

## **‘You have to pick’: Cotton and state-organized forced labour in Uzbekistan**

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### **Abstract**

This article explores state-organized forced labour in Uzbekistan’s cotton industry, the labour management practices applied in the sector and the experience of labour exploitation associated with Uzbek cotton. To theorise this, we bring together Crane’s (2013) slavery as a management practice theory with Sen’s (1999) capabilities approach, offering an alternative to theories focusing on lead firm-supplier relations or Global Value Chains when investigating violations of working conditions. Based on analysis of monitoring data and reporting on Uzbekistan’s cotton sector, we explore what sustains and enables forced labour as well as the exploitation and insulation of human capabilities that follows.

**Key Words:** Forced labour, Modern Slavery, Cotton, Supply Chains, Uzbekistan, Crane

### **Introduction**

This article is about state-organized forced labour in Uzbekistan’s cotton industry, the labour management practices at the core of the system and worker experience of labour exploitation in the country. Forced labour is a form of work people engage when coerced, against their will, while lacking options to exit without fear of punishment (Philips, 2013). The labour management practices that sustain the Uzbek cotton industry go back to the 17<sup>th</sup> century

(Beckert, 2015), and are characterised here as a type of Corvée labour regime, which rest on states imposing on populations, forcing the cultivation and harvesting of cotton on a temporary but regular basis, while not paying or underpaying workers (Brown, 1994). In the following article we use the terms Corvée labour and state-organized forced labour regimes synonymously. Countering the argument made in the orthodox political economy literature that suggests forced labour is an aberration from the normal functioning of the global economy, growing evidence suggests it is an integral feature of contemporary capitalist political economy (Crane et al., 2017; LeBaron and Philips, 2018; Philips and Mieres, 2015). The system underpinning Uzbek cotton is one of the largest globally, as labour is extracted from approximately one million people associated with planting and harvesting cotton and enforced through threat of penalty (UGF, 2017; ASI, 2016). Nevertheless, textile traders and companies continue to trade in Uzbek cotton with little regards for the human costs or maintaining labour rights (ASI, 2018). Over the previous decade, scholars and policy makers have increasingly focused on labour relations and working conditions in supplier factories in global textile and garment supply chains when examining labour violations (Mayer et al., 2017; Ngai, 2016). Substantial themes arising from this work include weak adherence to worker rights, non-compliance with international labour standards, antagonism towards trade unions, forms of forced labour and difficulties in respect to the management and governance of suppliers.

Research on global supply chain research has also blossomed, arguing that buyer firms significantly shape working conditions and practices in supplier firms, resulting in a growth of worker right violations thanks to the competition between capitals (Frenkel et al., 2017; Lakhani et al., 2013; New, 2015; Schüssler et al., 2018). While the continuously growing research evidence on labour right violations in general and forced labour in particular, provides invaluable insight on the prevalence and practices supporting forced labour in the private sector, research on state-organized forced labour systems and workers' experience remain

scant, despite their prevalence in the global south (Beckert, 2016; LeBaron and Philips, 2018:2). A growing body of scholarship also analyses forced labour in developing countries within global value chains (GVCs), but an important gap in understanding concerns labour exploitation in domestic chains, and state-organized forced labour regimes and their impact on people's lives, as emphasis has been on the reorganization of production for global markets (Crane et al., 2017).

Responsibility for progress in respect to improving working conditions for those exploited by the Uzbek system rests with the Government of Uzbekistan (GoU), international partner institutions such as governmental bodies, and through self-auditing by private sector buyers of Uzbek raw cotton and cotton fiber. Where CSR initiatives and social or ethical auditing attempts to mediate between retailers' demands and robust labour standards, for example, they mainly fail to adequately tackle suppliers' exploitation of workers (LeBaron, 2014). There is, therefore, a growing consensus among social scientists regarding auditing programs' failure to substantially reduce labour violations in supply chains, and recognition that current research often inadequately addresses the root sources of labour violations (Anner et al, 2013).

Based on rich data and reporting collected by the Uzbek German Forum for Human Rights (2015, 2016, 2017) and ILO monitors (2016, 2017, 2018), the article contributes to literature on labour standards violations in global and national garment supply chains by analysing the state-organized forced labour regime in the cotton industry in Uzbekistan and its impact on workers. We explore how the GoU deploys illegitimate practices to achieve underpricing, control of the system, and the conditions and capabilities enabling forced labour. This is conceptually framed by bringing together Crane's (2013) slavery as a management practice theory with Sen's capability approach (1999), combining the theoretical layers of political economy, institutional theory and actor-focused capacity approaches; and providing an

alternative to dominant theories in the field that focus on lead firm-supplier relations or Global Value Chain approaches when investigating labour standards violations and forced labour. Connecting Crane's (2013) theory with Sen's approach illuminates the mechanisms and practices underpinning forced labour in Uzbekistan's cotton industry and helps to demonstrate how the system hinders people's capabilities, despite its temporary nature. Capability theories have a prominent place in research on development work (Olson and Sayer, 2009) but have been thus far underutilised in research on forced labour, even though they offer fertile ground for exploring how forced labour regimes impact on workers lives (Miles, 2013). We suggest that a combination of Crane's institutional approach and a capability lens is a fruitful theoretical combination that allows for an exploration of the structures and practices of forced labour systems and worker's experience. In the following, we connect the issue of modern slavery with forced labour, review the literature on labour violations and supply chains and situate the analysis in discussion on the political economic system and labour violations in Uzbekistan. Thereafter, the analytical framework is outlined, the methodology and analytical process is justified, and the results are presented and discussed.

### **Modern slavery and the conceptualization of forced labour**

Slavery is often interwoven with economic development in Europe and the United States (Beckert and Rockman, 2016) and historical and contemporary evidence highlights the widespread use of slavery and forced labour (Beckert, 2016; Crane, 2013; ILO Monitors, 2016; Thomann, 2011; UGF 2015, 2016, 2017). Slavery is prohibited under Article Four of the Universal Declaration on Human Rights (UN, 1948) and international law prohibits governments from forcing citizens to work against their will. Since abolition in most nations in the 19<sup>th</sup> and 20<sup>th</sup> centuries, however, slavery has transformed from a practice based on legal

title and ethnic distinction, to one relocated in informal economies (Crane, 2013). Hence, its scale is difficult to verify, but there is a consensus that such exploitation is widespread (New, 2015). Globally, in 2016, an estimated 40.3 million people were in modern slavery, including 24.9 in forced labour; of the 24.9 million people approximately 4 million is forced labour imposed by state authorities. Importantly, forced labour is the most common element of modern slavery and almost all slavery practices contain some element of forced labour (ASI, 2018). Definitions of slavery have, nevertheless, been controversial since the beginnings of the modern anti-slavery movement, because of the interwoven dimensions of workers consent, coercion, compensation, voice and working conditions (Quirck, 2012). Some use the terms slavery and forced labour interchangeably while others establish boundaries between them (e.g. Rogaly, 2008). Forced labour, whether state-organized or not, includes ‘any person under the menace of any penalty for which the said person has not offered himself voluntarily’ (ILO, 2015: 7). This is linked with six key indicators: threats or actual physical harm; restriction of movement and confinement; debt bondage; withholding of wages or excessive wage reductions; retention of passports and identity documents, and threat of denunciation to the authorities (ILO, 2005).

The ILO’s conceptualization of forced labour has been criticized for dealing with phenomena in isolation from the wider political, economic and social context, so that forced labour emerges as a separate dimension unconnected to the local and global mechanisms capitalism generates (Lerche, 2007). Indeed, Lewis et al. (2016:587) argue that complex forms of forced labour, like seasonal debt bondage that ‘generates economic forms of coercion’ are not captured by the ILO’s definition and hinder an exploration of the complexities, variations, practices, processes and relations of forced labour regimes and how they relate to different degrees of unfreedom, coercion, control and exploitation. Further, Philips (2013) suggests that the subjective aspects of forced labour is often underplayed, encoded in neglect of how people’s

perceptions of obligations and duties might be manipulated, but also utilised by institutions to discipline them. In this light, the position on forced labour increasingly put forward is that it includes ‘a continuum of experiences ranging from decent work through minor and major labour law violations, to extreme exploitation’ (Skrivankova, 2010:4). This article aims to contribute to the debate by exploring how the state-organized system of forced labour in Uzbekistan’s cotton industry operates and its impact on people through the unfreedom it produces.

### **Approaches to labour violations and Uzbekistan’s cotton and garment industry**

The literature on exploitative labour management practices in the garment industry has been significantly shaped by Gereffi et al’s (2005) conceptualisation of global production networks. Against a backdrop of lead firms transferring production to supply firms in transition economies characterized by weak government regulation, a widely held position suggests that ‘lead firm-supplier relations [are] at the centre of an explanation of variations in labour standards in supplier factories’ (Frenkel et al., 2017:3). While analysis tends to take into account aspects such as the nature of industrial relations in the respective country of supplier firms and the particularities of national labour markets, the explanation for the prevalence of workers’ rights violations rests on the inherent power asymmetry that allows lead firms to dictate demands. These are commonly characterized by short-term goals like low prices (Anner, 2015; Labowitz & Baumann-Pauly, 2014). When it comes to strategies of governing exploitative labour management practices in the supplier firms, too, the literature focuses on private governance and the implementation of codes of conduct, that are formulated and monitored by lead firms (Crane et al, 2017; Frenkel et al., 2017). Yet in the case of the Uzbek cotton industry, the GoU regulates production (Jurewicz, 2015), so the current explanation

focussing on the relationship between lead and supplier firms to explain labour violations or forced labour practices, while of merit, falls short when applied to state-organized forced labour regimes.

In Uzbekistan, domestic cotton consumption is increasing yearly, assisted by the GoU who promote local and foreign investments in yarn, textiles and garment production (USDA, 2017). Uzbek cotton also often ends up in supply chains used by the garments industry (ASI, 2018b) and, even though the GoU ratified a number of ILO conventions on forced labour (ILO, 2015:4), the systematic violation of the decree to enable voluntary labour is a major concern to human rights observers (ASI, 2016; UGF, 2015; 2016; 2017). A recent report by the NGO Human Rights Watch (2017), for example, details how students, teachers, medical workers, government employees, private-sector employees, and even sometimes children are still forced to harvest cotton. Nevertheless, substantial improvements for 2017's cotton harvest have been highlighted, notably with child labour, forced labour, and official statements from the central government to end such practices (ILO, 2018). However, Uzbekistan's state-run cotton industry continues to operate as part of a repressive apparatus, overseen by the National Security Service, the Committee for State Security successor in Uzbekistan (Lasslett, 2017). The industry is highly centralised and the government commands every aspect of production, processing, sale, and exporting of raw cotton and cotton fiber (UGF, 2016, 13). At the core of the maintenance of the system are threats and violence: farmers are ordered to grow cotton or risk financial penalty and removal from their land; Uzbek citizens are sent to the fields against their will, and organisations that wish to stay open throughout the harvests are forced to contribute financially (ASI, 2017; CC, 2016, UGF, 2018).

### **Towards a theoretical frame of forced labour and unfreedom**

This section draws together Crane's (2013) slavery as management practice theory with Sen's

capability (1999) approach to explore the institutional conditions in Uzbekistan that frame the state-organized system of forced labour in the cotton industry, how forced labour management practices are utilized and worker experience under the system. Crane's approach builds on institutional theory and the strategic capabilities literature, aiming to identify institutional conditions that contribute to the existence of slavery labour practices, while also exploring how organizations exploit structural factors that enable forms of modern slavery to flourish and deploy practices to control labour. In the following section, we discuss selective dimensions of Crane's framework that are crucial for analysis of the forced labour regime in Uzbekistan's cotton industry.

External factors contribute to the likelihood of forced labour and Crane identifies a set of different yet interdependent contextual factors ranging from the industry context, to the socio-economic context, geographical context, cultural context and regulatory context that are important. The *industry context* suggests that the combination of high levels of labour intensity with a limited supply of labour and low technological development paves the way for illegitimate labour practices, and pressure on costs. This perspective goes in tandem with critical supply chain analyses, which suggest that the reduction of labour and production costs is key in global supply chains and facilitated by global inequality and hierarchical social relations for the production of goods, such as cotton, to be sold on the world market (Frenkel et al., 2017; Le Baron, 2013). While the *industry context* focuses on economic rationality arguments for forced labour practices, the *socio-economic context* places the spotlight on the structural obstacles people face that pull them into industries that utilize forced labour. Here, structural poverty, unemployment and the absence of alternative means to secure income, such as micro credit are factors that render forced labour as an option to secure economic survival. Indeed, debates on the root causes of forced labour and labour violations have called for conceptualisations that allow a better understanding of the nexus between forced labour and



poverty (Phillips and Miere, 2014). This is particularly relevant for exploring forced labour in Uzbekistan, as in 2013 16 per cent of people lived below the national poverty line and currently, Uzbek's face a lack of employment opportunity, particularly in remote areas (UNDP, 2016).

The *geographical context* indicates that in remote locations forced labour practices are likely to flourish, as workers' physical and psychological distance limit their exit and voice options significantly, while institutions that represent worker interests, such as unions and INGOs, are less likely to be able to mobilize them, monitor and intervene successfully (see also: LeBaron et al., 2018). In a similar vein with Quirk's (2006) macro-historical perspective on slavery regimes and Philips' (2013) focus on the role of poverty and vulnerability for unfree labour, Crane points to the *cultural context*, encoded in community norms, values and traditions, that play a significant role in creating normative legitimacy for forced labour, and the exploitation workers. This is particularly relevant in a highly stratified society where 'entrenched inequalities such as embedded forms of taken-for-granted exploitation or discrimination' (Crane, 2013:57) are prevalent. Finally, the *regulatory context* refers to a set governance related factors, including political stability, existence of corruption, rule of law and opportunities for INGOs to monitor and regulate labour exploitation.

Crane links contextual factors with slavery management capabilities, referring to the way institutions utilize slavery as a management practice to take advantage of particular contexts, embedded in tacit knowledge and operational routines. This is particularly valuable for exploring the concrete practices and strategies forced labour regimes utilize to exploit and control workers. Slavery management capabilities are further distinguished between exploiting and insulating capabilities on the one hand, and sustaining and shaping capabilities on the other. The first focusses on how institutions and organisations aim to protect their practices against the erosion of fertile contexts that support forced labour through access to deployment of violence, debt management, debt accrual/ transferal, accounting opacity, and labour supply

chain management. Building on the exploiting and insulating capabilities, sustaining and shaping capabilities capture the activities necessary, to respond to a given context and shape it - these include attempts to develop a moral legitimation of forced labour to rationalize and justify forced labour practices, and to engage in domain maintenance, reflected in informal lobbying and bribery which oil the wheels of the forced labour regime and minimize governance by INGOs for example.

The institutional basis of Crane's theory is useful in the direct analysis of systems of forced labour where the persistence of phenomena and actions are key. However, we suggest this is less so at grappling with the types of unfreedom forced labour regimes produce and how these types of unfreedom impact on people. We advocate that a combination of Crane's institutional approach and a capability lens enables an exploration of the structures and practices of forced labour systems, and the types of unfreedom they produce and the interrelationship between those and the lived reality of such arrangements.

The capabilities approach is primarily associated with the work of Martha Nussbaum (2000; 2003) and Amartya Sen (1979; 2009) and offers an alternative engagement with normative philosophy, economics and development work. At the heart of the capabilities approach is a concern for human development, helping people lead lives they have reason to value. Crucial to Sen's work (1987) is his definition of 'functionings' - what people can do, be or become and have reason to value. Based on this understanding, Sen conceptualises capabilities as the freedom people have to make active choices and engage in opportunities, enabling them to achieve functionings based on individual valuations (Sen, 1999:285). Here, well-being is embodied in the question of how 'people are able to live rather than in terms of their preferences' (Sayer, 2011: 233). Yet, whether and to what degree people can achieve certain functionings via the activation of capabilities is understood to be determined by concrete opportunities which, in turn, are framed by political, economic, social or personal

circumstances. According to Sen (1999) and other advocates of the capability approach (Robeyns, 2005), this rests on three key factors: personal conversion, such as concrete skills, physical condition and sex; social conversion, including social norms and values, public policies, power relations, prevalent discrimination of groups; and environmental conversion, which covers geographical characteristics, climate, infrastructure.<sup>1</sup>

The strength of Sen's approach rests on his understanding that, not only what people possess is crucial for their well-being, but also what they are enabled to do or become (Miles, 2014). Even though Sen's approach does not provide a list of capabilities, he refers implicitly to capability in the context of labour and labour rights. For Sen (1999), freedom of employment is a crucial factor that contributes positively to the functionings people have reason to value. Reflecting on recognition, sense of control, confidence, self-respect and the self-reliance people can derive from their employment when they are engaged in something they perceive to be meaningful, Sen stresses that employment can become something close to a key capability for well-being. Nevertheless, 'freedom of employment' stresses that employment can only be a crucial capability when it is valued and freely chosen by people (Gromberg, 2007; Sayer, 2011). Moreover, freedom in this respect, is encapsulated in a voluntarily contract and 'unrestrained physical movement' (Sen, 1999:113), suggesting that unfreedom can hinder the achievement of capabilities and functionings, resulting in suffering.

Building on the work of Sen, Nussbaum (2006:76-77) provides a more concrete list of capabilities that enable human flourishing, highlighting amongst other aspects, that people should be able to build and maintain caring attachments to things and other people throughout their life course and to participate in political choices that govern their life. While Nussbaum's approach is strong for exploring the existence and strength of concrete capabilities and draws

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<sup>1</sup> Sen outline's capabilities that have intrinsic values as well as functional ones in the sense that they enable people to make active choices, being instrumental for determining people's well-being.

conclusions on how certain situations and practices impact on well-being (Sayer, 2011), it has been subject to a wide range of criticism. For example, it has been argued that Nussbaum's list of capabilities embraces a Universalist account of well-being and a determinist understanding of functionings, neglecting that capabilities might differ between people from different cultures and contexts (Menon, 2002). While there is a lively debate about the degree to which Nussbaum's work is Universalist and whether her approach produces a determinist understanding of human flourishing or not (Olson and Sayer, 2009), for the purpose of this article, we adopt Sen's capability approach to explore the types of unfreedom people encounter in Uzbekistan when subject to the corvee labour system.

Sen's capability approach is useful for research on forced labour regimes as it allows an open approach to different types of unfreedom and how they impact on people's well-being. In particular, Sen captures whether the capabilities that people have reason to value within certain contexts and environments are enabled or constrained by the systems, their economies and institutions (Sen, 1985). In this way, the approach is located within recent attempts to explore varieties of unfreedom produced by forced labour regimes (Yeao and Chok, 2018). Further, with the open capability approach Sen avoids a 'tick list' capability application for which development policies have been criticized (Sayer, 2011:239). A wide understanding of capabilities deduced from the empirical material, collected by local researchers who are sensitive to the cultural and political context, enables the identification of capabilities that have been enabled or constrained within the Uzbek context. A weakness of the capability approach, however, is that the wider structural aspects and how they enable or constrain capabilities tend to be neglected (Walby, 2012). Indeed, as Miles (2014:1047) states: 'Sen pays little attention to the political context that gives concepts such as freedom or equality meaning. He does not focus on how sources of power, and the way this power is reproduced through political institutions, affect human development'. Crane's theory complements this limitation by adding

to the capability approach, a focus on the political, economic and social causes of suffering under forced labour regimes. The capability approach complements Crane's theory by bringing together explanation and evaluation, allowing for a thicker illustration of the consequences forced labour regimes have for people and their labour rights.

## **Methodology**

The methodology is focused on a secondary analysis of research and reporting on the monitoring of state-organized forced labour in Uzbekistan's cotton industry, from 2013 to 2017. In total, 42 documents and pieces of empirical evidence were collected including news, reports, radio transcripts and blogs, but reporting and monitoring by the Uzbek German Forum for Human Rights (2015, 2016, 2017), and to a lesser extent, ILO monitors (2016, 2017, 2018) are key, due to depth and quality. Linking empirical data to 'propositions' and developing robust criteria for interpretation is often regarded as a weaker aspect of qualitative research; therefore, each document was thematically analysed and coded to develop propositions and test the framework. Documents were gathered through an online search and analysed sequentially by two researchers using a thematic approach, taking account of pre-formulated theory. This involved an inductive and deductive manual coding process, and analysis of material was conducted through two cycles of work – manual thematic coding and categorisation into first-order and higher-order codes.

As the ILO point out, 'monitoring is not a statistical exercise' (2016, 8), and accepted national estimates based on specialised data collection instruments that directly survey victims have yet to be developed (ILO, 2005, 13). Hence, the information collected and examined is predominantly qualitative. The UGF (2015) monitoring report's data collection consists of field visits to cotton fields, houses of pickers, collages and lyceums, analysis of local press, and

incorporates 30 interviews and 130 questionnaires. The report published in 2016, *The Cover-up* is based observation and documentation of mobilization of workers, visits to institutions, document collection, media monitoring, visits to cotton fields, and interviews. In total 97 interviews were carried out: 25 with students, 10 with farmers, 15 governmental employees, 15 medical workers, and 7 entrepreneurs. Another 100 brief interviews were also conducted that inform their reporting and the monitoring work forming the basis of the reporting was carried out by a team of ILO trained researchers who have on average five years' experience. Additionally, the chronicle of forced labour is drawn upon as a source of evidence (UGF, 2016 b, c; 2017a, b, c) and includes a breadth of additional first-hand interview material and testimonial. While UGF (2016; 2017) are the key reports, 2016, b, c and 2017, a, b, c are additional chronologically issued pieces of evidence, where a equates to issue one and b, issue two, and so forth. The ILO's work, alternatively, considers the commitments made by the Uzbek authorities between 2014 and 2017 to reduce forced labour. The ILO carried out surveys and qualitative interviews in 2014, 2015 and 2017 and supported national monitoring of child and forced labour in 2016 by the Uzbek authorities (ILO, 2014; 2015; 2017).<sup>2</sup> They conducted third party monitoring in 2016 and seven ILO experts, each with one national counterpart from the Federation of Trade Unions of Uzbekistan, conducted data collection over a six week period in two phases: a pre-harvest phase between July and August, 2016, and a harvest phase lasting four weeks, starting in September 2016. Importantly, both the ILO and the UGF acknowledge difficulty in assessing the scale and scope of forced labour and assessing the (in)voluntary participation of workers in the harvest. In terms of the objectivity, reliability, and validity of the secondary research, the ILO's work was conducted in the spirit of neutrality. According to the ILO (2017), the pre-harvest phase assessed whether the ministries and organizations associated with organized recruitment of workers had measures that prevented child and forced

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<sup>2</sup> [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_613562/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_613562/lang--en/index.htm)

labour. The findings now draw on Crane's theory and highlight the structural conditions and factors that enable and sustain forced labour in Uzbekistan, as well as the exploitation and insulation of human capabilities that follow from this.

### **Recruiting cotton labour: Coercion and structurally forced consent**

The Uzbek government accesses labour outside formal channels where recruitment is focused on how individuals are coerced and deceived to enter. A significant feature of the forced mobilization in 2015 and 2016 was the supervisory role played by local law enforcement officials in recruitment and deployment. In an interview with a manager of a private firm, it was highlighted that, 'although we are a private organization, we are still under state control' (UGF, 2017, c 1). At a cotton meeting in the Khazarasp district of Khorezm, the Hokim ordered full participation in the harvest, threatening to shut down organizations that did not send their employees, enforcing the message that, the policy applied to everyone (UGF, 2016). Accordingly, a school director describes being powerless:

We receive orders at meetings, sometimes from the governor, sometimes from the head of the education department. Based on these orders we send teachers to the fields. Orders are issued verbally. Once the big bosses have given us the order, we cannot say anything against it (UGF, 2017, c, 1).

Similarly, a local entrepreneur from another region highlights that even when explicit threats are absent in case enterprises do not send employees to the field, the risk of being punished is always present.

If we do not fulfil their requests, they will surely cause problems for us. The tax inspection would come and find some wrongdoings or violations. But in fact, we all are

forced to violate certain regulations. It is just impossible to work fairly. For none of us (UGF, 2016, b, 4).

Socio economic conditions such as education levels, (un)employment status and economic capital, have strong explanatory power for explaining who is forced to participate in Uzbekistan's cotton industry and why. For example, many people who did not want to, or were unable to, told UGF monitors that they paid bribes to representatives of public institutions, like Deans of colleagues, school officials and government officials, to either decrease the intensity of their participation or to replace them entirely. The aspect of buying out is encoded in the following statements of a physician and an eye-doctor:

It was obligatory for everyone. If one could not work, then they had to find a replacement...those who had the means paid seasonal workers to pick cotton instead of them (UGF, 2016 b, 2).

My wife is an eye doctor in a clinic in [district withheld]. She is 53 years old. She paid the head doctor 400,000 soum [approximately \$66.67 USD] and provided a mattress, pillow, and bedding, apparently for the worker 'they would hire with her money' (UGF, 2016).

Therein, the socio-economic make-up of those picking cotton reflects an incapacity to 'buy out' from harvesting cotton, manifesting and further deepening the inequality between households, as those who are forced to work in the cotton industry but have employment from which they have to take a break suffer under a loss of income. Indeed, the data suggests that the GoU intentionally targets particularly poorer households to mobilize for weeding the cotton fields before the first harvest of the year. A student stated that 'the dean asked for 500,000 soum, but I was forced to go to the harvest because I don't have that kind of money' (UGF, 2015, 27). Similarly, a nursery teacher reluctantly nominated her daughter as the family could



not afford the penalty or the loss of income: ‘I’ve sent my daughter instead of me this year. When she was leaving I gave her food for five days [Nursery teacher] (UGF, 2016, b, 2).

As Phillips (2013) puts forwards, some forms of contemporary forced labour rest on an exchange of work for money. Indeed, in 2015, the average daily wage for harvesting cotton amounted to the equivalent of \$1.50 per day (UGF, 2016). Despite the significant underpayment this represents, in certain areas such as Kashkadarya, it is reported that residents, due to poverty and lack of alternative employment choices, perceived the work in the cotton industry as a feasible option (ILO, 2017). The participation of this group is nevertheless a result of coercion as poverty and lack of options forced them to accept exploitative and indecent conditions. Therein, workers from poorer rural areas join reluctantly to support their families, but feel economically forced and exploited, where working like a ‘slave from morning till night’ (Student, UGF, 2016 c, 3) is reported. Subsequently, recruitment into the forced labour system in Uzbekistan fosters unfreedom in the way it rests on coercion and takes advantage of the socio-economic context, especially the lack of funds to buy oneself or a family member out and, in other cases, the lack of alternative employment opportunities forcing people from lower socioeconomic backgrounds to harvest cotton under exploitative conditions (McGrath, 2013). This creates a cycle of inequality that fosters the unfreedom to actively decide for or against taking part in the cotton industry, further heightening inequality and hierarchical social relations between groups of people that are privileged to ‘buy out’ and groups that are not able to, showcasing not only how poverty leads to forced participation, but how poverty constrains agency and individual preferences (Sen, 2009).

The transport of people to the fields (for the first harvest) takes place over several days under the careful scrutiny of the hokimiat authorities<sup>3</sup> and law enforcement agencies. The UGF’s (2016:87) observation of the practices is candid, in the way they label the practices as

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<sup>3</sup> Hokimiat is the provincial executive branch of the local government

acts that aim to legitimize the system while taking advantage of workers' perceptions of their obligations and duties vis-à-vis the state: 'To a population with a deep and well-founded fear of law enforcement, law enforcement presence reinforces the message that cotton picking is mandatory'.

The cultural context, encoded in direct threats that are intermeshed with cultural and political traditions, inequalities and beliefs give rise to an accommodative context for forced labour in Uzbekistan. The available data fleshes out that informal institutional rules and norms enforce forced labour practices and enables the system to flourish. A key aspect here is the idea of implicit or explicit 'traditions' that support the mobilization of workers; these are combined with coercion and disciplinary practices. For example, the UGF's 2015 monitoring report highlights that nearly everybody they spoke with 'indicated they were directly threatened or understood implicit threats if they refused to pick cotton; most crucially that they would lose their jobs (UGF, 2016, 5).

This threat is combined with an ideological belief system manufactured by the GoU which encodes the widely shared perception that refusal to participate in the cotton harvest goes against one's patriotic duties, the state, and even god's will (UGF, 2016). According to a high school teacher, 'If you refuse to work in the cotton fields, it is almost as if you are a traitor' (UGF, 2017, c, 1). Therein, the recruitment system on which the corvee labour regime rests is intermeshed in a regulatory context that forcefully establishes coercion as a state manufactured cultural and ideological system and a socio-economic landscape that enables the exploitation of the poor (Crane, 2013). People's capabilities are constrained due to the regime pulling them out of jobs and education; disconnecting workers from families, forcing them to participate in hard physical labour they have little reason to value. Workers are caught in a cycle of poverty and domination, lacking agency to improve their lives, while being excluded from decision making, deepening their unfreedom (Sen, 2009). Furthermore, this system not only produces

unfreedom for the people directly affected by the recruitment, it also indirectly constrains the capabilities of wider groups in society. This is central to the narrative of a high school teacher who describes the instability of the education system and the lack of education pupils suffer under during harvest season:

I have been working as a teacher for 24 years. I'm also a farmer. This has been the case since I started my teaching career. I teach my classes and I work on the fields. With the arrival of autumn, I spend 20 days and nights in the cotton fields picking cotton. As soon as spring arrives, I do cleaning and tree-planting, go to the cotton fields and cultivate cotton plants... At the same time, students often do not attend classes since there is no supervision, and then we have to visit their families (UGF 2017, c).

Here, the differentiation that the capability approach highlights between needs and wants, between what people are currently engaged in and what they want to become is fundamental for understanding how the forced labour regime impacts on worker's well-being (Sen, 1979).

### **Exploitation, commodification and denial of humanity: Labour conditions in the cotton industry**

Focusing on the industrial context of Uzbek cotton, evidence suggests that cotton production is highly centralised. This is encoded in the all-encompassing control the government has over '(...) every aspect of the production, processing, sale, and export of raw cotton and cotton fiber' (UGF, 2016, 13). A contextual condition of forced labour, highly visible, and more so than others within the reporting is labour intensity and attempts by the authorities to legitimise their actions to strengthen control over the industrial/agricultural system through a variety of practices. At the heart of the system is establishing rates paid to workers for harvesting which are substantially lower than market wages; this is coupled with high work effort expectations, framed by disciplinary mechanisms and the threat of violence (UGF, 2016, 16). Indeed,

workers are expected to pick upwards of 60-70 kilograms of raw cotton per day in the first cycle despite dangerously high temperatures and approximately 30-40 in the second and third cycles of crop harvesting (UGF, 2016). Interviews draw attention to the long hours, lack of rest, repetition and intensity of picking cotton. An employee of a nursery school in Nukus City, for example, highlights that people work ‘without weekends, staying in the fields from 8 in the morning until sunset’ (UGF, 2016, 1). According to a high school teacher, a representative from the education directorate reports that particularly female cotton pickers experience ongoing disrespect and humiliation that goes in tandem with harsh disciplinary practices, stripping workers of their dignity.

Doing field work in the heat is a very hard job for women. If we sit for a while to have a rest, they bother us. There is a supervisor who comes immediately and humiliates us. He is very rude. The majority of the teachers are women and this is why he humiliates them by saying: ‘You are all prostitutes. I have been sent to the field with 100 prostitutes’. He does not allow us to have a rest (UGF, 2017, c, 1).

Another account further illustrates the excessive working hours during the period of ten to forty days:

We’re in the fields for 12-13 hours. They wake us up before 5 a.m. By 6 we have breakfast and walk to the fields. We start harvesting before 7. We leave the field at 7 in the evening. Sometimes we stayed until after 8 if there were a lot of people around the scales [waiting to weigh their cotton]. There was no rest at all’ (UGF, 2015, 22).

Empirical observations also stress that ‘worrying reports were received (...) which have reported (...) harassment and threats to people’. According to the UGF (2016, 5), in 2015, the Uzbek police patrolled cotton fields, inspected farms and monitored workers to ensure the success of the harvest. The message to farmers was unmistakable: they face serious consequences for failure or error (UGF, 2016). Reports independent of the UGF highlight how

the Uzbek authorities launched a string of attacks including subjecting civil society monitors to body cavity searches, beatings, detention, and surveillance (ASI, 2016). Thus, a combination of manipulation tactics is utilized that heightens the financial exploitation of workers through deductions and a lack of transparency over effort measurements and remuneration systems. Despite workers knowledge of these practices, they are evidently unable to contest these conditions. Therein, a crucial aspect of the forced labour regime in Uzbekistan is that it rests on a high level of labour exploitation, treating its forced workforce as fictitious commodities. Indeed, the regime aims to maximize output and neglects the vulnerability of people and their capabilities and needs that are damaged by excessive physical and psychological demands (Crane, 2013). While exploitative and dehumanizing conditions are an integral feature of forced labour regimes in general, the state organized forced labour regime, arguably, intensifies this experience because the state is the driving actor behind these practices, creating an aura of authority and legitimacy. Meanwhile, workers have no place to turn to except INGOs who, in turn, have a contested relationship with the state. In this way, the capability to express voice, address unfair and dehumanized practices and alter them collectively is structurally and purposefully undermined (Sen, 1999).

Another significant aspect of the forced labour regime is the physical, political and psychological distance of workers (Crane, 2013). Indeed, cotton regions are scattered across the country, and evidence suggests that the cotton industry in Uzbekistan is an extreme case example where isolation tactics are part and parcel of governing workers. People are reported to be bussed up to hundreds of kilometers from their homes to pick cotton for extensive periods. Signs of isolation include denying workers to contact with the outside world and holding them in remote locations, far from services, including transportation. The UGF found that ‘There are few if any places to charge mobile phones, limiting contact for pickers with their families and others’ (UGF, 2016, 56). Therein, the forced labour system violates people’s capability to form

meaningful relationships to other people and value commitments to people they care about thanks to the geographical separation and isolation tactics that foster a social, emotional and psychological disconnection (Sen, 2009). Further, the harsh working conditions produce indignities that violate people's needs to be treated with respect and decency. This is evident in the empirical material which suggests that people feel dehumanized and stripped of their physical and psychological needs (Sayer, 2011). In this way, the real existing opportunities for workers to achieve functionings they have reason to value is seriously constrained.

The deployment of violence or the threat of violence, in particular, is arguably the most essential practice of the regime that produces unfreedom, while exploiting conditions conducive to forced labour. A theme in the monitoring research and reporting is violence and the threat of violence as a means to suppress and recruit participants and harass monitors. A powerful climate of fear pervades the harvest with monitors reporting that 'nearly everyone we spoke with during the season indicated that they were directly threatened (...)' (UGF, 2016, 5). In this environment, people's capabilities to express agency, to act and bring about change and 'whose achievements can be judged in terms of her own values and objectives' (Sen, 1999, 19) are undermined and systematically violated.

### **Exploiting and insulating capabilities: The centrality of debt management and accounting opacity**

The exploitative and dehumanized work practices are embedded in the longstanding relationship between farmers and the Uzbek authorities, which transcends rapid debt accrual, debt transferral and accounting opacity. Reports show that the GoU's debt management rests on strict quotas for cotton production, coupled with penalties for farmers if they are not met. According to reports from Radio Ozodlik, farmers are forced to sign and stamp blank procurement contract forms, supported by police pressure:

On the contract form, there is no indication of any area in hectares of cotton to be cultivated, nor of any number of tonnes of cotton to be purchased. The paper is empty. Here is the blank form I was forced to sign. Farmers who refused to sign the agreement were searched for by the police and forced to sign and stamp the form. Otherwise, they were threatened with arrest (UGF, 2017, a, 5)

This occurs both at the level of individual organisations and through the network of organisations involved in the cotton supply chain which are passed down through farmers to workers, triggering an escalation of work effort expectations and harsh disciplinary practices (UGF 2016). Farmers are susceptible to this form of abuse as the government-established price for cotton is below the costs a farmer incurs in fulfilling the government's quota. The government also owns farmers' land and restricts how farmers use it, depriving them of what would otherwise be a primary asset to ensure capabilities to achieve functionings they have reason to value (Sen, 2009). According to the UGF (2016), this denies farmers liquidity by using a cashless system of transfers between the Selkhozfond, banks with accounts in farmers' names and state-controlled suppliers and buyers of cotton. Additionally, interviews discussed in the UGF's (2016) report with farmers from Syrdarya and Kashkadarya confirm the government's approach to indebting farmers and those who do not meet the desired quota, locking them into an exploitative system:

They have found a good way to deal [with people who fail to produce the quota]. The police and prosecutors come and seize your other crops. The farmer can never make a profit then. It's a big deal if he can even cover his expenses for cotton. As far as I know, there are no farmers who are not in debt to the banks. Everyone is in debt millions [of soum]. To cover them, they seize our vegetable crops, wheat, rice, and confiscate our belongings to pay the state banks (Farmer, Syrdarya) (2016: 30).

I didn't fulfil the cotton production plan this year, but I don't have any debt. But because I didn't meet the quota the police came and took my brother's car. We have a family farm. They haven't given it back (Farmer, Kashkadarya) (2016: 30).

The empirical data shows a strong utilisation of accounting opacity and labour supply chain management. Accounting practices and processes establish control over the workforce while insulating the government from scrutiny from more legitimate value chain connections. Importantly, this can also prevent legitimate up or downstream value chain members from knowing about, exercising responsibility for, or acting on illegal slavery practices and false accounts of labor costs (Bales, 2004). In concert with these features are sham labour contracts that may be deployed to provide a sheen of legitimacy and to avoid scrutiny (Thomann, 2011). Therefore, accounting opacity involves a combination of an ability to construct, maintain and communicate false, often unwritten accounts over a period of time and a competence to confer sufficient legitimacy on these accounts to satisfy internal and external audiences. This is pertinent because all cotton profits are shielded from public accountability in the Selkhozfond, an additional budgetary account of the Ministry of Finance in Uzbekistan, accessible only by top officials and supported through a cashless financial system with bank accounts in farmers names (UGF, 2016).

The UGF's 2015, 2016, and 2017 reports underline the GoU's accounting opacity in the cotton production process through a lack of transparency in decision-making and reporting. The 2015 report documents how 'Rampant, widespread and systematic corruption underpinned the cotton production system in 2014', where contributions from businesses, payments from individuals for field labour, and payments by forced labourers for food and transportation costs, plus fines and payments for unmet quotas, amounted to a large, unregulated, and unaccounted for direct subsidy to the government. Whereas in 2014 (the focus of the UGF's 2015 report), it



was reported that wages were deducted; the 2016 report makes this a central theme as many workers reported that automatic deductions were taken from their wages to pay for food. There is little evidence for workers being provided with a transparent view on how money deducted from their salaries was spent. Therein, officials exploit the vulnerability of constituents for personal gain, with the withholding and underpayment of wages frequently reported as workers often received little or no money and have costs, fines, and other deductions taken and wages withheld until the fulfilment of the harvest (UGF, 2016, 58). This heightens workers financial dependence on an exploitative system that minimizes worker agency to control and manage their finances, instead making them subject to an arbitrary and manipulative accounting system that is indecent, while no opportunities for voice or exit for workers exist. A statement included in the UGF's monitoring report in the Jizzakh region shines light on the difference between what the authorities offer and pay and accounting and transparency issues that lead to worker debt.

‘You bend over all day to pick 50 kilos of cotton and get paid only 8,000 soum (approximately \$1.50 USD). The government has promised 230 soum per kilo. When the money to pay the workers gets to the bank, the tax collectors withhold 8% for income tax, in total 30 soum per kilo, leaving 200 soum. And here the cotton collection headquarters accepts physical kilograms [the amount actually picked] but pays for conditional kilograms [clean cotton with no moisture or debris] and so for first harvest cotton it withholds about 10%. And then there are shortages, undercounting, mistakes by the farmer, falsification of the scales at the cotton headquarters and in the end the picker receives only 8,000 soum for 50 kilograms picked’ (UGF, 2016).

## **Discussion and conclusion**

This article considers state-organized forced labour associated with Uzbek cotton, the labour management practices sustaining and enabling the system and the human experience of labour exploitation in the country. To understand this, we combine Crane's institutionally-orientated theory with Sen's capability approach. Crane's theory complements the capability approach by focusing on structural conditions that produce capability deficiencies, while Sen's capability approach allows a deeper understanding of the impact forced labour regimes have on worker capabilities and functionings, pointing towards the different types of unfreedom experienced. Enriching Crane's slavery as a management practice theory with Sen's capability approach, we explore data and reporting on forced labour in Uzbekistan's cotton industry. In doing so, the article makes a contribution to the literature on forced labour and labour and working violations through its exploration of how the state-organized system operates in Uzbek society. Notably, the article considers the roots of the cotton supply chain and to date, there is very little empirical evidence relating to state-organized forced labour regimes and how they are experienced by workers. We contribute to the literature on forced labour by illustrating that, it is neither an 'unnatural' aspect of the contemporary political economy (Lerche, 2007; Phillips, 2013), nor simply existing in the informal economy, outside the realm of government control (Bales, 2005). Instead, this article indicates that the mechanisms and labour management practices of the state-organized system in the Uzbek cotton industry are rooted in a governmentally dominated political economy and industry. An important characteristic and finding about the forced labour regime and the interactions between such systems and forced labour in Uzbekistan is that the state robustly enforces a labour regime in the cotton industry that rests on force, exploitation and dehumanisation, leading to violations of capabilities and functionings. Utilizing Crane's (2013) theory, this article illustrates that the forced labour regime in Uzbekistan's cotton industry shares similarities with contemporary forms of forced

labour described by Phillips (2013), amongst others, that are based on insights from the private sector, but also encodes significant differences with ample consequences for the experience of workers and the realisation of their capabilities and functionings. First, forced labour in the cotton industry is similar to other contemporary forms of forced labour 'sealed by indebtedness' and populated by households lacking economic capital. Even though forced labour in the cotton industry is seasonal work and therefore characterized by short term duration like other forms of forced labour (Le Baron and Philips, 2018), it is annual and therefore a constant and returning feature that shapes the life-course in a significant manner. Indeed, the returning cycle of the forced labour regime in the cotton industry marks a key difference to other forms of forced labour systems. While modern forms of forced labour feature an unfreedom often rooted in the lack of labour exit options, the state-organized forced labour regime in the cotton industry features a systematic preclusion of exit as well as forced entry. This is a significant aspect as it illustrates the totality of the hegemonial regime that forces workers through threats, exploitation of the socio-economic conditions of poorer households and a manipulated cultural and ideological belief system, to participate in harvesting cotton. Therefore, this system goes beyond strategies of withholding wages or taking advantage of workers indebtedness and perceptions of duties (Lewis et al., 2016), representing a draconian and all-encompassing labour regime that people have little means to challenge and improve. Similar to other forms of forced labour (Crane, 2013), workers receive monetary compensation for their labour. Yet, wages are withheld, inaccurate, accounting is opaque, and the remuneration is exploitative, thus intensifying the poverty of workers and households. Lastly, the article also showcases that work in the cotton industry is characterized, similar to other forms of forced labour, by intense physical and psychological demands, dangerous conditions and dehumanizing management practices that violate human rights.

Combining Crane's work with Sen's capability approach, this article suggests that workers fundamental capabilities for human well-being are seriously undermined and violated. Sen's conceptualisation of capabilities as the freedom people have to make active choices and engage in opportunities, enabling them to achieve functionings based on individual valuations (Sen, 1999:285). This allows us to illustrate that the forced labour regime in the Uzbek cotton industry produces lasting constraints for people's capabilities that hinder them to achieve functionings they have reason to value. The forced labour regime in Uzbekistan rests on a variety of strategies and practices that produce misrecognition of workers as individuals that deserve to be treated with care, dignity and respect, producing humiliation and dehumanisation. In the cotton industry, workers have no sense of control, encoded in restrained physical movement and, indeed, geographical and psychological disconnection, control over pace and place of work and task discretion (Crane, 2013). The annual character of the labour regime hinders workers in the long term to build up preferences and make active choices (Sayer, 2011). The voices of teachers, farmers, students and other groups of people featured in this article showcase that their continuous forced participation in the cotton industry becomes an inevitable feature of life that constrains development and disrupts personal and professional responsibilities and attachments. Indeed, colleges are abandoned, hospitals run with fewer staff, university education is interrupted, and families are periodically torn apart. In this environment, the real existing opportunities to express agency and bring about change and achieve functionings based on individual valuations is systematically rendered impossible for workers (Sen, 1999). Additionally, this article also illustrates that the highly stratified nature of the forced labour regime furthers the divide between groups in the society who can afford to buy themselves out and poorer socio-economic groups who are forced to participate and accept that their life-course is dictated and structured by the regime, holding them down and limiting their development opportunities (Sen, 2009).

Finally, this study casts doubt on the ILO's (2015) assertion that large numbers of citizens in Uzbekistan seem to be 'willing' recruits (ILO, 2015). In line with UGF reporting and a broader range of civil society voices (HRW, 2017; ASI, 2017), the article contends that even groups who are not coerced into the system by the threat of violence and disciplinary practices, are only participants due to rampant socio-economic inequalities.

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