



Fielding the Wrong Ball? A Critique of Global Policy Approaches to 'Forced Labour'

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Roadmap

- Setting the scene: Contemporary approaches to forced labour
- The 'missing link': poverty
- Looking beyond: the global political economy of production and adverse incorporation



Contemporary approaches to forced labour

Understanding of the ILO

‘all work or service which is extracted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily’ (C29, Art. 2.1)

Two key notions of the working definition:

- Involuntary nature of the work (lack of consent)
- Menace of penalty

Element in common: ‘forced labour’ situation determined by the nature of the relationship between the person and the employer (Not by type of activity performed)



Deficiencies

1. The 'ring-fencing' of 'forced labour'
2. Product of a *labour market failure*
3. Poor incorporation of the dynamics of *poverty and marginalisation*



The ring-fencing of forced labour

- Forced labour as a *discrete category*
- Policy rationale: criminalisation
- Limitation: partial understanding of the problem
- Empirical challenge: to find 'pure forms'
 - 'slave labour' in the case of Brazil
 - 'bondage'
- How to determine the 'unfreedom/freedom' of the labourer?
- Political strategy: avoid critique of capitalism (Lerche, 2007)



Focus on labour market failure

- Aberration from the 'normal functioning' of the modern market economy
- Assumption: inefficiency in the allocation of resources (*neoclassical bias*, Bracking 2005)
- Policy outcome: regulation (law enforcement, labour inspection systems, regulation of private recruitment agencies, etc.)
- Even if it could be corrected, that would imply reaching efficiency in the price mechanism



Dynamics of poverty and marginalisation

- a. How are poverty and forced labour related?
- b. Conceptualisation of poverty: exclusion vs. adverse incorporation
- The framing within 'exclusion' leads to 'social exclusion' (de Haan 1999; Hickey and Du Toit, 2007) and 'exclusion from labour markets'.
- Thus, policy recommendations:
 - Within the Decent Work Agenda: 'work is the main, often the only, way for poor people to get and stay out of poverty' (ILO, 2005:1:1)



The dynamics of 'adverse incorporation'

- Capitalist development generates intrinsic process of uneven development
- Highly flexible, insecure, unprotected and exploitative forms of work and employment, and in turn, perpetuation of forms of poverty
- It allows to understand the multiple dimensions of poverty
- Idea of loss of control (Harriss-White, 2005)
- Thus, inclusion in labour markets does not automatically lift people out of poverty, it could be a mechanism where they are 'trapped' in it adversely.



Conclusions

- The isolation and ring-fencing of forced labour is problematic
- Need to engage with the political economy questions of the global economy
- Adverse incorporation challenges the idea of aberration within the normal functioning of labour markets
- ‘Circular’ dynamics
- In policy circles this could guide informed debate where worst forms of undecent work is linked to broader issues of social and economic development



Thank you!