

Unfree Labour, Migration and Racism: Towards an Analytical Framework

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ABSTRACT

When it comes to analysing exploitative and unfree labour, most research refers to “othering” or “race”. Race is often treated as a given category rather than a social phenomenon that needs explanation. In this article, I draw attention to the question of how racism is preserved, reproduced and changed within and through unfree labour relations. I do this by discussing the conceptual interlinkages between unfree labour, migration and racism. While the role of migration policies should not be underestimated, this should be accompanied by an analytical account of their racist background and outcomes. Based on this I present a framework for the analysis of racism as it relates to unfree labour and migration. I draw attention to three different levels of analysis (historico-structural, discursive-symbolic and everyday practices) and the interrelations between them. For empirical illustrations, I draw on my research on modern slave labour in two production sectors in Brazil: charcoal and clothing. I discuss the empirical findings with regard to three analytical problems in the analysis of unfree labour and racism: the impact of generalising knowledge on (future) migrant workers; the role and responsibility of global production networks; and the need to critically reflect on initiatives and policies aimed at the eradication of unfree labour.

KEYWORDS

labour migration; unfree labour; racism; Brazil; workers' rights

Introduction

While scholars speak of unfree or coerced labour when addressing labour relations that differ from free wage labour (Van der Linden and Rodríguez García, 2016), media reports and advocacy organisations often refer to “slavery” or “modern slavery” when reporting these kinds of situations. The term slavery highlights similarities with antique and colonial forms of exploitation, but it also leads to conceptual confusion regarding the interlinkages between racism and labour. There is no doubt that antique and colonial forms of slavery were based on racist worldviews that were legal at the time. However, it remains an open question if and in what way current expressions of coercion at work are related to racist structures, stereotypes and practices. Obviously, the forms of violence, exploitation and racism have changed since the colonial period. It is also recognised that the colonial global division of power led to a comprehensive redistribution of people, wealth and resources that still shapes contemporary labour markets. Historical analyses have taught that colonial slavery was not only based on pre-existing racism, but that racism was actively produced through manifold forms of colonial violence, among them slavery (Hall, 1989; Miles, 2006). Therefore, in this article I operate from the premise that race and racism should not be treated as ontological categories, but that instead scholars should

conduct thorough research on the empirical expressions of racism and the conditions of its existence. In order to illustrate my argument, I present examples from my research on present-day unfree labour in charcoal production in the region of Grande Carajás in northern Brazil and in the clothing industry in São Paulo (Carstensen, 2016, 2019). I understand “modern slave labour” as a specific arrangement of the mobilisation of “cheap” and “docile” labour through temporary labour migration and the devaluation of racialised bodies.

Much of the research in the field of unfree labour focuses on the relationship between migration and unfree labour (for example: Rogaly, 2008; Bastia and McGrath, 2011). There is also a growing sensitivity to issues of sexism and racism, and empirical and theoretical accounts hint at the importance of processes of racialisation and “othering” in the configuration of current unfree labour relations (McGrath, 2010; Fudge, 2019). But often, othering or race are referenced to explain exploitative and unfree labour relations. Race then is treated as an independent variable, a given category that serves as an explanation instead of a social phenomenon to be explained. I draw attention instead to the reverse question: How is racism preserved, reproduced and changed within and through unfree labour relations?¹

The literature on modern slavery often assumes that contemporary unfree labour relations were not founded on racist structures or ethnic differences between the victims and the perpetrators, but rather on pure economic interest (Bales and Cornell, 2008: 23). Against this, empirical data suggests that people of colour are more likely to be affected by slave labour than others. This leads to the discussion of whether race figures as a “proxy for poverty and vulnerability” (McGrath, 2010: 174) or if there are labour market discriminations at play. Many of the preconditions and practices of unfree labour may indeed be explained by circumstances related to the class position of the workers, but this does not suffice as an explanation since there are hierarchies and divisions within class. It is therefore impossible to think of class relations without discussing the racialisation of the working subject. Instead of assuming the possibility of ahistorical and unmarked subjects – as neoclassical economic theory does – I suggest that it is necessary to focus on the role of racism as a social relation.

In this article I develop an analytical perspective that permits the reconstruction of different aspects of racism as they pertain to unfree labour relations. First is the historico-structural dimension of exploitation and expropriation (Fraser, 2018). Second is the level of the discursive-symbolic, which entails the (re-)production of stereotypical and essentialising bodies of knowledge about the workers. Third, attention also needs to be drawn to the level of practical and everyday interactions between local actors. Once analytically distinguished, one can discuss the interlinkages between these three levels empirically. Following Miller (2012), I find it important to contextualise the findings, making sure to understand local constellations of power and rationalities of agents (including the workers). This allows us to raise the following questions: In what sense is today’s unfree labour conditioned by racist thinking, action and social structures? How is it possible to connect accounts of individual experiences of violence or discrimination to the wider historico-structural context? How are we to analyse structural racism in the global political economy – for example, in global production networks?

This article makes a conceptual contribution regarding the relationship between racism, migration and unfree labour. I do not aim to develop a comprehensive theory on racism and unfree labour, but rather to provide analytical tools for further empirical research. This is because I am not interested in reconstructing the structural function of race in capitalism, but in

¹ I am thankful for insightful comments on a previous version of this paper to the participants of the CERC Migration Working Group at Ryerson University, as well as the anonymous reviewers and editors of the *Global Labour Journal*.

visualising the impact of racism as a social relation under specific historic and local circumstances (Miller, 2012).

Starting from these heuristics, I identify three problems that point towards bigger analytical challenges: first, the role of generalising assumptions about the workers/victims; second, the analysis of racism within profit-driven global production networks; and third, the question of whether initiatives against modern slavery themselves contribute to reproducing racist assumptions and practices. Although this discussion is strongly focused on empirical data on unfree labour, the insights gained from it may also inform research on racism and (precarious) labour in other areas.

The empirical insights that inform this debate originate from my field research in São Paulo and the Carajás region in Brazil between 2010 and 2014. The qualitative research consists of a method of triangulation. First, I analysed policy studies and media reports, guided by the techniques of qualitative document analysis. Second, I conducted forty-two qualitative expert interviews with representatives of state, employer and civil society organisations. The interviews were recorded and most of them transcribed. These sources allowed me to gain an understanding about the discourses and institutional frameworks as well as competing ideas and interests concerning Brazil's strategy to "eliminate slave labour". In a third step, I conducted twenty problem-centred qualitative interviews (Witzel, 2000) with workers, who had been working under slave-like conditions in the respective sectors. I also carried out participant observations (Schöne, 2003), during which I attended institutional and political events as well as local mobilisations and educational events directed at (potentially) affected workers. The research focused on (self-)representations and struggles of the workers within global production networks and against the background of the politics against modern slave labour in Brazil (Carstensen, 2019). In this article I will not give a detailed account on the methodology and findings from this research but limit myself to discussing some insights related to the conceptual argument on racism, migration and unfree labour.

This article is structured as follows: In the next section I introduce the concept of unfree labour and highlight the particularities of the Brazilian notion of slave labour and its political context. I then discuss the relationship between the topics of migration and racism, and argue that analytical precision in this regard helps to better understand unfree labour. Based on this I develop an analytical framework to address racism within unfree labour relations. This framework is informed by theoretical literature on racism as well as empirical debates on unfree labour. In the subsequent empirical section, I introduce and discuss three analytical problems regarding unfree labour and racism.

Researching Unfree Labour in Brazil

It is important to clarify the concept of unfree labour. The academic terms "unfree labour" or "coerced labour" describe a variety of labour relations that deviate from free wage labour (Van der Linden and Rodríguez García, 2016). Different from this, the notion of "modern slavery" refers to all kinds of violent and/or exploitative labour relations, and aims at sensationalising them (Bales and Cornell, 2008).

Most of the current definitions of unfree labour are based on an ontological distinction between free and unfree labour relations (Fudge, 2019). Both liberal and Marxist literatures define unfree labour as deviant forms of exploitation differentiated from "normal" wage labour by extra-economic coercion, criminal behaviour or extreme expressions of vulnerability of the workers. Fraser (2018: 4), for instance, distinguishes between the mode of "expropriation" in

relations of “domination unmediated by a wage contract” and “exploitation” within wage-labour relations. In any case, when looking at concrete empirical occurrences, a clear distinction might be difficult since unfreedom and exploitation are usually experienced in complex situations, determined by many different factors.

Within the academic debate, the ontological distinction between free and unfree labour is questioned by a strand of literature that can be summarised as “critical studies on unfree labour” (McGrath and Strauss, 2015). Authors are sceptical about the concept but do not dismiss it completely. Instead, definitions themselves are seen as constructed, productive and normative. The idea is that unfree labour is best understood when situated along a continuum of free and unfree, and multiple dimensions are taken into account (McGrath, 2013). Seen from this perspective, unfree labour is not situated in a deviant sphere, but can be seen as embedded in the global political economy. In this regard, research on unfree labour within global production networks has provided important insights into market mechanisms and management techniques that lead to the proliferation of unfree labour (Bastia and McGrath, 2011; Phillips and Sakamoto, 2012). Current research also contributes to a better understanding of the responsibility of states for labour exploitation in the private economy (LeBaron and Phillips, 2019). The policies that aim to eradicate unfree labour are also evaluated critically (Lerche, 2007; Rogaly, 2008).

I understand unfree labour as extreme expressions of unfreedom, degradation and exploitation within a broader universe of labour and employment relations. This definition is not limited to the (claimed) possession of one person over another nor the (hard to define) “extra-economic coercion” referenced in the literature. Following the “critical studies on unfree labour” I argue that unfree labour can only be defined *in relation to* other kinds of labour relations and that the debate about the limits of “free” wage labour is a normative rather than an analytical question. This constructivist view allows us to examine the strategic usage and productivity of the definition as well as political struggles over its content and implementation (Carstensen 2016, 2019).

Brazil is a good setting for researching unfree labour. For many years, the country served as a best-practice example in international debates, having developed innovative policy tools. In Brazil, unfree labour is called “modern slave labour” (*trabalho escravo contemporâneo*) or “conditions analogous to those of slavery”, and it is legally defined in article 149 of the penal code. After this code was revised in 2003, modern slave labour came to be understood as deprivation of liberty (e.g. locked doors, debt, threats and execution of violence), exhausting work shifts (that impede physical reproduction of workers) or degrading working conditions (a term that refers mostly to matters of occupational safety, housing and food provision).

Social movements, unions and advocacy organisations in Brazil tend to use the term “slave labour”. From the 1970s onward, these groups denounced human rights violations, exploitative labour relations and violence, mostly in the Amazon region. In the course of Brazil’s democratisation, the accusations were heard and after 1995 the federal government slowly started to build an institutional framework to identify and prosecute cases of modern slave labour. In 2003 the social democratic government under President Luiz Inácio Lula da Silva declared the eradication of modern slave labour a national priority. At the same time, employers and landowners contested the legal and institutional framework against slave labour. Between 1995 and 2015, a total of 49 816 persons were rescued from situations of modern slave labour. Many cases were accompanied by media coverage and legal actions, although there were almost no convictions of perpetrators (ILO, n.d.). Modern slave labour is mostly observed in agriculture, deforestation activities and cattle ranching as well as construction and the clothing industry (Repórter Brasil, n.d.). Since 2015 yet another shift in power relations has been taking place

(Oliveira, 2018); the current president, Jair Bolsonaro, supports the employers' and landowners' demands to soften minimum standards with regard to working conditions, leaving trade unions and advocacy organisations worried.

The conceptual reflections presented in this article are informed by two case studies. One examines the situation of workers in charcoal production and the other of workers in the clothing industry. Charcoal is an important raw material and energy source for the production of pig iron, an intermediate product of the steel industry. Pig iron is produced from iron ore extracted in the local mine in Carajás and usually exported to the United States (US). Workers are internal migrants who stay for a few weeks or months at isolated workplaces. The clothing industry has undergone a process of decentralisation and informalisation since the 1980s. In this process, small workshops emerged in central neighbourhoods in São Paulo, where transnational migrants, many of them from Bolivia, are employed. These workers live at the workplaces, often under very precarious conditions. The workshops produce for the small and medium labels in the domestic market, but also for transnational retailers (Freitas, 2013; Rangel Côrtes and Freire da Silva, 2014).

Migration, Racism and Unfree Labour

Unfree labour and severe labour exploitation often occur in contexts related to migration. However, in order to avoid conflating migration and racism, some analytical clarifications are necessary. Migration and race often appear as proxies for each other. Of course, racism also exists independently from migration (Hürtgen, 2020), and structural racism within migration policies may vary. At the same time, migration policies are always in one way or another connected to racist repertoires of knowledge and symbolic interpretation frameworks. In this section I discuss how migration is linked to unfree labour and racism.

In order to elaborate on this, first we need to highlight the role of migration policies. Migration policies enable or restrict mobility and access to labour markets as well as to social rights and resources. These determine, for example, the modes of illegalisation, withholding of working permits and costs of border crossing (LeBaron and Phillips, 2019: 7ff). In some cases, like specific seasonal agricultural worker programmes, migration policies may even be so restrictive that all work is considered unfree (Smith, 2015). With a view to racism, it can be specified that migration policies are often based on dichotomous distinctions between “us” and “them”, “insiders” and “strangers”, and reproduce these dichotomies. In this way, the category of the “migrant worker” as “a separate legal category of humans who are denied the services and protections available to those classified as ‘citizens’ or ‘permanent residents’” is created (Sharma, 2002: 18). Of course, the relevance of racist discourses and imaginaries does not stop at the state level. Preibisch (2010) details how employers within Canadian temporary labour migration schemes are able to “pick” preferred workforces based on racialised narratives, thereby reproducing existing segmentations within the workplace and the migrant labour force.

In the case of Latin American immigrant workers who face modern slave labour conditions in Brazil, migration policies are a strong determinant. Many workers are illegalised and face high costs of migration, both of which are factors that weaken the agency of migrant workers and raise their vulnerability to labour exploitation (Freitas, 2013; Rangel Côrtes and Freire da Silva, 2014).²

² In the last few years there have been some substantial improvements for Latin American migrants. After several amnesty agreements, the Mercosul member states plus Bolivia and Chile signed an agreement in

Apart from political regulations, there are also practical issues related to migration and labour recruitment. Research points towards the relevance of triangular employment and the role of (transnational) recruiters and brokers in the composition of unfree labour (Barrientos, 2013). Of course, the vulnerability of workers within such structures depends strongly on the corresponding migration regime, but also on practical issues and interpersonal relations between local labour market agents. In order to deepen the understanding of racism, I would advocate for empirical research that takes into account racist narratives and imaginaries within these infrastructures.

Another point worth mentioning here is the discursive construction of stereotypes in migration-related contexts. Feminist research has provided insights into the question of how stereotypical and gendered views about embodied characteristics and abilities of workers influence the (de)valuation of labour (Anderson and O'Connell Davidson, 2002). Such socially constructed attributes shape the positions and experiences of women and men in unfree labour relations. This view allows us to see that – in contrast to colonial slavery – contemporary unfree labour is not necessarily linked to racist categories. Instead it is important to understand how these arrangements are legitimised by racist knowledge repertoires, the practices of political actors (see also Sharma, 2002) and everyday workplace interactions.

To sum up so far: Research on unfree labour has to address “[h]ow racialisation is used to legitimate the use of unfree labour in capitalism” (Fudge, 2019: 111). But this is not enough. One also has to address the broader question of how racism structures the discourses in which migration and unfree labour take place and how racism is in turn structured by these. Furthermore, it is clear that not only current but also past experiences of racism, expropriation and hierarchisation of people impact contemporary labour markets and resource allocation. Similar to gender, race is a socially constructed phenomenon that shapes the experiences of men and women in unfree labour relations. Therefore, adding to the important focus on structural racism inherent to state strategies in designing labour migration policies (Smith, 2015), research should also analyse how everyday racism lays the groundwork for the devaluation and exploitation of unfree workers. The picture is likely to be ambiguous since in everyday practice differences between victims and perpetrators are blurry and dividing lines complex. It is important not to neglect this complexity since it may reflect the everyday experiences of workers.

Structuring Empirical Analysis of Racism and Slave Labour

In this section I introduce an analytical framework aimed at structuring the empirical analysis in the field of unfree labour. As a starting point I define racism as a form of hierarchisation of people based on phenotypical characteristics often linked to stereotypical notions of culture (Hall, 1980; Miles, 2006; Kalpaka, Räthzel and Weber, 2017: 24). It is a social relation that draws on historically shaped repertoires of knowledge. Racism is not static but socially constructed; it is therefore not arbitrary but reflects the global distribution of labour, resources and suffering. On the other hand, it is not determined by nor does it determine peoples' actions. Racism is and has always been contested.

As mentioned above, I propose that racism needs to be traced at three different levels: the historico-structural, the discursive-symbolic and the practices within interpersonal relationships. The historico-structural level is important since dealing with racism is not limited to symbolic

2002 that guaranteed free movement within the area for the citizens of these countries. Although free movement is guaranteed, migrants often remain undocumented due to bureaucratic obstacles.

recognition or the lack of it, but also touches upon the distribution of resources. The discursive-symbolic level is, in a Foucauldian sense, not only a mirror of the practical and structural level, but has its own relevance: racism is always based upon specific repertoires of knowledge about the other. Since these are enacted and reproduced in interpersonal relations and everyday practices, they should also be taken into account as an additional level of analysis.

When discussing the interlinkages between these levels of analysis, important hints can be found in existing theories on racism. I would highlight three points. First, racism cannot be reduced to its function in the generation of cheap labour. Instead, one can follow Stuart Hall, who sees racism as *linked* to social, political and economic structures: “The problem here is not whether economic structures are relevant to racial divisions but how they are theoretically connected” (Hall, 1980: 308). The production of a cheap and docile labour force may be an effect of racism, but is at the same time always situated within local dynamics of power. Racism can therefore not be deduced from the historico-structural development alone. Following Robert Miles (1987: 11), we have to ask more openly “why it is that in certain circumstances the ideology of ‘race’ and ‘race relations’ is an integral component of class formation and capitalist development”. Miles (2006) suggests distinguishing between processes of racialisation (identification of people as members of a defined race), racism (hierarchisation of people according to their racialised characteristics) and exclusionary practice³ (different access to resources and services).

Miles’ notion of racialisation also refers to the second point: Race cannot be understood as an ontological or a sociological category of analysis. This means that processes of signification need to be taken into account when it comes to analysing locally specific expressions of racism. Otherwise one risks addressing “social reality” as a “reflection of the socio-economic structure” (Costa, 2007: 243, own translation). Therefore, Sergio Costa (2007: 243) draws attention to “how social actors decode these structures and thereby construct the meanings that inform their behaviour and their decisions”. Based on this, race is a result of a process of signification and attribution of meaning. Its consequences are not confined to the realm of the symbolic but produce “real” violence and inequality.

Third, once attention is drawn to the symbolic construction of meaning it is tempting to assume that racism is an ideology used by the powerful and by employers to devalue and fragment the labour force. Against this, Hall (1980: 316) argues that racism cannot be overcome by “unite and fight” proletarian organisations, “since they do not adequately grasp the structurally different relations in which ‘white’ and ‘black’ labour stand in relation to capital”. This implies that the racialised division of labour produces very real experiences and hierarchies within class relations: “race is thus, also, the modality in which class is ‘lived’, the medium through which class relations are experienced, the form in which it is appropriated and ‘fought through’” (Hall, 1980: 341). As a result, it is important to develop a view on class relations that allows one to reconstruct and recognise the hierarchies and divisions among workers and the manifold expressions of these. It is important to keep in mind that structural relations are not experienced as such, but manifest themselves in discourses as well as interpersonal interactions, relations and practices.

These reflections aim at encouraging and facilitating the empirical analysis of racism in relation to unfree labour. An interview excerpt from my research in Brazil helps to illustrate how

³ When it comes to labour market analysis, the term “exclusionary practices” may cause confusion since often it is precisely the inclusion of people in the labour market that leads to social inequality and deprivation of rights. Here the concept of “differential inclusion” (Mezzadra and Neilson, 2013) sheds light on the ambivalences of inclusion and exclusion.

the three levels interrelate. When asked about working conditions in charcoal production, a charcoal worker said to me:

It improved a lot! But black people have always been slaves here. Blacks have been enslaved a lot here. ... there was a telenovela that reminded of it. [In that TV programme] many people were enchained and these kinds of things. We saw it there. ... The black guy there, they beat him! ... So we watched the telenovela, and there [at our workplace] was a boy; he was handcuffed, too. The guy just didn't beat him, because we didn't let him do it. ...

Interviewer: Why? What happened?

Oh man, let me tell. There are lots of people, who really don't want to work. And so they, those who command, the boss, ... they came and: He doesn't want to eat and he doesn't want to work. And then he tied the *negão*⁴ up. It was a *negão*! And they carried the worker. ... I thought I was in the telenovela! And ... I am a person that ran away from *fazendas* [agricultural estates], too (Interview, Pinto,⁵ Açailândia, 24 May 2014).

The excerpt starts with a statement about the overall situation of the workers in the region. The interviewee embeds the local history into a broader narrative on postcolonial continuities. This is highlighted by the parallel experience of seeing an account of colonial slavery on television and the local narrative among “black” workers and their current experiences. He then links this collective experience to a concrete act of violence at his own workplace. He describes an interaction between a boss or a foreman and a worker (“boy”). In this relationship the collective colonial trauma is repeated and updated. It is interesting how the N-word appears in the narrative. It is not the offender who uses it (or at least we don't know if it was said during the incident nor do we learn about the colour of the offender), but the interviewee employs it in order to explain the situation. Meticulously, Pinto compares the violent and degrading acts at the workplace to the account from the telenovela, thereby providing the historico-structural context of the observed interaction. In other words, there is a historical situation (of continuity), an interpersonal relationship (between the “guy” and the “boy”) and an act of discursive interpretation by the interviewed worker. Another point is strikingly relevant: The interview subject describes the racism and degradation from a viewpoint of resistances since he connects his account to his own memory of having fled from *fazendas*.

In the following sub-sections I will present empirical findings structured around a series of conceptual problems and political pitfalls related to the analysis of unfree labour and racism. Instead of providing an all-embracing heuristic, I contribute to conceptual challenges that require further research and debate.

Problem 1: Generalising assumptions about the (potential) victims

This sub-section examines the overall tension between the need for data collection, knowledge production, and academic and media coverage about workers, and the stigmatising and racialising effects of these. This problem seems to relate first and foremost to the discursive-symbolic level, but it is strongly related to the historico-structural level, as I will explain below.

A study by the International Labour Organization (ILO) in Brazil gathered data on the

⁴ This is a Brazilian variant of the N-word. Currently, it is used much more commonly and problematised less in Brazil than the N-word is elsewhere.

⁵ For the purpose of anonymisation, all names of interviewees have been changed.

characteristics of workers rescued from slave labour in agriculture. Most workers in this sector are internal migrants. The authors of the study described them as predominantly adult men whose average age was 31.4 years; the majority (81%) were black (*negros*)⁶ (ILO, 2011: 104). Such information is very valuable when it comes to designing specific projects about prevention, protection and follow-up care. Respective policies require defined target groups, which is why knowledge production on these groups is crucial. The data also suggests that race is an important factor when it comes to describing the group of enslaved workers, but it does not help us to explain this finding.

In order to do so, one has to study the historico-structural formation of Brazilian labour markets. Labour market segmentation goes back to the abolition of slavery in 1888 and the subsequent policies of “whitening” the labour force through the recruitment of European workers and the systematic exclusion of black (formerly enslaved) workers from the labour market (Harnoncourt, 2020). The origins of the contemporary Brazilian industrial relations date back to the Vargas era (1930–1945).⁷ Within the concept of “regulated citizenship”, access to social rights was linked to formal employment, leading to a “pattern of labour relations marked by social disparities, which perpetuated cleavages of social class, gender, ethnicity/race, age, region of origin and others, in both work conditions and everyday life in society” (Oliveira, 2018: 321). In the words of Robert Miles (2006), we can speak of exclusionary mechanisms based (not exclusively, but largely) on racist hierarchisations. This far-reaching and long-lasting exclusion of huge parts of the Brazilian population from formal labour market participation and access to social and economic rights is the reason why internal migrants in Brazil face precarious and dangerous conditions and lack of protection, as experienced by the charcoal workers in the region of Grande Carajás.

Without such an understanding of the historical background, stereotypical descriptions of the “victims” of modern slave labour can turn into deterministic and essentialising categories, as is frequently observed both in the media and in academic discourses. The wording used to describe the settings in which modern slavery is found is similar in both rural and urban settings in Brazil. They are often portrayed in media and policy reports as “hidden”, “dark”, “clandestine”, “anachronistic” and “illegal” situations. Such descriptions aim to denaturalise violent labour relations. Unfortunately, at the same time, these very portrayals contribute to the construction of the worker as an enslaved subject.

This last point becomes clear when examining the report of a parliamentary commission of inquiry in the state of São Paulo. The report questions why it was mostly Bolivian migrants who worked under unfree conditions in local garment production. The Comissão Parlamentar de Inquérito concludes that this was due to “an important cultural component: The traditional activities of tailoring and weaving are passed there from one generation to the other” (CPI, 2014: 3). By arguing this, the authors of the report ignored the socio-economic and legal situation of the migrants and reduced their labour market situation to a “cultural” disposition. The supposedly “traditional” abilities of Bolivian migrants become a self-fulfilling prophecy when migrants experience problems finding work outside the clothing industry, since their presence in the city is so strongly linked to the garment workshops (Freitas, 2013; Rangel Côrtes and Freire

⁶ As is common in Brazil, the classification is based on self-assessment.

⁷ The Vargas era comprises the period of government of Getúlio Vargas. It was characterised by populism, strong centralisation of power and the design of corporatist labour regulations that still shape Brazil today, although currently there is a tendency to weaken workers’ representation via trade unions as well as labour jurisprudence. This goes along with a decrease in collective agreements (both in terms of quantity and quality) and provides a threat to the effective implementation of workers’ rights (Krein and Galhera, 2019).

da Silva, 2014).

This particular form of stereotype-based racialisation can be understood as a “culturalisation” of social relations (Carstensen, 2019: 393 ff). Culturalisation describes the overemphasis on cultural characteristics linked to the (imagined) origins of migrants. It stems from the idea of a homogeneous group of individuals and links these to specific patterns of labour market integration. By problematising culture, attention is drawn away from labour market and migration regulation, and the precarious situation of the workers as irregular migrants is decontextualised. Such a culture-based view contributes to legitimising exploitative situations. Harnoncourt (2020: §25) writes about the situation of internal migrants in the Amazon region: “In terms of culturalization (othering), it is claimed that these living conditions are normal in the culture of the labourers. ... They are, even if not explicitly, seen as deserving of these living standards”. Here, the labour market situation, working conditions and corresponding conflicts are deflected to the workers themselves – it appears to be “their” problem and thereby external to Brazilian industrial relations.

It should be clear by now that stereotypical descriptions of culture and assumed characteristics contribute to creating the local workforce and influence their difficulties in resisting labour rights violations. There is a need to de-essentialise the racialised descriptions of the Brazilian labour market structure by reconstructing its history. In conclusion, knowledge of the historico-structural conditions of the labour force is informative when it comes to understanding the reasons for slave labour. But this knowledge also bears the risk of producing stereotypical and racialising descriptions of the workers themselves. Attention to the way in which workers are described is therefore a crucial component of an analysis critical of racism. In analytical terms, this refers to the interrelationship between the structural and discursive levels of analysis.

Problem 2: Is profit-seeking colour-blind? Responsibilities in global production networks

Another problem relates to the relationship between the structural and the interpersonal levels. When talking about slave labour, it is tempting to focus on interpersonal relationships between offenders and enslaved. Indeed, violence and coercion are experienced within such relationships. Also, legal prosecution is based on the ability to identify perpetrators. Even when contextualised within global structural inequalities, often the image of the (allegedly) vulnerable victim versus the offender remains central while the structural context appears abstract and overwhelming. Therefore, it is important to have analytical tools that address this relationship as embedded in the context of capitalist production, and the circulation and consumption of commodities. In the analysis of unfree labour, the global production network approach (Coe, Dicken and Hess, 2008) has gained attention as a heuristic tool that can link experiences of coercion to the global political economy (Phillips and Sakamoto, 2012; Barrientos, 2013). A global production network is organised around the production of commodities or the provision of services. It connects processes of value-creation, workplaces, infrastructures, institutions and geographical places, workers, employers and consumers to each other. This perspective implies that labour relations can also be situated within such networks.

But the role and reproduction of racism within such networks remains understudied. Of course, a global production network cannot be racist, since it is not an actor. But it can be built on and be enabled by existing racist segmentations of labour markets (Werner, 2011) as well as discourses that devalue labour and racist practices by local actors. In my view, the existence of production networks also contributes to the reproduction of and changes in racist knowledge

repertoires, practices and exclusionary mechanisms. Tracing global production networks therefore allows one to reconstruct how different actors within the network, such as consumers, benefit from racist discourses and practices without actively deciding to do so.

In São Paulo, I interviewed two labour inspectors who conduct inspections in the clothing industry, where many Latin American migrants work. On the link between migration and slave labour, one of them said:

[The worker] needs money [in order to cross the border]. And the government doesn't pay for him. Brazil doesn't pay. Bolivia doesn't pay. C&A [a transnational clothing retailer] doesn't pay, even though they need exactly this. C&A should pay because they need a Bolivian workforce. ... And since no one else pays, the trafficker does (Interview, Labour Inspector, São Paulo, 5 December 2013).

The costs for the migration process are seen as leverage for exploitation since workers have to finance their mobility – that is, they have to pay back the recruiter from the money they earn. This renders them vulnerable. The triangular relationship between the worker, the recruiter (trafficker) and the (indirect) employer, in this case C&A, is based on the need for cheap labour. This pool of cheap labour is here described as the racialised “Bolivian workforce”. Rather than determining who acts in a racist way here, let us examine the structural level that shapes relationships on the shop floor. In this section, therefore, I want to discuss the question of whether and how the relationship between retail companies like C&A, the trafficker and the Bolivian workforce is structured by and reproduces racism.

Another important clothing retailer in Brazil, INDITEX, was linked to the topic of slave labour in 2011 when fifteen persons, among them a 14-year-old, were rescued from modern slave labour in different informal production facilities (Repórter Brasil, 2011). Although direct employers (workshop owners) were usually held responsible for the labour rights infractions, now labour inspectors targeted those who benefited from slave labour – the lead firm at the centre of the network.⁸ A civil lawsuit was filed against INDITEX, and the company had to pay compensation and commit to certain conditions for future production activities (Repórter Brasil, 2014).⁹

What does this mean for the analysis of racism and unfree labour? As mentioned above, there is little room to argue that exploitation within a global production network or lead firm was dependent on openly racist beliefs. Of interest instead are practices of outsourcing that aim to cheapen and flexibilise labour. Especially in the clothing industry, global production networks are characterised by long chains of outsourcing to small and informal establishments in order to circumvent labour standards (Freitas, 2013; McGrath, 2013; Rangel Côrtes and Freire da Silva, 2014). This allows the outsourcing of responsibility and pressure to informal actors. The structure converges with racist patterns that legitimise the exploitation of migrant workers as well as restrictive migration policies. A global production network can, in many cases, be understood

⁸ The approach was based on a legal ban of outsourcing the core activity of a company (in this case cutting and sewing of fabrics). This changed during the labour reform under the government of Temer in 2017 (Oliveira, 2018: 333; Krein and Galhera, 2019). Due to the legalisation of outsourcing, the sentence against INDITEX described above would no longer be possible.

⁹ Unfortunately, this case showed that politics against modern slave labour can have unexpected effects: In an attempt to regulate the situation, INDITEX developed a monitoring instrument that was used to impede cooperation with suppliers who employed migrants (Repórter Brasil, 2015). The sensationalising of employment practices can trigger corporate responses that push migrant workers even further towards informal and unfree labour.

as a nexus between different actors and processes in the search for cheap labour. The fact that some workers' labour power is cheaper than others can be traced back to historically grown structures of exclusion and hierarchisations among workers. These are functional for production networks and may also be perpetuated and deepened through the networks' activities.

Studying global production networks allows us to see that lead firms do benefit from the racialised situation of workers without being overtly racist themselves. Clearly, it is not enough to criticise local workshop owners, since they are acting with very limited room for manoeuvre. This explains (although by no means justifies) local expressions of racialised violence, coercion and degradation in the workplace. Furthermore, it shows that today's unfree labour is not necessarily based upon a relationship between people of different positions or colours, as in the context of colonial slavery. On the contrary, it is very common (both in charcoal production and the clothing industry) that local shop owners and foremen share experiences of racism with the workers underneath them. Still, this does not mean that global production is not based on racism. Attention therefore needs to be drawn to the perpetuation of racialised inequalities that provide the context for violent and coercive practices within the workplace and the policies that leave workers unprotected within the global search for "cheap labour". Seen from this perspective, outsourcing in global production networks should also be addressed within the agenda of global anti-racism.

Problem 3: What about Initiatives against unfree labour?

Following the idea of a Global Alliance against Forced Labour (ILO, 2005), many initiatives against unfree labour have emerged around the world in the last decade. In Brazil, a broad spectrum of local advocacy and human rights organisations as well as trade unions paired up with public labour inspectors, labour prosecutors and judges, and even corporate social responsibility departments of major firms. Besides labour inspections that "rescue" workers and set in motion juridical procedures, prevention (information to prospective migrants, strengthening migrant access to rights and easements of migratory regulations) and the care of workers after the rescue (regulation of migratory status, professional training, access to social rights) gained importance. But are these initiatives able to address the complex interlinkages of the global economy, migration and racism discussed in this article? In what sense do the politics and activism in the field of slave labour risk reproducing racist narratives?

As in other countries, there is a neo-abolitionist movement in Brazil that acts on behalf of enslaved workers. Since unfree labour usually occurs in sectors where trade unions and workers' movements are weak, common strategies of interest representation tend to fail. It is difficult, both practically and politically, to represent the workers since they are a very fragmented group. Moreover, activism is mostly led by civil society organisations or consumer initiatives that are interested in human rights and minimum standards. This also has practical reasons since direct contact between trade unions or initiatives and workers in unfree labour situations is often obstructed by the very nature of the labour situation.

At a conceptual level, two problems arise, particularly in terms of media coverage. First, workers tend to be portrayed as victims. Second, single cases of unfree labour tend to be sensationalised. Regarding the first issue, representations of unfree labour are often clustered around the image of the deserving victim. Such a view portrays workers as passive and ingenuous subjects, and is often criticised for decontextualising labour relations, underestimating workers' agency and drawing attention away from the political and economic context (Lerche, 2007; Rogaly, 2008). Such a portrayal also has practical implications: not being officially recognised as a victim of slave labour or trafficking may mean that migrants face deportation due to the illegality of

their stay. The problem is that the power of definition over their victimhood does not then lie with the workers, but with migratory and labour authorities.

The relations created under these circumstances recall Spivak's (1988: 92) famous description of "white men ... saving brown women [or men] from brown men". During my research I found various accounts of official interventions by labour inspection where not all workers wanted to be "saved" since they had their own interpretations of their situations and mistrusted state institutions (Carstensen, 2016, 2019). Another problem is that rescue does not always imply improvement of the workers' situations or a real detachment from violent and exploitative relations. Rather, it can put workers in an even more vulnerable position – for instance, when they lose their income and place to stay due to labour inspections.

Another aspect is the paternalistic attitudes of those involved in the struggle against slave labour. Labour inspectors, for instance, often highlight the disorientation and low educational levels of workers. This patronising attitude and infantilisation of workers is frequent in both the narratives of employers and recruiters, as well as among the institutions that come to the workers' rescue. Harnoncourt (2020) argues that this attitude legitimises slave labour through the "myth of merit". According to her research in the Amazon region, statistical knowledge on the educational level and migratory patterns of the day labourers was paired with colonial racialised descriptions of the workers allegedly being incapable of taking care of themselves. It allowed employers to argue that these workers were not entitled to better conditions. I would add that abolitionist and advocacy organisations risk reproducing these narratives if they are not in regular contact with the affected workers or take into account local grassroots mobilisations.

There is yet another aspect related to characterising workers as victims. Often, policies that aim to eradicate slave labour contribute to viewing workers as part of allegedly homogeneous cultural and ethnic communities, especially in the case of transnational migrants. This is particularly problematic when such group constructions hide accounts of differences within these groups – for instance, between newly arriving and established migrants, employers and employees, women and men. Therefore, some migrant organisations in São Paulo argue that criticising the working conditions in the clothing industry leads to more racism against Bolivians and paradoxically weakens their struggle against labour exploitation.

The second major problem with the strategies of initiatives against unfree labour lies in the pitfalls of sensationalising the situation, in which unfree labour is seen as comprising mostly exceptional cases occurring to "others" and in spaces that are separate from everyday forms of work and reproduction. In the Brazilian case, the Amazon region and the agrarian frontier figure as such spaces (Figueira, 2004; Harnoncourt, 2020). This othering entails an externalisation of the phenomenon and separates the workers and their narratives from those facing "normal" forms of exploitation. Lidia Muñoz, a worker interviewed in São Paulo, told me:

In the past we couldn't even talk to the Brazilians. But today even they understand when a Bolivian is exploited. Sometimes they report the case to the authorities or call the police or shelter the workers. Before, it wasn't like that. The Brazilian had nothing to do with this; he was external to the situation. And us Bolivians, too; we didn't relate to them because of the language and because of the fear. What would they say? (Interview, clothing industry worker, São Paulo, 17 July 2014).

This account helps us to understand the isolation Bolivian workers face with regard to the Brazilian public. Their position as "outsiders" has increased the vulnerability of the migrant workers. Against this I conclude with the open question of whether and how it is possible for workers' movements to develop common ground in the struggle against all forms of exploitation

and to defeat racist foundations, practices and legitimations of exploitation without trivialising the different experiences.

Conclusion

The aim of this article was to introduce and discuss a conceptual framework aimed at explaining the relationship between racism, migration and unfree labour. In order to illustrate this, I presented some typical empirical findings on modern slave labour in Brazil. My point is that racism should not be considered as an independent but rather as a dependent variable, which must be analysed empirically. In doing so I examined the literature on unfree labour in general as well as the debate around modern slave labour in Brazil, and argued that a reflexive and non-essentialising notion of unfree labour should be the starting point for critical research. Based on this I discussed the literature on unfree labour, migration and racism. I found it important to highlight that migration policies and corresponding institutions are based on racist assumptions and beliefs. At the same time, migration and racism are not reducible to each other, since racism can exist without migration. There are also practical aspects to labour migration that foster coercive labour relations.

Regarding the heuristics for empirical research, I differentiate between three levels of analysis: first, the historico-structural composition of local and migrant labour forces; second, discursive-symbolic interpretations and repertoires of knowledge that inform the narratives and practices of workers, employers, institutions and consumers alike; and third, local practices and inter-subjective relations in which the former are enacted, reproduced and modified.

Discussing the empirical material on modern slave labour in Brazil, I pointed out three problems that refer to major theoretical puzzles. First are the racialising and culturalising discursive patterns that serve as a legitimation or even as part of the production of the exploitable labour force. Second is the question of how supposedly “neutral” economic activities that seek profit-maximation through the use of cheap labour can be based on and reproduce racism. I argued that while the production network is not an agent of racist behaviour, it works as a structure that frames exploitative and violent relations based on racist assumptions about local and migrant labour forces. The third conceptual problem referred to the question of how to address unfree labour politically without reproducing stereotypical and essentialising categories. I highlight the need to examine policies against unfree labour in terms of whether and how they exacerbate inequality, sexism and racism, since these are neither an effect nor a cause but a central element of a capitalist economy.

By now it should also be clear that dealing with racism is not limited to the symbolic recognition of minorities, but rather that it involves the configuration of labour markets and industrial relations in general. Race and class are therefore highly interrelated. Racism is more than an explanatory variable or a mechanism that legitimates inequality and exploitation. It is an important aspect of contemporary labour markets. As a social relation, racism is enacted within concrete local practices that are connected to, but not determined by, historical structures. This is what allows us to imagine a way of changing and overcoming racist divides among the working class, and it provides the starting point both for analysis and political movements that can overcome the exploitative and coercive violence implied by global production and migration regimes.

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