

AN INCLUSIVE SOCIAL POLICY FOR MIGRANTS

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Migrant workers write the Changathi literacy examination in Malayalam conducted by the Literacy Mission in Thrissur district. Photo: Special Arrangement

According to a recent estimate (Kerala Planning Board Report 2021), Kerala is an employment hub for 34 lakh inter-State migrant workers. Higher wages, regularity of work, and better social and cultural milieu compared to many other States are the key drivers influencing the workers to flow towards Kerala. Kerala has implemented a range of welfare, health, and literacy schemes for migrant workers. These policy initiatives sustain Kerala as a migrant-friendly state. Yet, systematic micro-level enquiries point to various shortcomings. Preliminary observations of the Science and Engineering Research Board (SERB 2022-25) study titled “Effect of Social Institution and Technological Interventions on Access to Healthcare Among Interstate Migrant Labourers in Kerala” conducted by the Mahatma Gandhi University reveal that the benefits entitled in these policies do not reach a majority of migrant workers. This article details the path towards an inclusive culture of policy-making, in the context of the discussions held at the International Labour Conclave on May 25, 2023, at Thiruvananthapuram, Kerala.

Migrant labour governance is facing organising trouble, broadly conceived as unity trouble. Unity trouble refers to the absence of a disaggregated assessment of the work and life situations of the migrant labour population. It is widely argued that the official name ‘guest worker’ is an ambiguous symbolic expression, uncritically reproduced by the media and even the research community. Critics argue that this expression fails to account for the nuanced aspects of rights denials. They also argue that current policies lack a comprehensive vision and strategy compared to the Interstate Migrant Workmen Act, 1979.

Strikes and protests by migrant labourers over the past three decades in Kerala point to the need for inclusive policy-making. It is crucial that policymakers address the core rights issues raised by the Uzhavoor strike (2012), which aimed to secure better wages and eliminate social inequality; the Athirampuzha strike (2023), which demanded equal pay for equal work; the Etumanoor strike (2023), targeting contractors who denied the rights of workers; the anti-exploitation strike (2016) against the forced collection of union fee in Kochi Metro; and the anti-wage theft strike (2022) against contractors who absconded without paying workers.

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Regrettably, the government mechanism failed to address the rights denials highlighted by these

strikes. In addition to wage-related issues, these workers are faced with unhygienic living and working conditions and a lack of social security. Physical abuse, as well as verbal and symbolic violences, are frequently reported too. Such situations beckon the need for the protection of the rights and dignity of the workers. The health and well-being of workers are constantly at risk due to exposure to hazardous substances and also by diseases and frequent accidents in their workplaces.

Another menace is the phenomenon of the chain of exploitation — a network of wage exploitation activities involving influential members of the migrant labour communities aiding and abetting wage exploitation and theft, which is similar to the infamous colonial indenture labour practices.

Migrant workers have been stripped of their citizenship rights and basic human rights, directly and otherwise, rendering them continually marginalised within society. This predicament aligns with the profound words of Hannah Arendt, who said that every individual deserves the inherent dignity of humanity.

In contemporary capitalist society, without social justice, a systematic disregard for rights emerges, creating disposable populations who are subject to exploitation, exclusion, or even elimination. Kerala can enhance its reputation as a space of inclusivity and sustenance by addressing the social justice concerns of migrant workers.

Observations of our extensive fieldwork and discussions with migrant workers of eight districts of Kerala, interactions with policy-makers, trade unionists and NGO activists, have laid bare the key aspects to formulate a rights-based and inclusive policy.

A set of recommendations to address the crucial task of upholding human rights need to be embraced in this context. They are, firstly, a shift from the usual numerical data collection approach to a thematic method to develop a panchayat-wise operatable/functional data bank of migrant workers. Second, it is necessary to ensure, that government decisions regarding the health, employment, cultural life, and social situation of migrant workers are firmly grounded in rights-based principles. Third, mechanisms must be established in collaboration with the origin State of labourers to enhance access to justice for migrant workers. Fourth, there must be promotion of awareness among migrants about their rights and the available legal remedies. Fifth, set up initiatives similar to global efforts to promote cultural exchange, community engagement, fostering mutual understanding etc. to implement inclusive policies for social integration of migrant workers into the local community. Sixth, multi-stakeholder policy and monitoring dialogues for ensuring migrant workers' rights and welfare must be fostered, and lastly, priority must be accorded to establishing a comprehensive vision for sustainable workers' human rights in tune with global instruments like Global Compact on Migration (GCM) for the migrant populations in Kerala.

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