A CONCEPTUAL DISCUSSION ON WAGE-LABOR PROCESSES IN TURKEY'S AGRICULTURE

[Türkiye Tarım Sektöründeki Ücretli Emek Süreçleri Üzerine Kavramsal Bir Tartışma]

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ABSTRACT

The article presents an alternative conceptual framework for the analyses of wage-labor relations in Turkey's agriculture to mainstream accounts focusing on the dichotomy of worker-intermediary/labor contractor. The aim is to highlight the role of employers and the legal exemptions behind the insecure labor market instead of much focused intermediaries/labor contractors as *the* cause of unfairness workers face. Agricultural exceptionalism refers to the rationales and implications of dual labor legislation, which exempts agricultural employers from responsibility. The striking point is the apparent parallelism between the rationales of legal exceptionalism and mainstream accounts emphasizing peculiarity, exceptionality, and uniqueness of agricultural work/ers through the practices of intermediaries in the agricultural labor market. Within this context of exceptionalism, preference of inclusive concepts *–agricultural work and agricultural workers–* will be a useful conceptual shift to encourage comparison with other sectors and challenge legal exemptions as an alternative to current widespread labels such as "seasonal laborers, temporary workers, migrant workers" that initially assert a-typicality of work/ers, which reflect the rationale of legal exemptions.

Keywords: Agricultural Exceptionalism, Agricultural Worker, Agricultural Labor Market, Intermediary, Labor Contractor

ÖZET

Makale, Türkiye'de tarımında ücretli emek süreçlerinin analizinde işçi-aracı ilişkisine odaklanan genelgeçer anlayışa alternatif bir kavramsal çerçeve önermektedir. Bu alanda kavramsal bir açılım, her şeyden önce, emek piyasasındaki mevcut ilişki biçimlerini yaratan süreçlerde işverenlerin ve yasal muafiyetlerin rolünü ve önemini vurgulamak için gereklidir. Tarımsal ayrıksıcılık, tarım sektörü işverenlerine işçiler karşısında sağlanan yasal imtiyazlar ve bunun savunusunu ifade eder. Yasal imtiyazları meşrulaştıran "tarım işlerinin atipikliği dolayısıyla özel/farklı/biricik bir yasal çerçeve gerektirdiği" gibi varsayımlar ile aracılar üzerinden tarım işçiliğinin özgül/biricik/farklı yanlarını vurgulayan güncel araştırmalar arasında dikkat çekici paralellikler bulunmaktadır. Bu çerçeve içinde, çalışanların/çalışmanın farklılığını ve atipikliğini vurgulayan "mevsimlik işçi, geçici işçi, gezici işçi" gibi yaygın tanımların yerine yapılan işe ve emeğe dikkat çeken "tarım işi/tarım işçisi" kavramlarının kullanımı hem ücretli emek süreçlerinin diğer sektörlerle karşılaştırılabilir olduğunu vurgulamak hem de yasal çerçeveyi sorgulmak için etkili bir kavramsal müdahele olacaktır.

Anahtar Kelimeler: Tarımsal Ayrıksıcılık, Tarım İşçisi, Tarım Emek Piyasası, Aracı

A Conceptual Discussion on Wage-Labor Processes in Turkey's Agriculture[1]

In today's Turkey, a glimpse on newspapers reveals tragic victim stories of poor agricultural workers who are constantly deceived and abused by greedy people known as intermediaries/labor contractors:

> These people are human dealers. They earn money at their expense. They capture half the money you received (*Dayıbaşı*'s are Human Dealers, *Milliyet*, 2014, November 1).
>
> Seasonal agricultural workers complain both about low wages and the intermediary system that is widespread in the region (Koç, S, Like the Slavery System of Ancient Egypt, *Milliyet*, 2014, November 5).

This repetitive news stories are one of the signs of the hegemonic language in which we talk about agricultural workers. That is, above all, characterized by a lack of emphasis on the rights of workers and responsibilities of employers.

Alongside the media, academic studies on wage-labor processes in Turkey's agriculture often point to the intermediary as *the* exploiter while depicting workers as victims. Many researchers depict workers as victims of both socio-economic processes and their own *culture* since the hierarchy and authority patterns enforced by their culture are materialized in their relationships with their intermediaries (Çınar 2014; Çınar & Lordoğlu 2011; Gürsoy 2010; Şeker 1987; Küçükkırca 2012; Kaleci 2007; Okçuoğlu 1999). Consequently, scholars conventionally explicate agricultural intermediaries in cultural-traditional terms as traditional authoritarian figures, which attracts the attention on cultural differences, distinctiveness and/or exceptionality of workers.

The growing emphasis on culture(s) of agricultural workers partly stems from increased cross-cultural encounters in the sector caused by *en masse* seasonal migration of minority groups (such as Kurds, Arabs, Romas) to work in agricultural jobs throughout the country. Ethnicization of the agricultural labor is a much-emphasized theme in recent research with respect to the disproportionate representation of such ethnic minorities as

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[1] This article is developed through the theoretical discussions that have structured my dissertation: Mura, E. S. (2016).

Kurds and Arabs among seasonally migrant agricultural workers (Geçgin 2009; Yıldırak et al 2003; Küçükkırca 2012). Yıldırak et al. (2003) reported that 64.1 % of seasonally migrant workers come from South and Southeastern Anatolia, especially from the provinces of Adıyaman, Diyarbakır, Mardin, Batman, Siirt, Şırnak, Şanlıurfa and Hatay with high ratios of Kurdish and Arabic populations. The report of parliamentary Commission for agricultural workers notes that for only 10 percent of the —seasonally migrant— agricultural workers, the language spoken at home is Turkish (60 percent Kurdish and 30 percent Arabic) (TBMM 2015: 56-7). Furthermore, immigrant labor is also growing in numbers and importance every year regarding increasing seasonal migration of Georgian workers for tea harvest (North) and increasing numbers of Syrian refugees being hired in agricultural jobs as a consequence of the ongoing Syrian civil war.

Within this context of ethnicization of paid-labor in agriculture, highlighting the actions of abusive intermediaries has become a popular theme in the literature as *the* way to explain the unfairness of wage-labor processes for agricultural workers. However, this popular image of intermediary representing traditions of workers gives a wrong impression, above all, about the political processes structuring agricultural labor market. The implications of cultural backwardness rest on hegemonic dualities (West/East, modern/traditional), which posits a contrast between traditional (eastern, backward) culture of the workers and modern/izing state. However, Turkish state has historically excluded the majority of agricultural workers from legal protection and recognized intermediary system as an acceptable way of recruitment in the sector. Therefore, the hegemonic traditional worker and modern/izing state duality only makes sense if you ignore the political processes ensuring the insecurity of labor market for agricultural workers and the state support of the intermediary system, especially in the cases of seasonal migration (Mura 2016).

The focus on abusive intermediaries is also related to the lack of emphasis on employer responsibility within the literature on wage-labor relations in agriculture. As stated in a recent Parliamentary Commission's Report, although laws define clear responsibilities for intermediaries, they usually do not act in accordance with laws (89). Yet, one can

always question the relation between this so-called underperformance of intermediaries —in providing vital facilities for workers— and employers' exemption from and reluctance to take responsibility. Moreover, I must note that intermediaries rarely face sanctions for working without license, underperformance or even explicit abuse of workers. Therefore, through transforming responsibility of workers to intermediaries, lawmakers actually eliminate any liability within the wage-labor processes of agricultural workers. Consequently, these regulations particularly weaken workers who directly contract with employers and worker-intermediaries[2] against their employers.

In Turkey, the bulk of agricultural employers are landowners who for long are regarded as significant actors for agricultural production. The purpose in highlighting the selective bias of the literature in emphasizing intermediaries at the expense of employers is not to question the social support and sympathy for agricultural employers among scholars. Social support of agricultural production may necessitate extra protection mechanisms for agricultural employers through a re-allocation of public budget. However, exceptional treatment of agricultural labor market should not be seen as a natural consequence of such social support for agricultural production since it unfairly burdens the workers (instead of all taxpayers) to finance such support.

With these concerns, this article aims to discuss the benefits of an alternative conceptual framework to prevalent (victim) worker (abuser) intermediary dichotomy in conventional accounts of agricultural wage-labor relations. To emphasize the responsibilities of lawmakers and employers within wage-labor processes in agriculture, I will explain the notion of 'agricultural exceptionalism' to question rationales and implications of dual labor legislation exempting agricultural employers from responsibility. Considering high costs of exceptionalism for workers, I argue for the benefits of comparison and at least partial adoption of the conceptual framework developed through the wage-labor processes of industries. Finally, I will offer the terms 'agricultural work' and 'agricultural workers' to define the jobs and diverse worker groups to entitle all paid

[2] Worker-intermediaries are usually crew leaders. They may hold the position temporarily. For further information, see Ulukan & Ulukan (2011), Mura, (2016)

laborers of agriculture as workers who deserve working rights without initially asserting exceptionality/a-typicality of the jobs.

Agricultural Exceptionalism

There are two major motives to fore ground exceptionalism as a key term in the analysis of agricultural labor market in Turkey. First, exceptionalism signifies the legal processes that put workers into a vulnerable position *vis-a-vis* employers in the absence of protective labor legislation, i.e., legal exceptionalism. Second, exceptionalism also refers to the exceptionalist rationales(s)—depicting agricultural work as a special/unique kind of work which require distinct sets of rules rather than employer responsibility and working rights —which is very much prevalent in the contemporary literature on wage-labor processes in agriculture.

Critical emphasis on the notion of 'agricultural exceptionalism' has roots in 1970s labor activism in the United States that led scholars to question state policies in structuring such an insecure wage-labor processes for farm workers. In that context, scholars (Lyon 2005; Kosegi 2001; Luna 1997; Thomas 1992; Friedland & Thomas 1974, 1982) pointed at the direct connection between agricultural exceptionalism and poverty of agricultural workers in the United States. Friedland and Thomas (1974, 1982) used the phrase 'agricultural exceptionalism' to define and question the United States agricultural policy in the context of 1960s and 1970s unionization attempts of farm workers in California. They question the rationale(s) for exempting farm laborers from protective labor legislation (Friedland and Thomas 1982: 7, from Friedland and Thomas 1974). Exceptionalism, as they pointed out, purported that agriculture by its very nature could not be equated with industry: "farming was small business; farming was the cornerstone of free polity; farmers were subject to vagaries of God, weather and natural calamity" (Friedland and Thomas 1982: 7). Such rationale legitimized distinctive legislation suggesting that agricultural employers need different sets of rules since they can hardly withstand "the combined stress of upholding democracy, unpredictable weather acts and working rights" (Friedland and Thomas 1982: 7). They noticed that these exceptionalist rationale(s) has been historically consistent in the United States although considerable

change had already taken place in the organization of agricultural enterprises in the 1970s (Thomas 1992; Friedland and Thomas 1982: 8). In California, for example, exceptional treatment to agricultural labor market has continued although giant corporations replaced farmers at that time. It is precisely this historical persistence that deserves further scrutiny and a deeper look in the notions of belonging, citizenship status and political vulnerability of workers as Thomas (1992) pointed out in the case of Californian agricultural labor market. In "Citizenship, Gender, and Work: Social Organization of Industrial Agriculture", he pictured a moment of strike by Mexican farm workers in a small Californian town, which was at first gaze similar to the frequent strikes of other groups of workers such as machinists, firefighters, local police, but, perceived in completely different terms:

> …Commentators went so far as to suggest that if the strikers didn't like their jobs they could simply go back home to Mexico. The right to strike might be part of the law, but somehow it pertained only to those who had "earned" the right by being members of the community… The specter of Mexican workers striking against American employers was difficult to understand. Thus, I recall my friend and their parents voicing sympathy with farm workers ("you could't pay me enough to do that kind of stoop labor") while, in the next breath, muttering anger (and fear) about Mexicans who should "stay in their place." (Thomas 1992: xii - xiii)

Thomas (1992) then rereads the sociological history of farm labor in Californian agriculture to illustrate how growers and the state politically constructed a distinctive labor market fragmented as *braceros*[3], green card and undocumented workers. He claims that the construction of agricultural labor markets has been an overtly political process through the ability of employers to transform their power into governmental policy and administrative apparatus (Thomas 1992: 77-8). This politically mediated labor market apparently served to perpetuate low wages, low levels of unionization and labor-intensive production in the Southwest United States. Luna (1997) likewise emphasized the

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[3] The Bracero Program was a contractual arrangement between the United States and Mexico to meet agriculture's labor demand throughout the border region and the United States. The program allowed agricultural employers an exemption from restrictive immigration laws to supply their labor demand (Luna 1997: 505). It is first established as a guest worker program with Mexico in 1917, then followed by a second program from 1940s through the 1960s resulted in millions of Mexicans immigrating to the United States (Kosegi 2001: 270-1; McDaniel & Casanova 2003: 88). The program is criticized by scholars and worker advocates as enduring slavery-type working conditions by providing employers an enormous power to intimidate workers through violence and arrest (Luna 1997: 505-6). The program was terminated in 1964-5 (Thomas 1992: 10, 87), due to the struggles of worker advocates and the effect of Civil Rights movement (Luna 1997; McDaniel & Casanova 2003: 88). Yet, other guest worker program (H2A) was established again in mid-1980s (McDaniel & Casanova 2003: 88; Kosegi 2001).

important role of public law limiting collective action of farm workers to understand the nature of employer-worker relations in El Paso region (508). He points out that it is the current institutional structure prohibiting democratic principles from entering the realm of farm work (Luna 1997: 508). Agricultural exceptionalism, in that sense, is essential to understand the distinctiveness of agricultural labor and the organization of work in the United States' agriculture (Thomas 1992: xiv).

The limits of citizenship and political vulnerability of workers are central to the discussion on the continuation of agricultural exceptionalism in the United States. However, the bulk of agricultural workers have historically been donated with full citizenship rights in Turkey's agricultural labor market. Yet, they have apparent problems in the realization of these rights –especially social rights, which are mostly reachable through formal labor market in Turkey. Besides, immigrant labor's share is constantly growing. Therefore, the central factors in Thomas' analysis such as the notions of political vulnerability, belonging and gender are also relevant to the organization and fragmentation of Turkey's agricultural labor market today, even though majority of the workers are still full citizens on paper.

Agricultural Exceptionalism in Turkey

Legal exceptionalism, particularly the dual standard of labor legislation enabling agricultural employers to access a distinctive supply of labor, has been able to stay unchallenged for private farms of Turkey until now. Although current Turkish labor code clearly defines who will be regarded as a worker and will enjoy legal rights, it is much less definitive when it comes to agricultural sector. Rather than defining a worker, the laws confine themselves to list those who cannot be regarded a worker and enjoy the related rights. This list consistently includes daily waged agricultural workers working at private farms.

Exceptionalism has an almost unchallenged history in Turkey. Since the inception of the Republic, politicians pointed at the very characteristics of Turkey's agriculture (small-sized production units, short-term and limited demands of paid labor) as legitimate causes of exceptionalist policies. The rationales for exclusion also include perceived statue of

agriculture as atypical work, the hardness of inspection, the extensiveness of agricultural activities and the plentitude of population in the agricultural sector (Görücü & Akbıyık 2010: 190). Moreover, over the last decades, the persistence of legal exceptionalism coexisted with the rapid legislation to cut down agricultural employers' support from public budget. Given the predominance of the small landownership structure of agriculture, the restructuring of the economy and the budget cuts are much more than just a pressure. It has become an issue of survival especially for small-sized farms and led to the bankrupt of some farmer families who constitute a part of agricultural work force today. Many small farms in Turkey survive with the support of extra income and social security earned by family members in agricultural and nonagricultural labor market (Teoman 2001; Özuğurlu 2011). Although politicians and bureaucrats usually justify exceptionalist rationales through the concerns for survival of small-sized farms, working rights and compensation would be rather costly for larger agricultural enterprises. Short-term and limited labor demands of small-sized farms dramatically reduce the amount of pensions to be paid if agricultural workers are granted working rights. Besides, it is important to notice that legal exceptionalism is also harmful for those farmer families who support their small-sized farms by seasonally working in other agricultural enterprises. Finally and most importantly, legal exceptionalism denies the fundamental rights of most of the agricultural workers in Turkey (TBMM 2015: 192) who work without retirement and compensation rights, work place safety, unemployment benefits, minimum wage and right to unionize and collectively bargain.

According to Household Labor Force statistics of Turkish Statistical Institute, 5 million 625 thousand people were employed in agriculture sector in Turkey (TÜİK 2014: 12). The bulk of these are unpaid family workers as the share of paid-workers is relatively small in the sector, although growing steadily. The regular and casual employees within the agricultural sector are recorded as 623 thousand. The report of Parliamentary Investigation Committee (2015) asserts that the estimates of different institutions for the waged agricultural workers vary between 485 thousand and 1.2 million. Only about 200 thousand of those are contained under work law. The relevant legislation to secure fair payments of the majority of agricultural workers in the private sector has been the Code of Obligations (*Borçlar Kanunu)* (Görücü & Akbıyık 2010: 194). The law merely

requires the basic obligation of employers to pay (freely determined) wages to workers, which is different from protective labor provisions.

Essentially, excluding agriculture from the scope of laws that regulate labor relations is in contradiction with the constitution, the principal of social state, and international treaties signed by the state. In the third chapter of the constitution, attributes of a social state are included under titles such as "right and duty of education, land ownership, freedom of work and contract, right and duty to work, provisions of fair wage, health services and protection of the environment, and finally right to social security". As Görücü & Akbıyık (2010) assert, a social state must recognize these rights for all its citizens, including agricultural workers (193-4). Moreover, Turkey has already ratified ILO conventions no. 87, 98 and 11 (TBMM 29-30). According to the 90th article of the constitution ILO conventions ratified by Turkey have the force of Law (ÇGSB, 2014). The ILO conventions such as "Freedom of Association and Protection of the Right to Organize Convention" (1948 no. 87), "Right to Organize and Collective Bargaining Convention" (1951 no. 98), "Convention concerning the Rights of Association and Combination of Agricultural Workers" (1921, no. 11), "Rural Workers' Organizations and Their Role in Economic and Social Development Convention" (1975, no. 141) all recognize the right of agricultural workers (as is the case for other workers) to organize and to defend their interest by means of collective bargaining and collective contracts. However, national laws and provisions still block agricultural workers' right to unionize in Turkey.

In the Labor Act of Law 1936 (no. 3008) agricultural sector was excluded from the scope of the law causing agricultural workers to enjoy the protective clauses of the said law, especially regarding personal work relations (Makal 2001: 127). During the preparations of the act, there were rumors about an upcoming separate act for agricultural sector, yet after the enactment of the Labor Act a separate agricultural labor act was put aside and never revisited seriously.

In 1950s, while Press Labor Law and Maritime Labor Act regulated two sections not addressed by the Labor Act, agricultural sector was not included in a similar framework (Makal 2001: 128). The sole protective regulation concerning agricultural workers was

the establishment of a minimum wage, starting from 1951 (Makal 2001: 128). Yet, the minimum wage was applied only regionally and its scope stayed limited both in terms of the provinces and in terms of branches. Moreover, the minimum wages set were considerably lower than the medium agricultural wage, which in turn was considerably larger than that of other sectors (Makal 2001: 129). Starting from 1963, all types of agricultural work were considered as a single branch, and agricultural minimum wage was set up accordingly (Makal 2001: 133). Yet, agricultural minimum wage continued to stay well below (about 50 percent of) medium agricultural wage (Makal 2001: 134).

After minimum wage began to be set to encompass "the whole country and workers of all sectors" in 1969, Turkish Confederation of Employer Associations (TİSK, *Türkiye İşveren Sendikaları Konfederasyonu*) sued Ministry of Labor. Their case was based on the premise that since agricultural workers were outside the scope of Labor Act, they were ineligible for the minimum wage. TİSK case was defeated at the court, rendering agricultural workers eligible for minimum wage. However, until 1988 minimum wage for agricultural workers was set lower than that of other workers. Only after 1989, public-employee agricultural workers started to enjoy same minimum wage with workers of other sectors.

In all laws, enacted before the implementation of 1964 Social Security Act (Law no. 506), the eligibility for social security was limited by the 1936 Labor Act. This caused the exclusion of agricultural workers from the system of social security. 1964 Social Security Act has founded the Social Security Agency, but agricultural workers were still denied the right to participate in the social security system. The path for agricultural workers to be included in the system was only opened after 1977, with the enactment of Law no. 2100 which amended the Social Security Law (as cited in Makal 2001: 129). Still, workers who can use the clauses of equal minimum wage with other sectors and the right to social security are limited to public workers and workers employed by corporations that are subject to Labor Act. These constitute only a small section of agricultural labor force. For private sector agricultural workers, only available form of minimum wage is an advisory daily minimum wage enforced by the office of the governor in some provinces where seasonally migrant workers are concentrated. This

advisory daily minimum wage is (in a non-negotiable fashion) set up to be equal to one thirtieth of the national gross minimum wage (Ulukan & Ulukan 2011: 20). There is a commission to set up the advisory daily minimum wage; but the commission includes only the representatives of employer associations and local state officials and does not involve any worker or intermediary representatives. Besides, all the commission does is to divide the national gross minimum wage to 30 (without regarding weekends and other paid leaves). The burden of social security premiums is put on the workers themselves. This whole procedure is inherently disadvantageous for the workers in the sector.

Exceptionalism persisted in general, yet the political promises changed over the course of Republic. For example, there are remarkable differences between 1970s Turkey and today, concerning the nature of promises made by politicians on worker rights in agricultural sector. Reformulation of work law to include agricultural workers was one of the topics on the political agenda during the 1960s and the 1970s as one of the popular political promises of politicians. Nowadays, the state's current approach to agricultural workers reflects a different political language excluding worker rights and employer responsibilities. In that sense, the solutions offered to problems of agricultural workers are reduced to state-funded projects with limited budgets, which are supposed to alleviate conditions of workers. Both of the Prime Ministry Memorandums (2010, 2017) approaching the issue announced as a way to improve conditions of workers through increasing the living standards of workers who are seasonally migrating to work in agricultural jobs.

Exceptionalism and Othering

Exceptionalist portrayals of agricultural work are widespread beyond the limits of legal-bureaucratic texts. In today's Turkey, a significant part of written accounts on agricultural work ranging from trade union booklets, NGO reports and scientific studies contribute to exceptionalist perception of agricultural jobs. "Perception of agricultural jobs as exceptional" refers to the rationale(s) feeding the idea of incomparability of agricultural jobs with other jobs validating the principle that agricultural labor market necessitates distinct sets of laws. In that sense, the phrase "exceptionalism" indicates all rationales

which imply that agricultural work is exceptional so that it requires distinct sets of rules rather than protective legislation based on employer accountability and working rights. On the one hand, there are scholars and commentators who emphasize its *temporariness* to explain the need for distinct rules that will eventually be changed in the process of development (Tarım-İş 1992; Kazgan 1963; Gevgilili 1974). On the other hand, there are arguments highlighting *distinctiveness* of the work relations, which refer to the intermediary system implying that culture/traditions/characteristics of workers is the distinctive side of agricultural jobs. In this way, otherization has become a component of exceptionalist arguments.

Indeed, the historical research in daily *Milliyet's* database since 1950s exposes that exceptionalism gained new meaning(s) after 1980s when it is utilized for a discursive construction of difference through expressions of strangeness to a different culture in the case of seasonally migrant agricultural workers (Mura 2016). Although various manifestations of exceptionality of farm works had been evident in the public discourses for a long time, it is noticeable that they gained a new meaning after 1980s when they started to be mostly accompanied with the expressions of strangeness to a different culture. The processes of ethnicization of work is remarkable since 1980s given the specific portrayal of workers in the media, ongoing articulation of ethnical meanings about and in relation to workers, and the disproportionate representation of women and ethnic minorities (Kurds, Arabs, and Romas) within seasonally migrant agricultural workers throughout the country (TBMM 2015). That's particularly why it is necessary to question current prevalence of the notion of exceptionalism for agricultural jobs with the disproportionate representation of the disadvantaged groups in the sector, particularly minorities and women. The members of these groups, either women or minority members, have traditionally weaker claims on land and are less likely to have formal jobs and access to the social rights associated to these jobs since they have also been mostly excluded from trade union networks.

Agricultural Work/er

Attempts to transform the current mainstream approach in the agricultural labor market that denies the very possibility of worker rights and employer responsibility in most of the private sector necessitate a discussion on naming, which is an important part of recognition. In that sense, recognizing all agricultural wage-laborers as "workers" before mentioning a-typicality of the jobs/workers/intermediaries will be step to attract attentions to their entitlement to rights. This will also be an equalizing step, which is crucial to raise the issue of employer responsibility by attacking the differences within labels of workers differentiating the ones who are entitled to working rights from others who are not.

Conventionally, the term "agricultural worker" refers to permanent or temporary agricultural workers in public sector, and permanent workers in large-sized agricultural enterprises who have been granted with particular working rights contrary to the majority of workers in private sector (Ulukan & Ulukan 2011: 4). Besides, the statistical institution of the state, TUİK, has recorded all paid and unpaid family workers together in rural Turkey as "agricultural workers" which make it hard to statistically differentiate paid workers. For agricultural workers in the private sector, multiple names have been suggested in the literature, such as seasonal, local, permanent, migrant, temporary, semi-peasant and so on. The common point of all these definitions is that they are based on the presupposed characteristics of workers and their working terms. Erkul for example, differentiated between season workers (*mevsim işçileri*) and farmer-agricultural workers (*çiftçi-ziraat işçileri*) (as cited in Ulukan & Ulukan 2001: 7). Ulukan & Ulukan (2011) state that the scholars distinguish between daily (*gündelikçi*), seasonal (*mevsimlik*), local (*yerel*) and migrant (*göçmen*) agricultural workers since 1960s (5-6). Yıldırak et al. (2003), Ulukan & Ulukan (2011), Pelek (2010), Yıldırım (2015) differentiates and hierarchically categorized local and seasonally migrant workers in agriculture. Pelek (2010) likewise claims that the local workers are usually landowners and work nearby towns for extra income. In her account, seasonal workers, by contrast, are landless and tend to migrate longer distances to work (5). Likewise, Yıldırak et al (2003) distinguish between temporary (*geçici*) and migratory (*gezici*) workers and stated that temporary (not seasonally migrant) workers' living standards are higher than that of seasonally migrant workers since they have other means of subsistence (such as landownership). Moreover,

temporary workers are claimed to have further advantages stemming from their closeness to employers as co-locals living in the same town or village (Yıldırak et al 2003: 118-9; Özbekmezci & Sahil, 2004: 262). Gürsoy (2010) presupposes a similar distinction between landowner (or petty producer) temporary (*geçici*) workers and landless seasonally migrant (*topraksız mevsimlik göçmen*) workers (44).

Despite the benefits of comparison, there are some sound reasons to scrutinize such initial labeling of agricultural workers through the "characteristics" of workers. The first concern stems from the problems of generalizations since these patterns of work are not simply exclusive and hierarchical in the actual contexts. For example, local workers do not have to work on a temporary basis as a rule as assumed by Yıldırak et al. (2003). They may, and some do, work 12 months a year as in the case of many harvest crews in Adapazarı (Mura 2016). Moreover, the ignored gender dimension may result in categorizing landless women workers as landowner agricultural worker group. Lastly, local workers may not actually hold the advantages attributed to them as being co-locals with employers as in the case of socially excluded Romani workers in Adapazarı (Mura 2016).

Şeker (1987), in his pioneering studies on agricultural workers in Çukurova, used the term "seasonal agricultural workers". Since then "seasonal agricultural worker" is probably the most widespread label to define agricultural workers in private agricultural enterprises. Sometimes, scholars add the term "migratory" (*gezici*) to the label: "migratory seasonal workers". Görücü & Akbıyık (2010), for example, define migratory seasonal agricultural workers as paid workers migrating from their hometowns for agricultural jobs (192). Today, the boundaries of the term, seasonal agricultural worker is still vague. The term has either been used exclusively to refer to those seasonally migrant agricultural workers, or both migratory workers and others working nearby places to their homes. For example, the terms seasonal agricultural worker and migratory seasonal agricultural worker seems to have been used interchangeably in the recent Parliamentary Commission's Report (TBMM 2015).

The catastrophic conditions of work and settlement of some migrant workers, the condition of labor camps, and the urgency of finding solutions to health and education problems led researchers to focus on seasonal migration as the major problem of Turkey's agricultural labor market. Consequently, many researchers overlook "local" laborers as an advantageous category compared to seasonal migrant workers. Yet, the category of "local" laborers also needs an examination. In fact, the laborers working in nearby fields to their homes at a moment are a heterogeneous and layered group. "Locality" is not simply a status achieved by permanent settlement in an area. It is always an issue of dispute reflected in historical and political struggle over who belongs more to space. The case of Adapazarı (Mura 2016) reveals that living and working within the same region do not simply grant workers a status of "locality", like in the cases of agricultural workers who are permanent residents of Adana staying in the tents and isolated neighborhoods (Çetinkaya 2008) and former seasonally migrant agricultural workers settled in Polatlı (Geçgin 2009). Ethnic discrimination, exclusion, isolation and dangerous ways of transportation are problems that are usually coded with seasonal migration; yet, these problems have also been evident in the wage-labor processes of many other workers even when they work in nearby fields in the case of Adapazarı (Mura 2016). Therefore, hierarchical categorization of workers in definitions as locals and migrants may lead to misperceptions implying the former do not need protection and rights as much as seasonal migrant workers. A better approach will be categorizing work rather than workers through defining specific responsibilities of the employers in the cases of seasonal migration.

One of the main purposes of preferring the unifying label of "agricultural workers" is to emphasize the connections between workers (both seasonal migrants and locals) working throughout the country within a structurally insecure agricultural labor market[4]. Although it is clear that distinct working patterns are important parts of the analyses on agricultural

[4] The boundaries of agricultural sector, is also another issue of dispute, yet, hereby I use the term in a broader sense including all "field tasks" as a description widely used by participants of this research. Therefore, as defined by Demir (2015), agricultural jobs refer to all paid tasks related to agricultural production and animal husbandry, such as sowing out, picking out, clearing, hoeing, maintenance, carrying and so on (180).

workers, pointing out them at the level of definition reaffirms the current legal codes exempting agricultural workers in the private sector from protective legislation through emphasizing a-typicality/exceptionality of agricultural labor processes. As in the cases of service, construction, tourism, industry workers, it is actually not necessary to diversify agricultural workers in the definition as seasonally migrant or local workers. Instead of putting workers in diverse rigid categories, it is important to stress that most of the agricultural workers in Turkey work without fundamental social rights whether they have land of their own or landless, migrate or work in nearby places to their homes, work full time or part time, citizen or immigrant.

To conclude, this article has presented *agricultural exceptionalism* as a critical conceptual tool signifying both legal codes and supporting rationales for such legal codes that have created such an insecure labor market for workers in order to scrutinize the prevalent (victim) worker (blameworthy) intermediary dichotomy and bring employers back in the analyses of agricultural labor market. Through the criticism of exceptionalism, a uniting definition (which specifies work rather than worker) is offered as an alternative to such divisive and worker-oriented labels as seasonal worker, migrant workers asserting a-typicality of jobs in the current literature.

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