

Critical Perspectives on Accounting

Rights-based, worker-driven accountability in the fields: Contesting the uncontested contestable --Manuscript Draft--

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| Abstract: | <p>We investigate the politicizing of migrant farmworkers' rights regarding a fair and humane work environment using an agonistic-based critical dialogic accounting and accountability (CDAA) lens. The aim of CDAA is to employ accounting and accountability in the service of progressive social and environmental programs by taking pluralism seriously. This process of democratization means engaging the political by making visible the contestable that is presumed otherwise; bringing the contestable into the political/public arena; and giving power and voice to traditionally underrepresented groups. The Fair Food Program (FFP) developed by the Coalition of Immokalee Workers (CIW) presents an opportunity to study a rights-based, worker-driven, non-state directed accountability system designed and implemented by the workers in a highly contested, for-profit arena where workers' rights traditionally have been egregiously oppressed and abused.</p> <p>Constructing an accountability system is a political process that can be made sense of using critical dialogic accountability (CDA). We describe the FFP's accountability system, and the associated responsibility network, that enables the enactment, and facilitates the ongoing assurance, of the human rights of migrant farmworkers. The study demonstrates that the CDA framework offers a useful approach for considering ways to hold powerful actors accountable for their treatment of people and resources, specifies what is important, indicates if change is needed, and provides the evaluation criteria used to motivate and appraise the powerholder's actions. The analysis provides useful insights into the challenges associated with implementing progressive social programs for underrepresented groups and how the challenges might be addressed.</p> |
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Rights-based, worker-driven accountability in the fields: Contesting the uncontested contestable

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Rights-based, worker-driven accountability in the fields: Contesting the uncontested contestable

ABSTRACT

We investigate the politicizing of migrant farmworkers' rights regarding a fair and humane work environment using an agonistic-based critical dialogic accounting and accountability (CDAA) lens. The aim of CDAA is to employ accounting and accountability in the service of progressive social and environmental programs by taking pluralism seriously. This process of democratization means engaging the political by making visible the contestable that is presumed otherwise; bringing the contestable into the political/public arena; and giving power and voice to traditionally underrepresented groups. The Fair Food Program (FFP) developed by the Coalition of Immokalee Workers (CIW) presents a meaningful opportunity to study a rights-based, worker-driven, non-state directed accountability system designed and implemented by the workers in a highly contested, for-profit arena where workers' rights traditionally have been egregiously oppressed and abused.

Constructing an accountability system is a political process that can be made sense of using critical dialogic accountability (CDA). We describe the FFP's effective accountability system, and the associated responsibility network, that enables the enactment, and facilitates the ongoing assurance, of the human rights of migrant farmworkers. The study goes beyond "thought experiments and conceptual discussions" and demonstrates that the CDA framework offers a useful approach for considering ways to hold powerful actors accountable for their treatment of people and resources, specifies what is important, indicates if change is needed, and provides the evaluation criteria used to motivate and appraise the powerholder's actions. The analysis provides useful insights into the challenges associated with implementing progressive social programs for underrepresented groups and how the challenges might be addressed.

(Key words: critical dialogic accountability, Coalition of Immokalee Workers, responsibility network, human rights, migrant farmworkers, worker-driven social responsibility, social justice)

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Rights-based, worker-driven accountability in the fields: Contesting the uncontested contestable

1. Introduction

On December 10, 2021, the Associated Press reported that 24 defendants had been charged with what amounted to modern-day slavery by a grand jury in Waycross, Georgia. The defendants were part of a criminal enterprise that allegedly earned \$200 million by exploiting immigrant farmworkers in the southeastern United States.¹ While conditions of migrant farmworkers in the United States may not generally warrant classification as modern-day slavery (Crane, et al. 2022), their treatment has been notoriously inhumane and exploitive, beginning with chattel slavery and continuing to the present day (Bales, 2012).

The Florida tomato industry provides the context for our case study. Florida represents one of the states where migrant farmworkers have historically struggled to have their rights respected (Sellers and Asbed, 2011), and where they represent a vulnerable majority of the agriculture workforce. It is estimated that around 75% of farmworkers in the USA are migrants (JBS International, 2018), and some estimate that roughly 80% of the workforce in the tomato industry in Florida are undocumented migrants (Brudney, 2016). Irregular migrant workers tend to “justifiably fear being deported if they assert whatever rights they have” (Brudney, 2016, p. 353), and as a result tolerate abuses and extreme exploitation.

In the 1990s, the Coalition of Immokalee Workers (the CIW) was formed by activists and migrant farmworkers primarily from Mexico, Guatemala and Haiti working around the town of Immokalee, Florida. The CIW developed the Fair Food Program (FFP), focused on the workers being paid a fair wage, working under safe and dignified conditions, realizing their rights,² and having a voice in decisions that affected them. The CIW is a not-for-profit, nongovernmental organization that is part of the worker and human rights social movement and is specifically concerned with improving the lives of migrant agriculture workers. The primary focus of the FFP is to prevent exploitation and abuse of power in the fields. A primary component concerns developing and implementing an effective rights-based, worker-driven accountability system using agreed upon behavior standards.

¹ December 10, 2021 Associated Press <https://apnews.com/article/business-georgia-slavery-forced-labor-migrant-workers-0e0d7235e79a4e216307e007a7aa716b>. (USA v. Patricio et al.)

²Our primary concern is with migrant farmworkers’ economic and social rights, and in particular their rights to a fair, safe and decent work environment. Following Mouffe (2014, p. 186), we recognize the cultural contingency of workers’ rights. The western conceptualization of rights (e.g., International Labor Organization’s Declaration on Fundamental Principles and Rights at Work, 1998) is one way to frame the counter hegemonic position and seems generally consistent with the workers’ aspirations developed out of their lived experience. A more extensive treatment of the debate regarding the Western European bias reflected in the “formal expressions” is beyond the scope of this discussion.

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4 The FFP and its monitoring and enforcement protections have been recognized nationally
5 and internationally as being a highly effective worker-based program and set forth as a preferred
6 alternative to voluntary multi-stakeholder engagement, which has been shown to be ineffective
7 (MIS, 2020). The UN Special Rapporteur on human trafficking identified the FFP as one of the
8 earliest examples of a worker-based initiative and stated that it should be considered an
9 “international benchmark”. A representative from the United Nations Working Group on
10 Business and Human Rights noted that it was a “groundbreaking model” that “serves as a model
11 elsewhere.” In 2015, the CIW was awarded the Presidential Medal for Extraordinary Efforts to
12 Combat Human Trafficking in Persons, noting the FFP’s effective accountability system, and in
13 2017, a *Harvard Business Review* article identified the FFP as one of the 15 “audacious social-
14 change initiatives of the past century” (Ditkoff and Grindle, 2017, p. 115).

15 The FFP accountability system has been designed and implemented by the workers
16 through the CIW and the Fair Food Standards Council (FFSC). Studying the activities of the
17 CIW provides a meaningful opportunity to examine the development of an operative rights-
18 based, worker-driven, non-state directed accountability system that has been deployed within a
19 circumscribed and highly contested for-profit arena wherein the workers traditionally have little,
20 or no, power and have had their rights egregiously abused. Our data sources include onsite
21 observations, interviews, and focus groups with primary actors as well as publicly available
22 information such as media reports, social media postings related to both participant accounts and
23 counter accounts, published reports and documentaries, and proprietary operational and audit
24 reports and documentation.

25 Our objective is to employ an agonistic-based critical dialogic accounting and
26 accountability (CDAA) lens (Brown, 2009) in investigating the politicalization of migrant
27 workers’ rights regarding a fair and humane work environment. Constructing an accountability
28 system is a political process that we describe using the critical dialogic accountability framework
29 (CDA) (Dillard and Vinnari, 2019). This framework provides an approach to envision ways to
30 hold powerful actors accountable for their treatment of the people and resources over which they
31 have control. CDA adds specificity regarding accountability systems within the context of
32 CDAA’s agonistic foundations and principles³ by specifying what is important, indicating if
33 change is needed, and providing the evaluation criteria that can be used to assess the extent to
34 which the accountability system properly motivates and appraises the actions of the
35 powerholders. The information requirements associated with the evaluation criteria provide the
36 design parameters for the accountability-based accounting system. In this study, we focus on an
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50 ³ In the following discussion, we use CDAA as a collective term that acknowledges the agonistic-based
51 foundations and principles (Brown, 2009) and that represents both the accounting *for* and the accounting *to* as well
52 as the use of this information and its disclosure (accountings) in holding actors accountable for their actions
53 (accountability). Critical dialogic accountability (CDA) applies Brown’s (2009) agonistic concepts in describing the
54 components of accountability systems. When referring to and employing the general formulations and concepts
55 associated with agonistics-based critical dialogic accounting and accountability and studies that are not specifically
56 addressing accountability systems, we use CDAA. When referring specifically to the concepts associated with
57 accountability systems as articulated by Dillard and Vinnari (2019) and their application, we refer to CDA. While
58 we recognize that a compatible accounting system is a necessary, though not sufficient, condition for the successful
59 implementation of an accountability system, a meaningful treatment of the accounting system here is beyond the
60 scope of this study.
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4 accountability system that has been developed regarding the relationship between the tomato
5 growers and the migrant farmworkers who work in their fields.
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7 The primary tenet of CDAA is to democratize accounting and accountability by taking
8 pluralism seriously (Brown, 2009). Democratizing accounting and accountability involves
9 developing and implementing accounting and accountability systems that facilitate making
10 visible the contestable that is presumed to be otherwise, politicizing the contestable by bringing
11 it into a political/public arena, and facilitating democracy by giving power and voice to
12 traditionally underrepresented groups in the contested public space. Pluralism requires that the
13 underrepresented groups be involved throughout the process. Accounting, that is re-presentation,
14 can contribute throughout the process: making visible, politicizing, and giving voice to the
15 interested constituencies. Incorporating the accounting re-presentations, accountability provides
16 a means of giving voice and responding to asymmetric power relationships. Developing
17 accounting and accountability systems are iterative, nonlinear processes that contribute to
18 achieving first order objectives such as social justice, equality, sustainability, etc.
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20 The traditional treatment of the migrant farmworkers by the growers (agri-business
21 organizations) and crew leaders is the issue politicized. That is, what was seen as uncontested
22 was made visible and brought into the political/public arena. The workers claimed their voice
23 and became effective actors in the political struggles. The workers and their allies gained public
24 support for asserting and safeguarding the workers' right to fair and humane treatment. The
25 workers' power and voice took form in the successful implementation of the FFP and were
26 sustained through an accountability system where the growers are held accountable for the
27 treatment of the workers.
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29 We see CDA as both a sense-making device (or theoretical lens) to be used in developing
30 a better understanding of accountability-based emancipatory initiatives as well as providing
31 guidance to actors in the field who seek to undertake some accountability-based initiative. The
32 study is descriptive⁴ in that it is one way of "making sense" of how the FFP has been able to
33 improve the work lives of the migrant farm workers in Florida. We also suggest that the study
34 might be useful in implementing similar initiatives where worker input and the need for an
35 effective accountability system are integral to the success of the program. We use a CDAA lens
36 and a CDA framework to observe and describe the political in a situation that can be viewed
37 from any number of alternative perspectives. The analysis identifies strategies and processes that
38 could be important in other initiatives attempting to implement progressive programs designed to
39 facilitate social and economic justice, with the caveat that local conditions must be considered.
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41 This study contributes to an emerging literature that considers the construction of
42 accountability systems designed to protect workers' rights and illustrates how CDAA can be
43 applied in the field to better understand the political origins, context and possibilities for
44 accounting and accountability systems in domains where primary participants have traditionally
45 had little or no voice. The CDA framework explicitly considers the political processes that take
46 place as the workers begin to understand and claim their rights and to conceptualize the criteria
47 by which the growers should be held to account. By explicitly considering the prerequisite
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49 ⁴ Taking a social constructionist perspective, given the complexity and uniqueness of each situation, description may
50 be the most appropriate approach to case study/qualitative (as well as quantitative) research.
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4 political struggles, the framework recognizes the importance of creating a context amenable to
5 developing and implementing a meaningful, worker-oriented accountability system. Unlike the
6 predominance of social and environmental accounting research⁵, we focus on “engagement”
7 from the perspective of the affected, traditionally underrepresented party, not the corporation or
8 business entity (the power holder). The workers, as the leaders in the CIW, are an integral part of
9 constructing and implementing an accountability system where the growers are held accountable
10 to rights-based, worker-driven evaluation criteria by an independent certifying agency. These
11 criteria specify the growers’ responsibilities for ensuring human rights regarding, for example,
12 providing decent and safe working conditions, compensating the workers more fairly, and
13 treating them with dignity. The rewards and sanctions associated with the growers’ activities are
14 specified and enforced by leveraging the buyers’ (multinational corporations/brands) purchasing
15 power, pursuant to legally binding contracts between the buyers and the CIW.

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17 A fundamental objective of the FFP, and therefore of the accountability system, is to
18 redistribute power to the migrant workers to minimize unfair and abusive practices, which are
19 endemic at the base of the agri-business supply chain. Generally, we conclude that from a macro
20 perspective, this is *not* a revolutionary program. It is a revisionist program in that it deals with
21 issues within a neoliberal context in an attempt to channel market power in such a way that
22 injustices might be mitigated and remedied. However, within this context, the program is
23 transformative and affirmative in that it reflects a process that has resulted in the redistribution of
24 power and resources, as well as restoration of rights along the supply chain.

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26 We are aware of no other study that has employed CDA in describing a rights-based,
27 worker-driven, non-state accountability system in a decidedly for-profit environment, and that
28 addresses an accountability system where the marginalized group (“beneficiaries”) are the ones
29 responsible for constructing and implementing the accountability system. Tanima et al. (2021) is
30 the only study of which we are aware that directly applies the CDA framework in the field,
31 addressing the potential of critical dialogic praxis regarding women’s empowerment programs in
32 a not-for-profit microfinance organization. Building on their previous work, they illustrate the
33 use of participant action research⁶ in constructing the responsibility network and the associated
34 counter-accounts related to the evaluation criteria identified as a result of the process.

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36 Following this introduction, we provide a brief review of the agonistic-based CDAA
37 framework and the relevant literature. Section 3 provides some background on the CIW and the
38 FFP. Section 4 discusses the methodology and data analysis. Section 5 describes the
39 responsibility network that reflects the making contestable the uncontestable. The penultimate
40 section discusses the accountability system followed by a summary and reflections.

41 42 43 44 45 46 47 48 49 50 51 **2. Critical Dialogic Accounting and Accountability – An Agonistic-based Framework**

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57 ⁵ For notable exceptions and discussion, see George et al. (2021); Kingston et al. (2019, 2023); Tanima et
58 al. (2020); Tanima et al. (2021); Tregidga and Milne (2020).

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65 ⁶ See Tanima et al. (2023) for an analytical framework for doing CDAA-based participatory action
research.

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4 First, we present the basic CDAA concepts that reflect the foundational agonistic
5 framework. Next, we provide an operational definition of accountability. We then discuss the
6 central components of CDA that we draw on in this study.
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9 10 2.1 Basic CDAA Concepts

11 Previous work has proposed, developed, and applied CDAA to better understand the
12 political context and motivate dialogue and debate regarding accounting and accountability
13 systems that facilitate progressive social programs, especially as they concern underrepresented
14 groups in contested arenas (e.g., George et al. 2020; Tanima et al. 2020). In this study, we focus
15 primarily on CDA as articulated by Dillard and Vinnari (2019) in considering the accountability
16 systems addressing exploitation in the workplace. The politicizing of workers' rights,
17 exploitation, and workplace abuse in the critical accounting literature can be traced back at least
18 50 years to the Marxist informed labor process theory studies (Cooper and Hopper, 2007;
19 Dillard, 2007) that addressed the inherent, institutionalized antagonism between labor and capital
20 in capital's quest for efficiency and greater returns, and workers' battles for survival.
21 Unfortunately, in the current neoliberal context, these fundamental antagonisms have, if
22 anything, been accentuated. Mouffe's (2013)⁷ agonistics, a melding of the Gramscian concept of
23 hegemony with the more current poststructuralist focus on language, dialogue and
24 indeterminacy, provides a political theoretic for considering these same antagonisms.
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26 As noted above, CDAA, as developed by Judy Brown, her colleagues and others, have
27 extended and applied Mouffe's conceptualization of agonistics to various accounting and
28 accountability related issues in diverse settings.⁸ The salient agonistic concepts are political
29 frontiers, chains of equivalence, key signifiers, and chains of signification. (see Table 1) These
30 concepts are part of a constructivist process that includes political identities, contested space and
31 contested issues that constitute the action space wherein political engagement takes place. The
32 *political frontier* delineates the contested discursive space between competing hegemonic and
33 counter-hegemonic positions or discourses⁹ where political engagement takes place. Specifying
34 the political frontier is about politicizing the uncontested contestables and engagement between
35 adversaries (Tanima et al. 2023). This contested space is specified by *key signifiers* and the
36 associated *chains of signification* that assign meaning grounded in competing hegemonic and
37 counter-hegemonic discourses. For example, what constitutes fair pay (key signifier) might be
38 one of the contested issues between the growers and the workers. While both might agree that
39 the workers should be fairly compensated, each may have a very different understanding of what
40 constitutes fair pay and of how it should be operationalized. The growers might claim that the
41 local labor market reflects "fair pay" while the workers might claim that "fair pay" means
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52 ⁷ Also see Laclau and Mouffe (1985); Mouffe (1998, 2005, 2007, 2013, 2018a, 2018b).

53 ⁸ See Alawattage and Azure (2021); Bebbington et al. (2007); Brown (2017); Brown and Dillard (2013a,
54 2013b, 2014, 2015, 2019); Brown et al. (2015); Brown et al. (2017); Brown and Tregidga (2017); Blackburn et al.
55 (2014); Dillard and Brown (2012, 2014, 2015); Dillard and Roslender (2011); Dillard and Vinnari (2017, 2019);
56 Dillard and Yuthas (2013); Dillard et al (2016); Gallhofer and Haslam (2019); Hopper and Tanima (2018); Kingston
57 et al. (2019, 2023); O'Leary and Smith (2020); Puroila and Makela (2019); Scobie et al. 2020); Tregidga and Milne
58 (2020); Vinnari and Dillard (2016).

59 ⁹ Following Tanima et al. (2022), we view discourses as "partially fixed systems of rules, norms, resources,
60 practices and subjectivities, which are constituted politically" (Griggs and Howarth, 2013, p.19).
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4 compensation at a level that would sustain a decent standard of living. Given that there are
5 purported to be no universal grounds to which to appeal, the contested issues are presumed to be
6 always, already political ones. The contested issues (key signifiers) and their ideologically
7 grounded meanings (chains of signification) make up the contested set of issues that constitute
8 the public space wherein the political processes play out (political frontier). Prior to the FFP, the
9 local labor market price was the uncontested contestable meaning of fair pay because of the
10 significant power differential between the growers and the workers.
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14 ***** Enter Table 1 here *****
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17 The articulation of a contested issue (e.g., fair pay), in the action space, reflects the
18 outcome of political engagement between the coalitions of interested parties that have coalesced
19 around the meanings of the key signifiers that form the political frontier. These political
20 coalitions are referred to as *chains of equivalence* and are made up of allies coalescing around a
21 particular issue or set of issues at a given time. These coalitions form constellations of power.
22 For example, the buyers, their customers, the growers and the Chamber of Commerce might
23 advocate for a market-based wage while the workers, labor unions, and religious and other
24 advocacy groups might promote a fair living wage for the workers.
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28 Change may occur as the constellations of power change reflecting shifts in alliances due
29 to new understandings gained through experience and engagement among the various parties.
30 The shift might reflect new awareness on the part of the currently engaged groups as well as on
31 the part of previously disinterested groups. For example, if the buyers' customers become aware
32 of the workers' working conditions and come to see them as unfair, in need of change, they
33 could come to support the workers' position regarding fair pay. Thus, the power constellations
34 acting in the public arena would shift, reflecting the change in the chains of equivalence.
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37 The agonistic process depends on the engaged participation of members of the affected
38 groups who are aware of their current condition as well as the possible alternatives. In other
39 words, they recognize as contestable that which they had presumed to be uncontested (the
40 status quo) and anticipate the possibility for change. As Brown (2009) explains, this participatory
41 awareness can be gained through education, appropriate representations, experience and
42 engagement, and enables the parties to speak in their own voice and to be heard. The (temporary)
43 resolution of the contestations can reflect the outcomes of power struggles and political
44 processes. In the absence of participatory awareness and respectful, though conflictual,
45 (agonistic) engagement in political processes, power and coercion determine the outcome. Next,
46 we briefly discuss what we mean by accountability and then discuss how these concepts are
47 employed in the CDA framework.
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53 2.2 Accountability 54

55 Dillard and Vinnari (2019) propose the following operational definition of accountability:
56 The power holder (A) is answerable to the account holder (B) for some set of actions (K), on the
57 basis of certain criteria or standards (X), through prespecified procedures (Y), at a prespecified
58 time (Z), subject to consequences (Q). Account holders (B) construct a responsibility network
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4 that, among other things, articulates the criteria (X) by which the power holder (A) should be
5 held responsible. Account holders are not assumed to be homogenous in their understandings and
6 preferences, and the resulting evaluation criteria may be the result of agonistic political
7 processes. Likewise, the accountability system may be the culmination of a decidedly agonistic
8 political process whereby the processes (Y) and the timing of the evaluation (Z) are articulated,
9 and the consequences (Q) specified. The information requirements of the accountability system
10 indicate what disclosures are needed to provide adequate and timely representations of the
11 action(s) for which the power holder is held accountable. The information requirements provide
12 the design criteria for the related accounting systems. Dillard and Vinnari (2019) refer to this as
13 *accountability-based accounting* in contrast with the more traditional *accounting-based*
14 *accountability*. The source of the information may be from the powerholder's
15 information/accounting system and/or from an external party such as the government, social
16 movement organizations, or workers (e.g., counter-accounts) (George et al. 2022; Tanima et al.
17 2023).

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Accountability relationships are characterized as political, complex and indeterminant,
consistent with the tenets of agonistics. Accountability is not an end in and of itself. It can only
be legitimated as a means to some higher-level objective such as preventing violation of human
rights by the abuse of power. For example, growers are held accountable for forcing fieldworkers
to work in unsafe conditions. If violations occur, the objective is to address them from both an
individual and systemic perspective. The implementation of an accountability system can be
justified as being a means of responding to power differentials and preventing the abuse of
power. For example, traditionally migrant agricultural workers are virtually powerless relative to
the growers and crew leaders who control their work and workplace as well as, at times,
significant dimensions of their living conditions.

Traditionally, stakeholder engagement focuses on the powerholder's identification of the
interested constituencies and the powerholder's articulation of the information needs and
evaluation criteria upon which accountability systems are based. CDA holds that these
information needs and evaluation criteria should not be dictated by the entity being held to
account or by the powerholder's traditional accounting system (also see MSI, 2020). Next, we
consider the central components of agonistic based CDA.

2.3 Critical Dialogic Accountability

We describe and add specificity to the CDA framework developed by Dillard and Vinnari
(2019). CDA provides the context for democratic engagement by detailing an "action space
wherein democratic contestation develops the flesh and sinew of democracy" (Dillard and
Vinnari, 2019, p. 22). The interested parties are recognized. The responsibility network (see
Figure 1) is formed by subsets of affected groups around issues of common interest and
represents the political interface (frontier) that encompasses the democratic contestation
associated with identifying contested issues and spaces, articulating and debating the hegemonic
and counterhegemonic positions, drawing boundaries and identifying allies and adversaries.
Through education, engagement, experience and representation, the affected groups come to
understand and question the status quo. As they recognize the political nature of the previously

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4 uncontested status quo, the contested issues are brought into the political arena. The political
5 action space is a contested space wherein the political frontier is constructed, key signifiers
6 identified and the associated chains of signification developed, and “we” – “they” distinctions
7 made as chains of equivalent are formed. “The salient issues coalesce within the context of
8 agonistic engagement among the interested constituencies.” (Dillard and Vinnari, 2019, p. 21)
9 Responsibility “networks are not presumed to necessarily be homogenous or permanent” but to
10 reflect shared understandings and common interests and a recognized “need to work together
11 toward a common end at a given point in time and/or with respect to a particular issue.” These
12 networks “represent dialogically constructed sets of salient concerns/issues that provide the
13 dimensions used for specifying evaluation criteria, and thus, the basis for constructing
14 accountability systems.” (Dillard and Vinnari, 2019, p. 21) Each allied group provides the
15 evaluation criteria salient to them for holding the powerholder accountable and that reflect their
16 position on the contested issues, and they develop an action strategy for gaining power and voice
17 through its implementation.
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24 (***** Enter Figure 1 here *****)
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27 The accountability system (see Figure 2) represents the action space wherein the
28 powerholder’s action/outcome representations are compared with the evaluation criteria. Each of
29 the elements in the definition of accountability presented above needs to be addressed in
30 developing a viable accountability system. Again, the specification of these elements is a
31 political process engaged in by the various parties, ideally, through agonistic engagement. These
32 processes have to do with specifying the evaluation criteria, the procedures for evaluation,
33 timing, and consequences. Specifically, meaningful consequences are requisite for an effective
34 accountability system regardless of how the evaluation criteria are developed and articulated. For
35 example, rewards and sanctions are the accompanying consequences associated with respecting
36 and/or abusing workers’ rights. The consequences can include classification as an enabler of
37 worker rights, which might directly affect the powerholder by facilitating favorable commercial
38 relationships, or a violator of worker rights, which might indirectly affect the powerholder
39 through negative public opinion.
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48 The development of both the responsibility network and accountability system are
49 ongoing, iterative processes that represent the action space where the powerholder’s (growers)
50 actions, or representations thereof, are compared with the evaluation criteria specified by the
51 account holder (workers).¹⁰ The re-presentations of the powerholder’s actions can be accounts
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54 ¹⁰ The grower has the right to employ their resources in planning, organizing and controlling their
55 operations. As a result, they have a responsibility to utilize those resources in a fair, safe, effective and efficient
56 manner. By accepting employment, the worker has the right to earn the agreed upon compensation for their labor
57 and in return has the responsibility to perform in an acceptable manner. The worker is accountable to the grower for
58 the worker’s job performance; thus, the grower is the account holder. The grower is accountable to the worker for
59 providing a safe and humane work environment; thus, the worker is the account holder. Given the asymmetrical
60 power relationships are traditionally skewed in favor of the employer under the current regulatory regime in the
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4 constructed by the powerholder’s information systems and/or (counter) accounts constructed by
5 external parties. As Dillard and Vinnari (2019, p, 22) note, the responsibility networks,
6 evaluation criteria, and accountability system emerge from a political process that is predicated
7 on learning, compromise and accommodation, some of which result from participation in
8 agonistic dialogic engagement. However, the fundamental conflicts associated with the
9 irreconcilable ideological differences and power differentials remain and are recognized. Also,
10 the alliances comprising the chains of equivalence as well as the evaluation sets initiated are seen
11 as temporary, subject to change as circumstances and understanding evolve. Change may take
12 place, but its direction is not necessarily positive, and no final resolution is achieved. This
13 reflects “the political” of accountability, and if it is political, there is always a “we” and a “they”,
14 an “inside” and an “outside” (Mouffe, 2013; Vinnari and Dillard, 2016).

15 We address the issues associated with ensuring the fair and just treatment of a specific
16 group of migrant agricultural workers who harvest tomatoes along the eastern seaboard of the
17 United States. We recognize that this is not necessarily a homogenous group with uniform
18 interests and objectives. However, common interests are identified, and trust is developed over
19 time through education, engagement, dialogue and debate and out of necessity to present a
20 unified front regarding certain work-related issues. Regarding the workers, the primary
21 powerholders are the growers who control the workplace and working conditions. Another
22 important actor is the buyers, large corporations that purchase the produce from the growers.
23 Each of these groups operate in a market environment that imposes incompatible positions
24 among the groups. For example, the workers want to increase their wages so as to attain a decent
25 standard of living. The grower wants to increase productivity, decrease costs, and increase the
26 price of the product, thus, increase profit margins, and the buyers want to push the product price
27 down to increase their margins. Agonistics recognizes that while tradeoffs and compromises can
28 be made, these fundamental incommensurabilities will not be eliminated. Accountability systems
29 are one mechanism by which the powerholder can be held to account for their treatment of the
30 workers as these conflicting forces struggle for dominance.

3. The Coalition of Immokalee Workers’ Fair Food Program

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44 In this section, we provide an introduction to the agri-food sector in the United States as
45 well as a brief history of the CIW’s FFP. The case was selected because the CIW appeared to
46 have developed an effective accountability system in supporting marginalized workers and
47 addressing human rights abuses. Our objective is to make visible the politics of accountability
48 by describing the responsibility networks and accountability system aimed at safeguarding the
49 rights of migrant farmworkers. The FFP appeared to be exceptional because of the level of direct
50 worker involvement in designing and carrying out the program, which is consistent with pluralist
51 tenets of CDA. The politics of accountability are made visible using agonistic-based CDA,
52 providing an example of constructing a responsibility network and an accountability system and
53 gaining insights into a rights-based, worker-driven responsibility network and the related non-
54 state directed accountability system in practice.

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59 United States, the latter accountability relationship tends to be underdeveloped. In this case, the workers have been
60 able to attain a modicum of power as account holders regarding the growers’ actions.

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4 The case is situated in an industry notorious for business related abuse of migrant
5 workers.¹¹ Worker exploitation can be traced back to the legacy of chattel slavery and continued
6 through debt peonage, prison labor, and sharecropper exploitation. Although the population
7 demographics have changed from primarily African Americans and other poor Americans to
8 immigrants primarily from the Caribbean, Central and South America, the sector seems replete
9 with abuses. Workers are viewed as inputs from which to gain maximum output for minimum
10 costs and are the least powerful components of a supply chain that includes growers and large
11 corporate buyers (Asbed and Hitov, 2017; Adamson, 2014; Crane, 2013; Marquis, 2017).

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15 The CIW is a human rights organization founded by farmworkers and human rights
16 activists in the early 1990s in Immokalee, Florida.¹² In 1993, a group of farmworkers in South
17 Florida began meeting to discuss their unfair treatment in the fields, referring to themselves as
18 the ‘Southwest Florida Farmworkers Project’. They first partnered with the US Department of
19 Labor to investigate cases of human trafficking in 1995 and adopted the name the Coalition of
20 Immokalee Workers (Rosile et al. 2021). Their initiatives, one of which is the FFP, have been
21 successful in reducing and redressing exploitation and human rights abuse (Mieres and McGrath
22 2021; Rosile et al. 2021; Asbed and Hitov, 2017; Kaufman and McDonnell, 2016; UN OHCHR,
23 2013). The FFP is termed an ethical sourcing program.

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27 Florida growers account for 90% of the USA winter tomato production, and 90% of this
28 production is currently covered under the FFP.¹³ The components of the monitoring,
29 enforcement and accountability mechanisms include worker-to-worker education sessions, a
30 complaint hotline, worker-driven audits, Health & Safety Committees, and a Fair Food Premium
31 (Fair Food Standards Council 2017) as well as an independent assessment body, the Fair Food
32 Standards Council (FFSC). The FFSC audits and monitors growers’ compliance with the Fair
33 Food Code of Conduct (Code) as detailed in the Guidance for Implementation of the Fair Food
34 Code of Conduct (Guidance Manual). The consequences of compliance and noncompliance are
35 set forth in the Code and corrective action is ascribed by the FFSC if required. The FFSC
36 operates a 24-hour multilingual complaint hotline and conducts seasonal, worker-driven audits to
37 monitor and enforce compliance with the Code. They are also responsible for monitoring the
38 financial records of participating buyers to ensure they are not buying from non-FFP farms and
39 that the Fair Food Premium (the additional penny per pound) is going directly to the workers.
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48 ¹¹For example, see – Edward R. Murrow CBS documentary 1960, *Harvest of Shame*
49 (<https://www.youtube.com/watch?v=rkV3oVn209s>) for a graphic description of the plight of migrant agricultural
50 workers in the 1950s, and CBS 2010 *Harvest of Shame Revisited*
51 (<https://www.youtube.com/watch?v=rkV3oVn209s>). Also, see the Eva Longoria documentary, “Food Chains”
52 (2014) on the CIW. (<https://www.youtube.com/watch?v=6vw-qTCW8fo>).

53 ¹² See Marquis (2017) for a detailed history of the CIW.

54 ¹³ The Fair Food Program is a worker-driven program developed and run by the CIW that requires
55 participating growers to comply with the Fair Food Code of Conduct. The Fair Food Code of Conduct, initially
56 developed by farmworkers of the CIW, is reviewed and adapted seasonally by the Fair Food Program Working
57 Group, which consists of members of the CIW, Fair Food Standards Council, and participating growers. The Fair
58 Food Standards Council is an independent monitoring body that ensures compliance through various remedial
59 mechanisms. Participating buyers sign a legally binding agreement with the CIW, committing to purchase only from
60 compliant growers and to pay the Fair Food Premium (a penny per pound) to farmworkers.
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4 Previous studies have analyzed various aspects of the FFP such as supply chain
5 dynamics, redressing gender-based violence, and effective educational approaches (Rosile et al.
6 2021; Monacello, 2020; Figart, 2017; Marquis, 2017; Asbed and Hitov, 2017; Asbed and Sellers
7 2013). The rights-based, worker-driven model has been recognized as effective in enforcing
8 labor standards (US Department of Labor, 2022; LeBaron, 2020; Fine and Bartley, 2018; Asbed
9 and Hitov, 2017; Kunz et al. 2023) and has been shown to be more effective than the voluntary
10 stakeholder (MSI, 2020). These studies are generally descriptive, with little explicit theorization,
11 and do not directly address the responsibility networks and accountability system wherein the
12 workers' rights are articulated, consequences specified and enforced.
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17 **4. Critical Reflexive Methodology and Data Analysis**

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20 A critical qualitative methodology was applied in a single case study design (Alvesson
21 and Skoldberg, 2018). The primary data sources were the CIW and FFSC websites,¹⁴ previous
22 literature particularly Marquis' (2017) research monograph chronicling the CIW's historical
23 development, and document analysis. The insights gained from the primary analysis were
24 confirmed and supplemented by 22 semi-structured, in-depth interviews, seven observations, and
25 a focus group. Interviews were conducted with actors associated with the FFP including former
26 farmworkers, the CIW staff, FFSC auditors and director, grower management, supervisors, and a
27 buyer representative (see Appendix A). The fieldwork¹⁵ was undertaken in July, August and
28 September 2019. The interview format followed from preliminary information gathered from
29 publicly available documents, especially the CIW website, observations, conversations, and a
30 review of the accountability processes as well as knowledge of the history of the agri-business
31 sector, the CIW and the FFP. The fieldwork was conducted at the FFSC office, FFP-certified
32 farms and at the CIW headquarters. During the interviews, critical reflection was encouraged "to
33 facilitate better talk across groups with different perspectives" (Brown 2009, p. 327). The focus
34 group was conducted with the FFSC staff concerning the history, evolution and training
35 approach employed as part of the FFP. Steps were taken to ensure a respectful and safe
36 engagement space. Consent was gained, confidentiality assured, and permission requested to
37 record the conversations were applicable. Attempts were made to ensure clear communications
38 and that the comments correctly understood.
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45 Deductive and abductive analytic reasoning were employed. First, the data were
46 analyzed deductively to determine if the primary elements of CDA were present. Once we
47 established that the CDA elements were present, we engaged the data abductively, using a
48 critically reflexive perspective in an ongoing dialogue between the CDA framework and the
49 empirical data with an intentional awareness of the political (Alvesson and Sköldberg, 2018).
50 The CDA framework provided the structure of the coding and analysis processes. The historical
51 documents and website data were analyzed and classified using the CDA framework.
52 Observation notes, interview and focus group transcripts, and documents were coded iteratively.
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57 ¹⁴ <https://the CIW-online.org>; <https://www.fairfoodstandards.org/>

58 ¹⁵ The field study was conducted as part of a wider project led by the UN Human Rights Office.
59 [https://www.ohchr.org/en/business/ohchr-accountability-and-remedy-project/phase3-non-state-based-grievance-](https://www.ohchr.org/en/business/ohchr-accountability-and-remedy-project/phase3-non-state-based-grievance-mechanisms)
60 [mechanisms](https://www.ohchr.org/en/business/ohchr-accountability-and-remedy-project/phase3-non-state-based-grievance-mechanisms)
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4 The analysis identified the CDA components that were reflected in the data. Analysis of the
5 fieldwork was ongoing and consisted of several rounds of coding, interpretation, critical
6 interpretation, and critical reflections. The descriptions, meanings and politics associated with
7 the responsibility network and accountability system were identified, analyzed and
8 contextualized. All the CIW interviewees were former farmworkers, and some have been directly
9 involved over the years in developing, gaining recognition of, and implementing the FFP. In
10 referring to the agonistic parties, we use the terms “workers” and “the CIW” interchangeably in
11 that the workers make up the CIW and the CIW is run by workers and former workers.
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15 Next, we investigate politicizing migrant farmworkers’ rights regarding a fair and
16 humane work environment to better understand the dynamics of progressive social change. We
17 employ elements of the CDA framework, as depicted in Figures 1 and 2, to examine the
18 formation and implementation of the FFP as it makes visible the contestable that is presumed
19 otherwise, brings the contestable into the political arena, and gives voice and power to
20 traditionally underrepresented groups through an accountability regime. We examine the
21 development of the responsibility network, gaining insight into how the uncontested treatment of
22 the farmworkers was made visible and politicized. This politicizing of the workers’ plight is
23 preliminary to, and part of, developing the associated accountability system and reflects a
24 process whereby the workers claim their voice and exercise power in a situation where they
25 previously had neither. First, we address the responsibility network and then discuss the
26 accountability system associated with the FFP.
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31 32 **5. The Responsibility Network – Making the uncontested contestable**

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34 We consider the politics of accountability by focusing on the development of the
35 responsibility network (see Figure 1) and the emerging evaluation criteria that provide the
36 standards to which the growers are held accountable. We identify the affected parties and
37 articulate their relationships before and after the implementation of the FFP. We discuss the
38 context within which the political engagement among the parties took place and how it changed
39 over time. We consider the prerequisite political struggles and illustrate the importance of
40 creating a context amenable to developing and implementing a meaningful, worker-oriented
41 accountability system. We surface the political by analyzing the development of the FFP-
42 associated responsibility network developed through the antagonistic and agonistic engagement
43 among the workers, growers and buyers. Contested issues between the growers and the workers
44 as well as the associated evaluation criteria are summarized in Appendix B.
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50 **5.1 Affected parties – Identifying the “we” and the “they”**

51 The primary parties in the wholesale tomato market are the buyers, grower organizations
52 (including farm management and supervisors), crew leaders, and workers. The Florida tomato
53 market consists of a relatively small number of large (corporate) buyers (e.g., fast food, grocery
54 chains, food service organizations) that have significant influence over the price paid to the
55 growers. Tomatoes are a small component in the buyers’ overall product line and cost structure.
56 The growers vary in size and, as commodity suppliers, face significant market pressures from
57 competing growers and foreign competition. The buyers can exert significant pressure on the
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4 growers. Product differentiation is difficult in this commodity market, so the growers are forced
5 to reduce their production costs, labor being a major variable production cost (ILO, 2017). The
6 growers own the means of production and generally operate as independent entities; however,
7 through their trade associations such as the Florida Tomato Growers Exchange (FTGE), they can
8 have significant influence over the wages paid to the migrant workers.
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11 A crew leader assembles and supervises one or more work crews of 40-50 workers.
12 Traditionally, the workers were not employed by the grower. The growers contracted with the
13 crew leader, who was responsible for, and to, the members of the work crew. The crew leader
14 provided transportation to and from the work site, supervised the workers' activities, received
15 compensation tied to the productivity of their crew, and dispensed the workers' wages.
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18 A supply chain analysis indicated that the most powerful players, with by far the largest
19 margins, are the buyers (e.g., McDonalds, Walmart, Whole Foods) given that they purchase large
20 quantities of products and have many suppliers to choose from, both domestic and international.
21 Our interviews indicated that currently in the US tomato industry, most workers have various
22 levels of immigration status and, thus, limited access to government programs and legal
23 processes (also see Costello and Freedland, 2014). Given that the workers, especially those
24 recently arriving in the US, do not have opportunities to market their skills, lack language
25 competencies and/or may have irregular immigration status, they have few employment
26 opportunities in other sectors. The availability of migrant farmworkers and the lack of
27 alternatives create a situation where the growers and crew leaders have an advantage when
28 dealing with the workers (also see Costello and Freedland, 2014; Marquis, 2017).
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32 33 5.2 Hegemonic and counterhegemonic positions

34 The dominant hegemonic ideology operates within the context of neoliberalism and the
35 tenets of market capitalism. Property rights ensure that the owner has control over the use of
36 their property to the extent not prohibited by law. Resources are best allocated by market forces
37 operating free of regulatory constraints, and the participants' actions are motivated by their
38 enlightened self-interests. Buyers are not held responsible for what goes on in growers' business.
39 Growers are not held responsible for how subcontractors (crew leaders) acquire or treat the
40 workers or the living conditions of workers beyond the workplace. Workers are subject to market
41 forces that provide the most efficient allocation of scarce economic resources. Thus, the market
42 dictates the wage rate for migrant labor. Workers are presumed to be free to find alternative
43 employment with better pay or to continue to work for the prevailing wage rate. A counter
44 position might be termed a mediated market morality based on humanistic principles of human
45 rights, decent working conditions and the inherent dignity of human beings. The opposing
46 positions of the workers (we) and the growers (they) identified in our analysis are outlined in
47 Appendix B.
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53 Next, we describe the antagonistic political landscape prior to the FFP and how it
54 changed from one dominated by the growers, crew leaders and buyers to a somewhat more
55 agonistic one through the implementation of the FFP, as the workers have gained significant
56 influence through the preceding political struggles leading to the implementation of a rights-
57 based, worker-driven accountability system. As described in more detail below, Panel A in
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4 Figure 3 represents the relationships among the primary actors before the FFP, and Panel B
5 represents the relationships among the primary actors after the FFP.
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8 ***** Enter Figure 3 here *****
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10 5.3 Antagonism prevails, but...

11 We discuss the antagonistic context initially confronting the CIW and events that led to it
12 moving toward a more agonistic one. Almost none of the CIW's antagonists began to recognize
13 the workers without some form of external force or coercion being applied, and only after such
14 recognition could agonistic dialogue and debate begin in earnest. The engagement strategies are
15 part of the political process of making visible the working conditions of the workers and
16 politicizing them by bringing these contested issues into the political/public arena, providing
17 necessary groundwork for implementing an effective accountability system.
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22 5.3.1 Growers

23 The CIW's early attempts focused on growers, even after it soon became evident that
24 growers lacked power within a top-down-buyer-driven supply chain (Mieres and McGrath,
25 2021). To get the attention of the growers, in the early stages (mid-1990s), the CIW engaged in
26 work stoppages, hunger strikes, marches, etc. However, the workers could not sustain work
27 stoppages due to their lack of resources. Even though they had been involved in human slavery
28 investigations and convictions and the CIW engagement campaigns were gaining some media
29 exposure and public attention, the growers did not respond to public opinion. On the contrary,
30 these tactics seemed to increase the growers' deep and long-standing resistance to any change.
31 The workers were viewed as merely an input to the production process. "...[T]he entire industry
32 refuse[d] to recognize us as humans by referring to us as tractors" (the CIW_11). As agonistics
33 anticipates, antagonistic relationships between the growers and the workers seemed to be
34 degenerating into emotional and moral conflicts where meaningful dialogue and debate are not
35 possible, and coercion and force become the only means of engagement.
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41 The FTGE aggressively opposed engaging with the workers. During US Senate hearings
42 in 2008, FTGE made it clear that they would not cooperate with the CIW despite the growing
43 number of buyers joining the FFP (Marquis, 2017, p. 77). However, during their testimony,
44 FTGE publicly acknowledged a need to recognize some responsibility for what took place in
45 their fields and to certify their compliance with acceptable business practices. These statements
46 indicated that the growers, as a result of public and economic pressures, were beginning to
47 redefine their scope of responsibility.
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49 "The growers" was not a homogenous group, even if they appeared to present a united
50 front through FTGE. The move toward agonism was facilitated by two growers joining the FFP,
51 though for different motivations. In 2009, one of the growers joined to gain market share.
52 Following this, FTGE seemed to recognize that the solidarity of the growers might be
53 weakening. The second grower, Pacific Tomato Growers (PTG), was reportedly motivated by
54 not only market considerations but also a sense of moral responsibility that facilitated the
55 development of an agonistic relationship with the CIW (Marquis, 2017, p. 91ff).
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4 PTG had held a hostile attitude toward the CIW, refusing to meet with them for years.
5 (Marquis, 2017, p. 92). Primarily from the public response to the revelation that enslaved
6 humans were working in their fields,¹⁶ the PTG board agreed to have someone meet with the
7 CIW. Again, the meeting reflected the antagonistic attitude of both parties. (Marquis, 2017, p.
8 94) However, Jon Esformes', the incoming head of PTG, acknowledgement of the company's
9 responsibility to the workers as well as the economic realities was a significant step in
10 developing an agonistic relationship with the CIW. Marquis (2017, p.96) quotes one of the
11 leaders of the CIW indicated that the meeting with Jon was the first step in meaningful
12 engagement with the growers. "We were standing on common ground at last, looking for a
13 solution to everything that had happened over the course of many years." Another founder of the
14 CIW stated that: "For years we have been adversaries. We had been two groups that believed
15 their interests were . . . forever . . . against each other. And yet, once we got the chance to sit
16 down as people and talk . . . [we made] that human connection that just never existed before for
17 us as an organization with anybody on the other side of the battle lines." (Marquis, 2017, p. 96).
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22 As discussed below, the result reflects the possibilities of agonistic discourse and is an
23 example of its transformative potential through reformulating the contested space and issues and
24 modifying self and group identities. PTG joined the FFP in 2010 followed by another grower,
25 and then the FTGE joined the FFP. This was the beginning, in earnest, of an agonistic
26 relationship with growers. Though there were still fundamental disagreements and irresolvable
27 conflicts, they began to work toward the objectives of the FFP – fair pay, workers' rights, dignity
28 and workers having a voice in issues that affected them. The parties began the agonistic dialogue
29 and debate associated with implementing the requisite accountability system whereby the
30 growers can be held responsible for what happened in their fields – a system that not only would
31 determine the "rules" and whether they were being followed, but also had the potential to
32 develop understanding and trust among the participants. What had previously been seen as
33 uncontestable was being contested by the workers.
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39 40 5.3.2 Crew Leaders

41 The crew leaders had a relationship with the CIW similar to that of the growers. The
42 claims of dishonest and unfair treatment by the workers were summarily ignored (Marquis, 2017,
43 p. 27). Prior to the FFP, the growers contracted with the crew leader to supply workers. The
44 growers decided which crew leaders they contracted with and claimed no knowledge or
45 responsibility for how the crew leader retained or treated the workers. The growers saw "the
46 workers as part of the crew leader's work force." (FFSC_2) While the CIW undertook work
47 stoppages and boycotts against the actions of the crew leaders, after initial confrontations, they
48 did not attempt to negotiate with the crew leaders. The FFP recognized the grower as responsible
49 for what took place in their fields and was designed to hold the grower accountable for the crew
50 leaders' treatment of the workers. For example, one of the stipulations of the FFP is that the
51 workers are employed by the grower instead of subcontracting with the crew leader, significantly
52 reducing the power the crew leaders over the workers.
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60 ¹⁶ Reported in a 20 December 2008 newspaper article in the *Fort Myers News-Press*.
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5.3.3 Buyers

The CIW's relationship with the buyers also was an antagonistic one. The buyers contacted by the CIW initially refused to talk with the workers even as the CIW began public campaigns to raise awareness of the workers' plight and to pressure the buyers to accept some responsibility for what was taking place in the fields. "[The buyers] think that they are far removed from responsibility by simply saying that that's another industry that has nothing to do with us." (CIW_11) The CIW's first major public campaign directed at a major buyer was a boycott of Taco Bell, which led to Taco Bell's willingness to recognize the CIW and join the FFP. The boycott lasted almost 5 years beginning in 2001 and included various campaigns and "counter-accountings" designed to gain public support and to associate the corporation with the abuses that were occurring in the fields. A major turning point occurred when 22 high schools and universities across the US withdrew or threatened to withdraw contracts permitting Taco Bell to operate on their campuses. Other campaigns and boycotts directed at other buyers were also undertaken.¹⁷

As a result of Taco Bell's willingness to recognize the CIW and to begin negotiations regarding fair pay and facilitating workers' rights, the relationship with the buyers began to change from antagonistic to agonistic. The parties agreed to negotiations regarding the rights-based, worker-driven standards of behavior and associated accountability systems consistent with the tenets of the FFP. However, the relationship between the workers and the buyers was still generally adversarial. The majority of the FFP participating buyers did not sign onto the program without some type of targeted pressure. The buyers still maintained their dominant power position relative to the CIW and the growers. They were still focused on maximizing shareholder value whereas the CIW was focused on improving the workers' lives.

5.4 Surfacing the political

The CDA framework points to the political processes that precede the actual implementation of FFP and the associated accountability system. The major CDA components provide the context and content of the responsibility network that, in turn, is a prerequisite for the accountability system's evaluation criteria. Understanding and specifying these components and their transition can be useful in surfacing the political by making visible the contestable issues and bringing them into the public arena. Demonstrating the politics of accountability can assist in developing, deploying and evaluating the activist programs that are undertaken to facilitate change in areas where some primary participants have traditionally had little or no voice or power. Understanding the transition also provides the context and content for the accountability systems required to successfully implement and sustain the programs in contested domains. Examples of the contested issues (key signifiers), the positions taken (chains of signification) that make up the political frontier, and their representation as evaluation criteria (responsibility network) are presented in Appendix B.

The neoliberal hegemony provides the context wherein the political frontier is constructed and gives meaning to the contested issues that separate the actors into groups of "we" (workers) and "they" (buyers, growers, crew leaders). The workers' position is basically

¹⁷ For a more complete discussion of the campaigns and boycotts see Marquis (2017, esp. Chapter 3) and the CIW website, <https://the CIW-online.org>.

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4 reflected in the humanistic conceptualization of the rights and dignity of human beings. An
5 articulation of the workers' position in constructing the political frontier is outlined in the FFP
6 Code and relates primarily to fair pay, dignity and human rights, and a voice on issues that
7 affected the workers. Our discussion is directed toward the political frontier between the growers
8 and the migrant farmworkers. This does not imply that there was no prior contestation; however,
9 the power differentials were so significant that the workers' voices could be easily ignored, and
10 their conceptualization as a commodity input to production go unchallenged. As the workers
11 became aware of their rights and their strength in collective action, the workers began to realize
12 that the situation could be otherwise and to collectively articulate and act on their grievances.
13 Again, while we might associate a position with a group (growers, workers, buyers), we
14 recognize that the groups are not homogenous and that individual members may vary in the
15 positions they hold. It is these "deviants" that can be the catalyst for change as the chains of
16 equivalence evolve and the power relationships shift.

17
18 As noted above, while the growers and the workers might use the same words in referring
19 to contested issues, their meaning/interpretation by the workers and the growers might be
20 different, depending on their needs, experiences and interests. The struggle over meaning reflects
21 the political issues and processes at play in a contested space. As the meanings and relative
22 importance (chains of signification) associated with various conceptualizations of words/issues
23 (key signifiers) change, new understandings and evolving self-identities can enhance the
24 possibilities for shifts in alliances (chain of equivalence). The new (possibly temporary)
25 coalitions can alter the extant power relationships leading to changes in the social and material
26 relationships among, and within, the associated parties.

27
28 Drawing on the preceding discussion, we consider the uncontested contestable issues that
29 make up the political frontier separating the growers and the workers and how they change over
30 time. The workers' (counter-hegemonic) positions are counterposed with the market-oriented
31 (hegemonic) ones of the growers and buyers. First, we identify the key signifiers, associated
32 chains of signification and the chains of equivalence and specify the political frontier in place in
33 the early to mid-1990s, which reflected the neoliberal, market-based position of the growers and
34 buyers. Next, we consider the changes in the chains of signification and chains of equivalence
35 that resulted in the current political frontier. The elements of the political frontier reflect the
36 salient contested issues. The current, local "resolution" to these issues emerges from the
37 agonistic engagement among the interested parties. The positions on the contested issues
38 established through this political process constitute the components of the current responsibility
39 network and are the evaluation criteria contained in the current rights-based, worker-driven
40 accountability system.

41
42 We argue that the changes along the political frontier reflect the results of strategies and
43 tactics of the CIW that (1) rendered contestable the concept of "migrant farmworkers," and their
44 working conditions, that were initially assumed to be uncontestable and (2) re-presented and
45 positioned these contested issues within the political/public arena. Understanding this political
46 process provides insights into the shifts in the power constellations (chains of equivalence) that
47 led to changes in the social and material relationships among the various parties and represents a
48 set of necessary conditions from which an effective accountability regime emerged.

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4 5.4.1 The political frontier prior to the FFP

5 Our analysis indicates that the crucial contested conceptualizations (key signifiers) are
6 “migrant farmworker” and the responsibilities regarding the worker’s wellbeing. Positions on
7 contested issues follow from the conceptualization of the “migrant farmworker” and associated
8 responsibilities. Change, or not, occurs as the meanings and relationships along the political
9 frontier change, or not, regarding, for example, the parties’ understanding of “fair treatment” and
10 “fair working conditions” that might include fair pay, benefits, working hours, equal opportunity,
11 and employee safety. The salient political issues were traditionally defined by the growers and
12 the buyers because of their significant power advantage and reflected the work environment
13 faced by the workers. Those in power, in a sense, dictated the neoliberal status quo, and the
14 associated rights and responsibilities, which were deemed “uncontestable”.

15 The growers defined the “migrant farmworkers” as a cost of production to be minimized.
16 They accepted little to no responsibilities for the workers other than those demanded by the
17 market for agricultural labor in their area and those required by law, when the laws were
18 enforced. As one of the FFSC investigators observed, “before the Program, growers often
19 absolved themselves of these responsibilities and left the crew leaders to handle hiring and
20 registration, paying workers, etc. This, in turn, created a gulf between the growers and
21 harvesters”. Also, regulation by the state was overall ineffective. “As workers from the field,
22 we tend to be invisible, ignored constantly by the government.” (the CIW_11) The workers were
23 seen as primarily responsible for their wellbeing.

24 Little in the farmworkers’ self-identity or conceptualization of their subordinate position
25 within the agricultural industry differed from the positions described above. The crew leader had
26 almost total control over the workers, and the workers recognized the crew leader as “boss”.
27 (FFSC_2) The growers controlled the workplace. The workers were intimidated and punished if
28 they attempted to initiate change. The punishment could be physical (beaten, sexually assaulted,
29 shot) or economic (pay withheld, blackballed, accommodations withdrawn). A single worker
30 was expendable and powerless. There was little recognition or hope for change. The workers
31 were not organized, nor did they seem to be aware of possibilities beyond the status quo and how
32 change could be accomplished, for example, through collective action. “. . .[T]he workers really,
33 you know, for so long, and I worked in the industry for many years. . .we would just accept things
34 whatever was thrown at us with a *echado*, bent down. . .with our heads bent down.” (CIW_13)
35 The status quo was deemed uncontestable.

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47 5.4.2 The politics of change – from antagonism to agonism

48 *The politics of change involves making the previously uncontestable contestable,*
49 *bringing the contestable into the political/public arena, and giving power and voice to the*
50 *farmworkers.* The politics of change provide the context wherein an accountability system can
51 emerge. Constructing the agonistic political action space is an ongoing and iterative process
52 involving engagements among the workers, buyers and growers. We illustrate the politics of
53 change using the CDA concepts in considering the emergence of the agonistic political space
54 within which the responsibility network is constructed. An agonistic political action space is
55 seen as necessary, though not sufficient, for a meaningful accountability system.

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4 The responsibility network reflects the migrant workers increased collective political
5 awareness and their expanded understanding of the “migrant farmworker” and the associated
6 rights and responsibilities. Two primary components in increasing the workers’ political
7 awareness are education and engagement. Education begets the political in that the previously
8 perceived uncontestable issues are recognized as contestable and, if contestable, subject to
9 change. The CIW employs Freire’s (1985a,b) popular education methods¹⁸ to increase the
10 workers’ awareness regarding their rights, how to claim them as well as the possibilities
11 regarding change. One of the CIW founding members stated that “Freire is, as you know, one of
12 the single most important intellectual, and practical, inspirations for the model itself, its worker-
13 driven essence being an expression of the popular education DNA passed on from his seminal
14 work.”

15
16 The CIW also engaged in programs, strikes, boycotts and campaigns that illustrated the
17 power and possibilities of collective action. Through the education programs and various
18 successful engagements, the workers came to understand the importance and influence of their
19 acting collectively to address grievances. The workers’ identity, individually and collectively,
20 began to change. The workers began to re-conceptualize the “migrant farmworker” and the
21 contested issues along the political frontier developing alternative positions challenging the
22 status quo. The farmworkers began to see themselves more clearly and assertively as human
23 beings with rights and deserving of respect. “...[W]hen the program came, we [workers] were
24 able to lift our heads up and to be seen and be heard. So, it wasn’t just about having voices but
25 really having our voices heard, which is what the companies have to do to be able to participate
26 in the program.” (CIW_13)

27
28 By making the previously uncontestable contestable, the workers began to claim their
29 right to fair treatment, a living wage and a voice in decisions that affected them. Through their
30 campaigns, boycotts and other engagement activities, the workers began to raise public
31 awareness and stimulate political debate regarding their claims. For example, instead of
32 accepting the initial position that the individual worker was solely responsible for their
33 wellbeing, the workers came to understand that all members of society, especially those who
34 were part of the food supply chain and the ultimate customer, have a responsibility to ensure that
35 no one benefits from illegal actions or exploitation at any point along the supply chain. “Anyone
36 [who] benefits from the suffering has a responsibility to end it.” (CIW_11)

37
38 Before the public campaigns undertaken by the CIW such as the national boycotts, the
39 public appeared to be generally indifferent and uninformed regarding the migrant farmworkers’
40 conditions. Through the CIW’s actions and confrontations (e.g., “Were the tomatoes on your
41 Taco Bell taco picked by slave labor?”), public media, politicians and various members of civil
42 society (e.g., faith-based groups, students, etc.) became more aware and involved in the issues
43 surrounding the plight of the migrant workers in Florida. As a result, these groups seemed to
44 incline toward the counterhegemonic understanding of the “migrant farmworker”, which
45 changed the composition of the chain of equivalence associated with the workers’ position. This
46 counter-position acquired more purchase and power through both public opinion within civil
47 society and, more specifically, the buyers’ customers.

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¹⁸ See Shivji (2022) for a discussion of the CIW popular education program.

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4 Significant media coverage of the CIW’s campaigns was critical in increasing public
5 awareness. There were literally thousands of related newspaper articles, press releases and wire
6 service distributions from 2003 to 2011 appearing in campus newspapers and local, regional,
7 national and international newspapers ranging from the South Bend Tribune to The Guardian,
8 from the Los Angeles Times to the New York Times. For example, in 2003, the Los Angeles
9 Times published an article titled “Florida Farm Workers Picket Taco Bell”, The Capital Times in
10 Madison, Wisconsin published “Taco Bell Tomato Pickers Protest ‘Sweatshop’”, The Guardian
11 published an article titled “Taco Bell Tomato Pickers on Slave Pay: Dispute over poor pay by
12 contractors highlights plight of immigrant workers,” In 2004, U.S. Newswire reported that UN
13 High Commissioner for Human Rights, the National Council of Churches and Oxfam America
14 were joining the CIW to bring attention to human rights abuses of farmworkers in America’s
15 fields. In 2008, The Atlanta Journal-Constitution reported on the activists lobbying of national
16 legislators for the Florida tomato pickers. Knight-Ridder/Tribune Business News covered the
17 Senate hearings regarding Florida labor growers’ mistreatment of migrant labor. In 2009, U.S.
18 Newswire reported on the Florida governor’s support of the workers. Following the National
19 Council of Churches, in 2004 the United Methodist Church voted to remain part of the Taco Bell
20 boycott, and in 2006, the Presbyterian Church (USA) reaffirmed its commitment to the CIW’s
21 efforts (See [https://www.npr.org/2005/06/16/4706271/fast-food-deal-a-big-win-for-small-](https://www.npr.org/2005/06/16/4706271/fast-food-deal-a-big-win-for-small-migrants-group)
22 [migrants-group](https://www.npr.org/2005/06/16/4706271/fast-food-deal-a-big-win-for-small-migrants-group), and <https://the CIW-online.org>).

23
24 The chains of equivalence began to shift. As more (potential) customers joined the
25 counterhegemonic camp, the buyers recognized the need to modify their position regarding their
26 responsibilities for “migrant farmworkers” and their “definitions” of “safe and humane
27 workplace conditions” and “responsibility for modern-day slavery in the fields” and to signal to
28 their customers that they were changing their position. These events were taking place within a
29 sociopolitical and historical context. The Rana Plaza disaster, the revelation of sweatshops and
30 the use of child labor associated with the textile and technology industries also made the buyers
31 and the public more sensitive to, and receptive toward, the need for major corporations to take
32 more responsibility for what was taking place in their product supply chains.

33
34 In response to the pressure arising from the CIW campaigns, the buyers agreed to
35 negotiate with the CIW. This reflected a significant shift in the political power dynamics and
36 initiated an agonistic relationship between the buyers and the CIW. There were still fundamental
37 differences that, within the current neoliberal market-based context, will not be resolved, but
38 within that context there would be a commitment to dialogue and debate, listening and learning,
39 not necessarily consensus.¹⁹ Through their negotiations with the CIW and their relationship with
40 the growers, the buyers appeared to change their conceptualization of the “migrant farmworker”
41 and influenced, and were influenced by, the evolving understandings of issues such as “fair pay”,
42 “safe and humane workplace conditions” and “responsibility for modern-day slavery in the
43 fields.”

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¹⁹ While consensus is not the final intended outcome of agonistic based CDAA, the process recognizes the possibilities for the co-creation for transformative change within agonistic engagement and the possibility for “contingent” agreements. This pragmatic approach seems consistent with Mouffe’s conceptualization of agonistics (See Wingenbach, 2011).

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4 PTG's "deviant behavior" was a catalyst in developing an agonistic relationship between
5 the growers and the workers. PTG began to reevaluate the "meanings" (signification structures)
6 the growers assigned to "migrant farmworkers" (key signifier) and began to acknowledge the
7 legitimacy of the workers' grievances. As a result, PTG's position within the constellation of
8 actors began to shift, followed by other growers. The CIW's antagonistic attitude toward the
9 growers also began to shift toward an agonistic one. Over time, the agonistic relationship
10 between the growers and the CIW moved closer to mutual understandings and shared goals and
11 values. The FTGE and the CIW began to find common ground in the meaning they assigned to
12 specific issues such as fair pay, working conditions, and other contested key issues. The
13 struggles and the outcomes reflect the possibilities of agonistic discourse and illustrate the
14 transformative potential through reformulating the contested space and issues and the influence
15 of, and on, self and group identities.

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20 Through the engagements of the CIW with the growers and buyers and their
21 (non)responses, the contestations created and clarified the positions along the political frontier
22 and enhanced public awareness of the formerly uncontested issues. In some sense, PTG's
23 engagement with the CIW reflects stages in moving from antagonism to agonism. Personal
24 values, a sense of responsibility and experience combine with motivating (opposing) forces,
25 making visible what had not been previously recognized and bringing into being new
26 possibilities. In this case, "better", or at least more agreeable, responses to the issues that
27 emerged. These responses provided the basis for developing an effective accountability system
28 for monitoring the activities of the buyers, growers, and workers and giving the workers more
29 voice and power. The relative transition from antagonism to agonism provides the context
30 within which the responsibility network is constructed, and both are a prerequisite for developing
31 an effective accountability system.

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36 The responsibilities were (re)allocated along the supply chain. The growers recognized,
37 and reluctantly accepted, the primary responsibility for the workers' treatment. The articulation
38 of these responsibilities in the Code reinforced and moved beyond basic legal requirements and
39 eliminated the ability of the growers to abdicate their responsibilities by "subcontracting" with
40 the crew leader. As noted in Figure 3, panel B, the grower is now responsible for the actions of
41 the crew leader.

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44 One of the FFSC investigators noted the change in the growers' and the workers'
45 conceptualization of the "migrant farmworker".

46
47 I think it is essential to underscore the framework of the Program and highlight
48 the transformative power, especially in the way in which employers (growers) see
49 workers... [The direct hire] requirement has entirely changed how growers see
50 workers and vice-versa. This allowed the workers to see themselves as part of the
51 company, which they are. Similarly, growers who would otherwise see workers
52 are part of the crew leader's workforce now see them as being their employees,
53 their workforce... The shift in paradigm did not happen right away... [but]
54 represents a monumental change in the mindset of the growers. (FFSC_2)

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57 We propose that this change reflects, and facilitated, the evolution from an extremely
58 antagonistic relationship to a more agonistic one and a shift in both group and self-
59 identities of the growers and the workers.
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4 The growers improved their image as employers with the public, improved the quality
5 and stability of their workforce, and gained guaranteed access to a significant group of buyers.
6 The buyers were the most powerful entities because of their market power. In effect, they agreed
7 not to purchase tomatoes from uncertified growers and that the FFSC would evaluate the extent
8 to which the grower was meeting the responsibilities set forth in the Code, which reflects the
9 evaluation criteria associated with the workers' responsibility network. The buyers accepted the
10 rights-based, worker-driven evaluation criteria as an articulation of the workers' rights and
11 supply chain participants' responsibilities. In addition, the buyers agreed to pay a penny per
12 pound premium to the workers. The buyers also, in effect, "outsourced" the responsibility, and
13 the costs, for holding the growers accountable to the FFSC. The workers gained the ability to
14 hold the growers accountable for fulfilling the agreed-upon responsibilities by articulating the
15 salient evaluation criteria and implementing an effective accountability system administered by
16 the FFSC.
17

18 While the dominant neoliberal hegemony was not being replaced, the buyers' relationship
19 with the CIW shifted from an antagonistic one to an agonistic one. The supply chain power
20 dynamics associated with the positions along the political frontier changed. Some of the power
21 of the market forces were effectively reallocated to support a humanized reconceptualization of
22 "migrant farmworker" and a reallocation of responsibility along the supply chain. The buyers'
23 agreement to purchase tomatoes only from growers compliant with the Code provided the
24 consequential outcomes necessary to motivate the growers to accept responsibility for working
25 conditions and for the implementation of an effective accountability system. It is to this
26 accountability system that we now turn our attention.
27

28 **6. Rights-based, Worker-driven Accountability System**

29 An effective accountability system is seen as the linchpin in the successful
30 implementation of the FFP. "It all comes back to the enforcement mechanisms.... It's the only
31 way people within a historically inhuman context will be seen, heard, and treated as humans"
32 (FFSC_1). We found these sentiments expressed, to some degree, in all the interviews. The need
33 for monitoring and enforcement recognizes the irresolvable differences between the interests of
34 the buyers, growers, farm management and crew leaders, and the workers. While the relationship
35 might have become agonistic, conflicting interests and power differentials remain. Effective
36 accountability systems, that is those with meaningful consequences (Dillard and Vinnari, 2019),
37 can facilitate agonistic relationships and result in enhanced understandings and creative
38 responses in addressing contested issues as they arise. To presume consensus would be
39 unrealistic and dysfunctional, increasing the possibility of disadvantaging (silencing) the
40 workers.
41

42 The accountability system and the associated FFSC audit are the means of granting and
43 ensuring that the workers have a voice and power regarding their rights and wellbeing. *The*
44 *Code of Conduct is a tangible expression of the contestable conditions and issues, formerly*
45 *treated as uncontestable, that have been brought into a public arena through the antagonistic*
46 *and agonistic engagements between the workers, growers and buyers. The accountability*
47 *system translates "meanings" into actions that affect the material wellbeing of the workers. We*
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4 discuss the specific evaluation criteria incorporated and articulated in the accountability system
5 (Appendix B) as examples of those criteria stipulated in constructing the responsibility network
6 and codified in the Code. These evaluation criteria reflect a (re)conceptualization of the
7 “migrant farmworker” as a human being with certain rights and accompanying responsibilities
8 and are critical components in an effective accountability system operating within a neoliberal
9 context.
10

11
12 The powerholders have accepted, albeit reluctantly and not without coercion, some
13 responsibility for the fair and humane treatment of the migrant farmworkers. The growers
14 accepted responsibility for what happens in their fields by agreeing to operate according to the
15 stipulations set forth in the Code and recognizing the workers as accountholders. The growers
16 also agreed to provide compensated time for the CIW worker education and to abide by any
17 sanctions that the FFSC deems appropriate for violations. As written in the Fair Food Program
18 Code of Conduct, “Participating Growers will implement a system acceptable to the CIW for
19 informing and educating their Qualifying Workers, on the Participating Grower’s premises and
20 on company time, of the Qualifying Workers’ rights under all applicable laws, codes, and
21 regulations, including this Code”. In addition, “A Participating Grower shall address to the
22 satisfaction of the FFSC every Code violation identified in the course of an audit through an
23 approved Corrective Action Plan and/or Complaint Resolution”. (Fair Food Standards Council,
24 n.d.) For example, if a crew leader is involved in a case of modern-day slavery and human
25 trafficking, the growers agreed to ban this crew leader for life. The buyers accepted some
26 responsibility for what happens along the supply chain, agreeing to pay the workers a penny-per-
27 pound premium and not to purchase tomatoes from uncertified growers. The workers’ lack of
28 power is still significant but is ameliorated to some extent by a rights-based, worker-driven
29 accountability system.
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32 From a CDA perspective, the Code reflects the understandings gained and positions
33 arrived at in constructing the responsibility network. The key signifiers and the associated chains
34 of signification articulated by the workers (accountholders) are translated into rights-based,
35 worker-driven evaluation criteria for which the growers (powerholders) are held accountable.
36

37 Workers were historically viewed, and, to some extent viewed themselves, as mere inputs
38 to the production process and deemed responsible for their own wellbeing. As shifts in the
39 political terrain occurred, the chains of equivalence began to shift toward the counterhegemonic
40 conceptualization of the migrant farmworker. Pressure was directed toward changing the status
41 quo, which was no longer deemed uncontested. The requirements and violations specified in
42 the Code codify the chains of signification that motivated and reflected the alliances that
43 facilitated the re-formulation of responsibilities across the supply chain. As key signifiers such as
44 “forced labor” and “human slavery” became associated with the buyers and the growers, not just
45 the crew leaders, questions arose as to who was responsible for these actions and how to modify
46 the responsibility profile along the supply chain to improve the plight of the workers as well as
47 the integrity of the industry.
48

49 By agreeing to the terms of the FFP, the buyers shifted the accountability responsibilities
50 onto the FFSC-administered accountability system. According to a FFSC financial auditor:
51 they’ve [the buyers] been able to outsource that accountability. Them [the buyers]
52 being held accountable is now on the back of the FFSC and the CIW because their
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4 supply chain is in our hands and monitoring tomatoes is now our responsibility
5 and no longer theirs. So, they've gotten the benefit of accountability, and we've
6 done the leg work, and I'm not saying that this detracts from any goodwill they
7 may have had for joining the program. I just feel like the accountability nowadays
8 is really in our hands. (FFSC_10)
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11 The Code articulates the requirements regarding the grower's responsibilities (evaluation
12 criteria) concerning workplace practices by which the FFSC determines whether the grower is in
13 compliance with the FFP standards. Violations are investigated and associated corrective actions
14 are implemented. The Code specifies the consequences of violations as well as appeal
15 procedures. As noted above, the key signifiers and their associated chains of signification
16 reflected in the Code follow primarily from the workers' positions along the political frontier.
17 The current agreements establishing these positions are possible because the chains of
18 equivalence, and thus the power relationships, shifted over time as a result of increased public
19 awareness of the plight of the workers and the ability to tie responsibility for what was
20 happening in the fields to various parties along the supply chain. The accountability criteria
21 reflect the acknowledgment that migrant farmworkers are human beings entitled to rights and to
22 be treated fairly, with dignity. "Since the Program requires that all workers are registered and
23 placed on the company's payroll, growers began seeing workers as part of the
24 company...growers who would otherwise see workers are part of the crew leader's workforce
25 now see them as being their employees, their workforce." [FFSC_3] The workers control their
26 timecards through a required digital monitoring system, and wages are paid directly to the
27 workers. The annual audits by FFSC validate the timecards and associated payments to the
28 workers and verify that the growers are otherwise maintaining accurate accounting systems.
29

30
31 The chains of signification relating to the wellbeing of the migrant farmworker as an
32 employee include workplace issues. The Code stipulates that "Participating Growers will provide
33 opportunity for advancement, including the ability for Qualifying Workers to move from fields
34 to other types of employment with the Participating Grower, including management positions,
35 and will regularly communicate these opportunities to Qualifying Workers" (Fair Food
36 Standards Council, n.d.). The code further states that "If housing is provided by a Participating
37 Grower, it must be voluntary and comply with the law, and the cost for such housing to the
38 Qualifying Worker cannot reduce the Qualifying Worker's net wages below the minimum wage
39 or be increased other than to reflect increases in the cost or quality of the housing" (Fair Food
40 Standards Council, n.d.). These stipulations reflect the workers' understanding of the sources
41 and remedies of these issues as the workers became aware of their rights through the CIW
42 education programs and can articulate them.
43

44
45 Worker education and involvement are an integral part of the accountability system. The
46 Executive Director of the FFSC stated that she doesn't "know what kind of audit can be
47 accomplished unless you have an educated workforce, ...but if you have an educated worker-
48 base that knows that you can genuinely protect them from retaliation, it's a different ball game
49 all together". [FFSC_1] The accountability system becomes worker-driven as the workers come
50 to understand that their rights are reflected in the Code and Guidance Manual and the options
51 available to them to report issues without fear of retribution or retaliation.
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4 Initially, the education sessions were resisted by some of the growers. They argued that
5 “we already did it last season...Why do we have to do it again?” [CIW_12] Now, according to a
6 CIW education coordinator, the growers are “more engaged in the process so we’ve definitely
7 seen that shift significantly” [CIW_12], and the sessions have become more a part of farm
8 operations. One of the former farmworkers observed: “something like this has never existed
9 before and it’s something that in the past would never happen where anyone was allowed to
10 come into the field and talk to the workers about their rights”. [CIW_14] Examination of the
11 instructional materials and education session observations noted the attendance and attention of
12 the workers and the efficacy of the presentation. The session covered the aspects of the Code,
13 and the necessity to report all issues stressed. The multiple reporting alternatives were
14 explained, and contact information was provided. The “Fair Food Program 2021” (FFSC, 2021,
15 p. 12,44) reports that since 2013-2014 all growers have complied with the worker-to-worker
16 education requirements. For the period from 2011 to 2019, 1,108 education sessions have been
17 held with a total of 72,311 workers attending, and 312,300 copies of “Know Your Rights and
18 Responsibilities” booklets have been distributed to workers.
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24 Interviews with grower management, FFSC staff, and the CIW staff, and field
25 observations evidenced the thoroughness of the audit process. One member of company
26 management stated “you can’t hide anything. FFSC audits are much more involved and much
27 more work for everyone...but they are effective” [G2] at enforcing the Code. Every farm in the
28 program is audited at least once a season. During field audits, auditors “speak to at least 50% of
29 the workers, even more on smaller farms” [FFSC_1] and management does not play a role in
30 determining which workers are interviewed by auditors. As noted above by the Director of
31 FFSC, worker reporting of violations is critical to the success of the accountability program.
32 Since the beginning of the program in 2011, 346 field audits, 281 financial audits, and 249
33 management audits were carried out including interviews with over 30,000 workers and over
34 1,000 supervisors/crew leaders. Approximately 9,357 audit findings were addressed, and 206
35 corrective action plans developed (FFSC, 2021, p. 36).
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40 The evaluation criteria incorporated into the accountability system include specific
41 workplace issues relating to, for example, the health and safety of the workers. Again, these
42 contested issues are reflected in the chains of signification. Safe working conditions can have
43 different meanings depending on whether the worker is visualized as a cost of production or a
44 human being with rights, deserving protection. The Code, taking the latter position, states that
45 the grower is expected to take all necessary steps to ensure safe working conditions. For
46 example, the grower will ensure that the workers understand that, if they feel threatened or
47 endangered, they have the right to stop working (without compensation) without fear of
48 retaliation. In addition, there should be adequate safety procedures, including systematic work
49 stoppages, associated with such factors as lightning, heat, chemicals, and pesticides. The
50 associated Health and Safety Committees²⁰ have become a major forum for dialogue between the
51 workers and the growers in developing such programs. Again, being aware of the rights and
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58 ²⁰ Participating growers are required to have a Health and Safety Committee, which are made up of workers
59 and farm management decision-makers. At least one worker from each crew must participate. The Committee meets
60 to discuss workplace health and safety issues.
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4 responsibilities embedded in the accountability systems, the workers represent an integral part of
5 its implementation.
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7 The growers agree to the implementation of an effective accountability system that
8 includes third-party monitoring by FFSC regarding the activities covered under the Code,
9 providing adequate transparency and verification of the farm’s practices, and not impeding in
10 any way any FFSC investigation or audit. The workers are guaranteed access to a complaint
11 filing and resolution process operated or approved by the FFSC. The Fair Food Program report
12 (FFSC, 2021, p. 38-39) indicates that between 2011 and 2020, nearly 2,800 worker complaints
13 were received via the hotlines. Approximately 35% were code violations, 15% were invalid,
14 30% were not code violations with an agreeable resolution reached, and 20% from workers from
15 nonparticipating employers, not investigable, or for information only. Approximately 60% of
16 the complaints are resolved within two weeks and approximately 80% within a month.
17

18 “Accountability” without consequences is not accountability. It may be something akin
19 to disclosure and transparency, but without consequences for the actions taken by the power
20 holder, the likelihood of bringing about change is significantly reduced. The FFP accountability
21 system is effective because it has “teeth”. The legally binding agreements between the workers
22 and the buyers are enforceable, and violations of the agreements by the growers carry significant
23 consequences, which are primarily market-based ones. The buyers are motivated by their
24 customers and shareholders. Because of their power position in the supply chain, the buyers can
25 influence the behavior of the growers, and the growers can influence the behavior of farm
26 management and the crew leaders. As part of the chain of equivalence associated with the
27 workers’ position, the buyers have shifted the power constellation such that the growers, farm
28 managers and crew leaders are responsible to the workers for what happens in the fields. If a
29 violation occurs, growers can be required to undertake corrective actions and/or be put on
30 probation or suspended from the program from 90 days to indefinitely. During the suspension,
31 the buyers agree not to purchase produce from that grower. If the crew leader or other
32 supervisory personnel are found to be guilty of a major Code violation such as human
33 trafficking, sexual harassment or physical violence, they can be fired and not eligible to work
34 again for a participating grower for 90 days to up to a lifetime depending on the severity and
35 frequency of the violations. Grower compliance with the Code standards is currently around
36 95%. “Most participating growers’ operations were dramatically transformed, achieving high
37 level of compliance across all areas of evaluation.” The level of compliance rose steadily to the
38 point where in 2016 “the task became sustaining the gains achieved.” (FFSC, 2022, p. 31)
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40 Continuing the significant level of worker commitment and grower compliance requires
41 evidence that the intended results are being achieved, protection from retaliation for the worker
42 reporting violations is being provided, and the timely and meaningful enforcement of code
43 violations is realized. Since the program began in 2011, \$496,939 in wages has been recovered
44 via the FFP complaint process (FFSC, 2021, p. 12). In addition, another \$36,338,147 has been
45 paid to the workers in the form of the Fair Food penny-per-pound premium, and the piece rate
46 standard has been increased by 10%. Systemic wage theft violations dropped from a high of 56
47 cases in 2015 to zero in the last two years (FFSC, 2021, p. 49).
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49 The “teeth” in the accountability program are reflected in the consequences for the major
50 violations. Since the beginning of the program, 42 supervisors have been disciplined for sexual
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4 harassment including 19 valid cases of sexual harassment with physical contact. In each of the
5 latter cases, the offending supervisor (17) or co-worker (2) was promptly terminated and banned
6 from FFP farms. None of the reporting workers suffered retaliation (FFSC, 2021, p. 52). Of the
7 13 supervisors who committed or threatened violence against workers, 12 were terminated and
8 one demoted to a nonsupervisory position. Final warnings were given to 4 supervisors who
9 impeded the FFSC investigations in some way. In the 2015-2016 season, one grower was
10 suspended in the only case of forced labor working in the grower's fields (FFSC, 2021, p. 34).
11 There were 43 cases of discrimination involving 25 supervisors and 13 coworkers and a number
12 of cases related to company practices and policies. The company practices and policies were
13 changed, 5 supervisors were terminated, 11 given final warnings and 11 given verbal warnings
14 (FFSC, 2021, p. 52).

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16 Field observations and discussions with the interviewees supported the effectiveness and
17 timeliness of the accountability system. During the fieldwork, a "corrective action" was
18 observed. A crew leader, who was suspended, had to make a public apology to the workers.
19 One of the FFSC interviewees explained that the person had a previous history of misconduct
20 and had been through retraining sessions. Last year the person received a "final warning".
21 During the current audit, reports were received regarding continued use of demeaning, vulgar
22 language and making disparaging comments about the FFP, but the primary problem was
23 inhibiting audit interviews with the workers. "Workers seemed intimidated, scared to talk, kept
24 looking down and saying they couldn't share anything else.... The interview environment was
25 tainted." [FFSC_4] Upper management from the parent company also made the following
26 statement to the workers. "Thank you to those who came forward to bring complaints, it is
27 important for our company to fulfil promise, and important for you to feel like you can reach out
28 through multiple avenues through FFSC hotline, your supervisors, the CIW, and others without
29 fear of retaliation. We're going to be making some changes and wanted you to hear it from us
30 firsthand. [The supervisory personnel] will be suspended starting today because his behavior was
31 not appropriate, not in line with the commitments we have made. It is important for you to
32 understand our partnership with the FFP and our commitment to the Code."

33 34 35 36 37 38 39 40 41 42 **7. Summary and Reflections**

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44 We contend that the current study and others have now gone beyond "thought experiments and
45 conceptual discussion" (Thomson et al. 2015, p. 817), and have shown CDA to be a useful
46 analytical framework for understanding the political processes associated with progressive
47 change. Identifying the "migrant farmworker" as a central contested concept provides a context
48 for understanding positions taken by various actors on their rights and responsibilities and
49 suggests where problems and conflicts might arise. Effective change strategies to address
50 specific problems such as fair play and safety procedures need to take into consideration the
51 parties' position on this core issue. For example, if the growers' conceptualization of the
52 migrant farmworker could be shifted from merely an input to production to a human being with
53 rights that should be respected, the contestation between the parties might take a decidedly
54 different trajectory.
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4 The CIW's strategy reflects such a situation. Initially, it focused on trying to negotiate
5 with the growers for increased pay. The growers refused to participate. It became evident that
6 given the growers' thin margins, any meaningful increase in workers' compensation was
7 unrealistic. The CIW then decided to petition the buyers for an increase in the workers'
8 compensation. The buyers refused to cooperate. The strategy was focused on "fair pay" and was
9 taking place within a market-oriented environment. Thus, there was little traction in demands for
10 more than the market rate. As events evolved, the CIW's strategy began to focus on the meaning
11 of "migrant farmworker". Were they commodities or were they human beings with rights that
12 should be respected? As the CIW began to focus public debate on the farmworker as a human
13 being with rights, it broadened their scope and began to gain recognition and support in the
14 public arena. As the working conditions became more widely viewed from a more humanitarian
15 perspective versus a market one, the political coalitions began to form and shift in favor of the
16 workers. The conceptualization of a migrant farmworker as an input to production was shown to
17 be contestable, and this contestability was brought into the political/public arena. Public opinion,
18 especially the buyers' current and potential customers, began to shift in favor of the workers'
19 position. That is, the political coalitions (chains of equivalence) began to change, shifting the
20 power constellations. The buyers and growers began to change their behavior toward the CIW
21 and negotiate ways of responding to the needs of the workers. The dialogue and debate were no
22 longer whether the growers and buyers had any responsibility for the rights or wellbeing of the
23 workers but how they could facilitate the workers' rights and wellbeing, albeit within a market-
24 oriented context.

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32 *Constructing an accountability system is a political process that can be described and*
33 *made sense of using the CDA framework. We demonstrate that this framework offers a useful*
34 *approach to thinking about ways to hold powerful actors accountable for their treatment of the*
35 *people and resources over which they have control. The responsibility network specifies what is*
36 *important, indicates if change is needed and provides the evaluation criteria incorporated into*
37 *the accountability system that is used to motivate and appraise the actions of the powerholder.*
38 *The information requirements associated with the evaluation criteria provide the design*
39 *parameters for the accountability-based accounting systems. Accounting "makes visible";*
40 *accountability "makes happen".*

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44 The analysis of the FFP emphasizes the politics of the FFP's accountability system. The
45 relative transition from antagonistic relationships to agonistic ones was a key to the development
46 of responsibility networks and the related accountability systems designed to safeguard the rights
47 and dignity of migrant farmworkers. We analyzed the activities of the CIW and the evolving
48 relationships with the growers, crew leaders and buyers. The findings demonstrate an
49 accountability system that includes rights-based, worker-directed evaluation criteria, which has
50 been successfully deployed within a highly contested, for-profit, domain, where the workers
51 traditionally have had little influence. The success of the FFP involved transforming antagonistic
52 relationships between workers, buyers, and growers into agonistic ones and bringing the
53 previously uncontested contestables into the political arena. The responsibility networks reflect
54 the contested issues associated with political struggles waged by the workers in attempting to
55 exercise their rights. The associated evaluation criteria are necessary, but not sufficient, for an
56 effective accountability system that addresses the substantial power differentials between the
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4 parties. We contribute to the literature that considers the construction of accountability systems
5 designed to protect workers’ rights; we illustrate how CDA can be applied in the field to better
6 understand “the political” in domains where underrepresented groups are a primary participant;
7 and we note the significance of the political struggles that constitute the prerequisite context for
8 meaningful and effective accountability systems.
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11 While no other current study undertakes a CDA analysis of a functioning accountability
12 system in a for-profit setting, this study suggests possible amplifications and extensions of some
13 of the empirical applications of critical dialogic related accounting and accountability research.
14 The ideas regarding CDA are useful in extending the extant accounting research concerned with
15 giving voice to underrepresented groups. The findings might be helpful in developing strategies
16 and tactics by social movements as well as indications of what might be effective counter-
17 accounting programs or practices (George et al. 2021). By applying a CDA analysis in “rights-
18 based” settings, the contingency of the “rights” may become more evident, and more effective
19 accountability systems might be designed and implemented that more directly incorporate the
20 lived experiences of the beneficiaries (O’Leary, 2017). While the current study is undertaken at
21 the field level, making visible the politics of accountability might be useful in considering “intra-
22 organizational discourse and change” as proposed by O’Leary and Smith (2020). The role Jon
23 Esformes and PTG played in the success of the FFP provides an example of what O’Leary and
24 Smith (2020, p. 1), following Bakhtin (1981), refer to as “moments of resistance” where the
25 internally persuasive discourse contradicts the externally imposed authoritative discourse leading
26 to change.
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32 Our analysis suggests a way that studies such as Kingston et al. (2019, 2023) might more
33 fully incorporate “the politics of accountability” in understanding how accountability systems in
34 not-for-profit organizations can be undertaken on beneficiaries’ terms. Along with Tregidga and
35 Milne (2020), we provide an example of a non-organizational-centric accountability system. We
36 extend the work by making the politics of accountability visible as reflected in moving from
37 antagonistic to agonistic relationships, in implementing “popular” educational programs, and in
38 intentionally taking advantage of the opportunities that arise.
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41 As with the studies reported by Tanima and her colleagues (Tanima et al. 2020; Tanima
42 et al. 2021; Tanima et al. 2023), we focus our critical dialogic analysis on the perspective of a
43 traditionally underrepresented group and show that accountability is a politically contested
44 concept. Meaningful accountability systems require members of the underrepresented group be
45 allowed and facilitated to speak for themselves, and the system must be structured in a way that
46 ensures their voices are heard. Where these authors proposed developing more effective
47 accountability systems incorporating evaluation criteria based on the beneficiaries’ responsibility
48 networks, we provide an example of an actual system within a for-profit setting that has done so.
49 Though accomplished in different ways, this study and the Tanima studies illustrate how “safe
50 spaces” for voicing concerns can be created as part of an education program as well as the
51 efficacy of Freirean pedagogy in raising awareness of underrepresented, oppressed groups’ rights
52 and responsibilities. Also, we confirm Fougere and Solitander’s (2020) observation that both
53 collaborative and adversarial relationships are part of political engagement in constructing
54 responsibility networks and accountability systems.
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4 From an implementation perspective, more research and development are needed
5 regarding the accounting system(s) that currently supports the accountability system as well as
6 the audit regime that has been developed to implement it. A more fine-grained analysis would
7 be useful in understanding the workers' role as "accountants" providing essential "accounts"
8 regarding evaluation criteria. As an essential element in collecting information regarding the
9 work environment, how effective are the various worker reporting alternatives, what are the
10 specific impediments and how do the "reports" interface with the auditing function? How do the
11 workers interpret and articulate the guidelines? How effective are the reports in influencing
12 behavior? What suggestions have the workers made for improving the current systems and have
13 they been implemented? What suggestions do the workers and the auditors have for improving
14 the systems and how might they be implemented? Also, how do the FFP, CIW and FFSC
15 respond to changes in the political and regulatory environment such as immigration laws and
16 regulations? For example, changes regarding temporary work visas can have significant effects
17 on the composition and stability of the migrant work force as well as the ability to provide
18 education and monitor working conditions.

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20 From a research perspective there is a need to refine and expand the framework
21 employed.²¹ More in-depth analysis is needed of the relationship between responsibility and
22 accountability and the various shifts in the power constellations. For example, how did the
23 workers' responsibility network develop over time, how were the emerging components
24 translated and configured and mapped with the re-presentations ("accounts") of the work
25 environment? What role did "accounts" and "counter-accounts" play in the CIW's engagement
26 strategies and programs, did they change over time, and if so how, and how did they influence
27 the shifts in power relationships that facilitated the success of the FFP and could they be applied
28 in other contexts? That is, what influenced the buyers, education and religious groups,
29 customers and potential customers, and civil society regarding their responsibilities for the
30 working conditions of the migrant farm workers? There is also a need to consider the issues
31 surrounding one powerful party's ability to outsource its responsibilities associated with the
32 wellbeing of workers in their supply chain and the willingness of another party to accept it.
33 From an audit standpoint, it would be useful to investigate the efficacy and long-term viability of
34 the FFSC's funding model.

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36 A more extensive treatment of the socio-political and historical context would help in
37 understanding the generalizability, or lack thereof, of this responsibility network and
38 accountability system and how, and why, they developed as they did. For example, did
39 international events such as the Rana Plaza disaster and sweatshop exposures enter into the
40 CIW's engagement strategies, influence the buyers, or public opinion? How did the diverse
41 backgrounds and experiences of the immigrant workers influence and enrich their input and
42 understanding of the extant accountability system? How did the prevailing political climate
43 influence the how and by whom the accountability system was developed?

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45 We see promise in the application of the CDAA-based participatory action framework
46 (Tanima et al. 2022) to better understand the CIW's "popular education" program and to design

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²¹ Though beyond the scope of the current discussion, Macintosh's (2002) ideas associated with
"heteroglossic accounting" might be useful in this regard. Also see Dillard and Roslender, 2011; O'Leary and
Smith, 2020.

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4 education programs for underrepresented groups. Also, it might be informative to take a more in
5 depth look at the CIW's -based "popular" education approach using, for example, Passetti et al.'s
6 (2019) seven motifs. There is also the possibility that the dynamic conflict arena framework
7 developed by Thomson et al. (2015) might be integrated with CDAA for better understanding the
8 counter-accounting strategies and programs employed by the CIW as it brings about, and
9 responds to, the shifts in power relationships over time and possibly a more fine-grained analysis
10 of the structural changes that occurred.²²

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13 While not the primary motivation for the study, we contend that the rights-based, worker-
14 driven, non-state directed accountability systems understood within the context of CDA can be
15 germane in addressing several of the United Nations' Sustainable Development Goals.
16 Particularly at a local level, we see the accountability system contributing to developing
17 effective, accountable and transparent institutions (16.6) and facilitating responsive, inclusive,
18 participatory and representative decision-making (16.7) as well as eliminating enforced labor,
19 modern-day slavery, human trafficking, and child labor (8.7), defending labor rights and
20 ensuring safe working environments (8.8), and reducing inequalities of outcome by eliminating
21 discriminatory policies and practices (10.3) based on workers' migration status.

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24 The fundamental tensions here are the market pressures faced by the growers in
25 maintaining profitable operations. On one side are the migrant farmworkers' demands for
26 reasonable pay, decent working conditions and to be treated with dignity, and on the other side
27 are the growers and buyers who continually apply pressure to control their production costs.
28 Within this (micro) context, the FFP is transformative in that the traditional market power
29 dynamics within the supply chain have been somewhat refocused, providing the migrant
30 farmworkers a voice in decisions that affected them and enabling a rights-based, worker-driven
31 accountability system.

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34 Following Alawattage and Azure (2021), we advise skepticism regarding what appears,
35 or has the potential, to be critical dialogic accountability operating within a neoliberal, market-
36 based context. From a structural (macro) perspective, FFP is a revisionist program that constructs
37 issues within a neoliberal context in an attempt to channel market power in such a way that
38 injustices might be somewhat mitigated. Human rights have been translated into the business
39 case, and as such, provide the active energy for justification and enforcement, but what if the
40 business case for human rights is no longer viable? As such, we need to continually (re)evaluate
41 whether the accountability system has become a means "to maintain the status quo by allowing
42 only superficial transformations designed to prevent any real change" (Freire 1985a, p. 78).
43 *Pragmatic goals for the present need to be accompanied by revolutionary programs for the*
44 *future.*

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47 We have undertaken this study as part of our attempt to develop accounting and
48 accountability systems in supporting progressive social programs focused on constructing and
49 maintaining a more humane and just society where the rights and dignity of all humans and
50 nonhumans are ensured. However, we present these findings and reflections fully aware that they
51 do not represent the ultimate answers, nor can we even be confident that we are asking the right
52 questions (Flyvbjerg, 2001, p. 140).

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²² We wish to thank Professor Colin Dey for this suggestion.

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REFERENCES

Adamson, C. R. (1983). Punishment after slavery: Southern state penal systems, 1865-1890. *Social Problems*, 30(5), 555–569. <https://doi.org/10.2307/800272>.

Alawattage, C., & Azure, J. D.-C. (2021). Behind the World Bank’s ringing declarations of “social accountability”: Ghana’s public financial management reform. *Critical Perspectives on Accounting*, 78:1-22. <https://doi.org/10.1016/j.cpa.2019.02.002>.

Aversson, M. & Skoldberg, K. (2018) *Reflexive methodology* (3rd Ed). London: Sage.

Asbed, G., & Hitov, S. (2017). Preventing forced labor in corporate supply chains: The Fair Food Program and worker-driven social responsibility. *Wake Forest Law Review*, 52, 497.

Asbed, G., & Sellers, S. (2013). The Fair Food Program: comprehensive, verifiable and sustainable change for farmworkers. *University of Pennsylvania Journal of Law and Social Change*, 16(1), 39–48.

Bakhtin, M. M. (1981). *The dialogic imagination: four essays*. Austin, TX: University of Texas Press.

Bales, K. (2012). *Disposable people: new slavery in the global economy*, updated with a new preface, University of California Press.

Bebbington, J., Brown, J., Frame, B., & Thomson, I. (2007). Theorizing engagement: the potential of a critical dialogic approach. *Accounting, Auditing and Accountability Journal*, 20(3), 356–381. <https://doi.org/10.1108/09513570710748544>.

Blackburn, N., Brown, J., Dillard, J., & Hooper, V. (2014). A dialogical framing of AIS–SEA design. *International Journal of Accounting Information Systems*, 15(2), 83-101. <https://doi.org/10.1016/j.accinf.2013.10.003>.

Brown, J. (2009). Democracy, sustainability and dialogic accounting technologies: taking pluralism seriously. *Critical Perspectives on Accounting*, 20(3), 313-342. <https://doi.org/10.1016/j.cpa.2008.08.002>.

Brown, J. (2017). Democratizing accounting: Reflections on the politics of “old” and “new” pluralisms. *Critical Perspectives on Accounting*, 43, 20-46. <https://doi.org/10.1016/j.cpa.2016.11.001>.

1
2
3
4 Brown, J., & Dillard, J. (2013a). Agonizing over engagement: SEA and the “death of
5 environmentalism” debates. *Critical Perspectives on Accounting*, 24(1), 1-18.
6 <https://doi.org/10.1016/j.cpa.2012.09.001>.
7
8

9
10 Brown, J., & Dillard, J. (2013b). Critical accounting and communicative action: on the
11 limits of consensual deliberation. *Critical Perspectives on Accounting*, 24(3), 176-190.
12 <https://doi.org/10.1016/j.cpa.2012.06.003>.
13
14

15 Brown, J., & Dillard, J. (2014). Integrated reporting: on the need for broadening out and
16 opening up. *Accounting, Auditing and Accountability Journal*, 27(7), 1120-1156.
17 <https://doi.org/10.1108/AAAJ-04-2013-1313>.
18
19

20 Brown, J., & Dillard, J. (2015). Dialogic accountings for stakeholders: on opening up and
21 closing down participatory governance. *Journal of Management Studies*, 52(7), 961-985.
22 <https://doi.org/10.1111/joms.12153>.
23
24

25 Brown, J., & Dillard, J. (2019). Accounting education, democracy and sustainability:
26 taking divergent perspectives seriously. *International Journal of Pluralism and Economics*
27 *Education*, 10(1), 24-45. <https://doi.org/10.1504/IJPEE.2019.098168>.
28
29

30 Brown, J., Dillard, J., & Hopper, T. (2015). Accounting, accountants and accountability
31 regimes in pluralistic societies: taking multiple perspectives seriously. *Accounting, Auditing and*
32 *Accountability Journal*, 28(5), 626-650. <https://doi.org/10.1108/AAAJ-03-2015-1996>.
33
34

35 Brown, J., Soderbaum, P., & Dereniowska, M. (2017). *Positional analysis for sustainable*
36 *development: reconsidering policy, economics and accounting*. Taylor & Francis.
37
38

39 Brown, J., & Tregidga, H. (2017). Re-politicizing social and environmental accounting
40 through Rancière: on the value of dissensus. *Accounting, Organizations and Society*, 61, 1–21.
41 <https://doi.org/10.1016/j.aos.2017.08.002>.
42
43

44 Brudney, J. J. (2016). “Decent labour standards in corporate supply chains: The
45 Immokalee workers model”. In J. Howe, & R. Owens (Eds.), *Temporary labor migration in the*
46 *global era: the regulatory challenges* (pp. 351–376). Oxford: Hart.
47
48

49 Cooper, J. & Hopper, T. (2007). Critical theorising in ,management accounting
50 research. In C. Chapman, A. Hopwood & M. Shields (Eds.), *Handbook of management*
51 *accounting research*(pp. 207-245). Elsevier.
52
53

54 Costello, C., & Freedland, M. (Eds.) (2014). *Migrants at work: immigration and*
55 *vulnerability in labour law*. Oxford University Press.
56
57
58
59
60
61

1
2
3
4 Crane, A. 2013. Modern Slavery as a management practice: exploring the conditions and
5 capabilities for human exploitation. *The Academy of Management Review*, 38:1, 49-69.
6 <https://doi.org/10.5465/amr.2011.0145>.

7
8
9 Crane, A., LeBaron, G., Phung, K., Behbahani, L. & Allain, J., 2022. Confronting the
10 business models of modern slavery. *Journal of Management Inquiry*, 31(3), 264-285.
11 <https://doi.org/10.1177/1056492621994904>.

12
13
14 Dillard, J. (2007). The Labor Process. In Z. Hoque (Ed.), *Methodological Issues in*
15 *Accounting Research: Theories and Methods*(pp. 271-290). Spiramus.

16
17
18 Dillard, J., & Brown, J. (2012). Agonistic pluralism and imagining CSEAR into the
19 future. *Social and Environmental Accountability Journal*, 32(1), 3-16.
20 <https://doi.org/10.1080/0969160X.2012.656403>.

21
22
23 Dillard, J., & Brown, J. (2014). Taking pluralism seriously within an ethic of
24 accountability. In S. Mintz (Ed.), *Accounting for the public interest: perspectives on*
25 *accountability, professionalism and role in society* (pp. 75-90). New York: Springer.

26
27
28 Dillard, J., & Brown, J. (2015). Broadening out and opening up: an agonistic attitude
29 toward progressive social accounting. *Sustainability, Accounting, Management and Policy*
30 *Journal*, 6(2), 243-266. <https://doi.org/10.1108/SAMPJ-09-2014-0055>.

31
32
33 Dillard, J., & Roslender, R. (2011). Taking pluralism seriously: embedded moralities in
34 management accounting and control systems. *Critical Perspectives on Accounting*, 22(2), 135-
35 47. <https://doi.org/10.1016/j.cpa.2010.06.014>.

36
37
38 Dillard, J., & Vinnari, E. (2017). A case study of critique: critical perspectives on critical
39 accounting. *Critical Perspectives on Accounting*, 43, 88-109.
40 <https://doi.org/10.1016/j.cpa.2016.09.004>.

41
42
43 Dillard, J., & Vinnari, E. (2019). Critical dialogical accountability: from accounting-
44 based accountability to accountability-based accounting. *Critical Perspectives on Accounting*,
45 62, 16-38. <https://doi.org/10.1016/j.cpa.2018.10.003>.

46
47
48 Dillard, J., & Yuthas, K. (2013). Critical dialogics, agonistic pluralism, and accounting
49 information systems. *International Journal of Accounting Information Systems*, 14(2), 13-19.
50 <https://doi.org/10.1016/j.accinf.2011.07.002>.

51
52
53 Dillard, J., Yuthas, K., & Baudot, L. (2016). Dialogic framing of accounting information
54 systems in social and environmental accounting domains: lessons from, and for, microfinance.
55 *International Journal of Accounting Information Systems*, 23: 14-27.
56 <https://doi.org/10.1016/j.accinf.2016.10.001>.

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6
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56
57
58
59
60
61
62
63
64
65

Ditkoff, S. & Grindle, A. (2017). Social enterprise audacious philanthropy. *Harvard Business Review* (September–October):110-118. <https://hbr.org/2017/09/audacious-philanthropy>

FFSC Fair Food Standards Council. (2017). *Fair Food 2017 Annual Report*. (Sarasota: Fair Food Standards Council). Retrieved from <https://fairfoodstandards.org/2017-annual-report.pdf>. Accessed June, 2023.

FFSC Fair Food Standards Council. (2021). *Fair Food Program State of the Program Report 2021* (Sarasota: Fair Food Standards Council). Retrieved from <https://fairfoodstandards.org/2021-annual-report.pdf>. Accessed June, 2023.

FFSC Fair Food Standards Council (n.d.). FAIR FOOD CODE OF CONDUCT. <https://www.fairfoodstandards.org/resources/fair-food-code-of-conduct/>. Accessed June, 2023.

Figart, D. M. (2017). Delving into the food supply chain: the case of fresh tomatoes. In D. M. Figart (Ed.), *Stories of Progressive Institutional Change: Challenges to the Neoliberal Economy* (pp. 59-68). Palgrave Macmillan Pivot.

Fine, J., & Bartley, T. (2019). Raising the floor: new directions in public and private enforcement of labor standards in the United States. *Journal of Industrial Relations*, 61(2), 252–276. <https://doi.org/10.1177/0022185618784100>

Flyvbjerg, B. (2001). *Making Social Science Matter*. Cambridge, UK: Cambridge University Press.

Fougere, M., & Solitander, N. (2020). Dissent in consensusland: an agonistic problematization of multi-stakeholder governance. *Journal of Business Ethics*, 164(4), 683–699. <https://doi.org/10.1007/s10551-019-04398-z>

Freire, P. (1985a). *Pedagogy of the Oppressed*. Penguin.

Freire, P. (1985b). *The Politics of Education: Culture, Power, and Liberation*. Greenwood Publishing Group.

Gallhofer, S., & Haslam, J. (2019). Some reflections on the construct of emancipatory accounting: Shifting meaning and the possibilities of a new pragmatism. *Critical Perspectives on Accounting*, 63, 1-18. <https://doi.org/10.1016/j.cpa.2017.01.004>.

George, S., Brown, J., & Dillard, J. (2021). Social movement activists' conceptions of political action and counter-accounting through a critical dialogic accounting and accountability lens. *Critical Perspectives on Accounting*. <https://doi.org/10.1016/j.cpa.2021.102408>

1
2
3
4 Griggs, S., & Howarth, D. (2013). *The Politics of Airport Expansion in the United*
5 *Kingdom*, Manchester University Press, Manchester.
6

7
8 Hopper, T., & Tanima, F. (2018), “Emerging economies”, in R. Roslender (Ed.), *The*
9 *Routledge Companion to Critical Accounting* (pp.260-282), Routledge..
10

11
12 ILO International Labour Organization (1998), Declaration on Fundamental Principles
13 and Rights at Work, Retrieved from [https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/normativeinstrument/wcms_716594.pdf)
14 [declaration/documents/normativeinstrument/wcms_716594.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/normativeinstrument/wcms_716594.pdf). Accessed June 2023.
15

16
17 ILO International Labour Organization (2017) Purchasing practices and working
18 conditions in global supply chains: global Survey results. Retrieved from
19 [https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---](https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_556336.pdf)
20 [travail/documents/publication/wcms_556336.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_556336.pdf). Accessed June 2023.
21
22

23
24 JBS International(2018). *Findings from the National Agricultural Workers Survey*
25 *(NAWS) 2015–2016: A Demographic and Employment Profile of United States Farmworkers*.
26 Research Report No. 13
27

28
29 Kaufman, J., & McDonnell, K. (2016). Community-Driven Operational Grievance
30 Mechanisms. *Business and Human Rights Journal*, 1(1), 127–132.
31 <https://doi.org/10.1017/bhj.2015.17>.
32
33

34
35 Kingston, K., Furneaux, C., Zwaan, L., & Alderman, L. (2019). From monologic to
36 dialogic accountability of nonprofit organisations on beneficiaries’ terms. *Accounting, Auditing,*
37 *and Accountability Journal*. www.emeraldinsight.com/0951-3574.htmlylie.
38

39
40 Kingston, K.L., Furneaux, C., de Zwaan, L., & Alderman, L. (2023). Avoiding the
41 accountability ‘sham-ritual’: An agonistic approach to beneficiaries’ participation in evaluation
42 within nonprofit organisations. *Critical Perspectives on Accounting*, 92,
43 <https://doi.org/10.1016/j.cpa.2020.102261>.
44
45

46
47 Kunz, N., Chesney, T., Trautrim, A., Stefan & Gold, S. (2023). Adoption and
48 transferability of joint interventions to fight modern slavery in food supply chains, *International*
49 *Journal of Production Economics*, 258. <https://doi.org/10.1016/j.ijpe.2023.108809>.
50

51
52 Laclau, E., & Mouffe, C. (1985). *Hegemony and socialist strategy: Towards a radical*
53 *democratic politics*. London: Verso.
54

55
56 LeBaron, G. (2020). *Combatting modern slavery: why labour governance is failing and*
57 *what we can do about it*. John Wiley & Sons.
58
59
60
61

1
2
3
4 Macintosh, N. B. (2002). *Accounting, accountants and accountability*. London:
5 Routledge.
6

7
8 Marquis, S. L. (2017). *I Am Not a Tractor!: How Florida Farmworkers Took On the Fast*
9 *Food Giants and Won*. Cornell University Press.
10

11
12 Mieres, F., & McGrath, S. (2021). Ripe to be heard: worker voice in the Fair Food
13 Program. *International Labour Review*, 160(4), 631-647. <https://doi.org/10.1111/ilr.12204>.
14

15
16 Mouffe, C. (1998). The radical centre: A politics without adversary. *Soundings*, 9, 11-23.
17

18
19 Mouffe, C. (2005). *On the political*. London: Routledge.
20

21
22 Mouffe, C. (2007). Artistic activism and agonistic spaces. *Art & Research*, 1(2), 1-5.
23

24
25 Mouffe, C. (2013). *Agonistics: Thinking the world politically*. London: Verso.
26

27
28 Mouffe, C. (2014). Democracy, human rights and cosmopolitanism: an agonistic
29 approach. In C. Douzinas, & C. Gearty (Eds.), *The meanings of rights: The philosophy and*
30 *social theory of human rights* (pp. 181-192). Cambridge: Cambridge University Press.
31

32
33 Mouffe, C. (2018a). *For a left populism*. London: Verso.
34

35
36 Mouffe, C. (2018b). The affects of democracy. *Critique & Humanism*, 49(1), 61-70.
37

38
39 MSI Multi-Stakeholder Initiative Integrity . (2020) *Not Fit for Purpose: The Grand*
40 *Experiment of Multi-Stakeholder Initiatives in Corporate Accountability, Human Rights and*
41 *Global Governance*, San Francisco: Institute for Multistakeholder Initiative Integrity.
42

43
44 O'Leary, S. (2017). Grassroots accountability promises in rights-based approaches to
45 development: The role of transformative monitoring and evaluation in NGOs. *Accounting,*
46 *Organizations and Society*. 63(November):21-41.
47

48
49 O'Leary, S. & Smith, D. (2020). Moments of resistance: An internally persuasive view
50 of performance and impact reports in non-governmental organizations. *Accounting,*
51 *Organizations and Society*. 85. <https://doi.org/10.1016/j.aos.2020.101140>
52

53
54 Passetti, E., Bianchi, L., Battaglia, M., & Frey, M. (2019). When democratic principles
55 are not enough: tensions and temporalities of dialogic stakeholder engagement. *Journal of*
56 *Business Ethics*, 155(1), 173–190. <https://doi.org/10.1007/s10551-017-3500-z>
57
58
59
60
61

1
2
3
4 Puroila, J., & Mäkelä, H. (2019), “Matter of opinion: exploring the socio-political nature
5 of materiality disclosures in sustainability reporting”, *Accounting, Auditing and Accountability*
6 *Journal*, Vol. 32, No. 4, pp.1043-1072.
7
8

9
10 Rosile, G., Boje, D., Herder, R., & Sanches, M. (2021) The Coalition of Immokalee
11 Workers Uses Ensemble Storytelling Processes to Overcome Enslavement in Corporate Supply
12 Chains. *Business & Society*. 60(2) 376–414.
13

14
15 Scobie, M. R., Milne, M. J., & Love, T. R. (2020). Dissensus and democratic
16 accountability in a case of conflict. *Accounting, Auditing & Accountability Journal*, 33(5), 939–
17 964.
18

19
20 Sellers, S., Asbed, G. 2011. The History and Evolution of Forced Labor in Florida
21 Agriculture. *Race/Ethnicity: Multidisciplinary Global Contexts* 5(1): 29–49.
22

23
24 Shivji, A. (2022). Rightsholder-driven Remedy for Business-related Human Rights
25 Abuses: Case of the Fair Food Program. Working Paper. Alliance Manchester Business School.
26 Manchester, United Kingdom.
27

28
29 Tanima, F. A., Brown, J., & Dillard, J. (2020). Surfacing the political: Women’s
30 empowerment, microfinance, critical dialogic accounting and accountability. *Accounting,*
31 *Organizations and Society*, 85(101141), 1–21.
32

33
34 Tanima, F.A., Brown, J., Wright, J., & Mackie, V. (2021), “Taking critical dialogic
35 accountability into the field: engaging contestation around microfinance and women’s
36 empowerment”, *Critical Perspectives on Accounting*, 102383.
37
38

39
40 Tanima, F., Brown, J. & Hopper, T. (2023), Doing Critical Dialogic Accounting and
41 Accountability-based Participatory Action Research: An Analytic Framework and Case
42 Illustration. *Accounting, Auditing and Accountability Journal*.
43

44
45 Thomson, I., Dey, C., & Russell, S. (2015), "Activism, arenas and accounts in conflicts
46 over tobacco control", *Accounting, Auditing & Accountability Journal*, Vol. 28 Iss 5 pp. 809-845
47

48
49 Tregidga, H., & Milne, M. J. (2020). Not at our table: Stakeholder exclusion and
50 ant/agonistic engagements. *Critical Perspectives on Accounting*, 102265. [https://doi.](https://doi.org/10.1016/j.cpa.2020.102265)
51 [org/10.1016/j.cpa.2020.102265](https://doi.org/10.1016/j.cpa.2020.102265)
52

53
54 UN OHCHR (2013). Summary of discussions of the Forum on Business and Human
55 Rights, A/HRC/FBHR/2013/4.
56

57
58 US Department of Labor. (2022), “Labor Trafficking in Agriculture Roundtable Event”
59 [Video]. Youtube. https://youtu.be/AjxC6_Imv84.
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Vinnari, E., & Dillard, J. (2016). (ANT)agonistics: Pluralistic politicization of, and by, accounting and its technologies. *Critical Perspectives on Accounting*, 39, 25-44.
<https://doi.org/10.1016/j.cpa.2016.02.001>.

Wingenbach, E. 2011. *Institutionalizing Agonistic Democracy: Post-Foundationalism and Political Liberalism*. Surry, England. Ashgate.

Table 1 Agonistic concepts

| Agonistic term | Definition | Example |
|-------------------------|--|---|
| Political frontier | Delineates the contested, discursive space where political engagement takes place between hegemonic and counter-hegemonic positions, specified by the meanings (chains of signification) associated with contested terms (key signifiers) among the coalitions of the interested groups (chains of equivalent) | The struggle between a neoliberal, markets-based (hegemonic) position and a workers' rights based (counter hegemonic) position. |
| Key signifier | Contested terms/concepts | "migrant farm worker", "fair wage", "safe working conditions" |
| Chains of signification | Assign meaning grounded in competing hegemonic and counter-hegemonic discourses/ideologies | "fair wage" Hegemonic meaning – the price for labor set by the local labor market Counter-hegemonic meaning – minimum wage that facilitates a decent standard of living |
| Chains of equivalent | Political coalitions of affected groups contesting the hegemonic and counter-hegemonic positions within the contested discursive space represented by the political frontier. | Hegemonic "chain of equivalence" – buyers, customers, growers and the Chamber of Commerce join together to advocate for the neoliberal hegemonic positions. Counter-hegemonic "chain of equivalence" – workers, labor unions, US Department of Labor, religious and other rights advocacy groups join together to advocate for the rights-based counter-hegemonic positions. |

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Figure 1. Components of the responsibility network

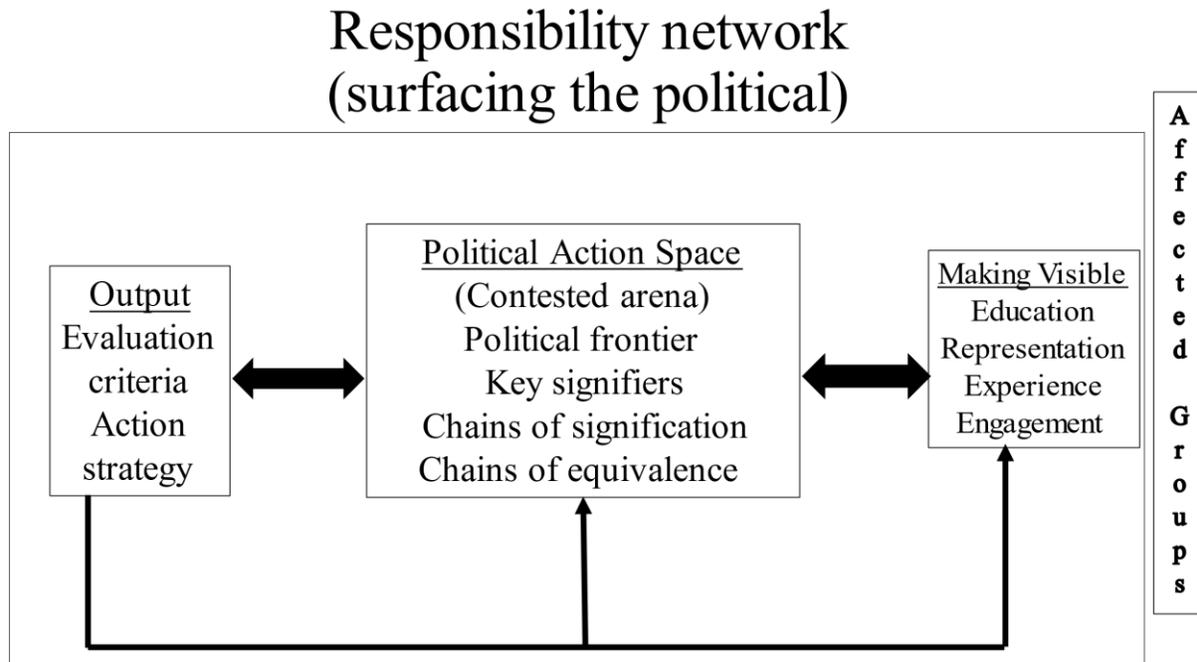
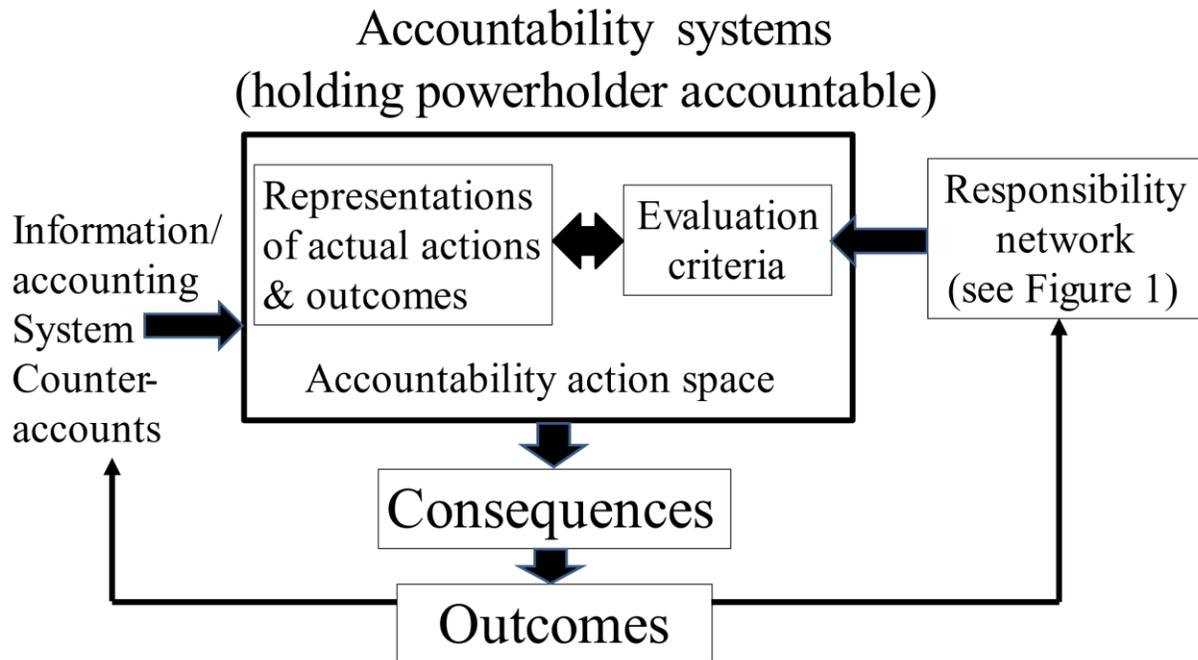


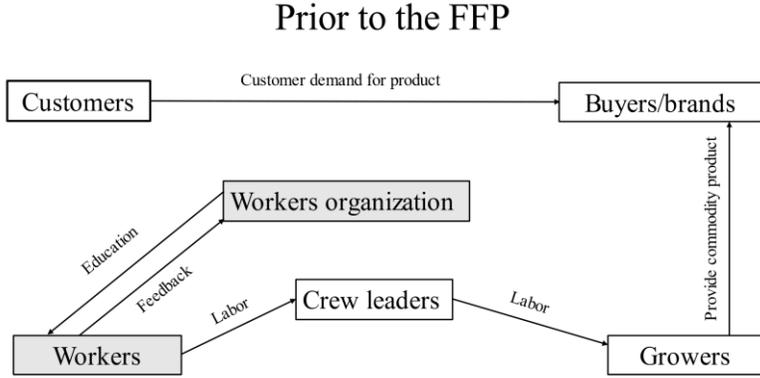
Figure 2. Components of the accountability system



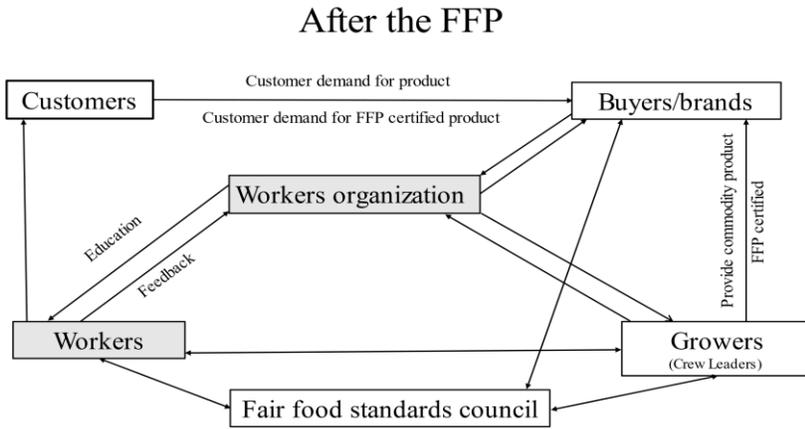
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Figure 3 The relationships among the primary actors

Panel A.



Panel B.



Appendix A: Interviews

| | Interviews | Length of interview |
|----|--|----------------------------|
| 1 | FFSC Executive Director | 3 hr |
| 2 | FFSC Investigator | 2 hr |
| 3 | FFSC Investigator | 2 hr |
| 4 | FFSC Investigator | 1 hr |
| 5 | FFSC Investigator | 45 min |
| 6 | FFSC Investigator | 45 min |
| 7 | FFSC Investigator | 30 min |
| 8 | FFSC Investigator | 30 min |
| 9 | FFSC Report Writer | 30 min |
| 10 | FFSC Financial Director | 1 hr |
| 11 | the CIW Veteran Staff/Former Farmworker | 3 hr |
| 12 | the CIW Educator/Former Farmworker | 1 hr |
| 13 | the CIW Educator/Former Farmworker | 1 hr |
| 14 | the CIW Educator/Former Farmworker | 1 hr |
| 15 | the CIW Educator/Former Farmworker | 1hr |
| 16 | the CIW Education Coordinator | 1 hr |
| 17 | Human Resources Director FFP Grower | 1.5 hr |
| 18 | Human Resources Assistant Director FFP Grower | 1 hr |
| 19 | Human Resources Manager FFP Grower | 1 hr |
| 20 | Supervisor FFP Grower | 1 hr |
| 21 | Supervisor FFP Grower | 1 hr |
| 22 | Director of Communications & Corporate Affairs FFP Buyer | 45 min |
| | Observations | |
| | FFSC Audit Prep | 40 min |
| | FFSC Field Audit | 9 hr |
| | FFSC Audit Debrief | 40 min |
| | the CIW Worker to Worker Education Session | 1 hr |
| | Public Apology by FFP Grower | 25 min |
| | Public Apology by FFP Grower | 25 min |
| | Public Apology by FFP Grower | 25 min |
| | Focus Group | |
| | 6 FFSC Investigators, FFSC Report Writer, FFSC Executive Director | 1.5 hr |

APPENDIX B

Examples of contested issues comprising the political frontier between the growers and workers and their treatment in the FFP accountability system

| Growers Signification structures (Hegemonic position) | Contested issues (key signifiers, etc.) | Workers Signification structures (Counterhegemonic position) | Rights-based, worker driven evaluation criteria incorporated into the accountability system (Responsibility network) |
|---|---|---|---|
| Purchased input to production process/a cost of production Maximize outputs Minimize inputs within a market context | Migrant farm worker | Market-mediated morality based on humanistic principles of human rights and the inherent dignity of human beings | Human being whose rights and dignity are to be respected |
| No constraints on contracts to buy and/or sell product and labor Growers contracted with crew leader for labor | Market relationships | Contract parameters are delineated by FFP agreements | Buyers purchase only from certified growers Growers directly employ workers |
| Crew leader responsible | Fair treatment | All members of the supply chain responsible | Buyer and grower are responsible |
| Responsible for minimal legal requirements Crew leader responsible otherwise | Decent working conditions | All members of the supply chain responsible beyond minimal legal requirements | Buyer and grower are responsible |
| Minimum wage | Fair pay | Fair living wage | Penny per pound premium |
| Not responsible for providing | Benefits | Grower to provide | Growers provide benefits to employees |
| Not responsible | Equal opportunity | All members of the supply chain responsible | Growers provide advancement |

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| | | | opportunities to employees |
| Responsible for legal requirements when enforced | Employee health and safety | All members of the supply chain responsible | Growers specifically responsible as set forth in the code of conduct |
| Crew leader responsible | Supervisory and administrative services | Growers responsible | Growers responsible to employees |
| Pay to crew leader | Wages | Pay directly to worker | Growers responsible to employees |
| Individual worker | Responsibility for worker wellbeing | All members of the supply chain responsible | Buyers and growers share responsibility with individual |
| Enforced by the state Support efforts of law enforcement | Laws and regulations | All members of the supply chain responsible | All members of the supply chain responsible |
| “tractor does not tell the farmer how to run the farm” | Worker input to decisions that affected them | Workers’ position should be listened to and incorporated into the decision-making process | Worker input through joint committees, education sessions, etc. |
| Not responsible | Benefits from workers’ suffering | Anyone who benefits has a responsibility to end it | Growers and buyers accept responsibility for what happens in the fields |
| Crew leader is responsibility | Forced labor and modern-day slavery in the fields | Growers responsible | Growers responsible |
| Retaliation, intimidation | Filing workplace grievances | Investigated, resolved, remediated | Investigated, resolved, remediated |
| No verification | Verification of actions related to responsibilities | Verification by independent evaluator | Evaluation and verification by FFSC |
| No sessions | Education sessions regarding rights and remedies | Education sessions during compensated time | Growers provide compensated time for the CIW education sessions |

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|---|---|--|--|
| Formal complaints with police and/or government agency through legal system | Avenues for filing claims | Confidential, safe and convenient complaint process | FFSC hotline, field audits |
| State legal system | Enforce sanctions from human rights violations | State legal systems Independent entity enforcing sanctions related to rights-based, worker-driven standards | Buyers and growers recognize the FFSC as the authoritative entity regarding Code of Conduct violations and imposing sanctions |
| Legal standards, when enforced | Accountability system | Agreed upon evaluation criteria Independent verification Meaningful consequences associated with rights-based, worker-driven evaluation criteria | Buyers and growers accept the Code of Conduct and grant the FFSC the authority regarding monitoring, verification and enforcement |
| Over flowing | Full bucket of tomatoes (32 lb bucket) | Shaked down | “no full tomato over the top edge” and “no shaked down” |
| Grower kept | Timecard | Worker kept | Worker controlled grower administered digital timecards |
| Minimum legal requirements if enforced | Housing, if provided | Prevent worker exploitation through of housing charges | Voluntary, comply with law, reasonably priced Cannot reduce net wage below minimum wage Cannot be increased other than to reflect increases in cost or quality |
| | | | |