

Public lecture on “The Harvest/La Cosecha”

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Good afternoon.

I want to thank Puerto Rican and Latino Studies, the Thomas J. Dodd Research Center, the Human Rights Institute and my dear friend Shareen Hertel, the Department of Political Science and the Office of International Affairs for inviting me out here to address you today.

I want to start off with a pop quiz this afternoon.

What country allows children under 10 to work in 100-degree weather? What country allows children as young as 12 to work unlimited hours? What country says that you don't have to pay minimum wage for many types of agricultural work? What country says that no matter how many hours you work you are not entitled to overtime? That you are not entitled to a day off?

India?

Mali?

Brazil?

Actually most of what I just described is illegal in those countries and most others as well. The country where it is not illegal is the United States of America.

70% of all child labor in the world is in agriculture, and 6 multinational companies control 70% of the market. There is a stunning and lethal symmetry to those numbers. Though globalization in the form of free-trade, open markets and agreement such as NAFTA herald improved standards of living for all, nothing could be farther from the truth and nothing could be worse for children in the developing world. What many Americans don't know is that the same poverty that drives children around the world into work also continues to push generations of American children into a similar life of hard labor. And migrants and farmworkers and their children have always been the first victims of these economic hardships.

Welcome to the life of our farmworker children and their families. And don't be fooled by all the noise surrounding 'illegal immigrants' - most of these children are American citizens. And I can tell you from personal experience that they are people of enormous dignity and faith -- people whose work ethic and family values take a back seat to no one. These are the people who, like so many countless others, put the food on the table for the best fed country in the world, and it is in large part thanks to their productivity that the United States is the largest food exporter in the world.

I'm going to reverse the advertised order of the presentation today and show you a clip from one of my last films that I co-directed with Len Morris -- *Stolen Childhoods*. *Stolen Childhoods* was the first feature length documentary about child labor ever to be released in this country

The clip you are going to see is about the plight of migrant children right here in the United States, which I shot 5 years ago in Texas and which actually led to saber rattling threats from our government in an effort to inhibit our releasing the film. Suffice it to say the film has now been seen by over 70 million people worldwide and was featured on Oprah, CNN and ABC's Nightline.

The children you are about to watch are a window into the large but seldom seen population of child workers in the United States.

VIDEO

Show Clip of SC

I want to point out to you that the educational program you just saw - The Farmworker Youth Program – which had been set up across this country to help migrant child laborers like Mariela, Santos and Dora, had its funding cut 100%, thus closing down centers in 31 states and Puerto Rico, abandoning thousands of children on their journey to getting a diploma, leaving them all behind.

Recently the Senate passed its version of the Agricultural bill and like the House version that passed earlier, it favors a relatively small number of producers -- leaving behind most farmers, rural communities and farm workers. And it falls short of meeting its obligations to migrant workers some of them immigrants, and their children. Although the Senate included a provision that would allow groups such as MET and their umbrella organization (the Association of Farmworker Opportunity Programs) to provide a new set of services to farmworkers, it is a tiny fraction of the aid that Congress grants to wealthy farmers. This farm bill will continue the long history of dismantling social programs and the exclusion for many from basic rights that has plagued agriculture since the Fair Labor Standards Act and the National Labor Relations Act of the 1930's and has caused one pundit to remark that we have gone from the Grapes of Wrath to the Grapes of Graft. In short, there are \$47 billion dollars in direct and indirect subsidies for a small percentage of wealthy producers but we are still unable to find \$16 million dollars for migrant education that helps tens of thousands of our own children.

The 19th century German philosopher Siegfried Bonhoeffer said that the measure of any moral society was how it treated its children. I think it is fair to say that in America we continue to fail our moral duty absolutely.

Let me set the table for you: In the United States where we are first among industrialized countries in income, Gross Domestic Product, the number of millionaires and billionaires, military spending and agricultural exports, and we are:

- 13th in the gap between rich and poor, a gap that continues to grow to historic proportions
- 14th in our effort to lift children out of poverty
- 18th in the percent of child poverty

In this land of plenty... 33 million men, women and children go hungry everyday and malnutrition among migrant children is among the highest. Think about that for a moment. The people who pick the food for your table can barely afford to eat it themselves.

Poverty is usually blamed, first and foremost, for a family's decision to put a child to work. But the poverty that forces children into the fields has causes: prejudice that pushes entire groups of people to the margins; policy decisions that either neglect the problem or make it worse; and profit: subsidies, laws and the lack of regulation that reward corporations and special interests at the expense of people.

I want to break this down for you. The average pay for a migrant worker today is \$7500 a year and for a family of 4, it is between \$12,500 and \$14,500 a year. All of these are well below the poverty level. As a matter of fact, one-third of all farmworkers live below the poverty level and many farmworkers have not seen their wages increase in 25 years. As Maria Espinoza, a migrant farmworker you will see in the upcoming trailer, said to me this past summer:

I've been coming to Minnesota for 6 years. 6 years ago they paid \$22 or \$25 in the fields. Today they still want to pay you \$22 an acre and no more. As a migrant worker, I think they are not paying us enough... All we are asking for is for them to be fair, but because they are not we are forced to place our children in the fields... We are forced to think this way because of how little we are earning.

Small wonder then, that backbreaking farm work is a part of life today for some 400,000 to 500,000 children in the United States. Most of these migrant child laborers are United States citizens. Their parents, many of them United States citizens, were children of migrants themselves, and came here dreaming of a better life. Unfortunately, in far too many cases, things have only gotten worse. Child farmworkers labor under grueling and dangerous conditions. They often work twelve hour days and during peak harvest season even longer, some paid as little as \$2 an hour.

For migrant children in the United States, the workday begins before 6 a.m. and ends after 6 p.m. After returning home from work, they eat dinner, take a shower, and go to bed to rest for yet another long day of hard labor. A workweek consists of at least six days a week, always trying to stay ahead of Mother Nature. In the words of Jesse Sanchez from the Texas Migrant Education Program:

That's what you do everyday in life. Just go back and forth and there's nothing to look forward to, because you know you are going to do this the next day and the next day...

There are three main migrant streams in the United States originating in Texas, Florida and Southern California. Every year hundreds of thousands of children leave home and begin a 135-day odyssey that covers 40 states throughout America leaving friends, family and school behind. They pull onions in Texas and pick cucumbers in Ohio and Michigan; they pick green peppers in Tennessee and cut grapes in California; they stoop in the gloomy mushroom sheds of Pennsylvania and pack peaches into crates in Illinois. They harvest miles of rows of sugar beets in Minnesota and pick cherries in Washington State. By some estimates more than a quarter of the food we eat is harvested by kids.

And I want you to forget those idyllic and hearty and healthy images of the American farm where families are out in the sunny fields enjoying the fresh air.

The reality is that agricultural labor is one of the most lethal professions. Among the many dangers children face on the job are pesticides. In the United States today we use over a billion pounds of pesticides each year, of which 165 are potentially carcinogenic and the Environmental Protection Agency estimates that 300,000 farmworkers suffer acute pesticide poisoning each year.

Migrant children regularly labor in fields that are sprayed with these toxic chemicals, which can cause skin irritations and breathing difficulties, and their small, young and undeveloped bodies are especially vulnerable. Child farm workers are exposed to the same pesticide levels as adults, yet children up to the age of fifteen are three times as likely to develop cancer as a result. 90 percent of migrant children do not have a health plan and it is shocking to note that 20% of all farm work fatalities in the United States are children and even for those who survive, the average life span for a migrant is 49 years of age.

By now, I am beginning to hear some of you say to yourselves: “there must be a law...”

Tragically there is not. Farm worker children are not being afforded the same protection as other working children in the United States. Federal laws permit a child aged 13 to work in 100-degree heat in a strawberry field, but may not permit that child to work in an air-conditioned office. Under the Fair Labor Standards Act (FLSA) the legal age to perform most farm work is only 12 if a parent or other responsible adult accompanies the working child. Children who are 14 or older can work unlimited hours in the fields before or after school hours. That same law requires a minimum age of 14 years for nonagricultural work and limits such work to 3 hours per day while school is in session. I would dare say that migrant children have the highest dropout rate not because they drop out, but because they are pushed out.

The math is simple here: if a child works on average 30 hours a week and has to leave their school early and return late, then there is little time left over for schoolwork and for being a child. Many of the schools themselves are not helpful and seem almost purposely and perversely inadequate to the task. Maria Espinoza's words still linger: she said that the schools her daughter Yaresse attended were more than capable of totaling up Yaresse's tardies and threatening punishment but could not transfer her credits, making it far more difficult for her daughter to progress. Surely our children deserve better treatment.

When a 15 year old girl says that she would rather die than go back to work in the fields, you know that you have left the American Dream far behind.

So how do we begin to change this? How do we begin to combat these gross inequities in our country? How do we beat back the waves of misinformation and prejudice? And perhaps most importantly, what can we as individuals do?

We can support legislation such as the Children's Act for Responsible Employment, known as the CARE Act, that ends the double standards in the laws for farmworker children. Groundbreaking though it was in 1938, the Fair Labor Standards Act excluded farm work and farmworker children and in the 70 years since then, little has been done to end this discrimination. Congresswoman Roybal-Allard (D-CA) reintroduced the CARE Act this past summer in the 110th Congress. It amends the Fair Labor Standards Act of 1938 by bringing the age and work hours standards for children working in agriculture up to the standards set under the Fair Labor Standards Act for all other forms of child labor.

Now I know that the University of Connecticut at Storrs was founded as an agricultural college and that some here might worry about the family farm exemptions. Well, the CARE act preserves the Fair Labor Standards Act's family farm exemption. Under the CARE Act a farmer's children of any age would continue to be able to work for their parents on their own farms. What many of you may not realize is that family farms produce less than 1.5% of the food we eat today.

The CARE act also increases penalties for child labor violations and as importantly will strengthen provisions for pesticide exposure in agriculture to take into account the additional risks posed to children and women. Remember that the standard right now is based on a 160-pound male.

But ending child labor is only one part of the equation and I along with other human rights and children's rights advocates have long recognized that you cannot end abusive child labor practices without linking it to educational

initiatives. The fight to end child labor must move in lockstep with the fight for and right to education. We must increase educational aid for migrant and farmworker children- something that was not done in the last Farm Bill.

And finally we can work on ending wage exploitation for farmworkers in general and breaking the cycle of poverty that continues to drive these children into the fields. I think all of us would be willing to pay a little more for the food that we eat if we knew that the people who picked it for us were paid a decent wage. Americans pay a lower percentage of their income on food than any other country in the developed world. Is it too much to ask Burger King to pay a penny more per pound for their tomatoes? An increase whose total is less than the bonuses paid to their top executives? It is a violation of decency that tomato pickers have to pick and haul 2 tons of tomatoes just to earn \$56 a day. You can join the Farm Labor Organizing Committee and the Coalition of Immokalee Workers as they campaign for fairer wages.

What I intend to do is make a film about the problems facing child farmworkers and their families. In “Stolen Childhoods”, we undertook the effort to begin to explain the life of the migrant child in the United States, but it was a section of a bigger whole.

Now I want to make a feature film exclusively about the lives of migrants and agricultural workers and their children. And the film that I am going to make is in part an update of Edward R. Murrow’s “Harvest of Shame” (Cosecha de la Vergüenza).

It has been more than 45 years since Murrow's powerful report highlighted the plight of migrant workers in the United States. Considered by many to be the most important news documentary in TV history, Harvest of Shame set a standard that has been long lost in the juggernaut of today's media consolidation, co-optation and consequent loss of gravitas.

Daring to challenge both government and agribusiness, Murrow and his producer, David Lowe, set about to highlight the plight of farm laborers, some of whom worked for as little as a dollar a day. The film shocked

viewers with its stark images of desperate poverty and the callous greed of the big growers. In 1960, the exploitation of farm workers in the United States was a revelation to viewers. Unfortunately in 2008, little if anything has changed.

Today the same images -- and reality -- of poverty and survival and racial exclusion still exist. And today, with the hot button debates surrounding undocumented immigrants, struggling farmers, a living wage, food security and the state of the children in this country, a new "Harvest of Shame" will cast a new light on these problems, looking beyond the current set of acrimonious and stilted debates. It is my hope to make a film that shows this country, and the world, the dignity and decency and hard work of the migrant and farm-working community.

THE HARVEST will look three of the most heinous trends affecting children in American agriculture today. The migrant children that I've already described and those among them who are being orphaned at the rate of 65,000 a year while their undocumented parents are deported and the children pushed across our border by the effects of NAFTA (the North American Free Trade Agreement), signed into law by President Clinton in 1994. Whatever NAFTA promised, it has surely not delivered.

One example of NAFTA's ill effects was the dumping of US corn in the Mexican market. In the United States, corn is produced at \$6 dollars a bushel. In Mexico, it is produced at \$4 a bushel, but NAFTA and a \$10.1 billion dollar government subsidy allowed for US corn to be sold for \$3 a bushel in Mexico -- thus breaking the back of the Mexican farmer and turning many rural communities into ghost towns. In the 14 years since NAFTA was signed, it has displaced over 1.5 million Mexican farmers and farmworkers. Further, buried in the NAFTA agreement was the repeal of Article 27, a land reform act dating back to the post-revolutionary Mexican Constitution of 1917, thus destroying any chance that campesinos and indigenous people would be able to farm their own land.

Many of those now forced to fend for themselves there are children, some as young as 12 (or younger), who make the treacherous 1500-mile journey to our border in order to survive. They leave from economically devastated regions like Puebla, Oaxaca and Chiapas where unemployment is as high as 80%. And that is just the beginning of the perilous journey. I have spoken with 14 and 15 year olds who have braved crossing the deserts of Arizona, a crossing where every group lost at least one person, one a child of 15. They come here because they can make in a day what they would make in a week and some in a month back home in Mexico. They come here to survive. In short, they come because they have to. When we look at the millions of Mexicans who have been affected by NAFTA, we should factor in a displacement coefficient to our economic calculus.

My friend, Sonia Mayo Hohnadel, says it best when she writes:

“We did not cross the border, the border crossed us.”

Long before there was talk of a wall at the border, we had erected a wall in this country, a wall of inequality that made it difficult for our own children and others to cross over into the American dream. In today’s anti immigration rhetoric, it is easy to see that politically, brown is becoming the new pink.

So much for lifting our lamp beside the golden door.

Edward Murrow asked 45 years ago if it was right to let the people who help feed their fellow Americans labor under conditions that wronged the dignity of man. Today we should ask the same question and add to it: is this the type of country we want? Is this the type of country that we can be proud of?

It is time for a new Harvest of Shame, one that sheds a humane and human light on the plight of farmworkers and their children. It is time to end the tragic disconnect between the meals that everyone, including Lou Dobbs, eats and the people who pick the food in the best-fed nation on earth. It has been said by many in this country that America can no longer bear the burden of subsidizing migrants and immigrants, but nothing could be farther from the truth. The truth is that with their hard work and low pay, they subsidize us every day. The truth is that they struggle everyday so we can

live more comfortably. Our sustenance is the weight they bear on their backs. While we are fed, they go hungry.

You have heard my voice, now I am going to close with a short trailer from the film I want to make, where you can hear what the children and their families say. This is a rough cut of a promotional trailer that I am working on with Shine Global.

VIDEO

Clip from The Harvest/La Cosecha

Agriculture is fast becoming the major battleground for activists and concerned people where our health, our economic wellbeing, our rights as citizens, and the preservation of the environment is concerned. It sits at the nexus of the three E's -- energy, the economy and the environment -- and shows us the dangers implicit in the globalized and over-financialized world. Perhaps by making people aware of what goes on at the ground level, literally, we can begin to define a policy that is fair, transparent, healthy and humane: a policy that uplifts our own and the world's children, rather than grinding them under the heel of efficiencies and profits.

I hope that you will join with me in this effort to right the many wrongs facing farmworkers and their children in this country as part of a broader movement towards a sustainable, stable and socially just world. It has been and will continue to be a long struggle to bring justice to the farm worker community, but I want to leave you with the words of Martin Luther King: "Let us realize the arc of the moral universe is long, but it bends toward justice."

And remember, before there was Obama's **Yes we can** there was Cesar Chavez's **Si se puede!**

Thank you/Gracias.