Migrant workers, unfree labour, and the role of labour intermediaries in the creation of flexible labour markets

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Increasing casualisation and precariousness, declining union density, and a rise in the number of economic migrants coming to Britain to work are all well-documented UK labour market trends that have gone hand in hand with welfare state retrenchment. They have been associated with the dominant ideology of flexibilisation which, although initially an economic, social and regulatory project of the Thatcher years, has become more even more deeply entrenched since 1997 under the current Labour government. Concomitant with, and linked to, all four trends is the explosion in the number and type of labour intermediaries operating in the UK. The employment services sector is complex; for-profit companies have been expanding into a range of new functional and geographical niches, while third sector and voluntary organisations have entered the marketplace for outsourced unemployment services. For workers, however, the result has been a process of accelerating labour market polarisation, often along class, gender, and racial and ethnic lines, and the (re)emergence of unfree labour as a vital ingredient in a number of sectors of the economy.

This paper examines the issue of unfree migrant labour in the UK by focusing on three processes: the racialisation of certain occupations, which naturalises poor working conditions; the legal and regulatory framework that has facilitated the rise in agency employment while simultaneously denying rights to temporary workers; and the social and political responses to evidence of worker exploitation – Polanyi’s ‘double movement’. I use the example of the gangmasters, and their regulation by the Gangmaster Licensing Authority (GLA), to illustrate these issues in the British context. The first section defines unfree labour, and gives a brief history of gang labour in the agricultural sector in the UK from the mid-eighteenth century to the present. The second section looks at the conditions under which gang labour re-emerged and draws parallels with the rise of labour intermediaries and agency work in other sectors and the recent increase in the number of economic migrants entering the UK from the EU accession countries. The third section looks at the racialisation of agricultural labour in the UK. The fourth section examines the legal and regulatory context of the re-emergence of gang labour, while the concluding part of the paper looks at the GLA as a model for the regulation of temporary labour.

What I aim to show is that the rise in precarious forms of work and unfree forms of labour is not natural and inevitable, but is the result of processes through which the state and capital seek to open up new spaces of accumulation. This means of course that they social formations that are open to challenge and contestation, but also that traditional ways of ‘pushing back’ and fighting for worker’s rights – including unionisation and government regulation – cannot be taken for granted as models to emulate.