

Bodies and Borders: Migrant Women Farmworkers and the Struggle for Sexual and Reproductive Justice in British Columbia, Canada

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ABSTRACT: In 2016, nearly 7,000 Mexican men and women arrived in BC under the federally-administered Seasonal Agricultural Worker Program (SAWP). While all farmworkers face similar workplace hazards, women farmworkers face unique barriers to their reproductive health and wellbeing such as intense surveillance, sexual harassment, and unwanted pregnancies. The reproductive health of women in the SAWP is under-researched. Even less is known about women's experiences in the interior of British Columbia. Based on insights gained in the field and through community-based research and advocacy efforts, this paper outlines what is currently known about women SAWP workers' struggles to attain full reproductive justice. We discuss the unique factors that affect the reproductive health and sexual experiences of SAWP workers in particular. Ultimately, we argue that women SAWP workers face disproportionate barriers when accessing reproductive healthcare and that their sexual behaviour is

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heavily controlled through a variety of legal and extra-legal mechanisms. We conclude with a discussion on how migrant women creatively resist restrictions imposed upon them, and we make recommendations aimed at improving the experiences of women SAWP workers attempting to achieve reproductive justice in BC.

KEYWORDS: Migrant Women, Reproductive Justice; British Columbia; Seasonal Agricultural Worker Program

Introduction

Camila is a mother of two from Baja California who works in Canada as a temporary migrant farmworker. She became a widow in her 30s when her husband died of a heart attack. During the summer of 2015 while working in British Columbia, Camila became pregnant and did not wish to continue with the pregnancy. She considered booking a surgical abortion at a clinic run by the regional health authority, yet due to her lack of knowledge of English, lack of access to transportation, and the \$500 out of pocket expense she would incur for the service, she judged it to be too difficult. She also feared that her employer would find out and repatriate her to Mexico. Instead, Camila had a relative in Mexico courier her a medical abortion pill which she administered to herself. Unfortunately, complications arose several days later and she was transported to the hospital in an ambulance. Camila had experienced an incomplete abortion and required emergency surgical intervention to complete the process.

Camila's story, an anonymized vignette representing the experiences of several women, illustrates some of the barriers faced by female migrant farmworkers trying to access full sexual and reproductive justice in Canada. The barriers faced by "Camila" are not unique to her, but rather are created by the structure of the Seasonal Agricultural Worker Program (SAWP), a temporary migration scheme under which thousands of foreign farmworkers come to Canada each year. We contend that these barriers create a situation of reproductive oppression in which migrant women find themselves unable to make free choices about their own bodies and sexuality. A reproductive justice framework is useful in understanding this particular context as it allows us to focus not simply on each individual's autonomy over her body, but rather how the social inequities and other factors in a woman's community undermine

opportunities to ensure reproductive, sexual, and bodily self-determination. For migrant agricultural workers like Camila, these conditions include precarious legal status, poverty, lack of access to primary care services, limited knowledge of the health care system, and workplace insecurity. Despite the larger body of work on reproductive justice among migrant agricultural workers in the USA, very limited scholarship has considered reproductive justice as it is uniquely negotiated by migrant agricultural women in Canada, particularly under the SAWP. Further, even within Canada, each province and region brings unique challenges and histories that require a closer examination in order to understand the particular factors undermining reproductive justice.

In this paper we explore the layers of institutionalized and systemic restrictions that threaten the reproductive justice of female migrant farmworkers working in the Okanagan Valley region of British Columbia under the SAWP (see figure 1). We argue that women's access to full sexual and reproductive justice is restricted by state-level policies and practices, employer coercion and control, and circumstances related to the structure of the SAWP. Despite these restrictions, however, women are involved in various acts of resistance that range from covert or 'everyday' strategies to more overt ones, which when considered together represent an ongoing movement for public advocacy and solidarity. Our discussion is informed by our experiences as community organizers witnessing and responding to migrant women's experiences; prior academic research with migrant agricultural women and; analyses of existing literature on reproductive justice and migrant agricultural women's experiences.

We begin by providing an overview of Canada's temporary migration program for agricultural workers, focusing particularly on how the structure of the program creates a highly vulnerable group of workers with little access to social services, labour rights, or health care. We then review the literature on reproductive justice, especially where it intersects with farmworkers. The bulk of our discussion aims to elucidate the forms of reproductive oppression faced by Mexican women who come to British Columbia under the SAWP as well as the creative ways these women push back against that oppression. We finish with a discussion about how governments, health care providers, and scholars and activists can support migrants in their struggle for full reproductive justice.



Figure 1. Map of British Columbia and the Okanagan Valley. <https://data.gov.bc.ca/>

Methodology

Our discussion is informed by three complementary activities and overlapping approaches. First, we are active members of a collective operating in the Okanagan region since 2013 called Radical Action with Migrants in Agriculture (RAMA). In this role, we respond to workplace, health, and safety concerns as requested by migrant workers. We also support workers who suffer

physical or sexual harassment, workplace discrimination or exploitation, and social isolation. Much of this work is carried out through one-on-one casework in which we observe many barriers women face in accessing reproductive health care. Our community organizing also entails planning cultural events and recreational activities that provide opportunities to build linkages between migrant workers and permanent residents. These outreach activities often create an environment of trust that can result in disclosure of personal information, such as challenges faced in reproductive health by migrant women.

Second, each of us has conducted prior academic research with migrant workers in the Okanagan Valley. Cohen's ethnographic research, initiated in 2013, has involved 14 participants in predominantly one-on-one interviews. The focus of her research has been to examine strategies for resistance that migrant men and women employ in their day to day lives. Caxaj's narrative research was carried out from 2014 - 2016 with 12 migrant farmworkers in the South Okanagan. She used a combination of focus groups and one-on-one interviews to examine migrant farmworkers' experiences of belonging and wellbeing. Recruitment in both studies involved purposive snowball sampling in order to emphasize key incidents and priority areas identified by migrant workers, and, to build a network of trust and accountability in building a program of research in this area. Emerging from the interviews, we were able to focus on an additional aim: *to examine migrant agricultural worker women's experiences of reproductive health and justice*. Our analysis was guided by a postcolonial feminist understanding of women migrant farmworkers' experiences that emphasizes the compounding role of migration, gender, culture, race, and class in uniquely shaping these individuals' ability to access reproductive justice (Braun, 2012; Ferguson and McNally, 2015). Over several months, we worked together to contrast stories, identify patterns, and consider the fit of several concepts with our emerging themes using a process of writing as inquiry as outlined by Richardson and St. Pierre (2005).

Our analysis was further developed by drawing on key literature focused on reproductive justice in agriculture. Due to a paucity of literature emerging from Canada and British Columbia in particular we included empirical and theoretical literature from both Canada and the United States. While our key focus is on the BC context, particularly in the Okanagan valley, we see striking parallels with both out-of-province and out-of-country settings. Our assumption is that such parallels can help emphasize overarching principles

of precarity and vulnerability that are at play in limited or no-status migrant agricultural work at the international level. At the national level, these commonalities speak to the consistent marginalization that is enabled through the federally administered SAWP. Yet while accounting for these similarities, the Okanagan region merits unique consideration because it lacks a history of union and community organizing that has been documented in different regions of Canada (Flecker, 2011). Further, the historically conservative, Christian and white normative history of the region also present unique challenges for reproductive justice for migrant women farmworkers. Advertised widely as ‘wine country,’ and more recently, as a new frontier for tech entrepreneurs, this region has uniquely hidden migrant agricultural workers from mainstream public discourses (Hjalmarson, Bunn, Cohen, Terbasket, and Gahman, 2015). This analysis may thus have applicability for other regions in Canada and the USA with similar local contexts.

Background

Canada’s Seasonal Agricultural Worker Program (SAWP): The SAWP is the main agricultural stream of Canada’s Temporary Foreign Worker Program (TFWP) and is co-managed by the Canadian Federal Government and the governments of Mexico and 11 Caribbean nations. In 2016, approximately 40,000 SAWP workers came to Canada, the majority to farms in southern Ontario (Employment and Social Development Canada, 2016). British Columbia, a late joiner of the SAWP, received over 7,500 workers in 2016, approximately half destined for the Okanagan Valley, and the other half for the Fraser Valley. The vast majority of SAWP workers destined for BC (and the rest of Canada) are men, with women traditionally making up only about 2% of the total number. However, the number of women participants in the SAWP is rising. Largely due to efforts by the United Food and Commercial Workers to eliminate gender discrimination in the hiring of SAWP workers, in 2016 a landmark agreement was reached with the Mexican government that would eliminate the ability of Canadian growers to request SAWP workers of a particular gender (UFCW, 2016). This seems to have had a small effect on the number of women arriving in BC under the program. Hugo Velazquez, a representative of the Mexican Consulate in Vancouver told the authors that of the Mexican SAWP workers who arrived in BC in 2016, 4% were women (H. Velazquez, personal interview, April 2017).

Canada’s SAWP has been hailed as a global model for managed

migration schemes, and other countries have attempted to emulate it. Despite this reputation, the program has been heavily criticized by scholars who have documented the problems with the program from the perspective of the workers, specifically that it creates a vulnerable and temporary labour force with little or no access to permanent status (Basok, 2004, 2007; Basok, Belanger, and Rivas, 2014; Hannon, Baudar, and Shields, 2016; Hari, 2014; Lenard and Straele, 2012; Lenard, 2012; Nakache and Kinoshita, 2010; Reed, 2008; Goldring, Berinstein, and Bernhard, 2009; McLaughlin and Hennebry, 2013; Paz Ramirez, 2013; Hennebry and Preibisch, 2012; Preibisch, 2012). Despite a decade of study documenting the exploitative nature of the SAWP, few changes have been made to this program.

The SAWP is a “circular migration” program, whereby workers are transported to and from their home countries each year, working a maximum of eight months in Canada, many returning each year for decades. Many men and women of the SAWP spend more time in Canada than their countries of origin each year, yet they are not permitted to remain in Canada nor are their families allowed to accompany them during their work contract. Participants in the SAWP, free from all familial and community ties, are highly desirable as ‘dependable’, ‘flexible’, hard-working labourers, but are considered undesirable as permanent residents of Canada (Faraday, 2012; Hennebry, 2012).

The SAWP provides no dedicated pathways to permanent status such as exist for participants of other Temporary Foreign Worker Programs, such as the Live-in Caregiver Program (Faraday, 2012; Hannon, Baudar, and Shields, 2016). The only pathway theoretically open to them is the Provincial Nominee Program, however it favours high-skilled workers in very narrow fields of employment that by definition excludes farm labour which is considered low-skilled and temporary (Nakache and Kinoshita, 2010). Further, SAWP visas, valid for no greater than 8 months, fall short of the minimum of 9 months a worker must have resided continuously in Canada in order to be eligible for consideration for residency under the Provincial Nominee Program (Government of Canada, 2015).

Work permits are tied to SAWP-approved employers and worker-initiated transfers are difficult to secure, making migrants essentially bonded laborers. Further, they are obliged to live in employer-provided housing which almost always means on-farm. This proximity makes workers especially vulnerable to employer surveillance and monitoring, and makes it difficult to refuse overtime and after hour tasks assigned by employers (Horgan and

Liinamaa, 2016; Andre, 1990). SAWP workers are requested by their employers each year by name, creating a situations where workers are pitted against each other in order to demonstrate to their boss that they deserve continued employment. Further, SAWP contracts give unilateral power to the employer to terminate a worker's employment for any reason, and without the opportunity for appeal by the worker. Fear of deportation or removal from the program discourages workers from rejecting unsafe or unreasonable work conditions, and further, may prevent them from seeking help for injuries or health challenges. This fear is substantiated by prior research that found that 787 workers were medically repatriated from 2001 to 2011 in Ontario alone (Orkin, Lay, McLaughlin, Schwandt, and Cole, 2014).

Other issues documented by scholars include workers' limited access to health care and other social services (McLaughlin, 2009, 2010; Faraday, 2012; Barnes, 2013), poor housing conditions (Aguiar, Tomic, and Trumper, 2011; Tomic, Trumper, and Aguiar, 2008), and difficulty rejecting unsafe work environments (Barnes, 2013; Fudge and McFail, 2009). Program advocates state that SAWP workers have the same employment protections as Canadian workers, but these protections are worthless unless inspections and enforcement of program rules, and protections for workers who complain are in place, which unfortunately they are not. Underreporting of injuries and occupational health and safety concerns are exacerbated by a lack of clear guidelines to define safety conditions in farm work as well as limited oversight and enforcement to curb poor employment standards (Aversa, 2015; McLaughlin, Hennebry, and Haines, 2014).

In addition to the legal restrictions imposed upon workers by the structure of the program, there are a number of extra-legal practices that farm owners may employ that further contribute to a climate of coercion. These practices include confiscation of passports, overt and covert surveillance, and the imposition of curfews, no visitor policies, and no drinking policies (Horgan and Liinamaa, 2012, 2016; Encalada Grez, 2006; McLaughlin, 2009). Together, the policies of the SAWP, and these extra-legal farm rules serve to divide Canada's work force into a two-tiered hierarchy of laborers —citizen workers and migrant workers.

In British Columbia, Fairey and colleagues' (2008) report on migrant farmworkers highlighted some key trends in the region that necessitate further study of the BC context. For instance, they found that regulatory mechanisms to maintain employment standards have significantly declined in the agricultural

sector, providing limited pathways to ensure the health and safety of farmworkers. Averaging 60 to 70 hours of work a week during peak season, while often residing in unsafe and overcrowded living conditions with precarious and limited transportation, workers in BC are at increased risk for injury and exploitation. Because workers lack many benefits (e.g. overtime, vacation), are paid minimum wage, and have limited access to health care services, they are incentivized to disregard their health to secure modest earnings. Most significantly, migrant workers in BC are reluctant to report any workplace concerns or even injuries for fear that it will impact their employment status (Fairey et. al, 2008). These challenges have a direct impact on migrant women's ability to seek reproductive justice.

Reproductive Justice and Migrant Farmworkers. To understand the struggles of migrant women for reproductive and sexual autonomy, we use the reproductive justice framework first articulated by feminist activists of color in the US in the 1990s (Galarneau, 2013). Reproductive justice utilizes a human rights framework to analyze how the ability of any woman to determine her own reproductive destiny is linked directly to conditions in her community. In other words, a woman's ability to achieve full reproductive justice is not just a matter of individual choice and legal rights but is also impacted by social, political, and economic factors (Galarneau, 2013). Reproductive justice is also impacted by factors such as a woman's race, class, gender, (dis)ability, sexuality, age, and immigration status (Asian Communities for Reproductive Justice, 2005). We find this framework particularly useful as it moves the discussion beyond abortion and sexual freedom, and makes demands on all levels of government to ensure women's options for making choices are safe, affordable, and accessible (Ross, n.d.).

In British Columbia, female migrant workers' reproductive justice is impacted by intersecting factors such as labour precariousness, lack of full citizenship status, stark power imbalances between employers and workers, and linguistic, geographic, and social factors. While relevant to our area of study, prior literature on reproductive justice among migrant agricultural women must be considered cautiously as it has predominantly emerged from the United States.

Galarneau (2013) identified three key areas that negatively impact the reproductive justice of migrant agricultural women: (1) labour and occupational conditions; (2) health care and; (3) social relations. Labour and occupational challenges include the normalization of agricultural work as inherently

hazardous and the lack of environmental protections that often result in pesticide exposure. In addition, incidents of sexual abuse and physical and sexual harassment often go unreported due to fear of punitive action by employers or state agents. Health care challenges are characterized by limited accessibility and scope of services available to migrant agricultural women (Galarneau, 2013). In fact, Mexican farmworkers in the USA are at increased risk of reproductive health care issues and infant mortality rates (Castaneda and Zavella, 2003). Migrant agricultural women in Canada under the SAWP similarly report difficulties accessing preventative sexual health services and prenatal care (McLaughlin, 2009). Due to their long work hours, linguistic barriers, and social and geographic isolation, workers often have no community supports. Social stigma and racism also exacerbate workers' ability to navigate public services (Walia, 2010). All of these factors interlock to create a system of sexual and reproductive oppression including material conditions, migration status, and socio-cultural ideas about migrant women and their sexuality.

While limited research has focused on the gendered experiences of migrant agricultural women, including reproductive oppression, even less research has considered their unique acts of resistance or organizing role in pursuit of reproductive justice. Historical examples of women labour organizers have received much less attention than their male counterparts. These selective historical accounts not only obfuscate women's leadership in labour movements, but also perpetuate the notion of migrant agricultural women as passive and powerless victims (Budech, 2014). Further, many migrant agricultural women balance multiple roles such as workers, daughters, wives, mothers, and in some cases, activists contributing to labour organizing (Zavella, 2016; Preibisch and Encalada Grez, 2010). It is thus necessary to broaden our understanding of resistance to encompass the variety of work that migrant agricultural women engage in when seeking reproductive justice. In her research with Mexican migrant agricultural women in California, Budech (2014, 92) found that women were active 'agents of social change', creating awareness of structural violence enacted against women of colour and building spaces for female farmworkers to exchange experiences and grow a sense of solidarity.

Gendered Challenges Faced by Female SAWP Workers. While much literature has focused on SAWP workers and their health and healthcare access, very little has examined the gendered experiences of female SAWP participants. Narushima and Sanchez (2014, 8) examine migrant farmworker health from the perspective of employers who hire SAWP workers. They found that "regardless

of the degree of appreciation for their workers, what was common among employers was the thin line dividing their sense of responsibility or care and their sense of management of MFWs' personal lives." For example, all employer participants in the study had farm rules such as curfews, no visitor policies, and inspections of accommodations, clearly attempts at regulating the behaviour of employees in their free time. However, employers scoffed at the suggestion that it would be valuable to offer education on sexual health and an orientation to health services in Canada. Ultimately, employer attitudes and restrictive farm rules can pose real barriers to migrant farmworkers attempting to access reproductive and sexual health education or services. Further, Narushima and Sanchez's work shows that restricted sexual freedom has become normalized as a reality of migrant agricultural work in Canada.



Figure 2. SAWP worker in a cherry packing plant. Photo by Elise Hjalmarson

McLaughlin (2010) includes 'gender issues' as one of the major social determinants of health for migrant farmworkers in Canada. Like in the US, factors uniquely impacting female farmworkers include sexual harassment and pressure to enter into intimate relationships, chemical exposure affecting menstrual cycles and reproductive systems, and vulnerability to STIs. Other gendered challenges identified by McLaughlin and others include unwanted

pregnancies, the inability to seek prenatal care, and mental and emotional strain related to long periods of family separation (McLaughlin, 2010). Encalada Grez (2011) echoes many of McLaughlin's points, but adds that female SAWP workers are more vulnerable to restrictive house rules and punitive measures at the hands of employers and also deal with the burden of unrealistic gendered expectations revolving around being good mothers and wives. Further, Encalada Grez points out that as there are many fewer SAWP positions for women, female migrants face greater competition to maintain their spot, a factor that serves to pit women workers against each other. Employers may be motivated to maintain this conflictive climate if it results in greater productivity.

In 2013, Ontario HIV Treatment Network (2013) released a report on migrant farmworkers and sexual health. Like prior literature, this report points to social isolation and separation from family as being a factor that increased migrant farmworkers' vulnerability to engaging in high risk sexual encounters. The authors also identify cultural values, beliefs, and customs as factors that may lead to misconceptions about risk and sexuality. In sum, this report demonstrates that migrant farmworkers are at heightened risk for contracting and treating STIs due to their precariousness and lack of mobility. Other Canadian studies documenting the challenges of Latina immigrants reveal some cross-cutting challenges relevant to temporary migrant agricultural women. Perhaps most relevant was a study by Ochoa and Sampalis (2014) that examined Latin American immigrant women's experiences with sexual health and healthcare. The researchers conducted in-depth interviews with women living in Quebec, and found that migratory status, language barriers, lack of social support, and difficulty accessing health care pose a risk to Latina immigrant women's sexual health.

Female SAWP Workers and Reproductive Oppression in the Okanagan

Pre-Departure Control: Gendered oppression takes both subtle and not-so-subtle forms and occurs both in Mexico and once women SAWP workers arrive in British Columbia (BC), Canada. In most overt fashion, women have faced gender discrimination since the inception of the SAWP. Canadian growers have long been able to request SAWP workers based on their gender, despite the fact that this practice is in contravention of provincial, federal, and international human rights laws³. Due to deeply held gendered stereotypes, SAWP women

³ In 2014, the United Food and Commercial Workers Canada filed complaints with the

often are assigned to work in packing houses or in greenhouses rather than in the fields or orchards. Given that the fruit packing season is much shorter than the general agricultural season, women's stays in Canada are on average shorter than men's. Informal conversations with employers have signaled to us that female migrant workers may be regarded as being apolitical or unlikely to protest working or living conditions, and therefore have been preferred employees on some farms.

In formal interviews and informal conversations, female SAWP participants have told us that Ministry of Labour officials in their home states or in Mexico City actively articulate the expectation that women maintain abstinence while in Canada. Women who are believed to be sexually active may be humiliated or chastised. One woman from Tlaxcala, in central Mexico reported that the Ministry of Labour officials told her: "*Van a Canadá a trabajar, no a andar de putas*" (You're going to Canada to work, not to act like whores). Other women have confirmed being told similar things. As this quote highlights, women are discouraged, in no uncertain terms, from engaging in romantic or intimate relationships while in Canada. Several women we spoke with reported that their suitcases were checked to ensure they were not taking contraception with them. As prior research illustrates, these are not isolated cases of harassment; rather, they reflect institutionalized gendered practices that uniquely police women's sexuality. In fact, others have documented that some SAWP-participating countries require women to sign contracts promising not to engage in intimate relations while in Canada (Encalada Grez, 2011).

One of the most common mechanisms of control utilized by the Mexican Ministry of Labour officials and the representatives of the Mexican government in Canada is to stress to women how tenuous their employment is and how there are thousands of other Mexican workers waiting for a chance to enter the program. Sandra, a farmworker from Chihuahua explains how this coercion works:

"It is the first thing they tell you here at the Ministry. That they don't want problems, that we are going to Canada to work, not

Human Rights Commissions in BC, Ontario, and Quebec, arguing that this aspect of the SAWP violated provincial, federal, and international laws. In 2015, the Mexican Ministry of Labour announced that they will no longer be recruiting based on gender and they have given growers 5 years to adapt to this new policy (UFCW, 2016).

cause problems. And we know that if we want to demand our rights, what they do is kick us out of the program. So most of the time we don't say anything about what happens to us. We bear it, mostly for our families.”

A similar tactic is utilized by consular officials in Canada and employers. Many workers report being threatened with being sent home if they don't work more quickly, or if they complain or demand their rights. The fear of deportation is a very effective strategy for minimizing complaints and ensuring compliant and productive workers. And, as Basok, Belanger, and Rivas (2014) have shown, very few migrants actually have to be deported each year for these mechanisms to be effective – the potential of deportation is sufficient to ensure migrant workers, legally employed in Canada, feel disposable and remain compliant. It is likely that this strategy is more effective among the women SAWP workers due to the very small number of positions open for female workers and the intense competition for those positions. Further, as the majority of female SAWP workers are single mothers and the sole providers for their children, they are often under greater pressure to keep their place in the program than male participants who are nearly all married.

On-Farm Control: Once the women arrive in British Columbia, the gendered challenges continue. As SAWP workers are obliged to live in employer-provided housing, many women live on farms behind gates and fences, where the supervisors or bosses can monitor everyone who comes and goes. It is common practice for employers to confiscate passports for 'safe-keeping', adding to workers' feelings that they are trapped on the farm. They also must endure curfews and surprise inspections of their living quarters, which many women interpret as attempts to check who is off the farm at any given time. No visitor policies, and especially no male visitors, are common 'house rules' on farms up and down the Okanagan Valley and across Canada. Workers who violate these rules report being punished with no work, or not being requested back in subsequent seasons.

Even in cases where women have yet to experience such punitive action, the fear of violating these rules can be enough to make them tread very carefully when interacting with others. For instance, on one occasion, one of the authors (Amy) was invited to a farm by a worker who wanted to discuss obtaining a wheelchair to take home to her son who suffered from cerebral palsy. Rather than meeting in her living quarters or the common area, the worker

requested that they meet in a secluded place several hundred meters off the farm in order not to violate the no visitor policy. “*No vale la pena arriesgarlo*” (its not worth risking it), she said.

Even though some of these methods of control are not designed to restrict the sexual and reproductive freedom of migrant women, they have this impact nevertheless. Restrictive farm rules, fear of losing their place in the program, and overt surveillance have the effect of isolating women and coercing them into silence. This coercion means they are less likely to seek information or services related to sexual health or to reach out for assistance when facing sexual assaults, unwanted pregnancies, or other reproductive health issues.

Geographic and Social Isolation: In addition to the more overt surveillance and control discussed above, migrant women’s reproductive freedom is also impacted by more subtle factors. For example, geographic and social isolation limit their social network and ability to access health information, services, or supports. SAWP workers lack opportunities to build social networks and community connections, in part due to their isolated locations and long work hours, and in part because they are actively discouraged from building relationships by consular officials or their employers. This social isolation, combined with forced separation from families, contributes to high rates of mental health stress including anxiety, depression, and loneliness, but also means that migrants often have no one to turn to in emergency situations such as sexual assaults or unplanned pregnancies. The lack of social integration also means that many workers are unaware of how the Canadian health care system works, making it more difficult for them to access health care services and community supports. For instance, some workers have assumed that they will be able to access antibiotics and birth control over the counter in pharmacies as they are accustomed to in their country of origin. This lack of understanding of the Canadian system can create future health challenges that require more urgent or complex treatment. Reproductive health matters can be even more difficult because female workers deal with heightened surveillance and stigma surrounding intimate relationships. In fact, female migrant workers, particularly single women, may face unique scrutiny, even among support groups that typically provide assistance to workers. Our experience suggests that this dynamic is pronounced in a socially conservative Christian region such as the Okanagan in which chastity and domesticity are valued, particularly among mothers.

Many SAWP workers live in rural locations far from bus stops and

without other modes of transportation. Some are able to obtain bicycles which provide limited mobility, but the majority rely on their supervisors and employers to take them everywhere they need to go, including to doctors' offices, pharmacies, and hospitals. Many workers are reticent to disclose their illnesses or injuries to bosses unless of the most acute nature for fear of repatriation and so some workers choose instead to work through their injuries or use home remedies that are not always safe or effective. Still others wait until they are in their home countries to address medical issues which sometimes have become more serious due to delay in treatment. When they do request that their bosses take them to obtain medical treatment, migrants must then rely on the boss to act as an intermediary or translator despite the fact that they may not feel comfortable with the nature of their condition being disclosed to their employer. As McLaughlin (2010, 32) points out, while not the ideal situation for any worker, this "is particularly challenging for women to negotiate health services (especially around sensitive issues such as sexual and reproductive health), with their primarily male employers and supervisors acting as intermediaries." Unfortunately, even when workers do request that their employers take them to the doctor, sometimes the employer refuses or dissuades the worker from seeking medical assistance.



Figure 3. Worker accommodations in the Okanagan. Photo by Elise Hjalmarson

Language barriers pose another challenge for migrant workers seeking

to access reproductive health information or services. The majority of Mexican SAWP workers speak Spanish, and in some cases Indigenous languages as their first languages. Most speak no, or very minimal English, and many have no community connections that they can call upon to assist in interpretation. Further, many of the men and women in the SAWP program have low levels of literacy in their first languages, as many did not complete primary school. This in and of itself heightens their concerns about communicating with medical professionals, particularly about intimate or sensitive issues such as reproductive and sexual health.

Financial barriers also contribute to the reproductive oppression of migrant women. All SAWP workers are covered by private insurance companies arranged by their employers, and all are eligible for provincial health care coverage after residing in BC for three months, however many are never registered. As noted elsewhere, workers' access to this coverage is mitigated by their relationship with their employer who is responsible to enroll them (McLaughlin, 2009). This is rarely done, and workers we have advised of this right are reticent to request this of their employer due to concern that it will affect their work status. Most walk-in clinics, labs, and pharmacies do not bill private insurance companies directly meaning that workers must bear the financial burden of paying for doctors' visits, lab tests, and medication up front and submit claims for reimbursement after. This erects a financial barrier to accessing care and treatment as a single doctor's visit can cost upwards of \$100 and lab tests can be well in excess of that. Further, even if their private insurance companies will cover the costs, claims must be submitted in paper by mail, and reimbursements often take weeks to arrive by which time workers have often finished their contracts and left the country. Workers' private insurance plans are meant to be supplemental to provincial coverage meaning that they do not cover some procedures, including surgical and medical terminations. This means that while on paper female SAWP workers have access to abortion services, in reality the barriers are so great that access is incredibly restricted.

When taken together, it becomes clear that female SAWP workers in the Okanagan Valley face a set of reproductive oppressions ranging from overt to subtle. In the face of oppression, however, there will always be resistance.

Resistance

Everyday forms of resistance make no headlines. Just as millions of anthozoan polyps create, willy-nilly, a coral reef, so

do thousands upon thousands of individual acts of insubordination and evasion create a political or economic barrier reef of their own (Scott, 1985, xvii).

Despite the layers of reproductive oppression faced by the women of the SAWP, they nevertheless find creative and powerful ways to push back. We borrow the term ‘everyday resistance’ from anthropologist James Scott, who, in his now classic book *Weapons of the Weak*, identified everyday resistance as:

“...the ordinary weapons of relatively powerless groups: foot-dragging, dissimulation, desertion, false compliance, pilfering, feigned ignorance, slander, arson, sabotage, and so on. These...forms of class struggle have certain features in common. They require little or no coordination or planning; they make use of implicit understandings and informal networks; they often represent a form of individual self-help; they typically avoid any direct, symbolic confrontation with authority” (1985, xvi).

Everyday resistance strategies are often overlooked or perceived as non-political. In fact, women in particular are seen as ideal workers because they are considered less likely to engage in political protest about their conditions. In reality, however, the lack of overt protest should not be attributed to a lack of political consciousness or the absence of resistance. On the contrary, it should be attributed to migrant women’s keen awareness of the consequences of overt protest and their strategic decisions to engage in subtler, less detectable forms or resistance. As Scott warns, to continue to overlook these methods of resistance would be to “ignore the most vital means by which lower classes manifest their political interests” (Scott 1985, 33). In this section, we discuss a few of the examples of resistance we have witnessed firsthand, or that women have told us about in interviews.

Although women are subject to surveillance, curfews, and orders not to engage in relationships, many choose to quietly disregard rules and defy direct orders. For example, many engage in ‘unsanctioned’ relationships with other workers or members of the wider community, acts that require them to lie to their employers about their whereabouts, sneak off-farm after curfew, and cover for each other. These acts are subtle in that they are carried out without the

knowledge of the bosses and supervisors and women do not want them to be discovered. Despite this, we view these acts as political and powerful as they directly contest attempts by government officials in Mexico and Canada as well as farm owners to regulate women's sexuality.

Women also find ways to access birth control and information about sexual health even though they are discouraged from doing so. They hide it in their luggage and bring it from Mexico or have friends or relatives send it to them in the mail. Many are able to overcome physical and social isolation and forge or maintain relationships with community members or members of migrant advocacy groups who can assist them in accessing contraception, health care services, or information about sexual and reproductive health. Often the only contacts in Canada migrant farmworkers have aside from their employers are members of advocacy groups, with whom they go to great lengths to stay in touch with even if they are transferred across the country.

In select cases, migrant women have engaged in more overt methods of resistance despite being aware of the risks they may face. One way that women have overtly contested their reproductive oppression is by speaking about their experiences to the media. Luz, a 28-year old Mexican migrant who was sexually assaulted by her employer in 2015, explained her reasons for speaking out: *I decided to speak to the media because I don't want this to stay hidden, for it to remain unknown. I would like people to find out, so that this doesn't happen to any other women, because they keep coming, and it will keep happening...I wouldn't want any other woman to go through the same thing.* Despite fearing deportation for speaking out, she decided to share her experiences with a newspaper reporter in order to raise awareness about sexual assaults on farms. While powerful, the fact that Luz went public with her story should not be read as an unconstrained decision. The reporter was able to offer confidentiality, which Luz felt offered at least some protection from employer retribution or deportation. On the other hand, she decided not to report the assault to the police as she worried about her ability to return in subsequent seasons.

Another strategy that women have used to contest their reproductive oppression is joining and advising civil society groups that advocate for migrant rights (see for example Encalada Grez, 2006; Gabriel and MacDonald, 2011, 2014; Russo, 2011; Valarezo and Hughes, 2012). Because migrants have little free time, often this advising is informal and sporadic, or done from afar when migrants are in their home countries during the off season. RAMA, the only activist organization in the Okanagan region working with migrant

farmworkers, sets priorities based on the those determined by workers (RAMA Okanagan, 2017). Workers' priorities are identified through one on one and group discussions on farms, in the community, and during social events. Being involved in grassroots organizations, even if involvement is sporadic and informal, carries considerable risk for SAWP participants. Workers have reported to us and other researchers (Valarezo and Hughes, 2012) that they are directed by employers and consular officials not to contact advocacy or migrant justice groups or unions. In spite of this pressure not to, workers nevertheless do organize unions, build and maintain relationships with migrant advocacy groups, and direct the priorities and activities of these groups. Among the top priorities for all workers are improved access to health care and for women especially, full reproductive justice.

Discussion

Reproductive Justice focuses on organizing women, girls and their communities to challenge structural power inequalities in a comprehensive and transformative process of empowerment...that link[s] the personal to the political (Ross, n.d.).

It is useful to return to a reproductive justice framework when trying to make sense of the situation faced by migrant farmworker women in the Okanagan. Feminist activist and co-founder of SisterSong, Women of Color Reproductive Health Collective explains: "Ownership of your body is not enough. Yes, you are not quote "enslaved", but you can be enslaved by circumstances. You can be enslaved by disabling environment. You can be enslaved by not having enough money to pay for your healthcare or your rent" (Johnson, 2017).

Migrant farmworker women in British Columbia are enslaved by circumstances. Despite spending the majority of the year in Canada, a society that legally upholds women's right to access health care, (including abortions and other reproductive health care) migrant women's material conditions and the oppressive circumstances on farms create disabling environments which restrict their ability to exercise their rights. While migrant women theoretically have the right to make free choices about their sexuality and reproduction, these rights are only theoretical. In reality, women must contend with multiple barriers when attempting to avail themselves of those rights.

The reproductive justice framework demands a three-pronged approach to fight reproductive oppression: 1) Reproductive Health, which deals with service delivery, 2) Reproductive Rights, which addresses legal issues, and 3) Reproductive Justice, which focuses on movement building (Asian Communities for Reproductive Justice, 2005). In order to address the reproductive oppression occurring in the Okanagan, health care providers, governments, scholars, and activists must all be willing to take action to support migrant women in their struggle for reproductive justice. The following recommendations emerged from formal and informal discussions with Mexican migrant women as important first steps that must be taken immediately.

At the local level, health care providers should be educated and aware of the unique situation faced by migrant workers, and relevant issues related to sexual and reproductive health. It is also crucial that providers are sensitive to the coercive relationships between bosses, supervisors, and migrants which may make women less likely to divulge personal health information especially when the employer is present. Health care providers must respect the privacy of workers at all times and ensure that independent translators are available to interpret for workers in their native languages. Federal, provincial, and local governments and health care providers should work to ensure that seasonal agricultural workers are enrolled in provincial health care plans and that they are provided information regarding how to navigate the Canadian health care system. Patient navigators and toll free phone lines are strategies that could be put into place to assist migrant workers accessing care.

All ties between health authorities and immigration control must be severed immediately (see for discussion Smith and Levoy, 2016). Migrant women need to feel confident that their health information will remain private, and that it will not be divulged to any person or agency without their consent. We believe this firewall should extend to employers as well. Unfortunately, the regional health authority responsible for the Okanagan region, has sent collections letters to migrant workers threatening to contact Canadian Border Services Agency if their bills are not paid immediately. This tactic serves only to instill fear and deter migrants, who already face significant obstacles when accessing health care, from seeking future treatment.

To advance the goal of reproductive justice, we must pressure the Canadian federal government to ratify international human rights laws that apply to the situation of migrant workers. In particular, the right to health and wellbeing is recognized in the Universal Declaration of Human Rights, and in

the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. According to the latter, migrant workers and their families have the right to “enjoy equality of treatment with nationals of the state in relation to...social and health services” (United Nations Convention on the Protection of the Rights of all Migrants, 1990). Migrant receiving states bear a responsibility to ensure that migrant workers and their families can enjoy this equality of treatment. However, Canada has not ratified this convention, despite some pressure from migrant sending countries, migrants and advocacy groups.

Despite the existence of international human rights laws, without the willingness of particular nation states to ratify and enforce the provision of these rights on the ground, they are largely meaningless. As Hannah Arendt (1951) so insightfully pointed out more than 65 years ago, even with an international human rights regime, without a nation-state to uphold those rights, people are essentially rightless. Therefore, it is not enough to demand that Canada ratify international conventions protecting migrants’ rights to health, it must also ensure those rights are upheld. In addition to ratifying and adhering to international human rights law, Canada must enact and enforce national laws that promote the rights of migrants and lessen the power imbalance between migrants and their employers. One way to do this is to ensure all migrants approved to work in Canada receive full status upon arrival. This change would mean that migrants would not be tied to an employer or particular sector, and would guarantee them access to the same social, legal, and labour rights as Canadian citizens and residents.

Finally, we must continue to grow the movement for reproductive justice for migrant women. This starts with recognizing the acts of resistance already taking place on farms. Even if not conceived as such by the actors, any act that circumvents the authority of employers or government officials or pushes back against gendered oppression is a powerful statement of resistance and an inherently political act. Therefore, these acts of resistance should form the foundation of the broader movement for reproductive justice and struggle for migrant rights. As scholars and advocates, we can assist in this movement by foregrounding migrants’ demands in our scholarship, activism, and advocacy.

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