(Be)laboring Childhoods in Postville, Iowa

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ABSTRACT
By examining a flagrant case of “child” migrant labor in a meatpacking facility, this article addresses the cultural politics of global childhood. Conflicting constructions of childhood first emerged informally within kin and community networks. Community-based constructions were later overshadowed and delimited in a child labor trial that took place two years after Immigration and Customs Enforcement agents (ICE) raided Agriprocessors, the town’s major employer. I trace the shifting contours of cultural and legal battles over childhood and forms of citizenship that, in microcosm, speak to on-going debates over immigration and economic policies tying the United States to Guatemala. [Keywords: Childhood, child labor, citizenship, immigration, Mayas, Guatemala, meat processing]

During a year of political campaigning, the Guatemalan president is assailed by reporters who hurl questions at him asking why he thinks he deserves to be re-elected. “You failed to keep your promise about improving the economy,” one reporter accused. The president, looking shocked and offended, replies, “What do you mean!?! Since I took office the economy has grown; now everyone has a job. Look!” he exclaimed, indicating a niño de la calle (street child) busily washing a parked car nearby. (Guatemalan political satire, originally circulated via a major Guatemalan national newspaper)
2:25 p.m., Waterloo, IA — Candido Alfredo Marroquin Argueta said he had been hanging chickens at Agriprocessors for three months when the kosher slaughterhouse finally asked him for identification. Marroquin Argueta started working at the plant in Postville in 2007, when he was 17. He worked from 3 p.m. to 3 a.m. Like the witness before him, he said he’d load dead chickens in a barrel and move them outside. When Rubashkin approached his area, workers would say, “Hurry up, here comes Sholom,” he said. However, he only saw Rubashkin at a distance. On cross-examination, defense attorney Mark Weinhardt noted he was only 6 weeks short of his 18th birthday at the time of the raid. Assistant Iowa Attorney General Laura Sloan asked Marroquin Argueta to stand up while she showed a picture of him on the day of the raid to the jury. He was noticeably thinner. She asked if he had lost weight. “In Guatemala, there’s not enough work or money to buy food that you need,” he said. (Krogstad 2010c)

Introduction

I preface this article with two representations of Guatemalan “child laborers” that circulated in news media outlets in Guatemala and the US. They provide a focused point of entry for interrogating the cultural politics of global childhood and the belaboring of child labor (i.e., how child labor is argued against and often in excessive ways) in an uncritical fashion. I interrogate these through an ethnographic study of how the paradox of transnational child migrant labor operated in Postville, Iowa. Without scapegoating the youth themselves, their parents, or even a single CEO, I attend closely to the socio-cultural, political economic, and legal dimensions of the various ways that children and youth are understood to be laboring for themselves and on behalf of their families.

The first quote is a piece of political satire, published and circulated during the late 1990s when I was conducting fieldwork within San Antonio Aguas Calientes, Guatemala. My research examined how Kaqchikel Mayan language socialization practices were inflected with the cultural politics of childhood during a vulnerable period of political transition from authoritarian regime to democracy. At that time, there was a tremendous amount of organizing to implement special provisions within an overarching human
rights framework to protect the rights of children and youth as well as those of indigenous peoples.\textsuperscript{3} I was preoccupied with questions concerning how the implementation of the global childhood framework implicit within \textit{el código de la niñez y juventud} (children’s and youth’s code) at times troubled some of the objectives of the Pan-Mayan ethnolinguistic movement with which I was aligned. One major issue that undercut efforts of both coalitions of rights activists was the state’s failure to implement the accord, which would have provided meaningful economic reforms. As the bitter irony of the first passage suggests, the actual neoliberal economic policies that President Arzú implemented only deepened structural inequalities, indexed by the figure of a street child working in the informal sector of the economy.

Ten years later, I was still following-up with the children and their families. In particular, I worried about how they were faring, now that the hoped for progressive change, including the end of impunity and greater social and economic opportunities for all, had not materialized. In fact, many had chosen to migrate. My new research then turned to documenting trans-border networks and charting their pathways, which now connected highland Guatemala to key nodal points in rural and urban places in the US. Postville, Iowa was the only rural-to-rural receiving context in my on-going study. Some families favored it over other locations in New Mexico and California because work at the meat processing facility was almost guaranteed. Postville’s location, a mere two-hour drive from the hometown of my childhood in eastern Iowa, also enabled me to finally reciprocate the hospitality that Antoneros had shown me in Guatemala by extending invitations to join Reynolds family gatherings for Thanksgiving and Christmas holiday celebrations.

Postville was just like other Midwestern meatpacking towns in that labor force recruitment and management at the plant, Agriprocessors, entailed re-territorializing and reconfiguring global North-South relations within industrializing rural areas. It was unique, however, in that the owners of the plant, the Rubashkin family, followed \textit{shechitah} or ritual rules of slaughter to produce kosher and \textit{Glatt} kosher beef products. Early national media attention focused on the curious presence of this diasporic community of ultra-Orthodox Jews thriving in what local Jewish residents affectionately referred to as a modern \textit{shtetl}, nestled within the overwhelmingly Christian heartlands (Grey, Devlin, and Goldstein 2009; see also Bloom 2000, Tundel 2001). Postville later became the epicenter of debates about
undocumented migrant labor when media coverage followed the spectacularly staged, single-work site Immigration and Customs Enforcement (ICE) raid. It was the first of its kind during the final years of the Bush administration. Many irregularities in plant operations were publically uncovered, and not just the largely undocumented labor force comprised of Guatemalans, Mexicans, and Israelis. What concerns us here was the “discovery” of underaged migrant labor at the kosher meat processing plant and the child labor trial that consequently ensued two years later.

News media outlets and long distance telephone conversations have kept me connected to what was happening on the ground during the raid and its aftermath when I could not be present. Thus, the second piece is an excerpt from an Iowa news blog providing a blow-by-blow account of witness testimony at the Agriprocessors child labor trial, as it was frequently called in the media. It took place exactly two years after the raid. Cándido Alfredo Marroquín Argueta was one of the deported youths flown in to testify at the trial. His reply to Laura Sloan’s query about whether he had lost weight underscores that not much had improved in Guatemala. Together, these two pieces represent not only my long term professional and personal relationships with Kaqchikel Mayan children, youth, and their families, but also the meditational role that the figure of global childhood plays in these rural places. Each place is bound together by long histories of political, economic, and legal policies.

Without leaving Guatemalan youth’s “labor histories” behind, in this article I provide an ethnographic analysis of how immigrant youth within the context of kin and community networks were variously understood as (child) laborers at Agriprocessors both before and after ICE raided the plant. In the sections that follow, I begin with a theoretical discussion of modern childhood gone global and how the construct of “global childhood” infuses agonistic efforts to eliminate child labor. Next, I outline the rural political economic restructuring that connected the US heartlands to Guatemala’s central highlands. Third, I discuss how deteriorating relations in Postville were attributed to corruption within Agriprocessors. Within this section, I report how different people variously understood immigrant youth to be like children and/or young adults within the context of kin and community networks before the plant was raided in May 2008. Specifically, I attend to how different dominant cultural concepts of childhood were being negotiated and reworked informally. I explore this amongst older siblings, parents, and cultural brokers who were trying to make sense of the kinds
of educational and labor opportunities afforded to them in rural Iowa. In the fourth and final analytic section, I describe the raid and its aftermath, unpacking the formal framing of these youth as “child” laborers within the context of the child labor trial that began in 2010. I examine how the invocation of child labor juxtaposed with global childhood became a lightning rod channeling polarized debates about childhood and immigration, both at the trial and in media reportage. I argue that the legal proceedings and their outcome were not unlike the kind of NGO “rituals of child labor abolition” that Olga Nieuwenhuys critiqued. She argues that such rituals focus on spectacular cases, thereby “walling off acceptable from unacceptable forms of child work” that “tells us very little about the lifeworlds in which they are embedded” (Nieuwenhuys 2007:159). In the conclusion, I argue that the different “before” and “after” portraits of laboring youth presented in this piece enable us to understand the “reprovincialization” of modern childhood. I also address how the raid and its aftermath delimited understandings of child labor and catalyzed forms of social struggle. These occurred only because of the sudden, public urgency to represent migrant youth and their families and find ways to secure their well-being.

Global Childhood and the Paradox of Child Labor
Nieuwenhuys exhorts scholars of childhood and adolescence to “seek to uncover how the need of poor children to realize self-esteem through paid work hinges upon the moral condemnation of child labor as one of the fundamental principles of modernity” (1996:247). At that time, she was responding to how UNICEF, the ILO, and other rights-based NGOs operating within the global South spread and disciplined a “global childhood” without turning an equally critical eye to the impact of neoliberal political economic structural adjustment policies implemented via loans issued by regional development banks, the World Bank, and the International Monetary Fund. Critical economic anthropological work challenges neoclassical economic models, which blame peasant households and “underdevelopment” as the sources of the problem. Instead, research suggests that dramatic cutbacks in social spending in combination with the devaluation of national currencies, removal of all tariffs, subsidies, and state regulation of environmental and labor policies contributed to the rise in all forms of child labor in both productive and reproductive spheres of life. Thus, at precisely the moment when children and youth were being rendered dependents of the state,
presumably able to enjoy certain entitlements, states had restructured their responsibilities via a suite of cost-cutting measures and bureaucratic technologies, which effectively resulted in their abrogation. This, she argued, was the emergent paradox of child labor.

The construct “global childhood” presupposes modernist construals of childhood (defined and discussed below), which now circulate on a global scale and are treated as a universal condition to be attained. Global childhood is the result of socio-historical processes of deprovincialization, where the modern bourgeois notion of childhood, started in the West and spread to the rest (Chakrabarty 2000; cf. Boyden 1990, Stephens 1995). Early historical debates suggest that concern over brutal labor expropriation was one among many other social factors (compulsory education, fear of political instability caused by an unsocialized youthful working class, etc.) contributing to the enactment of legislation aimed at eliminating child labor within the industrial sectors of European states (cf. Hendrick 1994, Nieuwenhuys 1996). Forms of paid labor in other sectors as well as unpaid labor in the reproductive sphere did not count as “child labor.” In fact, these activities were problematically viewed as important social practices functioning in the socialization of young people—a dominant trope reflected in child labor studies and much of the early anthropological literature. Thus, an early modern notion of childhood was a product of class struggle waged in urban places; it served to remove children from the reserve army of labor only within the industrial sector.

Contemporary moral discourses about the need to protect vulnerable children and childhood have transcended the sphere of production and have been extended to that of reproduction involving households and families. Now developmental, psycho-social, and cognitive dimensions are also emphasized and monitored. In universalizing terms, modern childhood is often defined as a carefree, universal stage in the human life cycle defined by (sexual) innocence. Children, moreover, should be barred from productive spheres of social life and protected from the marketplace (Scheper-Hughes and Sargent 1998, Stephens 1995).

Modern childhood now commands a set of inalienable, individual rights that historically first emerged on a global scale post-World War II in 1959 with The Declaration on the Rights of the Child as a general set of principles. These were later elaborated and amplified in legal language recognizing all sorts of “at risk” childhoods in the 1989 UN Convention on the Rights of the Child (CRC). The provisions outlined in the CRC have been
taken up within a diverse transnational social movement; advocates of “childhood cosmopolitanism” claim to engage in agonistic politics that are socially transformative (Tomás 2008).

Critics of global childhood agonistic politics liken the assemblage of international and nongovernmental children’s rights organizations to a “regime” that develops and implements a set of top-down standards by which all other societies are measured and pathologized. This occurs when local notions of proper childhood diverge from the version of modern childhood being supported by a particular organization (cf. Lewis 1998, Ensor n.d.). Pupavac (2001), for example, argues that the empowerment rhetoric of many child right’s initiatives is profoundly undemocratic. She believes that children’s rights NGO programs, and their rather cynical view of humanity and especially adults, seek to re-engineer the subjectivities of young people everywhere. Nieuwenhuys’ (1994, 2001, 2009) comparative work on child labor in India and Ethiopia reveals that many international NGOs seek to fill the gap resulting from absent state services. Their mission, however, is to emancipate children and youth from kin caregiving and household labor practices. These NGO interventions, at the behest of top-down initiatives, inculcate governing techniques that ironically result in children’s self-exploitation of their own labor power.

The US never signed nor ratified the 1989 UN Convention on the Rights of the Child. And though the US is a member of the Organization of American States, subject to site visits by the Inter-American Commission on Human Rights Rapporteurship on the Rights of the Child, the Commission’s role is only advisory. No international laws can be leveraged to intervene in homegrown cases of child labor. Indeed, the US refused to sign the CRC on the grounds that it already existed as customary law. A complex system of state-civil society relations and legal mechanisms was already in place to intervene in cases where child labor exists. Not surprisingly, neoliberal notions of personhood and competing ideals of what constitute the “best interests” of the child also operate, and often in opposition to parental rights and the traditional welfare system’s approach to preserve the integrity of the family. For example, legal scholar Yablon-Zug (2012) notes an alarming trend of instances where representatives of US welfare agencies remove the children of immigrants from their deportable parents. They do so under the pretense that being “illegal” renders them unfit and unable to provide for their children’s “best interests.” In these and other telling cases, technocratic practices combined with lower court legal interventions
are shoring up the boundaries of global childhood from within. This, I will argue, is especially apparent in Postville, and other workplaces located in newly adopted hometowns across the US where international boundaries are re-territorialized. Transnational undocumented migrant male and female youth under the age of 18 can be found laboring alongside their slightly older kin and US citizens of their own accord.

**Political Economy of Industrializing North-South Rural Places: Transnational Interconnections**

Postville used to be home to Agriprocessors, a kosher meat processing plant, once owned and operated by an extended family of observant Chabad-Lubavitch Hassidic Jews from Brooklyn, New York. Agriprocessors was both a typical and exemplary meat packing plant (Reynolds and Didier 2013). It was typical in that it followed industry trends first set by Iowa Beef Packers (IBP) in the 1960s. IBP effectively restructured the entire industry to cut down on costs related to labor and transportation of livestock (Benson 1994; Stull, Broadway, and Griffith 1995). Agriprocessors was exemplary in that production costs were higher due to the fact that kosher techniques for slaughter required trained rabbis to kill animals by hand and to ensure that the flesh be completely drained of blood. There were additional costs related to oversight as USDA inspectors worked alongside kosher supervisors (Grey, Devlin, and Goldsmith 2009:18-19). In spite of the lower rates of production by industry standards, the Rubashkin family enterprise scaled up and expanded. By 2007, Agriprocessors was supplying 60 percent of the nation’s kosher meat and 40 percent of its poultry (Levine 2008). Kosher labels included Aaron’s Best, Rubashkins, Shor Harbor, Supreme Kosher, and Trader Joe’s All Natural Glatt Kosher Turkeys. Meat products that failed to meet strict kosher and Glatt kosher standards were sold as non-kosher under the label, Iowa Best Beef.

When the plant first opened in 1989, so began several periods of new immigrant laborers cycling in and out of Postville. In the mid-1990s, the newest arrivals were Kaqchikel Maya and ladino (i.e., mestizo) families from Guatemala’s central highlands. These kin-based networks of chain migrants were drawn from cities and hamlets spanning two adjacent Guatemalan departments: Chimaltenango and Sacatepéquez. This was an area I knew well from having done extensive ethnographic work over a period of ten years in the 1990s. By 2007, there were approximately
700 Guatemalans residing in Postville. Most migrants came to Postville because the first to arrive sent word home that there was plenty of work and that the small town environment would be a better place to establish families than urban centers. Christian Guatemalans accommodated by worshiping on Saturday instead of Sunday. Saturday was the only day of rest for plant operations in observance of the Sabbath.

Newcomer and native-born Iowa residents alike had to contend with the challenges entailed in supporting a fluctuating population with diverse needs. These challenges were quite different from the plight of most other rural Iowa places, which continued to experience significant population declines as native-born Iowans emigrated to urban and suburban areas, leaving their rural Midwestern towns and way of life behind (Grey, Devlin, and Goldsmith 2009).

Whether or not native Iowans embraced or rejected the presence of Guatemalan immigrants depended upon the degree of “change fatigue” they experienced and how threatened they felt by young cuates (dudes), a Spanish slang address and reference term used to indicate membership in a peer group. Spanish and Kaqchikel-speaking male adolescents and adults had a penchant for playing music full-blast out open car windows and rental properties as well as binge drinking and driving. While some Iowans, including myself, recalled many of our own adolescent practices that might have offended adult sensibilities, others found the uncanny sound of banda and reggaeton music to be noise pollution, and when in combination with excessive alcohol consumption, a danger to public safety. Both of these perspectives, however, missed the larger point: there were few socially sanctioned places of leisure available for working class immigrant youth to occupy, especially when their daily lives were dictated by the rhythms of round-the-clock plant operations.

An Iowa-born resident spoke to me at length about the perceptions of descendants of founding families:

Y’know, the last names that have been here forever, just like in any small town, it’s so hard for them to see their small town change. [...] I mean, you’ve seen that y’know, where they had the white little German or Norwegian or Lutheran town... (Jennifer: yeah)... that no longer.

She also acknowledged racialized overtones to these evaluations, as residents of surrounding towns like Waukan also negatively viewed Postville.
She then disclosed how members of her own extended family were from one of these towns and did not “think too highly of (pause) Postville or the Hispanics.”

Cultural brokers in the community, a diverse group that included long term immigrant residents and native-born Iowans who were not from Postville (cf. Reynolds 2011, Reynolds and Didier 2013), were the people most responsible for providing services and mediating relations between the newcomer foreign residents and the wider English-speaking public and private sector agencies, organizations, and businesses. They suggested that immigrants’ working and living conditions became more difficult in town due to corruption within the plant. For example, many of the cars that new immigrant male youth and their families drove around town were the product of extortion at the plant. A high-ranking departmental supervisor allegedly required employees to buy automobiles from him in exchange for keeping their posts and/or for securing work for newcomer relatives. Veronica Haugen, an ESL elementary school teacher, with the assistance of another native Postvillian businessman in town, reported the abuse to the CEO. She later experienced intimidation at her place of employment when the supervisor somehow discovered her role in the denunciation. He threatened to use his social capital as a concerned parent and high-ranking plant employee to have her fired. As a widow raising a young girl without the assistance of extended family inside the community, she could not afford to make more waves. While cultural brokers occupied different positions of authority within the community, what they shared in common were personal stories of failed efforts to effect change within the plant’s increasingly corrosive working environment. A few articulated frustration with the reactions of CEO, Sholom Rubashkin,7 as well as with state and federal regulatory agencies’ inaction.

There was also a growing number of Guatemalan and Mexican minors working at the plant. I learned about this first by spending time in the kitchens and living rooms of Guatemalan immigrant households, meeting youth, talking with their roommates, mothers, and even in-laws. Only one of the cultural brokers named migrant youth as a problem and we discussed this in terms of generational differences. Most of the adults with children who had migrated to Postville were children themselves during the later part of Guatemala’s civil war. Their most salient memories were of forming families during Guatemala’s transition to peace in the 1990s. While state sponsored violence officially ended in 1996, forms of structural violence
(Farmer 2004, Galtung 1969, Harrison 1997) conditioning most peoples’ lives remained intact. Portes (2001) aptly observes that Guatemala, unlike Mexico and other South American states, *never* deviated from a world market model of export agriculture to support its oligarchy. No real effort to industrialize was made, no safety net was provided, and there were no revenue generating public-owned enterprises (aside from telephone land lines, which subsequently were privatized in the late 1990s).

What had changed, however, was who within the oligarchy was shaping political economic policies. Robinson (2001) has argued that a small group from within the oligarchy emerged as transnational actors, and embraced neoliberal forms of economic development; namely tourism, non-traditional export agriculture, and export-processing production. In comparison to old guard oligarchs, they seemed progressive, but for all intents and purposes were not. This is what Aihwa Ong calls “neoliberalism as exception” where new forms of market governmentality produce *latitudinal citizenship*, “a mix of regulatory norms and ethnicized modes of labor incarceration” that rely upon “versatility in volatility, and flexible attitude and latitude” that are not divorced from colonial forms of labor extraction (2007:123, 124). In Guatemala, the colonial and early post-colonial mechanisms for maintaining such a regime had changed. Gone were the vagrancy laws of President Ubico’s time, though racialized, gendered, and age-graded forms of labor expropriation and exploitation were still present in the agricultural, industrial, and service sectors albeit now under the guise of neoliberal self-regulation in an era of brokered peace.

As alluded to in the introduction, in the late 1990s, various steps to publicize and support the implementation of the children’s and youth’s code were on-going; drawing attention to patterns of child labor was one among many aims in the campaign. Guatemalan labor laws allow 14 and 15-year-olds to work a maximum of six hours per day, 16 and 17-year-olds seven hours. Dangerous work and overnight shifts are prohibited for youth under 16. Enforcement of these labor laws in many industries is dubious. It does not include sub-contracted piecework, family enterprises (including agriculture), domestic labor, or the independent vending of goods and services in the informal sector. Many of the youth who do unpaid work often do so as an extension of family enterprises or as part of an apprenticeship into a craft profession. In 2000, of the estimated 937,530 Guatemalans between the ages of five and 17, 23.4 percent were working an average of 39.6 hours per week (ILO-IPEC
2004:3, 5). This statistic included both unpaid and paid forms of work encompassing agriculture, service, and manufacturing sectors. A recent US Department of Labor report additionally suggests that children and youth often combine work and school; the report cites a 2003 survey indicating that 14 percent of children aged seven to 14 did both (USDL 2011). While a cultural logic of working indigenous children and youth in Guatemala has long been naturalized, a recent publication by the ILO’s International Programme for the Eradication of Child Labour acknowledges that their Mayan consultants distinguished between child work and child labor. The latter was considered a “necessary evil” and was equated with receiving remuneration (ILO-IPEC 2008). Finally, a subsequent World Bank study confirms that even a decade after the peace accords had been implemented, statistics on patterns of indigenous child labor remained constant (Hall and Patrinos 2005).

In the central highlands, subsistence agriculture and coffee production for export historically predominated. Coffee, in fact, continued to remain important to the sending communities even as the international market prices fell. During this period of time, indigenous farmers were increasingly switching to cultivate non-traditional agricultural crops (e.g., broccoli, strawberries, carnations). This fed US consumer desires for year round access to fresh fruits, vegetables, and flowers. Farmers who profited from this lucrative but risky enterprise were able to maintain control over culturally valued modes and relations of production—“collectivist family farming,” but at a social cost. This perpetuated the exploitation of extended family members, including their sons and daughters, in unpaid agricultural labor (Benson and Fischer 2007). The production of fresh fruits and vegetables spawned other related industries, including sorting and packaging products for shipping. Indigenous women and youth seasonally worked in these facilities to supplement their household incomes.

Other towns in the highlands fed the maquila sector, and unlike intra-familial dynamics in the non-traditional agricultural sector, relative gender and generational hierarchies were being reconfigured. Families expressed ambivalent feelings about the relative freedoms that earning cash in a highly exploitative industry entailed. Nevertheless, youth between the ages of 14 to 18 sought out this kind of paid and valued labor in lieu of unpaid reproductive labor in the form of caregiving, subsistence agriculture, and even paid day labor work in traditional cash crops (Goldín 2001, 2009; Green 2003; Thomas 2011).
The largest numbers of migrants to Postville came from hamlets on the margins of these industries. And many of the men and women who were coming to Postville had worked in these sectors as youth themselves. Thus, intrafamilial relations and new desires for modern forms of consumption had been cultivated long before they assumed the ultimate risk of taking out loans with high interest rates, often against the family property, to embark on a month long journey. The economic impacts of NAFTA on maquila production in combination with the devastation caused by Hurricane Mitch made the risks seem worthwhile. Postville was often not their only possible destination, but friends and family already working there helped spread rumors cultivated inside the plant by a shift supervisor that the Rubashkin family used their influence to prevent a raid. These were bold lies, lies I often tried to dispel, but many migrant families chose to believe them as they watched many other meat processing facilities targeted across Iowa and other parts of the Midwest while Postville remained unscathed.

Pre-Raid Household Negotiations Over Youth Labor Power

While households are not the cause of child labor, they are a social site wherein valuing subjects, in the dialectic processes of subject-making and self-making, are enacted in quotidian social practices (Ong 1996). Beginning in mid-2000 when Guatemalan families were able to reunite in Postville, complex negotiations over the proper place of these youth began taking place informally within kin and community networks. And even though families would have been exposed to the Guatemalan national campaign to raise awareness of children’s and youth’s rights, in the US there was tremendous moral pressure and economic incentive for everyone, including youth, to find work to pay back the debt incurred when families took out predatory loans to finance the high price of human traffickers’ fees. The plant was the biggest employer in town and given that most who worked there purchased counterfeit documents, it was not any more difficult for peddlers of papers to falsify one’s age in addition to one’s identity.

During the transitional period of adolescence, many male and female youth decided to drop out of school to work at the plant. A few who were living unión libre (free union; i.e., common-law marriage) did so in order to support newborns. Among single youth, some decided to switch to the night shift clean-up crew in order to attend school during the day. As
previously mentioned, this pattern of attending school full-time and working mirrored practices in Guatemala. Nevertheless, within this transnational context, how to understand and frame the presence of these “invisible” youth laboring in plain sight increasingly became a point of ongoing local negotiation and even contestation.

Take for example, the case of 15-year-old Pedro and the series of extended negotiations that ensued between him, his siblings, and affines. Pedro was the youngest son in an extended family network originally from one of the larger and more prosperous sending towns. Three of his older siblings already lived with their own families in Postville. In fact, they were long-term residents by immigrant community standards as they had been amongst the first to establish residence there. I had known Pedro as a boy of six in Guatemala. Back in the late 1990s, he routinely organized dramatic play performances in his family’s household yard, re-enacting a popular festival performance staging the Spanish re-conquest of the Iberian Peninsula. Pedro along with peers in his network joyfully transformed the plot from one that celebrated the triumph of Christianity to one that featured the Moorish King as anti-hero, a character who stubbornly refused to submit to the might of a moral majority (Reynolds 2010). While Pedro enjoyed forms of sociodramatic play that enabled him to secretly challenge relative age and gender asymmetries, he also desired to be a dutiful son. His mother approvingly recalled a conversation wherein Pedro stated he could not wait to grow up and work to support her. This follows a cultural ideal within many Kaqchikel Mayan communities where the youngest sibling, and especially the youngest son, assumes responsibility for the care of elderly parents. Ten years later, it looked like Pedro was about to keep his promise when he declared his intention to travel to Postville. And with the help of his sister, Piedad, he arrived in December of 2007.

There was dissention among the four siblings. Piedad, the oldest sister, together with their mother made all the arrangements; Piedad and her nuclear family financed the trip. She told me that their mother was ambivalent about endorsing Pedro’s decision. The mother said that perhaps it was for the best as he had a girlfriend; she worried that the two would elope. Needless to say, the two older brothers, Manuel and Horacio, felt chided for not being consulted and were perplexed by Piedad’s decision to not seek their financial assistance. Piedad told me that she did not want to upset Manuel’s wife, whom she observed grow increasingly hostile to decisions made among the siblings to send remittances to their mother.
Instead of putting Manuel in a tight spot with his wife, she said she preferred to shoulder the burden and not reveal her reasons for doing so.

Piedad rented a one-story ranch house with her family. She was actually in the best position to take Pedro in as Horacio, Manuel, and his family roomed in a small apartment in the center of town. Piedad’s 18-year-old daughter had just moved out of the house to live with her Mexican husband’s family, so space had become available. It was a full house though, occupied by her two sons, ages 15 and nine, her husband Serapio, and Zeke. Zeke was an “unaccompanied youth,” someone who migrated to and resided within the US without a parent or guardian. He had followed the advice of peers from his natal community of San Andrés Itzapa, and came to Postville to seek work. Like Pedro, he too flouted the sovereignty of two nations, crossing international boundaries without proper legal documentation or permission.

Zeke used wages from Agriprocessors to support his widowed mother and younger siblings back in Guatemala and to pay for a car “sold” to him by his shift supervisor. Zeke moved in with Piedad and her family after his roommates kicked him out of their apartment. They had heard a rumor that his name was on an ICE list targeted for immediate detention. This scenario was possible; he had already been deported once during his first attempt to cross the Mexico-US border. His ex-roommates obviously feared being caught up in an ICE dragnet search for Zeke. Serapio learned about Zeke’s predicament and offered him shelter when it was clear that the youth had gone homeless. Serapio jokingly referred to him thereafter as his “little orphan.” Piedad added that she pitied Zeke for being poor and alone, and that he was like her own children and needed a family to care for him. Piedad and Serapio also appeared to admire Zeke for his ethic of hard work; he attended school by day and worked the clean-up crew night shift handling chemicals and high-powered water hoses.

When I first asked Piedad what was going to happen to Pedro, she said she was unsure. She told me that it should be Pedro’s decision if he were to seek work at the plant or go to school. Piedad insisted that it did not matter if he could not pay her back right away, it would have to be his decision in the end. And though Pedro’s stated goal was to earn money to send back home to help support their mother, the pressure to do so was not so great. All of her children were grown and the oldest siblings living abroad were already sending remittances when needed. At the same time, Piedad acknowledged that Serapio wanted to encourage Pedro to follow
Zeke’s example, work with him by night as part of the clean-up crew and go to school by day.

Subsequent conversations with Piedad revealed that she was torn about what to do, especially since Pedro and her son Tony were the same age. Tony went to school full-time and did extra-curricular activities like other typical Iowa teenagers afterschool. In fact, he enjoyed considerable fame as a soccer jock both at school and within the Guatemalan migrant population. Perhaps, she mused, when Pedro was no longer disoriented from the trip and culture shock, he might get a different kind of paid work like Tony. Tony had been recruited along with another Mexican youth by one of the local Iowa landlords to dress up as a security guard and patrol the area at night around a set of apartment complexes housing mostly Mexican migrants. This kind of neighborhood watch crew was a security measure taken up in a deal between the landlord and the plant management to cut down on “Hispanic” hell raising at nights and on weekends. It was implemented after a dispute between youths from two rival Mexican families escalated into a knife fight. Tony was in charge of clamping down on noise pollution and reporting excessive public drinking to the police. In fact, they were authorized by the property manager to threaten other youth with deportation if their authority was ever challenged. Piedad was obviously pleased with this opportunity; her son could earn cash like an adult while also living the life of a rural Iowa teenager.

A week later, Pedro was given a job. Horacio (one of Pedro’s older brothers), who was friends with a local small-business owner, asked a favor to hire Pedro on a part-time basis doing service work. Pedro seemed to like the arrangement. When I later questioned Piedad about this turn of events, she stated that Serapio had stopped lobbying to send Pedro off to the plant. Serapio had changed his mind when he saw that Pedro was just like his own sons, who spent the majority of their time studying. The money earned at the shop would also be used to pay them back. Pedro ultimately decided to join his nephews at school and learn English, thereby giving himself time to become re-acquainted with his siblings and cousins and grow accustomed to life in Postville.

As a point of contrast, 14-year-old Joel decided to drop out of school and go work at the plant. His mother, Imelda tacitly supported Joel’s decision, even when she was confronted by the dissenting opinion of don Jerónimo, a well-respected Guatemalan businessman in town. Don Jerónimo recounted how he attempted to intervene on Joel’s behalf.
I spoke with the mother, with Imelda, the mother’s name. “Ma’am,” I said, “why don’t you deal with your son (so that) he can graduate? It’s certain, (pause) ehm: it can be very, that we’re all in tight straights and everything, but why not put up a fight so that he can graduate?” (Jennifer: indeed) Right? ((DJ now speaking as Imelda)) “But it’s that it’s—he wants to work.” ((DJ now speaking as himself)) “Well, you’re the one giving orders here,” I told her. “Then who is it that’s the boss?”

Don Jerónimo’s story underscored his concern about the increasing number of underage Guatemalan youth working at the plant. He estimated that there were approximately 35 underage workers and feared that the number would grow.

Don Jerónimo was especially knowledgeable of their working conditions as he was an ex-employee of the plant who had worked alongside the first group of Guatemalan migrants. His analysis of the situation was decidedly neo-Marxist. He attributed the deterioration of working conditions to the presence of large numbers of available, deportable workers and the CEO’s refusal to root out corruption when directly confronted with information about it. He also identified neocolonial forms of patron-client relations under the guise of charity and was convinced that many in town were complicit. In a series of interviews with me, he identified the main problems and puzzled over how to best sever the “umbilical cord of slavery,” and stop acting like “canaries in a gilded cage.”

He started with a critique of the parents for failing to assume responsibility for guiding youth’s decision making. He moreover named key representative(s) from the Hispanic ministry, members of the Guatemalan evangelical sect, and staff at the school, who stood idly by, silently approving of what was going on. He also assumed that once youth got a taste of the hard-earned money that was to be had working at Agriprocessors, they crossed a point of no return. This, he imagined,
forever barred them from experiencing a version of the privileged childhood that other Iowa teens enjoyed, and one that he wished Guatemalan youth would aspire to.

In a subsequent interview, Don Jerónimo went on to discuss how he had observed shifting patterns of conspicuous consumption preventing young people from getting ahead and planning a future for themselves. This was a tragedy in his mind as it led to a sort of amnesia of what life was like in Guatemala and how they were missing an opportunity to meaningfully rework unequal social relations back home and in the US. He was particularly disturbed by cases where youth were being recruited to police each other’s actions. He cited the example of Piedad’s son, Tony, as a case in point. Tony’s employment working for the plant via the meditational role of the landowner was more evidence that “volvemos en el escalvismo otra vez, la esclavitud maldito que traemos a espaldas!” (we become enslaved once again, the damned slavery that we carry with us on our backs!)

While Piedad saw the job as a meaningful demonstration of her son’s diligence and desire to work, which relieved him of the pressure to do hard manual labor at the plant, Don Jerónimo saw him being drawn into a middleman position, which made him complicit and part of the problem. These differences of opinion, I observed, eventually resulted in a rift within the Guatemalan community. This occurred following the raid when the Iowa Attorney General started posing questions to Guatemalan residents about who else might be held to account, aside from plant management, for the existence of underage minors working at the plant and elsewhere in town. Pointing the finger to single out community members would be difficult to do. Many people occupied multiple roles within dense webs of entangled social relations. Their actions often blurred the line between forms of assistance and interest.

The Raid, Its Aftermath, and the Child Labor Legal Proceedings

Five months after I wrapped up an extended period of fieldwork, on May 12, 2008, ICE agents raided Agriprocessors. Around 10:00 a.m., helicopters and a caravan of federal agents, escorted by Iowa State and County police, arrived in Postville and surrounded the plant’s facilities. The Postville police had not been notified and so were not aware that the raid
was going to happen until it was already underway. By that time, the first
day shift had already been at work for an hour.

Information disclosed in an affidavit submitted by ICE to authorize a
search warrant reveals that Agriprocessors came under intense scrutiny
beginning in late summer 2007. Around August 30, 2007, ICE special
agents received and processed a request from the Iowa Department of
Public Security to help identify and question Mexican youths detained in
the aforementioned knife fight. These detained youth admitted to working
as undocumented labor at the plant. In order to confirm these allegations,
in November of 2007, ICE agents decided to finance an operation to infil-
trate the plant. They paid a “confidential source” to pretend to be an ille-
gal alien, secure employment at the plant, and clandestinely observe plant
operations, recording incriminating conversations between administrators
and employees.\textsuperscript{12}

Postville became the first of a series of widely publicized single work-
site raids. The particular aim of the raid was to efficiently apprehend, pros-
ecute, and convict migrant workers for federal crimes under the Bush ad-
ministration’s initiative to enforce post-9/11 legal provisions following the
intent of Public Law 107-56, otherwise known as the USA Patriot Act of
2001.\textsuperscript{13} The legislative amendment most germane to the prosecution of
Postville workers was the 2004 Identity Theft Penalty Enhancement Act
(118 Stat. 831). It was added to 18 U.S.C. §1028A, a statute that was part
Theft Penalty Enhancement Act established penalties for aggravated
identity theft associated with felony crimes including acts of terrorism,
immigration violations, and firearms offences. Legislative records suggest
that the term “aggravated” was added to the pre-existing identity theft law
to stiffen penalties for people who \textit{knowingly} steal and use another per-
son’s identifying information without that person’s knowledge or consent
and/or to defraud the government. In sum, within the amended statute, a
general act of aggravated identity theft is considered a felony crime carry-
ing at least a two-year federal prison sentence.\textsuperscript{14}

This amendment to pre-existing law thus served multiple purposes: to
wage the “war on terror” and to intensify a well-established pattern of legis-
lating illegality (de Genova 2005) by further criminalizing subjects who flout-
ed state sovereignty and forms of surveillance. The Postville raid was thus
a high profile example of how the US legal system increasingly blurs crimi-
nal and migration law and adopts very restrictive neoliberal politico-legal
definitions to define and police citizenship (Moyers 2008-2009, Hernández 2008, Stumpf 2006). The mass detention of Guatemalan and Mexican migrant laborers for federal crimes at the National Cattle Congress fairgrounds in Waterloo, Iowa combined with the streamlined, unprecedented cooperation by federal courts to arraign and leverage guilty pleas was a dramatic example of how “criminal and immigration law primarily serve to separate the individual from the rest of US society through physical exclusion and the creation of rules that establish lesser levels of citizenship” (Stumpf 2006:381).15 This is an extreme form of graduated citizenship (Ong 2007). A description of the unusual procedures used in this case gained national attention when one of the federal court-certified interpreters who served at the trials, Dr. Erik Camayd-Freixas, critiqued the process in an essay (2009) that was later republished in an article by Julia Preston (2008) in the *New York Times* news story titled, “An Interpreter Speaking up for Migrants.” Legal scholar Peter Moyers (2008-2009) has also written incisively about the way the prosecution “butchered” (i.e., misinterpreted) statutes within federal criminal law to pressure defendants into accepting plea agreements that were not in their best interests.

At that time, Agriprocessors employed about 968 people; the raid captured 40 percent of its workforce, 398 people, 31 of whom were minors. Most were immediately charged and convicted after pleading guilty for committing acts of aggravated identity theft or the misuse of social security numbers. Another 56 of those arrested, the majority women with dependents, were shackled with Geographic Positioning System ankle bracelets. They remained under house arrest, unable to provide for themselves as they could not work and their husbands had already been jailed and/or deported.

The CEO, Sholom Rubashkin, was also eventually arrested.16 Prosecuting attorneys alleged that Mr. Rubashkin and his father Aaron Rubashkin, the family patriarch, committed a number of crimes from harboring undocumented immigrants for financial gain, aiding and abetting document fraud, aiding and abetting aggravated identity theft, bank fraud, mail and wire fraud, money laundering, non-payment for livestock, and violating child labor laws. Preparation for three court cases ensued: two were federal court cases, the first concerned the charges related to the business’ financial dealings, and the second to aiding and abetting aggravated identity theft; the third was a state court case related to the 9,311 counts of child labor violations. As will be evident from the media reportage leading up to the child
labor trial and its proceedings, the cultural politics of childhood took center stage. I argue that these events qualify as a ritual of child labor abolition where a notion of global childhood is invoked to tap into the moral outrage that the American population at large and especially the jury are imagined to feel when the best interests of “the child” are endangered.

9,311 counts of child labor violations were historically unprecedented in Iowa, an observation played up in the local news media. In fact, the sheer number of charges precipitated a legislative change in how Iowa’s child labor laws were to be enforced in the future. This change, however, did not apply to the Agriprocessors child labor trial. Before July 1, 2009, the standard that any prosecution had to meet entailed demonstration of a “willful” violation. It was changed to “negligent,” making it much easier for future prosecutors to prove. The Iowa Attorney General’s office, however, argued that management at Agriprocessors should not solely be tried because of the case’s high profile, but because it was an important one to prosecute on legal principles. Deputy Attorney General, Thomas H. Miller, was paraphrased as saying, “If the state is going to go after the neighborhood grocer when an underage stock clerk works too late, there was no way they could ignore a score of kids on a kill floor or in other meat-packing jobs” (Courier Staff 2011).

But others acknowledged that something more seemed to be at stake. Laura Roan, the Assistant Attorney General, certainly suggested this in her opening statement at the trial when she declared, “This did not happen in a Third World country. It happened in Iowa. This man is guilty of all crimes charged because we say, ‘Not in Iowa. Not here’” (Krogstad 2010a). Her use of the inclusive “we” exhorted the jury to take a stand, to ensure that the moral conduct of Iowans does not contribute to a loss of face by failing to measure up against the high bar set by the international children’s rights movement, unlike imagined “Third World” States.

By the time the Iowa Attorney General’s office was finally ready to proceed with the trial, only Sholom Rubashkin was to be tried and the number of counts was reduced to 83. According to Assistant Attorney General, Tom Miller, the charges were reduced to ensure that the trial would not take an undo amount of time. And before the trial’s end, the charges were further reduced to 67. All were related to four major violations: 1) employing minors at a meatpacking plant; 2) exposing them to dangerous chemicals; 3) allowing them to work power machinery (specifically allowing children under age 16 to use meat circular saws and power washers);
and 4) allowing them to work more time per day and per week than is legal. Each charge, under the prior legal code, was a simple misdemeanor carrying a maximum penalty of $625 and 30 days in prison. If convicted, Sholom Rubashkin could have faced a five-year prison sentence.

This case became even more important after it was decided not to pursue the second federal case charging Sholom Rubashkin with harboring undocumented immigrants for financial gain, aiding and abetting document fraud, and aiding and abetting aggravated identity theft. The prosecuting attorneys made this decision immediately after Rubashkin had been found guilty at the first federal trial, which ended six months before the beginning of the state child labor trial.18 From the perspective of many migrant families and those who worked diligently to support them after the raid, the state trial was the only opportunity to speak in a legal forum about how immigrant labor was exploited and the overall terrible working conditions, even if the charges were now narrowed to misdemeanor child labor violations.19 26 youth, Guatemalan and some Mexican, both males and females, eventually provided testimony; at least eight who had been deported were flown in from Guatemala to testify. Airing grievances would be difficult to do given that on the first day of trial the attorneys fought over which evidence would be admissible. The defense attorneys sought to ensure that any evidence related to hiring 389 undocumented immigrant workers would be barred. The trial thus was to publicize and politicize what had already been a contested issue amongst Guatemalan and Mexicans residents even as it sought to sever, in theory, the issue of underage labor from the issue of immigration and the social conditions and practices that shape how undocumented alien workers obtain jobs.

The defense attorneys’ strategy was to frame Sholom Rubashkin as an “amateur” businessman, a son who only desired to please his father by managing the plant, even though he lacked the skills to do so (Waddington 2010). They even suggested that it would be difficult for Rubashkin and other Americans to discern the relative age of Guatemalans because of their short-stature. At one moment, a defense attorney asked a five-foot Guatemalan to stand next to a six-foot, white American. This move racialized Guatemalan youth’s bodies as being underdeveloped and belonging to the Third World. A third strategy was to spread the blame around; the defense tried to co-implicate the US Department of Labor and Iowa Workforce Development. They filed documents revealing that one month prior to the raid, inspectors who had conducted a walk through were...
approached by a youth who admitted to being a minor. Finally, the defense worked vociferously to discredit all immigrant testimony. Oral statements made at trial were compared to prior written statements taken by ICE and other federal agents at the time of the raid and during the legal proceedings immediately thereafter.

The prosecution, however, played up the vulnerability of childhood and adolescence; the youths’ exposure to dangerous implements, machines, and chemicals was assumed to rob them of a protected period of development and self-exploration. A central strategy was employed to frame these youth as just like all other Iowa teenagers. The following passage is how the journalist Jeff Reinitz (2010a), working for the *Waterloo Cedar Falls Courier*, reported on this strategy:

May 12, 2010 WATERLOO — Among the mountains of bogus immigration records and job applications with fake names and birthdays in the case against Sholom Rubashkin, the two documents prosecutors keep coming back to are yearbooks.

Testimony in the state’s child labor case against the former Agriprocessors’ executive continued this Tuesday with a parade of former workers taking the stand.

And each time, prosecutors for the Iowa Attorney General’s Office pulled out Postville High School yearbooks. One is titled “2007: Cruisin Through” and the other is marked “2007-2008: Life isn’t always black and white.”

Prosecutors flipped through the tomes to find the thumb sized black-and-white photos of the witness sandwiched between other shots of smiling students.

Reinitz’s ironic bold statement in the opening sentence strikes a double-voiced stance (Bakhtin 1981), which highlights and subtly critiques the prosecution’s strategy. He pierces the authenticity of the portrayal of these youth as adolescent victims with his choice of the adjectival modifiers “bogus” and “fake.”

Adult witnesses for the prosecution also included two shift managers. Both Matthew Derrick and Mark Spangler testified to having reported the
presence of child labor to upper management. Derrick claimed that he reported directly to Sholom Rubashkin that there were “exhausted children at the plant” (Krogstad 2010b). And Spangler later added in his testimony that:

“Anybody that’s been in the business as long as I have can tell when it’s a child working out there on the floor. Unless you’re blind, you know. Not only by their physical features, but also their manners and how you conduct yourself.” After recounting how they would throw things at each other and flirt, he added “It’d be like walking into a junior high school gymnasium.” (Krogstad 2010d)

Spangler also stated that he had told his supervisor, Gary Norris about the problem, who then had to report to Sholom Rubashkin’s brother, Heshy.

This portrait of victimized youth, who should be in middle or high school, was also juxtaposed with requests for dramatic re-enactments. Young males in particular were asked to grasp real meat hooks and knives, as well as imaginary power saws and water hoses to demonstrate how they performed their jobs. Vivid photographs with captions of these enactments circulated as did a detailed description of the very first youth at the trial to testify. Krogstad (2010a) wrote the following article, appearing May 11, 2010, in *The Des Moines Register*.

Rony O. Ordoñez Capir stood in the middle of the courtroom and faced the jury to demonstrate his job as a beef cutter at Agriprocessors.

Ordoñez Capir, now 20, was the first witness in the child labor trial of Sholom Rubashkin, a former executive at Agriprocessors, a slaughterhouse in Postville. Rubashkin faces 83 child-labor charges.

Around 5 feet tall, Ordoñez Capir demonstrated quick, exact movements for the jury that he repeated over and over. The Guatemalan thrust a meat hook into an imaginary 40-pound rib with his left hand, and used a knife to repeatedly slash the slab of meat with the right.

Ordoñez Capir told the jury that he began working at Agriprocessors when he was 16 and that he usually cut about three pieces of meat per minute, during shifts that typically stretched from 4 a.m. to 4 p.m., six days a week.
It was conditions like these, and dozens of pictures of baby-faced Hispanic workers taken the day of a May 12, 2008, federal immigration raid at the plant, that provided the backbone for the prosecution’s opening statements Monday. Some workers were as young as 13 when they were hired, prosecutors said.

The prosecution did not seem concerned about alternative reactions provoked by the sight of young male “Hispanics” handling sharp implements with the know-how to use them. They assumed that the universal rights frame invoked by way of reference to a global childhood engendered in the “baby-faced Hispanics” would constrain how these young males’ embodied actions would be read.

But this modern childhood frame, especially within a US court of law, proved unsuccessful due in part to both neoliberal and politico-legal definitions of citizenship that overdetermined how youths’ voices are heard. For example, consider the testimony and cross-examination of Yukary Hernandez Gonzales of Mexico, now 20, when she testified with the assistance of a court interpreter that she had sought work and been hired as an employee at the plant at ages 15 and 17 respectively. Her impressions were that the hiring of underage workers was widespread and not restricted to a short period of time. They also asked her to testify about a job-related injury she experienced. During cross-examination, the defense attorneys questioned her about written, signed statements made at the time of the raid to an ICE agent and again during an interview in the Tallahassee federal prison. In the first, she had stated that she was unaware of other minors working at the plant and in the second, she stated that she suffered no job related injuries (Krogstad 2010b). By presenting these documents, the defense was able to underscore that she was a convicted felon; she had been caught up in the raid at 18 and was one of the youth who accepted a plea agreement and pled guilty to the lesser of the two federal charges. She served a five-month sentence. Ms. Gonzales was not alone in accepting a plea agreement. Most detainees accepted because they felt that they had no other choice. Pete Moyers notes how “the threat of a consecutive, mandatory two-year sentence of imprisonment did not present defendants with a live option. Regardless of their actual guilt, the risk involved in challenging the USAO’s evidence made acceptance of the plea offer the only rational choice” (2008-2009:674). The jury in the child labor trial, however, could not recover this reasoning within the context of witness cross-examination.
Instead, their attention would be drawn to the fact of “illegality.” This strategy was exploited throughout the trial as the cross-examination sought to discredit not only Ms. Gonzales but the other 26 witnesses by eliciting contradictory statements related to written testimonies and counterfeit documents identifying different names and ages.21

Similar maneuvers were used to discredit the American supervisors. When Gary Norris took the stand to refute Derrick’s and Spangler’s testimonies, he challenged that no such reports had been made and that in fact both had been fired; the former for laziness and the latter for being an alcoholic. It was also revealed in court that Spangler was an ex-felon. The combination of strategies worked. The jury felt there was reasonable doubt and acquitted Mr. Rubashkin of all charges.

It was also apparent that immigrant youth testimonies were filtered through the cacophony of politicized discourse on immigration. Toward the end of the trial, at least two of the reporters covering events began to take on the defense attorneys’ voice, frequently referring to the youth as “alleged child laborers” (AP 2010, Krogstad 2010e). Additionally, the substance of media portrayals presumed a neoliberal form of personhood, where these youths as individuals and not child laborers had to be held to account for their own actions, structural positioning notwithstanding. An Associated Press article (2010) titled, “Former Manager Not Guilty of Child Labor Violations Stemming from Raid on Iowa Slaughterhouse” framed the post-trial interview with the foreman in this way:

Jury foreman Quentin Hart, a Waterloo City Councilman, said he and the other the panelists tended to distrust the accounts of the alleged child laborers because they testified to lying about their ages to law enforcement officials and presented false documents to Agriprocessors. “Each one of them indicated they didn’t tell the truth and indicated they knew they had to be over the age of 18 to get a job, so they acquired documentation from somewhere.”

Jeff Reinitz of the WCF Courier also interviewed Quentin Hart. When quoting him, he chose to include the following ambivalent statement. “It’s kind of tough to call because you want to make the right decision. But what we had to go on was the testimony, the materials given within the court case” (Reinitz 2010b). Reinitz then went on to paraphrase, “In explaining the verdict, Hart noted that all 26 former underage workers who
testified said they had submitted false paperwork that made them appear that they were over age 18 when they applied. He also noted that company officials had fired underage workers it found in 2007” (Reinitz 2010b). In the end of the article, Reinitz acknowledged that the prosecution could not produce incontrovertible evidence that Mr. Rubashkin had been in direct communication with anyone who knew about there being underage laborers. The powerful rhetorical sequencing of information in articles about the verdict always reported first the jury’s assessment that 1) youth obtained papers to falsify their identity and ages; and 2) lied to obtain employment cast aspersions on their testimony, which ultimately mitigated the force of their testimony to influence judgment.

Whether or not the jury actually saw these youth in racialized ways cannot be ascertained solely from representations of what was reported in the media. History, however, suggests that nativist sentiments intensify and anti-immigrant groups retrench, especially during periods of economic downturn (Dick 2011, Kingsolver 2010, Zavella 1997). Moreover, as Benson (2008) eloquently argues, even putting a human “face” on immigrant farmworkers within an exploitative system defined by racial and class distinctions is never enough to undo the inner-workings of a “culture of blame” which transfers responsibility downward to those most vulnerable. In the case of the trial, they could simply not be seen or heard as credible witnesses and credibility in court is vital in determining truth claims (Jacquemet 1996). Thus despite the fact that underage immigrant labor was rampant in the plant and in plain sight, within the adversarial court system and a legal standard that had to prove intent, a decontextualized invocation of a global universal childhood did not prevail. The prosecution’s gamble that the moral outrage that child labor is supposed to inspire in a jury failed. Instead, a neoliberal, racialized personhood ruled the day.

Conclusions
The primary concern of this article has been to chart not only how global childhood travels but also how the particulars of its trajectory inflect the paradox of child labor within socio-historically, interconnected places. In other words, I have sought to not only examine how global childhood was deprovincialized, but also reprovincialized within a transnational Guatemalan migrant community in Postville, Iowa. The two media representations prefacing this article make it clear how children and youth
experienced global childhood; it was dangled like a carrot in front of a mule, perpetually enticing youths to move on, work on, but always out of reach, never to satiate the desires it instilled.

Global childhood certainly informed life back in Guatemala during the period of time when families were making the decision to migrate. Recall the media caricature of the president’s reaffirmation of neoliberal market citizenship (Kingsolver 2010). The president’s policies to pave the pathway to peace and prosperity for all Guatemalans in fact are belied by the existence of the street child as reformed child laborer. A male youth in Guatemala recalled this piece of political satire when I asked him how he interpreted different campaign materials designed to educate the population about children’s and youth’s rights outlined in the código de la niñez y la juventud. By telling me this joke, he aligned with the original author’s lampoon of political and economic reforms, which made promises that could not be kept. At the same time, he and others like him also obtained a glimpse at what global childhood could be like for some children out there somewhere, but not for him if he remained in Guatemala. If anything, global childhood helped fuel a powerful desire to realize a different future elsewhere; a year later, this youth migrated to el norte (the US).

The second media excerpt exposes the cruelty of the US “crimmigration-immigrationization” system and the consequences it unleashed on global childhood; in other words, the carrot once dangled had been snatched away. Cándido Alfredo Marroquín Argueta, who had been working as an underage minor at the plant, turned 18 six weeks after being caught in the raid. No longer a juvenile, he suffered the consequences of the misapplication of federal statues during the criminal trials following the raid and was deported to Guatemala. Two years after the raid, at the behest of the prosecution, he was allowed to return to the US, but only to provide testimony at the child labor trial. As the excerpt reveals, the Assistant Attorney General tacitly directed the jury’s gaze to Cándido’s body, “before” and “after” the raid, when she asked Cándido if he had grown thinner. The childhood that he should have enjoyed here was denied him, first as a child laborer at Agriprocessors, then as a criminalized and deported youth. The jury, as spectators listening and watching the testimony unfold, were in a position to restore the promise of global childhood by punishing the CEO. The problem was that they were supposed to disregard the actual social conditions that produced the condition of migrant illegality while remaining fixated on the youth as child laborer.
When scholars of childhood and adolescence examine the paradox of child labor in comparative international perspectives as I have done here, Nieuwenhuys (2007) cautions that we must be wary of falling prey to divisive cultural politics of global childhood wherein the focus is solely on spectacular cases that involve industrial modes of production or the trafficking of children for shadow industries. A narrow framing of the Agriprocessors child labor case certainly runs this risk. In fact, this is what happened at the trial.

The prosecution engaged in a strategy of subject-making where youth were framed as victims of a single CEO’s greed. In so doing, they erased a decades long history of rural industrial-agricultural restructuring that envelops rural places and people in both the global North and South, resulting in making all workers vulnerable. They also downplayed transmigrant youths’ agency in the process. By only depicting youth as victims, we are unable to understand how this kind of paid work becomes valued over others and why they choose to submit themselves to a carceral labor regime. We are unable to see how paid work fuels the powerful dreams for algo más (something more) of complex desiring and restless subjects (cf. Benson and Fisher 2007), just like it does for native-born Postvillian youth.

And even though the prosecution sought to grant these youth universal childhood, they failed to distinguish how transmigrant youth in actuality were different from native-born ones, because of the forms of graduated citizenship that shape the kinds of opportunities and pathways each can take advantage of in the US. Finally, when Assistant Attorney General, Laura Roan, exhorted the jury to decry the exploitation of immigrant workers as a gross case of child labor imagined to only happen in “the Third World” she contributed to turning the trial into a ritual of child labor abolition. In casting a global childhood framework within the context of a state trial, the prosecution drew Iowans and immigrants into a formal process wherein they were asked to reterritorialize national and sociocultural boundaries in exalting modern childhood where those of us in the West are viewed as very different from the other or the rest.

The upshot of this ritual of child labor abolition, like those staged in many NGO campaigns more generally, is that it fails to inspire holistic solutions, misrecognizes the source of the problem, and ignores the complex ways that spheres of production and reproduction are intertwined. In fact, rituals of abolition by design serve to punish and scapegoat individuals. And so like all other cultural rituals, we only enjoy a moment of heightened
attention and misdirected focus. The actual generative source of inequality—extractive, restructured, and transnationalized agribusinesses, ruled by the coercive powers of market competition—remain unchecked.

Indeed, while the child labor case at Agriprocessors was spectacular, in this article I have sought to blur the bright line that some seek to redraw and to deny its uniqueness. In the current global economy, neoliberal forms of market citizenship shape youth’s experiences in both places, albeit in different ways. In Guatemala, latitudinal citizenship (i.e., intra-ethnic and other horizontal forms of exploitation) is widespread and results in cultural ranking of different forms of exploitative labor. Intergenerational and gendered exploitation within families is apparent, and is in part a product of deepening forms of structural violence resulting from neoliberal policies. These policies position youth to compete in an international global supply chain providing eco-cultural vacation getaways, cheap clothing, fresh fruits, vegetables and flowers, and their own alienated labor power. And market forces additionally conditioned Guatemalan youth and their families to shoulder lots of risk at home. Shouldering additional risks because the rewards are imagined to be greater and attainable faster is not unexpected.

Neoliberal forms of subjectification continued in Postville, as members of an internally diverse mixed ethnic, although the majority indigenous Kaqchikel Mayan population found themselves lumped alongside Mexicans, and made into “Hispanic” immigrants. In Guatemala, they had been citizens without enjoying the rights entailed in the legal status; in Iowa, they could not even become citizens and they did not know which rights could be claimed as workers. Given that everyone shared the same status as undocumented labor, when it came to coping with the life on the disassembly line, the cultural politics of migrant illegality often trumped the politics of age.

When informal negotiations over the meanings of gendered and age-related categories did arise, as was the case in many of the households I frequented, these debates were fraught with tensions related to shifting kin and community relations. Mixed-status households, for example, were on the rise; youth became parents who had to provide for their American-born children. Additionally, unaccompanied youth lived alongside those who were recently reunited with their parents and older siblings. Inside the same household, different childhoods literally co-existed, and this informed planning and decision-making associated with the well-being of different youth. Families clearly valorized factory work, even if it was
exploitative, not because Guatemalans are culturally just hard workers as some ethnicized discourses suggest. Rather, they did so because in pursuing this way of life, at least for a time, it allowed their parents to fulfill their desire to sustain ties to both home places in Guatemala and in Iowa. The new forms of consumption and subjectivities that the youth and their families were learning to navigate were also complex and shifting as was the nature and quality of the overlapping relationships they were forming in the US. Families felt a modicum of safety in Postville in addition to captivity. Thus, establishing consensus was complicated, even amongst kin, but not impossible to reach. How Guatemalans would have come to eventually view the paradox of child labor as they continued to be denied equal citizenship rights in a rural place that they were increasingly growing attached to remains an unanswered question. The raid happened; it cast a narrow spotlight on what forms of future action were possible.

The raid had many unintended and diffuse consequences, one of which resulted in mobilizing immigrant supporters to action. The fact that preparations had been made to pursue cases for both immigration-related and child labor violations was significant, even if the immigration case was eventually dropped. It opened up a pathway to legal citizenship for some of the witnesses. An astute attorney, Sonia Parras, from Des Moines, Iowa, was able to secure 32 U-visas for some of the women and their children in exchange for their testimonies of workplace abuse and criminal activities at the plant in preparation for the federal immigration trial.23 Piedad and her family were able to obtain one of these visas, and her son Tony eventually went on to graduate from high school and begin attending community college. Parras also secured 11 more visas for adolescent employees who were under the age of 18 when they worked at the plant between 2007 and 2008. A few unaccompanied youth like Zeke who were not caught in the raid eventually found social and economic support and guardianship from local Iowa families. Some were exploring their eligibility for a Special Immigrant Juvenile visa and legalization. Pedro did not qualify for a U-visa as he never worked at the plant; in fact, he agreed to go live in another state with a different sibling immediately following the raid. The majority of youth, however, were deported or voluntarily returned to Guatemala. The outcomes were uneven, leaving in place forms of graduated citizenship that continue to divide town residents and families into groups: those who have visas and green cards, those who are naturalized or native born citizens, and those who have no legal status at all.
These different kinds of status were on display at the child labor trial—deported youth testified alongside those with U-visas. Defense attorneys highlighted the fact that some youth were felons because they accepted plea bargains. They additionally insinuated that some youth’s testimonies were only secured in exchange for U-visas. The prosecution instead directed attention to “baby-faced” pictures in high school yearbooks. And as previously described, the Attorney General hoped that when the jury was directed to watch Hispanic male teens wield knives and hooks, slicing and stabbing at imaginary cattle and poultry carcasses speeding along the disassembly line, all they would see were victims, robbed of childhood innocence.

Certainly, much of the media coverage did not see youth only in this way. The portrait of youth was complicated and confusing. Many of the youth who provided testimony were now of legal age. And when asked to recall different times they had been employed at Agriprocessors, not all were able to recall accurate birthdates or ages, confusing them with fictional ones stated on false documents. Thus, when eyewitnesses of legal age displayed uncertainty about aspects of their testimony, their credibility was seriously undermined. The underlying reason why birthdates and actual age at time of employment were hard to recall was unimportant. And in the moment that youth revealed the agency ascribed to earning a valued wage, they became just like other neoliberal subjects in the eyes of the law, solely responsible for their own well-being. The ways and means of securing work was enveloped in lies. Global childhood would not be secured for these new Iowans by the “mountains of bogus immigration records and job applications with fake names and birthdays.”

In closing, in challenging how childhood was belabored at the trial, and by recovering the complex histories and reasons for why and how semi-proletarianized youth in Guatemala became fully proletarianized and deportable labor in Postville, Iowa, I have taken an important step in recovering a holistic understanding of why a myopic preoccupation with “global childhood” fails to deliver equitable childhoods for all. Child labor trials, when turned into spectacular rituals of child labor abolition, do not support or respect youth’s freedom. Rather, they serve to imprison them in a simplistic and utopian childhood that disallows the kinds of agency that immigrant youth already exercised in their lives. Finally, the “childhood” that actual youth experienced was far more complex, diffuse, and enmeshed in adulthood than any legal or universal definition of childhood.
would or could allow. We can refuse to join rituals of labor abolition manifest in spectacular industrial cases that patrol and compartmentalize age-graded categories which are actually relational and intersect with other social categories here in the United States and abroad in Guatemala. In fact, we must when the childhoods of actual children and youth are being reconfigured by neoliberal economic policies in both the global North and South. Contra Assistant Attorney General Laura Roan, we must explain why, “Yes in Iowa, yes here…and there.”

Endnotes:
1I am unable to identify the original source of this piece of satire as it was retold to me by a youth in an interview. He recalled reading it in a national newspaper, but never specified which one. This excerpt was derived from fieldnotes that I wrote up after the interview.

2The terms of peace as outlined in a series of peace accords finalized in 1996 included not only operational accords to lay the ground work for the cease-fire and legal incorporation of ex-guerrilla groups, but also accords to demilitarize the army, reincorporate displaced peoples, and strengthen civilian power. They moreover established a Truth Commission to investigate war crimes; enacted a progressive tax reform and tackled the issue of entrenched socioeconomic inequalities; opened up political space for previously excluded sectors to participate in governance; and created an apparatus with mechanisms to oversee the protection of human rights. See Jonas (2000) for an excellent discussion of how peace was finally brokered. Her analysis underscores both triumphs and unresolved challenges. It remains to be seen if Guatemala establishes a true democracy. The “New Right” transnational elite, who rose to national prominence during this period were different from the arch conservative agro-oligarchs, but they were aligned with them in circumventing the implementation of provisions outlined in the economic accord (Chase-Dunn and Manning 2001).

3This process began back in the late 1980s and early 1990s after military governments had completely lost political legitimacy and US financial support. The state attempted to sanitize its image by signing and ratifying the 1989 UN Convention on the Rights of the Child.

4In 2006, the International Labour Office released statistics trumpeting an 11 percent worldwide decline in children’s participation in the labor market in general and a 26 percent drop in hazardous work (ILO 2006). Gamlin and Pastor (2009) suggest that this is most likely the result of the intersection of international policy initiatives that do not turn a blind eye to regional socio-cultural and political factors while also finding ways to translate the ILO Convention No.182 into policy that is grounded in these aforementioned realities.

5While Yablon-Zug (2012) notes that this trend grew out of a children’s rights movement, it is not without historical and legal precedent. Starting in the 19th century, Native American children were routinely removed from their families and placed in boarding schools designed to “civilize.” This was later replaced by the Indian Adoption project in the 1950s. Indian children were then placed in non-Indian homes; a best interest of the child discourse served to legitimize the practice. In these and other cases, it is clear that a history of preserving the integrity of the family has in actuality only served “particular” families, those whose profiles mirrored the idealized white middle-class, English speaking, nuclear family.

6Iowans who trace their ancestral immigrant roots to Germany and Eastern Europe might experience the uncanny as banda music is in many ways reminiscent of the polka music their grandparents and great-grandparents used to play and dance to.

7For example, the alleged extortionist did not suffer any visible sanctions after the cars-for-jobs scheme had been reported; he continued to exert tremendous control over the immigrants who worked under him. Elsewhere (Reynolds 2011, Reynolds and Didier 2013), I address how the Rubashkin family responded to the UFCW’s attempts to unionize the workforce as well as how they created a dispersed system of communication to ensure plausible deniability.
unaccompanied alien child.

as the ethnographic work of Lauren Heidbrink (2010) on the emergence of the juridical category, Customs and Immigration Enforcement’s handling of refugee and immigrant unaccompanied youth as age following US law. See also Elizabeth Chin (2003) and her critique of the adult-bias in the Bureau of youth, non-US citizens who have migrated independently of their parents/guardians and are still of school in relation to The McKinney-Vento Act of 1987, a piece of legislation that seeks to ensure equal access or spouse is a seasonal worker in agriculture or fishing). legal usage of this term most often appears

8See Loucky (1979) for an early piece on the use of Guatemalan indigenous children’s labor in household production of rope for sale in domestic markets. It is an excellent example of critical ethnographic research that challenged neoclassical economic ahistorical assumptions that the use of child labor was solely the “problem” of peasant households.

9While the ideal residence rule is for adult children to establish independent neolocal residences when they marry, most newlyweds move into the household of the male’s family in order to save money and build their own place apart. By the time the youngest son marries, he often is the only one left in the household to care for the aging parents. It is also the case that in economically stressed households, children and youth will pool income to help cover the cost of household reproduction. Cosmological Mayan ideals discern unity in diversity amongst interdependent family members. Family members acknowledge ranked differences marked by relative age and gender, though this is tempered by respect for individual autonomy and freedom of action (Reynolds 2008). Thus, while the expectation is that children and youth contribute to the household and that this is often done out of a sense of respect, adults cannot expect to command all of children’s and youth’s wages as their individual needs and desires are also acknowledged.

10In the US, “unaccompanied youth” is a term often used interchangeably or in conjunction with “homeless children and youth.” According to the U.S. Code § 11434a(6) (2002), children and youth categorized as such must be under the age of 18, be apart from their parents or legal guardians, and live in unstable or inadequate living arrangements. It applies to children and youth who ran away from home, were displaced by natural disasters, forced from their homes, abandoned, or a “migratory child” (§ 6399, one whose parent or spouse is a seasonal worker in agriculture or fishing). Legal usage of this term most often appears in relation to The McKinney-Vento Act of 1987, a piece of legislation that seeks to ensure equal access to K-12 schooling for all homeless children and youth. In this article, I extend its use to denote immigrant youth, non-US citizens who have migrated independently of their parents/guardians and are still of school age following US law. See also Elizabeth Chin (2003) and her critique of the adult-bias in the Bureau of Customs and Immigration Enforcement’s handling of refugee and immigrant unaccompanied youth as well as the ethnographic work of Lauren Heidbrink (2010) on the emergence of the juridical category, “unaccompanied alien child.”

11Colons are a transcription convention used to indicate elongated sounds.

12Agriprocessors must have been under scrutiny for much longer than the affidavit suggests. Investigative reporter, Colleen Bradford Krantz, in her book Train to Nowhere (2011) about the 2002 case of 11 corpses discovered in a parked railcar in Denison, Iowa, victims of human smugglers, writes that the INS was planning to raid Agriprocessors as early as 2000. Her source was Alonzo Martinez Jr., a retired border patrol agent of the old Immigration and Naturalization Service. Martinez Jr. vividly recalls a day in November 2000 when he and his unit received the stand-down order, but with no official explanation as to why the operation to raid Agriprocessors had been called off. More recently, ICE possessed information from the Social Security Administration (SSA) that Agriprocessors had a long history of receiving “No-Match” letters (Moyers 2008-2009). These are forms that the SSA sends to employers when the social security number, employee name, and information on the employee’s W-2 form do not match.

13The general goals of this legislation were “to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes” (P.L. 107-56-Oct. 26, 2001, pg. 2).

14Moyers writes, “Nearly all defendants were charged with either the unlawful use of a social security number, under 42 U.S.C. § 408(a), or possession or use of a fraudulent identification document for the purposes of employment, under 18 U.S.C. § 1546(a). The statutory maximum under § 408(a) is a five years imprisonment; the statutory maximum under § 1546(a), if the violation does not involve terrorism or narcotics, is ten years imprisonment” (2008-2009:672).

15A Supreme Court decision, Flores-Figueroa v. US, handed down a year later no longer permits the practice of charging immigrants for aggravated identity theft when there is no clear evidence of knowledge of the crime. This enables a distinction to be drawn between undocumented workers who purchase documents without knowing that an identity has been stolen or a social security number misused and those who intentionally steal and assume another’s identity.

16Other arrests of supervisors and human resource staff followed. Two evaded arrest and fled the country. One was eventually caught in Israel and is now undergoing extradition proceedings.

17The charges were reduced a second time because five of the original 31 youth were unable to testify for unspecified reasons. Their names were not on the prosecution’s final list of witnesses. The defense’s motion to dismiss the charges was effective because there was no way, short of cross-examination, to verify their ages at the time of employment.

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Mr. Rubashkin was convicted on 86 financial fraud charges. He was eventually given a prison sentence of 27 years. The ACLU filed a brief with the 8th Circuit Court arguing that there was potential for bias. District Chief Judge Linda Reade, who oversaw Rubashkin’s case, met with ICE prosecutors before the raid to make preparations for judges, interpreters, defense counsel, and the detention facilities. Rubashkin’s lawyers only discovered evidence of this through Freedom of Information documents. It arrived too late for them to be able to request that the judge recuse herself for potential bias. In September 2011, the 8th Circuit Court upheld the conviction and ruled that there was no evidence that any of Judge Reade’s statements or rulings were biased. They also found that the sentence was not unreasonable.

Preparations for this second federal case had provided an opportunity to air grievances, but only to the prosecution. Some female workers, for example, revealed that sexual harassment was not uncommon. Securing ex-employees' testimonies, however, was a complicated process. The prosecution had to scramble to locate potential witnesses who had already accepted lesser pleas, served jail time in federal prison, and were deported back to either Mexico or Guatemala. In the end, many migrants were bitterly disappointed that the trial did not move forward, especially when the press reported that the case was not pursued to save taxpayer dollars. It proved that justice would only be for just-US citizens.

It appears that the prosecution did not elicit testimony from youths about their labor histories prior to employment at Agriprocessors. Thus, there was no way to gauge how youth comparatively experienced the work they performed at Agriprocessors or anywhere else. This means that it is impossible to discern if the youths felt that they were more or less vulnerable to exploitation at the plant by virtue of being underage labor either here in the US or in Guatemala where the labor laws are different.

During the trial, there were many examples of attorney questions and court interpreters not being understood by youth. The prosecutors did not take this up as a point to pursue when they redirected questions. They could have challenged the conditions under which prior written statements were taken down, especially those that used interpreters given Dr. Camayd-Freixas’ assessment of the undue process that resulted.

Legal scholars have labeled US legal policies and procedures, which increasingly seek to criminalize immigration law, a system of “crimmigration.” Moyers (2008-2009) has also labeled the misinterpretation of federal criminal law during the legal proceedings to process, prosecute, and deport detained workers from Agriprocessors, an example of the “immigrationization” of criminal law. He aptly notes that, criminal law is not designed to combat broad social trends; rather, its design and purpose are to deter and punish behavior that deviates from the norm. It is meant to apply to the abnormal. [...] The presence of undocumented foreign nationals in the United States, however, especially migrant workers, is hardly abnormal. Indeed, the number of undocumented migrant workers in the United States exceeds the prison population by a factor of seven. The mass criminal prosecutions following the Agriprocessors raid amounted to an attempt to increase the scale of criminal law to meet the size of the undocumented migrant worker population. (2008-2009:709-710)

The U-visa is a non-immigrant visa awarded to a person who is victim to some sort of criminal activity in exchange for cooperation with law enforcement in the investigation and prosecution of crimes. This type of visa opens up the possibility for the awardee to adjust to the status of Lawful Permanent Resident at the end of a three-year period. The U-visa cannot be extended beyond four years.

References:


Belaboring Childhoods in Postville, Iowa


Tundel, Nikki, dir. 2001. *Postville: When Cultures Collide*. Film, 60 mins. PBS.


Keywords: Childhood, child labor, citizenship, immigration, Mayas, Guatemala, meat processing

Trabajo (y difícil) de niños en Postville, Iowa

Palabras clave: la niñez, trabajo infantil, ciudadanía, inmigración, los indígenas Mayas, Guatemala, planta procesadora de carnes

童工的童年 – 在爱荷华州波斯特维尔市

关键词: 童年, 童工, 公民, 移民, 玛雅, 危地马拉, 肉品加工