

Tackling modern slavery in modern business

Brad Blitz introduces a British Academy research programme that is investigating ways to combat exploitation in globalised production processes.

Three years ago the UK enacted the Modern Slavery Act. The legislation was greeted with much acclaim, not least because it covered a range of issues, including human trafficking and exploitation, and reaffirmed commitments and definitions as set out in the European

Convention on Human Rights. Specifically the Act prohibited the practices of slavery, servitude and forced or compulsory labour; sexual exploitation; organ removal; securing services by force, threats or deception; and securing services from children and vulnerable persons. Most important, the Act sought to have reach beyond the UK and requires companies with a turnover of at least £36 million to report annually on the steps they are taking to prevent slavery in their supply chains or any part of their business operations wherever they may be.

In many respects, the Act gave meaning to an evolving discourse that linked human rights, and children's rights, with social and economic rights. Until that point, the above abuses were covered by previously disparate areas of law and

policy regarding international and national prohibitions against trafficking, child labour and the regulation of labour practices in general. It also gave greater meaning to the longstanding idea of corporate social responsibility and affirmed that unethical production processes were a source of great social and potentially reputational harm. The Act further served to popularise the term 'modern slavery' which had more commonly been described in terms of 'contemporary slavery', with abuses reported as 'slavery-like' – in contrast to or in comparison

to the transatlantic slave trade. Rather, the term 'modern slavery' sought to identify a set of practices as a product of late 20th- and 21st-century globalisation.

Since the Modern Slavery Act was enacted, there has been a surge of activity among NGOs, including both campaigning groups and service providers. Of course, much activity pre-dated the Act and in fact the All Party Parliamentary Group (APPG) on Modern Slavery and Human Trafficking was originally founded as an anti-trafficking group in 2006 by former Conservative MP Anthony Steen. Yet, since 2015 there has been greater interest in a co-ordinated response. The APPG's National Advisory Forum now includes more than 70 organisations operating on a range of issues from assisting victims of trafficking, to delivering children's services, and campaigning for legal reform.

There has also been a noticeable shift at the international level. We recall that modern slavery has recently been defined in both the Global Compact on Migration and the UN's Sustainable Development Agenda, where again it sits alongside human trafficking, child labour, and forced labour, as set out in Sustainable Development Goal 8.7. While covering a vast range of policy areas, this SDG is both controversial and ground-breaking. We note that SDG 8.7 does not define child slavery directly, though it sets out an ambition to eliminate the 'worst forms of child labour' including the recruitment of child soldiers. This qualification reflects the challenge of committing states to the UN's modern slavery agenda, especially in the developing world, since many states claim the lines between child slavery and child labour are blurred and the employment of children is justified as an essential livelihoods strategy for poor families, with both boys and girls kept in a situation of bonded labour. Across South Asia, for example, children are engaged



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A group of Rohingya men push their fishing boat back onto shore. Most Rohingya men in the Shamlapur area of Bangladesh work as bonded laborers and are trapped into debt to local Bangladeshi boat owners. PHOTO ©GREG CONSTANTINE.

in key industries including working in textile production, brick kilns, carpet making, agriculture, fisheries, stone crushing, shoe-making, and refuse sorting, among other activities.¹

Yet one critical feature in the evolving discourse on modern slavery is the central role played by academics. While organisations like Anti-Slavery International trace their origins to the 19th century, and specifically campaigns against the transatlantic slave trade, academic research has influenced the ways in which we understand contemporary practices, which are remarkably distinct. Above all, Nottingham professor Kevin Bales' 1999 book *Disposable People: New Slavery in the Global Economy*² broke new ground when it exposed the ways in which globalised production processes across multiple sectors and a range of countries gave rise to situations of bonded labour. More recently, scholars like political scientist Genevieve LeBaron have further documented how such exploitative conditions have proliferated as a result of a global system that has failed to deliver, and instead has left the global workforce to endure a precarious existence based on informal and temporary contracts.

The mechanics and structures of the contemporary global economy create both a 'supply' of vulnerable workers and a business 'demand' for their labour.

On the supply side, the key dynamics include poverty, social discrimination, limited labour protection, and restrictive mobility regimes. These, both on their own and in interaction with each other, create a global workforce vulnerable to exploitation. On the demand side, what matters most is the concentration of wealth and ownership, the business models structuring supply chains, major firms' power to dictate the rules of global production, and the manifold governance gaps which make the business of exploitation not only viable but profitable.³

It is precisely academics' analysis of global process that has informed the ways in which we have come to understand how extreme forms of exploitation are enabled and encouraged; and equally how forced migration may give way to forced labour. Further criticism of systems of domination and their role in the construction of exploitation can be found in Julia O'Connell Davidson's 2015 book *Modern Slavery: The Margins of Freedom*,⁴ which provides a provocative insight into the nature of moral discourses on slavery and the relationship between poverty, coercion, and victimisation.

1. Eric V. Edmonds, *Child Labour in South Asia* (OECD Social, Employment and Migration Working Papers No. 5, 20 May 2003). Priya Deshingkar and Shaheen Akter, *Migration and Human Development in India* (UNDP Human Development Research Paper 2009/13, April 2009).

2. Kevin Bales, *Disposable People: New Slavery in the Global Economy* (University of California Press, 1999).

3. Genevieve LeBaron, Neil Howard, Cameron Thibos and Penelope Kyrtisis, 'Confronting the root causes of forced labour: where do we go from here?' *OpenDemocracy*, 10 January 2018.

4. Julia O'Connell Davison, *Modern Slavery: The Margins of Freedom* (Palgrave, 2015).

Although the above scholars are sometimes at odds with self-described abolitionists who they charge may simplify the nature of exploitative relationships, and hence the dynamics of modern slavery including the role of companies based in the Global North, there are some notable points of agreement. For example, the criticisms raised by Bales and LeBaron have been echoed by a parallel body of research on the nature of governance in developing country contexts by one of the foremost modern-day abolitionists, Gary Haugen. An experienced human rights lawyer and founder of the International Justice Mission, Haugen has put forward a simple thesis, based on his extensive first-hand experience across Africa, Asia and Latin America. Poverty is the root cause that draws people into systems of abuse and exploitation and it flourishes in situations of violence and lawlessness; hence the urgent need to reform justice systems.⁵

In a recent ESRC research project on the Mediterranean migrant and refugee 'crisis', I came to appreciate Haugen's argument and witnessed how migrants fleeing poverty and conflict could quickly fall prey to forced labour as my team recorded multiple interviews with sub-Saharan migrants who had transited via Libya. Although these men had initiated their journeys voluntarily, upon crossing into Libya more than half of them had found themselves enslaved and bound to particular employers for extended periods of time. The interaction between smugglers and organised criminal gangs that trafficked migrants for the purposes of forced labour was all too common and, as Haugen argues, this was enabled by the absence of law enforcement in a state gripped by multiple conflicts.

The value of contextual knowledge that informs our understanding of the ways in which people are recruited into situations of forced labour is further affirmed when one considers the design and limitations of the UK 2015 Modern Slavery Act. In spite of its ambitions and reporting requirements, a minority of companies have submitted modern slavery audits that detail how they are monitoring recruitment and production processes across their supply chains. What is more, in the absence of sanctions, there appears to be little disincentive against non-compliance. For this reason, the UK's Anti-Slavery Commissioner Kevin Hyland noted that, while it is possible to use existing legislation to prosecute those who engage in abusive practices in effect, the UK needs a 'change in culture' if it is to end modern slavery.⁶ Although some large companies, including the Co-operative,⁷ Unilever and the Thompson Reuters Foundation have made a concerted and public effort to root out slavery across their supply chains and networks,

they are the exceptions. Thus, not only do we need to investigate why firms are not following the reporting requirements of the Modern Slavery Act, it is equally advisable to identify alternative approaches to encourage businesses to root out extreme exploitation across their supply chains.

In this effort, the British Academy has recognised that it too has an important role to play as a major funding body that promotes cutting-edge social scientific research. In order to build capacity for further research and policy on viable approaches to end modern slavery, in November 2017 the Academy funded eight research projects as part of a new programme, 'Tackling Slavery, Human Trafficking and Child Labour in Modern Business'. While documenting the nature of production processes at close hand, the teams are investigating the relationship between UK companies and their suppliers in states that receive UK Official Development Assistance where the research is concentrated. It should be noted that this is a global programme funded by the Department for International Development with researchers operating across multiple sites in Bangladesh, Brazil, China, Ghana, India, Indonesia, Jamaica, Malaysia, Mexico, Myanmar, Nepal, Peru and Vietnam. One of the central questions the research teams are exploring is how to address the problem of sub-contracting, a feature of globalised production which complicates the task of tracing the production of goods, especially across complex supply networks, for example in the textiles industry.

Yet not all industries are the same, and collectively the research teams will produce a body of comparative research which informs our understanding of the ways in which modern slavery is constructed, and how different goods and commodities may lend themselves to more ethical production practices. Thus the research will focus on a range of sectors including cocoa and chocolate, beef, timber, seafood and textiles, and will investigate the nature of smart phone technology as well as the recruitment of workers in construction and domestic service. It will also consider the impact of domestic legislation on other abusive practices including sex trafficking.

As the UK's Modern Slavery Act reaches its third anniversary, and as the discourse on modern slavery enters the media mainstream, such research will be of even greater relevance to the British government which has committed itself to ending the human rights abuses associated with modern slavery. Such findings will no doubt also be welcome to the many millions of consumers demanding higher ethical standards in the production of goods and services, including the food they consume and the clothes they wear on their backs. ■

More information about this British Academy research programme can be found via www.britishacademy.ac.uk/tackling-slavery-modern-business

5. Gary Haugen and Victor Boutros, *The Locust Effect: Why the End of Poverty Requires the End of Violence* (Oxford University Press, 2014).

6. Kieran Guilbert, 'Britain needs "change in culture" to stamp out modern slavery' (Thomson Reuters Foundation, 20 December 2017).

7. 'Co-op Modern Slavery and Human Trafficking Statement 2016'.