**Overview of Week 5**

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*Joel Quirk, University of the Witwatersrand.*

It is often stated that ‘charity begins at home’. This popular truism builds upon an powerful image of the world which divides humanity into insiders and outsiders. Insiders are typically defined on the basis of shared race, ethnicity, or religion. Outsiders are typically defined on the basis of markers of difference, such as having a different skin color, a different language, a different faith, or even different clothes or food. Hostility towards outsiders is a recurring feature of human history, with the most extreme examples involving entire groups of people being targeted for extermination.

Divisions between insiders and outsiders have major implications for migration. Tremendous amounts of wealth and energy are now devoted to preventing ‘undesirable’ outsiders from crossing international borders. Securing legal permission to move from one country to another has never been harder for people with the [‘wrong’ passport](https://www.passportindex.org/byRank.php), with elaborate application procedures and challenging financial requirements being placed upon people seeking to move for work, to study, or to even visit as tourists. Migrants who are unable to secure legal permission to travel are in turn faced with all kinds of barriers which are designed to make movement as difficult and dangerous as possible. Efforts to prevent movement rarely reduce the number of people on the move to any degree. They instead increase the dangers and vulnerabilities associated with movement.

These efforts to prevent movement are [not inspired by humanitarian sentiments](https://www.opendemocracy.net/beyondslavery/julia-oconnell-davidson/let-us-live-or-make-us-die-migrants-challenge-to-their-outlawr). They are instead primarily motivated by cultural and economic anxieties. However, we also have many cases where the language of preventing trafficking or slavery has been invoked to present an humanitarian wrapping for policies decided on other grounds. When Donald Trump signed an executive order declaring his intention to ‘build a wall’ in 2017, he publically justified his decision in terms of preventing [‘illegal immigration, drug and human trafficking, and acts of terrorism’.](https://www.whitehouse.gov/presidential-actions/executive-order-border-security-immigration-enforcement-improvements/) Building a wall is clearly not a policy that arises out of a concern for migrants, but this is nonetheless where many anti-trafficking and anti-slavery policies end up: more and more border protection. This is not helpful. Efforts to prevent movement are often part of the problem, rather than the solution.

It is also important to recognise that governments are not opposed to all migrants. Despite the rhetoric of ‘defending the border’, [governments routinely turn to migrant workers in order to help satisfy their labor needs](http://www.ilo.org/global/topics/labour-migration/publications/WCMS_436343/lang--en/index.htm). Some workers with ‘exceptional skills’, such as doctors, academics or engineers, secure work visas with few complications. Other workers secure entry on tied visas which severely limit their options and opportunities. The main attraction of this later category is that workers on tied visas are typically paid less, have to work longer, and have poorer working conditions than their local counterparts. They also work under the shadow of potential deportation.

These conditions can be primarily traced to their work visas, so the most effective way of addressing systems of migrant labor exploitation involves improving the terms of work visas to include statutory time off, increased wages, binding restrictions on hours worked, the legal right to change employers, and a pathway to becoming a citizen of the country where migrant laborers often live and work for many years. What this means, in essence, is working to close the gap between the rights and protections enjoyed by local workers – the insiders – and the much weaker rights and protections enjoyed by migrant workers – the outsiders. Laws governing local workers can be far from ideal, but they are generally preferable to protections afforded to migrant laborers. This is not a situation where there are no obvious solutions available. It is instead a situation where there are obvious solutions available which governments remain reluctant to implement. They instead desire a pool of migrant workers whom they can exploit with few consequences. Migration has always been an important pathway for advancement and opportunity, and people will continue to seek to improve their fortunes through mobility, yet governments throughout the globe currently have little or no interest in supporting migrant rights.

So welcome back to week five of our course, on Forced and Precarious Labor in the Global

Economy. In this week I want to take up and extend some of the themes that Sam

talked about last week and that's the issues associated with the exploitation

and vulnerability of migrant workers and their role within global economic

systems. So last week you heard from Sam about the problems associated with

migration and migrant work. In this week I want to kind of take what some of what

Sam has said and begin to reflect upon some of the ways in which different

solutions, strategies or ways of organizing might be adopted in order to

approve the legal rights and workplace protections that are afforded to migrant

workers in various countries. So I want to do two things in this session; the

first is to provide a bit of an analysis of some of the problems and

complications associated with one of the most popular responses to migration and

exploitation and that is the impulse kind of stirred and supported by racism

and xenophobia, to prevent all forms of migration and mobility at the border and

this is a very popular strategy not necessarily motivated by humanitarian

impulses but it's nonetheless something that governments and others turned to

when faced with problems associated with migration and exploitation, stop people

moving. So in the first half we're going to have a bit of a think about some of

the complications and limitations associated with this established policy

and practice and then in the second half we're going to think a little bit more

deeply about some of the alternative strategies which might be adopted or

contemplated when it comes to a more effective response to the problems

associated with migration and exploitation. So that's our kind of

mandate for this week. I just also at this juncture want to briefly recap some

of the key themes that Sam will have discussed with you last week.

So, I would hope that you would recall that governments corporations and others

are often very invested in having people move for the purposes of work.

Migrants fill jobs they grow crops, they provide care in nursing and hospitals

they build stadiums and so on and so forth. So this whole idea that

governments are automatically and in extra opposed to migrants misses

the fact that that in a lot of cases governments and various economic

interests are actually really invested in having people move for the purposes

of work, the problem of course is Sam outlined is the terms on which they move

are attractive because their terms that leave them vulnerable to various forms

of exploitation. So migration good but migrant workers

are only valuable within this calculus, because the protections that are

afforded to them are limited and the work on which they provide is not paid

at the same rate as workers in the communities within which they reside. So

this is the fundamental dilemma, in terms of how responses to this issue take

place the first point we have to think about is this impulse to stop people at

the border. Now I'm not going to pretend that the impulse to stop people at the

border arises out of some noble humanitarian sentiment, as Sam is

outlined it's the underlying sources of racism and xenophobia and a fear of

outsiders and others which are often the main animating impulse or purpose behind

efforts of border protection, however it's still important to grapple with the

humanitarian argument because it's an argument which is frequently given

by government officials throughout the globe as part of the reason why Border

Protection's might be necessary. So when President Donald Trump proclaimed an

executive order regarding his commitment to build a wall one of the

justifications he gave for the wall was to prevent human trafficking,

now this prevention of human trafficking rationale is not distinctive to Trump's

wall but it's also something that European politicians have invoked

repeatedly in relation to the recent crisis in the Mediterranean. So when it

comes to preventing people moving from Africa and the Middle East to Europe

there's been a recurring tendency to run together the terms people smuggling and

people trafficking and by running together these terms of smuggling and

trafficking there's been a broader argument that says that highly

aggressive and punitive measures to stop human traffickers are foundational to

and humanitarian mission and not simply a punitive and protectionist one. So a

good example of this comes from the Italian Prime Minister Matteo Renzi,

who declared that human traffickers are the slave traders of the 21st century

and that they need to be brought to justice. So in this formula which the

Italians the Spanish the French the British and others are all very keen on

smuggling and trafficking get run together, trafficking becomes a moral

cause or problem which requires border protection and as a consequence of this

need for border protection now cloaked in humanitarian language and

rhetoric all kinds of highly punitive measures have been adopted to prevent

people from Africa in the Middle East from entering into Europe and this isn't

something that that begins at the Mediterranean, it also extends through

the auspices of frontex and other initiative

in two places like Libya and Nazaire, where Europeans are heavily invested in

preventing all forms of movement. Now it may well be that that there's an

argument for preventing movement but it's not an argument that works in any

kind of humanitarian terms, we know throughout history that movement is a

natural human condition and that we know from extensive research that what

happens in response to initiatives like Trump's wall or the European border

fortress is that they raised the costs and challenges associated with migration

without necessarily preventing migration in the first place. So what we find

repeatedly is that border protection makes people vulnerable but doesn't

prevent people from moving in the first place, and this is in part because

migration remains as it always has been one of the great strategies for seeking

to escape poverty, conformity or many other kind of limitations and

constraints that people find in their home communities. So migration is

something that in a lot of cases represents an avenue or a strategy, it's

not something that can be easily controlled or tamed through an army of

drones or the building of additional walls or the cracking down in various

militarized ways on ships and movements and so on and so forth. So when it comes

to migration and exploitation, we cannot accept the idea that preventing movement

is a humanitarian impulse, it instead arises out of xenophobic and racist

impulses in a lot of cases and it's also unlikely to be effective when push comes

to shove. So if the dominant and conventional

approach isn't going to work? What might we instead contemplate in terms of

alternative strategies and approaches?

All right so if we accepted stopping people at the border is unlikely to be

effective or is at least unlikely to be effective as a humanitarian gesture in

preventing the exploitation of migrants, we then need to kind of reflect on what

the positive alternative might be. So when it comes to thinking about

alternatives to border protection there's a couple of points that are

really worthwhile emphasizing. All of these points arise out of a fundamental

division which is at the heart of the reasons why migrant workers are

precarious and vulnerable. This fundamental division, is the division

between the privileges that citizens of a particular country are afforded and

the vulnerable status that non-citizens, outsiders, humanity in general if you

will are excluded from. So it's this fundamental divide between citizenship

and humanity, insiders and outsiders, which is crucial to understanding why

and how migrant workers are exploited but it's also crucial in terms of

thinking about strategies, because a lot of the strategies we might want to

contemplate when it comes to improving the rights and protections afforded to

migrants and migrant workers ultimately boil down to ways of closing the gap

between the privileges of citizenship and the vulnerability attaching to

humanity in general, non-citizens. So when it comes to this side of the equation

there's a number of concrete steps that we can contemplate when it comes to

closing the division between citizens and non-citizens. One of the most

important of these; which I think Sam alluded to last week, stems from the fact

that in a lot of cases legal migrant workers lack the capacity to change

their employers this is because their employment status is what we described

is tied and as a consequence of being tied, tied to a specific visa that

enables them to legally reside they're unable to

effectively or easily express any grievances in situations where their

employer ends up exploiting or excluding or otherwise harming them. So it's this

inability to change employers and crucially the right to change employers

is obviously something that that citizens enjoy for the most part as a

matter of course but it's not something that migrants are included in terms of

one of the rights that they have. So when it comes to strategies for redressing

some of the abuses and runner abilities associated with migrant work, one of the

most simple and straightforward steps is to enable migrant workers to seek other

forms of employment. The capacity to seek employment in turn creates a bargaining

chip or a platform for negotiation with a current employer, because it creates a

situation where the prospect or possibility of employment elsewhere

provides the migrant worker with a foundation to suggest that they might no

longer, they may not want to be employed by their employer anymore.

So changing employers, fundamental to enabling greater scope for migrant

workers to exercise their interests and to be properly paid and supported by

their labors. Secondly and I think directly related, it's important to

emphasize that in a lot of cases migrant workers either legal or illegal don't

get paid for the hours they work. So in a lot of cases people are asked to kind of

stay back and help around the house or to work kind of overtime in order to

ensure that a construction deadline is hit or so on and in in these situations

it's frequently the case that hours labored are not reflected in pay

received. So in terms of kind of providing support for migrant workers

one of the simplest and most direct remedies we have available is to

provide ways of seeking back pay or additional pay in situations where

people have worked longer than they are expected to or longer than they

otherwise should, but there's no recognition or compensation following

from their additional exertions. So change employers, back pay and finally

and on in a similar vein we need to recognize that in a lot of cases migrant

workers are unable or unwilling often for good reason to draw attention to

abuses or limitations in their working conditions and it's in this context that

avenues to express grievances become crucial to challenging or changing the

ways in which workers are treated. Now avenues for express grievances may

sometimes exist on paper but they're not particularly useful in situations where

there's no protection against retribution from angry or grieved

employers. So having a formal avenue to express grievances, and grievances can

sometimes be serious particularly in relation to physical and sexual abuse

there's very little that can be done in situations where raising issues becomes

the basis for retribution of various kinds from employers. So in all of these

cases you begin to see concrete and practical steps which begin to close the

gap between the privileges that citizens enjoy and the rights and protections

that migrant workers are able to exercise. So in a lot of cases there's a

fundamental division here, the types of workplace arrangements, paying conditions,

employment contracts, all governing migrant workers

are substantially and deliberately different to the same types of terms and

conditions that workers from the countries in question enjoy. So in all of

these cases there's a need to close the gap. The protections prerogatives

privileges that citizens enjoy must also be extended and afforded to migrant

workers in various ways. And one of the biggest protections that might be

afforded to migrant workers is the capacity to eventually become a citizen

of the countries within which they work. So it's a pathway to citizenship which

is frequently and automatically denied to workers who label legally in

countries, frequently for years, sometimes for decades, yet when their Labor's are

over migrant workers are expected as a matter of law to return to their home

countries. There's no pathway for them to become naturalized, there's no legal

right to become citizens of the countries within which they have worked

for extended periods and whose societies and economies they have contributed to.

So migrant work is by design precarious, this precarious nature stems from the

division between citizens and non-citizens and in a lot of cases what

should ultimately happen when it comes to protecting migrants, is that migrants

move from the parte status of non citizen to eventually becoming citizens

and then hopefully in many cases having their families also enjoy the same

privileges, because in a lot of cases migration and labor is solitary and

people are expected to move without their families and there's no

expectation that their families can ever legally join them. So citizenship

ultimately not only requires migrant workers to become citizens, it

also eventually needs to have the same status a foreword to their immediate

family members; children, wives, husbands and so on.

So this is fundamental to protecting migrant workers, but it's crucial to

recognize that they're not necessarily popular or easy choices to make

because as Sam and I have mentioned previously these types of additional

protections kind of go up against the enduring patterns of kind of racism and

xenophobia, which are foundational to the social hostility, which migrants generate

amongst the communities within which they reside. So it's important to

recognize here that the types of remedies that I have proposed are

actually relatively straightforward in terms of legal provisions and regulation,

but they're obviously far more complicated from a political and

economic standpoint because they ultimately require the privileges

associated with citizenship to be closed and additional protections afforded to

migrants, which in many cases makes migrants less desirable, because Precarious

and Exploited migrant labor is foundational to the way in which the the

global economic system is structured, and protecting migrants, giving them greater

opportunities, giving them greater ways of expressing their interests and

organizing in protection of their rights, is ultimately something which is going

to present a direct challenge to all the benefits that the current economic

system generates for those further up the chain and for those who are on the

inside of this division between human and citizen.

**Core Readings and Additional Resources**

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**Core Readings:**

* Nandita Sharma, [Anti-trafficking: whitewash for anti-immigration programmes](https://www.opendemocracy.net/beyondslavery/nandita-sharma/antitrafficking-whitewash-for-antiimmigration-programmes), Beyond Trafficking and Slavery, openDemocracy, 30 March 2015.
* Marie-José L. Tayah, [Claiming rights under the kafala system](https://www.opendemocracy.net/beyondslavery/dws/marie-jos-l-tayah/claiming-rights-under-kafala-system), Beyond Trafficking and Slavery, openDemocracy, 17 August 2017.
* John Gee and Samuel Okyere, [To work without rights is to be powerless in the face of abuse](https://www.opendemocracy.net/sam-okyere-john-gee/to-work-without-rights-is-to-be-powerless-in-face-of-abuse), Beyond Trafficking and Slavery, openDemocracy, 6 February 2018 (video and transcript)

**Further information:**

* Ben Lewis and Cameron Thibos, [Interview: detention as the new migration management?](https://www.opendemocracy.net/beyondslavery/safepassages/cameron-thibos-ben-lewis/interview-detention-as-new-migration-managem) Beyond Trafficking and Slavery, openDemocracy, 24 February 2017
* Benedetta Rossi, [Modern slavery, Brexit, migration, and development: connecting the dots,](https://www.opendemocracy.net/beyondslavery/benedetta-rossi/modern-slavery-brexit-migration-and-development-connecting-dots) Beyond Trafficking and Slavery, openDemocracy, 21 November 2017.
* Catherine Tactaquin and Cameron Thibos, [Interview: how can better policy empower women on the move?](https://www.opendemocracy.net/beyondslavery/safepassages/cameron-thibos-catherine-tactaquin/interview-how-can-better-policy-empower-women-on-mo) Beyond Trafficking and Slavery, openDemocracy, 7 March 2017.
* Elizabeth Tang, Sanjiv Pandita, and Penelope Kyritsis, [Getting the state to switch sides in the fight for workers' rights](https://www.opendemocracy.net/beyondslavery/penelope-kyritsis-elizabeth-tang-sanjiv-pandita/getting-state-to-switch-sides-in-fight), Beyond Trafficking and Slavery, openDemocracy, 3 November 2016.
* Fish Ip and Neil Howard, [Home: a black hole for workers’ rights,](https://www.opendemocracy.net/beyondslavery/fish-ip-neil-howard/home-black-hole-for-workers-rights) Beyond Trafficking and Slavery, openDemocracy, 31 January 2018.
* Giulia Garofalo Geymonat, Sabrina Marchetti and Penelope Kyritsis (eds.), [Domestic workers speak: a global fight for rights and recognition](https://drive.google.com/file/d/0B2lN4rGTopsaZ0VLdmZuYnBuc0U/edit), (London: openDemocracy, 2017).
* Julia O'Connell Davidson and Neil Howard (eds), [Migration and Mobility](https://drive.google.com/file/d/0B2lN4rGTopsabGFtZ2JkSmVmWFE/view), (London: openDemocracy, 2016).
* María Roa, Ana Teresa Vélez, and Andrea Londońo, [How do we make labour rights real?](https://www.opendemocracy.net/beyondslavery/dws/mar-roa-ana-teresa-v-lez-andrea-londo-o/how-do-we-make-labour-rights-real) Beyond Trafficking and Slavery, openDemocracy, 11 July 2017.

## Exercise: The Politics of Forced and Precarious Labor

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## ****Exercise Number Three:****

### ****The Politics of Forced and Precarious Labor****

Over the last two weeks, we have asked you to evaluate a number of different solutions and approaches to combating forced and precarious labor globally. Not all of these solutions are equally useful. Some are likely to do more harm than good. Some are likely to do very little. There is no one right answer regarding which is which. You have to make up your own mind.

This exercise takes the analysis of potential solutions one step further.

You should have already made a series of judgments regarding which solutions will be most effective. This exercise links together questions of potential efficacy with political difficulty.

Over the last two decades, the cause of combating ‘human trafficking’ and ‘modern slavery’ has been endorsed by public figures of every ideological persuasion, including conservatives, faith leaders, liberals, traditionalists and progressives. These endorsements have helped to create a misleading yet nonetheless widespread impression that ‘modern slavery’ is a non-ideological and ‘bipartisan’ problem, which everyone can unite around in shared opposition and revulsion.

This language of universal struggle is attractive but unhelpful. Any political cause which everyone can get behind is also a cause that poses no real challenge to the global status quo. Many of the ‘solutions’ which have been proposed for combating ‘modern slavery’ are politically popular because they are undemanding and non-threatening. In stark contrast to historical campaigns to end legal slavery, which were firmly aimed at the profits and privileges of the rich and powerful, the most popular ‘solutions’ rarely pose a direct threat to major political and economic interests.

Combating forced and precarious labor is not a cause that everyone should be able to agree upon. As we have already seen, global systems of labor exploitation provide all kinds of economic and other benefits to governments, consumers and corporations. These exploitative systems will only begin to change when the institutions and individuals who benefit from the ongoing operations of these systems are directly challenged. Not everyone can or should be on the same side. Solutions that are likely to have the most effect are unlikely to be easy and uncontroversial. Many of the most popular ‘solutions’ which have been proposed for combating ‘modern slavery’ have been embraced because they are politically easy (or can be invoked to support other agendas, such as border protection), not because they are practically effective. Potential solutions that challenge established systems are likely to provoke sustained political opposition since the established rules of the game are being called into question politically.

This tension between efficacy and difficulty also raises difficult questions regarding tactical and political calculations. Many organizations and individuals have made a tactical decision to concentrate their energies upon human trafficking and ‘modern slavery’ because they have calculated that talking in these terms helps to open doors (and secure funds) which might otherwise have remained closed. There is a strategic case to be made here since it has been clear for decades now that migrant and worker rights are being heavily eroded. Some campaigners have recognised that it is now exceedingly difficult to protect all workers and migrants, and have therefore made a tactical decision to strategically embrace the cause of combating human trafficking – which narrowly targets ‘exceptional’ cases – since it continues to be supported by governments and corporations who are hostile to migrants and workers more generally. Campaigns that revolve around ‘modern slavery’ and human trafficking are more likely to receive a favorable political response from people who walk the halls of power, but they are also likely to be less effective in bringing about significant change (and can sometimes do real harm). Campaigns that focus upon migrant and worker rights have a much harder political road to travel, but they may (or may not) pay off in terms of greater political and institutional gains. Any discussion of potential solutions and strategies must take these tactical calculations into account.

The main goal of this exercise is to help make sense of the underlying issues and political calculations at stake here. Building upon your answers to exercises from previous weeks, you will be asked to make two different assessments, which can be summarised as follows:

1. Efficacy: How effective is a given solution likely to be?
2. Difficulty: How much political opposition is a given solution likely to generate?

You should already be familiar with the range of options when it comes to likely efficacy. In the case of political difficulty, your potential choices are organized as follows:

### ****Political Difficulty.****

How much political opposition is a given solution likely to generate?

* Bipartisan political support: this is a solution that nearly all members of society will be able to agree upon, regardless of their differences. There is little controversy. (Green)
* Majority political support: this is a solution which most members of society will be able to agree upon, regardless of other differences. There is minor controversy. (Light Green)
* Significant opposition: this is a solution that will generate significant opposition and controversy. Important interests are likely to be treated and/or contradictory moral judgments are likely to be mobilized. There is a major controversy.(Yellow)
* Entrenched opposition: this is a solution that is likely to present a direct challenge to key political and economic interests. There are high levels of lasting division.(Light Red).
* Political and economic polarisation. This solution is so controversial that it splinters society into irreconcilable camps that are fundamentally opposed to each other. This, in turn, places severe strain on established institutions and political systems (Dark Red)

This scale assumes that specific solutions in question have been taken up as serious political propositions. The scale can also be read another way, which is in terms of likely political success. In this reading, the options of opposition and polarisation can be read as 1) this solution is very unlikely to be implemented, and 2) this solution has virtually no chance of being implemented.

### ****Round Three: (Week Five)****

1. Introducing a ‘dirty list’ of companies.
2. Transparency legislation in global supply chains.
3. Strengthening border protections.
4. Warning migrants about dangerous travel.
5. Reforming tied visa schemes to protect migrant workers
6. Open borders.

#### ****Activity  Instructions****

1. Click on the activity so it opens in a full screen.
2. Assign a color to each factor by clicking that color on the strip next to that factor block.
3. Click on the factors block to show additional information. To exit additional information, click of the text “exit” found at the top right-hand side of the additional information square.
4. You can navigate between pages, using the “>” and “<” icon found on the far left or right of the page.
5. When you are finished, take a screenshot of your colored-in rating of how different factors contribute to keeping labor vulnerable. (Please see ["how to take a screenshot"](https://prod-edxapp.edx-cdn.org/assets/courseware/v1/9f3574735692f13b8c10c33acf30f812/asset-v1:WitsX+BTSx+3T2019+type@asset+block/How_to_take_a_screen_shot.pdf)PDF)
6. Important information:  Please make sure that you take screenshots of each page before moving on to the next. The interactive activity will refresh each time you move to different pages.
7. Push ESC. To exit full-screen mode.
8. Share your thoughts in the Weekly Activity Discussion Forum by:

* Posting a copy of your screenshot to the Weekly Activity Discussion Forum, or
* Sharing your motivation for why you rated one of the factors as making a major contribution, or
* Suggesting other factors that contribute to keeping labor vulnerable.

NOTE: Your options are the same as in previous weeks. But we are now asking you to make two assessments, rather than one. You will assess how effective each solution/strategy is, and how politically difficult it is to implement it.

**Round One (Week Three)**

1. The passage of new laws.
2. The prosecution of offenders.
3. Ratification of international conventions.
4. Consuming ‘ethical’ fair trade goods and services.
5. Corporate social responsibility.
6. Technological innovations.
7. Increasing public inspections of employers and workplaces.

**Round Two (Week four)**

1. Raising awareness campaigns
2. ‘Spotting the signs’
3. National hotlines.
4. Further research to close the ‘evidence gap’.
5. Collective organising and unionisation of workers.
6. Joint employer and intermediary liability.

**Round Three: (Week Five)**

1. Introducing a ‘dirty list’ of companies.
2. Transparency Legislation in Global Supply Chains.
3. Strengthening border protections.
4. Warning migrants about dangerous travel.
5. Reforming tied visa schemes to protect migrant workers
6. Open Borders.

## Information about common solutions and strategies

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## ****Information about common solutions and strategies****

### ****Political Difficulty.****

How much political opposition is a given solution likely to generate?

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* **Majority political support:** this is a solution which most members of society will be able to agree upon, regardless of other differences. There is minor controversy. (Light Green)
* **Significant opposition:** this is a solution that will generate significant opposition and controversy. Important interests are likely to be treated and/or contradictory moral judgments are likely to be mobilized. There is a major controversy. (Yellow)
* **Entrenched opposition:** this is a solution that is likely to present a direct challenge to key political and economic interests. There are high levels of lasting division. (Light Red).
* **Political and economic polarisation**. This solution is so controversial that it splinters society into irreconcilable camps that are fundamentally opposed to each other. This, in turn, places severe strain on established institutions and political systems. (Dark Red)

This scale assumes that specific solutions in question have been taken up as serious political propositions. The scale can also be read another way, which is in terms of likely political success. In this reading, the options of opposition and polarisation can be read as 1) this solution is very unlikely to be implemented, and 2) this solution has virtually no chance of being implemented.

### ****Round Three: (Week Five)****

1. Introducing a ‘dirty list’ of companies.
2. Transparency legislation in global supply chains.
3. Strengthening border protections.
4. Warning migrants about dangerous travel.
5. Reforming tied visa schemes to protect migrant workers
6. Open borders.

### ****Introducing a ‘dirty list’ of companies:****

[To quote Leonardo Sakamoto](https://www.opendemocracy.net/beyondslavery/lgscpd/leonardo-sakamoto/leonardo-sakamoto-yes), ‘The Brazilian case is a powerful story of how binding public disclosure legislation can eradicate forced labour in supply chains ... In 1995 ... a public policy project based on labour inspections and involving the presence of police officers and public prosecutors was established to address ongoing abuses. These teams investigate complaints, free workers in exploitative situations, hold employers accountable for paying salaries and labour rights, and initiate legal actions for compensating employees or criminally punishing the people responsible for corporations involved in forced labour practices. Since then, over 50,000 workers have been rescued. From 2003 to 2014, citizens and corporations who were caught benefiting from slave labour were entered into a public transparency database. This was established by a Ministry of Labour act and was referred to as the ‘dirty list’... Unlike corporate social responsibility approaches, which typically involve self-disclosure and self-reporting, this database was established and enforced via governmental act’.

### ****Transparency Legislation in Global Supply Chains:****

[To quote,](https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/confronting-root-caus-8/) ‘the home governments of many transnational corporations … have passed national legislation intended to strengthen global governance systems to combat forced labour … high profile examples include: the 2015 UK Modern Slavery Act, 2012 California Transparency in Supply Chains Act, and France’s 2017 Corporate Duty of Vigilance Law … [T]his type of legislation relies on the economic leverage of the private sector to shape and improve working conditions and is anchored in the assumption that knowledge of corporate behaviour will shape consumers’ and investors’ purchasing decisions. Transparency legislation varies hugely in terms of its quality and stringency… The UK Modern Slavery Act, for instance, requires companies conducting business in the UK with an annual turnover of £36 million to report on any measures they have taken to prevent or address forced labour. But it does not require them to report whether those measures are actually effective, and does not include penalties for non-compliance. This leaves open the quixotic possibility of brazenly reporting that they are doing nothing’.

### ****Strengthening border protections:****

Many justifications have been offered for strengthening borders and targeting ‘undesirable’ migrants. Most of these justifications have very little to do with humanitarian concerns. However, there are occasions when more familiar security concerns have been supplemented by humanitarian appeals, with strengthening borders being presented as a key solution in the fight against human trafficking and modern slavery. Take, for example, the [justification given](https://www.whitehouse.gov/presidential-actions/executive-order-border-security-immigration-enforcement-improvements/) by President Donald Trump in his executive order of January 2017, which declared a commitment to ‘building a wall’ in order to ‘prevent illegal immigration, drug and human trafficking, and acts of terrorism’. [Similar declarations](https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/twisting-lessons-of-history-to-excuse-unjustifiable-violence-mediterranean-refugee-c/) have been made by European politicians in response to the [migrant crisis in the Mediterranean](https://missingmigrants.iom.int/). However, increased border protection appears to have limited value in humanitarian terms, since increased barriers against movement have been shown to significantly [increase the dangers associated with migration without significantly reducing the numbers of people who are on the move.](https://www.opendemocracy.net/beyondslavery/julia-oconnell-davidson/libyan-outrage-slavery-or-borders) ‘Border protection’ can also exacerbate existing patterns of racism, xenophobia, and expulsion.

### ****Warning migrants about the dangers of travel:****

Some awareness campaigns specifically target migrants – or potential migrants – and highlight the potential risks associated with attempting to move from one place to another in search of work or other opportunities. These warnings frequently highlight the dangers of [deceptive recruitment](http://ilo.org/infostories/en-GB/Stories/Forced-Labour/Deceptive-Recruitment-and-Coercion#header), wherein promises of work serve as a smokescreen for a criminal plan to force recruits into abusive and exploitative conditions. The main limitation of these campaigns is that most prospective migrants are already acutely aware that migration comes with any number of risks, yet they nonetheless calculate that the risks are worth taking. One of the main goals of this [‘not worth the risk’](https://www.theguardian.com/australia-news/2016/mar/28/hard-to-watch-afghans-react-to-6m-australian-film-aimed-at-asylum-seekers) messaging is often to deter people from moving at all. This isn’t especially useful if ‘home’ remains insecure, impoverished and these are few viable local alternatives. People across the globe have been moving in search of better opportunities for centuries, and it is clear that seeking to migrate out of poverty remains one of the most important pathways for social and economic advancement in the world today. Migrants are usually well aware of the risks. Encouraging them not to move at all is rarely helpful.

### ****Reforming tied visa schemes to protect migrant workers****:

Governments are not always opposed to migration, but instead frequently promote the relocation of large numbers of migrant workers on tied visas. There numerous problems with tied visa schemes, but one of the most significant problems is that most workers on tied visas do not have a meaningful legal right to change employers. Under the terms of their visa, they have to keep working for the same employer to maintain their right of residence, creating strong incentives to stay in highly abusive situations. Reforming visa conditions to allow migrant workers the right to change employers would least provide an additional lever. Other legal provisions that would help strengthen migrant rights include binding restrictions on maximum working hours, provisions for leave and days off, avenues for ensuring that wages are actually paid in full, regulations against excessive and arbitrary deductions of wages, the legal right to become a citizen of their country in which they work, sanctions against abusive employers, and/or protection against arbitrary deportation.

### ****Open borders:****

[To quote Joseph Carens](https://www.opendemocracy.net/beyondslavery/joseph-h-carens/case-for-open-borders): ‘Borders have guards and the guards have guns. This is an obvious fact of political life but one that is easily hidden from view—at least from the view of those of us who are citizens of affluent democracies. If we see the guards at all, we find them reassuring because we think of them as there to protect us rather than to keep us out. To Africans in small, leaky vessels seeking to avoid patrol boats while they cross the Mediterranean to southern Europe, or to Mexicans willing to risk death from heat and exposure in the Arizona desert to evade the fences and border patrols, it is quite different ... On what moral grounds can we deny entry to these sorts of people? What gives anyone the right to point guns at them? … In principle, borders should generally be open and people should normally be free to leave their country of origin and settle wherever they choose’.

## Week 5: The politics of forced and precarious labor

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Please complete the Week 5 activity. Then share your thoughts in the discussion forum below, by:

* Posting a copy of your screenshot to the forum, or
* Sharing your motivation for why you rated one of the factors as making a major contribution, or
* Suggesting other factors which contribute to keeping labor vulnerable.

### Forum discussion

**Topic:** Week 5 / The politics of forced and precarious labor

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[The role of US Customs Import Bans on Goods made by Forced Labour](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5dc6c15ec76277090c000a0b)

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[The obvious choice](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5dcc696495b062093e0010c4)

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[Week 5-The politics of forced and precarious labor](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5da73bde8149fd0965003cf2)

[Hie everyone, This week's task is ready. Let us post below our opinions to have an organised thread that is easy to follow. Can't wait to enjoy the usual varied opinions. Albert](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5da73bde8149fd0965003cf2)

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[solutions and strategies week 5](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5dcc6c4d95b0620914001130)

[• Strengthening border protections. • Warning migrants about dangerous travel. • Reforming tied visa schemes to protect migrant workers](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5dcc6c4d95b0620914001130)

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[The solutions appear obvious](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5dc973837febe5095e000b59)

[But the issue is how to back the proposals which would probably give the best results with the explanation and ratio understandable and relatable to most of the people? Particularly the ones who holds the power - political, economical and so on...](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5dc973837febe5095e000b59)

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[Week 5 - assignment (round 3)](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5da9da3284452a079e003da4)

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[Vulnerable labor](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5dad078684452a07cf003d05)

[I think other factors that contribute to migrant workers being vulnerable is the language barriers and cultural differences. The migrant workers might not understand that they have certain rights, even if they may have rights they may be completely unaware and are afraid to reach out for help. In some countries no matter if you are a migrant worker or native to that country you probably don't have or exercise many working rights whereas in some countries you may actually have some rights.](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5dad078684452a07cf003d05)

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[Week 5 Activity](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5dad95e0c06d26096f003c5c)

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[discussion](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5da9da168149fd0957003c7f)

[Week 5 - assignment (round 2)](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5da9da168149fd0957003c7f)

**[1comments](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5da9da168149fd0957003c7f)**

[discussion](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5da9d9f784452a07b3003ec8)

[Week 5 assignment](https://courses.edx.org/courses/course-v1:WitsX+BTSx+3T2019/discussion/forum/e3832150b90eca5fb203334d9b0e5e6fe4ca5ccc/threads/5da9d9f784452a07b3003ec8)