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**Fielding the Wrong Ball?  
A Critique of Global Policy Approaches to ‘Forced Labour’**

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The launching in 2005 of the International Labour Organization (ILO)'s Global Alliance Against Forced Labour was emblematic of the growth of global policy interest around this issue. It went along with initiatives elsewhere in the United Nations (UN) system: the so-called Palermo Protocol of the UN Office on Drugs and Crime, which deals with human trafficking, entered into force in 2003; in 2007 the UN Human Rights Council established a Special Rapporteur on Contemporary Forms of Slavery, which replaced the Working Group on Contemporary Forms of Slavery that had been active since 1974; and the UN Global Initiative to Fight Human Trafficking (UN-GIFT) was also launched in 2007. Other international policy organisations picked up the theme, notably in the Council of Europe Convention on action against trafficking in human beings, which entered into force in 2009.<sup>1</sup> Some national governments have put in place various kinds of legislation adopting the human trafficking rubric, as in the US, UK and many other European countries; alternatively, others have addressed the specific forms of 'forced' and child labour which occur in their countries, as in the National Plan for the Eradication of Slave Labour in Brazil, established in 2003, or the successive amendments to laws on child labour in India. Meanwhile, firms and employers, especially the big branded companies, have steadily expanded the range of their corporate social responsibility (CSR) activities, ostensibly paying more attention to issues of forced labour in global supply chains alongside other matters pertaining to labour standards. And some consumers, especially in Europe, are becoming attuned to the issues associated with these extreme ends of the spectrum of exploitation of workers in global and local economies, refracted largely through the 'trafficking' discourse and various high-profile exposés of forced and child labour in global supply chains.

Across these various arenas of policy and activism, it is fair to say that ILO approaches to forced labour dictate the parameters of the issue and the terms on which it is engaged. Inevitably, definitions carry implications not only for theory but also practice. How the ILO defines the concept of forced labour, where it establishes the boundaries of the problem, and, in particular, how it understands the forces driving its emergence and persistence are thus definitive of global policy responses in general. Taking the ILO as a focal point for these reasons, the aim of this paper is critically to scrutinise the dominant approaches to forced labour that have taken shape in the contemporary period. The growing attention to this issue is unquestionably to be welcomed, as is the sustained and highly committed work invested in raising its profile on the part of the ILO and other agencies. Yet we argue here that there are important difficulties with dominant approaches to

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<sup>1</sup> It is important to note nevertheless that ratification of this Convention has been slow and tortuous, with no small amount of reticence among some national governments.

forced labour, which arise from what we see as misdirected and partial understandings of the nature of the problem.

On the one hand, we contend that the prevailing approaches are oriented in the main to addressing the manifestations of the problem rather than the complex forces which drive its emergence and persistence in the contemporary global economy. In other words, the problem is understood in terms of its symptoms, as, when and where they appear, rather than in terms of its structural and long-term causes and roots. On the other hand, the prevailing classification of these symptoms (that is, the definition of what constitutes ‘forced labour’) has acted to muddy the bigger picture relating to underlying causes and roots, complicating the possibilities for a fuller understanding of how and why these extreme forms of labour exploitation emerge. Specifically, we view the deficiencies of dominant approaches to lie in a sequence of areas. First, the construction of a separate category of ‘forced labour’, and the framing of forced labour as intrinsically a different problem from other, ‘normal’ kinds of un-decent or exploitative work, is problematic. Second, the labour relations defined as ‘forced labour’ tend, equally problematically, to be approached as an aberration in the normal functioning of global and local labour markets, in ways which obscure the nature of the problem and misdirect efforts to address it. Third, the roots of these highly exploitative labour relations, which lie in large part in the dynamics of poverty and marginalisation within this political-economic context, are still only superficially analysed and poorly incorporated into policy approaches.

On this basis, we set out an understanding of these kinds of labour relations as embedded in the complex dynamics of ‘adverse incorporation’ into global and local economies. We see these dynamics to be circular in nature. The relations of what the ILO calls ‘forced labour’ are driven by prevailing patterns and forms of poverty and marginalisation, which facilitate forms of ‘adverse incorporation’ into economic activity characterised by high levels of insecurity and vulnerability to severe exploitation. At the same time, these forms of adverse incorporation inhibit the ability of poor workers to engage in accumulation (as opposed to short-term survival) strategies which would enhance their economic and social security in the long-term, thereby entrenching conditions of chronic poverty and marginalisation and perpetuating the circle of vulnerability to exploitation in work. These processes challenge orthodox assumptions, prevalent across the global policy community, that the dynamics of poverty are related to conditions of exclusion from labour markets, and by extension that incorporation through employment is the key to the reduction or eradication of poverty. We argue that these dynamics of adverse incorporation are intrinsic to the

constitution and perpetuation of ‘forced labour’, and that they require a much more central place in the dominant policy frameworks surrounding these issues.

We elaborate these arguments in what follows, with empirical illustrations drawn from research in Brazil and India.<sup>2</sup> The first section of the paper explores how the issue of forced labour has been defined and understood by the ILO, and by extension across policy communities, and documents what we see to be some of the limitations of the resulting approaches. The second section locates the issues in the context of global production networks (GPNs) and the labour markets that sustain them, challenging the pervasive assumption that these kinds of labour relations represent an aberration in the ‘normal functioning’ of these markets. The third section then links these arguments to the question of poverty, marginalisation and (mal-)development which, in our view, are intrinsic to the ways in which these kinds of labour exploitation need to be understood, but as yet inadequately integrated into prevailing frameworks and approaches. The conclusions pull together the implications of the discussion for policy.

### **The ILO and Contemporary Approaches to Forced Labour**

The ILO’s concern with forced labour is of long standing, but became muted for much of the 1970s and 1980s when the ILO entered a period of ‘existential challenge’ from neoliberal globalisation and the encroachment of the international financial institutions’ structural adjustment strategies (Standing 2010: 312; also Standing 2008). The subsequent reorganisation of the ILO and its efforts resulted in 1998 in the Declaration on Fundamental Principles and Rights at Work, which condensed the vast array of labour rights into just four ‘core labour standards’: freedom of association and the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and education. While it could be argued that the scope of both debate and policy around labour rights and labour standards was thereby problematically narrowed, nevertheless the Declaration paved the way for a much more sustained interest in the problem of ‘forced labour’. The publication of the first key report on the subject (ILO 2001) was followed by the establishment in the same year of the Special Action Programme to Combat Forced Labour

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<sup>2</sup> This research in Brazil and India was conducted as part of the same project, funded by the Chronic Poverty Research Centre, to which the present paper corresponds. The other outputs are Bhaskaran et al. (2010), Phillips (2010b) and Phillips and Sakamoto (2010).

(SAP-FL), as part of the ILO's broader efforts to promote its 1998 Declaration.<sup>3</sup> Likewise, the International Programme on the Elimination of Child Labour (IPEC), which was created in 1992, quickly expanded to become easily the largest and most funded operational programme of the ILO (Standing 2008: 376; Standing 2010: 312).<sup>4</sup>

The definitions of forced labour which inform the work of SAP-FL are taken from much earlier ILO conventions. Following Convention 29 of 1930 (known as the Forced Labour Convention), forced labour is ubiquitously defined as 'all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily' (Article 2.1). Convention 105 of 1957 supplemented this definition with greater precision about the purposes for which forced labour was used and was to be prohibited: a) as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system; (b) as a method of mobilising and using labour for purposes of economic development; (c) as a means of labour discipline; (d) as a punishment for having participated in strikes; (e) as a means of racial, social, national or religious discrimination (Article 1). These two instruments are complemented by the UN Universal Declaration of Human Rights of 1948, through its provisions on the 'right to be free from slavery or servitude; equality before the law and equal protection of the law; protection against discrimination; and effective remedy by national tribunals' (ILO 2005a: 5).<sup>5</sup>

This working definition of forced labour thus rests on two key notions: the 'involuntary nature of work' and the 'menace of a penalty' (ILO 2005a: 6, Box 1.1). The former is understood as 'the route into forced labour' and as taking many forms, among which are listed abduction or

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<sup>3</sup> SAP-FL operates under the umbrella of the ILO's human rights and labour standards programme, and orients its work to four key objectives: (a) research to understand the nature and extent of forced labour and the characteristics of the people and populations who are vulnerable to it; (b) knowledge sharing and awareness raising; (c) capacity-building by providing advice on appropriate legal processes and sanctions, and strengthening the institutional capacity of governments and stakeholders; (d) country-based and sub-regional technical cooperation programmes for prevention and the identification, release and rehabilitation of people released from conditions of forced labour. See ILO (2006).

<sup>4</sup> Also see <http://www.ilo.org/ipec/programme/lang--en/index.htm>. The ILO's Child Labour Convention is likely to become the first convention to achieve universal ratification – comments by Simon Steyne to the ESRC seminar on Unfree Labour, Clifford Chance, London, 29 April 2010.

<sup>5</sup> Both conventions on forced labour have been widely adopted, and are among the two most ratified conventions of the ILO. Based on ILOLEX Ratification Tables (as at 25 August 2010), 174 countries (95 per cent) ratified Convention 29 and 169 members (92 per cent) ratified Convention 105. Nevertheless, a high ratification level masks a patchy record of implementation and observance. Many countries have not incorporated a specific offence of forced labour into their criminal law, although many have included it in their labour law. Moreover, in many cases laws refer to the issue in global terms, without specifying the different forms that forced labour can take, and fail to indicate appropriate penalties for the use of different forms of forced labour (ILO 2005a: 7). Countries that have not ratified include China and South Korea. The Conventions were more explicitly denounced by Singapore and Malaysia 1979 and 1990 respectively, claiming 'divergences with the ILO in the interpretation of national legislation' (see ILO 1990, 2008).

kidnapping, psychological or physical compulsion, induced indebtedness, deception or false promises about types and terms of work, withholding and non-payment of wages, and retention of identity documents or other valuable personal possessions. The ‘menace of a penalty’ refers to the means by which a person is kept in that condition of work and refers to both actual and credible threats, such as physical violence against a worker or her family or close associates, sexual violence, physical confinement, the removal of rights or privileges, threats of dismissal or denunciation to authorities, deprivation of food, shelter or other necessities, and exclusion from future employment. The defining emphasis thus rests on diverse forms of force and coercion in these kinds of labour relations, rather than the conditions of work. In the ILO’s (2009: 6) formulation, ‘a forced labour situation is determined by the nature of the relationship between a person and an “employer”, and not by the type of activity performed, however hard or hazardous the conditions of work may be’.

On this basis, the landmark 2005 *Global Alliance Against Forced Labour* report calculated a minimum estimate of 12.3 million people worldwide working in conditions of forced labour (ILO 2005a: 12), in which some 9.5 million were found in Asia and the Pacific and some 1.3 million in Latin America and the Caribbean, with smaller numbers in other regions. A figure of 360,000 was recorded for the group of ‘industrialised countries’. The report broke these numbers down by forms of forced labour, identified as imposed by the state or military, by private agents for commercial sexual exploitation, and by private agents for economic exploitation (ILO 2005a: 10). Of these, the latter category was established to be by far the largest, affecting some 7.8 million people worldwide, or 64 per cent of all cases. In all regions except ‘industrialised countries’ and ‘transition countries’, economic exploitation constituted the vast bulk of forced labour; in those two exceptions, either commercial sexual exploitation or a ‘mixed’ category accounted for the majority of cases.<sup>6</sup>

Inevitably, the prior definition of the problem determines the quantitative estimates that are subsequently made about its prevalence. For this reason the ILO’s numbers, and indeed any other numbers, are open to dispute in an area where accurate data are impossible to compile. Yet for our purposes the quantitative question is less immediately relevant than both the prior definition of ‘forced labour’ and the understanding of the problem that it both reflects and shapes. In this respect,

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<sup>6</sup> It is significant that there is still a stalemate around prison labour in the ILO, and that this form of compulsory labour has not been integrated into the ILO’s forced labour agenda. The persistence of prison labour in the US, as well as China, is clearly crucial to this situation.

the ILO's analysis of the political economy of forced labour – that is, the political-economic structures and dynamics which account for the emergence and persistence of these kinds of labour relations – has rightly been noted as 'restricted' due to its failure to engage with the big questions of capitalism and globalisation (Lerche 2007; Rogaly 2008). The relevant issues are mentioned in the 2005 *Global Alliance* report, and indeed in subsequent statements. They are introduced rather tentatively early on in the 2005 report:

There is still far from full consensus as to the structural causes of forced labour. In developing countries there are ongoing debates as to whether the failure of credit or financial markets, or agrarian systems and unequal power relationships, explain the persistence of forced and bonded labour in rural societies. And in all countries, a particularly difficult question is whether current patterns of globalization are actually creating, or contributing to, new forms of forced labour (ILO 2005a: 18).

Later on the problem of forced labour is also clearly situated in the broader context, and moreover presented as intrinsically defined by it, in the statement that forced labour represents 'underside of globalization' (ILO 2005a: 63; also ILO 2001). Brief mentions are made in this respect of 'increased global competition, migration and labour market deregulation' (ILO 2005a: 63), and how global production networks and value chains work. Cost pressures on suppliers in a competitive global marketplace, the role of labour contractors in that context, and the limitations of institutions and labour inspection systems are identified as some of the principal issues of relevance in a generalised situation of 'desperation' among employers in the emerging private sector 'to capitalise on world market opportunities by exacting as much labour as possible from a cheap and often unprotected workforce' (ILO 2005a: 63). The resulting exploitation, crucially, is described as the result of 'one of the most blatant *failures of labour markets*, and even of global governance, to address the needs of arguably the most vulnerable and least protected human beings in the world today' (ILO 2005a: 63, emphasis added).

Yet this is the extent of the analysis of globalisation in relation to forced labour, and indeed it is telling that only just over two pages of the 87 in the 2005 report are devoted to a discussion of forced labour and the global economy (Lerche 2007: 430). The issues of whether globalisation causes the problem of forced labour, and whether the achievement of a 'fairer globalization' would eradicate it, are raised but only in passing, and posed simply as questions which are left unanswered. The matter of capitalism fares even worse: as Ben Rogaly (2008: 1432) notes, the

*Global Alliance* report contains no mentions of the word ‘capitalism’ and only six of ‘capital’, three of which refer to the very different issue of ‘social capital’.

On the face of it, the question of poverty does rather better, receiving more detailed attention than matters relating to globalisation and the global economy. Significantly, the two issues are not linked to one another. Poverty is instead addressed in a section relating to diverse forms of poverty and discrimination in the developing world. The report makes the very important connection between poverty and forced labour in the opening paragraph of this section, alluding instructively to the ways in which poverty both makes people vulnerable to coercive labour arrangements and, in turn, can be a consequence of forced labour practices, ‘lock[ing] [people] in a cycle of poverty from which they cannot extricate themselves’ (ILO 2005a: 30). This statement is clearly germane to the arguments that we develop in this paper. Yet, significantly, there is an equivocal tone to this passage, starting as it does with the statement that ‘it is sometimes argued that poverty is one of the basic causes of coercive labour arrangements, and that only by eradicating overall poverty can forced labour be overcome’. It remains unclear whether the ILO itself subscribes to this view. The report goes on, in line with subsequent reports such as *The Cost of Coercion* (ILO 2009), to identify the importance of historical patterns of discrimination and disadvantage, including against caste and other minorities in Asia, indigenous peoples in Latin America, and descendants of slaves in Africa. Emphasis is placed on the persistence of ‘rural serfdom’ and the newer forms of bonded labour, in which indebtedness traps people into situations of forced labour in both rural and urban contexts.

Forced labour is thus presented as simultaneously a labour market issue, requiring both the elimination of serfdom and the establishment of social protection systems ‘to temper the market forces that can drive people, often former rural dwellers uprooted from their land, into new forced labour situations in urban areas’ (ILO 2005a: 30), and an issue connected with poverty alleviation. In some settings the issue of forced labour has been tied to the Poverty Reduction Strategy (PRS) process, and is explicitly linked in the ILO’s statements with the UN Millennium Development Goals (MDGs), inasmuch as the elimination of forced labour is seen as likely to assist in the achievement of the specific targets on poverty reduction contained in the MDG framework. Yet it is significant that there is very little collaboration between the ILO in its work on forced labour and the work on poverty reduction in other international institutions. Forced labour is not substantially incorporated into the poverty reduction agenda of the global development community and, notwithstanding the emphasis in this agenda on employment as the key to poverty reduction – a

point to which we will return shortly – the issue of forced labour has not found a clear place in the World Bank’s view of poverty and its dynamics.<sup>7</sup>

For our purposes, the key points in relation to poverty are thus three-fold: first, that little attention is given in prevailing approaches to understanding *how* poverty and forced labour are related to one another, beyond otherwise well-taken, empirically substantiated assertions of the high correlation between them; second, that in the main the discussion of poverty refers to the forms of discrimination that make people susceptible to various situations of debt bondage; and third, that the issues of poverty and ‘the global economy’ are kept separate from one another. We turn now to explore in more detail the limitations and consequences of this kind of framing.

### *The ring-fencing of ‘forced labour’*

We have seen that the issue of forced labour has been defined as a distinct and discrete phenomenon and, by extension, a largely self-contained area of policy interest. The stress on coercion, as both a lack of consent and a range of forcible practices, is intrinsic to the conception of the problem set out by the ILO and widely accepted across global and national policy communities. The rationale for constructing a discrete category of ‘forced’ labour along these lines, and in so doing isolating it from other kinds of labour relations, is usually attributed to the facility that thereby emerges for the criminalisation of perpetrators. That is to say, the classification is necessary in order for forced labour to be defined as a crime and integrated into criminal law. However, the implications of this otherwise worthy goal are unfortunate in varied respects, and, we argue, permit only partial understandings of the problem and its complexities. It must of course be recognised that many of the imperfections of the definition and many of the shortcomings of this strategy are recognised and acknowledged by ILO officials and other policy makers. Yet the sense is that the possibility of criminalisation is too important to dispense with, and consequently the need for the isolation of forced labour from other categories of less-than-decent work remains intact, even while labour law is considered to be the main policy instrument for addressing the problem.<sup>8</sup>

The empirical problems hinge on the definitional centrality of the notion of ‘involuntary’ work and the lack of ‘consent’. The relevant issues speak to wide-ranging theoretical and philosophical

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<sup>7</sup> Authors’ interviews, ILO, March 2010.

<sup>8</sup> Authors’ interviews, ILO, March 2010; discussions at the ESRC seminar on Unfree Labour, Clifford Chance, London, 29 April 2010.

questions of what ‘consent’ or ‘force’ might mean in this context, which are beyond our possible scope here (see O’Neill 2009; Steiner 2009). For our purposes, the point to highlight is the difficulty in identifying ‘pure’ cases of forced labour which conform clearly to a definition along these lines. That is to say, the forms of severe labour exploitation in the contemporary global economy are manifestly more complex than such a definition permits us to recognise, and the problems of drawing an empirical boundary line between what might qualify as ‘forced labour’ and what represent conditions of ‘normal’ labour exploitation or, in the ILO’s terms, ‘un-decent work’ are almost always enormous. It is very rare to find a situation in which all aspects of what are defined as conditions of forced labour are present, and indeed more commonly situations of labour exploitation exhibit characteristics which, for those attached to the need for a precise definition and discrete category, are contradictory and difficult to reconcile.

The arguments are best illustrated by taking an example from Brazil. There it is widely recognised that the sugar cane sector accounts for the bulk of cases of what is called ‘slave labour’, involving as it does the most demanding kinds of physical labour overwhelmingly by internal migrant workers, often in extremely poor and dangerous working conditions, which under Brazilian law often qualify as ‘degrading’ and dehumanising forms of work. The handful of deaths from exhaustion which are reported during each harvesting season is testament to the brutality of the work and the conditions in which it is frequently performed.<sup>9</sup> Yet the problem for policy makers and activists is that migrant sugar cane cutters are often paid passably well, certainly in comparison with workers from the same areas who did not migrate or did not have the physical condition to make them viable workers in this and other agricultural sectors. In some cases, sugar cane cutters have possibilities of earning a seasonal income of twice or three times the minimum wage (Phillips and Sakamoto 2010). What this means is that in many, perhaps most cases, work in this sector is not ‘involuntary’. To the contrary, it is valued because of the income opportunities it represents, and workers report making calculations which trade the costs of poor (often appalling) working or accommodation conditions, exhausting manual labour and extended periods of absence from home, against the possibility of paid employment, higher wages than would otherwise be available, and the advance that is usually paid to workers.

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<sup>9</sup> Deaths of workers in the Brazilian sugar cane and meat sectors are monitored and detailed at [http://www.pastoraldomigrante.org.br/index.php?option=com\\_content&view=article&id=44%3Ahistorico-dos-cortadores-de-cana-mortos-no-setor-canavieiro-&catid=47%3Amemoria&Itemid=38](http://www.pastoraldomigrante.org.br/index.php?option=com_content&view=article&id=44%3Ahistorico-dos-cortadores-de-cana-mortos-no-setor-canavieiro-&catid=47%3Amemoria&Itemid=38)

It is in order to deal with these complexities that Brazilian law was changed in 2003 to encompass a category of ‘degrading working conditions’ as definitive of ‘slave labour’. Even if a worker has entered into an employment arrangement voluntarily and with full awareness of the conditions of employment, s/he can thereby be classified as working in conditions analogous to slavery and consequently is obliged to be ‘liberated’ from those conditions.<sup>10</sup> Yet, while the ILO accepts the Brazilian definition of slave labour and actively supports it, the ILO’s own working definition retains its central emphasis on both the lack of consent and the presence of menace, by which it refers to a direct relationship between the employer and the worker. It does not refer in this sense to compulsion or coercion as a result of circumstances, such as the shortage of employment opportunities, poverty, chronic need, or conditions such as domestic violence. Rather, as noted earlier, the coercion is conceived as essentially ‘bilateral’ in nature, in which a person is forced, against their will, to work in particular conditions to which they have not consented. This is reflected in how the closely related issue of human trafficking is framed in policy discourses, where the element of ‘deception’ – and by implication a lack of ‘consent’ – is taken as central to defining the problem.

One difficulty therefore relates to the ‘mix’ of conditions that need to be present in order for a situation to be characterised as one of forced labour. Another relates to how we are to understand particular conditions themselves, and once again the issue of the ‘consent’ of the worker – or, put slightly differently, her ‘freedom’ as a labourer – is pivotal. The ILO reports all highlight the prevalence of debt bondage as one of the principal bases and manifestations of forced labour, as much in traditional economic arrangements as in contemporary GPNs. Yet it is the very prevalence of indebtedness among workers that creates the problem for its equation with forced labour. That is to say, in a great many sectors and arenas of activity, formal and informal arrangements between an employer (in indeed a recruiter) and a worker involve the payment of an advance, which, as just noted, is often fundamental to the decisions that workers make about their employment (see Lerche 2007; Phillips and Sakamoto 2010). Whether debt bondage in itself can be considered indicative of forced labour is therefore a difficult question. Intense academic debate has considered whether a relation of indebtedness should necessarily and always be considered to constitute ‘unfree labour’, or whether it should be considered a contractual arrangement, which may reflect an intrinsically unequal power relationship, but does not for this reason imply the ‘unfreedom’ of the worker (Rao 1999; Banaji 2003; Brass 2003; Breman 2007). It is a question which is not directly addressed in

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<sup>10</sup> For a more extended discussion of Brazilian law and policy, see Sakamoto (2005, 2009).

the ILO's statements, and again is a source of difficulty for those seeking an unambiguous definition of forced labour which can be easily operationalised in policy and law.

In the first place, the contracting of the debt (commonly in the form of an advance) is almost always 'voluntary', if one takes the ILO's notion of force as being applied by one individual to another, rather than by circumstances. Second, debt bondage takes a variety of forms. Some cases clearly qualify as involving 'unfreedom' and 'forced labour', such as where debts constitute life-long and sometimes intergenerational obligations, or are manipulated to as to become unpayable or to last for much longer than initially agreed – situations which are especially common among illiterate workers who have no means of reading the 'statements' given by the employer or recruiter and no means of keeping track independently of their financial situation. In these situations indebtedness is unquestionably a key conduit for coercion, abuse and exploitation. Yet, more frequently, indebtedness is a short-term arrangement which essentially functions to seal an informal contract of employment for the duration of, say, a season, and to all intents and purposes the debt is paid off and the worker released from the contract. This is not to say that there is no 'fiddling' on the part of employers, nor that workers are necessarily 'fairly' remunerated for their labour. But it does raise the question of whether the unquestionably unequal power relations which characterise all situations of debt bondage are equivalent to 'forced labour', as defined by the ILO, or 'unfree labour', as the issue is often cast in academic circles. If we take, as the ILO does, a focus on whether a worker has offered herself voluntarily for employment, with awareness of the conditions of employment and work, then it becomes very difficult to sustain the argument that debt bondage in itself is indicative of a situation of forced labour, as it is understood in dominant policy frameworks.

These intertwined problems – the conditions which can be said to characterise situations of 'forced labour', and the issues associated with consent and coercion – thus make the identification of a discrete category of 'forced labour' empirically difficult to sustain. Moreover, it functions as a hindrance to understanding the problem in its appropriate context – that is, as a collection of forms and manifestations of labour exploitation, which form part of a long and complex continuum. Rather, the implications of the ILO's approach to forced labour is that it is seen as separate – and separable – from other kinds of 'normal' labour relations, to the extent that it can be conceived as a deviation or aberration from the normal functioning of labour markets. The emphasis on criminality, while clearly well-intentioned, reinforces this sense of a distortion of normally functioning markets arising from the criminal activities of particular agents in particular settings.

The need for a proper consideration of how and why it is that highly exploitative labour relations emerge and persist in contemporary capitalism is thereby diluted.

This isolation of what Jens Lerche (2007: 430) calls ‘the worst forms of “un-decent labour”’ is, at its core, a political strategy. Prevailing policy strategies focus on forced labour, human trafficking and child labour because they represent ‘low-hanging fruit’ (Standing 2010: 312) – something akin to ‘motherhood and apple pie’ (Anderson 2007), which no right-thinking person could possibly oppose. The problem thus becomes politically more palatable and significantly less challenging than a focus on a bigger picture of labour exploitation. In Lerche’s apposite summary, ‘the [2005] ILO report depoliticizes forced labour issues, isolates them as an “unnatural” element of capitalism, and avoids any politicization that could lead towards a general critique of capitalism’ (Lerche 2007: 431). That is to say, governments – and indeed employers – are able more easily to commit themselves to the eradication of forced labour (or child labour or human trafficking), without having seriously to entertain questions about economic models, competitiveness, globalisation or capitalism which would politically be far more contentious and incompatible with prevailing economic ideologies. In particular, the sanctity of highly flexible labour markets in a large swathe of contemporary economic strategies can remain undisturbed.

#### *Forced labour, poverty and the global economy*

It is for these reasons that we observe the unease with which issues of globalisation are addressed in the ILO’s major statements on forced labour and its equivocation on the question of whether globalisation can be said to cause or reinforce ‘forced labour’ practices, or more generally highly exploitative labour relations. This can be framed instructively in a generalised move by the ILO towards a ‘non-confrontational mode’ of operation, in its attempt to shore up its place in a world dominated by neoliberal orthodoxy (Standing 2010: 371). This neoliberal orthodoxy takes a particular view on development and, as its centrepiece under the MDG rubric, poverty reduction, which depicts development problems generally and poverty specifically as arising from conditions of ‘exclusion’. The poor are deemed to be those who have failed to engage with globalisation, and it is assumed that a deepening of globalisation will lift nearly (and eventually) all of the world’s poor out of destitution (World Bank 2002a, 2002b; Dollar and Kraay 2002; Sala-i-Martin 2002). This orthodox view is reflected in development agendas and poverty reduction strategies at both local and global levels (see Milanovic 2003; Kaplinsky 2005; Hickey and du Toit 2007; Phillips 2010a).

The relationship between globalisation, development and poverty is thus understood as ‘residual’ in character – that is, poverty and associated problems are seen as the ‘residue’ of a pre-globalisation era, which are bound to be eradicated as the tentacles of globalisation wrap more tightly around more economies and societies. The problem is therefore one of ‘exclusion’, which is understood in two senses. The first is associated with the extremely influential notion of ‘social exclusion’, which became established as the explanation for persistent poverty and deprivation from the 1970s onwards (de Haan 1999; see Hickey and Du Toit 2007), coinciding with the acceleration of globalisation and the development of increasingly complex global networks of production and trade. The second relates to exclusion from labour markets, resting on the assumption that employment – that is, inclusion in labour markets – is the key to poverty reduction. The aspiration is therefore to achieve the greater inclusion of poor producers and workers in global networks of production and trade, in order, as the World Bank (1990) put it, to enhance the ‘productive use of the labour of the poor’. Goal 1 of the MDGs, to eradicate extreme poverty and hunger, stipulates the achievement of ‘full and productive employment and decent work for all, including women and young people’.

The ILO’s decent work agenda is founded on this principle of addressing poverty through inclusion in the labour market (ILO 2005b). It extends to the eradication of forced labour, reflected in the ILO’s statement that this eradication ‘will mean breaking down the ties of serfdom which prevent people from earning wages for their work and otherwise participating in the modern market economy’ (ILO 2005a: 30). Forced labour is thus presented as a deviation from the ‘modern market economy’, rooted in traditional relations of ‘serfdom’, not as something that occurs within it. The ILO does acknowledge, as we saw earlier, the ‘market forces that can drive people, often former rural dwellers uprooted from their land, into new forced labour situations in urban areas’ (ILO 2005a: 30), and calls for the establishment of social protection systems to protect these vulnerable workers. It also aspires in this context to making ‘targeted action against forced labour must become a centrepiece of human rights, antidiscrimination, poverty reduction and development programmes’ (ILO 2009: 2; also ILO 2005a: 31), recognising the ways in which forced labour perpetuates extreme poverty. These inclusions are clearly welcome. But again they reveal a limited engagement with questions of ‘the global economy’ in understanding forced labour.

In the first instance, there is no sustained analysis of what the market forces are that might tip vulnerable people into situations of forced labour, nor analysis of the processes by which this occurs. One could also quibble with the insinuation that ‘modern’, market-driven forced labour

occurs in urban areas rather than in rural areas – a glance at the agricultural economy in a country like Brazil, highly integrated into global networks of production and trade, strongly modernised or modernising, and central to the Brazilian development strategy, indicates how highly exploitative labour relations occur in capitalist agricultural economies quite as much as in traditional ones dominated by ‘ties of serfdom’, and as in urban sectors. In the second instance, the discussion of ‘the key issues that will need to be addressed’ in order for the eradication of forced labour to be tied more closely to poverty reduction programmes again falls back, in the main, on structures of discrimination and disadvantage, with a strong emphasis on traditional cultural and social practices, relating to castes and tribes in South Asia or hereditary slavery in Africa. There is no analysis of the nature of markets, the social and labour structures which are put in place around them, or the social outcomes of market activity. In other words, the dynamics of poverty are depicted as arising largely from sets of non-market conditions which are specific to particular geographical, cultural and political settings. Even while they might be expressed in forms of disadvantage within markets, including as forms of forced labour, poverty and marginalisation are not the products of market activity, nor of participation in that activity.

The strategic isolation of ‘forced labour’, which we discussed earlier, reinforces this disarticulation. That is to say, forced labour is understood as a deviation from the ‘modern market economy’, and as representing an aberration from ‘normally functioning’ labour markets and production networks. Specifically, forms of forced labour are conceived intrinsically as labour market failures (ILO 2005a; Andrees and Belser 2009b), where market failure is understood in the sense intended by neoclassical economic theory: the allocation of resources leads to some form of inefficiency, which in turn leads to a loss in economic and social welfare. The notion that there is a ‘failure’ or ‘distortion’ thus implies that there are inefficiencies which drive markets away from their normal, effective functioning, and the solution consequently is deemed to lie in better regulation. In the case of forced labour, this can be seen in the weight afforded to law enforcement (labour law, criminal law, the elimination of corruption), the development of labour inspection systems and training of labour inspectors, and the greater regulation of private recruitment agencies as the key practical strategies for tackling it (ILO 2005a, 2008b, 2009).<sup>11</sup> Interestingly, the ILO’s decent work agenda is tied much more closely than the forced labour agenda to the idea of addressing poverty within and through labour markets, even while the shortcomings of an approach to forced labour based on

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<sup>11</sup> On the subject of the increased prevalence of private recruitment agencies and their links with forced labour, see Andrees (2004) and Cunneen (2004). More generally on private recruitment and migrant labour, see Kuptsch (2004) and Martin (2005).

criminalisation are recognised by some as compelling the integration of a parallel focus on labour market governance (Andrees and Belser 2009: 109).

In this way, addressing forced labour is about rectifying market failures so as to ensure the smooth, ‘normal functioning’ of economic activity. In a similar manner, poverty is identified as central to the persistence of forced labour, and vice versa, but poverty tends to be discussed without reference to the market forces which create and perpetuate it. Policy understandings of forced labour tend therefore to be restricted to an acceptance of the proposition that poverty generates vulnerability to exploitation, but without a fuller understanding of the complexities of this correlation, including how both poverty and exploitation are related to the ‘normal functioning’ of contemporary labour markets. In this way, global policy responses to ‘forced labour’ have become noticeably divorced from questions of how production, trade and labour markets function, and, as Rogaly (2008: 1433) puts it, ‘from the ironic combination of unfreedom and insecurity associated with actually existing labour-capital relations and from ways of challenging them’.

It is for these reasons that we advance the argument that dominant global policy approaches to ‘forced labour’ are misdirected towards addressing the symptoms of a problem, rather than its underlying roots. This is not to say that the policy emphases we have identified here are in any way irrelevant. To the contrary, all of the issues identified by the ILO and other policy organisations play an important part in the constitution and dynamics of highly exploitative labour relations. Equally, we have seen that some of what we consider to be the underlying roots of these labour relations are hinted at in ILO reports – the problem being that they are only hinted at – and indeed acknowledged that officials and policy makers are engaged in constant debate and reflection on the nature of the problem. Yet we have identified a set of political, ideological and ideational conditions which have limited the possibilities for the ILO, and by extension global and national policy makers, to engage seriously with what we argue are the underlying roots of the kinds of labour relations and forms of work that can be considered highly exploitative and degrading.

### **Forced Labour and the Dynamics of ‘Adverse Incorporation’**

The discussion so far points to our perception of the need for a rather different framing of the issues associated with what, following Lerche, we will here term the ‘worst forms of un-decent labour’. In general terms, this involves closer attention to the roots of these labour relations, rather than simply their manifestations. Specifically, it requires an approach which combines an understanding of the

‘normal functioning’ of global value chains and production networks (Ponte 2008) and the implications of this functioning for the relations and conditions of poverty and marginalisation which create complex forms of vulnerability to highly exploitative labour relations. As indicated earlier in the paper, we frame these issues in the notion of ‘adverse incorporation’ into global and local economic activity. It must be recognised that this approach does not fully capture the variety of forms of ‘forced labour’ which can be said to exist in the world. A focus on the dynamics of poverty and marginalisation are clearly pertinent to discussions of, say, more traditional forms of ‘slavery’ (including hereditary servitude) in such places as Niger or Mauritania (Sékou and Abdoukarimou 2009; Bales 2004), or to the specificities and complexities of forced sexual labour. But our concern here is more with those kinds of labour relations which prevail in contemporary labour markets, the key being that these are as much ‘modern’, well-developed and functioning labour markets, often associated with global networks of production and trade, as those which are not.

The required starting point is a recognition, inspired by a huge body of classical and contemporary theory associated particularly with the legacies of Joseph Schumpeter and Karl Marx, that capitalist development generates an intrinsic process of uneven development. The dynamics of uneven growth and development are in ample evidence in contemporary GPNs, as selective upgrading is propelled for some parts of the economy and for some groups of workers, and what might be called ‘downgrading’ is pushed in and for others (Milberg 2004; Kaplinsky 2000, 2005; Barrientos and Kritzinger 2004; Barrientos *et al.* 2008; Ponte 2008; Posthuma and Nathan 2010). The differential impacts are often felt by groups of workers in the same sector or industry, as capitalist development produces a stratification of the labour market and relies on an increased demarcation between the primary and secondary segments of the labour force – a process facilitated by the increasing centrality of contract and migrant labour in a context of global labour flexibilisation (Peck 1996; Bauder 2006, 2011; Barrientos 2008; Taylor 2008; Phillips 2009, 2011a). Participation in expanding and increasingly complex GPNs can therefore generate new employment opportunities for vulnerable workers, providing new sources of income for poor households, higher wages, social protection and better labour standards. Yet, for many others, the pattern is one of ‘adverse incorporation’ into the labour markets associated with GPNs, characterised by highly flexible, insecure, unprotected and exploitative forms of work and employment, and, in turn, a perpetuation of chronic forms of poverty.

The notion of ‘adverse incorporation’ was developed precisely as an objection to the orthodox emphasis on ‘exclusion’ in poverty debates, which we noted earlier as continuing to underpin dominant policy approaches to ‘forced labour’. Given the realities of global trends in poverty and inequality, it is clear that poverty cannot only be understood as a condition of socioeconomic exclusion, but rather is shaped equally by the terms of inclusion – that is, the terms on which different social groups are incorporated into global and local economic activity (Bernstein 1990; Wood 2000, 2003; Murray 2001; Bracking 2003; Hickey and du Toit 2007; Ponte 2008). Situations of adverse incorporation perpetuate both vulnerability to poverty (particularly through the precariousness and instability of work) and forms of chronic poverty, as, contrary to orthodox assumptions, particular forms of employment or work offer few or no prospects for accumulation. As Geoff Wood puts it (2000: 19, cited in Hickey and du Toit 2007: 4), ‘[poor people] are obliged to manage [their] vulnerability through investing in and maintaining forms of social capital which produce desirable short-term, immediate outcomes and *practical* needs while postponing and putting at permanent risk more desirable forms of social capital which offer the *strategic* prospect of supporting needs and maintaining rights in the longer term’.

A distinction between work as a short-term survival strategy and a longer-term accumulation strategy is thus important to the notion of adverse incorporation. The necessity for poor workers to engage in the former, as a response to chronic need, heightens their vulnerability to disadvantage and exploitation, especially given that employment relationships are most frequently informal and non-contractual. Yet economic poverty is not the only form of poverty of relevance in the dynamics of adverse incorporation, contrary to assumptions which continue to prevail in dominant policy frameworks. Rather, other kinds of poverty and various axes of inequality are equally critical (Hickey and du Toit 2007; Phillips 2011b). These include socio-cultural inequalities associated with gender, ethnicity or caste, cultural identity and language, political inequalities associated with citizenship or migration status, or spatial inequalities between rural and urban areas or geographically advantaged and disadvantaged regions (e.g. Barrientos and Kritzing 2004; Wang et al. 2004; Kanbur and Venables 2005; Wu 2007; Lerche 2009). Equally, some of the workers who are vulnerable to adverse incorporation into production networks (including in its most extreme manifestations) are not the poorest when measured by income, and the relevant factors relate much more to other indicators of human development, such as education, as well as access to appropriate services and safety nets. It is significant, for example, that the profile of workers vulnerable to ‘slave labour’ in Brazilian agriculture are not the poorest of Brazilian society, inasmuch as employers and recruiters in agricultural sectors do not seek chronically starving or malnourished

people since they need individuals with the appropriate physical condition for extremely demanding forms of manual work. The correlation is much stronger in matters of educational level (fully 68.13 per cent of workers 'freed' between 2003 and 2009 were illiterate or had no more than four years of schooling), skill levels and the degree of access to services (Phillips and Sakamoto 2010). Similarly, in the Delhi garments sector, surveys indicate that not all households in which child labour occurs live below the poverty line (Bhaskaran et al. 2010; also see Phillips 2010b).

The social and power relations which constitute poverty, in this sense, can usefully be conceptualised in terms of a person's absolute or partial loss of control over their assets and income, and specifically over the key asset of labour (Harriss-White 2005: 882). This loss of control can result from both a condition of exclusion and from the terms of inclusion or incorporation, and is associated with manifold forms of poverty and inequality which disadvantage particular groups in societies. Moreover, the dynamic is a circular one: the vulnerability associated with this loss of control can work to the advantage of capital in its creation and/or appropriation of a large pool of surplus, often informal and easily exploited labour, and the terms of incorporation into these labour markets in turn reinforce the loss of control which defines patterns of chronic poverty. In these scenarios, inclusion in labour markets is not a means of lifting people out of poverty; rather, it is a mechanism by which they become trapped in it. Thus, as Stefano Ponte (2008: 12) observes, 'integration and incorporation are not necessarily empowering. Sometimes exclusion and separation can be valid strategies for the poor.'

The ways in which the 'normal functioning' of GPNs can facilitate these processes of disempowerment and 'precarisation' of work are now well-documented, and indeed integral to global policy initiatives around labour standards, social responsibility and 'decent work'. In contemporary economic activity, these are connected particularly to the ways in which markets make adjustments to crises and fluctuations and build in mechanisms of flexibility to enable these adjustments. Detailed studies have illustrated clearly how the 'pincer movement' of increasingly exacting commercial pressures and demands for improvements in quality from buyers means that many producers and workers are squeezed out of participation in value chains, or else incorporated into them on highly adverse terms (Barrientos and Kritzinger 2004). For instance, the Indian garments sector has featured an increasingly complex process of market segmentation, in which the production process is characterised by multiple layers and tiers of activity, types of firms and mechanisms of labour supply. Several layers of outsourcing and subcontracting, as a strategy to manage the huge commercial pressures from global and domestic buyers, lead from the major

suppliers, through various tiers of production, to the most invisible forms of ‘home-based’ or ‘house-based’ work, where embellishment and embroidery activities are concentrated, and indeed where the worst forms of un-decent work, including child labour, are most prevalent. This extensive market segmentation ‘promotes the negation of quality norms and weakens the technical and social quality checking process’, such that there are few mechanisms in place to guard against the exploitation and abuse of vulnerable workers, including children, in the production process (Bhasakaran et al. 2010). Similarly in the Brazilian cattle sector, increasingly complex and intense competition between the various ‘factions of capital’ in the value chain (retailers, buyers, meatpacking firms, landowners, and so on) replicates the process by which the burden of commercial pressures are passed up the chain to the last link, namely, the workers (Phillips and Sakamoto 2010).<sup>12</sup>

The farther reaches of the spectrum of adverse incorporation are, clearly, associated with the various dimensions of exploitation implied by the term ‘forced labour’, which are found across the global productive (and reproductive) economies, and integrated into value chains and production networks in increasingly complex ways. We have chosen to refer to them as the ‘worst forms of un-decent labour’ precisely to indicate that they respond to the same market forces associated with the ways in which productive activity is organised and the manner in which vulnerable workers are incorporated into it. In this sense, we can conceive of these worst forms of un-decent labour as representing the peak of a pyramidal structure of exploitation (or more generally adverse incorporation): the number of workers increases as the degree of abuse and exploitation decreases, but the potential profit per worker is higher at the top of the pyramid than lower down (Sakamoto 2005; Phillips and Sakamoto 2010). Equally, the severity of the situation of adverse incorporation is higher at the top of the pyramid: the extent of the loss of control over assets, including labour, is most pronounced and most ‘chronic’; the barriers to accumulation and longer-term security are

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<sup>12</sup> It is frequently contended that the problems of highly exploitative labour relations, including the worst forms which are our concern here, occur not in ‘global’ production networks but rather in ‘domestic’, ‘local’ ones where the pressures for responsible and ethically sound production are less pronounced. Likewise, the key sector of domestic work, which represents one of the major sites of severe exploitation, including various kinds of ‘forced’ labour, is usually omitted from analysis. There is not the space to elaborate fully on these distinctions in the present paper, but it is simply important to point out that the stark distinction between ‘global’ and other production networks is misleading. Productive activity of all kinds is conditioned by global networks of production and trade, domestic and local markets are intrinsically shaped by global markets. Firms often produce simultaneously for domestic and export markets, and firms producing for the ‘domestic’ market may be owned by foreign capital. Similarly, discounting domestic labour ignores the key processes of social reproduction that constitute the productive economy, and hence overlooks a key dimension of the ways in which local and global production networks are sustained (Ferguson 2010). Our discussion here of global markets is therefore not intended to exclude more local or regional networks, but rather to encompass them. Equally, we acknowledge the constitutive role of domestic work, even while we are unable to integrate it into the present analysis.

most insurmountable; and the likelihood of a person and their household being trapped in chronic poverty is highest. This is especially the case in those more extreme cases, such as where a worker is not paid for their labour, in cases of long-term or intergenerational debt bondage, or in cases of child labour which replaces education.

Indeed, the connections between child labour and the vulnerability to the worst forms of un-decent labour as adults (and to forms of adverse incorporation more generally) is very strong, as revealed in studies of both Brazil and India (Bhaskaran et al. 2010; Phillips and Sakamoto 2010; Phillips 2010b). Bhaskaran et al.'s study of child labour in the Delhi garments sector, for instance, shows clearly that most forms of child labour are combined with schooling, but traces the robust connections between being a child worker and the propensity to drop out of school, challenging the often-heard argument that child labour during off-school time does not jeopardise the future earning capacity of that worker. In some cases, of course, it does not, and research in this sector indicates anecdotally an appreciable number of people who were child workers and now supervise or own the small-scale, house-based factories typical of the Delhi garments sector.<sup>13</sup> Yet in others the deleterious effects of child labour on the capabilities of the children, and their prospects as adults, are very clear, and particularly pronounced in the cases of boys sent as migrant workers from such states as Bihar and West Bengal (Bhaskaran et al. 2010; see also Dutta and Rustagi 2010). Emerging data on people liberated from conditions of 'slave labour' in Brazil similarly indicate a high probability that those workers will have been child workers, with, as we noted earlier, either no schooling or very limited education (Phillips and Sakamoto 2010).

The worst forms of un-decent labour are also connected strongly with a range of physical and health dangers for workers, which emanate from both particular activities and conditions of work. In agricultural activities, the lack of protection from the effects of pesticides and inadequate safety equipment when operating heavy machinery, alongside the effects of poor sanitation and nutrition, lack of shelter and physical abuse, create considerable risk for workers. Equally, the extent of physical labour required in these activities leads to permanent harm, including a not insignificant incidence of death from exhaustion. These conditions have been amply documented in the Brazilian case (see Sakamoto 2005; Prado and Figueira 2009). Work-related injuries are also common in factory work across the continuum of labour relations, including those which are most abusive and exploitative. The point is that physical damage and incapacity are central to the creation and

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<sup>13</sup> Field research in Delhi, November 2009 and March 2010.

reinforcement of poverty, especially in those cultural contexts where these conditions lead to social exclusion (Harriss-White 2006: 1244). Workers lose the physical attributes and abilities necessary for viability in the labour market, and thus the worker and their family lose the means of ensuring their biological and social reproduction. Death is, of course, the extreme manifestation of this process, where families are left with diminished means of subsistence. These economic implications are exacerbated in many contexts by the forms of discrimination, stigma and restriction that attach to widowhood and other circumstances. The prevalence of highly dangerous forms of work at the peak of the pyramid thus form an important dimension of these kinds of adverse incorporation and their implications for poverty.

These issues underline again the key point that the key to understanding adverse incorporation in general, as well as those associated with the worst forms of un-decent labour, is that income is only a part of the story – and often only a rather small part. The key is, instead, accumulation and the notion of economic and social security, to which the worst forms of un-decent labour constitute especially pronounced barriers. Of course, in some of the most extreme scenarios, particularly where work is not remunerated or debts are fiddled to keep workers in conditions of unpaid labour, and especially in situations of work under severe menace, one can question Woods' idea that employment represents the satisfaction of 'desirable' short-term outcomes for vulnerable workers. Yet we have seen that most scenarios involving the worst forms of un-decent labour do not conform with these 'purer' definitions of forced labour. Depending on the particular context in question, wages may be passably good in situations that display other characteristics of extreme exploitation, abuse and 'unfreedom', such as poor working conditions, degrading work, curtailment of physical freedom, indebtedness, and child labour. But, equally, opportunities for paid work may be scant or transient (particularly in seasonal work), and employment is often precarious, unstable and below the level needed for secure livelihoods. In short, the dynamics of poverty in conditions of adverse incorporation are much more complex than a focus purely on income (and economic poverty) permits us to acknowledge.

## **Conclusions**

It is in this light that we can return to some of the problems we outlined earlier in dominant policy approaches to the complex issues that are implied in the rubric of 'forced labour'. First, we have demonstrated how the isolation and ring-fencing of forced labour is problematic. The worst forms of un-decent labour are empirically complex, with few instances conforming with the definition set

out in ILO conventions. Rather, we are faced empirically with a massive grey area as soon as we try to distinguish and separate forced labour from other kinds of labour exploitation. In most cases, it is extremely difficult to pin-point where ‘normal’ un-decent work stops and ‘forced labour’ starts, and the danger is that a huge number of vulnerable workers fall through the conceptual cracks. Moreover, an effort to make such a distinction impedes an appropriate understanding of the problem at hand, inasmuch as it obscures the ways in which we need to locate the worst forms of un-decent labour squarely in an understanding of the dynamics of adverse incorporation in labour markets, driven by the ‘normal functioning’ of both markets and capitalism. We have contended here that the differentiation of forced labour, and its ring-fencing in law and practice, may well be pragmatic in the ways it makes political convergence and consensus easier to achieve,<sup>14</sup> but that the unhappy consequence is an inability then to engage with those ‘big picture’, political economy questions that are crucial to understanding the roots, and not just the manifestations, of the problem.

Second, by outlining a perspective on the dynamics of ‘adverse incorporation’, we can challenge the notion that the worst forms of un-decent labour represent an aberration from the normal functioning of labour markets. They clearly represent market failure in the very loosest sense, but not in the terms implied by neoclassical economics where failures emerge from imperfections within markets or the influence of externalities. Rather, as indicated, these kinds of labour relations emerge in connection with the ‘normal functioning’ of global production networks and labour markets. To this extent, again, the separation of forced labour needs to be replaced with an idea of a continuum, not of a clear linear character, but one which is complex and shifting.

Third, the focus on adverse incorporation allows us an insight into the ways in which poverty and the worst kinds of un-decent labour are connected with one another, by what mechanisms and with what consequences. We noted the very limited engagement in policy discourses with bigger questions of poverty, its multiple dimensions and its relationship with the social organisation of the global economy. As the ILO noted in its 2005 report, the dynamics are indeed circular, where poverty creates the conditions of adverse incorporation, and the forms of incorporation in turn perpetuate chronic poverty, insecurity and vulnerability. The specific characteristics of these dynamics depend on context – geographical, sectoral, social, cultural – but framing the issues in these terms helps to illuminate and give precision to the question of how and why these labour relations emerge and persist. Without such a perspective, politically difficult as it may be, global

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<sup>14</sup> Authors’ interviews, ILO, March 2010.

policy initiatives will be able to make only limited strides towards the goals of prevention – to addressing the disease rather than its symptoms.

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