

Investigating the conditions of vulnerability experienced by migrant workers during the COVID-19 pandemic in Kerala, India

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This paper analyses findings of the 'PROWELLMIGRANTS'² project, which qualitatively investigated COVID-19 impacts on migrants' well-being and mental health in Kerala, India. It draws on a novel conceptual framework that combines assemblage-thinking with theories of social contracts in disasters. The paper first explores how past development processes and contemporary migration policies in Kerala, and India more widely, generated conditions of vulnerability for migrant workers in Kerala prior to the pandemic. Next it shows that Government of Kerala interventions, in some cases supported by the central Government of India, temporarily addressed these vulnerabilities during the pandemic. In acknowledging the helpful response of the Kerala government, we problematise its stance on migrant workers during 'normal' times and speculate that permanently addressing these conditions of vulnerability would be a more logical approach. We acknowledge this involves overcoming many wider barriers. Thus, the paper also contains national-level policy implications.

Keywords: COVID-19, India, migration, mobilities, vulnerability

Introduction

The plight of migrant labourers during the COVID-19 pandemic in India received considerable attention in both Indian and international media. The academic literature on their experiences is also growing (Breman, 2020; Sengupta and Jha, 2020, 2021; Srivastava, 2020a; Hans, Kannabiran, and Mohanty, 2021; Jesline et al., 2021; Raju, Dutta, and Ayeb-Karlsson, 2021; Mathews, De Neve, and Ayeb-Karlsson, 2023). Here we provide empirical evidence of the experiences of non-Keralite migrant workers in Kerala, India, during the first lockdown period of the COVID-19 pandemic.³ This adds to a mounting evidence base on these issues across an array of state and regional contexts in India (Carswell, De Neve, and Yuvaraj, 2020; Carswell, De Neve, and Subramanyam, 2022; Ramani et al., 2022).

Kerala is an interesting case for several reasons. One is that its development has been shaped significantly by interconnected inward and outward flows of migrant workers. Another is that before the pandemic it was estimated that there were roughly 3.5 million non-Keralite (mostly Indian) migrants, working both formally and informally in Kerala (Peter, Sanghvi, and Narendran, 2020). A third reason why Kerala offers an interesting case study is that of all Indian states, it has been widely reported that the Government

of Kerala performed relatively well—as compared to other Indian states—in shielding workers from the worst excesses of the pandemic and the lockdown (Peter, Sanghvi, and Narendran, 2020; Chathukulam and Tharamangalam, 2021). Nonetheless, migrant protests in Kerala suggest that the state government’s treatment of ‘guest workers’ was far from perfect (Onmanorama Staff, 2020; TNM Staff, 2020). Indeed, Kodoth (2021) argues that they often found themselves in conditions during the pandemic that made them vulnerable to exploitation, abuse, and economic hardship.

This paper empirically investigates how these conditions of vulnerability emerged before the pandemic and were then either entrenched, exacerbated, or indeed alleviated during and after it. We utilise this critical disaster studies lens because the pandemic was managed as a disaster in India (Sengupta and Jha, 2021). Our analysis encompasses migrant workers’ formal and informal relationships with the state and central government, employers, labour contractors, civil society groups, and local communities. These shifting relationships are understood to have in turn shaped how migrant workers were impacted by what Kannabiran, Hans, and Mohanty (2021, p. 1) describe as the *pandemic-lockdown* in India: ‘the twin effects of the public health crisis and the forced displacement of the worker population as mutually reinforcing drivers of displacement and suffering’.

In the following section we set out our conceptual framework. This integrates recent conceptual tools linking disaster studies to assemblage theory, research on social contracts in climate change adaptation and disaster studies, and contemporary interpretations of disaster vulnerability as heterogenous conditions which put people at greater risk of being affected by disasters. Then, because we also use empirical data to establish the context for the empirical discussion, the methodology is outlined. The empirical section that follows combines a case-specific literature review with empirical data to provide an in-depth overview of the case study. The section centres on a critical discussion of the oft-cited ‘Kerala Model’ of socioeconomic development and its implications for different people’s mobilities within and without the state of Kerala. Specifically, we highlight how this development model has generated two main migration flows: (i) a flow of young and now ‘non-resident Keralites’ (NRKs) out of the state to other areas of India and other countries; and (ii) a flow made up of non-Keralite migrant workers moving to the state to fill gaps in industries that demand manual labour. Of particular interest to us is how the Government of Kerala treats these two groups—broadly, the non-Keralite immigrants and Keralite emigrants—in policy terms. This policy disparity is then weighed against the national picture of migration, establishing the overall scene for the presentation of our main results. This section is chronological, beginning with a discussion of pre-pandemic (im)mobilities and the power relations behind them in Kerala, with a specific focus on the role of labour contractors in drawing up more-than-social contracts in Kerala. It outlines why migrant workers were living in conditions of vulnerability before the pandemic. The empirical section moves on to present people’s experiences of the *pandemic-lockdown* in Kerala. A discussion section follows which synthesises the stories portrayed and the issues they raise before speculating on the policy changes that would ensure that no-one is left behind in future disaster and pandemic scenarios (Raju, Dutta, and Ayeb-Karlsson, 2021). A brief conclusion ends the paper.

More-than-social contracts, assemblage theory, and COVID-19

A key component of our conceptual framework is assemblage theory, or assemblage-thinking. These two terms broadly refer to a suite of ideas emerging from Deleuzo-Guattarian philosophy (Deleuze and Guattari, 1988), and particularly DeLanda's (2016) interpretation of it. Assemblage-thinking has been employed across various social science disciplines to make sense of complex entanglements of social, and more-than-social, phenomena, as well as different knowledges of them (Anderson and McFarlane, 2011). Following earlier interventions, such as Grove (2013) and Donovan (2017), assemblage-thinking has become increasingly popular as a lens with which to study disaster risk in recent years, to conceptualise apparatuses of disaster management (González, 2022), to examine disasters themselves as assemblages of social and material processes (Marks, 2019), and to assess the intersections between conditions of insecurity and flood events (Okoko, 2022). McGowran et al. (2023) have recently used a Disaster Risk Management Assemblage approach (McGowran and Donovan, 2021) to analyse existing literature on the COVID-19 pandemic in India and suggest that people's experiences of it were shaped by their power-laden relationships with these different co-functioning socio-material assemblages. Our aim here is to use that work as an entry point to present more granular and geographically-specific research on the interconnections synthesised in that article.

To frame this research conceptually, and as Blackburn and Pelling (2018) do in relation to climate change, we start from the classic but continuously debated understanding of a 'social contract' (after Swiss philosopher Jean-Jacques Rousseau) existing between citizens and state authority (Campbell, 2010). It is generally theorised that this contract emerges through citizens accepting the limits to freedoms put on them by an authority (such as laws and borders) in the expectation that an authority also upholds other freedoms and provides citizens with various services, welfare, and protection, *inter alia*. However, and following Siddiqi and Canuday (2018) and Siddiqi and Blackburn (2022), we approach the concept of social contract in a way that eschews the simplicity of a monolithic 'social contract' between state and citizen and instead theorises multiple contracts between what in reality are unequally treated individuals and different levels of government, corporations, civil society groups, families, and households. This recognition of plurality applies in the vast majority of contexts, demonstrating that the nominally singular body of 'the state' is in fact a complex, shifting set of relations between different citizens and an array of other institutions, individuals, and infrastructures, which, despite operating under a singular banner of 'the state' or 'the government', may be in competition with each other, working outside of official regulations and workstreams, or actively working against some citizens' best interests. Corbridge et al.'s (2005) well-known work highlights why this conceptualisation is especially important in relation to India's federalised government structure, many layers of local government, and politicised bureaucracy. The increasingly authoritarian actions of the ruling, ethno-populist Bharatiya Janata Party (BJP) under Prime Minister Narendra Modi adds another important layer to their thesis (Jaffrelot, 2017; Chatterji, Hansen, and Jaffrelot, 2019). These

contractual relations are always unfolding, and continuously renegotiated, particularly during periods of adversity, unrest, and disaster.

Siddiqi and Blackburn (2022) have suggested that combining this kind of pluralistic contractarian lens with disaster studies directs critical analysis towards the gaps between formal civic rights or protections and actual lived experiences of disaster situations in India and the Philippines. To this end, Blackburn and Pelling (2018) similarly propose that social contracts might be imagined, legal, and/or practised, an idea that dovetails with Hilhorst, Boersma, and Raju's (2020) discussion of formal, real, and invisible aspects of disaster governance. On this basis, we follow Hilhorst, Boersma, and Raju (2020) to present disaster politics as the processes of negotiating how these intersecting dimensions of disaster governance are framed, practised, negotiated, supported, and contested through periods of crisis or emergency (Raju, 2013). Assemblage theory also provides a bolstered vocabulary for this discussion of imagined, possible, and actual social contracts (Donovan, 2017). Therefore, finally, we build from Pelling et al.'s (2022) assemblage-based ideas to conceptualise the object of our study here as *more-than-social contracts*. This directs us to consider how governmental responses to the emergent, dangerous, and unpredictable SARS-Cov-2 virus pathogen disrupted, accelerated, and/or reconfigured existing conditions of vulnerability on the ground. Conceptualising vulnerability in terms of conditions aligns with the United Nations Office for Disaster Risk Reduction's official definition of vulnerability (UNGA, 2016) and, importantly, indicates contingency, meaning that these conditions can be changed for better or for worse as they enter power-laden relationships with disaster risk management assemblages that attempt to govern, support, and close down existing contractual arrangements and mobilities.

Methodology

The data collection for this study was carried by the two researchers based in Kerala, India (Hannah Johns and Mishal Mathews) under the guidance of the principal investigator (Sonja Ayeb-Karlsson) between 2021 and 2022 in four districts of the state: Ernakulam, Kottayam, Malappuram, and Pathanamthitta. The qualitative study lasted for six months and was conducted using a storytelling and personal narrative approach. This methodology reflects previous studies carried out in Bangladesh, the Philippines, and South Africa (Ayeb-Karlsson, 2021; Ayeb-Karlsson and Uy, 2022). The core data collection methods of this approach (and the numbers of each completed) were: personal life stories (PLS) (46); collective storytelling session (CSS) (24); key experience session (KES) (29); and key expert interview (KEI) (6) with health and social workers, non-governmental organisations (NGOs), and government officials. Some periods of the six months of data collection involved remote online interviews, but these were in the minority. Given the amount of time that Johns and Mathews spent in the field, they were also able to use ethnographic methods, including field notes, observations, and informal conversations. The ethics and logistics of the research were carefully considered in conversation with the donors prior to successful approval of the grant. This was especially important given that the COVID-19

pandemic was ongoing at that stage. The research was approved by the internal ethics committee of the United Nations University–Institute for Environment and Human Security (UNU–EHS) prior to any data being collected.

These methods generated considerable amounts of data, which, due to the ethical conditions of the data collection agreement with participants, could only be transcribed initially by the field researchers (Johns and Mathews) and the principal investigator (Ayebe-Karlsson). These authors subsequently carried out a first round of thematic narrative analysis of the transcripts to identify key storylines and trends that were emerging from people's experiences. Following this analysis, key thematic areas for further investigation were drawn out. The research team then met and discussed how the main thematic areas could be clustered to underpin separate research articles. Work on these articles was led by different team members according to their expertise and disciplinary background. The research team applied an open publishing approach whereby anyone in the team who wanted to and had the time and expertise to participate in the production of the separate articles as a contributing author was welcome to do so.

This storytelling methodology was designed to be open-ended and permitted the participants to shape the narratives and stories they told and to express their position in the complex socio-material assemblages which condition, restrict, and motivate their choices and behaviour at different junctures (Bell, 2010; Ali, 2014): the stories offered methodological windows on to the subjective space (Ayebe-Karlsson, 2021). Overall, the storytelling research approach allowed us to understand and describe how power relations influenced decision-making relating to mobility, risk perception, and well-being (Tschakert and Neef, 2022). Given that each paper already had a thematically specific set of data allocated to it by those who collected and analysed the data initially, spanning around 20 pages of quotes and notes, a basic coding process was applied to draw out key sub-themes that spoke to different power relations and contexts (such as gender and type of work setting), different types of problems and suffering (such as harassment, entrapment, boredom, and health issues), and different temporal contexts (before, during, and after the first lockdown period).

All of the participants mentioned in this paper were Indian citizens, although international migrants were also engaged in different parts of the research process.

The ins and outs of the 'Kerala Model'

Commentators both in India and elsewhere around the world have frequently singled out the south Indian state of Kerala as unique in its approach to social development (Heller, 1999; Oommen, 1999, 2008; Parayil, 2000). The significance of the 'Kerala Model' is that historically it has gone—and continues to go—against increasingly adhered to development logics, which theorise that social development follows growth-focused economic development (Parayil, 1996; Véron, 2001). Rather, Kerala, with its history of communist political power and a strong labour movement, has prioritised investment in public services amidst relatively low economic growth to achieve its contemporary status as one

of the most prosperous states in India with among the most well-educated and healthy residents (Isaac, 1986). Of course, this narrative is not perfect, and like most development approaches, it has not benefitted all in Kerala. One common critique takes aim at the relative lack of well-paid jobs for the state's well-educated workforce (Tharamangalam, 2006). The issue of unemployment across a spectrum of education levels has also been demonstrated to be gendered, with women in Kerala more likely to be unemployed than men (Kannan, 2023). The matter of unemployment partly stems from continuing issues with the (mis)management of public finances and the tax system in the state (Kannan, 2023). Another critique spotlights the continued marginalisation of people because of their caste, religious, and political identities, despite Kerala's claims to being progressive (Devika, 2010). The outcome of Kerala's development that is most relevant to this paper, however, is that it has been productive of and shaped by two key migration flows out of and into the state (Zachariah, Mathew, and Rajan, 2003).

Non-resident Keralites and the Kerala Model

Kerala's model of development has shaped the (im)mobility choices of predominantly young Keralites in such a way that, over the course of a few decades, many have decided to leave the state in search of work and higher education. While each case is unique, the emergence of a relatively highly educated generation of Keralites amidst the comparatively low availability of well-paid jobs is generally viewed as the main overarching driver of this migration flow. 'Non-Resident Keralites' as they are officially known, now constitute both a significant demographic and make a significant contribution to Kerala's economy through the sending of remittances (Azeez and Begum, 2009; State Planning Board, Government of Kerala, 2017). Generally, NRKs are heralded as a development success story, celebrated by their families, and described by the state government as a 'strong pillar of growth' (State Planning Board, Government of Kerala, 2017). They also have their own dedicated government department to take care of their specific needs: the Department of Non-Resident Keralites Affairs. The social contracts between NRKs and the Government of Kerala are strong and mutually beneficial. The migration of young and educated Keralites to Indian cities such as Bangalore, Chennai, Delhi, and Mumbai, as well as to several countries around the world, has brought wealth back into Kerala. It has also contributed to the emergence of significant gaps in Kerala's labour market, particularly in relation to low-wage manual work that is usually done on a temporary basis (Parida and Raman, 2021).

NRKs' more-than-social contracts with the state were reconfigured with the onset of the pandemic. In the first few weeks of the emergence and initial spread of the virus, NRKs travelling from Wuhan, China, to Kerala became the first recorded cases of COVID-19 in India (ACAPS, 2021). This led to Kerala implementing its own mobility restrictions and the first of many pandemic-related disagreements between the Union Government⁴ and the Government of Kerala (Chathukulam and Tharamangalam, 2021). As the virus spread and the consequences of the central government's lockdown materialised, Kerala's economic dependence on NRK remittances emerged as another key

issue, as hundreds of thousands of NRKs returned to the state after losing their jobs abroad due to the impact of the pandemic on the global economy (*The Economic Times*, 2021a). Kerala's economy thus suffered a 'double whammy': the lockdown and the drying up of external financial remittance flows into and through the state's economy (*The Economic Times*, 2021b; Rajan and Amuthan, 2022; Rajan and Arokkiaraj, 2022).

'Guest workers' and the Kerala Model

The processes outlined above which contributed to the emergence of the NRK demographic occurred within a national political economy that, in most Indian states, has created and reproduced an informal economy on which the much smaller and so-called *formal* economy is now completely reliant (Deaton and Dreze, 2002; Drèze and Sen, 2013). It is estimated that 'the informal sector' accounts for more than 90 per cent of wage employment in India (MoF, 2019). People from poorer (per capita) populous states, such as Bihar, Jharkhand, Odisha, Uttar Pradesh, and West Bengal, are overrepresented in these labour markets (Parida and Raman, 2021).

In Kerala specifically (since at least the 1970s), there are also a considerable number of migrant workers from neighbouring Tamil Nadu. Crucially for this paper, many of these people working in informal labour markets are *on the move*, working away from their family home and in many cases their state of origin (Bremen, 2020). The most significant driver of this migration is undoubtedly economic, in that there is more and better paid work available in the richer states and cities of India (Srivastava, 2019). While this often means a move to a city, much of the manual labour available is located in the peripheral areas of urban centres, complicating the geographical picture (Mishra, 2020; Randolph and Deuskar, 2020; Choithani, van Duijne and Nijman, 2021). Furthermore, many of those who migrate do so to remain with family members (often spouses) who more often than not have migrated for work. Migration patterns are frequently not unidirectional but rather temporary, circular, and/or seasonal: they are characterised by sporadic spells of migration interspersed with agricultural work and other labour in rural home areas, according to different seasons and circumstances (Keshri and Bhagat, 2013; Srivastava, 2020a). Other studies also point to the footloose nature of labour migration, as workers often move from place to place and job to job in search of the right mixture of wages, conditions, cultural affinity, and accommodation (Triandafyllidou, 2022).

Although not the most popular state in terms of raw immigration numbers, Kerala scores well in relation to the criteria of wages, conditions, cultural affinity, and accommodation, and so is a common destination for migrant workers (Peter and Narendran, 2017; Parida and Raman, 2021). First and foremost, the wages available for manual labour tend to be much higher than in origin states because demand for these workers in Kerala is high owing to the outflow of NRKs (Parida and Raman, 2021). Cultural factors also play a role in driving wages up. For example, Keralites view jobs such as factory work, fishing, construction, and food processing as undesirable. Another reason in this regard is the prevailing preference among employers to hire migrant workers because they perceive them to be more hard working and less demanding (Peter and Narendran, 2017).

Kerala's history of trade union strength is also attributable to the higher than average wages and the culture of labour protection (Kannan, 1998). The latter does not always benefit migrant workers, as will be discussed, but it does mean that people tend to find the conditions generally more attractive in comparison to those in other states (Peter, Sanghvi, and Narendran, 2020). The quote below by a migrant worker in Kerala illustrates how these and other diverse and interconnected processes motivate and restrict migration choices:

I have studied only 'til 8th std [primary education offered until age 14]. I had to quit my studies to start working. My older sisters had to be married. You know, in our place, the bride has to wear around 60–70 pavan of gold [pound sovereign]. They also have to be given around five lakh rupees [GBP 5,000 approximately] in hand. Additionally, the bride's family has to buy things needed at the groom's house, like TV, fridge, utensils, et cetera. It all will be around 2,000,000 rupees. This was a financial strain on our family. So, I started to go to work to help my older sisters get married. I had to quit school for this. . . . When I initially came to Kerala, my mother and sisters told me not to go; they were worried about me. But I had to do it for our family. . . . The ports in Tamil Nadu don't have much safety like the harbours in Kerala. Also, we get more money for our catch in Kerala.⁵

Economic- and labour-related drivers are shown to be most dominant, but interrelated factors such as familial ties, land struggles related to class and caste, and gendered familial and religious relationships also play an important role in shaping people's decisions to migrate to Kerala.

(Im)mobility and pre-pandemic conditions of vulnerability in Kerala

At the scale of India, Chowdhory and Poyil (2021) describe informal labour migrants as *citizen-migrants* whose political and economic marginalisation is constituted by the political and economic processes which concentrate jobs away from people's homes and what these authors describe as the 'spatial bias' in the country's provision of citizenship rights. The bias emerges primarily as an implementation gap whereby the cross-state welfare portability that is written into welfare schemes and India's citizenship framework does not reflect the reality of implementation (Chowdhory and Poyil, 2021). This means that migrant workers' practised social contracts often leave them unable to avail themselves of the considerable number of welfare schemes and ration cards that a citizen residing in their state of origin would be able to access (Kumar, 2011; Srivastava, 2019). Their political franchise is often limited, too (Rajan, Rajagopalan, and Sivakumar, 2021).

Kerala stands out somewhat as an exception to this national picture. Its dependence on migrant workers has led to the incremental growth of policies, measures, and investments pertaining to the welfare of migrant workers.⁶ In fact, Kerala was the first state in

India to introduce a social security scheme for domestic migrant workers (Srivastava, 2020b). The Interstate Migrant Workers Welfare Scheme of 2010 provides, theoretically, a host of benefits and support mechanisms for *registered* domestic migrants, spanning health and accidental injury insurance, housing, educational benefits for the children of migrant workers, maternity benefits, and benefits upon retirement from work in the state (Basheer, 2018). In 2016, the Government of Kerala also introduced the *Aawaz* health insurance scheme for migrant workers. It covers medical care up to INR 15,000 and accidental/death insurance of INR 250,000 and requires that migrant workers register annually to receive a membership card that provides them with access to the scheme. Exact figures vary but the literature on these policies supports the view that the implementation of these schemes has been far from perfect (Srivastava, 2020b). This in turn has led to very low take-up of these schemes by migrant workers; some studies suggest that many migrant workers were not even aware that such policies existed (Peter and Narendran, 2017; CMID, 2020).

So, while Kerala has provided more support to migrant workers than other Indian states, the situation remains problematic. Kodoth (2021) makes this point when criticising the Government of Kerala's position as the 'benevolent state', caring for people who are colloquially termed *guest* workers. This serves to *other* migrant workers and formalise their position outside of the normal Keralite citizen–state contractual relationship (Peter, Sanghvi, and Narendran, 2020). This othering is also a racialised, gendered, and cultural issue, as male migrant workers in particular are viewed as intellectually inferior to 'Malayalees'⁷ and are often profiled based on their physical characteristics, which may indicate that they are from northern and north-eastern states (Kumar, 2011; Kodoth, 2021). Kodoth (2021) describes this contradictory stance as comprising a view of migrants both as a threat to public order who must therefore be subject to state surveillance and as apolitical actors whose achievements and relative levels of economic support showcase the 'progressive credentials' of the state. Peter, Sanghvi, and Narendran (2020) make a similar argument and suggest that the aforementioned *Aawaz* scheme works more effectively as a biometric surveillance scheme than as something which addresses the needs of *guest* workers.

Migrant workers in Kerala, then, might be viewed as *citizen-migrants* who are generally treated more generously than *citizen-migrants* elsewhere in India, but who nonetheless occupy a marginalised position within the state. Their position is also thrown into relief when compared with the stance taken by the Government of Kerala in relation to the non-resident Keralite migrant group. The key issue for most labouring non-Keralite *citizen-migrants* is that they are often outside of the umbrella of the social protection schemes available to *citizens of the state* (Srivastava, 2020b).

This paper offers first-hand qualitative insights into how this complex and frequently contradictory policy position that Kerala has taken on migrant workers has shaped their experience of the *pandemic-lockdown*. To do so, it is important first to discuss the role that a heterogeneous group of actors known as 'labour contractors' plays in the facilitation of more-than-social contracts in India.

Contractors, (im)mobility, and the Kerala Model

‘Contractors’, as they are generally known locally, work as ‘middlemen’—they are also mostly men—in Kerala’s labour market, as recruitment agents of sorts. The ‘products’ that contractors provide include tacit knowledges of: localised labour markets and their seasonality; the local political landscape; the main employers; the ethnic, gender, and religious profiles of certain areas and industries; and the fluctuating wage rates linked to all of these factors. They will also be familiar with the legal requirements for employing migrant workers, including how officially to meet these criteria and potentially bypass them. Narayana, Venkiteswaran, and Joseph (2013) estimated that in 2013, slightly more than 20 per cent of migrant workers in Kerala were directly recruited by contractors and that in excess of two-thirds of migrant workers were employed through contractors. Contractors will also more often than not have ties to the origin states of migrant workers, as frequently they hail from these states themselves. Indeed, based on informal discussions recorded in field notes, it is understood that a common career path is for migrant workers to be recruited to work in Kerala by a contractor, work for several years in such roles, and then eventually garner enough experience to become subcontractors and contractors themselves.

On reading their informal job title alongside our contractarian conceptual framework, contractors can be viewed as facilitators or mediators of social contracts between *citizen-migrants*, their home state, the Keralite state, and businesses/employers. A migrant working in the informal economy will often rely on the contractor to facilitate and draw up their relationship with the state. This involves linking the worker to labour codes, minimum wage rates, and, in some cases, rations, among other entitlements, which themselves are contingent on specific intersections of geographies, subjectivities, gender identities, and other sociomaterial processes. It is not uncommon for contractors to facilitate payments, holding and distributing wages provided to them by employers to their ‘clients’, who, although working in the company, are in practice employees of the contractor. The position of contractors in these assemblages of contractual relations, particularly when they act as informal paymasters, imbues them with a significant amount of power.

Our data contain evidence of this, as one District Coordinator of an organisation that works for the welfare and rights of migrant workers in Kerala noted in relation to two examples:⁸

Many a time, workers who are picked up by the contractors for work from the junctions where they gather are not paid their wages. They are told that they will be paid at the end of the month, but that never happens. There are instances where the amount went up as high as 70,000 to 80,000 rupees. When they ask for the amount, the contractors deny any amount due on the grounds that there is no documentation of it. So, we encourage them to document in a notebook who they are working for, [and] wages, if they are paid or not. Of the one year I worked in Alappuzha, I have had 10 wage issues and only three of them were solved. In one of those three issues, the Haripad Labour Officer directly intervened. There were heated arguments, but eventually the contractor caved in and paid the worker 40,000 rupees that he was to get.

In another instance, the amount to be received was 75,000 rupees. This happened in Alleppey town. The worker was working in a fish cold storage unit. He didn't get paid. We took the issue up with the Assistant Labour Office but did not get any help from there. So, we took it up to the District Legal Services Authority. I went with him to assist him with language translation. There were two hearings and the accused [contractor] didn't turn up for either of them. To my surprise, the judge did not try to help the migrant worker. She blamed it on the worker for not documenting it and now coming with a complaint about it.

This example from before the COVID-19 pandemic illustrates how prejudiced views of migrants, a general distrust of their intentions (in this instance by actors within different bodies of the Government of Kerala), and the power of contractors and employers came together to disempower migrant workers and limit their entitlement to the capital they had earned.

The quote below from a discussion with an employee of an NGO that supports migrant workers also reveals how these disempowering more-than-social contracts are often underwritten by gendered power relations:

Most of the women migrants do not have Aadhaar cards. I won't say none of them have, but most of them don't have [an] Aadhaar card or any other identification documents. We help them in getting one. . . . Sharing one such incident, when I went with a migrant woman in Thiruvalla to the Akshaya Centre there. We were the first ones to arrive there at 8 am. Even after 3.5 hours, they didn't call us in. When I asked the person there, he shouted at me, saying that they will call in the locals first and then the migrants. He asked me why I am going through the trouble of helping migrant workers. Migrants get this, they feel they are considered second to locals. One female migrant said she has had enough with the locals; she has been threatened, abused, and she will not come to Kerala again.⁹

This is important to note because while estimates vary, it is thought that roughly one-half of domestic migrant workers in Kerala are women (KILE, 2020; Parida and Raman, 2021). As above, though, situations vary and a relational understanding is helpful to contextualise these stories and throw them into relief by highlighting alternative situations in which people might find themselves if they had not migrated to Kerala. For example:

We women feel good about working and earning ourselves. Earlier I had to depend on my father for everything. He gives us money but we don't have that much money in the family. So, I feel good about myself and I can now contribute to the family. I feel very independent now. I keep a little bit for myself and send the rest to the family.¹⁰

Although the contractual conditions that came with working in Kerala liberated the woman who is quoted above because they gave her financial independence, the relatively better situation that she feels she is in now is still structured by a lack of rights and direct entitlements.

Our data also show that contractors may use the power afforded to them through these contractual arrangements compassionately, often a decision shaped by religious and cultural factors. The following example, which also moves our analysis towards the *pandemic-lockdown* period, is taken from an interview with a District Coordinator of an organisation that works for the welfare and rights of migrant workers in Kerala:

There are contractors who took care of their employees well during lockdown. When I visited Kayamkulam [in Alleppey district], the contractors provided the migrants with food kits and took good care of them. Maybe because they were all of the same religion: they were Muslim.¹¹

These disparities in how contractors treat their clients is indicative of the differences, complexities, and nuances that characterise our data on migrant workers' experiences of the pandemic in Kerala. Nonetheless, migrant workers' relationships with contractors and the other factors outlined in this section place migrant workers in conditions of vulnerability characterised by a lack of power and agency.

Stories of more-than-social contracts during and after the *pandemic-lockdown* in Kerala

Below we outline how the above conditions of vulnerability written into migrant workers' social contracts shaped their experience of the *pandemic-lockdown* in Kerala. This also involves widening the conceptual scope of analysis to consider how contractors mediated workers' exposure to more-than-human hazards such as the COVID-19 pathogen. In addition, the analysis unpacks how contractors mediated workers' more-than-social contractual relations with the different governmental bodies and employers that did, and did not, try to do the same.

Factories and the restriction of mobilities during the lockdown: between safety and entrapment

The two researchers based in Kerala (Johns and Mathews) reported that the very few camps and workhouses that they were able to visit often accommodated hundreds of migrant workers. They recorded in field notes that the space available would not have allowed workers to adhere to the recommended physical distancing regulations or indeed to isolate in the event of showing COVID-19 symptoms or testing positive. Existing social contracts became productive of conditions of vulnerability when workers were exposed to a potentially lethal and highly infectious pathogen: when it became clear that the contracts were affected by more-than-social processes. These more-than-social contracts were rewritten, as many workers reported that they were not permitted to leave their work accommodation:¹²

But we are not allowed to go outside the factory premises. Our hostel warden Chechi [older sister] doesn't give us permission to go out at all. They just let us go to a shop

nearby where we can buy necessities. They say that it is the rainy season now and there are high chances of Corona spreading. They [their employer/hostel warden] say that if we go out, it increases the chances of contracting the virus. If one of us gets it, everyone else will get it. So, we were asked to remain within the factory premises.

While this approach had many implications for people's fundamental human rights, it was largely in line with the securitised lockdown put in place by the central and state governments to reduce virus transmission. Consequently, questions of responsibility and proportionality become difficult to answer. It is possible, though, that the contractual relations which underpinned how and to what extent the restrictions were enforced were coded more by the employers' desire to ensure continuing productivity, rather than the well-being of their workers. It is probably fair to say that the restrictions put on migrant workers were motivated by a mixture of necessary attempts to reduce transmission, concerns for employee welfare, and employers keeping a keen eye on their bottom line.

The state government mandating that all businesses accommodating workers were required to house and feed their employees throughout this period no doubt also played a part in forcing companies to look after their staff. This was regardless of whether or not the factories were able to keep operating as 'essential' businesses. Some migrant workers said that while this period was difficult, they were grateful for shelter, food, their employers looking after them, and each other's company. For instance:

There was a lot of fear among us during the lockdown. But the company took care of us. Food was provided by the company and we stayed in our hostel itself, and if there was any requirement, the company took care of everything. . . . Initially, we did feel trapped, but later it got better.¹³

Indeed, as compared to the plight of those migrants who had nowhere to stay and were forced to go back to their home villages, being forced to stay inside appeared to be seen by some respondents as the better of two bad situations. An alternative view may interpret these shifts in thoughts about the relative safety of remaining indoors, and at work, as a negative mental health impact of an extended period of enforced isolation and entrapment during lockdown. More longitudinal research that explicitly focuses on the mental health ramifications of the lockdown in India and elsewhere may support this opinion (Mathews, De Neve, and Ayeb-Karlsson, 2023). Such research could draw on emerging conceptual approaches relating to cultural concepts of distress (Harasym, Raju, and Ayeb-Karlsson, 2022) and others pertaining to mental health and immobility (Ayeb-Karlsson, Smith, and Kniveton, 2018; Ayeb-Karlsson, Kniveton, and Cannon, 2020).

Nonetheless, if we take these and other quotes in our data at face value, we can reasonably argue that these findings support the view that the Government of Kerala did relatively well in shielding most people from the worst effects of the *pandemic-lockdown*, particularly during the first wave (Chathukulam and Tharamangalam, 2021). This might be explained by contractual relations between employees and employers in Kerala being coded by a cultural expectation of protecting labour rights, underpinned in part by a communist political history. Companies were both compelled and/or expected to provide

food and shelter for their workers by state pressure and embedded cultural norms. However, the emergence of the novel coronavirus may have in some cases unsettled these existing, imbalanced more-than-social contracts. This might have been because employers became worried about a double impact of a loss of productivity and increased costs of housing, feeding, and ensuring the well-being of their tenant employees.

Contractual expectations of government actors were also unsettled in this potentially disruptive moment. For instance, the Union Government issued an emergency order under the National Disaster Management Act (2005), stipulating that landlords must not demand rent during the lockdown period and that workers should continue to be paid their wages (MoHA, 2020). Our data and other reports (see, for example, Kaveri, 2020) also demonstrate that this empowered local authorities in Kerala to exert pressure on local businesses to ensure that they did not collect rent during the lockdown and that they should continue to provide food:

We had a meeting with the Tahsildar¹⁴ and decided that the labour camp owners will arrange for the food. We said that they had to do it as they have been the most profit-ing out of guest workers staying here. At the same time, there were talks that the guest workers wanted to go home. There were people trying to take political advantage from this situation. But we have to do our duties. Most of the labour camp owners said they cannot provide food to their tenants. But the Tahsildar insisted they do.¹⁵

In response to the emergence of COVID-19, a number of emergent, intersecting, and sociomaterial processes came together to reduce temporarily the conditions of vulnerability under which the migrant workers were living: cultural histories of labour protection, central government responses to a novel pathogen, and the resultant empowerment of local authorities. There is little evidence in our data of pay being withheld by contractors in the lockdown period, but there is a fairly strong chance that there would have been such isolated incidents; the quotes in the above section indicate that it was not uncommon historically.

While compassionate responses to these adverse conditions appear in our data as frequently as uncompassionate responses, it is evident that pre-existing and unequal more-than-social contracts between migrant workers and businesses were problematic and generative of latent conditions of vulnerability for migrant workers, even if compassion in adversity and positive state pressure temporarily assuaged these conditions during the pandemic. However, there is no indication that this pressure remained beyond the pandemic. It is also important to point out that other, less draconian and more welfare-focused policies could have been deployed (Raju and Ayeb-Karlsson, 2020). For example, a situation in which people had a place to stay but were permitted to spend time outdoors with some limited social interaction weighed against the public health risks at the time may have been a more just response. Implementing such policies, however, was made difficult by the Union Government's security-focused, rigid and top-down approach to pandemic management (Sharma, 2022). Our evidence suggests that both state and central government have a role to play in welfare provision and disaster management, but that the federal state institutions should have greater power, resources, and flexibility

so that they can tailor their responses to the specific contexts in which they work. This shift should allow and indeed centre on shifting the focus of the interventions towards health and well-being instead of security and economic growth. In this set-up, the role of the central government would become one of oversight and extra support as and when it is required, such as when employers are not complying with the Union Government's directives relating to labour protection.

During and after the lockdown: losses of work and income

The most common complaint among the respondents was not the impact of the lockdown on their well-being or human rights, but rather, the unavailability of work owing to the economic consequences of the *pandemic-lockdown* (discussed earlier). Given that this was ultimately the main reason why most migrants moved to Kerala in the first place, and was often their most important shield against hardship and suffering, it is unsurprising that this was frequently their biggest concern. One migrant worker described how these processes affected his life and the lives of others:

We have to somehow find work and do it. We all need the money. I have taken out some loans and now I am finding it difficult to repay back. I am concerned about my family. Prices of goods have increased too. During rainy days, we cannot work and have to sit at home. Some of us have loans and we have to repay them back. We all have a family to take care of too. We are able to send money home now but repaying the loans is a concern. [The] Assam government has written off loans but the West Bengal government hasn't. So, we have to repay that back. My situation is such that after meeting the household expenses, I do not get money towards loan repayment. Before lockdown, it was not at all like this. Easier times. We could ask people for money and also buy things on credit. But that doesn't happen now.¹⁶

It is important to note that this loss of work may not have always put the workers themselves at direct risk of hunger and hardship, if they are in receipt of support. However, the loss of income may have pushed their dependent family members who live elsewhere into poverty and deepened the conditions of vulnerability in which they found themselves. For example:

The biggest stress is not having work. . . . During the lockdown, I had got some work as I was working at a government site. They gave us a special pass for work. They picked us up in a vehicle and dropped us back. But after a few days, all the workers from here went back to their own villages and I also had to go as there was no one here. I didn't want to go back but I had to go. These days if we don't go to work for a day . . . we have no food and our family also back in the village will have no money, then no food, and my brothers won't be able to go to school. . . . In Bengal, if I do the same work, I will get only 450 INR per day, and here I will get 900 INR per day.¹⁷

This quote serves as a reminder of the fact that these migrant workers' reliance on this labour far away from their homes is in itself a key vulnerability driver. This driver relates

to complex geopolitical and economic assemblages that can be traced back to the colonial era (Deaton and Dreze, 2002), but which are reproduced and spatially ordered by policies underpinned by contemporary right-wing, Hindu-majoritarian ideologies that prioritise the accumulation of capital over human rights and welfare (Drèze and Khera, 2017; Breman, 2020; Jaffrelot, 2020, 2021). Other processes intersect with this driver to entrench the problems that these politico-economic relationships create. The lack of representation of migrant workers in trade unions, for instance, exacerbates these conditions of vulnerability, as associated safety nets and solidarity networks are not there to support workers during tough times (Kumar, 2011; Peter, Sanghvi, and Narendran, 2020).

Discussion: writing up new more-than-social contracts in Kerala

We have shown that both state and central government can and arguably should play a role in ensuring the safety and basic well-being of people working in the state and the country. In responding to the novel coronavirus this way, both governments have proven that they can intervene to alleviate conditions of vulnerability. The question which arises, then, is: why wait until the arrival of a dangerous and highly infectious virus to do this? The pandemic may yet serve as a moment where the disparity between Kerala's reliance on migrant workers and the amount of support it provides to them is thrown into sharp relief. This in turn might precipitate the emergence and negotiation of new more-than-social contracts between non-Keralite workers and the networked actors that seek to benefit from their labour. As of 2023, there is little evidence of this change, because the key issues highlighted here remain firmly entrenched.

One sticking point appears to be a reluctance to rethink the role of contractors that the Government of Kerala currently relies on to facilitate the uptake of work by migrant workers. Presently, rather than legislating and creating policies to remove labour precarity and negate the need for contractors, their role has recently been entrenched through processes of formalisation; contractors are now required to be registered with the state (Express News Service, 2022).¹⁸ While it is useful to regulate contractors, this formalisation of their role essentially turns contractors and businesses into arms-length state actors that carry out the two-pronged tasks of providing welfare and conducting surveillance (Kodoth, 2021). The state's argument is that this registration will allow migrant workers to access welfare support more easily. However, if this entitlement to welfare support continues to be delivered through contractors, the issues that migrant workers face in terms of receiving their full pay on time or at all are unlikely to be addressed; the middleman still exists. As Kodoth (2021) argues, state-conferred visibility in the form of welfare does not guarantee enfranchised citizenship.

This relates to another issue to overcome if these more-than-social contracts are to be rewritten and the potential impacts of future pandemics are to be mitigated: the political status of 'migrant workers' within India's federal system. In Kerala specifically, and arguably elsewhere too, this will require a cultural shift that involves problematising xenophobic views of migrant workers as *guests* who are undeserving of treatment as

citizens of Kerala. Both Peter, Sanghvi, and Narendran (2020) and Kodoth (2021) have pointed to the differential treatment of NRKs and 'guest' workers as a potential starting point for debating new policy options that could replace the outdated and anti-migration political apparatuses that are in place in India. Protests at the start of the pandemic in 2020, such as those in Paippad, and the initial formation of networked actors working towards achieving political justice for migrant workers, indicate that migrant workers should not be seen as passive subjects in this power struggle. Rather, they should be involved in designing these new, permanent more-than-social contracts, which should focus on reducing conditions of vulnerability and thus the potential impacts of future disasters and pandemics on migrant workers. These contracts should seek to create conditions that allow migrant workers in Kerala to lead more prosperous and less precarious lives. This may even entail making different mobility decisions, shedding the title of '*migrant*' and reclaiming the title of '*citizen*'.

These issues, though, ultimately are driven by forces beyond the control of the Government of Kerala. Most notably, many of the migrant workers in Kerala are only there because India's national political economy renders them unable to piece together decent livelihoods in their home states. This suggests that many of the problems will require solutions that combine policy reforms at the national and state level. Such solutions have been arguably among the most hotly debated topics in India since independence in 1947 and have led to discussions concerning the country's complex and often contradictory, but nonetheless resilient, federal structure (Drèze and Sen, 2013). What does seem clear, however, is that the current approach to welfare provision needs to change. These well-documented issues do have the attention of the central government and have given rise to policy ideas such as 'One Nation One Ration Card' and the universalisation of welfare (Dalberg, 2022). Although this approach has its merits, the universalisation of welfare would inevitably extend central government power to over federal states and potentially further erode their already limited discretionary powers (Tillin, 2022). This centralised approach is also in tension with what we have set out here. Specifically, addressing the conditions of vulnerability that migrant workers face requires responses from a state government with the power and flexibility to respond to the particular issues and mobility dynamics at hand. That is not to say that central government does not have a role to play; clearly, its support for ensuring the rights and dignity of citizens has been helpful during periods of adversity. A more effective approach might involve a central government policy that focuses on the rights of its citizens, while federal states are given the powers, legal frameworks, and resources to deliver tailored and place-specific emergency response measures, non-pharmaceutical interventions, and welfare distributions in line with the rights of citizenship. In turn, this federal decentralisation could and should legislate and encourage the empowerment of sub-division-, district-, and *panchayat*-level institutions, which could help to inform these more locally responsive measures.

These findings and the associated recommendations respond to and nuance recent critiques of the over-centralisation of disaster management in India (Ogra et al., 2021; McGowran et al., 2023). Further research is needed on the political barriers to, and the potential implications of, such a reassembly of disaster management apparatuses.

Conclusion

Kerala's development model has been productive of and is now increasingly reliant on labour movement both into and out of Kerala. The inward flow of labour is in plentiful supply because, over the course of the past three decades, migrating for work has become the only viable option for many people in India to avail themselves of the limited more-than-social contracts available to them in the country's political economy. The Government of Kerala's view of domestic (in)migrant workers as *guest workers* has given rise to a suite of policies and measures that serve a dual purpose of ensuring that their bare minimum needs are met and providing a means to monitor, survey, and police their behaviour. We have shown that the power imbalances inherent in the pre-pandemic social contracts of migrant workers generated conditions of vulnerability for them. Migrant workers in Kerala are often forced to depend on labour contractors and their employers for their payment and frequently their entitlements to food, shelter, welfare schemes, and emergency support measures. We have also shown that these hierarchical but nonetheless reciprocal relationships of power are often gendered and ultimately have served to limit migrant workers' power to make independent decisions in the face of risks such as the COVID-19 pandemic, not to mention the prospect of being trapped in place due to government lockdown measures.

We conclude that the praise that the Government of Kerala received for its treatment of migrant workers, which stood out as more robust than that of most other states in India, was well-founded. However, as argued, the draconian nature of these mobility restrictions left much to be desired and may have had mental health impacts on many, which may well last far beyond the pandemic itself. Our data suggest that the consequences of the *pandemic-lockdown* reverberated beyond the first lockdown period, as precariously employed and low paid migrant workers were unable to find enough work to support themselves and their dependents, regardless of whether they were with them or in their place of origin. More widely, the Government of Kerala's affirmative response raises the question of why the state only feels that it should intervene to protect the welfare of these workers during emergency periods? Or, more simply, why separate disaster risk management policy from everyday policy decisions and approaches to economic development (Collins, 2009)? This question is especially pertinent given that addressing the contractual relations that give rise to the 'everyday' conditions of vulnerability that marginalised groups experience is the most effective way of reducing the risks posed by pandemics and other 'disasters-in-the-making' (McGowran and Donovan, 2021).

Acknowledgements

This research paper is informed by the Deutsche Forschungsgemeinschaft (DFG)-funded 'PROtecting the WELLbeing of MIGRANTS in India during the COVID-19 pandemic' (PROWELLMIGRANTS) research project with Ms Mary Harasym, Ms Mishal Mathews, Ms Alexandra Sheaffer, Dr Maxmillan Martin, and Dr Laura Holderied. This work was funded by the DFG under project number 467477688, which was awarded to Principal Investigator Dr Sonja Ayeb-Karlsson. We thank our colleagues at University College

London, the University of Sussex, and the UNU–EHS and our extended professional networks for rich conversations in this topic area. More importantly, though, we are deeply grateful for the insights provided to us by our research participants.

Open Access funding enabled and organized by Projekt DEAL.

Ethics statement

This paper reports on an analysis of primary data. The ethics of data collection and analysis were approved by the UNU–EHS.

Data availability statement

Research data are not shared.¹⁹

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- ² In full: PROtecting the WELLbeing of MIGRANTS in India during the COVID-19 pandemic.
- ³ From 20 March 2020 through to November 2020, approximately.
- ⁴ Otherwise known as the central Government of India, which has power over the federal states of the country and is led by the Hindu nationalist and right-wing BJP under Prime Minister Narendra Modi.
- ⁵ Excerpts from a PLS interview with a 34-year-old man on 6 October 2021. He is a fisherman in Munamban who co-owns a boat with two other people.
- ⁶ Further examples of migrant support measures are Express News Service (2017), Sen (2019), and Special Correspondent (2022).

- ⁷ A vernacular term for people born in Kerala and/or of Keralite descent, referring to the official language of Kerala, Malayalam.
- ⁸ Both quotes are excerpts from a KES with a 30-year-old man on 8 November 2021. He is employed as the District Coordinator for Kottayam within an organisation that works for the welfare and rights of migrant workers in Kerala. He was working in Alleppey before Kottayam.
- ⁹ Excerpts from a KES with a 30-year-old man on 8 November 2021 (same as endnote 8).
- ¹⁰ Excerpts from an all-woman CSS on 22 November 2021. The informants work in a seafood sorting and export factory in Kochi. Three of them are in the sorting department and one is in the laundry department. All of the female workers came from Sundargarh district in Odisha.
- ¹¹ Excerpts from a KES with a 30-year-old man on 8 November 2021 (same as endnote 8).
- ¹² Both quotes are excerpts from all-women (in their twenties) CSSs on 11 November 2021. They work in a packed food export factory in Pala and are from Odisha. Their work hours are from 11:30 to 20:30. Their accommodation is in the company hostel and food is provided in the company canteen, both of which are on the company's premises. They do not have to pay for accommodation or food. There are almost 45 migrant women workers in the factory, who are mostly from Assam and Odisha; some are from West Bengal, too. They all live in the company-provided hostels. The rooms in the hostels are of different capacities: some accommodate three women, and some accommodate more than that. The women are engaged in packing activities at the factory, and all have contractors. The factory pays their salaries to the contractors, who then give them the money. They came to Kerala to earn some extra income for their families. Their fathers work but their incomes are not sufficient. These women could not complete their studies, and it is difficult for a girl to find a job in their villages. The wages are low as well: what they earn in a week may not be enough for the next week. They decided to come to Kerala because of these reasons. They felt that they could save money if they were in Kerala; they have been able to do so.
- ¹³ Quote is excerpts from all-women (in their twenties) CSSs on 11 November 2021 (same as endnote 12).
- ¹⁴ The *Tahsildar* is usually the most senior official within the local administration (*tahsil*), which has jurisdiction over several towns and villages.
- ¹⁵ Excerpts from a KES with a woman in her thirties on 11 November 2021. She is a former Panchayat President of Paippad.
- ¹⁶ Excerpts from CSSs with men in their thirties and forties on 27 November 2021. They are all working as construction workers at the same site in Thiruvalla and are living in buildings erected for them. They are not like proper houses but more like informal settlements.
- ¹⁷ Excerpts from a KES interview with a 34-year-old man on 24 October 2021. He has worked in the construction sector for the past six or seven years in Malappuram district in Kerala. He and his father stay and work together in Kerala. Four months ago, he brought his wife and child to Kerala. His wife requires medical treatment.
- ¹⁸ The webpage for migrant worker registration contains mandatory fields for the name and address of the labour contractor. See https://lcas.lc.kerala.gov.in/office/registration/onlineregistration_online_pay.php?actid=7 (last accessed on 27 October 2023).
- ¹⁹ We are unable to share our data at present because several more publications are yet to emerge from the study. The data also contain sensitive and confidential information.

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