

Women, Migration and Labour Exploitation: Challenging Frameworks

Bindhulakshmi Pattadath, Roshni Chattopadhyay, Meena Gopal and Lorena Arocha

Abstract

Migration narratives often resist incorporating a gendered lens, thereby erasing or failing to account for the ‘herstories’ of women, and for persons from marginal backgrounds who move in search of freedom, survival and autonomy. This is not dissimilar to how women’s work, especially when exploitative, has been conceptualised to date. Often formulated as social-reproductive work, this conceptual framework has failed to address the normative considerations that continue to devalue women’s work by frequently seeing it in juxtaposition to productive (valuable) work, complementary and subordinate to it. Despite decades of feminist attention to this and sustained efforts at visibilising women’s work, it has not yet overcome established configurations and grammars that continue to subordinate it. In this article, we consider two case studies in India to highlight some of these persistent blinders that attempt to render visible the situation of women who migrate for work. Focusing on these women’s experiences as migrants and workers, and their efforts to address their precarious and exploitative conditions, allows us to not only reflect on the challenges in better conceptualising these women’s lives but more importantly, to identify what these struggles say about the Indian women’s movement. In both cases, migrant women workers have built solidarity alliances with other women’s networks, and these are fundamental to re-energising the movement.

Introduction

This article relies on data collected as part of a pilot study¹ that aimed to capture the work experiences of migrant women, including their organisational efforts in sectors such as waste-

Bindhulakshmi Pattadath (bindhulakshmi@tiss.edu), **Roshni Chattopadhyay** (roshnichattopadhyay@gmail.com) and **Meena Gopal** (meena.gopal@tiss.edu) are with the Advanced Centre for Women’s Studies, Tata Institute of Social Sciences, Mumbai and **Lorena Arocha** (lorena.arocha@hull.uk) is with Wilberforce Institute, University of Hull, UK. A draft of this paper was presented at the XVth National Conference of the Indian Association of Women’s Studies, National Law University, New Delhi 27–31 January 2020.

picking, sugarcane cutting, quarrying work, sex work, construction work, etc., all with an over-representation of women migrant workers. These women's experiences are shaped by patriarchal, class and caste-based relations, and our study aimed to understand how women mobilise as workers while operating in conditions that are often dehumanising and extremely exploitative. For this paper, we focus on two case studies: the first on the migrant sugarcane workers of the Marathwada region of Maharashtra and the second on sex workers in western Maharashtra who are mostly migrant women. The first case study allows us to explore how campaigns and legislation against bonded labour have invisibilised women's work, in the agriculture sector in our case, and the implications of this when instances of women's exploitation emerge. The second case study centres on campaigns and legislation that foreground women's exploitation, but which imagine women as powerless victims in need of rescue, reinforcing, therefore, structures that continue to privilege patriarchal and caste/class-based ideals. Finally, we also refer to the impact on women migrant workers of the contemporary crisis following the lockdown imposed to arrest the spread of Covid-19; even as migrants suddenly gain prominence in the public discourse, the normative migrant narrative continues to invisibilise women.

Migrant Labour Exploitation as Unfree Labour in India: Campaigns and Legislation

In 2015, the United Nation's Sustainable Development Goals (SDGs) introduced, as a development concern, the objective of tackling trafficking, forced labour and modern slavery (Target 8.7). This new development concern has only reinforced the geographical fetishisation (McGrath and Watson 2018, 27) that has characterised considerations of unfree labour, of which India is a preferred and referential example. Theoretical articulations of slavery in India from an anti-caste framework form a structured framework for looking at exploitative practices concerned with labour (Mohan 2006), the best example of which is Jyotiba Phule's articulation of *Gulamgiri* [Slavery] (2013). *Gulamgiri* offers a historical analysis of the interconnection between economic and cultural subordination, better situating the specific conditions and relations of labour in India. Pre-existing caste practices in the Indian context place workers in much lower social locations, where gender, caste and sexuality produce complex social relations that are unintelligible to those unfamiliar with these histories and contexts (Gopal 2013).

Bonded labour and other exploitative labour practices based on debt that continues to prevail, have long and complex histories in India (Breman 1974; Prakash 1990; Brass 1986, 1990) and can be better understood through a historically-focussed analysis of caste and gender relations, wherein debt is used as a mode of disciplining labour, keeping labour costs down, and extracting surplus. Much of the earlier understanding of agricultural bonded labour in India imagined the bonded labourer as a male worker, attached through advances or loans to a landlord due to caste-based obligations, and whose dependents' work (dependents included

wife, children and elderly relatives) was framed as family labour and subordinated to that of the male head of the household. Breman (1974, 1996, 2013) has carefully delineated the transition from attached agricultural to daily-wage labour in the context of the *hali* system in Gujarat, but as he emphasised, the conditions of these daily-wage labourers are now dependent on circular migration and *mukkadams*. Lerche (1999) has also confirmed this shift in the context of Uttar Pradesh, and explains how migrating for non-agricultural work became the main source of income since Independence for these former agricultural (male) bonded labourers, but that this was allowed by the remaining members of the household (women and older men) who did not migrate seasonally and continued to work for landowners, performing productive as well as unpaid labour (*begar*). These ‘invisible economies of care’ across spatio-temporally divided households are crucial to prevailing migrant labour exploitation (Shah and Lerche 2020, 3). Although the Indian 1976 Bonded Labour System Abolition Act recognises the relationship between forced labour and customary relationships based on these structural hierarchies, it has not rendered visible the position of women workers.

The robust discourse on trafficking which emerged in the global context in the 1990s foregrounded the situation of women, but reinforced archaic patriarchal understandings of femininity and vulnerability, conceptualising all women of the developing world as naïve, innocent and susceptible to sexual abuse and exploitation (Kempadoo and Doezema 1998; Kapur 2002). This discourse does not take into account the specific socio-historical contexts in which exploitation operates in a gender-/caste-unequal society with deep regional disparities. In a post-1990s liberalising India, where both internal and international migration have become fundamental livelihood strategies for so many, the trafficking discourse and framework fails to account for women’s aspirations to migrate for work and serves instead to curtail their abilities to do so, through myriad regulatory initiatives and policies that establish control of women’s mobility as a protective measure.

Seeing migrant women as victims of hard labour and sexual exploitation is not new in the Indian context. Samita Sen has attentively demonstrated how discourses on peasant women’s migration from locations of traditional family-based patriarchal authority to sites of colonial production in mills, factories and plantations, have imagined these women as vulnerable to sexual and labour exploitation (Sen 2008). Then as now, all social sanctions, policies and interventions aimed to arrest women’s mobility, and migrant women were irremediably associated with immorality and prostitution (*ibid.*).

The UN Trafficking Protocol prioritises ‘sex trafficking’ and invisibilises the narrative of migrant women as sex workers (Doezema 2002), thereby regulating the mobility of women and calling for increased surveillance of female migrant workers. Early awareness-raising anti-trafficking campaigns deployed sensationalised and racialised stories and testimonies of kidnappings, sexual exploitation, violence and suffering, setting the dominant paradigm for migrant women being the ‘ideal victim’ of this ‘sex trafficking’. This image reinforced the

morally-laden ideals of Indian femininity established during the struggle for Independence, employing colonial stereotypes based on a sharp divide between the rural and the urban (Sen 2008, 91).

Critics of these measures have warned against a conflating of the concepts of trafficking and migration, and its implications particularly for the women migrant workers in/from the Global South (Kempadoo and Doezema 1998), where anti-trafficking measures are limited to an intensified border control and punitive actions against the already precarious migrants. The Indian Trafficking of Persons (Prevention, Protection, and Rehabilitation) Bill, passed by the Lok Sabha on 26 July 2018 in response to India becoming a signatory to the 2000 UN Trafficking Protocol, is a recent example. Critiques to the Trafficking Bill have centred on highlighting its sex-work exceptionalism and its failure to address labour exploitation in the context of increased flexibilisation and informalisation. This moral approach to trafficking is also reflected in the Immoral Traffic Prevention Act (ITPA), which states that a woman who is rescued during a raid operation ‘can be handed over to her husband, parents or guardian.’ This maintains and enforces a patriarchal family ideology, where women are infantilised, and the family is assumed to function in their best interests.

To better understand the sociopolitical context of women who migrate in India, Shah and Lerche (2018) have suggested looking closely at conjugated oppression, that is, the co-constitution of class-based relations and oppression along the lines of race, ethnicity, gender, and in India, caste and tribe too. The perspective of conjugated oppression allows us to examine how entrenched it is in the situation of Dalits and Adivasis, who in particular remain at the bottom of the social and economic hierarchies and often in conditions of neo-bondage, even when migrating outside of their places of origin. Migration is a now well-established phenomenon in India, and given the regionally-disparate economic growth and levels of inequality, circular migration on its own will not ensure decent work for everybody entering into the labour market (Deshingkar 2008).

This then stands in sharp contrast to the formulations in the contemporary anti-trafficking discourse, that identifies women as victims and aims to rescue and rehabilitate women by assigning them to gender-specific forms of work (i.e., textile, garment), through reductive gender-specific training and psychosocial support modelled on therapeutic interventions that do very little to address the social and economic locations these women inhabit. It underlines the inadequacies of the 1976 Bonded Labour System Abolition Act which imagines the bonded labour as male.

Within the labour market in India, the framing of labour in terms of the binaries of formal and informal labour has also proved inadequate, given the complex histories and dynamics of many of these labour formations. The weight of the informal sector, which estimates indicate comprises almost 90 per cent of the Indian labour force and where a large section is women,

has gone hand in hand with the adoption of economic policies of liberalisation since the 1990s. Informal modes of production now abound even within the formal economy, with varied forms of contracting and sub-contracting arrangements even within global supply chains. This distinction between formal and informal forms of work is further complicated by social relations within the labour market bound by intersections of caste, class, tribe and gender relations, especially in sectors such as sanitation and sewage operations, urban waste management, rural agricultural labour, and migrant domestic labour (Mazumdar et al. 2013). In valuing women's labour the social reproduction vs production dichotomy has not been very helpful, and our work is in line with recent developments that build on earlier calls to challenge and undermine this analytic separation (Shah and Lerche 2020). The two case studies that follow exemplify the challenges and limitations concretely that framing migrant women's work through those lenses pose.

Women Migrant Sugarcane Cutters in Maharashtra²

India overtook Brazil in the early 2000s to become the second-largest producer of sugarcane in the world. The western state of Maharashtra is one of the most important producers, but its production has been in consistent decline with lesser number of workers engaged in the sector due to water scarcity problems and the consequent declining yield levels (Sharma and Prakash 2011). Most of the operations in cane cultivation are carried out manually, with the use of machinery still limited (ibid.). The use of casual labour is most significant in Maharashtra, although family labour (women and children) and attached labour have been increasing in importance in the past decade (ibid.). Seasonal migration of sugarcane cutters is one of the important forms of livelihood mobility from the districts of Beed, Jalgaon, Nashik, Jalna and Ahmednagar in Maharashtra.

For the sugarcane harvesting season, which usually lasts for six months annually, entire families, mainly from Beed district, migrate for work, often crossing state borders. Contractors provide an advance payment to the male household head of the labourer's family, binding the family to a bonded-labour condition (debt bondage). The factories in Western Maharashtra are mostly owned by affluent politicians and landed upper- and middle-castes, and the contractor/factory-owner nexus is forced to rely on family and attached labour due to the decreasing number of available local workers, in light of the introduction of the MGNREGA scheme which absorbs this labour. The association of practices of slavery with cane cultivation is, however, not a novelty (Guerin 2013; West 2008). It reflects the political economy of the sugar industry, where workers with little access to alternative sources of livelihood are at the bottom of the value chain controlled by contractors and farmers trying to salvage reducing profit margins. Factory owners and retailers, at the top end of the chain, reap the benefits of the production harvests achieved by keeping the conditions of workers at the bottom of the chain depressed.

In the 1990s, the state authorities identified some of these workers in debt as bonded labourers, issuing identification forms and disbursing rehabilitation funds. Our study revealed that all those rehabilitated through these forms were male workers, some of whom were able to upgrade their positions to contractors at the time. Women workers were invisibilised and unaccounted for. Today, the state refuses to recognise any of these labourers as bonded labour even though most of them continue to be in debt; the payment of advances is the norm. Although their numbers are small, this lack of recognition has an important context. Within the subcontracting chain, neither farmers nor factory owners are deemed as employers and hence take no responsibility for these workers who are indispensable for the production process. Farmers and factory owners favour contractual casual labourers precisely to evade this responsibility.

In Maharashtra, the use of family labour in sugarcane cultivation has been on the rise since the last few decades (Sharma and Prakash 2011). Here, the work of women is subordinated to that of men. The cutters are contracted in pairs, with a heteronormative married couple mostly forming a pair, known as *koyta* (Marathi for sickle). They are recruited along with their children by the contractor with the payment of an advance. They are on the move for six months, going wherever harvesting is required. Heterosexuality and patriarchal family arrangements are thus fundamental to the mobility of these sugarcane cutters. A *koyta* is paid Rs. 250 per tonne of sugarcane cut, and women workers are always at a disadvantage in such a labour arrangement. A group of twenty people form a *toili* (9-12 *koytas*), with each *toili* working under a truck owner. Women are always on the move, living and managing all work and care tasks in too harsh conditions. Women often work throughout their pregnancies and resume work soon after delivery. New *koytas*, formed following early marriages, become independent economic units: this creates an incentive for having an early marriage among migrant sugarcane cutters. After the cutting season is over, some (male) sugarcane cutters move out to work as construction labourers, while women, children and the elderly remain in the villages. These are the spatio-temporally distributed ‘invisible economies of care’ we referred to above (Shah and Lerche 2020).

In 2019, journalists highlighted the plight of women sugarcane cutters undergoing hysterectomies in Maharashtra. An unusually high number of women had undergone the procedure in this district and news emerged that *mukkadams* were financing the operations via advances, to ensure a continuous supply of *koytas* in the cutting season (Jadhav 2019). The National Commission for Women in India called on the Maharashtra State Chief Secretary to prevent this from continuing. A committee headed by the Maharashtra Health Department’s Principal Secretary was mandated to conduct a fact-finding investigation into the matter. We visited the field in July 2019 at a time when this fact-finding mission had just left. Despite most migrant families involved in sugarcane cutting obtaining advances from contractors at the start of the season and sometimes being unable to repay them, thereby being forced to work for them the following year, no worker has been identified as bonded by the local district since the late 1990s.

The explosion of interest from researchers, journalists and social activists following the media storm created a momentum that a handful of local social activists and supporting feminist networks hoped would translate into a real transformative opportunity. An informal platform of women sugarcane cutters, local social activists and feminist researchers working with national NGO platforms emerged organically, and this collectivisation offered a route to re-centre some of the concerns of women sugarcane cutters. Rather than accepting the victim stereotypes which much of the earlier media reportage relied on, activists arranged for women sugarcane cutters to use public testimonies to fundamentally shift public attention from the health interventions, in which they were seen as victims of ruthless *mukkadams*, to the structural socioeconomic conditions that kept them tied to precarious work. Now the focus was on articulating petitions to the state for measures of social protection and workers' welfare (Menon 2019). Sugarcane cutters are hardly organised, but the attention their condition received has strengthened their desire to voice their plight in their own terms. The women sugarcane cutters we spoke to were keen not just on talking about their hysterectomies but also on explaining their dire living and working conditions in the fields. Instead of accepting the hitherto standard news media narrative that identified these women as victims, they managed to shift the attention to questions of political economy with the assistance of local activists. Neither bonded labour legislations/interventions nor anti-trafficking ones had allowed these migrant women to confront the adverse terms of work they face.

The situation of sugarcane cutters indicates the layers of conjugated oppression that allowed migrant workers to continue to be exploited and the invisibility of women workers in bonded-labour legislation. This case study also highlights how crucial economies of care are to maintaining migrant labour in exploitation, problematising rigid divisions that do not consider the co-constitutive nature of reproduction and production, shedding light not only on the over-emphasised division along gender lines but also on the role that *revanche* capitalism plays in this, through the increased privatisation and commercialisation of health services in India (Baru 2006).

Migrant Sex Workers in Maharashtra

In the 1980s, a journalist in a town in Western Maharashtra reported on police harassment faced by sex workers in the local community. This journalist soon returned to this community of sex workers with a commitment to address some of the grave challenges many sex workers faced, at a time when the HIV/AIDS pandemic was creating much panic. In time, a sociopolitical strategy aimed at bringing sex workers together as a collective, to struggle against and overcome the stigmatised nature of the work that was denying them access to crucial healthcare and any other kind of social security, emerged. A local organisation was formed to provide more structure to this local movement under which several collectives were initiated (Pillai et al. 2008). As part of our pilot study, we conducted field visits to this town and met sex workers who were active members of these collectives. During our

interviews, these women, mainly migrants engaged in different forms of sex work, articulated their rights within the framework of ‘labour’ and ‘workers’ rights’.

These sex workers argued that historically in India, they have been treated as vectors of contagion and criminalised, rendering them and their children more vulnerable. They identified anti-trafficking efforts and interventions emergent in the late 1990s, and the more recent Trafficking Bill in particular, as major threats, especially the raid, rescue and rehabilitation measures that these entail, as these interventions undermine the ability of sex workers to exercise their rights. Seen as victims rather than workers, sex workers not only face harassment and violence by a whole host of locals, including clients, landlords, criminals and shopkeepers but, most importantly, are also harassed and abused by those who are meant to protect them. Approaches that follow international directives and are not responsive to local dynamics disempower many of these women migrant workers. The distinction between ‘voluntary’ and ‘forced’ sex work has not been productive as it has often easily devolved into attempts at separating innocent victims from immoral fallen women, reifying the immoral character of the work (Kempadoo and Doezema 1998).

One of the outcomes of the twenty-five years of organising efforts and being part of national networks and advocacy work across the country is the coming up of a plurality of voices within the sex workers community (Dube 2020). In this town in Maharashtra where we conducted fieldwork, the sex worker collective comprised 5500 members who actively participated in initiatives to improve their conditions, such as ensuring access to healthcare and other welfare schemes, helping workers register FIRs (first information reports as complaints) in police stations and sensitising campaigns among workers on issues related to safety, finances, health and education for children, all of which translate into sex workers being able to exercise their rights. They also play a significant role in preventing entry of underage girls into sex work and check on the new women entering sex work.

Despite these successes, the challenges faced by sex workers remain. Important among these is their inability to forge solidarity with other traditional trade unions who fail to see sex workers as politically conscious individuals demanding workers’ rights, although, as in the case of the earlier case study of sugarcane cutters, women’s rights organisations do extend some support. Further, on an everyday scale, it is often difficult to sustain these collectives’ activities given the enormous emotional labour that such efforts require, as their years of struggle have not resulted into visible structural shifts. The impetus and dominance of anti-trafficking campaigns and legislation, and their emphasis on individual evil exploiters, rescue and rehabilitation have proven inadequate in understanding the specific political economy in which this exploitation is situated. Among the core demands of sex workers is the demand for a reorientation of the understanding of ‘sex work’ – from a moralistic framework to that of a service within a shifting economy. Rather than centring their efforts in emphasising social reproduction, they foreground the increasing relevance of the service sector to situate

sex work as valuable work. Their self-perception as providers of services, in turn, has allowed them to construct themselves as autonomous subjects of rights-based articulations. In this, the public health work of HIV prevention that preceded their organising efforts and that relied on a framework of rights (i.e., right to health, life, liberty and livelihood) proved crucial.

Visibilising Migrant Women Workers

Our two case studies have highlighted the challenges of visibilising women as workers and migrants. The deepening of globalisation, in the backdrop of the politico-economic transformation of the late 1990s, was often associated with the onset of the feminisation of the labour force and migration. These processes were first understood as beneficial to women. It was assumed that women entering productive work (possessing value) and/or migrating would improve their status and autonomy. However, old-time connections and narratives of working migrant women, exploitation and sexual immorality soon re-entered the public imagination, leading to regressive campaigns and legislation, best exemplified in the trafficking discourse. Rendering visible women's experiences of migration and work without lapsing into easy moralistic, dualistic conceptualisations (male/female, production/reproduction, rural/urban, private/public) remains a challenge. Our case studies provide two concrete examples as to how women at the intersection of these concerns are forging ways to articulate their experiences, making claims and building alliances, often in contrast to these simple dichotomies resonating *ad nauseam*.

In the case of migrant sugarcane cutters, activists in districts of Marathwada challenged, with the help of the public, the media images that portrayed these women as victims. Their stories indicated that their terms of work resembled bonded-labour conditions and yet state authorities had never identified them as such. They reiterated the fact that women's labour, both reproductive and productive, is fundamental to the enormous profits that factory owners and retailers make in the sugar industry, an industry of tremendous significance globally. They positioned the women migrant workers as citizens robbed of their rights and entitlements, with no possibility of accessing welfare and other support schemes, rather than as vulnerable victims in need of rescue.

Migrant sex workers in Maharashtra were more vocal against the anti-trafficking policies and legislations that claim to have their well-being and interest at heart. Sex workers position themselves as workers providing a (valuable) service in an economic structure in which the service sector has increasingly gained more weight. They strongly oppose the victim narrative of anti-trafficking campaigners and reject the rescue and rehabilitation approach adopted by both state and international bodies. Sex workers' collectives argue that the stigma of sex work is an everyday problem not only for them but for all women, as it serves to reinforce Indian ideals of femininity based on moral and patriarchal values that subordinate all women. Their collective efforts challenge the social reproduction/production dichotomy and the private/public sphere division.

Focusing on these women's experiences as migrants and workers and their efforts to address their precarious and exploitative conditions allows us not only to reflect on the challenges in better conceptualising these women's lives but also, more importantly, to identify what these struggles say about the Indian women's movement. In both cases, migrant women workers built solidarity alliances with other women's networks that are fundamental to re-energising the movement. In the contemporary period, feminists in the Indian women's movement have consciously built alliances with those who have organised themselves in marginal locations, including women in precarious work, sex workers, queer and transgender persons. Their four-decades-long history of organising and campaigning for legislation to address violence against women in both private arenas and public domains, ranging from domestic violence and sexual harassment at the workplace to rape, is common knowledge. However, the continuing backlash of patriarchal and capitalist forces against migrant women and other marginal groups has foregrounded a politics of alliance, especially as the state legislative juggernaut now refuses to respond to demands from social movements aligning with regressive anti-trafficking frameworks, paving the way for platforms of resistance. The recent campaigns by these alliances of feminists, sex workers, trans and queer activists against the Trafficking Bill and the Transgender Rights Bill, in 2018 and 2019 respectively, illustrate this (Pawar 2018; Ramachandran and Walters 2018; Biswal 2019).

Another such moment came close on the heels of our pilot study. On 24 March 2020, the Government of India announced a nation-wide lockdown to limit the movement of people to prevent the spread of the Covid-19 pandemic. Initially, for twenty-one days, the lockdown was further extended in multiple phases. It witnessed a mass exodus of migrants, many of whom had lost their employment and livelihood opportunities as an outcome of the lockdown. The sight of migrant workers trudging barefoot along highways to their homes hundreds of kilometres away presented a haunting image of the reality of migrants' lives under lockdown. This humanitarian tragedy caused a sudden shift of attention to migration and migrants' lives. However, many of these narratives did not capture the heterogeneity of migrant workers' lives. The disproportionate impact of Covid-19 on certain categories of workers, women workers, in particular, requires specific attention. The Covid-19 situation has brought in an extra burden on women workers, particularly when many of them are taking on the extra burden of care work as well. As we argue in this paper, the examples from sugarcane cutters in Marathwada and sex workers in western Maharashtra show that categorising all of these workers into one broad group of migrant workers is not effective, as their labour is situated in particular contexts of the local political economy with intersections of patriarchy and caste relations.

As the narratives of sex workers state, the Covid-19 pandemic and the subsequent lockdown has resulted in substantial job loss for many sex workers, which has made their lives precarious (Dey 2020). As a result of losing customers due to the particularity of their labour that entails exposure to health hazards amid a pandemic situation, a crisis is unfolding among sex workers,

and it requires special attention from the government. The articulation from the sex workers' collectives requires amplification in order to include sex workers among other workers who have lost employment during the lockdown. As we survey the horizon, we see the Covid-19 pandemic changing labour relations in India. Sapkal (2020) argues that the collectivisation and unionisation of workers would be critical to fostering stability and lessening the economic hardships of workers under lockdown. However, as we demonstrate in this paper, one of the challenges that sex workers' collectives face is forging alliances with traditional trade unions, who refuse to see sex workers as workers with political agency. On the other hand, as we see in the context of sugarcane workers, their conditions are deeply rooted in the structural inequality embedded in patriarchy and caste relations where women manage both productive and reproductive labour under precarious conditions. During the lockdown, many sugarcane mills were on the verge of closure as most men moved into other kinds of labour situations, but women suffered more as they had no say in the movement and their work was rarely acknowledged as independent of their heterosexual coupledness.

In Closing

Large sections of workers in India's informal economy are still outside the purview of traditional labour organisations and are mobilising themselves for citizenship rights rather than workers' rights (Agarwala 2008). The alienation experienced by these labouring groups, comprising women, Dalits and Adivasis, in the informal economy, with global-supply-chain dynamics obscuring the traditional direct employer-employee relationships, needs further analytical attention. In some situations, newer forms of groups adopt traditional modes of organising or form trade unions to reach out to these new sectors slowly.

Even as employers see further informalisation of existing formal labour arrangements as modes to eke further profit, states adopt these changing terms of work as critical and introduce legal mechanisms such as Labour Codes with new monitoring regimes and performance assessments. What causes worry is that these Labour Codes present a scenario of the state withdrawing the rights of workers in the name of rationalisation and efficiency of the delivery of social security while creating a regime for the industry to be globally competitive, purportedly removing all labour rigidity through concessions to industry. Given this scenario, merely exporting the models of modern slavery, forced labour or trafficking to countries without consideration of local specificities, especially of labour within the informal economy, will not lead to positive results. Of utmost necessity are creating labour strategies that recognise the role of workers' organising and that support them, rather than push for a punitive approach. Given the precarity that formal sector workers find themselves in, even as informal workers including migrants seek to deviate from traditional trade union organising, the lessons offered by migrant women workers that this paper has attempted to highlight are momentous. The alliances built between precarious migrant sugarcane cutters and women's rights activists, as also the partnerships between sex worker collectives and feminist activists campaigning for sexual rights, bring new strength and solidarity to workers' struggles.

Notes

1. The pilot study is part of a collaborative research project between Advanced Centre for Women's Studies, Tata Institute of Social Sciences Mumbai and Wilberforce Institute, University of Hull in the UK. We received financial support from the Global Challenges Research Fund UK to conduct this pilot study.
2. In our pilot research, two of the researchers travelled extensively to conduct interviews with workers and activists. We also organised a consultation to understand the worker-driven initiatives and new forms of organising to curb exploitation and slavery-like situations in different Indian contexts. The sections of the paper that follow draw from these sources of data.

References

Agarwala, Rina. 2008. 'Reshaping the social contract: emerging relations between the state and informal labour in India,' *Theory and Society*, 37: 375–408.

Augustin, L.M. 2007. 'A multiplicity of acts, acting and caring: the international sex industry'. In *Intimate Labors: An Interdisciplinary Conference on Domestic, Care, & Sex Work*. UC Santa Barbara, 4–6 October.

Baru, Rama Vaidyanathan 2006. 'Privatisation of Health Care in India: A Comparative Analysis of Orissa, Karnataka and Maharashtra States'. *Centre for Multi-Disciplinary Development Research Monograph Series*, no. 43: 2–50.

Biswal, Ananya 2019. 'Trans, queer collectives in city gather to protest new Bill', *The Hindu*, Mumbai edition, 28 November 2019. Accessed 20 May 2020.
<https://www.thehindu.com/news/cities/mumbai/trans-queer-collectives-in-city-gather-to-protest-new-bill/article30100918.ece>

Brass, Tom 1986. 'Unfree Labour and Capitalist Restructuring in the Agrarian Sector: Peru and India'. *The Journal of Peasant Studies* Vol. 14, no. 1: 52-77.

Brass, Tom 1990. 'Class Struggle and the Deproletarianization of Agricultural Labour in Haryana (India)'. *The Journal of Peasant Studies* Vol. 18, no. 1: 36-76.

Breman, Jan 1974. *Patronage and Exploitation: Changing Agrarian Relations in South Gujarat*, Berkeley, CA: University of California Press.

Breman, Jan 2010. 'Neo-Bondage: A Fieldwork-Based Account'. *International Labor and Working-Class History*, no. 78 (Fall 2010): 48–62.

Chuang, Janie A 2013. 'Exploitation creep and the unmaking of human trafficking law'. *American Journal of International Law* 108, no. 4: 609–649.

Chuang, Janie A 2015. 'The Challenges and perils of reframing trafficking as "Modern-Day Slavery"', *Anti-Trafficking Review*, no. 5: 146–149.

Davidson, Julia O Connell 2015 *Modern slavery: The margins of freedom*. London: Springer.

Deshingkar, Priya 2008. 'Circular internal migration and development in India'. *Migration and development within and across borders: research and policy perspectives on internal and international migration*. Geneva: International Organization for Migration/Social Science Research Council, 161–187.

Dey, Simantini 2020. 'Not kowtowing to crisis: Sex workers distribute ration, medicines and hope during Covid-19 lockdown,' News18.com. Accessed 20 May 2020 <https://www.news18.com/news/india/not-kowtowing-to-crisis-sex-workers-distribute-ration-medicines-and-hope-amid-covid-19-lockdown-2588977.html>

Doezema, Jo 2002. 'Who gets to choose? Coercion, consent, and the UN Trafficking Protocol'. *Gender & Development* 10, no. 1: 20–27.

Dube, Siddharth 2020. 'Minding their business: The unfinished battle for sex workers' rights'. *The Caravan A journal of politics and culture*. Accessed 1 June 2020 <https://caravanmagazine.in/reportage/unfinished-battle-sex-workers-rights>

Gopal, Meena 2013. 'Ruptures and reproduction in caste/gender/labour'. *Economic and Political Weekly*, Vol. 48, no. 18: 91–97.

Guérin, Isabelle. 2013. 'Bonded Labour, Agrarian Changes and Capitalism: Emerging Patterns in South India'. *Journal of Agrarian Change* 13, no. 3: 405–423.

International Labour organisation. 2005. 'A global Alliance against forced labour'. *Global Report on Forced Labour*.

Jadhav, Radheshyam 2019. 'Why many women in Maharashtra's Beed district have no wombs' *The Hindu Business Line*. Assessed 8 April 2019. <https://www.thehindubusinessline.com/economy/agri-business/why-half-the-women-in-maharashtras-beed-district-have-no-wombs/article26773974.ece>

Kapur, Ratna 2002 'The Tragedy of Victimization Rhetoric: Resurrecting the "Native" Subject in International/Post-Colonial Feminist Legal Politics'. *Harvard Human Rights Journal* 15, no. 1: 1–38.

Kempadoo, Kamala and Jo Doezema. 1998. *Global Sex Workers: Rights, Resistance and Redefinition*. New York: Routledge.

Kotiswaran, Prabha 2018. 'What is wrong with India's trafficking bill 2018: an introduction' *Economic and Political Weekly Engage*. Accessed 20 May 2020. <https://www.epw.in/engage/article/what-wrong-indias-approach-2018-0/>

Lerche Jens 1999 'Politics of the poor: Agricultural labourers and political transformations in Uttar Pradesh'. *The Journal of Peasant Studies*, no. 26: 2–3, 182–241.

Lerche, Jens 2007. 'A global alliance against forced labour? Unfree labour, neo liberal globalisation and the International Labour Organization'. *Journal of Agrarian Change* 7, no. 4: 425–452.

Mazumdar, Indrani, N. Neetha, and Indu Agnihotri 2013. Migration and Gender in India. *Economic and Political Weekly* 48, no. 10: 54–64.

Menon, Meena 2019. 'Beed: High hysterectomy rate among sugarcane cutters signals unethical medical practices, poor work conditions'. *Firstpost.com*, 16 June 2019.

Mohan, Sanal 2006. 'Narrativising oppression and suffering: Theorising slavery'. *South Asia Research* 26, no. 1: 5–40.

Pawar, Yogesh 2018. 'How new anti-trafficking bill introduced in LS will actually harm those it wants to protect'. *DNA India*, 19 July 2018. Accessed 20 May 2020. <https://www.dnaindia.com/india/report-how-new-anti-trafficking-bill-introduced-in-lok-sabha-will-actually-harm-those-it-wants-to-protect-2639025>

Phuley, Jyotirao. 2008. *Slavery (Gulamgiri)* translated from Marathi by Maya Pandit. New Delhi: Critical Quest.

Pillai, Supriya, Meena Seshu, and Meena Shivadas (2008). 'Embracing the rights of people in prostitution and sex workers, to address HIV and AIDS effectively'. *Gender and Development* 16, no. 2: 313–326.

Prakash, Gyan 1990. *Bonded Histories: Genealogies of Labour Servitude in Colonial India*, Cambridge: Cambridge University Press.

Prasad, Kiran Kamal 2015. 'Debate: Use of the Term 'Bonded Labour' is a Must in the Context of India'. *Anti-Trafficking Review*, no. 5.

Ramachandran, Vibhuti and Kimberly Walters. (2018). 'A Recipe for Injustice: India's new trafficking bill expands a troubled rescue, rehabilitation, and repatriation framework'. *Open Democracy.net*. 30 July 2018. Accessed 20 May 2020.

<https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/recipe-for-injustice-india-s-new-trafficking-bil/>

Sakpal, Rahul 2020. 'Saving jobs and averting lay-offs amidst Covid-19 lockdown'. *Economic and Political Weekly* 55, no. 19: 25–27.

Sen, Sumita 2008. 'Gender and Class: Women in Indian Industry, 1890-1990'. *Modern Asian Studies* 42, no. 1: 75–116.

Shah, Alpa and Jens Lerche 2018. 'Conjugated oppression under contemporary capitalism: class relations, social oppression and agrarian change in India'. *Journal of Peasant Studies* 45, no. 5–6: 927–949.

Shah, Alpa and Jens Lerche 2020. 'Migration and the invisible economies of care: Production, social reproduction and seasonal migrant labour in India'. *Transactions of the Institute of British Geographers*, 1–16.

Sharma, Ashwini K., and Brahm Prakash 2011. 'Causes and consequences of supply-demand gap for labour in sugarcane in India'. *Agricultural Economics Research Review* 24, no. 347, 2016, 16996: 401–408.

Srivastava, R. S. 2005. 'Bonded labor in India: Its incidence and pattern'.

At <http://digitalcommons.ilr.cornell.edu/forcedlabor/18> Accessed 23 September 2019.

West, Jean M. 2008. 'Sugar and slavery: Molasses to Rum to slaves'. Slavery in America. Accessed 20 May 2020. At online.Slaveryinamerica.org