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## Essential not Expendable: CoVid-19 and the Biopolitics of the Food Chain: *Project Protect Food System Workers*

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The CoVid-19 pandemic in the USA rendered plainly visible the enduring disparate impacts and continuing aggression of racialized structural violence in the biopolitics of health.<sup>1</sup> The dominant neoliberal healthcare regime has commoditized health care. This mediates differential access to the conditions affecting life and death. The enduring health care inequities are a result of structural racism and are associated with settler colonial founding institutions that have long blocked BIPOC access to quality health care, safe workplace environments, and access to safe housing, clean water, and air. The centuries-long biopolitical marginalization of BIPOC bodies has been exasperated during the pandemic. It is no longer possible to hide the banality of neoliberal attacks on access to healthy, culturally-appropriate foods and foodways as a form of dietary class warfare and an abject expression of settler colonial logic targeting entire categories of BIPOC communities for elimination as expendable because these “non-citizen bodies” are at once “exploitable” and “unassimilable.”<sup>2</sup>

In actual political practice, neoliberal ideology presents a free market fundamentalist episteme. It presupposes a narrow ontological horizon derived from absolutist faith in hyper-individualism as the best fit for subjects to flourish

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<sup>1</sup> See, for example: Abraham, et al. 2021; Evans 2020; Njoku 2021. In our context, by biopolitics we understand a struggle over life or more precisely over environmental and historical conditions like access to medical care and strong public health institutions that protect the life course and wellbeing of the population. The neoliberal settler colonial regime imposes conditions that produce disparate impacts (e.g., higher morbidity and mortality rates) through command over access as defined by segregated subgroups that are targeted by a ‘logic of elimination.’

<sup>2</sup> See the chapter by Tezozomoc in Peña, Calvo, McFarland, and Valle 2017 for more on “dietary class warfare.” In an earlier publication, co-author Peña defines this as the strategy characterized by Derrida as “letting die the other.” See Peña 2017, 61; 64.

under the dominant economic system of capitalism. This is clearly more than an act of epistemic violence. It launches direct attacks on the material and social conditions for the reproduction and health of populations and territories. Neoliberalism is especially intent on undermining the knowledge and policy claims tied to institutions of collective action (e.g., public health) including the autonomous traditions derived from BIPOC roots in millennial Indigenous ethnomedical epistemologies.<sup>3</sup> We are not simply reducible to “bare life” subjects and are instead mobilizing resistance in a massive network of social movements. Our report presents a fisheye view of one such mobilization in the state of Colorado involving *Project Protect Food System Workers* which organized a network of promotoras (advocates) across the state while working towards successful passage of SB087, a Colorado’s Farm Worker Bill of Rights.

### **The Pandemic-Nutrition-Health Nexus**

Substantial scientific evidence exists going back more than a decade on the role of epigenetic factors and their community health outcomes.<sup>4</sup> The findings suggest that diet is one of the three principal factors affecting health. Alongside social economic status and exposure to environmental risks, diet is a major factor affecting our health. Moreover, some research links obesity and obesity-related diseases to severe COVID-19 outcomes. According to Belanger et al. (2020), it is “important to recognize how persistent disparities in nutrition and obesity play a key role in the health inequities highlighted during this pandemic.” Poor access to nutritious food complicates health disparities. So-called food deserts are often full of vendors that sell junk food, tobacco, and alcohol. This influences obesity and nutritional deficiencies, which intensify the harms of environmental pollution.

In Colorado, the Democratic-led Governor and legislature and the land grant university establishment at Colorado State University have failed to address the concerns of food chain workers and their activist/advocate networks. The State celebrated food chain workers as “essential” but in the end allowed growers

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<sup>3</sup> On ethnomedical knowledge and Indigenous healing epistemologies in Mexican-origin communities see for example: Lara 2008; Martinez-Cruz 2011; Morgan-Consoli and Unzueta 2018; Spears-Rico 2019.

<sup>4</sup> On epigenetic (gene-environment) interactions as a factor affecting health outcomes that can be conditioned by disparate intergenerational impacts of environmental racism see, Rothstein, et al. 2017.

and other employers to mistreat them as “expendable” when it comes to addressing ‘susceptibility’ factors related to so-called preexisting conditions exacerbated by the pandemic. This was the situation in March 2020 when we first started meeting and collaborating on a range of interconnected problems presented by the convergence of the long history of settler colonial violence against food system workers and how the conditions of inequity and suppression have been magnified by pandemic conditions. In the end, our work resulted in the passage of Colorado’s Farm Worker Bill of Rights (discussed below). Project Protect also received funding to create a promotoras advocate network to assist agri-food system workers in negotiating and gaining access to healthcare, medicine, improved working conditions, and workers’ organizing rights.

### **CoVid-19 disparities and pre-existing conditions: A case of environmental racism**

The CoVid-19 pandemic demonstrably presents numerous case studies in environmental racism.<sup>5</sup> The pandemic is revealing racial and ethnic disparities in the prevalence of infected cases and deaths from infection. Scientific data show that Indigenous, Black, and People of Color (IBPOC) are experiencing higher rates of infection and mortality from the course of the disease.

*1. Pre-existing conditions: Structural violence of environmental racism.* Pre-existing conditions are often mentioned to explain this trend. The factors that cause pre-existing conditions (e.g., obesity, diabetes, asthma, etc.) are linked to environmental racism. We are forced to work, live, study, play, pray, and eat in more polluted and higher risk environments. There are other manifestations of structural violence—inequitable access to medical and health care; the loss of traditional foods, diets, and foodways, suppression of worker organizing rights in the context of severely hazardous workplace and living conditions.

*2. Biopolitics: “The politics of letting die the other.”* There are compounding factors affecting both infection rates and the seriousness of the infection on health outcomes. Pre-existing conditions make food system workers (FSWs) more vulnerable to serious illness or death from CoVid-19. These compounding factors include: (1) Lack of access to preventative or emergency health care due to uninsured or underinsured and uncertain legal status; (2)

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<sup>5</sup> On CoVid-19 pandemic and environmental racism in the agricultural sector, see: Mendez, Flores-Hano, and Zucker 2020; Montford and Wotherspoon 2021; Nojoku 2021;

Threats of apprehension and deportation; (3) Refusal of corporate management to provide PPE, social distancing, or allowances for workers to stay home when ill; (4) Agribusiness insistence on exemption from liability for illness or death from CoVid-19 infections; and (5) Attacks by white telluric partisans. These biopolitical conditions led us to create the Project Protect Food Systems Workers (Project Protect) in order to strengthen the workers' response to these challenges.

### **Project Protect Food System Workers**

Data and findings from the work of a rapid response team organized in Colorado address the structural violence and environmental racism factors that have produced the disproportionate impacts of CoVid-19 in BIPOC communities. Our focus is on workers across the food chain with an emphasis on agricultural workers in the fields and processing plants.

#### *Project Principles*

1. **Essential, not Expendable.** A contradiction of settler colonial (racial) capitalism is the existence of people whose marginalization both economically and socially is essential to the proper functioning of the economy. To recognize another's humanity is to treat that person with dignity, regardless of legal status in a particular location. Access to jobs, education, housing and a healthy environment in which to live are foundational supports for essential workers in any economic system.
2. **No Justice, No Security.** We know the security of any system only exists in so far as the individuals and communities supporting that system are themselves secure. As long as workers are vulnerable to coercive threats from employers and the state the food system will not be secured.
3. **Protection of Workers & Environment is Good Business.** The food system will be secure when workers are owners, when they are well paid and their families are well fed and housed decently. The food system will be secure when farmworkers are known and respected as land stewards. The food system will be secure when animals meet their end in culturally appropriate ways that honor the relationship between humans and our animal relations.

4. **Equity in Risk and Opportunity.** The essential but expendable paradigm reveals that some are called upon to potentially sacrifice their lives for the wellbeing of the economy. Essential workers should have access to greater opportunities in housing, education and healthcare equal to the proportion of risk (e.g., measured by death, dismemberment, chronic disease, shortened lifespan, etc.) that they endure for the sake of “our” economic system.
5. **Nurture economies of solidarity and resilience.** Vulnerable communities have long created economies that leverage local assets in historically rooted, culturally appropriate and mutually supportive ways. It is critical that these supportive networks are nurtured as they provide critical structures of resilience and resistance to communities that are marginalized in the current food system.
6. **Land based. People based.** Our resilience is rooted in land and the capacities of people in our communities.
7. **We Elevate and Amplify (Essential) Worker Voices.** None are liberated until all are liberated. We recognize every human being has the ability to work towards liberation and become self-sufficient by creating necessary systems. In a liberated society every voice is lifted and every one of us is visible and our contributions are recognized.

#### **The complicity of the land grant college complex**

Colorado State University (CSU) Extension’s recent presentation of preliminary findings from the 2020 Colorado Agricultural Labor Survey for Employers raises concerns about the role that CSU’s College of Agricultural Sciences and Extension Division continues to play in the Colorado agricultural industry. Specifically, we are concerned that the research being produced and published is intended to and has the effect of maintaining long standing power imbalances in the agricultural sector in favor of industry profits over sustainability, resilience, and ethics. We have challenged the data presented and revealed the harms that flow from the dissemination of this research. All too often, researchers shy away from engaging agricultural laborers because they believe this population to be too difficult to reach. This perception only serves to confirm the degree to which

many members of the agricultural workforce are marginalized and socially isolated from other stakeholders in the food system and in civil society.

At the time the CSU study was conducted, the Project Protect Promotora Network (PPPN) was already active. Had the researchers wanted to connect with workers, the PPPN would have happily facilitated access and assisted with survey design, translation, and dissemination to worker communities in our four Colorado workforce regions.

The Promotora Network was created to support food chain workers in Colorado fields, produce packing houses, meatpacking plants, and other industries where these essential workers are more likely to be mistreated as expendable. This is true all the time but even more so under pandemic conditions.

The main focus of this model is to train and provide resources for a group of promotoras across the state who are knowledgeable in legal, health and food-based issues that confront food systems workers in response to COVID-19. Promotoras will support and work in tandem with Regional Labor and Employment Specialists. Promotoras live in the geographic region where they work and have connections to the farm/food worker communities therein. Promotoras are working in collaboration with agencies and members of the community to bring community voice to inform and influence decisions that impact their lives. Promotoras provide community education around health, legal guidance, and available resources including personal protective equipment (PPE) supplies. Promotoras provide support for community members who are experiencing additional vulnerabilities related to COVID-19. Promotoras provide support for community members who are Colorado residents as well as community members who are not residents but who are employed in the state or are required to remain by public health officials to remain in Colorado as a result of COVID-19 exposure.

### **SB-087: The Colorado Farm Worker Bill of Rights**

Beyond the work we have carried out on the promotoras network, Project Protect has also been involved in developing support for Colorado legislation related to farm workers: SB21-087, Agricultural Workers' Rights, was passed by the legislature on June 17, 2021 and signed by the Governor one week later. This is a progressive bill and will, upon implementation, require that agriculture employers must:

- Provide basic health and safety protections during the pandemic
- Extend the right to organize for collective bargaining and self-defense to farmworkers
- Ensure that service providers like doctors have access to farmworkers on employer-provided housing
- Ensure fair pay of at least the minimum wage and overtime based on rules enacted by the Colorado Department of Labor and Employment
- Mandate rest breaks and other protections against overwork, especially in extreme heat
- Provide powerful protections against retaliation for farmworkers who speak out about mistreatment.

As good as this sounds, during the rule-making phase to implement the law (January-February 2022) we found the law being weakened and even undermined as a result of the pressures placed on state agencies by large corporate agricultural interests. A particular casualty of this rule-making process were the overtime regulations developed by the Colorado Department of Labor and Employment (CDLE). The overtime rules are unreasonable and end up exempting many growers from full compliance with the law. The proposed rules fail to adequately protect agricultural workers. There were some minor adjustments to weekly hours before overtime and positively, the small farm exemption was removed after 2025. Although there is now an exemption for dairy/feedlot managers, there is not a larger one we had feared may come. Regardless, the rule is still far from acceptable and nowhere near the equal treatment of overtime pay after 40 hours per week and 12 hours per day, which most other workers in Colorado enjoy. Due to the slow phase in, workers will not be able to truly benefit from even the minimal protections until 2025. Furthermore, the “highly seasonal” exception protects big agricultural businesses at the expense of worker health and welfare.

### **Final theoretical Reflections on Biopolitics in Pandemic Times**

...does terrorism have to work only through death? Can't one terrorize without killing? And does killing necessarily mean putting to death? Isn't it also 'letting die'? Can't 'letting die', 'not wanting to know that one is letting others die' — hundreds of millions of human beings, from hunger,



AIDS, lack of medical treatment, and so on — also be part of a more or less conscious and deliberate terrorist strategy? (Derrida, 2003, 108).

The most insidious form of biopolitics, after genocide and targeted political violence, is what Derrida terms “letting die the other.” The banality of this form of structural violence has been rendered more visible during the current pandemic. There are endless instances of denial of medical treatment or a failure to provide personnel protective equipment (PPE) to agricultural and other food chain workers.

Biopolitics, however, are not limited to the actions of the neoliberal state of exception and instead also involve resistance and struggle by those who have been targeted for elimination or expulsion by the biopower regime. What we have learned from our colleagues in the fields and communities is that there is a great capacity for resilience and mutual aid. As one promotora explained during a meeting of Project Protect staff: “We have always lived under dangerous conditions. We have always been mistreated and denied care. We have always remained on the margins, hidden, disposable. But this has taught us how to survive by working together and providing for ourselves. The pandemic did not cause us to panic. Instead, it brought forth our best traditions of cooperation and mutual aid.”

The theoretical tendency in biopolitics discourses is to focus on domination and marginalization. We find this lacking. Every act of resistance by our communities and workers also involves the exercise of biopower, but one that converts this into acts of life-affirming solidarity and collective action.

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