

Sour Grapes

California's farm workers' endless struggle 40 years later

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ARVIN, CALIFORNIA — When I knock on the door of the Orange Street address I've been given in this dusty down-at-the-heels agricultural town, I get only a shrug when I ask for Pedro Cruz. Pedro works the same Valpredo bell-pepper farm as did 41-year-old Salud Zamudio-Rodriguez, who passed out and died in 105-degree heat, one of three California farm workers to die last month.

"Never heard of Pedro Cruz," the obviously middle-class Latina woman at the doors says brusquely. "Maybe in the back," she adds, cocking her head toward the backyard. Indeed, there, along a rutted alley, are some improvised rental units stacked on top of each other.

I find Pedro and his wife, Felipa, both 45, in the bottom unit — a clean but claustrophobic 350-square-foot apartment with a combination living room/bedroom, a tiny bathroom, and a galley kitchen where an old man, one of their parents, I presume, sits in khaki pants and a T-shirt and swats at flies. An aging window cooler loudly grinds away and reduces the room temperature to an almost bearable level.

Like 75,000 or more of California's field workers, Pedro and Felipa are indigenous Mixtec from Oaxaca, and their Spanish is heavily accented. They are gracious but shy and reticent, and their demeanor is marked by an air of resignation. They live a life in which there is little guesswork.

And having just come back from work, they are bone tired. Pedro drives a tractor on the bell-pepper farm, a relatively skilled job for which he is paid, he says, \$6.85 an hour — a dime more than minimum wage. He stumbles over the name of the grower he works for. In fact, he's not exactly sure, because it's really a middle-man labor contractor who employs him. "He's the one who pays us, and he's the one who sets the rules," he says. And now, clearly having said all he wants to, he politely but decidedly turns his gaze to the floor.

Felipa fills the opening. She works grapes for Sun Pacific — which she pronounces soon-pacie — but she says she can imagine how her husband's co-worker Salud died. "To pick the chiles," she says, "you have to run behind the tractor and then be on your knees all day. You are under those vines, bent over in the heat, and you can't breathe. Pobre señor," she says of the deceased, putting her hands over her heart.

"In my work, it is also very hard," Felipa continues. "The foreman demands that each team of three people produce 72 tubs of grapes per day." A tub holds 23 pounds of grapes, sorted, cleaned, bunched and packed in plastic ready for supermarket shelves. "Sometimes it goes up to 96 tubs," Felipa says. "We don't have time to take our breaks. If you turn in less than they ask for, they run you out after three days."

I ask her if she knows that the law requires farm workers be given at least two 10-minute breaks a day, apart from a 30-minute lunch. Unmoving and silent, she merely smiles back at me — as if to say, “What kind of idiot are you?”

As last month’s heat wave peaked on a sweltering Friday afternoon, the scene unfolding in this farm town on the outskirts of Bakersfield, only an hour and a half, but two worlds, removed from Hollywood Boulevard, might have seemed to many like a sun-induced mirage.

Some 350 people, young and old, many holding the red-and-black flags of the United Farm Workers union, others lofting hand-lettered signs in Spanish reading “No more deaths!” and “Stop the Speed-ups!” braved the thermometer and trudged an hourlong path from a local park to rally on the patio of the historic St. Thomas the Apostle Church.

The crowd sweated and sucked on frozen fruit bars in the oven-hot church courtyard, as a handful of union speakers — including the near-legendary UFW co-founder Dolores Huerta — denounced the recent spate of heat-related deaths, called on the state Legislature to finally enact a long-languishing heat-abatement bill, and kicked off an organizing drive to win a livable field-worker wage of \$8 to \$10. The assembled hundreds punctuated the oratorical jabs with choruses of “*¡Sí se puede!*” and “*Viva Chavez!*”

It was a labor-driven political demonstration of enormous proportions for this sleepy village of only 12,000 people where most of the inhabitants’ days begin with a silent predawn ride into the unforgiving fields and then melt into the midafternoon, lazing in front of the room fan with a cold beer and some *música ranchera* on the radio. But one, no doubt, fueled by the banner headline in that morning’s Bakersfield Californian: “Farm worker may be the latest heat victim.”

The corpse of 40-year-old fruit picker Augustine Gudino had been found the day before in the triple-digit heat baking the local Giumarra Vineyards. For the previous week, the United Farm Workers had been scrambling to mount the rally to protest the heat-exposure deaths of two other local pickers in the past 10 days. It was by macabre coincidence that the third fatality was reported the day of the protest itself, adding an extra dollop of indignation and stoking the turnout.

“This is the first time in more than 15 years we’ve seen anything like this,” said Fausto Sanchez, a 34-year-old Mixtec community-outreach worker who works at the local office of the California Rural Legal Assistance (CRLA). “I’ve been around here since 1988 and can’t remember any march like this.”

For those Californians who live outside the Central Valley, Sanchez’s wonderment over the UFW rally might seem a little odd. There’s a prevailing popular assumption that superexploitation of the state’s farm workers is a closed chapter in some deep, dark past. And that while immigrant fruit pickers and packers might not be getting rich, somehow the struggle of the late Cesar Chavez and his UFW had “solved” the most pressing problems of these workers and forever curbed the worst abuses of the growers.

But exactly 40 years after Chavez's UFW exploded into the national consciousness by leading the great 1965 Delano grape workers' strike and forced America to recognize the plight of those who put our food on the table, nothing could be further from the truth. The golden years of California farm workers lasted barely a decade and then sharply began to fade. "Since the late 1970s, it's all been downhill, it's all been on the defensive," says Oxnard-based CRLA attorney Jeff Ponting.

The landmark 1975 Agricultural Labor Relations Act (ALRA) that passed during the Jerry Brown administration promised a New Deal for farm workers. Today it is little more than a historical asterisk. Wages among California's 700,000 farm workers, 96 percent of whom are Mexican or Central American, more than half of whom are undocumented, are at best stagnant, and by most reckonings are in decline. With almost all workers stuck at the minimum wage of \$6.75 an hour, it's rare to find a farm worker whose annual income breaks \$10,000 a year. "Twenty-five years ago, a worker made 12, 13, 14 cents for a bin of oranges," says economist Rick Mines, until recently research director at the Davis-based California Institute for Rural Studies. "Today that same bin pays maybe 15 or 16 cents — in spite of 250 percent inflation." Virtually no workers have health insurance or paid vacations. The cyclical nature of the crops throws most out of work for two or more months per year.

In a pattern that one academic calls "ethnic replacement," succeeding waves of ever poorer, more marginal Mexicans, many of them from indigenous communities where Spanish is a foreign language, increasingly constitute the field labor force. The downward-spiraling Mexican economy feverishly churns those waves to the degree that, at any moment, as many as 20 percent of California's agricultural workers have been in the U.S. for less than a year.

Family ranchers and corporate growers have shirked legal and moral responsibilities by outsourcing more and more employment through unscrupulous middleman contractors who feast on the undocumented and the desperate by routinely shortchanging them, forcing them to work unpaid overtime, ignoring safety standards, bilking them for rides and rental of tools, and, more frequently than one can imagine, straight-out stiffing them on payday.

The confluence of labor-contracting schemes, hostile Sacramento administrations, historic strategic mistakes by the UFW, and the flood of ever more desperate undocumented workers have, meanwhile, eroded unionization to the minuscule level of less than 2 percent of the work force.

While the 30-year-old pro-worker provisions of the ALRA still look great on paper, field enforcement by the state has become less than lax. Whether through indifference or through sheer lack of resources — including an almost total absence of representatives who can speak the indigenous languages of many workers — the result is grim. "Nowadays, it takes about nine months for a worker to even get a state wage hearing," laments Fresno-based CRLA lawyer Alegria de la Cruz, whose grandparents were key players in the UFW. "By then the contractor is usually out of business. It's basically, 'Fuck you, I'm not going to pay you.'" For that majority of workers who hold no legal immigration status, there are no hearings, no legal remedies whatsoever.

Also defying the stereotypes of the popular imagination, most California farm workers are no longer roving bands of migrants, following the trails of different crops and periodically returning to Mexico. The decade-old U.S. border policy of blockading traditional crossing points and forcing migrant traffic into ever more perilous routes has bottled up California farm workers into more permanent, more settled, more impoverished communities, creating a vast rural underclass that further strains already underserved Central Valley towns. “Field work is no longer a way to improve your life,” Fausto Sanchez said as we stood next to a sprawling grape orchard just west of town and listened to the booms of shotgun blanks fired to scare off the birds. Until seven years ago, when he was hired by CRLA, Sanchez worked these same fields. His wife still works the crops. “In the past, a family could save up three to four thousand dollars from a good season of grapes and then return to Mexico. Now, maybe you can make a thousand dollars, and you’re stuck here.”

And stuck is the right word. One recent survey estimated that nearly a third of farm-worker families lived in “informal dwellings,” lacking legal addresses. Cruise the side streets of this town, or nearby Lamont, or virtually any of the hamlets and towns north to Stockton, and you are sure to drift into the unpaved nether neighborhoods in which ramshackle trailers, plywood sheds, collapsing wood-frame shacks, converted garages and out-of-code apartments — many of them managed by slumlord rental agencies — are jam-packed with beds and tenants.

Yes, they are all clichés: The New Grapes of Wrath. The New Harvest of Shame. The Appalachia of the West. And yet, they are all befitting. When journalist Carey McWilliams published his historic exposé of California’s treatment of farm laborers in 1939 — the same year that *The Grapes of Wrath* appeared — the title of his book decried what he saw as “Factories in the Field.” But today, California farm workers would be downright blessed to work with the same wages and conditions that define the average American factory — even with the long-term decline experienced by industrial workers. Instead, today’s field workers toil in what are little more than sweatshops in the sun.

Modern-day Steinbeck:
Gregorio Santiago at Weedpatch.
Photo by Marc Cooper

CRLA lawyer Jeff Ponting takes me on a driving tour of the Arvin-Lamont area, and his default mode is indignation. “Throughout this valley we see the rise of Latino elected political leadership,” he says as we pull into the flyspeck settlement of Weedpatch and the car-dashboard thermometer reads 111 degrees. “But because Latinos have so little economic force, they have little real power. The poor people here have no voice.”

Founded in 1965 alongside the UFW, the nonprofit CRLA, and its network of ascetic offices stretched through the valley, acts as one-stop no-fee legal defenders of farm workers. A strangely surviving remnant of the Great Society, it continues to receive federal funding — but with increasing begrudgement and limitations (Governor Ronald Reagan terminated its state funding in the early ’70s). Under the tutelage of the congressionally created Legal Services Corp., the

CRLA can no longer press class-action lawsuits. And it no longer can represent the undocumented.

But along with a private Los Angeles firm, Ponting is currently leading a fight on behalf of locals who got doused in a massive pesticide drift. There's been at least one major drift incident in each of the last four years in this area — most recently last May, when 27 people fell ill. The worst case was in October 2003, when a cloud of the fumigant chloropicrin — the same active ingredient that's used in tear gas — floated off the Yaksitch Farms and enveloped scores, including 165 who are now suing. "People were vomiting, throwing up on the streets, kids were crying and screaming," Ponting says. "It was chaos. And this happens every year. But medical people don't know how to deal with it. They don't speak the language of the workers. The clinics don't know how to recognize the symptoms. They give the workers aspirins and send them back to work."

Ponting walks me from the field across the two-lane state Highway 184. Here are the grotesquely named Spic N' Span apartments, eight small wooden bungalows with peeled paint and warped linoleum floors, lined up on a dirt alley. I pace them off as being about 20 by 15 feet. Though they rent for about \$300 a month through a management agency, they wouldn't even qualify for as much as slum status. More like Tobacco Road.

Spic N' Span was ground zero for the 2003 chloropicrin episode. But when we enter one of the units, 19-year-old Rocio Diaz, with her 10-month-old baby, Maire, parked in a basket in front of the window air conditioner, knows nothing of the incident. Freshly arrived from the Mexican state of Guerrero, she begins at zero in California farm-labor history. Rocio's 22-year-old husband is off working at Lucky Farms, she says, earning minimum wage for only six or seven hours of work a day. In the face of the recent farm-worker deaths, his employer is apparently being cautious.

Though the rent is \$295, she says, the family will now have to make do on the \$700 or so per month that her husband will bring home. She has had to quit working the fields this week because paying a babysitter \$10 a day and forking out \$5 every day to the "raitero," the van driver her contractor was forcing her to use, was eating up most of her take-home pay. "We were living in East Los Angeles, but it got too expensive, so we moved here," she says. "I hope we can make it."

Later that afternoon, Ponting and I randomly come across a nearby group of about 40 laborers, just finishing up a day's worth of picking and packing for El Rancho Farms. At the end of each row of vines, packers, usually wearing straw hats and bandannas across their faces, work standing up at a table under an umbrella. Talking to them, we learn they are paid minimum wage plus a bonus of 30 cents per 23-pound tub of grapes. They can produce about three tubs an hour, adding about \$7 a day to their earnings — a grand total of about \$60 a day gross.

We also learn that this crew is allowed to take only one break per day, not two. That's one labor-code violation. The workers also say they are forced to take home the grape tubs every night and it is their responsibility to wash them and clean them on their own time. Another

violation.

“This may seem like little,” says Ponting. “But add it all up and it saves the contractor a lot of money, allowing him to undercut others.”

This “layered” structure of contractors and subcontractors has always been present in the farm-labor market, but it has become dominant only since the late 1980s. As immigration, especially illegal immigration, began to soar, California growers were anxious to insulate themselves from legal responsibilities. Farm-labor contractors became a convenient back channel for workers. The FLCs, as they are known, offer the growers not only a package price for labor, but also plausible deniability. It’s also a great way to foil union organizing.

“Agribusiness’s reliance on contractors as intermediaries in recruiting and maintaining their work force is a disastrously irresponsible policy,” says Ed Kissam, senior researcher at Aguirre International, a Bay Area consulting firm specializing in farm labor. “The contractors are squeezed by the growers, and the workers are squeezed by the contractors, who often are not very sophisticated business planners. They often figure the easiest way I can make a profit is to cheat my workers,” says Kissam.

Some contractors have worked their way up from being foremen. Others have constructed their niche by mining the fertile recruiting fields of their hometown Mexican villages, opening free-flowing pipelines of cheap cross-border labor. Many are out-of-pocket fly-by-night operations. Yet others have mushroomed into major business enterprises. “Some FLCs issue 15,000 W-2 forms per year,” says Don Villarejo, founder and director emeritus of the California Institute for Rural Studies. “They lease not only the workers, but also the tools and equipment to the growers. Some run 140 buses a day.”

What a near totality of the contractors have in common is that they were once themselves farm workers. “If you ask me what the single greatest problem is that we face,” says CRLA’s Fausto Sanchez, “I’d say it’s just getting the workers their minimum wage. A lot of contractors just pay cash, a fixed amount, maybe \$35 to \$40 a day. It’s sad how these contractors have forgotten who they once were. They have no shame. They have even less compassion.”

Not that workers employed directly by the bigger growers have it any better. Forty-year-old Mixtec Pedro Ramirez has worked the last three years for Giumarra Vineyards, one of the largest grape growers in the world, with 4,000 workers. I meet him on the porch of his dilapidated trailer, which he bought 10 years ago for \$6,000. The space he leases in the Arvin-area Buena Vista Trailer Park — a collection of tin that seems taken from a post-hurricane damage report — runs \$230 a month. He works a daily nine-hour shift with no overtime, which is perfectly legal in agricultural labor. With the standard 30-cents-a-tub bonus, he makes about \$70 a day before deductions. “At Giumarra, they don’t give us umbrellas, they don’t give us a table, and we have to take home the tubs and wash them,” he says in Spanish.

“They make us do four tubs an hour,” Ramirez continues. “One struggles, but sometimes you can’t make that number. If you don’t, you stay after work another half-hour or hour until you do.”

“With no pay?” I ask.

He nods his head. “You can’t say anything,” he continues. “Raise your voice and the foreman comes right down on you.” Ramirez and his wife have spent the last 18 years working in the California fields and now have five children — none of whom have been or will be allowed to work the fields. “I don’t want that for my children,” he says. “That’s why I have made the sacrifices for their education. I don’t want them to have to do the work I do.”

In 1936, reporter John Steinbeck came to this same area and became so engrossed in the lives of Okie farm workers that he decided to live for a while in Weedpatch — where Jeff Ponting and I retraced the pesticide drift of two years ago. His eventual *The Grapes of Wrath* was set, in part, in the federally managed Weedpatch Camp for migrant farm laborers that opened a few hundred yards down the road from where he was staying in that same year of 1936. When the classic Henry Fonda movie version of the book was filmed, the camp figured prominently as a set.

Now it’s called the Arvin Migrant Labor Camp. It’s run by Kern County and not the feds. Its primitive wooden cabins have been replaced by truly gleaming and modern multibedroom bungalows surrounded by lush green sod. But the camp’s 88 units still house migrant farm workers, who can stay here with their families for up to six months at a time for about \$75 a week. There’s also a fully equipped and up-to-date playground for the children. Altogether it provides a dignified, comfortable and affordable haven for families who work the fields. It’s a reassuring reminder of what effective government — even local government — can do for people if there’s sufficient political will.

Near the gated entrance to the camp, a couple of thousand square feet have been fenced off to preserve the original wooden community center, one of the clapboard migrant cabins and some rusted farm implements. Local activists are raising money to build some sort of park and monument to the Dust Bowl refugees on the fenced-off plot.

When I meet with 48-year-old Gregorio Santiago in Unit 151, he knows none of this history. Never heard of Steinbeck. Never heard of *The Grapes of Wrath*. Never heard of Tom Joad. He’s rather excited by all this information I’m giving him, and he writes down the title of Steinbeck’s novel in Spanish so he’ll remember to buy a copy.

I’m also struck by the glaring ironies of this situation. Santiago’s ignorance is not because he’s a stupid or unworldly man. On the contrary, he’s an eloquent autodidact, a worker-intellectual with a long history in radical Oaxacan politics. He has two computers and a shelf of books. His grade school daughter possesses a graceful refinement and openness way beyond her years. He’s had his own radio show in Baja California. He writes essays about his Mixtec heritage. Apart from working full time in the grape fields, he leads local events that celebrate indigenous culture. Coming back and forth to American fields since 1979, he organized a grassroots political committee in Arvin 20 years ago to take on a hostile local police force.

Now, he and a dozen or so other workers — all Mixtecs — have once again formed a new activist organization, called *El Comité de Unidad Popular*, the Popular Unity Committee.

Santiago is, in many ways, a Mixtec descendant of Tom Joad, even though he knows nothing of Joad or of his creator. Santiago's world is strictly in the here and now of rapacious contractors, intimidated workers, detestable working conditions and the cultural survival of a people forced to work in an alien world where they are powerless if not just plain invisible. Nostalgia over the Okies is about as relevant to Santiago as would be discussion of Oaxacan farming techniques in the Silver Lake Democratic Club.

Activist groups like his are not at all uncommon in the valley, especially among the Mixtecs, the fastest-growing minority among California farm workers. They have tried, with mixed success, to fill the void left by the shrinking of the UFW. Most prominent among these grassroots groups is the Bi-National Oaxacan Indigenous Front, which has a lot more presence around Fresno than it does here in the Bakersfield area. The Front may have as many as 10,000 members on both sides of the border, and in the Central Valley, it has become the leading Mixtec nonprofit.

Santiago's fledgling group is much more modest. But talk about the ghost of Tom Joad. Sitting in his camp bungalow, just back from the fields, still dressed in a dusty undershirt, jeans and work boots, a black cap on his head, Santiago speaks of his grand vision:

Starting over: The 75-year-old Dolores Huerta (top right), co-founder of UFW, tries to spark a new movement.

“Maybe even four years ago, things were better here. The supervisors were more attentive, made sure you have water, more or less respectful of the law. Now it's constant psychological pressure to work faster and pick more. They say if you don't work fast enough, you won't work again. Decent treatment? That's all in the past.

“We need to re-introduce our youth to our culture. Over the long run, we need direct political participation. But before we can think about that, our community needs a deep political education.

“We come from a very different culture, but we live here and we have rights. We have earned our rights and earned our voice through our economic contribution.

“More than anything, we need to organize ourselves, just like other workers do, to achieve our goals. In the long run, we need a union. A real union. But in the short run, we need political consciousness, a real understanding of who we are, how we fit in and how we can achieve what we need.

“We hear a lot about the achievements of Cesar Chavez. But we can't see any of them. Where are they? Truth is, the UFW has no strength here, not among our people. We remember how, when the Mixtecs first began to organize, Cesar called us 'communists.' That's okay, he's gone. We need our own organizations now that speak to our heart, our own union.”

When we're finished speaking, I walk out with Santiago to gander once again at the preserved remnants of the original Okie camp. He stares at them a moment and then shakes his head and smiles at me. "That's an incredible story you told me about these people," he said. "They must have been very strong."

Last year the daily Bakersfield Californian published a devastating multipart investigative series on Cesar Chavez's United Farm Workers that portrayed the union as remote from workers, tiny in numbers and a hotbed of Chavez-family nepotism. The series characterized the union founded by Chavez as nowadays just one part of a \$150 million group of interlocking nonprofits, including housing, education and property-management agencies, along with a network of nine radio stations — together providing comfortable employment for the heirs of Chavez, who died in 1993, while simultaneously organizing and unionizing a scant few farm workers.

The Californian reports also detailed how staff salaries rose six-fold since 1992. And while public contributions, not union dues, were the primary source of revenue for the farm-worker movement, expenditures on administration and staff were far greater than those spent on charitable projects by the UFW and its allied organizations.

At the same time as the union was claiming 27,000 workers (down from its historic high of 80,000 in the mid-'70s), the newspaper could account for only about 5,000 UFW members under contract.

"If you ask me on the record what I think about the Californian series, I will tell you it's all a pack of lies," says a veteran farm-worker advocate who still works in alliance with the UFW. "If you ask me off the record, I will tell you it was absolutely on target."

Perhaps what's most damning about the Californian series is how little it resonated, how little attention and reaction it drew. The relative silence didn't reflect so much on the integrity of the reporting (which was rock-solid) but instead suggested that the paper was feverishly punching out a straw man.

Anyone who works among California farm workers, anyone who counts them in the valley, can easily recite and lament the sorry decline of the UFW.

"Go out in the fields and ask today's workers what they think of Cesar Chavez and they will say, 'Oh, you mean Julio Cesar Chavez the boxer,'" says Don Villarejo, founder of the Institute for Rural Studies. "A focus on Cesar and his legacy has much more traction with middle-class liberals than it does with actual farm workers, many of whom have just arrived in the U.S."

UFW influence crested in 1975 with passage of the Agricultural Labor Relations Act, which brought state regulation to the fields, with the union administering scores of contracts up and down the valley. For a brief historic period, farm-worker wages and conditions were visibly and

markedly rising.

Within a decade it would all go into reverse. The last time the UFW actually led a strike was in 1979 — 26 years ago. The Republican Deukmejian and Wilson administrations turned state government away from workers' rights and toward the growers. "But Cesar must also be assigned part of the responsibilities here," says Villarejo. "In the early '80s he abandoned any real notion of organizing and instead poured the union's resources into politics. And if you don't organize, you will die."

There were other strategic mistakes. The UFW's platinum-level legal department fell apart when Chavez tried to force its lawyers to move to the union's remote hillside compound and accept \$5-a-week salaries. The marathon grape boycott of the 1980s (and '90s) sucked up union resources, and while it inspired two generations of college students, it failed to obstruct nonunion grape production.

Chavez's union was also deeply inbred with a native Chicano movement, U.S.-born Latinos who populated the fields. Until his death, Chavez opposed illegal immigration, which he saw as little more than an employer gambit to drive down wages. But by the time of Chavez's 1993 passing, the world had shifted under his union's feet. Undocumented immigrants who didn't know what the word Chicano meant were already the bulk of field workers.

Writing in *The Nation* magazine on the heels of Chavez's funeral, UFW sympathizer and leftist chronicler Frank Bardacke sharply declared: "[A]t the time of Cesar Chavez's death, the U.F.W. was not primarily a farmworker organization. It was a fund-raising operation, run out of a deserted tuberculosis sanitarium in the Tehachapi Mountains, far from the field of famous Delano, staffed by members of Cesar's extended family and using as its political capital Cesar's legend and the warm memories of millions of aging boycotters."

Chavez died a dozen years ago, and the union has, often erratically, been trying to regroup ever since. Chavez's successor, his son-in-law Arturo Rodriguez — who still heads the union — has made various stabs at restarting *La Causa*. Ironically, the UFW today has more punch in Sacramento lobbying than it does in the fields. And the mystique of the Chavistas still inspires considerable fear and loathing among the growers and their allies.

On the ground, however, the UFW remains weak. A full-on push to organize strawberry workers in the late '90s, a drive supported with the muscle and millions of the AFL-CIO, failed. The union did have some successes in organizing mushroom workers. And it has a model contract for the 800 workers of the Kern County Bear Creek Corp., a major rose producer owned by a Japanese pharmaceutical company.

UFW leader Rodriguez also reversed the union's anachronistic position on immigration. And a few weeks ago, he allied the UFW with the Change to Win coalition, the dissident unions, some of which departed the AFL-CIO, wanting to put a greater emphasis on organizing.

But in 2005, Cesar Chavez's United Farm Workers doesn't have a single contract with a Central

Valley table-grape grower.

Villarejo, and other sympathetic observers, put the current, real UFW membership at about 8,000 to 9,000 members — a tenth of its historic high. Two other unions, the Teamsters and the Food Workers, together represent another 7,000 California field workers. All told, a paltry 2 percent or so of California's field laborers have any union representation.

UFW spokesman Marc Grossman freely admits the obstacles to union organizing. “The only way you can get recognized is to win an election, and nowadays that is very difficult. We know in many areas most of the workers are undocumented, and that makes it very, very hard. As does labor contracting.”

What the union can do, Grossman says, is to “help farm workers through what we call direct organizing, getting back to the early 1960s days of the UFW. The old community-service model.”

But it remains unclear what leverage can be brought to bear politically, a shortcoming Grossman identifies, since the UFW can't inspire and mobilize significant numbers of farm workers. Even under the Democratic administration of Gray Davis, the UFW had to stage a march on Sacramento and threaten a hunger strike on the steps of the state Capitol to get the governor to sign a bill that imposed labor mediation on recalcitrant growers.

And the UFW has been inordinately lucky under Governor Arnold Schwarzenegger, who has treated the farm-worker issues better than his two Republican predecessors. He has kept a promise not to tilt the Agricultural Labor Relations Board to the right. Last year, Arnold signed a pesticides-drift bill that enraged the growers, and he signed a regulation banning hand weeding for which the UFW had long been lobbying. And last week, after the outrage over the three farm-worker deaths, Schwarzenegger announced emergency heat-abatement regulations requiring employers to provide water and shade for laborers who become sick in the scorching heat.

But in the long term, the viability of the UFW — the union — has to come down to finding some way to organize. One strategy is to adopt a model pioneered by the Service Employees International Union, says UC Davis professor Philip Martin, who has written two books on California farm labor. “You can try and get around the contractor issue by targeting your pressure on the ultimate beneficiary of the work that's performed,” he says. And, with some luck, if comprehensive immigration reform now being considered is enacted and significant numbers of agricultural workers are legalized, the balance of forces on the ground might shift.

Some observers argue that the UFW's most significant role at present is, precisely, to continue its lobbying for immigration reform. As to its historic failures, economist Rick Mines perhaps provides the most lucid broader context. “The problems with the conditions of California farm workers are so much bigger than the problems of the UFW,” he says. “A head of lettuce costs a dollar in the store, and only 3 or 4 cents go to the farm worker. We could double that to 6 cents, not feel it at all, yet it would make a huge impact in the lives of the workers. There are only a few hundred farm-worker union activists, but there are 34 million Californians. When you see that

this society has chosen to have an entire group of people living in very marginal communities — rife with alcoholism, domestic violence, health problems, and leaving women and children abandoned back in the sender areas — then you see something that is so shameful that the problems with the UFW quickly recede.”

Two days after the big UFW rally, on the third Sunday in July, there is yet another protest march in the Arvin area, again drawing about 300 people. This time it begins at the old Weedpatch crossroads. Two days, two protests — after years of relative inactivity. Something is happening here.

At the head of this protest is 75-year-old UFW co-founder Dolores Huerta. She’s not wearing her union hat, however. This demonstration has been planned for months by the Dolores Huerta Foundation. It’s a relatively new group that Dolores has set up, recruiting heavily among students and putting its emphasis on community organizing. It’s not exactly a rival to the UFW, but there can be little doubt it’s a competitor of sorts. At least, that’s the way some UFW people see it. Some folks working directly with Dolores tell me the UFW march of the previous Friday was hastily assembled because the union was afraid Dolores’ group was getting too far out in front of them. “We knew if we went ahead with this campaign, the union would feel it would have to jump in, and that’s good,” says one of Huerta’s lieutenants.

“Sueldos Justos” is the theme of this protest — Just Wages. Though it’s only 9 in the morning, the sun is already scalding, and Dolores is sweating profusely as she buzzes around her marching troops. But she seems elated, doing what she likes to do best. Marching up from Weedpatch through the somnolent Sunday sidewalks of Lamont, the bullhorns blazing, the crowd chanting, Dolores is beaming. “This is what it’s about,” she says to me enthusiastically. “It’s about community organizing. It’s about house meetings. It’s about college kids, it’s about bringing the women together. It’s about going back to the way we used to do things.”

It seems that for better and for worse, 40 years later, it’s about finding the strength to start all over again from scratch.

