

# Vulnerability, Exploitation and Migrants

## Insecure Work in a Globalised Economy

Edited by

Louise Waite

*Associate Professor of Human Geography, University of Leeds, UK*

Gary Craig

*Professor of Social Justice, University of Durham, UK*

Hannah Lewis

*Vice Chancellor's Fellow, University of Sheffield, UK*

Klara Skrivankova

*Europe Programme and Advocacy Coordinator, Anti-Slavery International, UK*

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# Introduction

*Louise Waite, Gary Craig, Hannah Lewis and Klara Skrivankova*

Precarity is something that isn't reserved for a small specialised group of people – the precariat or whoever. It spreads, it affects us all. The whip of insecurity disciplines even those who were recently comfortable . . . . We are all zero hours.

(Richard Seymour, *Guardian*, 1 May 2014)

One in five workers in this country have no idea what days they will work or even if they will work from week to week . . . zero hours are not a rarity, they are a trap of low wages, anxiety and utter uncertainty.

(Len McCluskey, Unite Union, BBC News, 9 September 2013)

Firms are almost obliged to treat workers on zero hours contracts badly – for example, avoiding making offers of work on a regular basis – if they want to make sure that the employment status of the individual remains that of a worker [rather than an employee].

(Ian Brinkley, The Work Foundation, August 2013)

As evoked through the above quotes, this edited book explores issues of vulnerability and exploitation in the labour market, drawing on material from across the world. It does this through a broad-reaching analysis of the lived experiences of exploitation in different geographical contexts. In cataloguing these experiences, we range across global neoliberalised economies and emergent supply chains, states' management of migrants' mobility and the structural production of immigration statuses, characteristics of enclave economies for migrants and their co-ethnic/co-language networks, and national/international responses and interventions designed to tackle migrant exploitation.

## **Vulnerability and exploitation at work: Precarious migrant lives**

Exploitation at work is a topic garnering significant attention throughout history (e.g. Marx, 1976 [1867]). Yet there is a sense and a growing body of evidence that exploitation is on the rise across the world today (TUC, 2008; Holgate, 2011; Sargeant and Ori, 2013). Often presented by governments and the media in the Global North as mainly a problem for poor countries and marginal workers in the Global South, over the past two decades the prevalence of extreme exploitation and what some have called 'unfree labour' has become undeniably globalised. More recently, it has been suggested that the ongoing global financial and economic crisis is deepening exploitation, having negative consequences for vulnerable workers, who may lose their jobs in the current downturn or may remain in work facing worsening conditions and reductions in pay (IOM, 2009). Recent revelations in the UK of rising numbers of 'zero hours' contracts are symptomatic of such deepening exploitation.

The term 'precarity' is often used when attempting to describe these growing global levels of vulnerability and exploitation (Standing, 2011; Lewis et al., 2014). In a literal sense, precarity refers to those who experience precariousness and is generally used to invoke lives characterised by uncertainty and instability. Three important dimensions of precarity can be identified within the literature. First, a rise in insecure employment emerging from the globally prevailing neoliberal labour market model that renders certain groups vulnerable to exploitative and insecure working conditions, particularly in the context of a move towards deregulation of markets (e.g. Bourdieu, 1998, 1999; Dorre et al., 2006; Fantone, 2007). Those who work in the unprotected and precarious lower echelons of the labour market are said routinely to face uncertainty over continuity of employment, a lack of individual and collective control over wages and conditions, limited or no social protection against unemployment, discrimination and insufficient income or economic vulnerability (Rodgers and Rodgers, 1989). Secondly, wider feelings and experiences of insecurity beyond the labour market are experienced, indicative of a generalised societal malaise (e.g. Neilson and Rossiter, 2005). Thirdly, precarity has been politicised and identified as a potential platform for collective action to challenge both exploitative labour processes and a wider insecurity (Foti, 2005; Waite, 2009). This is supported by global institutions, such as the International Labour Organization (ILO) and the European

Trade Union Confederation, which are gathering data to underpin such action.

This book is an exploration of how and why *migrants in particular* are implicated in these precarious labourscapes. In recent decades, many receiving countries have faced increasingly diversified and complex migration streams and are encountering highly disparate groups of international migrants, driven by differing processes, within their borders. These include high- and low-skilled labour migrants, refugees, trafficked persons, students, undocumented persons and migrants moving for family reunion, marriage or lifestyle changes. In focusing on experiences of vulnerability and exploitation, this book is concerned, however, with the mass of migrant workers who find themselves working at the bottom of labour markets in low-paid precarious work, rather than transnational labour elites.

Although migrants have long underpinned low-wage economies in, particularly, the 'Global North', this dependency is thought to have grown dramatically in recent years (Burnett and Whyte, 2010; McLaughlin and Hennebray, 2010; Wills et al., 2010). For many employers looking to cut labour costs and to establish or maintain a competitive advantage, migrant workers offer a cheaper and more compliant alternative to local workers (MacKenzie and Forde, 2009), especially for those looking to employ people to do the 'dirty, dangerous and dull' (Favell, 2008) jobs at the bottom of the labour market. Migrants, especially new arrivals, are presented as being harder workers, more loyal and reliable and prepared to work longer hours due to their lack of choice and frequently limited understanding of their rights. This therefore intensifies competition and offers employers the pick of the 'best' migrant workers (McDowell, 2008; McDowell et al., 2009). As such, a growing body of work details the clear connections between migrants and exploitation in its various – and sometimes extreme – forms (Anderson and Rogaly, 2005; Craig et al., 2007; van den Anker, 2009).

The five parts of this book (described in the following) all spring from our key argument that vulnerable migrant workers experience commonplace exploitation within labour markets that are mediated and structured by the interplay of broader political, economic, social and gendered processes. Understanding the structural production of vulnerability through a political economy lens is a central theme of this book, alongside considering how the very process of defining certain workers as vulnerable can reinforce the segmentation of labour markets and global and national divisions of labour.

## **The globalisation of vulnerability**

The chapters in Part 1 are rooted within the global political economy perspective. Phillips, Smith and Pradella and Cillo together explore how the organisation of production and trade in the contemporary global economy generates or accentuates vulnerability and extreme exploitation in different contexts. Central here is the context of globalisation, the advance of neoliberalism and the resulting erosion of working-class power, widely held to have underpinned the rise of insecure and casualised employment relations over the past 30 years. Arguably, these processes have combined to structure two-tier labour markets in many countries, in which well-paid, skilled and highly protected employment is contrasted with flexible, low-skilled work routinely undertaken by marginalised groups such as migrants, young people and women (Barbieri, 2009). Global supply chains and the mushrooming of subcontracted agency labour (Fudge and Strauss, 2014) enable corporations to organise production across borders, generating an enormous supply of labour in competition for jobs and a 'race to the bottom' in wages and conditions – a phenomenon also apparent in national supply chains.

In Chapter 1, Nicola Phillips focuses on global trade and production and considers emerging private governance initiatives which aim to address the problems of forced labour and trafficking in global supply chains. She swiftly draws our attention to a recent initiative in California, USA – the Transparency in Supply Chains Act. This legislation – recently informing a clause in the UK government's Modern Slavery Act – is designed to deal with forced labour and trafficking and places firms as the agents of primary importance in this endeavour. As such, Phillips explains that this is an ostensibly new approach to governing supply chains in relation to labour exploitation and arguably serves as a 'world leader' worthy of emulation in other places. However, the chapter problematises the effectiveness of the Act in relation to corporate conduct and accountability in the global economy and broader public governance strategies.

Continuing the focus on the globalisation of production, in Chapter 2, John Smith considers the central place of outsourcing in the neoliberal era through firms' substitution of relatively high-wage Global 'North' labour with low-wage Global 'South' labour in countries such as China and Mexico. He charts a picture of increasing vulnerabilities and deteriorating social conditions for a growing majority of the South's industrial working class. The chapter argues that such neoliberal globalisation can be seen as a new imperialist stage

of capitalist development characterised by the persistent economic exploitation of southern labour by northern capitalists.

The final chapter in Part 1 from Lucia Pradella and Rossana Cillo (Chapter 3) illustrates Smith's focus on industrial workers in Global South countries by examining the phenomenon of the working poor in Western Europe, with a focus on the UK, Germany and Italy. Again we see the deployment of a global political economy lens as Pradella and Cillo speculate on the relationship between impoverishment and neoliberal globalisation in their case-study countries. The chapter contributes to debates on in-work poverty and asks whether enhanced worker protection can ever return under the aegis of the 'European social model' or if this is incompatible with the growth of casualised neoliberal labour markets.

### **Migrant workers, unfreedom and forced labour**

The chapters in Part II ask how and why particular migrant socio-legal statuses contribute to processes and continuums of unfreedom and forced labour, focusing particularly on the governance and legal regulatory processes at play when attempting to tackle such issues. With different foci, Kendra Strauss (Chapter 4), Matej Blazek (Chapter 5) and Alex Balch (Chapter 6) explore experiences of, and responses to, the particularly severe end of the exploitation spectrum (Skřivánková, 2010): forced labour/unfreedom. Although forced labour is typically understood as occurring primarily in the so-called slavery super-centres of India, Pakistan and Brazil (Craig, 2009), a recent surge of literature together with high-profile media cases have revealed the widespread occurrence of forced labour outside these geographical regions (e.g. Andrees, 2008; Geddes et al., 2013). Discussions of forced labour further overlap with the concept of 'unfree labour'. Argued to be a more expansive, and hence useful, concept compared to the more rigid definition of forced labour (which leans on fixed binaries such as free/forced), unfree labour situates 'unfreedoms' in opposition to 'free' labour, characterised by agreement, or 'free' contractual relationships (Phillips, 2013).

In the first chapter of this part, Strauss probes the intersection of migration and care-work to consider issues of commodification, privatisation and extreme exploitation in the 'private' realm. She focuses on Canada and the UK to explore domestic workers' experiences of unfreedom which often arise as a consequence of a sought-after settlement route. Strauss moves our understanding of the structural

subordination of migrant workers' rights towards a political economy construction of gendered domestic work.

Blazek shines an analytical light on a lesser-explored group of migrants in his chapter: non-EU migrants working in East Central Europe. In exposing the voices of, particularly, Ukrainian and East Asian migrants, he draws on the concept of structural violence to illustrate the intractable links between workplace exploitation and other forms of abuse at home and in public spaces. He further problematises the assumption that small migrant communities always give rise to homogenous experiences, for he finds diversity and differentiation among non-EU migrants working in Slovakia.

Balch brings Part II to a close with a rigorous evaluation of the UK's efforts to tackle forced labour. He charts the incidents involving migrant workers that have significantly raised public awareness of forced labour in the UK, arguing that these have shaped the emerging political discourse (reflected in a new Act of Parliament) around 'modern slavery'. The 'gaps' in regulation and enforcement are critically commented upon with a critique of early drafts of the Modern Slavery Bill,<sup>1</sup> together with a distillation of the reaction to this new legislation that highlights underlying political calculations and divisions.

## **The vulnerability of asylum seekers**

Part III illuminates the experiences of a particular migrant category by exploring the lives of refugees seeking asylum in different parts of the world. The chapters by Tom Vickers (Chapter 7), Maja Sager (Chapter 8), Donghyuk Park (Chapter 9) and Louise Waite and collaborators (Chapter 10), each analyses the interplay between asylum, broader migration policy and labour exploitation. Much recent research on migrant exploitation has concentrated on the constrained position of certain groups of migrants categorised by, for example, nationality (Pai, 2008; Kagan et al., 2011) or sector (Anderson et al., 2006). Yet immigration policy and insecure immigration status in particular are known to provide an environment conducive to exploitation by employers (Dwyer et al., 2011). The lack of, or highly conditional, access to legal work and/or welfare for asylum seekers therefore often renders them susceptible to severe exploitation.

In the first chapter of this part, Vickers catalogues asylum policies in the UK between 1999 and 2010. He argues that an increasingly repressive and punitive policy environment exists for asylum seekers and that this is likely to continue, despite vociferous resistance from civil



society groups and asylum seekers themselves. He links the position of asylum seekers to the broader role of migrant labour in the British economy and the pervasive dominance of a neoliberal system that implicitly champions the exploitation of labour for the benefit of the owners of capital.

Sager's chapter explicitly deploys the concept of precarity in the course of her analysis. In her exploration of the lives of 'refused' asylum seekers in Sweden, she traces the meanings of migrant irregularity for working experiences. She suggests that the concept of precarity is instructive, in that it allows an understanding of how exploitative work can potentially offer moments of security and inclusion, albeit temporarily.

The chapter by Park, in a similar way to Blazek's, focuses on an empirically lesser-explored group of migrants: Bangladeshi asylum seekers in Paris. Park closely describes their work in the informal economy of street fruit vending as a constrained livelihood strategy. He further indicates an increasingly unfavourable political atmosphere towards asylum seekers in France and documents their exposure to risky practices of police control and detention.

To close Part III, the chapter by Waite and collaborators argues that refused asylum seekers in the UK form a hyper-exploited pool of 'illegalised' and unprotected workers. A political economy perspective allows the authors to understand the construction of enforced destitution for 'refused' asylum seekers through sets of draconian asylum and immigration controls. Resulting strategies of individuals are frequently survival oriented, traversing both for-cash labouring and also labour that is transactionally exchanged for lodgings or food, operating in or close to an enforced situation of 'illegality'.

## **Hidden from view: The most exploited workers**

Part IV urges continued attention to heterogeneity within the 'migrant worker' category as it focuses on another socio-legal group of migrants – that of irregular or undocumented migrants, often portrayed as paradigmatic precarious workers. The four chapters from Jerónimo Montero Bressán and Eliana Ferradás Abalo (Chapter 11), Rebecca Lawthom and colleagues (Chapter 12), Alice Bloch and collaborators (Chapter 13), and Ismail Idowu Salih (Chapter 14) dwell on different experiences and constructions of irregularity and insecure work in migrants' lives.

Montero and Ferradás open Part IV by addressing the exploitation of migrant workers in the garment industry in Buenos Aires. The

overwhelming majority of these workers are undocumented workers from Bolivia – some having been trafficked into the industry. The authors turn their attention to the seemingly contradictory state action in this area – relatively progressive immigration and anti-trafficking legislation on the one hand but an implicit tolerance of the lucrative garment industry on the other, with associated compromising of migrant workers' rights.

The theme of fully or partially 'hidden' lives continues with Lawthom et al.'s chapter and their discussion of Chinese migrant workers in the UK. Many such workers enter the UK irregularly and lack understanding of the UK's complex immigration system. The chapter digs beneath the surface of this hidden community to reveal the networks mobilised to enable Chinese workers travel to the UK in pursuit of work – work that frequently becomes severely exploited.

In the penultimate chapter of this part, Bloch and colleagues continue this interest in how networks facilitate undocumented migrants' lives. They draw on research with undocumented migrants working in London and discuss how networks are particularly crucial for workers to secure jobs and switch jobs, yet they can also bind workers to exploitative labour. The nature of hidden lives means that these networks often remain within ethnic enclaves, and the authors discuss, importantly, how workers' agency can be deployed in these contexts to make gradual changes in working lives.

The chapter from Salih closes this part by focusing on the situation of domestic workers in the UK, who, he argues, can experience conditions of slavery. Although there is a particular 'regular' visa category for overseas domestic workers in the UK,<sup>2</sup> Salih suggests that factors such as the hidden nature of domestic workplaces and a lack of legal protection combine to heighten concealed experiences of exploitation and servitude. He also considers the transition from a highly constrained immigration category to an 'escape' into irregularity.

## **Interventions: Tackling labour exploitation**

The chapters in the book's final part consider the multi-scalar steps that might be taken to combat exploitation of the most vulnerable workers. Taken together, the chapters from Domenica Urzi (Chapter 15), Ana Lopes and Tim Hall (Chapter 16), Annie Delaney and Jane Tate (Chapter 17), and Joanna Ewart-James and Neill Wilkins (Chapter 18) highlight innovative intervention strategies in particular sectors and spheres and argue for strong concerted action from a range of key local, national and international actors and agencies.

In the opening chapter of the part, Urzi explores the experiences of migrant workers labouring in the agricultural sector of southern Sicily. She incorporates the idea of pursuing ‘dignity in the workplace’ as a strategy for exploitation reduction. As with the work of Waite and colleagues, she argues that citizenship categories matter and shows how the immigration status of new European citizens and non-European citizens affects their relationship with the local labour market. The policy response should be a new form of European citizenship.

Lopes and Hall focus on a much-lauded strategy to improve workplace conditions, both for migrants and other vulnerable categories of workers: the ‘living wage’. Despite living wage campaigns growing in prominence in civil society and political circles, there remains a lack of rigorous analysis of the impact of such strategies. The authors set about to make their contribution in this area, through an analysis of the impact and legacy of a living wage campaign among cleaning workers in a London university.

The chapter by Delaney and Tate takes us back to the context of globalised supply chains raised in Part I and focuses our attention on initiatives to ameliorate exploitative employment practices. They examine the Indian textile industry, introducing the lives of young women working in highly exploitative conditions and producing garments for export to European retailers. Delaney and Tate explore the approaches taken at different scales in order to apply pressure on global corporations to improve workers’ conditions in garment supply chains.<sup>3</sup>

The final chapter of this part similarly shines a light on an initiative designed to tackle exploitation in a specific industrial sector. Ewart-James and Wilkins introduce us to the low-wage, low-value business model of the UK hospitality sector and describe the ‘Staff Wanted’ initiative, designed to highlight the compatibility of business ethics with respect for human rights. The chapter in particular encourages any similar intervention and advocacy work to engage industry leaders and employers to incorporate effective redress mechanisms for workers subject to exploitative employment practices.

Overall, the book both provides a perspective on vulnerability, exploitation and precariousness from across the world, informed both by global analyses and by local case studies, and reflects the perspectives of many migrants whose labour market incorporation is structured by constrained citizenship status. The book challenges the notion of precarity as a condition affecting a relatively small number of workers in unusual situations: this kind of vulnerability affects hundreds of millions of workers for reasons which are driven by global structural economic changes and require global responses in which governments,

transnational organisations, such as the ILO, and trade unions have to take active and high-profile leadership roles. Without this countervailing action, precarity will indeed eventually affect us all.

## Notes

1. The Bill received its Royal Assent to become an Act on 26 March 2015.
2. This visa status became a focus of campaigning during the passage of the UK Modern Slavery Bill as the removal of the right to change employer means that overseas domestic workers protesting their working conditions (which may include violence, abuse and rape) by leaving their employment are liable to be deported.
3. These conditions came to prominence with the collapse of the Rana Plaza building in Bangladesh in 2014 in which hundreds of workers died: it transpired that factories within it produced clothing for a range of well-known high-street brands across the world.

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