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## ON THE SOCIOECONOMIC STATUS AND THE EXPERIENCES OF FEMALE SEASONAL AGRICULTURAL WORKERS IN CONTEMPORARY SERBIA. ARE THERE ELEMENTS OF STRUCTURAL VIOLENCE?<sup>2</sup>

**ABSTRACT**

The paper examines the socioeconomic status and experiences of women employed as seasonal agricultural workers, indicating the elements of structural and other forms of violence to which they are exposed. As a form of employment, seasonal work has been legally defined in Serbia only since 2018, and it remains a partially regulated sector marked by different forms of social exclusion. Feminist (anthropological) literature dealing with the gender aspect of seasonal agricultural work in different parts of the world has pointed to the serious problem of inequality and social marginalisation. The analysis of social, economic, cultural, legal and other structures involved in the organisation and control of these job positions, as well as the work process itself, has helped identify the ways in which the unequal status of female seasonal workers continues to be (re)produced and sustained, which leads to the question of structural violence against this category of women.

**KEYWORDS**

seasonal labour, female seasonal workers, agriculture, structural violence, gender-based violence

1 This paper was originally published in Serbian as: „O položaju i iskustvima sezonskih radnica u poljoprivredi u savremenoj Srbiji. Može li se govoriti o elementima strukturnog nasilja“, in *Antropologija*, y. 2020, no. 20 (3): 47–78.

For the text, Lara Končar won the “Zagorka Golubović” Award for 2021.

The Institute of Philosophy and Social Theory, University of Belgrade has established the “Zagorka Golubović” Award in her honor in 2021 which is intended for younger researchers for engaged research work. The award is given for the best text published in a scientific journal or a collection of scientific papers that approaches regional (South-east Europe) or wider social issues in an engaged way.

2 I would like to especially thank the activist and seasonal worker Milica Lupšor of ROZA – Association for Women’s Labor Rights, as well as Dr. Marijo Reljanović, expert in labor law and Sarita Bradaš, psychologist and researcher, both of whom provided help in understanding and interpreting institutional and legal documents and frameworks, wading through the relevant literature, and for making me more familiar with the daily life of female seasonal workers in Serbia.

**ABSTRACT (CONTINUED)**

In the first part of the paper I address the question of socioeconomic status of women in the sector of agriculture – seasonal workers primarily, relying on the general conclusions of the existing research on the status of women in the labour market in Serbia.

There I point to the elements of (re)production of their systemic inequality and institutional exclusion. In the second part I address the lived experience of these women, pointing to the ways in which social and economic structures, their actors and cultural patterns shape the practices and (gender) relations within seasonal labour, based on the qualitative analysis of the material collected in semi-structured and informal interviews conducted with women employed as seasonal agricultural workers. The paper is based on the assumption that the analyses of institutional framework and economic perspectives – important as they are – fail to address the sociocultural disposition of women for seasonal work, as well as the conditions and organisation of the work process, thus leaving unobserved the gender division of labour and various forms of gender based violence.

**Introduction**

Until 2018 seasonal work in Serbia was poorly regulated by existing laws. This is not to say that such work was entirely outside the legal framework, but rather that the laws did not properly cover the specificities and nature of seasonal work. According to available statistical analysis, “data categorized by employment sector indicate that agriculture had a high proportion of low paid and unpaid work, as well as low-productivity jobs” (Bradaš 2017: 4), with a high rate of informal employment. In terms of the gender division across employment sectors, 16.2% of working women have jobs in agriculture, compared to 20.5% of the male workforce, making agriculture a “male” employment sector (Pantović et al. 2017: 10–11). A quick survey of statements given to the media by experts in political economy and labor law (cf. Pantović et al. 2017; Bradaš 2017; Reljanović 2019; Urdarević et al. 2019) clearly demonstrates the problems in studying the activity of women workers employed seasonally, since agricultural workers (of both genders) often operate on the informal labor market. Until 2018, the number of agricultural workers employed seasonally was estimated to be between 60,000 and 150,000, with women comprising the majority (Karovski 2016).<sup>3</sup> The absence of a law that specifically regulated seasonal work in agriculture, that is, being only partially institutionally regulated, meant that workers had less control over their jobs, reduced ability to call on labor law, as well as limited access to public goods and services, healthcare and social security, and indeed the inability to form a union (ROZA – Association for Women’s Labor Rights 2016; Reljanović 2019). However, in 2018, a law on seasonal employment was passed, which sought to suppress the “informal economy” and working

3 Karovski, Tatjana (2016), “Sezonski rad između crnog i crnjeg tržišta”, *Masina* 25 November 2016; available at: <http://www.masina.rs/?p=3582>

“under the table” (National Employment Agency 2017).<sup>4</sup> According to official statistics, the number of people who registered as seasonal workers through the official electronic registration portal in 2019 was around 27,000 (eKapija 2020).<sup>5</sup> Although this number itself does not tell us much about the total number of seasonally employed persons in agricultural jobs, the newly-passed law could potentially allow for better understanding and study of the number of women employed seasonally, as well as a gender-based analysis of the issue.

Unfortunately, studies specifically dedicated to the issue of women seasonal workers in agriculture in Serbia are rare. Rather, these women’s socio-economic status must be studied through qualitative analyses of women on the labor market in general. Such studies note that a large number of women associated with agriculture are in a position of associate unpaid members of a household (SeCons 2008), or else are in an unstable position, categorized as “precariously employed”, due to which they engage in informal seasonal work, meaning that they relinquish their labor rights (Pantović et al. 2017). The academic literature in Serbian that looks at the position of women seasonal workers in agriculture is in the field of political economy, along with statistical analyses and reviews of public policy (cf. Pantović et al. 2017; Bradaš 2017). And although they do not explicitly look at the position of seasonally employed women, such studies nevertheless reveal the structural and institutional inequalities, as well as the difficulties of studying the position of working women. As Avlijaš points out, the unfavorable position that emerges from econometric studies in various countries, shows that institutional context is crucial. This has, in turn, led to academic interest in the impact of public and government policy on socio-economic outcomes – which, however, are often impossible to analyze statistically (Avlijaš 2017: 28). Although the present research does not deal in detail with public policy or mechanisms for the recognition and regulation of seasonal work, the lack of legal clarity and an absence of qualitative studies have provided impetus and inspiration for the examination of the gender dimension of seasonal work from an anthropological perspective. That is to say, this text begins with the premise that analyses of the institutional framework and economic circumstances, for all their importance, are insufficient to capture the sociocultural conditions driving women into seasonal work, as well as the working conditions, organization of labor, dynamics of the work itself, and of course the gender division of work and various form of gender-based violence.

This text considers the socio-economic position and experiences of women seasonally employed in agricultural work. In its analysis, the text takes a twofold approach. First, by drawing on feminist authors from sociology and (economic) anthropology whose research has been conducted in other parts of the world,

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4 Nacionalna služba za zapošljavanje (2017), “Povećanje prilika za zapošljavanje sezonskih radnika”, available at: [http://www.nsz.gov.rs/live/info/vesti/pove\\_anje\\_prilika\\_za\\_zapo\\_ljavanje\\_sezonskih\\_radnika.cid39867](http://www.nsz.gov.rs/live/info/vesti/pove_anje_prilika_za_zapo_ljavanje_sezonskih_radnika.cid39867) (last viewed 1 December 2017).

5 eKapija (2020), “U 2019. prijavljeno 27.000 sezonaca u poljoprivredi”, 3 February 2020; available at: <https://www.ekapija.com/news/2773792/u-2019-prijavljeno-27000-sezonaca-u-poljoprivredi>

I seek to illuminate the various levels of systemic and institutional exclusion of women working seasonally. For clearer contextualization, in the section “Seasonal work in Serbia: normative and legal framework”, I consider the official government statements, press releases, and legal sources, as a brief overview into the process of adopting the law dedicated to seasonal work and to explain the legal framework that regulates seasonal work in agriculture in Serbia. This is important, as I consider official government strategy and labor law that defines seasonal work significant for understanding the status of women in agriculture, in particular when we consider that this form of employment is regulated differently in different countries. Or, to draw on conclusions by authors who deal explicitly with the topic of seasonal work in agriculture from a gender perspective: studying the position of women in seasonal work depends to a great extent on the structure of agricultural production across all levels, from the global to the national and local (cf. Collins 1993; Barrientos et al. 1999; Barrientos, Perrons 1999; Ortiz 2002; Barrientos et al. 2004; Ortiz, Aparicio 2006; Collins, Krippner 1999). Second, due to the absence of Serbian literature that deals specifically with women seasonally employed in agriculture, I interpret their position drawing on general insights about the position of working women in Serbia in general. To elucidate the ways cultural forms, social and economic structures shape working conditions, processes, practices, and (gender) relations of seasonal work, I submit the stories of women seasonal workers about their own socio-economic reality and lived experiences in the course and about seasonal work. Thus, deploying a qualitative analysis of collected findings in the course of conversation with women workers, their insights and descriptions of living and working conditions, I am seeking to examine whether they are exposed to elements of structural (or other forms) of violence, as well as show that the gender aspect of seasonal work in agriculture must be understood by looking at the socio-cultural and economic conditions, processes, and relations that constitute and (re)produce these women’s unfavorable position in today’s Serbia.

To better explain the subject of research, I would like to offer a brief explanation of the concept of structural violence. I consider this important to understand the (local) circulation of women on the labor market and the lived experience of women seasonal workers. Although there is no consensus in the literature regarding a definition of violence, in the late 1960s, early 1970s, there was understanding in theory that violence cannot be reduced to physical violence, but must be understood as a complex, multivalent phenomenon (Babović 2015: 332). In the late sixties, a particular concept was used to recognize, examine, and analyze various forms of violence,<sup>6</sup> among which Galtung distinguishes structural violence, which he understands as a type of social relation and influence that excludes various social groups, preventing them from fulfilling their “potential” (Galtung 1969). Structural violence is a form of violence embedded

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<sup>6</sup> For an overview of “supertypes” of power and definitions of violence, see: Babović, Marija (2015), “Teorijski i istraživački pristupi u proučavanju strukturnog, kulturnog i direktnog nasilja”, *Sociologija* LVII (2): 331–352.

in various social structures, which manifests as unequal distribution of power and life opportunities (Galtung 1969; Farmer 2004). It is mostly indirect, “Silent, invisible” (Galtung 1969: 173), and is used to study social oppression that is expressed in the experiences of persons living in poverty or marginalized in some other way (Farmer 2004: 307). Yet, in this text, I go a step further, focusing on gender-based violence, which, in the broadest sense, must be understood as the intertwinement of interpersonal and structural violence, that is, a relation among various forms of violence (physical, psychological, economic, etc.) of men over women, and the institutional and structural conditions that sustain gender inequality, thus “enabling” such violent practices. In other words, no form of violence against women can be separated from structural violence; while structural violence must be understood as a form of systemic inequality or institutional exclusion that keeps women in a subservient position, either within family structures, households, or the community (Manjoo 2011: 7–8).

Finally, structural and other forms of violence manifest (and are recognized) differently in different periods, national and local contexts. Thus, the socio-economic position and experiences of women employed in agricultural work needs to be understood within the economic, social, and political transformations that have taken place in recent decades in Serbia. Postsocialist transformations – in which the economy ‘shifted’ from socialist to capitalist and neoliberal – have resulted in new forms of social, economic, political, and cultural relations. Anthropological studies of postsocialist societies have attempted to interpret and describe this “shift” through the concept of “transformation”, rather than “transition”,<sup>7</sup> in order to develop a “sensitivity” to certain questions and issues, such as privatization and other forms of property transformation, the transformation of a state-owned economy into a market one, political liberalization, and establishment of a system based on the rule of law and respect of human rights (Erdei 2007: 78–80). Although this text does not address these transformations, they are an important context for the understanding of structural conditions that emerge around agricultural work, understanding relations, connections, organizations, and definitions of seasonal work.

## Women Working in Agriculture, an Overview

In the introduction of “Labouring in the Factories and in the Fields”, Sutti Ortiz points out that economic anthropologists from the 1960s and 1970s were more concerned with questions of work and social relations in factories, with less attention paid to paid work in fields. Said focus issued from a conceptual separation of the urban and rural, with these studies generally neglecting how work was structured in agriculture (Ortiz 2002: 395). In the eighties, however, there was a turn in the academic literature (as well as in anthropology itself),

<sup>7</sup> On the ideological “shades” of the term “transition” and the analytical potential of the term “transformation”, see: Erdei, Ildiko (2007) “Dizmenzije ekonomije: prilog promišljanju privatizacije kao socio-kulturne transformacije”, in Vladimir Ribić (ed.), *Antropologija postsocijalizma*, Belgrade: Srpski genealoški centar, pp. 76–127.

with the topic of industry and its orientation towards profit becoming an important framework also for understanding employment relations in agriculture (Ortiz 2002: 396). With the backdrop of globalization and market liberalization, Barrientos et al. (2004) also looked at the transformations of work and its dynamics in both factories and in agriculture, with special attention given to processes of production globalization, fragmentation and decentralization of markets, as well as at the flexibilization of work, which resulted in a greater influx of women into these kinds of jobs. What these texts have in common is that studies of agricultural work were no longer exclusively reserved for the “rural context,” but had become global market processes and structures, which was crucial for understanding seasonal work and its organization. Further, the larger number of women entering the agricultural job market had a paradoxical effect to the type of employment’s socio-economic reality: although increasingly women took paid positions in agriculture, these jobs – all across the world – resulted in lower wages and temporary employment (Barrientos, Perrons 1999).

Following global trends, one of the main aspects of employing women is the flexibilization of work. “Women in particular often face informal employment, and as a result lack employment rights and benefits and have to cope with highly insecure work” (Barrientos et al. 2004: 10). However, as Standing explains (1999), the traditional division of formal and informal forms of work, manifested in formal and informal job sectors, becomes less and less significant in a contemporary context, as the fragmentation of the market and flexibilization of work has meant that a greater portion of the work force is now in the domain of temporary, occasional, and/or seasonal employment. What is characteristic for these processes is that their outcomes have led to deepening of gender inequalities: not in the sense of naturalized differentiation of men and women in doing certain jobs, but through various discriminatory practices, discouragement of women, as well as the behavior of male workers and employers. That is to say, employment with “informal” characteristics – irregular pay, labor force participation, lack of benefits and job security, acquiescence of work for lower pay, repetitive jobs without the possibility of acquiring new skills or change of status – generally describes a female work force. Indeed, processes of “informalization” (Standing 1999: 585) of different job sectors became one of the main avenues to increase the number of women in unstable jobs. In Serbia, aside from these transformations that mirrored global trends in capitalist economies, austerity measures taken by the state, in particular starting in 2014, are a significant factor to be taken into account in understanding the socio-economic position of women workers. The latest studies indicate that changes to other laws in the domains of labor, social and health security, and government strategies of austerity, have resulted in the flexibilization of working conditions, disproportionately impacting women. An already limited choice of work in Serbia meant unequal possibility for women to join the labor market, with the limited availability of child and elderly care services left many women without work, as they were unable to coordinate family life and paid work (cf. Urdarević et al. 2019: 22–36).



When it comes to studying agricultural production, numerous authors (Collins 1993; Barrientos et al. 1999; Barrientos, Perrons 1999; Ortiz 2002; Barrientos et al. 2004; Ortiz, Aparicio 2006; Collins, Krippner 1999) have precisely emphasized the issues of flexibilization and “feminization” of jobs; but also, that the study of women workers depends greatly on how particular, local agricultural production is structured. This means that the gender dimension of seasonal work does not only include issues of formal/informal employment, analysis of contract types (whether verbal or written) between employers and women workers (although significant indicators for understanding various forms of inequality and exploitative practices), but also questions of kinship and social relations, as well as the larger socio-economic context of the seasonal work. In other words, feminist literature has pointed to the need to reveal the connections between “productive” and “reproductive” labor, and that the subjection of women must be analyzed at once from the standpoint of employment and relations within the home, where the particularities of gender relations manifest through different historical, social, and spatial contexts (Barrientos et al. 1999, 14; Barrientos, Perrons 1999). In particular if we take into consideration that historically women have worked in agriculture as unpaid members of households, and that female labor was less commonly found in certain traditional economic sectors (e.g., dealing with livestock), but that they remained working in the fields (often owned by their own family) – in a word, that agricultural work went hand in hand with housework of the same household (Barrientos et al. 2004, 8–9; Barrientos et al. 1999; Barrientos, Parrons 1999).

To understand the structural conditions that “foreclose” the same “life opportunities” available to men from women seasonal workers, it is necessary to introduce the topic of social exclusion from the perspective of structural violence. Although this concept is multidimensional and demands its own analysis, Babović explains that social exclusion can be understood as a kind of structural violence that includes a broad spectrum of inequalities: financial poverty, material deprivation, exclusion from important social institutions (such as the labor market), healthcare or social security (Babović 2015: 340). For the purposes of this text, social exclusion is best presented through the results of research looking at the problems women in agriculture face, with particular focus on rural areas (SeCons 2008; Bradaš 2017; Pantović et al. 2017). Succinctly put, women from rural areas have been recognized as one of the most vulnerable social categories in Serbia, due to a high degree of property insecurity, financial dependence, with few prospects for employment, insufficient institutional support in achieving basic economic and social rights, and few opportunities of association to achieve common interests:

Rural households with female members are in 88% cases owned by men; women own no land in 84% of cases, and own practically no technological means of agricultural production. Women comprise 55% of the rural population and 74% of unpaid, associated members of agricultural households. There are significant differences in the informal employment of men (28.8%) and women (43.3%) [...]

A total of 12% of women has no health insurance, and over 60% have no retirement plan. Among women who are associated members of households, things are even worse – 93% do not contribute to social security (retirement funds), mostly due to a poor financial situation. (Bradaš 2017: 21)

In considering and analyzing seasonal work, it is important to emphasize the conceptual difference between the (statistical) categories of “associate household member” and women who work seasonally in the agricultural production of smaller producers or larger companies and corporations. The distinction is between paid and unpaid work, which is important in my view for two reasons. First, the phrase “associate household member” and “seasonal worker” in agriculture draw on differing types of socio-economic relations and ties, despite the actual work conducted by women being identical. Second, in Serbian literature and statistical analysis, the employment status of “unpaid associate member of an agricultural household” – where “women are engaged in household work without being paid for that labor” (SeCons 2008: 4) – describes an especially socio-economically vulnerable category: the “employed” person is placed in near-slavery conditions, women comprising most of these cases (Pantović et al. 2017; cf. SeCons 2008; Bradaš 2017). On the other hand, the employment status of women seasonal workers in agriculture and their socio-economic position is, unfortunately, difficult to (statistically) analyze and follow in a contemporary context, as this market is (in Serbia) insufficiently regulated, recorded, or studied. That is to say, the experience of these women workers (as will be shown in their statements later) are mostly expressed as their exclusion from the labor market and insufficient access to public goods and services.

## Reflections on Definitions of Seasonal Work in Agriculture

It is difficult to clearly conceptually define seasonal work in agriculture, I believe, for at least two obvious reasons. In the first place, a “seasonal” characteristic can be found in various forms of work, such as tourism (cf. Ball 1988) or work bound to climate or environmental cycles. Or, as Jane Collins and Greta Krippner point out, “The seasonality of agricultural work is as old as agriculture itself” (1999: 513). Second, “seasonality,” aside from designating a limited timeframe for the performance of certain jobs (the season), also indicates an absence of permanent employment in circumstances where “the success of agricultural production systems has depended on finding ways to mobilize labor for crucial tasks at the right time” (Collins, Krippner 1999: 513). Thus, seasonal work in agriculture is defined through its “temporary” and “occasional” nature, that is, through an absence of permanent (year-round) employment engagement. If we were to exclude the seasonal nature of agricultural work, that is, its conditionality upon climate cycles and ecological processes, the “temporary” and “occasional” nature can be found in other forms of employment, whether speaking of construction work or the service sector. “Seasonal”, “temporary”, and “occasional” nature are characteristics of work defined in contrast

to permanent employment, with the latter serving as the norm for further interpretation and understanding of various forms of employment. As Standing points out, the contextualization of seasonal and other forms of temporary and short-term work, often also carries socio-cultural connotations: Work patterns that are intermittent, casual and partial are bad in comparison to stable, continuous, and fulltime forms of employment (Standing 1999: 583). A good illustration is the evaluation of work of the International Standard Classification of Occupations (ISCO-08<sup>8</sup>), which places seasonal workers in the ninth group of occupations, entitled “elementary occupations” and the subgroup workers in agriculture, forestry, and fishing. Aside these professions, the group includes various kinds of custodial and cleaning services for homes, hotels, offices, miners, transportation and storage workers, food preparation assistants, street food salesperson, etc. (International Labour Organization-ILO 2012: 37).

The dichotomy of permanent and seasonal employment, as well as the impossibility of conceptually separating various kinds of temporary and occasional employment, stems from official definitions of seasonal work. Namely, the main variable in classification of these jobs is the kinds of labor contract that determines seasonal work. Thus, according to the ILO, seasonal work is placed in the category of precarious employment, with the resolution that refers to classification of employment (Resolution Concerning the International Classification of Status in Employment – ICSE) stating the following:<sup>9</sup>

Workers in precarious employment can either: (a) be workers whose contract of employment leads to the classification of the incumbent as belonging to the groups of “casual workers”, “short-term workers” or “seasonal workers”; or (b) be workers whose contract of employment will allow the employing enterprise or person to terminate the contract at short notice and/or at will (International Labour Organization-ILO 1993: 4–5).

As these categories of workers are difficult to distinguish based exclusively on type of contract (or verbal agreement) with employers, especially given that temporariness and the occasional nature of employment in modern economies are more the rule than exception, seasonal workers can be (officially) defined exclusively as their work being tied to natural cycles (cf. ILO 1993; Collins 1993). In France, for example, the law is clear that seasonal contracts are “by nature temporary” in the sense that the variability of employment is not based on decisions of employers or employees (Darpeix et al. 2014: 258).

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8 International Labour Organization (ILO) (2012), International Standard Classification of occupations (ISCO); available at: [https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms\\_172572.pdf](https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_172572.pdf) (last viewed 10 April 2018)

9 International Labour Organization (ILO) (1993), *Resolution concerning the International Classification of Status in Employment (ICSE)*; available at: [https://www.ilo.org/global/statistics-and-databases/standards-and-guidelines/resolutions-adopted-by-international-conferences-of-labour-statisticians/WCMS\\_087562/lang-en/index.htm](https://www.ilo.org/global/statistics-and-databases/standards-and-guidelines/resolutions-adopted-by-international-conferences-of-labour-statisticians/WCMS_087562/lang-en/index.htm) (last viewed 10 April 2018).

Realizing there was no simple dichotomy between permanent and temporary employment in agricultural jobs, but rather a paradox of continued employment in (multi-)year cycles, in their study, Jane Collins and Greta Krippner have invented new categories of workers based on the duration of contract with the employer: semi-permanent, permanently-temporary and/or stable temporary. This categorization of temporary workers is preceded by permanent workers, and then is followed by seasonal workers (hired during the season) and seasonal casual day laborers (Collins, Krippner 1999: 515). These variations of temporariness and occasional nature work in agriculture jobs become even more complex when we include the experiences of seasonal migrants (cf. Collins 1993; Haberfeld et al. 1999; Rogaly 2003; De Braux 2010).

Considering the issue of contractual employment of seasonal workers, Ortiz offers a thorough overview of the sociological and anthropological literature about the extant employment practices, organization and control of work in agriculture in various parts of the world (Ortiz 2002; cf. Ortiz, Aparicio 2006). As she points out, the forms of contract (and verbal agreement) between the employer and seasonal workers vary so much, not only on a national level, but on the local as well, that when we think about various kinds of arrangements of employment, we should also provide a reflection what the contracts mean for the various forms of control of work and the worker in agricultural jobs. Furthermore, the variations need to be explained through: differences in possession of resources, scale of agricultural production, the state of the labor market, expected skills of the workers, social organization, state intervention and labor law, as well as power relations between employers and employees (Ortiz 2002: 404). I consider this argument very important for a number of reasons. First, defining and understanding seasonal work and its characteristics exclusively through contract form and agreement of seasonal employment tells us very little about the lived experiences and socio-economic position of seasonal workers. Second, since seasonal work is “by nature” temporary and/or occasional, this poses the question of how workers overcome this discontinuity in a socio-economic sense and the kind of inequalities they encounter in dealing with various official institutions. Third, the local context can help us understand how the seasonal nature of agricultural jobs is regulated legally, and then how this reflects on the workers, which brings in a political dimension of understanding seasonal work.

### **Seasonal Work in Serbia: Normative and Legal Framework**

As mentioned, although the subject of this research is not the law or official government policies, it is nevertheless important to briefly explain the process of defining and legally regulating seasonal work in agriculture in Serbia, so as to better contextualize the position of seasonal workers in general. Until 2018, analysis of seasonal work was dominated by the absence of a clearly defined legal framework that would encompass and structure such jobs in agriculture. This meant that a large number of people participating in seasonal work did

so in informal ways, often without any legally contractual basis. Before 2018, seasonal work was defined by the general Labor Law of the Republic of Serbia (Official Gazette of the Republic of Serbia no. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014),<sup>10</sup> in the section “Work outside Legally Defined Employment,” that is, as a type of temporary and occasional work. According to the site of the National Employment Agency (NSZZ 2017),<sup>11</sup> the project “Increasing Opportunities for Employing Seasonal Workers” was launched in 2017 and executed by the National Alliance for Local Economic Development (NALED) and the German Corporation for International Cooperation (GIZ). The main project partner was the Ministry of Labor, Employment, Veteran and Social Affairs, but also included the Ministry of Agriculture, Ministry of Finance, Tax Administration, the Central Registry for Mandatory Social Security, the Fund for Health Insurance, and several municipal governments (NALED 2019a).<sup>12</sup> The aim of the project was “to contribute to the reduction of work ‘under the table’”, calling for “the formulation of a legal framework and establishment of an electronic system for registration and paying of tax and benefits for seasonal workers” (Ministry of Agriculture, Forestry and Water Management 2017).<sup>13</sup> An interesting aspect of the mentioned project, in particular in the context of a gender dimension of seasonal workers, were the meetings across Serbian municipalities, entitled “Info Days”. Aimed at employers and seekers of employment, a specific aim of these meetings was “in particular to motivate women, as a socially and economically endangered category, for work/employment in seasonal work” (NSZZ 2017).<sup>14</sup> While this project and the activities that came out of it require a more careful analysis, there is no room in this research for a detailed look, except to comment that if solutions for unfavorable conditions of women in Serbia could be found in “motivating” them to take up seasonal work, such strategies would be in danger of completely ignoring the larger social and economic context in which women live. Namely, in periods when they are not employed in seasonal work, they often lapse into the status of unemployed

10 Labor Law (Official Gazette of the Republic of Serbia, no. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014); available at: [https://www.paragraf.rs/propisi/zakon\\_o\\_radu.html](https://www.paragraf.rs/propisi/zakon_o_radu.html) (last viewed 1 March 2018).

11 National Employment Agency (2017), “Povećanje prilika za zapošljavanje sezonskih radnika”; available at: [http://www.nsz.gov.rs/live/info/vesti/pove\\_anje\\_prilika\\_za\\_zaposljavanje\\_sezonskih\\_radnika.cid39867](http://www.nsz.gov.rs/live/info/vesti/pove_anje_prilika_za_zaposljavanje_sezonskih_radnika.cid39867) (last viewed 1 December 2017).

12 National Alliance for Local and Economic Development (NALED) (2019a), “Zapošljavanje sezonskih radnika”; available at: <https://naled.rs/zaposljavanje-sezonskih-radnika-giz-orf> (last viewed 10 September 2019).

13 Ministry of Agriculture, Forestry and Water Management (2017), “Potpisivanje Memoranduma o sprovođenju projekta ‘Povećanje prilika za zapošljavanje sezonskih radnika.’ Available at: <http://www.minpolj.gov.rs/potpisivanje-memoranduma-o-sprovođenju-projekta-povećanje-prilika-za-zaposljavanje-sezonskih-radnika/> (last viewed 1 December 2017).

14 National Employment Agency (NSZZ) (2017), “Povećanje prilika za zapošljavanje sezonskih radnika”; available at: [http://www.nsz.gov.rs/live/info/vesti/pove\\_anje\\_prilika\\_za\\_zaposljavanje\\_sezonskih\\_radnika.cid39867](http://www.nsz.gov.rs/live/info/vesti/pove_anje_prilika_za_zaposljavanje_sezonskih_radnika.cid39867) (last viewed 1 December).

persons without income or enter other forms of temporary and occasional work and informal employment. More on this in the following section.

In 2018, the Parliament of the Republic of Serbia passed the Law on Simplified Employment in Seasonal Work (Official Gazette of the Republic of Serbia no. 50/2018),<sup>15</sup> referring specifically to seasonal work in agriculture, forestry, and fishing. It is important to repeat that the whole process of designing and adopting the law, as well as the project activities of official institutions were directed at fighting against “illegal work” and “work under the table”, that is, at legal regulation of seasonal work in agriculture, regularizing workers, payment of tax and social benefits (even though the law left out, for example, seasonal workers in construction and service sector). Adoption of the Law garnered meagre attention from the media (e.g., Radnik.rs 2018a; Dragojlo 2018), and the only significant criticism referred to the right of legitimizing verbal agreements between seasonal workers and employers. As Reljanović states: “the Law on Simplified Employment in Seasonal Work introduced a novelty in Serbian law – a verbal agreement of employment” (Reljanović 2019: 75). The “Practical guide for the application of the law on simplified employment in seasonal work” elaborates that the existence of verbal agreements means that “[...] by taking up the work, the seasonal worker has accepted the working conditions and thus agreed to a verbal agreement about the performance of seasonal work” (NALED 2019b: 8).<sup>16</sup> The second relevant point is that seasonal work in agriculture is still defined as work outside the regular employment relation, like other forms of temporary and occasional employment, according to labor law. This means that “this law actually represents an unusual variation in temporary and occasional employment contracts” (Reljanović 2019: 75). In the case of seasonal workers, this means that they still do not have the possibility to legally take strike action or organize into a union (cf. Urdarević et al. 2019: 97–103). Although the employer has the duty to pay income tax and contribution to retirement funds, disability funds, healthcare, and worker compensation funds *in case of workplace injury or illness* (NALED 2019b: 11, emphasis added) – other labor rights go missing, such as “the right to vacation, paid leave, maternity leave, child care leave”, just as they do for workers in temporary and occasional employment in general (Urdarević et al. 2019: 80).

Proposed amendments to the design of the law in the period of public debate mostly regarded issues of protection of workers and their rights. Thus, one proposed amendment sought to have employers issue workers with a written contract with working conditions, which was rejected. The law draft stated that the employer must issue a written certificate about the working conditions upon

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15 Law on Simplified Employment in Seasonal Work (Official Gazette of the Republic of Serbia no. 50/2018); available at: <http://demo.paragraf.rs/WebParagrafDemo/?-did=442382> (last viewed 10 September 2019).

16 National Alliance for Local Economic Development (NALED) (2019b), “Angažovanje sezonskih radnika u poljoprivredi: Praktični vodič za primenu zakona o pojednostavljenom radnom angažovanju na sezonskim poslovima u određenim delatnostima”; available at: <https://www.paragraf.rs/dokumenti/Vodic-Zakon-o-sezonskom-radu.pdf>.



request from a seasonal worker within two months. An amendment proposed to reduce this period to five days, due to the characteristics of seasonal workers, adding that the issuing of the certificate only protects one side, the employer – but it was rejected. The law draft did not define the number of working hours, nor the duration of work breaks, with an amendment proposed that the number be limited to twelve in one day, with a mandatory 30-minute break; the amendment was accepted (Radnik.rs 2008b).<sup>17</sup> Other proposed amendments referred to the novelty that an individual person (owner or manager of an agricultural homestead) be considered an employer, allowing them to employ seasonal workers, as well as that the category of seasonal worker not include persons not remunerated in performing seasonal work (Drča 2108).<sup>18</sup> Finally, the law states that a seasonal worker can be employed by a single employer for a maximum of 120 days in a single calendar year (NALED 2019b: 12), which presents a problem for some seasonal workers, whose activities in seasonal jobs take place over a period longer than the 120-day limit (cf. Lupšor, Đorđević 2016).

Analyses and studies of *gender (in)equality in the context of austerity* clearly show that women in Serbia, across nearly all domains of employment, are a particularly endangered category and suffer a high risk of poverty. The design and application of public policy, strategies and laws are mostly conducted without consideration of a gender perspective, that is, in a discriminatory way (cf. Urdarević et al. 2019: 22–36). This includes the Law on the Simplified Employment of Seasonal Work. The new law, thus, applies to certain specific groups of people: retirees, students, persons younger than 18 (but not younger than 15), foreigners, and recipients of social assistance. These groups of people may be employed seasonally without losing benefits that issue from their particular status. Under certain conditions recipients of family pensions and the full-time employed can also be seasonally employed (more on which, cf. NALED 2019b: 4–5). Although it may seem that a law designed in this way seems “inclusive”, the question presents itself whether such regulation could “stimulate” the vulnerable groups in society (women, retirees, unemployed, youth, recipients of social assistance, working migrants) to enter seasonal work? Particularly if we take into consideration that seasonal work still does not afford all the benefits of full-time work, and that in 2019, minimum wage for seasonal work was “155.30 rsd per hour”, (approximately 1.5 USD, NALED 2019b: 12), and that aside from women, the groups most affected by austerity measures are retirees, the unemployed, recipients of social assistance (Urdarević et al. 2019: 14–15). Finally, if we accept that social exclusion and poverty are indeed forms of structural violence (Babović 2015: 340–342; Malgesini et al. 2019: 6), it is reasonable to assume that women seasonal workers find themselves in conditions of socio-economic instability, in particular if we consider that they do

17 Radnik.rs (2018b), “Predlog zakona: Ostaje usmeni ugovor za sezonske radnike”, 18 June 2018; available at: <http://www.radnik.rs/2018/06/predlog-zakona-ostaje-usmeni-ugovor-za-sezonske-radnike/>.

18 Drča, Irena (2018), “Nacrt zakona o sezonskim poslovima”, *Pravni portal* 18 April 2018; available at: <https://www.pravniportal.com/nacrt-zakona-o-sezonskim-poslovima/>.

not receive all the benefits of full-time work (such as paid sick leave, maternity and/or child-caring leave), given that seasonal employment has the dynamic of temporary and occasional work. It is therefore significant to illuminate the gender dimension of seasonal work, both within a normative framework and in the labor market itself, and then examine whether these structural elements reinforce other forms of socio-economic inequality.

## **Women Seasonal Workers in Agricultural Jobs: on the Gender Dimension of Seasonal Work in Serbia**

Gender-based violence has deep roots and is reproduced through gender inequalities; nor can it be understood outside social structures, gender norms and roles that reinforce them (Malgesini et al. 2019: 6). It can be understood as a form of cultural violence, manifested through gender and class, and legitimated through constituting cultural norms and notions that women are weaker and less capable of performing certain types of work (Babović 2015: 336–337). Although gender-based violence does not mean direct violence in a physical sense, “structural and cultural violence can be the source (cause) of direct violence, while cultural violence can be understood as a means of legitimation of both structural and direct violence” (Babović 2015: 338). Or, as Manjoo elaborates, gender-based violence must be understood within four interrelated factors acting simultaneously: structural, institutional, interpersonal, and individual (2012). Structural factors include political, economic, and social systems on a macro level; institutional factors refer to formal and informal social networks and institutions; interpersonal describe personal relations among partners and within families and communities; and the individual factors refer to personal capacities to respond to violence (Manjoo 2012: 5).

Although structural and institutional factors have already been touched upon in the previous section, it is important to briefly comment on neoliberal reconfigurations that have led globally to the dissipation of stable frameworks for organizing lives (Brković 2017a: 12; cf. Brković 2017b). To clarify, I will draw on the argument made by Čarna Brković, in which “neoliberalism” is a period of experimentation and transformation of relations between the state and society, while the fundamental ideas of neoliberal changes include that “market relations ought to be allowed to regulate any sphere of life, that the state ought to have as small a role as possible in the economy and protection of its citizens, in particular those vulnerable” (Brković 2017b: 91). However, the neoliberal reconfiguration cannot be interpreted within stable frameworks, as they differ greatly from one another depending on the national and local context, and Brković points to their main characteristic being their selectiveness. In “postsocialist neoliberalism”, government institutions have not simply withdrawn, but continued to have impact on the wellbeing of their citizens, but in completely new and heretofore unfamiliar ways” (Brković 2017b: 92). This argument can perhaps be best illuminated by pointing to the aforementioned



austerity measures in Serbia, and the “stimulus” given to socially-endangered groups through public policy and the “simplification” in the new Law on seasonal work calling on these groups to enter seasonal employment. Indeed, the existence of a verbal agreement between employer and seasonal worker, which is legally treated as a legitimate contract establishing employment, can also be interpreted as a partial absence/presence of the state in regulating such relations.

The social, economic, and political transformation from socialism to capitalism in Serbia, and in particular processes that have begun in the twenty-first century have resulted in greater social inequality and significant changes to labor, including the creation of new forms of flexible employment and increased unemployment (Erdei 2018). After the economic changes in 2008, transformations took place even in economically developed countries, which resulted in new forms of “non-standard” employment (temporary, occasional, seasonal, and self-employment), while pay gaps between men and women have been noted throughout Europe (Avlijaš 2019), but also Serbia as well (Avlijaš et al. 2013). Recent statistical analysis of the position of working women note that they face difficulties in finding work much more commonly than men, with over 40% of women of working age excluded from work (compared to 27% of men, Pantović 2017: 9). A lack of job opportunities in the formal sector, along with growing poverty and low levels of protection for the unemployed result in women working in the informal sector (Pantović 2017: 12). The unemployment rate is highest among younger (20–24) and older (55–59) women, who are doubly marginalized: as women and as members of age groups with lowest levels of participation (Pantović 2017: 26).

Taking all these structural and institutional factors into account, it is difficult to survey all the various forms of inequality in seasonal work. Differences between men and women in rates of (un)employment are reflected in the impossibility to find work or getting benefits, with the result that women are (left behind as) a particularly vulnerable social group, which is then exposed to other forms of violence, in particular in the workplace and in interpersonal relations. As mentioned, gender-based violence must be analyzed at once through structural and institutional, and through interpersonal and individual factors. To illuminate the interrelation of these factors, the following portion of the text presents the research findings of conversations with women seasonal workers, their understanding of the situation they are in, and experiences this type of employment brings.

### **Seasonal Work, the View “from below” – Notes on Method and General Information on the Research**

Over the course of 2017 and 2018, I conducted ten conversations with women seasonal workers in Serbia, employed in the domain of agriculture and pomiculture since the 1990s and 2000s until today. The conversations took the form of in-depth interviews, semi-structured interviews and informal conversations,

which were audio recorded. The fieldwork was conducted in residential units where the informants lived, and in two cases in cafes. In total, four informants had their conversation individually with the researcher, while six were interviewed in the presence of other persons, either family members or friends. Aware that the presence of other people could significantly impact the information given, I wish to emphasize that it actually aided in giving a more detailed picture, as the family members or friends present at the interviews were often also involved in seasonal work in agriculture. Interviews were held with eight women aged 40-64 and two 25-30-year-olds. In agreement with the interviewees, the research was conducted anonymously, meaning that details and specificities of their identities and locations of their homes and workplaces, as well as that of their employers, colleagues, family members have all been left out of the report.

Certain “patterns” or “regularities” can be discerned in their statements: all the women began working in agricultural jobs with one or more family member – most often partners and/or children. They all became seasonal workers due to the poor socio-economic situation in which they found themselves with their families. The reasons for entering seasonal employment could be “categorized” into three distinct groups: recipients of pensions (either due to retirement or inherited from a family member) whose incomes do not meet the basic living requirements; women of middle age who had lost their previous full-time job and/or had difficulty in finding other work; and young women who became seasonal workers as children, and remained in it, supplementing income for themselves or their families. While in the case of retirees and young women, seasonal work can be understood as “supplementary” income, whether for the individual or the family, the women of middle age who were unemployed have a more difficult relationship with the labor market, meaning that seasonal work in agriculture is their only source of income. However, it is important to note that not a single informant stated that they approach seasonal work as a “career”; rather, they explain that seasonal work is only a “temporary solution” to issues with income.

Now, given the distinction in employment status between “associate member of household” and “seasonal worker”, which implies different forms of socio-economic relations despite the work itself being identical, it is important to note that eight informants were employed at smaller producers or larger enterprises; that is to say, their seasonal work was not part of family production or as owners of an agricultural homestead, and that their work has to be understood as being in the domain of “paid” labor. Two informants were engaged within their own family production, but they also had experiences in paid seasonal work for other entrepreneurs. Second, since women’s labor in seasonal work in agriculture is absent from many econometric studies, and since women take informal paths of employment (without being registered), their statements could potentially initiate further research of the broader socio-economic context and legal framework, as well as their impact on the lives of women seasonal workers. Third, this study does not encompass migrant workers; all the informants in the study worked seasonally in immediate local

areas, which might help illuminate socio-cultural connections on microlevels, although it does unequivocally neglect the problems of mobility of labor force. Fourth, even though ten conversations are not enough to reach general conclusions, I nevertheless consider the statements given an important impetus for further research questions and a small step towards future examination of seasonal work from an anthropological perspective.

Questions posed to the informants were structured along six, roughly divided areas:

1. Basic information: age, marital status, number of children (if any), education level, how long and since when they are working in seasonal jobs.
2. Theoretical issues: with what framework do these seasonal workers describe seasonal work.
3. The socio-economic causes of working seasonally: how and in what way they first came to do seasonal work.
4. The gender perspective of seasonal work: according to the informants, who, in general, and for what reasons does seasonal work; are there differences between men and women in performing certain jobs, and if so – what are they and what do the informants think is their cause.
5. Ethnography of seasonal work: personal experiences of the informants in conducting seasonal work, the conditions and structure of labor, questions of gender-based violence and practices.
6. The socio-political context: the legal status, positions of seasonal workers on official institutions and broader society's relation to seasonal work.

Due to the limited scope of this text, I have focused on those parts of informants' statements that refer to two interrelated aspects of seasonal work. The first concerns reasons for and means of entry into seasonal work, in order to reveal its broader socio-economic and cultural context, as well as the position of women workers and labor conditions. This allows insights into the structural and institutional factors that made my informants begin to work in seasonal jobs. The second aspect refers to the experiences of these women in the course of work, which gives insight into the structure of work and its gender-division, as well as the nature and dynamic of social relations and networks that emerge in these employment arrangements.

### **The Socio-economic (Dis)advantages to Seasonal Work**

All ten informants began working seasonally in agriculture through “informal” channels. Using local connections – acquaintances, such as family members or friends who were already seasonally employed, or else information reached them that there was a need for seasonal workers. This culturally specific form of sociality – acquaintances and connections – needs to be explained beyond the market logic. As Čarna Brković notes, “systemic” perspectives take “informal”

practices as a rational strategy for survival in a postsocialist society undergoing transformation. This means that people choose informal pathways because they are forced to, that is, in the absence of the state and national economy, they depend on them. However, such interpretations assume that “real” market economies operate differently, as a “mature” society, reproducing an infantile image of postsocialist countries as modern political communities that lag behind the West (Brković 2017a: 83–84). Yet, “informal pathways” are not exclusively imposed by the market, nor can entering into seasonal work by way of connections and acquaintances be understood as a form of “clientelism”.<sup>19</sup> Such “informal” practices arise from the need of seasonal workers to form a network and a kind of (self-) protection in taking up to seasonal jobs, as well as develop a certain degree of mutual trust in their sphere of work. The social component here is particularly illuminating of these relations, as aside from a financially motivated search for work, according to my informants, they have mostly relied on “recommendations” and advice from people in their immediate circle when reaching out to employers, and they sought to join those groups of seasonal workers where they already knew someone. Significantly, all ten informants worked seasonally with other members of their household: mostly their children who at some point joined them in seasonal work, but also mothers and/or partners, with not infrequent examples of the entire family working for the same employer:

Since you have to have a whole group, you usually have to have someone to substitute for you when you need a day off, so that they wouldn't cut your place. So, my daughter, when I need something, she goes with my husband for two, three days [...] So, she went with us.

Or, for example, she went with us to the meat cooler for a whole month. My kid worked on the cherries and apricots, he was studying, but his father got sick, so he had to. I didn't go with him then because I had to be with my spouse, as he was very sick, his leg was in a cast, he was immobile. Then, since I couldn't go to make money, he (the son) had to; he had already finished college and wasn't working.

This man came to our house one morning saying “Is your son here?” I said “yes”, “So, can you do it?” I said “do what, I don't understand”, and he said to pick apples. I happily said “yes, of course” [...] I was thrilled. I got my son out of bed, we got ready, and he drove us to this man's, and we introduced ourselves [...] We started in September, I even took my son out of school for a few days, and we worked for him until almost November.

Significant actors in introducing people to seasonal work are the so-called *group leaders* or *brigadiers*, who act as mediators between employers and seasonal workers. They are in charge of recruitment of new workers and in general their placement, oversight, and control of the work process. If we were

19 On the moral overtones of the concept of ‘clientelism’ and an anthropological interpretation of ‘connections’, see: Brković, Čarna (2017a), *Managing Ambiguity: How Clientelism, Citizenship, and Power Shape Personhood in Bosnia and Herzegovina*, New York: Berghahn Books.

to sketch the hierarchy of positions, the rungs could be as follows: employer – group leader/brigadier – seasonal worker. Group leaders/brigadiers are often, but not always, persons who were previously employed in seasonal work in agriculture. However, an important element is the level of trust between the group leaders and employers, in particular as the former are often in charge of calculating and distributing remuneration. In certain cases, persons in charge of transport of workers also held the status of group leader. As my informants say:

[...] there is one (person) in charge of leading the group. We call them the group leader. They are the boss, essentially. They tell us what task to do, they negotiate the price of work. So, they most often make a deal with the employer and then form a group. Anybody could do it, basically. Now, I could make my own group, but then the question is whether the employer will want to negotiate with me, since they don't know me.

How can explain? You're the boss and I am a brigadier, and you and I, we have an agreement. Generally, these brigadiers, they all know each other, they are all connected. So, if we're working on peppers, the brigadier and the boss have agreed that the rate for the day is 1,500 dinars, but the brigadier says "I am going to tell the workers 1,100". Right? He gets from the boss, I dunno, two thousand, and then another 400 from each of us if he agreed on 1,500, and we are told we get 1,100. I agree to what they tell me, and he said 1,100 – take it or leave it. But from the point of view of fairness, it's not fair, but in terms of the contract, he said this is the daily rate.

Both men and women are group leaders. Where I went in our area, they were mostly women. But the farther I went, they were mostly people with their own trucks, so they were also group leaders.

As the primary reason for becoming seasonal workers, all ten informants gave only their own and their families' financial instability, as well as a lack of opportunities on the labor market. Although this research did not include the question of the incomes of other members of the informants' families, nor whether they were financially dependent on their partners or other member of their family, the conclusion drawn from the data collected is that the total family income certainly does not cover the necessities of life. In particular if we consider that a third of the informants conducted their seasonal jobs with their partners. Not a single woman cited other motives for doing this work, while the dominant explanation is a loss of full-time and formally legal employment, that is, unemployment. This, according to the informants themselves significantly impacts the price of labor:

In all the villages, before, there was always a small factory, so the more educated got jobs there, and those less educated, if they only have elementary school – they couldn't get a job. And so they worked the land. And those ones, even today, they are still doing that. But since the nineties, we who lost our jobs, we too have been trying to get into that group and start doing that work. I don't really have much else to say about seasonal work: it's hard and it's hard to make a

dime; the work is not valued, and the worker is not valued. The seasonal worker is not valued. Nowadays there's lots of people who are jobless, so they are squabbling for that dime, and so the pay is bad. If there were fewer workers, the work would be more valued, and it would better paid. At least that's what I think.

Most of the women I spoke to (7) took up seasonal work after loss of employment, while half of the ten informants had previously been employed in factories and/or (public) companies that in the process of privatization either ceased to operate or became privately owned. The informants from my study are an example of how the privatization of formerly state-owned companies was a significant structural factor in entering seasonal work. In the period after the political changes of 2000, there were systemic attempts at encouraging privatization, which becomes part of a “transitional package”, with new owners unable, or reticent, to fulfill their obligations. A large portion of the labor force became redundant or simply unemployed (Erdei 2007: 81–85).<sup>20</sup> A portion of my informants became unemployed precisely in this period, which in some cases prevented them from taking retirement as they did not have a sufficient number of years of service, but were nevertheless at an age disadvantage in seeking new work. Overall, financial instability, limited possibilities of work and lack of choice was the context in all ten cases of women entering seasonal work. It is furthermore important to emphasize that the informants foreground their role within the family as “provider” and “caretaker”. It can be interpreted along two lines: they chose seasonal work to financially contribute to the overall family income, as one of the informants says: “We are helping out, as they say, in our own homes.” Or else they are faced with a choice of dealing with family obligations (care for older members) and employment:

So, I worked there until they fired me because of my grandmother. My father's mother broke both her hips, and we didn't have money for a hospital, and they wanted money. So, I thought, it's better for me to take care of my grandmother than be harassed, so I quit. That was around 2000. After that, I switched to the food processing plant and worked there. I collected branches, pruned shoots in saplings, which we then planted.

Two other examples of entering seasonal work were notable: retired women and those who were seasonal workers earlier in their lives. Two informants, who had also worked in factories, recipients of either retirement or family pensions, are seasonally employed, since their pensions do not meet the necessities of life:

It's not my fault that the factory went under, that someone ruined the factory [...] I have thirty-one years of work behind me; my pension is 17,000 dinars. If

<sup>20</sup> For more on the privatization from an anthropological perspective: Erdei, Ildiko (2007), “Dizmenzije ekonomije: prilog promišljanju privatizacije kao socio-kulturne transformacije”, in Vladimir Ribić (ed.), *Antropologija postsocijalizma*, Belgrade: Srpski genealoški centar, pp. 76–127.

there is a person who can live on 17,000, regardless of my mortgage, that's my thing, let's not even look at that, but to pay all the taxes, to live on that, having to save for the winter, to pay for gas or wood – hats off to such a person, they are a magician.

I left the factory not of my own accord, but because it stopped working and I was left unemployed. So I went to the dairy plant, and fulfilled my requirement for retirement. Maybe I wouldn't have even started [to do a seasonal job], but my pension, I mean, I thank god I was able to get it, but the cost of everything is so high, we all know this, and have to adapt in life as much as we can.

The second group are two informants who took up seasonal work while still in elementary school. However, it is important not to read these statements as a form of child labor in agriculture; that is, children took up work on the fields or orchards most commonly because their parents were employed in seasonal work. As the informants themselves say:

I took up a seasonal job at age nine. My mother, since she is a single parent, we were alone, she worked in a company that was starting to collapse, they weren't getting paid, and she heard that the agricultural association [...] was looking for workers to go pick cherries [...] So, she went and put her name down. However, since there was no one to take care of me during the summer months, so as not to be alone at home, she took me along, and I could go with her to help her as much as I could. You know, cherry picking as a summer activity [...] So it was, everybody went: children, my friends, let's go make some pocket money to spend during the summer – that's how I started. After, I had to, as time passed and we needed money. Over the summer, we do seasonal work. I mean, nobody does that because they don't need the money [...] It depends if they (the parents) had enough money, then I worked for myself, for pocket money, and if we were short, then the money would go for the family.

Work on the fields or orchards, annually, is often complemented by other forms of temporary and occasional employment. After the season was over, the informants often worked together on packaging food in cooling plants. Four of the informants, aside from seasonal work in agriculture, were employed in wage labor in other agricultural homesteads, in taking care of animals, or care for the elderly:

Well, yes, everything I did as seasonal work, it would count for seven or eight years of work [that would count towards my retirement]. You know, I worked in private homes, in one I would go to milk the cows, to feed them, to clean the stables. I mean, there was no work. I took care of an old woman here (in my local place of residence), but I could no longer do that job, because she died and I started working these seasonal jobs.

Due to the lack of legal regulation of seasonal work, in some cases, these women had no contract of employment. A frequent case was that their employment status was established through youth associations, even though they could not have been properly registered in this way due to their age category



(cf. Lupšor, Dorđević 2016). Being registered under a different name, that of a young person, meant that they did not have recourse to a slew of guaranteed labor rights, in particular protection and workers compensation, leaving them in a particularly vulnerable category. Work registered by way of youth associations, in the case of women who were not of the appropriate age category, left room for various kinds of economic violence, such as lower recompense or specific forms of exclusion from labor rights. However, it is important to note that although under the new law on seasonal work these specific practices will not be possible (NALED 2019: 6), this does not mean that they will not take place in new forms. Further, a high number of informants did not have sufficient information about their labor rights, something particularly visible in the case of retirees. Women who received pensions generally feared that seasonal work would mean they could lose their pensions:

Allegedly, you could work if you are a retiree, you could give your info for a contract. “You’ll have no problems” – that’s what they told us. Some of us gave our info, some didn’t. Now, those who had a pension, they were really scared to lose it. So, when we go to the field, those who had pensions and were registered under different names, they worked together, so that if there’s an inspection, they would skip them, so as not to lose their pensions. If there’s an inspection, they just disappear. Once, this was funny, work was going normally, and there was an inspection. You hear it right away. But there, it was all fenced in. So, the brigadier runs up and says that the inspector is there, that we need to hide. Apparently, there was a hole in the fence, for us to pass through. But everybody started running every which way, it was chaos. Nobody knows where the hole is. Some jumped over – it was hilarious – they all wanted to hide. Two or three remained, but the rest fled. So, for two to three hours we hid, waited to see what would happen.

Overall, it is important to emphasize that all the informants took up seasonal jobs due to the difficulty of finding other employment or due to meager pensions. Seasonal work in agriculture was not a permanent position for any of them. In the case of younger women, further, a dominant reason was that their parents did not earn sufficient income, while in some cases this meant that several family members worked in seasonal jobs together. The absence of systemic help for unemployed women, the absence of solutions how to find them employment, and the dynamics of temporary and occasional jobs, which also fall into the “informal” sector, together with meager pensions – are all structural conditions for the manifestation of various forms of violent practices and socio-cultural inequalities, more on which in the next section.

## **The Gender Dimension of Seasonal Work in Agriculture**

According to the informants, seasonal work is mostly taken up by women, often older age, and they think that there is no discrimination in “hiring” based on age, religion, ethnicity, or nationality. However, the informants note that the reason for the majority of workers in agriculture being women is not a



consequence of strategic gender segregation in hiring, that is, there is no exclusive demand for women seasonal workers from the employers. The greater number of women is explained by their unfavorable position on the labor market and lack of choice. Although employers do not care about the gender structure of their employees, according to the informants, women take up these jobs because men do not wish to work seasonally in agriculture, but rather seek better-paying temporary and occasional jobs:

They (the employers) care about having enough people to do the work. How the group will function, they couldn't care less. Whether it will only be youth, only older people, only women, only men – they do not care. All they want is the job done. They don't go into who is how old, where they're from and who they are – no. You're there to get the job done and that's it.

Well, I think that men probably do some other work – masonry or something like that – because the wages are higher. I assume that it's that; women, for their part, I mean, there's nothing left other than the field or cleaning houses. I mean, there's nothing else, nowhere else to make a buck.

Older women and men [...] Nah, this will only last a little bit – we, older women, and soon enough they (the employers) will be crying out for hands [...] Men work too. There's not much of a difference now. I mean, it's still mostly women, but there are plenty of men. Women have less, they are less employed [...] and then these men figure that the field is for the woman, not for men.

Paradoxically, although there is no emphasis of gender segregation in “hiring”, the gender division of working in the fields features prominently in their statements. Women seasonal workers testify that they do encounter a division between “men's” and “women's” tasks, which in the broadest sense can be interpreted as “more difficult” or “easier”, with the wage for “men's” jobs higher compared to “women's”. Aside from loading and unloading goods, among the “more difficult” jobs are considered the transport of workers, use of machines; on the other hand, “easier” jobs include tasks that demand “greater precision and hygiene” (classifying, sorting, picking, work in cold storages, etc.):

For example, if we're working on peppers, the brigadier lady takes 30 women, only on peppers. They don't even pull the weeds, just plant the peppers. She already knows who she wants, it's always women. Then, we went to peel onions, and that was all women. But, ok, peeling onions, that required hygiene. You really need hygiene in this case [...] there's the knife, you're peeling, the cloth, wiping it clean, putting it in the crate, and it all has to be even. You can't have all that, you know, when you have to fix it, it has to be even [...] so that was all women. A man would hurry and mess up.

The concept of “nimble fingers”, where women are considered “more appropriate” for certain tasks in agriculture is not a specificity of Serbia or a local area. This is an example that can be analyzed on the global level. As Collins and Krippner point out in their studies of the agricultural industry in Latin American

countries, ideas of “nimble fingers” serve to mask the fact that women are employed in certain seasonal jobs that could be defined as requiring specific skills, and thus higher wages (1999: 523). However, as in the case of Latin America, in Serbia, women do not get higher wages for performing these tasks. On the contrary, socio-cultural connotations, constituted within a gender division of work, are reflected in the cost of labor. As the informants explain, if women do “men’s” jobs, such as transport of workers, there is a possibility that they will not be paid the same amount as men doing that job. As one of the informants states: “I was the only women transporting apples. And I did not always get an increase in wage.” However, when men do the same work, so-called “women’s” jobs, the informants point out that there is no difference in wages.

Finally, a significant research point was whether such conditions and relations in seasonal work allow space for violent practices, in the sense of physical, verbal, or any other form of direct violence in the workplace. When asked whether they encountered any sort of violence in seasonal work, all informants explicitly answered in the negative. However, through the conversation about interpersonal relations in the fields and orchards, there are descriptions of physical and verbal conflicts – among the workers, but also from the group leaders, and the informants often label them as isolated cases, not directly connected to seasonal work and its environment:

I didn’t have a really bad experience, but it’s been known to happen. You know, it comes down to both us and them (the group leaders/brigadiers). It all depends [...] She can (group leader/brigadier) yell at us, yell and yell, and say all kinds. She says a lot of stuff, but I don’t listen (laughter). She calls us “wally,” tells us we are useless, that she’s no clue what’s with us today, whether we landed from Mars, from outer space, whatever.

One informant cited an experience of physical and verbal violence by her employer, when working at private stable. Although the example is not in direct relation with seasonal work in agriculture, it is important to mention, as it indicates a higher degree of vulnerability of seasonal workers in general, in particular as in many cases they move horizontally through various forms of temporary and occasional employment:

So, when I got there, when I ground up everything in the morning, he nearly tried to hit me. To hit me! You’re a cow, you’re a dumbass, you’re a good for nothing, you are this and that... I said, I don’t know what I did? [...] and he grabbed the pail and threw the milk on me. This man was angry, and I couldn’t take it when he beat his cows, I think a cow died once from the beating. I mean, it was awful. I shed more tears there than anywhere I worked. I worked a whole month there for eleven thousand. I went crazy. Plus, he abused me so much and all the horrible things he said. I worked from the morning, seven hours in the morning, and seven in the afternoon. That’s how much I worked at that homestead.

The dominant topic in the conversations held were descriptions of work in the fields and orchards; for reasons of length, these details were left out of

this text. In addition to the informants' description of seasonal work as physically very demanding in specific climate conditions and/or as long-hour jobs on the lowest social rung, one particularly notable topic was the poor working conditions. Hygiene in the fields is also an important topic, above all because of a lack of designated spaces to take care of sanitation needs, places to eat, a lack of drinking water, sun and chemical protection, lack of auxiliary and protective equipment for work. Another significant topic was the price of work, which has been touched upon in this text, but must be underscored that the informants point out that the wages differ geographically, that is, that the same kinds of jobs are differently remunerated in different parts of Serbia, which is a topic for further investigation.

### Concluding Remarks

The fundamental question of this paper was whether seasonal work contained elements of structural violence, specifically gender-based violence. Gender inequality reproduced in this kind of work is not exclusively the result of the absence of a particular law that would regulate it. The recently adopted Law on Simplified Employment in Seasonal Work is neither the only nor a sufficient condition for understanding and analyzing the situation of women seasonal workers in agriculture. Rather, it must be taken in combination with a slew of other laws, institutional strategies, and mechanisms. This requires a more detailed analysis of public policy, with special focus on various forms of discrimination in the domain of labor and social rights. For this reason, in this text, I have made use of data from political economy and statistics. Further, the socio-economic status of women seasonal workers in agriculture must be looked at within the framework of austerity measures, privatization, and political-economic transformations from socialism into neoliberalism in Serbia, where the risk of poverty and limited availability of public services and institutions are crucial. Namely, neoliberal reconfigurations have certainly led to ambivalences and lack of transparency in society, where roles, responsibilities, and social safety procedures remain poorly defined between the state, the market, and broader society (cf. Brković 2017b). The absence of the state is best seen in the example of the legal possibility to arrange for seasonal employment through a verbal agreement, while at the same time there is no other opportunity left to women in certain community except to become seasonal workers. Such operational frameworks are significant if we are to understand the conditions for the reproduction of inequality of women in seasonal work.

First, if we compare the official statistics about the position of women in the labor force in Serbia with the given statements by informants, we can also recognize identical structural effects in examples of seasonal work in agriculture: all informants entered seasonal work in "informal" ways, due to poverty and/or difficulties in finding other forms of employment. The informants point out the high number of older women, who are also considered a particularly vulnerable group in official statistics. This means that employing women in seasonal

agricultural jobs should be understood within so-called “underemployment” or “vulnerable employment”, rather than the result of free, individual choice. Particular attention should be paid to various “categories” of women seasonal workers, depending on their age and social status: retirees, young women, women of different ethnic and national groups, recipients of social security, employed and unemployed, etc., since all these socio-economic positions reflect individual capability to respond to inequality, discrimination, and violence, particularly regarding wages and (poor) working conditions.

Second, in their statements, women seasonal workers move horizontally across the labor market: when not working seasonally, they take up other forms of so-called “elementary occupations” and “female” jobs (such as cleaning and care for the elderly). The cycle of seasonal work also contributes to this, as does the limit on the permitted number of working days in a calendar year for seasonal work. Many workers take up seasonal work for several different employers throughout the year, which raises questions of exploitative practices, further “informal” employment, or renewal of registration to work in temporary or occasional employment in line with labor law. Thus, instead of evaluating seasonal work in terms of its temporary, occasional, and discontinuous nature, it is important to consider the activities of these women seasonal workers within the market, as well as when they are not active in their seasonal jobs.

Third, all informants thought that it was a good idea to place seasonal work within a legal framework, above all for the sake of health insurance and social security. This is a significant point, in particular in light of the adoption of the law regulating employment in seasonal work in agriculture. As the research was conducted at the time when there was no dedicated law, a question for further research is whether and how the law passed has helped improve (or indeed degrade) the socio-economic position of women seasonal workers. A current projection is that the existence of verbal agreements will almost certainly result in the reduction of resistance among seasonal workers to be registered in their employment, as this would allow them social security without losing whatever social benefits they already have (Reljanović 2019: 77).

Finally, what is missing from analysis of official records and economic perspectives is the socio-cultural conditioning of women to take up seasonal work in the first place, which in turn reflects back onto their socio-economic reality. All the informants took up seasonal work with other members of their families, which means that focus should be placed on familial or partner dynamics, as well as assigned gender roles within the family. In that sense, children’s participation in seasonal work initiates debate about child labor, but also the socio-economic position of mothers who do seasonal work. As one of the informants states, this is very important in the case of single mothers who take their children to the site of (seasonal) work, as they have nowhere or no one to leave them with during work hours – this is an aspect that requires further investigation and analysis. Further, the work conditions and organization, the gender division of tasks, as well as the roles taken up and relationships formed in the course of work also significantly manifest gender-based violence. The

absence of gender inequality in the process of hiring is not surprising, given that these are rather low paid and socially very denigrated jobs. As the informants state, the employer's main aim is to turn a profit, which is why they do not discriminate in hiring for seasonal work. Yet, since picking, sorting, hoeing, etc. are poorly paid tasks, men mostly tend to perform tasks of transport or entirely different, better paying jobs, such as construction. The gender division of labor also indicates the importance of reproduction of gender inequality and roles in the different activities men and women perform, in pay gap, as well as violent practices in seasonal work.

The gender dimension of seasonal work, thus, must be interpreted in various directions: on an institutional level, through the lens of class and gender positions of seasonal workers, and examining the social and cultural bonds that are created through seeking and performing seasonal work. If we take the structural framework together with the statements given by the women seasonal workers themselves about their own lived experiences in performing this work, the conclusion drawn is that such conditions leave room for various manifestation of gender-based violence on a structural level, but also direct violent practices.

(Translation by Edward Djordjević.)

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Lara Končar

## O položaju i iskustvima sezonskih radnica u poljoprivredi u savremenoj Srbiji. Može li se govoriti o elementima strukturnog nasilja?

### Apstrakt

U radu se razmatraju društveno-ekonomski položaj i iskustva žena koje su angažovane na sezonskim poslovima u poljoprivredi, i ukazuje se na elemente strukturnog i drugih vidova nasilja kojima su sezonske radnice izložene. Kao vid radnog angažmana, sezonski rad – zakonski izdvojen tek 2018. godine na području Srbije – i dalje čini delimično regulisanu oblast u kojoj se uočavaju različiti vidovi društvene isključenosti. Feministički orijentisana (antropološka) literatura koja se bavi rodnom dimenzijom sezonskih poslova u poljoprivredi u različitim delovima sveta ukazuje na značajne probleme nejednakosti i društvene marginalizacije. Na osnovu analize društvenih, ekonomskih, kulturnih, pravnih i drugih struktura – koje se pojavljuju u vezi sa organizacijom i kontrolom poslova i samog rada – uočeni su načini na koje se (re)produkuje i (p)održava nepovoljan položaj sezonskih radnica. Na taj način, otvoren je prostor za razmatranje pitanja strukturnog nasilja nad ovom kategorijom žena. Oslanjajući se na opšte zaključke istraživanja o položaju žena na tržištu rada u Srbiji, u prvom delu rada razmatram pitanje socioekonomskog položaja žena u poljoprivredi, a posebno sezonskih radnica, i ukazujem na elemente (re)produkcije njihove sistemske nejednakosti i institucionalnog isključivanja. Na osnovu kvalitativne analize materijala sakupljenog putem polustrukturiranih intervjuva i neformalnih razgovora sprovedenih sa sezonskim radnicama u poljoprivredi, u drugom delu teksta se bavim njihovim življenim iskustvima i ukazujem na koje načine društvene i ekonomske strukture i njihovi akteri, kao i kulturni obrasci, oblikuju prakse i (rodne) odnose unutar sezonskih poslova.

**Ključne reči:** sezonski rad, sezonske radnice, poljoprivreda, strukturno nasilje, rodno zasnovano nasilje