 2001, and eventually overstayed his visa in order “to be promoted on the ranch for better wages, better hours and to bring my family over here too.” In fact, according to Huberto almost all of the ranch foremen in the Western Slope are undocumented Mexican immigrants who either overstayed work visas or were attracted to the work via word of mouth. They now serve as the liaison or only connection between the sheepherders themselves and the white, English-only-speaking ranchers. They deliver the food supplies, interpret for them, help with any medical emergency, and assist with traveling and moving the herds, depending on the season. They have key insights into the attitudes and behaviors of the ranchers pertaining to the preference of legal status of each worker.

In August 2015, the Hispanic Affairs Project (HAP) filed a lawsuit on behalf of Rodolfo Llacua, a former sheepherder from Grand Junction, and “John Doe,” a current Colorado H-2A sheepherder, in the U.S. District Court Colorado District, with named defendants U.S. Secretary of Labor Thomas Perez, the former U.S. Department of Labor and DOL Assistant Secretary for Employment and Training Administration Portia Wu (U.S. District Court Colorado District Electronic document). According to the lawsuit, “John Doe,” the current sheepherder, “fears serious retaliation in the form of possible physical violence, adverse employment action, removal from the United States and blacklisting because of his decision to participate in this lawsuit. This lawsuit aims to address the United States Department of Labor’s repeated and ongoing violation of its own regulations, which have caused the exclusion of nearly all U.S. workers from the sheepherder labor force and replaced them with impoverished foreign workers on H-2A visas,”

reads the complaint. In 2016, HAP successfully won the lawsuit, and as a result, the wages of the H-2A sheepherder doubled, effective January 1, 2017. They went from \$700 per month (which translates to \$2 an hour) to \$1,200 per month. These changes are in effect for all current H-2A sheepherders and all of those who would be working as sheepherders in the U.S in the future. The plaintiffs estimated that these two categories total 2,500 people nationwide. Speaking with Marketa Zubkova, the Accredited Immigration Legal Representative at HAP, she talked about the unfolding of some of the consequences of this legal victory.

*“We knew that there would be some kinds of negative outcomes from this wage increase, we just didn’t know for sure what they would be...but now we are starting to see some of them play out on the ranches this year. Many of the herders are being told that money will be tighter now on the ranch, and that if they don’t do an exceptionally astounding job that the rancher will not allow them to stay for the full three year contract.”* -Marketa via phone interview on September 3, 2017.

She went on to tell me how prior to this year, it was rare for any sheepherder to not stay for at least three years at each ranch; that was the system that worked beneficially for both parties. The H-2A contract brings them here for one year initially, and then the rancher has the option to renew it and keep them here for an additional two-year period. When the herders apply to come through the U.S. consulate in their home country, they must pay visa fees and other fees related to travel that puts them in debt prior to arriving for work. All of the sheepherders I spoke with were in debt back home, ranging from \$1,000-\$5,000 U.S. dollars prior to their arrival in Colorado. All of the herders explained that the first year working was just them paying off the debt from the visa costs, and the subsequent two years were the most important for sending remittances back to their families. The application process for the herder can be time consuming and expensive. All of the herders that shared their testimonios were recommended by relatives or friends to apply for the H-2A visa to come to the United States. Whether it was a cousin, uncle or neighbor, each one had heard about and were referenced by word of mouth. After the initial



recommendation, the herders would travel from their hometown to the capital city to have a medical examination and interview at the U.S. Consulate. For César, Jaime, and Miguel, this was a multiple day trip- traveling across the country at their own expense. In fact, each of them had to take out loans just to be able to afford the travel costs to and from their home to Lima. For Jorge, it was a ten hour overnight bus ride to Santiago- a trip he had to take multiple times after they needed to interview him again after a mix up with the paperwork and criminal background check- all at his own expense. During the interview at the U.S. consulate, they ask the herders what their current occupation is, and what their prior experience has been working with sheep or cattle. Jaime shared with me the advice that he received from his cousin who referred him to the visa, *“There is a certain way you want to present yourself...they aren’t looking for someone who is too smart. You want to appear poor and simple, you’re just a herder, nothing more.”*

After the interview, they leave their passport at the consulate and will make the journey back home. There is a postal service which mails their passport back home to them after a few weeks or months, and will let them know if they successfully passed the interview, and to expect a phone call from the rancher with information on the flight and travel to the United States. The rancher, or a representative from the Western Range Association who speaks Spanish usually calls the herder and communicates to them what time and day their flight is leaving the airport (again, located in the capital city), to show up, and that their ticket will be waiting for them. The herders must go through this same process every time they want to reapply for the visa- whether it is every year (if the rancher does not renew the visa while they are in the United States) or every other year if they are renewed for another year and are able to stay longer. In the past, there have been herders who recommend other herders for the visa, and tell them that they must pay them directly or else they will not be able to obtain the visa. Jorge was recommended by a

former neighbor who told him that in order to be accepted into the guestworker program, he must pay him \$5,000 first. He was desperate for the position, and unknowingly took out a loan in the bank to wire him the money. He ended up paying an additional \$2,000 in travel and accommodation expenses to and from his hometown to Santiago, Chile after the multiple trips, and the trip to the airport. All in all, before landing in the United States he lamented that he had accrued \$7,000 in debt and was now forced to be working this herding job in order to try and pay off his debts. He described his hesitancy to complain about the work at all because of his dire financial situation.

Marketa explained how it is not uncommon for some herders to charge large sums of money to other potential applicants for the program, just to receive their recommendation. This is illegal, but there are very few, if any, repercussions for these actions. For some, it can become a cycle of trying to survive and scrap their way out of financial debt.

The H-2A contract stipulates that as long as the herder fulfills 50% of their contract, then they do not have to repay the flight back to the rancher. However, if for whatever reason they are unable to fulfill this commitment, then they are required to repay for the flight, and purchase their own flight back home. The herders I spoke with were all well aware of this reality, so they were determined to fulfill at least the first year of their contract for those reasons.

If the herder has any grievance, he may contact the Western Range Association directly by phone to file a complaint. According to the herders, in the past, there have been instances where they try to call the WRA, but no one takes their complaint seriously, and no substantial changes come about. If the herder has been in contact with Ignacio or Marketa from HAP, then they are able to contact them for assistance with any cases of abuse or grievances. Marketa has been able to connect them with lawyers from Colorado Legal Services. This has happened

dozens of times in the past 10 years she has been working with the organization. There have been multiple times where, depending on the circumstances, the lawyer may file for a human trafficking case and win a case in favor of the herder. This can only happen if the herder is able to own a cellphone, and has been in contact with the HAP office in Montrose. Marketa and Ignacio recognize that they can only reach so many of the herders, as they are spread wide and far apart in the Western Slope, and cover distances as far as Utah and Nevada and up to northern or central Wyoming with their herds.

Many herders relayed stories from the foreman of the rancher threatening various possibilities of either replacing the herders with cheaper labor sources from undocumented workers or simply bringing less herders over, doubling the flock size and work required of each herder- making their jobs even more strenuous, dangerous and stressful.

*“I did hear from him (the foreman) that there is more competition now for the next few years... I know I have to keep all the sheep healthy and protect them is so much more important now. They are making me compete for my spot, saying it's not sure that I will get to come back... I will not complain or say anything. I need to keep this job now more than ever. My family is using the money to put my kids through high school- so I must do whatever it takes.” -Miguel*

Miguel discussed how he feels even more powerless to complain or speak out about his own wellbeing to the foreman and the rancher. Some forms of power are more easily recognized as subordination, particularly those that are overt, too exacting, excessive in scope, demeaning, or that involve unethical conduct (Ellerman, 2017). As the herder recognizes these forms of subordination they recall they experienced anger, indignation, and depending on the individual situation, the intersectional forms of oppression that they experience could motivate them to act, or gradually discourage and disempower them. The recognizable subordination of these herders often takes the form of direct control. The rancher dictates what a worker must do by directing

the manner in which they work, the intensity or length of time they work, and their free time. Even though the herders may be isolated and independent from the ranch geographically for many months at a time, this lack of contact does not allow them to feel they can take a break. The work of these herders is often physically harder than that of other guestworkers; they pay the bodily toll for their freedom from employers' everyday control while they are in the fields and plains grazing the sheep. Yet, they also tell stories of recognizable subordination that comes from relying on supplies, water, shelter, food and communication (cell phones) from their employer where poor living conditions, restrictions, and deprivations serve to remind them of "their place." César, who has been employed by different ranchers, after being deported by one for complaining in the past, was hesitant at first to open up to me about his suffering, but after our initial visit, he called me on my phone and opened up to me about his working conditions without hesitation.

*"Honestly, during the winter months when I'm at the ranch, that is the worst for me. It is a 24-hour job watching all the animals, and my boss makes me work the night shift. I don't get any sleep, and once he didn't pay me for several months at a time because he thought I would take the money and leave. I wanted to tell him, you can't be doing this fucking stuff to me- I'm living with you. You're not paying me. Even machines get a rest."*

César recognizes that as an H-2A herder he is objectified much like a machine, and worked harder than one. He understands that his status as temporary foreign labor facilitates his exploitation. Ranchers may use deception as a deliberate tactic to take advantage of their guestworkers. If employers delay payment of monthly wages, these men must either continue working or quit (be deported) and give up on recovering their wages. The herders discussed how they must take into account factors such as their own agency, the employer's expectations, and their relationship with the employer. If they protest, they may not get paid, so it may become a question of deciding how much to tolerate. They may acquiesce because they are loath to create

conflict, or feel that they have no other choice. One herder commented, *“As long as he (the rancher) doesn’t act outrageously, I’ll deal with things as they come. Wherever you go to look for work, they are all like this ... As long as I can tolerate it, it’s ok.”*

Other forms of recognizable subordination, such as the deprivation of food, time off, sleep, privacy, wages, and dignity, reflect how ranchers view their herders. Some employers have been known to restrict the use of water, and the phone, or to forbid taking their allotted one month vacation time. Jorge, a herder from Chile with a middle school education, was working for a large corporately owned ranching operation, and traveling from pastures in Wyoming and Utah when we met in Northwestern Colorado near the border of the three states. He described to me the diet provided by his employers.

*“For breakfast I have instant coffee and tortillas. Then, I will drink water to keep me feeling satisfied and to prevent my lips from drying out too much in the wind. At noon I eat rice, in the afternoon I will have some canned beans or canned fruit- nothing fresh. I thought, my god, I’m over forty and if I keep eating like this and my health breaks down, what do I do? If my health breaks down, I can’t even earn one penny. You have to spend all your money seeing doctors. What type of person can take that? I just want to buy fruit and fresh foods with meat. Every day eating rice or dried tortillas and salted vegetables from the can- and just bread or tortilla for breakfast, and the money isn’t much either. Sometimes a foreman will bring me some fresh meat, but it’s very salty and I have no way to preserve it so if I don’t eat it quickly then it will attract cougars and get very bad for me.*

Daily meals, rather than being life-sustaining, demonstrated Jorge’s low status and maltreatment. It is not uncommon for herders to be denied foods like fresh meat, fresh fruit, vegetables, and dairy product because of the lack of refrigeration available in the camps. The sheepherders I spoke with relied on canned milk and canned fruit with occasional hardy vegetables such as potatoes, cabbage, onions or carrots. Deprivations and restrictions may be occasional, or they could be a daily practice approaching what Sandra Bartky calls a “ritual of subjugation.” These “rituals of subjugation,” put workers “in their place,” reminding them of

their subordinate position relative to their employers. Thus neoliberalism has consolidated neo-feudal relations of power, patronage and control.

One herder whom I interviewed, was unable to give me his cell phone number to follow up with me because the rancher purchased the phone for them and would track his calls and activity on the phone. He was terrified of being punished or deported for talking with me.

Workers who experience recognizable subordination often are aware that certain acts are discriminatory, injurious, exploitative, or unfair. An individual who does not recognize his subordination or how it affects him and others like him would not be motivated to resist. From the perspective of those who benefit from this subordination, it does not matter whether their subordinates are aware or even acutely conscious of their subordination, at least in terms of the results (compliance without resistance). They expect their guestworkers to act with deference, obedience, and without causing conflict, as though they were not conscious of their treatment. This expectation stems from the racist narratives of Mexican Braceros being docile, silent and complacent- making them exceptional farm workers (Kim, 2012).

Compliant and silent workers may appear to have internalized the perspectives and practices of the privileged, and to act against their own interests, but may in fact be upset, resentful, and angry. Discrimination against or “looking down on” guestworkers is based on their race, rural origins, poverty, low level of education, and occupation. It is often conveyed through critical and disparaging comments and tones, commands, and attempts to take advantage of them. Some workers believe that the cause of discriminatory and dehumanizing treatment arises from their personal relationship with a particular employer, and results from their different respective personalities and habits. Others perceive this treatment as a systematic practice aimed

at poor, rural, lower class migrant workers. Through his testimonio, a 41-year-old herder named Jaime, shared his thoughts on racial discrimination:

*“Some people don’t like you to use water, like for washing your clothes. I want to change my clothes because we sweat when we work, and especially with our jobs, we need to change frequently. They thought it was a waste of water and wouldn’t buy me enough or buy me a basin. I think this counts as discrimination, they see me as a dirty foreigner, who doesn’t deserve to get clean when he is working. There is also verbal discrimination, discrimination having to do with food, generally not letting you use water, monitoring you, not buying other items you ask for, and being overly suspicious of you. They may not maltreat you regarding your food, and they may not abuse you verbally, but there is always some discrimination, it’s just a matter of how deep or superficial ... If they yell at you, strike you, or make really pointed remarks, you can’t endure it; your self-respect can’t endure it.”*

When racism appears to be both common and commonly condoned, it can pressure the herder to comply as it takes a psychological toll. Discrimination whittles away at one’s sense of belonging, at the self that interacts with the public world, as well as at one’s inner self, dignity, and sense of humanity. It is an avenue for dehumanization; each time an individual is discriminated against, he is dehumanized. While the herders I interviewed seek to find value, respect, and appreciation through their work, many employers continue to control workers through routine bodily and psychological subordination.

However, while subordination itself and the recognition of its message may make individuals feel less than fully human, the silence that they feel they must keep also disempowers them. As Audre Lorde (2007) so eloquently inquires, “What are the words you do not yet have? What do you need to say? What are the tyrannies you swallow day by day and attempt to make your own, until you will sicken and die of them, still in silence?” Dehumanization can also harm one’s sense of self and agency. Also recognized in the literature as objectification, oppression, and recognitional domination, dehumanization can diminish one’s sense of power, belonging, and personhood (Nussbaum, 1995; Lukes, 2005; Haslam, 2006; Freire, 2007; Brock and Haslam,

2011). It exists in the perceptions of the person who subordinates others, often in the perceptions of the subordinated, and it is implicated with both recognizable and subtle forms of subordination. This dehumanization is part of a process that can facilitate compliance when it undermines self-confidence and self-respect and engenders a feeling of powerlessness. Dehumanization's psychological impact and its role in perpetuating inequality should not be underestimated. Miguel described a time when he was sick and subjected to a dehumanization that failed to recognize his humanity and individuality:

*"I got sick, and my employers were worried I'd not be able to do my job and that the sheep wouldn't be fed or taken care of. They didn't treat me well; they didn't let me go get any help or sleep anywhere outside of my campito...I understand they didn't want to get sick but I needed somewhere warm to go. In the early morning I would get up without food, and do my job taking the sheep to graze. Then they made me stay outside all day, even though I was sick and needed to sleep."*

To what degree did Miguel recognize his dehumanization? He realized that his employers failed to empathize with him when he was ill and was struck by the callousness of being relegated outside. Yet his recognition of his dehumanization was tempered by understanding their fear of contagion. Miguel also did not question being made to work while sick; perhaps he shared the expectation that guestworkers must work regardless of their health. Recognition of dehumanization often coexists with internalized expectations about how one should act, which is linked to one's oppressed or racialized identities. Dehumanization denies individuals their full equality and humanity; an exclusion which has the power to silence. Here Miguel succinctly captured an experience, shared by the other herders, as he remarked how his identity or recognitional domination can take more complex forms where the dominant group or nation, in control of the means of interpretation and communication, project their own experience and culture as the norm, rendering invisible the perspective of those they dominate, while simultaneously stereotyping them and marking them out as "other."



Ranchers are often members of the white, lower upper class, who treat guestworkers based on stereotypes about poor rural, uneducated Latino immigrants. However, according to Marketa, many of the ranchers will do their utmost to appear like they are poor to the herders- talking about the lack of money they have and financial troubles.

*“Many of the ranchers are 3rd or 4th generation, here near Montrose. They are the sons running the business. They are well off, they are not suffering at all. But they will lie to the herders and tell them they don't have enough money to pay them or this and that- so the herders get the idea that the ranchers are poor. They do this very strategically (personal communication, November 7, 2017).*

If workers even partially internalize their status as “other”, their power to speak out and assert their own identities, experiences, and expectations may be diminished. The herders’ testimonios express the disempowering and demeaning aspects of racism, which takes a psychological toll on how they view themselves. The act of staying silent and complying causes them to suffer as they accept or pretend to accept their diminished value. And they are further disempowered when they do not possess the resources or the perceived right to claim their dignity and act upon their interests as human beings. Rather, they act upon their economic interests by continuing to earn money for their families, but this is frequently antithetical to freedom from discrimination and exploitation. Each instance of subordination may be relatively minor, hence easier to endure at the time while intent upon earning a living. In the vast majority of the testimonios, there was not a focus on being able to stand up for themselves, and some of their anger and assertiveness had been worn down over time from their experiences as guestworkers.

Jaime recounted how he acted when he first arrived from Perú. Initially he felt indignant and became angry when called racist names such as “dirty Mexican” by several other local ranchers (not his boss) but over time he “learned to be thicker-skinned” (*poco sensible, que no se*

*ofende fácilmente*). Interestingly, he viewed this as a positive development. Since he believed he did not have the right to “stir up trouble” with his employers, Jaime effectively created a shell that numbed him to the racism he was being bombarded with everyday. To a significant degree, workers can come to view themselves and their work through the eyes of their employers. César suggested how he felt he was objectified as a worker:

*You know, when I first arrived I had many impulses or interests, but as I grew more accustomed to being alone, and having no one to relate to my suffering- I felt that I only existed when someone visited me..I lost a sense of control if that makes sense. I felt I was being used on a level like prison or something.”*

When I asked if this had to do with his Indigenous culture, language, and color of his skin he responded:

*“Yes, I think so- I know that in Perú they try to define us with the European Spanish (Castellano), how this is better than our own ways of speaking, and the language that is not of our people- they do the same thing here. Try to define me and use me by something that I am not.”*

He also went on explain, how he felt ashamed of speaking his language (Quechua) and prefers to speak Spanish whenever he can. According to Marketa, *“All of the shepherders in the Western Slope that I have ever met do have Indigenous backgrounds, but they feel a lot of shame around speaking their Indigenous language. They prefer to speak in Spanish, in fact that is all they speak almost all the time”* (personal communication, November 7, 2017).

Here, it is useful to remind the reader that testimonios serve as critical methodological move to push against the black-white (or in this case brown-white) binary which is rigidly applied ideologically and discursively, as a way to obscure lived reality (Bebout, 2016). As Bebout demonstrates in *Whiteness on the Border*, this strict application of “the brown-white binary elides the messiness and complexity of lived experience.” While whiteness may be

fashioned against a brown Other, Latin Americans may well participate in the system of exclusion. Latin America's history of anti-Indigenous attitudes is mirrored in Latin American colonial logic. The shame and exclusion that these Indigenous herders express is reflected in the caste system of their home countries. Here, they may be the brown, Spanish-speaking herder, but when they return home, similar patterns of oppression are reproduced; they are lumped into the category of *los indios* and discriminated against as such. Critically, through César's testimonio we reveal the ideological ground of Latin America's white supremacy, as well as that of the United States.

Some workers do understand that they are objectified and commodified by employers and others who view them not as individuals but in terms of their utility and labor. When they are seen as possessing minimal value, workers may similarly perceive their own value to be low. If a herder's value and worth are low, it makes sense that he would not believe that he is able to negotiate; instead, he accepts that he must work well and obey in order to get paid, "making do" from day to day. Power exercised over guestworkers is embedded in dominant norms, practices, and ideologies, and institutionalized in their labor relations (Ellerman, 2017). Subordination of H-2A shepherders is an everyday occurrence in large part because it is legitimized and enabled by common beliefs and practices vis-à-vis these herders, their low status in society, and racialized immigrant labor.

### **The Desirability of Guestworkers**

Huberto, the foreman for one of the ranches, told me how the ranchers openly will discuss the pros and cons of the undocumented worker versus the H-2A guestworker:

*"Those workers are here with one thing on their mind –work . . . They don't have vehicles. It's perfect for the boss. The Peruvian herders are treated more or less like prisoners and not like workers. They have to work 24 hours a day. The employers do not allow them to buy a car, a bicycle or any means of transport (pause). He [my boss] does*

*not like them [H-2A guestworkers], because it is a problem to hire them, plus you must be healthy, and my employer does not like so much trouble, so it is better he says if they are purely illegal (pause). It is not that they're bad, only that they come out expensive, pay insurance and all the requirements that they ask, and they are very demanding- the wetbacks are better, that is what he said.” - Huberto*

This form of controlling and subordination, deems the herder more desirable to the rancher simply because of their vulnerability and lack of power in controlling their surroundings. This desirability, linked to the ability to control and deport a flexible workforce, is apparent in the 2015 charges that were enacted against Cassaday Farms- an H-2A employer. The charges made against Cassaday Farms in southern New Jersey, were for unlawfully rejecting thirteen qualified Puerto Rican (U.S. citizen) workers who had applied for the job (Garcia-Colon, 2017). Cassaday Farms had shown preferential treatment to guestworkers in violation of the regulations of the H-2A visa program. Farms hiring workers through the H-2A program are required to recruit U.S. citizen workers first and offer the same wages and working conditions to U.S. workers as to H-2A workers. The farm had allegedly provided wages and working conditions less favorable to the Puerto Rican workers than guestworkers without maintaining all required records. The owners agreed to pay \$57,870 in civil penalties and \$117,130 in back wages in order to settle the charges (Forand, 2015). The Cassaday Farm case is one of many that demonstrate how employers' legal ability to deport a large segment of guestworkers and undocumented workers has rendered another segment (U.S. citizens) less desirable for agricultural work. Guestworkers and undocumented workers have become, what Cindy Hahamovitch (2003) calls “perfect immigrants” for an agrarian labor regime characterized by a low-wage, deportable, seasonal, mobile, and easily replaceable labor force.

Employers and ranchers benefit from this program in several ways. Financially, they do not have to pay Social Security, unemployment compensation, or workman's compensation

taxes. And there are management advantages: if the workers complain or cause ‘trouble’, employers can quickly return them to their native country. According to an early 1990s House Labor Standards subcommittee report, U.S. farmers prefer to use guestworkers even when other workers are available. For example, in the 1980’s thousands of immigrants arrived from Cuba, Haiti and other Caribbean nations. In addition, hundreds of thousands more arrived from Central America. The majority of these immigrants were unskilled and often from rural areas; seemingly this labor pool could provide farm operators with all of the inexpensive labor they could demand. Despite the developments in Caribbean migration, the House report clearly indicates that Florida farm operators consistently request workers from among the poorest British West Indian applicants. Clearly, employers see these latter workers as the ones most likely to endure long, hard hours without complaining about conditions- a workforce that is cheap, docile, and easy to control. The House report concluded, "foreign guestworkers who survive the rigors of a six-day week, five-month harvest season provide the growers with an elite corps of experienced sugar cane cutters that cannot strike, organize, or effectively protest” (Klein, 1983).

In this process, gatekeeping practices and the deportation regime shaped not only the categories of immigrants and citizens (or guestworkers versus undocumented) but also the colonial subjects who occupy an in-between space of racialized triangulation (Baldoz 2011; Hahamovitch, 2011; Lee, 2003). This thesis uses CRT’s theorization of differential racialization (Delgado & Stefanic, 2012) in conjunction with Maldonado’s (2006) terminology of racial triangulation, to analyze “the valuation and placement of racial groups in a field of racial positions relative to one another and along two axes: superior/inferior and insider/outsider” (p. 353). Labor forces are constructed in part by elaborating myths about the quality of work and productivity of one ethnicity against others (Griffith 1993, p.7). In the context of heated

immigration debates, "Latinos" are typically portrayed as uneducated, unskilled, and sometimes unassimilable migrants with persistently low earnings, few mobility prospects, limited English proficiency, and a low economic status relative to other immigrants (Rivera-Batiz, 2007; Huntington, 2004; Chavez, 2008). Notably, immigrant labor from developing countries is often constructed and rendered- symbolically and materially- as cheap and disposable through entrenched racial ideologies and through racialized everyday institutional practices (Maldonado, 2004). More specifically, the testimonio of Huberto revealed the valorization of both the undocumented Latino worker and the Indigenous guestworker relative to white workers.

In the following section, I will analyze the interview of one of the rancher's sons who was willing to be interviewed in English, unbeknownst to his father, the owner of the ranch. Robert, self-identified as a 19-year-old white male, works on the ranch full time, after graduating from high school recently. This interview was unusual in the sense that it took place in town, while I was looking for camping gear at an outdoor store, and I overheard Robert talking about his sheep and the problems he was having with some machinery. I introduced myself, showed him my business cards from school and I talked about my thesis work- he then happily agreed to be interviewed, as his father would never need to know.

Significantly Robert began by telling me about his own ideas of the distinctions between recent and settled immigrants. He consistently articulated a preference for recently-arrived immigrants, citing their good work ethic, lack of complaining, and a lack of shame in doing manual work.

*"Um, I've seen the work ethic deteriorate over the, over the last few years as I work more with the Hispanics. Um, people don't want to work as hard. They want more money. And they want shorter hours. They want weekends off. Um, I'm just seeing that gradually go that way. And, it's a simple excuse for it, is that they're becoming more American, actually. Uh, the Hispanic people traditionally are very hard, hard workers. And like, when I was a child, my dad starting hiring people. They worked hard, and they worked*

*hard and didn't complain, and, you know, just worked, from sunup to sundown. And uh - cuz' that's what they were used to. But now that most of the, of our workers, workforce is half-ass Americanized anymore- like illegals from Mexico-a lot of 'em are fully Americanized - um, they are becoming more lazy as far as the work ethic. Um, sure, we need to pay a fair price for, you know, fair wage for a fair job. Um, but just their attitude is changing."* -Robert

Robert claimed that the longer H-2A herders are in the United States, the more these virtues recede, thus effectively justifying and privileging the hiring of new or recent immigrants from Mexico, Central America and South America over settled workers from those areas. He argued that those workers who have become settled in the United States become "Americanized" and "lazy," do not want to work as hard, and want more money and time off. Robert also consistently identified economic need and "vulnerability" as the key factors influencing work ethic and worker quality, separating newly arrived Latino workers from settled Latino workers, and accounting for the former being the "ideal workers." Aside from typically being in great economic need, recently arrived immigrants often do not speak English, are unfamiliar with U.S. laws, and are more likely to live in fear of deportation. Thus, they lack cultural and political capital to dispute work conditions and wages, and to seek redress from ranchers in case of abuse. In the perception of most of the herders interviewed, along with Huberto the foreman, and Robert in the position of power as the rancher's son, these account for recent immigrants' strong work ethic; that is, for their willingness to work hard for little, without fussing.

In the post-Civil Rights Era, racial triangulation, like other racial phenomena, takes a highly coded form, often involving the use of seemingly non-racial language and the mobilization of essentialized notions of culture. That is, at the present historical juncture, the valorization of racial and ethnic groups and their placement in the field of racial position is most often articulated in the coded language of immutable cultural difference, rather than in the form of open claims about the racial superiority or inferiority of groups (Maldonado, 2016, p.357-

358.). The cultural arguments (such as language, immigrant status, or cultural knowledge) that were used to explain the discrimination and dehumanization felt by the herders in their testimonios were rooted in the racialized division of labor. Consider the statement made by Robert: “*The Hispanic people tend to be a hard-working group of people.*” This can be translated into- “their nature is to do manual, back-breaking labor.” This racially-coded language naturalizes and legitimizes the racialized division of labor- and in particular it is used to explain the overwhelming presence of Latinos in low-end jobs.

According to Maldonado (2006, 2004), the use of a racial triangulation framework allows us to move beyond a Black- white binary to examine, in its specificity and in relational terms, the racialized work experiences of Latinas/os, and the consequences of the dynamic positioning of Latina/o workers within the U.S. racial structure. We witness through these testimonios, the sheepherders conform to a racial imaginary in which Latina/os are regulated to servitude (Rodriguez, 2014). Different than the colonial image of the enslaved African who is forced to serve a single master, Latina/o servitude in these testimonios provides for the economic needs of an entire nation, “a constant yet invisible, ‘overflowing’ presence that lurks in every corner of the national service sector” (Rodriguez, 2014, p. 155). Likewise, a racial triangulation framework enables us to account for the heterogeneity that exists among Latinas/os, specifically, for the ways in which differences in citizenship, legal status, and degree of assimilation into U.S. society and culture have practical implications for the lived experiences and the conditions facing the Indigenous Chilean and Peruvian H-2A sheepherders in this thesis.

The everyday deployment of discourses and practices of racial triangulation by employers has important implications for workers, affecting, for example, what jobs they can and cannot enter, workplace mobility, and generally the conditions and experiences they face within



their workplaces. Likewise, racial triangulation has important political consequences for immigrant and guestworker labor, to the extent that it establishes a framework within which workers from different racial groups and (non)immigrants with different legal statuses and degrees of assimilation into U.S. culture are pitted against each other, as seen in Colorado since the recent wage increase. In sum, the enactment of racial triangulation, as an institutionalized set of discourses and everyday practices that are responsive to neoliberal capitalism and globalization, have serious implications for H-2A sheepherders in Colorado's Western slope. Acknowledging these implications of differential racialization and racial triangulation for herders becomes imperative as nonprofits, religious organizations, legal aid and other communities organize to adapt and respond to the presence of the Indigenous sheepherders within their work spaces. The building of successful alliances among racial groups is crucial for community building, but it necessitates an explicit analysis of how individual, institutional, and structural forms of racism affect community conditions and group experiences and relations. Such an analysis can help build a productive dialogue on effective strategies for community building, organizing, and policy reform of the H-2A program in a way that prioritizes racial justice and workers' rights.

## CHAPTER FIVE: CONCLUSION

This thesis finishes by reminding readers that decolonization does not fit into the demands and expectations of the Western, Eurocentric university. The work to decolonize is “alive and vibrant, being theorized and enacted in Indigenous communities around the globe through practices such as storytelling” (Sium & Ritskes, 2013, p. I). The following section will revisit the contested and political nature of testimonios and end by drawing upon the current political realities at the time of this writing in order to locate the intersections, contradictions, and layers upon which colonialism acts nowadays. When Mohanty (2003) asks us to theorize difference as “genuinely complex and contradictory rather than as commodified variations of Eurocentric themes” (p. 185), this is what this work does through testimonios, drawing on the different stories as poignant examples of “Indigenous story-as-theory to complicate and contextualize difference and decolonization” (Sium & Ritskes, 2013, p. V).

Focusing on the lived experiences of guestworkers is crucial because it garners significant public attention to scrutinize the value of guestworker programs. This focus on individual bad actors, however, has often resulted in a myopic, one-dimensional solution, centered on increasing the efficacy of enforcement rather than examining the underlying ideologies which created the program. By witnessing the racialization and dehumanization of these shepherders through their testimonios, this thesis is seeking to transform the basic fabric and hierarchies that allow systems of oppression to persist and operate efficiently. Certainly, the end of the Bracero program in 1965 was, in part, due to the growing recognition of the “slave-like” condition of Braceros. The counter-narratives and testimonios of the Bracero workers, were particularly timely during the Civil Rights Era, when the continuation of the program became a

moral issue. (Lee, 2015). Two decades later, however, it did not ultimately stop the creation of modern era guestworker programs. Pro-guestworker forces have been able to get these programs enacted, in part, by offering to strengthen protections for guestworkers to avoid repeating the mistakes of the Bracero program. Currently, strengthened regulatory protections for guest workers can appear ostensibly sufficient for addressing labor abuses. For instance, under the Obama administration the H-2A program underwent substantial changes to increase protections for guest workers. These included provisions to explicitly prohibit employers from engaging in human trafficking, including holding or confiscating workers' passports, visas or other immigration documents.

Increased regulation helps pro-guestworker forces argue that guestworker programs are viable, ethical programs in need of expansion. They are regulating against the few “bad apples” who engage in unlawful labor practices, whilst the majority of them follow the law and are helping the guestworkers in their attempt to secure a portion of the American dream. Moving beyond the response of regulatory revisions, utilizing counternarratives and testimonios has the potential to tip the scales against these programs. Powerful employers in agribusiness have capitalized on the phenomena of U.S. worker shortages and highly suitable guest workers created by law. In turn, the dominant narratives surrounding the H-2A program mask the reality and further justify its continued existence and expansion. Despite the abuses of guestworkers, those in opposition to the program must continually fight against the proposed expansion of such programs.

To illustrate this point, on October 23, 2017, Representative Robert Goodlatte (R-VA), chairman of the House Judiciary Committee, and one of the biggest proponents of reforming the H-2A program, introduced a new bill, which narrowly cleared the committee, and would

overhaul the current guestworker program and replace it with a new H-2C visa for bringing in foreign agricultural workers to the United States. In contrast to the current H-2A visa, the new program, called the Agricultural Guestworker Act, would cap the number of visas at 450,000 a year, and allow workers to be able to stay year-round, while eliminating the requirement that employers provide free housing and transportation (House of Representatives, Goodlatte, 2017). The bill, though widely supported by industry groups, has been contentious for both Republicans and Democrats. Immigrant advocacy groups say it would gut protections for workers, substantially lower wages for migrants, and expose even more workers to exploitation. The issue has been especially divisive for Republicans, who disagree over whether more immigrants should be brought into the country for jobs.

This push for expansion also conveniently overlaps with the concern about unauthorized migration. For instance, in March 2015, at a Senate Homeland Security and Governmental Affairs Committee hearing, a number of speakers focused on the need to expand a “low skill” guestworker program in order to address unauthorized migration. As Madeline Zavodny, of the American Enterprise Institute testified, “The United States should try to channel immigration into legal streams” through guestworker programs, given “that employer demand for foreign labor is strong... and that the supply of potential immigrants is enormous (114th Congressional Hearing Records, 2015). This hearing echoes the sentiments of pro-guestworker forces who believe that the concept “brings us closer to solving the immigration puzzle” by “reap[ing] significant returns on reducing illegal immigration and improv[ing] the economy” (LaCorte, 2015). In practice, however, guestworker programs have not reduced unauthorized migration. Yet the push there is a substantial push to limit immigration. Conservative lawmakers increasingly argue that the United States has “failed to send a clear message . . . that you can

only come to the United States lawfully” (114th Congressional Hearing Records, 2015). For the U.S. Chamber of Commerce, it is evidently “clear as a matter of logic that legal temporary worker programs for lesser-skilled workers would enhance U.S. security and border control” (Congressional Hearing, Securing the Border, Statement of Randel Johnson).

Further, guestworker programs appeal to the nativist, racist, xenophobic sentiment against the permanent immigration of certain populations. Given the increasingly vocal anti-immigrant movement, guestworker programs resonate because they avoid the complications presented by immigrant assimilation while achieving greater border security. As guestworkers only seek to offer their “machine-body” for work and otherwise come temporarily without need to assimilate, it remains an attractive option for those that seek to reject the permanent immigration of low-wage workers. The dominant narrative of the guestworkers who stay temporarily underlines their orderly “importation” and “exportation,” which aligns with those who advocate restrictive immigration policies.

State practices and policies such as the H-2A program operate through the fault-lines of social inequalities, seeking to discipline workers and to facilitate their admission into relations of labor in a way that also obscures historical and socially embedded inequities formed in labor and production regimes. This thesis underscored the imperative of mapping the overlapping of advanced capitalist and post-colonial state practices to locate the history of asymmetrical relations in global divisions of labor and in disciplining workers. Based on both the literature in this area of work, and in the testimonios of the herders, I claim that neoliberalism’s creation of contemporary racialized labor structures in the H-2A program has been reinstating certain principal elements of the relations embedded within former colonial processes of surplus

accumulation. Thus neoliberalism has consolidated neo-feudal relations of power, patronage, and control.

Increasingly Immigrants (or nonimmigrants) of Color, such as Miguel, César, Jorge, Humberto, and Jaime, are being incorporated into the economy, through the help of the state's racialized and gendered immigration laws, as inexpensive, flexible, disposable labor. This historicization of U.S. immigration law provides a way to understand how the state has been complicit with capitalist needs in constructing a flexible pool of disenfranchised workers from multiple Global South countries. Guestworker labor in the U.S. continues to be defined by the racialization of immigration as a process that has relied on gender in a fundamental way.

The use of an intersectional framework allows us to move beyond a Black- white binary to examine, in its specificity and in relational terms, the racialized work experiences of Latinas/os, and the consequences of the dynamic positioning of Latina/o workers within the U.S. racial structure. Likewise, the intersectional framework in this thesis enables us to account for the heterogeneity that exists among Latinas/os, specifically, for the ways in which differences in citizenship, legal status, and degree of assimilation into U.S. society and culture have practical implications for the lived experiences and the conditions facing Latina/o guestworkers.

As the rancher controls nearly every aspect of the herder's life and working conditions, this solidifies the line between employer and employee, and further reifies the troubling and corrosive inequality between "host" and "guestworker." The dissonance and (lack of) agency in each one of the testimonios, shows their relegation to second-class citizenship status, as well as their own creative forms of resistance. Testimonios as a methodology and centerpiece for this thesis, is a way of reclaiming the Indigenous voice, the Indigenous ways of herding, knowing and being. These are vital to decolonization as each testimonio in this thesis served as a creative

resistance, grounded in spirituality, ancestral knowledges, and relationality. Said (1993) claims that “Decolonization is a very complex battle over the course of different political destinies, different histories and geographies, and it is replete with works of the imagination, scholarship and counter-scholarship.” This work bridges these divisions, revealing testimonios as knowledge production, engaging in creative scholarship that works to counter colonial ways of knowing. I wish to conclude by asking the reader of this thesis, what role is it that you bear in witnessing these testimonios? This question of responsibility is an important tenet of a spiritualized, feminist transformative practice (Fernandes, 2002). Accountability is an important aspect of testimonios, and as the writer of this thesis, I feel a deep sense of intellectual and spiritual responsibility to the audience I speak to. What kinds of responsibilities might we have together, to witness these stories of pain, healing, and transformation? These questions are only a starting point, but one of important entry. May I suggest, that we engage in these testimonios from a place of honesty and openness that they flow from? Let them marinate a while, take time to process these words, maybe sit with a cup of tea. Because, for the Indigenous shepherders in this thesis, their own testimonios were an open-ended cycle of speaking reclamation and resurgence, dialogue and contestation. Finally, the bearing witness to the testimonios in this thesis was an act of ceremony which seeks to undo and re-imagine. “This undoing of the colonial by the act of ceremony is a decolonizing act” (Iseke, 2013, p.48). My final hope for readers is that this thesis goes beyond the moment of reading, and goes beyond an intellectual or mental response, to challenge your own heart and feet to action.

As Motomura (2013) argues in his criticism of guestworker programs in the United States, “inequality is inherent in any system that assumes that workers are temporary” (p. 281). Their testimonios reveal the contention between the receiving country’s expectations and

workers' aspirations, recalling the philosopher Max Frisch on the German guestworker experience: "We asked for workers, but people came" (Surak, 2013).

Over a century ago, Max Weber wrote about the propensity to visualize guestworkers and seasonal laborers as with 'inferior physical and intellectual standards of living' (The Nation State and Economic Policy, 1994). A century later, the fundamental issues he raised, employer preferences for temporary migrant workers as cheap and exploitable labor, and fears about foreigners degrading the nation, are most prevalent (Surak, 2013). We need to redress the mistakes made in the past that have continued to the present by acknowledging that migrant workers on temporary visa arrangements are more than simply a convenient and accessible resource drawn on to address labor shortages (Groutsis and Venturas, 2016).

Lastly, the ubiquity of such programs in the United States has provoked little analysis that is interdisciplinary. Critical analysis of the H-2A visa program has been limited and constrained within each scholarly field so far. Using this framework which identifies the intersectionality of race, gender, and class, the nuanced Global South-North economic theories and neoliberal conditionalities that precede the guestworkers context in labor migration clear the path for this thesis. It is necessary to consider these histories and concepts together, particularly within Western academia since there is little scholarship that has accomplished this. It is important to continue to explore the purpose of the guestworker program in the current context of historical capitalist economic restructuring.

By witnessing the Indigenous shepherd's voices of collective pain, suffering and resistance, to speak of them and listen- is then to heal. To believe in these testimonios, is to reimagine the world. A kind of embodied reciprocity exists between people and their stories (Sium & Ritskes, 2013, p. III). Nigerian activist and writer Ben Okri says that "people are as



healthy and confident as the stories they tell themselves. Sick storytellers can make their nation's sick. And sick nations make for sick storytellers” (Okri in Parkinson, 2009, p. 31). Contrary to the Western, liberal notion that stories are depoliticized acts of sharing, we must recognize that these testimonios are acts of creative, agentic rebellion for the shepherd. Decolonizing the very act of sharing stories, or testimonios, means breaking from these notions of stories as a kind of multicultural ‘show and tell’. This means destructing the false binary that is speaking and acting. Testimonios work to both deconstruct colonial ways of thinking, as well as construct alternatives- recognizing that these two processes do not happen in a linear trajectory. If we are waiting for the dismantling of colonial structures before we focus on rebuilding Indigenous and decolonial alternatives within academia, we will forever be too late.

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