

‘Reinvisibilisation’ of Indian Migrant Labours during/post COVID-19 Pandemic: A Biopolitical Study

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Abstract

The paper unravels the ‘reinvisibilisation’ of the Indian migrant labours, who underwent mass exodus because of the lockdown imposed during the COVID-19 pandemic that brought to light their ‘invisibility’ to Indian planners and policymakers. The research qualitatively analyses the selected incidents to elucidate upon their precarious experiences unique to the pandemic. It employs the Foucauldian theoretical framework of docile bodies to understand the workings of biopower in disciplining the body of migrant labours to maintain their docility and utility even amidst the pandemic. The study further employs Judith Butler’s concept of precarious lives to delineate how migrant workers and labours were exposed to violence, injury, and death on their way back home. The research lays bare the attempts of the disciplinary regime to render them docile in the guise of assistance and ‘inclusive’ policy changes and concludes by suggesting serious changes in policy measures and alternatives to avoid such crises in the future.

Keywords: COVID-19; Migration; Indian Labours; Docility; Precarity; India

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Introduction

The COVID-19 pandemic was unique in the unprecedented uncertainty it brought up on the world, with almost all governments imposing lockdowns to control the spread of the virus. But the lockdown, in turn, had its own social and economic repercussions, especially for the most vulnerable sections, such as migrant labours and marginalised workers. The government in India also imposed a nationwide lockdown as an emergency response to counter the threat on 24 March 2020, which was completely unplanned because of its short notice of just four hours. As a result, the country witnessed one of its worst economic disasters mainly hitting the informal labour force whose “vulnerability and zero-shock bearing capacity. . . was evident when the lockdown elicited an unexpected response in the form of a reverse migration of thousands of informal sector workers from big cities” (Das & Mishra, 2021, p. 40). This study analyses the drastic impacts of the COVID-19 pandemic on migrant labours and workers in India and their subsequent reverse internal migration. It reveals how the pandemic exposes the underlying structural inequalities prevalent in the context of the labour migrants in India working under “hyper-precarious” (Lewis et al., 2015) conditions in distant towns and cities across the country forcing them to undergo a reverse migration towards their homes.

It investigates the attempts of power to suppress or ignore the production of utterances or statements regarding the state of migrant workers in the general Indian public sphere. The hunger and inability to get employed on daily wages or the denial of wages by factory owners or private companies to regular workers, and not the deadly and contagious virus that led them to flee their rental occupations or factory dormitories. Most of them were told to stay in the spaces they never owned, pushing them to public spaces such as roads and railway tracks, which emerged as paths embedded with “precarity” (Butler, 2004), rendering them vulnerable to horrible experiences of pain, injuries, violence and death. Thus, the study

examines the confinement and control of millions of migrant labours through Foucault’s biopolitical lens while it also employs Giorgio Agamben’s conception of “bare life” (Agamben, 1998) wherever necessary to examine the transformation of these spaces of confinement into “spaces of exception” (Agamben, 1998) when the law seems suspended under the emergency declared by the sovereign. This study also employs Butler’s concept of “precarity” to analyse the vulnerable experiences of migrant labours depicted through the various instances of suffering and death during the pandemic period.

The study has been structurally divided into four main sections. The first section explains the theoretical approaches of precarity and biopolitics in which the analysis has been framed followed by a section dealing with the existing literature on labour migration, precarity, and biopolitics in the context of migrant labours and the pandemic’s impact on their lives. The last two sections constitute the analysis explaining the mechanism in which the lives of the migrant labours had been rendered precarious during the pandemic lockdown and the way they were pushed to the margins again after being the centre of attraction of Indian media and policy makers for a brief period.

Theoretical Framework for the Analysis

This study employs qualitative methods such as content analysis for the interpretation of select incidents reported during the COVID-19 pandemic lockdown in India that had gone viral on different media platforms. The incidents highlight the plight of millions of migrant labours and workers who were forced to march towards their homes from the country’s urban spaces in defiance of the nationwide restrictions imposed amidst the deadly spread of the virus.

The qualitative framework collects data or information from other sources such as newspapers, websites, case studies, and articles to examine the incidents by going through the background information, making observations,

drawing inferences and then questioning them to refine the interpretation.

The analysis consists of two sections. By shifting the lens between biopolitics and precarity, the first section examines how labourers en route to their homes were not recognised in the “frames of recognition” of the authorities who remained reluctant to provide enough social and economic protection and transport facilities, unlike the people stuck abroad receiving air transport and other facilities under mission mode. Michel Foucault’s framework of “docile bodies” (Foucault, 1995, p. 135) is employed to understand the working of power relations and the reproductive bioeconomy at work on the bodies of the migrant labourers in India, especially during the pandemic, to control their movement, to confine them, and later to integrate them more into the formal economic system. These power relations are always accompanied by the possibility of resistance, as seen in the case of the migrant labourers during their revolt against the disciplinary power, and that is why the “discipline fixes; it arrests or regulates movements; it clears up confusion; it dissipates compact groupings of individuals wandering about the country in unpredictable ways; it establishes calculated distribution” (Foucault, 1995, p. 219). Not only that their inherent precarity increased, but the brutal treatment by authorities ripped them of their legal and human rights in the name of the declared emergency. The suspension of rules and regulations and the atrocities faced by the migrants because of a failed system in the declared state of emergency by the government marks the return of the “sovereign” (Agamben, 1998). Foucault’s biopower fails to address such circumstances, and as a result, Agamben’s conceptions have been utilised to examine the ‘bare life’ of homebound labourers wherever necessary.

Judith Butler’s concepts of “precarious lives” (Butler, 2006) and “frames of recognition” have also been useful in depicting the harsh reality of the horrible experiences of the migrant labourers before the pandemic, during the lockdown, both before and after the exodus, and

even later on arrival at their native places. Their hyper-precarity (Lewis et al., 2015), laden with the lack of financial and social security along with the already existent social inequalities of class, caste and gender further subjects them to higher risks of structural violence and death besides exploitation during their terrible journeys back home amidst the spread of a deadly virus.

The underlying insecurities of the informal labour workforce in the country have been ‘invisibilised’ in the “discourse” (Foucault, 1972) of independent India for decades until the pandemic knocked. The second section investigates the ‘reinvigilisation’ of the migrants in the later period after the restrictions were eased and that the attempts to integrate the migrant workers and labourers into the formal workforce are rather rendering them further docile to restabilise the power relations and the discourse it ought to generate, while not relieving them of their hyper-precious (Lewis et al., 2015) working conditions. The study concludes with the need to provide serious reconsideration of labour policy in India and sincere efforts in integrating these workers into the formal economic system while ensuring the construction of a social and economic protection system that could cater to their needs in situations such as the pandemic that halts the “mobility infrastructure” of the country.

Labour Migration, Precarity, Pandemic and Biopolitics

Migration can be described as the movement of a species from one place to another on a large scale. Human migration is the movement of people between places for numerous reasons, primarily involving a search for livelihood, better opportunities and human capital, safety, and joy (International Migration, n.d.). Extrapolating his observations on the population flows in the United Kingdom, George Ravenstein (1885) formulated seven laws regarding migration flows. He published articles on internal and international migration in Britain, Europe and North America and generalised these inferences as “laws of migration” (Ravenstein, 1876, 1885, 1889), which have informed subsequent migration research by social scientists. His

findings are credited for inspiring “the origination of distance decay theories of migration and spatial interaction, and later theories expanded on ‘push’ and ‘pull’ factors of migration” (Corbett, 2003, pp. 3-4). Rees & Lomax (2020) “compare Ravenstein’s approach to investigating migration with how researchers have studied the phenomenon more recently” (p. 351). In the modern sense of nation-states, those who move towards safer locations are known as forced migrants or displaced persons, or internally displaced persons if their movement is within their national boundaries while refugees comprise those crossing an international boundary. There is another class of migrants called “migrant labour” who are casual and unskilled workers moving about systematically from one region to another offering their services on a temporary, usually seasonal basis (The Encyclopaedia Britannica, 2024). The European Commission defines migration as the “movement of persons from one state to another, or within their own country of residence, for the purpose of employment”. Arendt (1998) draws fine lines between the two categories of ‘work’ and ‘labour’, which are generally subsumed as having the same meaning, as part of her distinction between “the three fundamental human activities” of labour, work and action (p. 7). Labour is the most basic form of human activity, and Arendt defines it as “the activity which corresponds to the biological process of the human body, whose spontaneous growth, metabolism, and eventual decay are bound to the vital necessities produced and fed into the life process by labor. The human condition of labor is life itself” (Arendt, 1998, p. 7). Thus, she “sees labour as having little value beyond that of meeting the needs of humans as animal beings. It is not creative, and cannot rise above animal conditions to contribute to world-making” (Mills, 2018, p. 68). On the other hand, work provides an “artificial world” (Arendt, 1998, p. 7) of things and “highlights the way that humans are invested in the creation of the conditions of their lives beyond natural necessity” (Mills, 2018, p. 69). There is little uniformity in what the labours perform, with little or no job security in their vulnerable

conditions. Characterised by a lack of minimum wages, proper job security, regular work, hygienic working conditions, and a volatile economy, the sufferings of this informal workforce in developing countries are enhanced. The story of India is no different, especially in the case of migrant labours from the rural areas of economically backward states such as Bihar and Uttar Pradesh. Most of these migrant labours undergo “circular migration” moving back and forth between source and destination regions (Datta, 2020, p. 1143). Using a primary data survey in rural Bihar, Datta (2020) emphasised the need to capture this long-distance circular migration to understand its magnitude, patterns, and processes (p. 1144). The inherent structural inequalities in Indian society based on class, caste, and gender also contribute to multiplying the pain of those marginalised among the migrant labourers. In a similar context, Swaroop & Lee (2021) studied the caste factor and the variability in the response of state and society towards sanitation workers during the pandemic. They identify how the pandemic “renewed old associations between dirt, disease, and particular categories of persons...[while] it has also inspired novel dispositions towards public health as a collective endeavour, not based on the exploitation of a stigmatised caste, instead through supportive collaboration of sanitation and health workers as respected professionals” (Swaroop & Lee, 2021, p. 40). We propose that the current crisis provides conditions that could establish a discourse and practice of sanitation in India grounded in a paradigm beyond that of caste. Seemingly, Raina & Ananya (2021) explored the pandemic, lockdown, and the Indian demography through the prism of caste, class, and gender and argued that “[w]hile what needed was “physical distancing” and “social solidarity”, social distancing ha[d] been practised to its very core, leaving society as a bubble of oppression for some people from which it bec[a]me impossible to escape” (Raina & Ananya, 2021, p. 15). In another study, Mohanty & Jaimon (2021) examined the overall economic impact of the lockdown on the rural households of six Indian states—Jharkhand,

Rajasthan, Andhra Pradesh, Madhya Pradesh, Uttar Pradesh and Bihar which “failed to provide enough to the working people while fostering gender[ed] inequalities” (Naidu, 2021, p. 37).

Judith Butler, a prominent philosopher and gender theorist, has significantly contributed to the field of critical theory by exploring precarious lives. In her work *Precarious Life: The Powers of Mourning and Violence* (2004), Butler engages with issues surrounding vulnerability, violence, and the politics of grief. Her exploration of precarious lives is deeply rooted in her earlier work on performativity and vulnerability. The migrant labours have always been working under vulnerable conditions, living a “precarious life” (Butler, 2004) as products of neo-liberal ideals in developmentalist regimes, being the subjects of non-violent ethics, whose life is easily annulled (Butler, 2004, p. 17). Precarity is a term introduced by Bourdieu (1998) to characterise unstable work environments and interpersonal dynamics. Academics who adhered to this tradition view precarity as a condition of employment (Millar, 2017) and define it as nonstandard, low-paying, unpredictable, high-risk, and flexible forms of work that have surfaced with the advent of neoliberal labour markets (see Castel 2003; Fudge and Owens 2006; Kalleberg, 2011; Vosko, 2006). Although it was conceived as a new phenomenon at the time, the form of labour was already prevalent in northern industrial societies, while it has been a pattern in the global south even though the term was never applied to describe such labour conditions (Millar, 2017). Guy Standing (2014) developed from here and conceptualised the term precariat as a new social class that lacks stability, job security, and prospects for upward mobility. The conditions that define “the precariat produce a general consciousness of relative deprivation and a combination of anxiety, anomie, alienation, and anger” (Standing, 2014, p. 10). His conceptions have been a subject of critique for simplifying precarious experiences (Scully, 2016), despite which scholars influenced by his ideas have examined the labour conditions of this new emerging class.

Deviating from these political and economic interventions into the labour conditions, Butler’s “precariousness denotes the ontological condition of interdependency, vulnerability, and bodily exposure to socioeconomic and political forces” (Mulaj, 2023, insert page number). It is intricately bound to human existence as it is “coextensive with birth” (Butler, 2009, p. 14). It follows “from our social existence as bodily beings who depend upon one another for shelter and sustenance and who, therefore, are at risk of statelessness, homelessness, and destitution under unjust and unequal political conditions” (Butler, 2015 insert page number). She goes on to extend her analysis to critique the normalisation of state violence and how certain lives are deemed more precarious than others in a global perspective which underscores the interconnectedness of lives and the responsibility to challenge systems that perpetuate precarity and inequality. Taking these arguments forward, scholars and researchers across disciplines have studied the plight of migrant labours and workers and their unending quest to survive in precarity and precariousness generated and sustained through neoliberalism (Vosko, 2006; Anderson, 2010; Lewis et al., 2015). Moreover, “categories, including class, race, gender, sexuality, nationality, ability, etc., make some of [migrants] more or less vulnerable than others” (Ertorer, 2020, p. 3). Precarity, thus, transcends beyond labour economics to encompass the existential realm of life characterised by vulnerable experiences (see, Allison, 2012; Lorey, 2015; Mole´ 2010; Neilson and Rossiter 2008; Ertorer, 2020). Taking the impact of COVID 19 pandemic on India’s migrant crisis, Prakash & Borker (2022) analysed the unique experiences of homebound migrant labours. In doing so, they proposed a conceptual framework of “pandemic precarity” (p. 40).

Migrant labours and workers are rendered “docile bodies” (Foucault, 1975/1995, p. 135) by the successive dispensations who deliberately ignore their “hyper-precarity” (Lewis et al., 2015) and their social, economic, and political exclusion to maintain the workings of the power relations. A central idea in Michael Foucault’s

analysis of power and discipline, particularly outlined in his seminal work *Discipline and Punishment: The Birth of the Prison*, “docile bodies” refers to how modern institutes, especially those of discipline such as schools, hospitals, prisons, and military barracks, exert power over individuals or populations by shaping their bodies and manipulating their behaviour to conform to certain norms and expectations.

Foucault’s body of works can be trifurcated into archaeological, genealogical, and ethical periods “roughly corresponding to a chronological order of early (archaeological), middle (genealogical), and late (ethical)” (McLaren, 2002, p. 3). *The Birth of the Clinic* (Foucault, 1963/1973), *The Order of Things* (Foucault, 1966/1970), and *The Archaeology of Knowledge* (Foucault, 1969/1972) belong to the archaeological phase wherein he details a formulation of archaeology as a historiographic method. He defines specific discursive shifts in thought and knowledge whereby certain knowledge can only be known in a specific historical period. While in these works, he explores the construction of new disciplines, his genealogical productions, including *Discipline and Punish* (Foucault, 1975/1995) and *The History of Sexuality Volume One* (Foucault, 1976/1978), on the other hand, deal with the irregularities and faults in histories and denies the notion of progress. In *Discipline and Punish*, Foucault highlights “the unscientificity of human sciences”, expressing his suspicion on the scientific quality of various disciplines such as psychiatry, criminology, pedagogy, and psychology (Visker, 1995, p. 3).

Elaborating on power’s effect on science, Foucault begins conceptualising his idea of power in his genealogies whereby power may be “productive and positive” since it is “a relationship” and not “a thing” (McLaren, 2002, p. 4) to be possessed and be always negative. According to Foucault, power is never possessed but is exercised on individuals or populations through controlled mechanisms in the institutions as mentioned above, including surveillance to create “manipulable bod(ies). . . that may be subjected, used, transformed and

improved” (Foucault, 1995, p. 136). These disciplinary “methods made possible the meticulous control of the operations of the body, which assured the constant subjection of its forces and imposed upon them a relation of docility-utility” (Foucault, 1995, p. 137).

The ethical works constitute the other two volumes of *The History of Sexuality*, entitled *The Use of Pleasure* and *The Care of the Self*, which contain essays and interviews mainly focused on subjectivity. Bayraktar and Tezcan (2021) explain that Foucault argues for a meticulous self-examination to contribute to our subjectivity and to move beyond the self (p. 37). It is from this standpoint that “Foucault insists on intersubjectivity as the core principle of ethics” (Bayraktar and Tezcan, 2021, p. 37). The field of study called biopolitics has its foundations in the theoretical works of Michael Foucault too, and various scholars have contributed to its development in different contexts. An expansion of literature in the field involves the exploration of “necropolitics” (Mbembe, 2019) and “thanatopolitics” (Agamben, 1998, p. 72), focusing on the power to dictate who may live and who must die.

However, the most significant turn in the study of biopolitics comes with Giorgio Agamben’s explorations. He questions both Foucault and Arendt’s handling of the workings of biopower and not addressing the exemplary places of modern biopolitics such as the holocaust and concentration camps (Agamben, 1998, p. 19). Agamben extends Foucault’s ideas to explore the state’s management of “bare life” (Agamben, 1998), raising critical questions about the exclusionary practices and exceptional measures applied to certain populations. In his pivotal work in contemporary political philosophy titled *Homo Sacer: Sovereign Power and Bare Life*, Agamben explores what he calls “the state of exception. . . which is a zone of indistinction between outside and inside”, a no man’s land where normal and legal protection rules are suspended, allowing “sovereign power” to operate outside normal constraints (Agamben, 1998, p. 19). He also conceptualises “the camp” which “is a space that opens up

when the state of exception begins to become the rule” (Agamben, 1995/1998, p. 19).

Seemingly, there has been a control on the body of migrant labour, “of exercising upon it a subtle coercion, of obtaining holds upon it at the level of the mechanism itself – movements, gestures, attitudes, rapidity: an infinitesimal power over the active body” (Foucault, 1975/1995, p. 137). COVID-19 and the exodus of migrant labours unfolding with unrelenting grimness gradually “exposed the “invisibility” of migrant labours to Indian planners and policy makers” (Naregal, 2021, p. 38). Taking lessons from the migration fiasco, Deshingkar et al. (2022) stress upon “evidence led approach and realistic policies based on a robust understanding of how migrant’s access work, housing, food and how these processes are mediated” (p. 34). Considering the plight of the migrant labour during the pandemic and their circular migration, there is a “need to establish a strong ethical alliance between the local population, health systems, local government mechanisms, and human rights associations in order to take a relook at the national migration policies” (Jesline et al., 2021).

Dolcility and Precarity of Indian Migrant Labours

The state of migrant labours and workers in India has never been a crucial part of the contemporary discourse dominated by a range of social, economic, and political concerns of those having the ability to make better claims for power in the power relations of the disciplinary regime. Studies on global employment patterns show India to be at the top in their classification of economies according to the “degree” and “intensity” of their employment of informal labour (Williams, 2017). Drawing upon the distinction between ‘work’ and ‘labour’ in Arendt’s conception of “the three fundamental human activities: [of] labour, work and action” (Arendt, 1958, p. 7), the majority of migrant labours can be considered under the category of ‘labour’ for they ‘work’ across numerous sectors “of informal employment, as daily wage, casual, or contractual basis working in formal sector enterprises, public and corporate enterprises

and state agencies as well as unregistered enterprises. Additionally, it includes the vast army of millions of semi-skilled and unskilled workers making ends meet as self-employed street vendors, cab drivers, rickshaw drivers, hawkers, loaders, security guards, petty shopkeepers, delivery personnel, manual or domestic labour, etc” (Naregal, 2021, p. 38). Working under highly informal conditions, these bodies of migrant labours are rendered less “docile” (Foucault, 1995, p. 135) than those working-class people who are more integrated to the economy as though the migrant labours ‘work’ under the artifice of the ‘world’, they, however, are less likely to come under the surveillance, regularity and *enclosure* (Foucault, /1995, p. 141) of the disciplinary power, of the neoliberal developmentalist regime, that “appears to have the function not so much of deduction as of synthesis, not so much of exploitation of the product as of coercive link with the apparatus of production” (Foucault, 1995, p. 153). This is mainly due to the lack of measures so far in the documentation, regulation, and accounting of data regarding migration patterns and economic activities. The strict unplanned lockdown, announced on 24 March 2020 with a short notice of four hours, unleashed a large-scale devastation in the country of more than a billion people. With a sudden halt to the economic activity across the country, it was the migrant labours and workers, besides the people belonging to the lower strata of society in general, who were the hardest hit during the crisis. Failing to meet their daily expenses and the house rents in distant lands without employment, they decided to migrate hundreds of kilometres to reach their homes. Huge crowds could be seen on roads and along the railway tracks walking on foot, for there was a complete stop on transport activities. Thus began the process in the power relations that intended to control and regulate these homebound labours and their movement, rendering them more docile than ever before.

The migrants were trapped in the lockdown without jobs or money and defied it despite the prime minister’s appeals to make them stay at their places. “Stay at home and only stay at

home”, said the prime minister while announcing a complete lockdown in India for 21 days (PM Modi Speech Live Updates, 2020). But millions of these ‘home’ less migrants stepped out of their rental occupations in the urban landscapes of their host regions. The labours could be seen in large numbers making their movement away from the urban infrastructure, such as the tall buildings at the back, towards their homes. The roads and railway tracks, which are a symbol of mobility, also become the instrument of control for the migrant labours who followed these lines (a product of the developmentalist regime) while at the same time coming under the surveillance of the disciplinary power who created this infrastructure for maintaining the power relations at work.

It was not until the very last day of the lockdown that the labours’ return led to the form of an exodus for the travel ban was enacted on all sorts of transport activities except the essential services, and they were still hopeful that the eternal wait of 21 days will be over, and they will be able to get a train or bus. On the other side, the labours thronged to the railway stations and bus stands on 14 April 2020, the last day of the first phase of the lockdown, hopeful that public transport would resume, only to face disappointment on finding that their confinement has been extended. This marked the turning point when the “docile bodies” of the migrant labours turned into the ‘sites of resistance’ defying the utterances, circulated in the form of government orders and enclosures and the roads could be seen flooded with labours walking towards their home. Being already financially weak, working overtime under meagre wages, living in unhygienic conditions in the host cities, and being subjected to circular migration between source and destination regions, these migrant labourers and workers live what Butler (2004) calls a “precarious life”. It is “an ungrievable life...that cannot be mourned because it has never lived, that is, it has never counted as a life at all” (Butler, 2009, p. 38). This precarity aggravated as the crisis soared during the pandemic, forcing them to ultimately move in defiance of the

disciplinary measures of the power to control their movement in view of the situation. Ghosh & Chowdhary (2020) cite various reasons for the hard step that these “precarious” (Standing, 2011) took:

The sudden loss of livelihood, imminent possibility of starvation and destitution, inability to reach the comfort of native home, unable to do the rabi crop harvesting back in their villages, antagonistic treatment from the administration, lack of proper food and lodging arrangement in the government-sponsored shelters — all these constituted their suffering during this lockdown. (Ghosh & Chowdhary, 2020)

Among the sufferers, women and children were the most vulnerable. Women, along with their partners, could be seen carrying loads of their belongings, marching towards their homes while many also carried infants. This reflects the plight of millions of women who had been walking for hours with little or no food, exhausted but still walking. Scenes of pregnant women were heart-wrenching, with journalists reporting some who gave birth to their babies, some of whom died immediately after birth due to exhaustion of the mother or lack of care required post-delivery, on their way while some were reported dead. The pregnant wife of a migrant labour, “who walked over 100 km from Ludhiana in Punjab, delivered a girl child after reaching Ambala in Haryana, but the baby died shortly after birth” (After Walking 100 Km, 2020). A pregnant woman, carrying her infant daughter, was wheeled by her husband, a young migrant labour from Madhya Pradesh who started a 700 km journey from Hyderabad “on a makeshift wooden cart that he made with wood and sticks” (Archana, 2020). In these gendered experiences of the pandemic, not all women were equally precarious. They had varying intensities of vulnerability based on their “class, caste, and social positioning” (Arora & Majumder, 2021), which ensures their exclusion because of the social, cultural and economic frames that fail to recognise them as worthy of certain benefits.

Thousands of migrant workers across the country were seen, carrying heavy baggage and wailing children, walking on roads and national highways. A viral video during the exodus shows a child, so exhausted, sleeping on a trolley suitcase with his legs touching the ground while his mother is dragging the suitcase (Ghosh, 2020). Scorching heat, hunger, and dust did not matter to them in their arduous and long journey for “one finds oneself fallen. One is exhausted but one does not know why” (Butler, 2004, p. 21). The pandemic thus brought a unique experience of torture and vulnerability for these labours, which enhanced their “hyper-precarity inherent within such insecure jobs . . . further magnified when in dangerous jobs that involve greater probability of bodily injury or death” (Lewis et al. 2015, p. 14). Their bodies unequivocally remained susceptible to the levels of death, and such a precarity peculiar to the pandemic can be described under what Prakash & Borker (2022) call “pandemic precarity” which covers “the pre-existing structural inequalities [that] enfeebled economic resilience and exacerbated socio-economic disadvantage” (Prakash & Borker, 2022, p. 40) during the lockdown.

In a tragic instance at Muzzafarpur Railway Station in Bihar, a baby was spotted waking her mother, who was lying dead on the platform. The woman came through the Shramik Special Train from Gujarat. She had taken a train from Gujarat on 24 May 2020, and the next day, shortly before the train rolled into Muzaffarpur, the woman collapsed (Kumar, 2020). “The woman, according to her family, had been unwell on the train because of the lack of food and water” (Kumar, 2020). In a similar instance of such countless gruesome tragedies that emerged during the pandemic, a toddler of about a year old was found lying quietly next to the body of his dead mother in their house at Phuge Vasti in Pimpri Chinchwad district of Pune. The toddler starved for two days and the landlord called the police only after a foul smell came, and was rescued by two women. In the police statement, it came out that “the woman, Saraswati Rajesh Kumar...died by suicide. Notably, the woman was living with her son since

her husband, a daily wager had gone to their native place in Uttar Pradesh in connection with some personal work” (Shaurya, 2021). In the new political order during the pandemic, human life of migrant labours is included in being exposed to “an unconditional capacity to be killed” (Agamben, 1998, p. 54).

These two dreadful instances of dead mothers and their toddlers, besides many such countless unspoken adversities across the country, depict whether the migrant labours restrict themselves in their rental confinements, rendering themselves docile under the state’s exercise of power or act as sites of resistance by defying the lockdown to reach their homes in any way they can. While significant events provide agentic opportunities for women to challenge the patriarchal structures (Arora, 2018; Moreno & Shaw, 2018), some scholars (Hines, 2007; Kinnvall & Rydstrom, 2019; Luft, 2016) have strongly argued how events such as wars and pandemics may instead reinforce patriarchy by expecting women to revert to traditional gender roles of caregiving and familial duties (Arora & Majumder, 2021, p. 313).

Among the migrants who embarked on their journey towards homes, some found themselves fortunate enough to get some conveyance or hitch a truck or vehicle carrying essential items on their way. But these anonymous help were also bestowed with their own adversities. At first, it was not at all easy to get such a vehicle amid the ban on transport services, and when finding one, people would rush to get a space for there would be many more in need of it than its capacity. Those not able to fit inside would cling to the sides of the vehicle tightly, holding the ropes tied to it. The labours, including women and children, could be seen trying hard to get their hands around some rope or handle and to place a foot somewhere on the truck. Most of the truck drivers would charge huge amounts of money from the stranded migrants to make a profit in their vulnerable state. In a similar case, 57 migrants packed in a truck paid a sum of rupees 3000 each to be allowed into the truck (Mishra, 2020). For these precariats, living under social and political networks involving power

relations at work, “life is always in some sense in the hands of the other. It implies exposure both to those we know and to those we do not know; a dependency on people we know, or barely know, or know not at all” (Butler, 2009, p. 14). Here, in the overloaded trucks or buses, these labours’ lives were precarious in the hands of the drivers, of those vehicles, on the starting.

In an incident in North India, a truck crammed with migrant workers crashed on the road killing 23 migrants while 25 were reported injured (Sharma, 2020a). This did not end there as the authorities in Auraiya transported the corpses in the same truck carrying those who were injured in the accident which sparked public outrage (Scroll. In, 2020). The Prayagraj police later intercepted the truck and arranged to transport the migrants and the corpses separately in different vehicles. The incident reduced the bodies of the migrants to no more than trash to be disposed of. The inhumane treatment of the administration deprived the poor migrant labours of the basic dignity that every human deserves after death. Thus, in Butler’s words, their precarity denotes a “politically induced condition in which certain populations suffer from failing social and economic networks of support and become differentially exposed to injury, violence, and death” (Butler, 2009. p. 25). It can also be drawn from such incidents that these deaths are not mere accidents; they are the direct results of the state’s declaration of emergency and creation of “the space of exception” (Agamben, 1998), for the migrant labours. They can be killed with impunity since it is only them as a class who were forced to be in this space, living a “bare life” (Agamben, 1998), unqualified and deprived of legal and ethical rights, unlike other economic sections of the country.

On the other hand, special arrangements were made for the migrants stuck abroad under the “Vande Bharat Mission”, considered to be one of the largest civilian repatriation exercise by any country in recent history (Vanamali, 2022), deporting them through special flights on a mission mode in coordination with the Indian embassies across the globe. This also exposes

the underlying “necropolitics” (Mbembe, 2019) at work where, unlike those of the foreign migrants, the bodies of the migrant labours become disposable, thus providing differential value to human life. According to Butler, human beings, especially if they are vulnerable, sense dangers from other human beings who are unfit for the normative frame of their cultural recognition of human beings (Butler, 2009, p. 2). In the country during this reverse migration, the labours were seen and treated as threats and intruders as they did not fit into the frame of the government and authorities due to the intersection of their class, caste, and other identities (Swaroop & Lee, 2021; Arora & Majumder, 2021).

The media played a crucial role in constructing and sustaining an image of these labours as potential health threats as mass carriers of the virus. Besides this, many mainstream media channels switched their coverage to unimportant issues with an inhumane ignorance towards their plight. The Press Council of India had to issue an advisory asking the media to maintain journalistic ethics after the suicide of Bollywood actor Sushant Singh Rajput became a hot topic on every platform almost wiping out issues such as the rising infection, migrant labours and farmer distress (Jha, 2020).

In view of the labour shortages produced due to the return of the migrant workers, the capitalists pressurised governments not to let them return. Reports emerged that the factory owners even intended to treat them as bonded labours and hold them, hostage, while unwilling to provide any social security even in the best of times. The only thing the migrant workers, usually living in the dormitories in the factories, desired was regular wages, but despite orders from the Home Ministry of the Central Government, the capitalists, including factory owners and heads of the private companies, denied wages to these workers. A company in Karnataka even knocked on the doors of the Supreme Court of India to request that the Home Ministry notice asking for paying full wages be quashed (Vij, 2020). In order to protect the interests of the builders, the then Karnataka Chief Minister B.S. Yeddiyurappa

“ordered that the travel plans be scrapped after meeting Bengaluru’s top builders who pointed out they would be left high and dry without the migrant labours who erect their lofty towers” (Of Human Bondage, 2020). Thus, the governments sought to play hide and seek, for they feared a possible revolt from the workers. “Media, and accumulation of capital” helped those in position “to make the distinction between the lives” of migrant workers “that are more ‘grievable’ than others” (Arora & Majumder, 2021, insert page numbers).

The confusing orders from the authorities now and then created confusion and mismanagement on the ground leading to violent clashes between workers and the police who tried to confine them. The initial efforts of the government at the outset of the restrictions, seemed to protect the migrant workers from the disease and the government also assisted them later in different ways to prevent any revolt. All these steps were rather aimed at safeguarding the interests of the capitalists so that the regime continues exercising power over its subjects and ensures that the complex web of power relations remains protected. Foucault (1995) highlights this positioning of individual bodies in a disciplinary regime when he says:

The individual body becomes an element that may be placed, moved, articulated on others. Its bravery or its strength are no longer the principal variables that define it; but the place it occupies, the interval it covers, the regularity, the good order according to which it operates its movements (Foucault, 1995. p. 164).

Thus, the disciplinary regime tried its best to maintain the docility and utility of the migrant workers, if not to enhance it, even amidst the deadly crisis. But the fear of hunger and claustrophobia grew too large that it compelled them to defy the disciplinary exercise of power and the government failed to “neutralize the effects of counter-power that spr[ing] from them (disciplined workers) and which form a resistance to the power that wishes to dominate it: agitations, revolts, spontaneous organizations, coalitions anything that may

establish horizontal conjunctions” (Foucault, 1995. p. 219).

Ramachandran & Pandey (2020) describe multiple acts of resistance that the migrants perform while travelling back home:

First, when the police would not allow them to travel by road, the workers took the rail tracks route. It was only after the accident near Aurangabad in Maharashtra on May 8 in which a train ran over 16 workers, killing them in their sleep, that authorities allowed them to travel by road, too. Workers took whatever vehicle they could manage -- bicycles, motorcycles, hitching rides on trucks, and autorickshaws from Mumbai and Delhi going into the hinterlands. Police reversed policy again after the Auraiya road accident in which 25 people were killed on May 16, disallowing road travel again. This time, the migrant workers had no option but to sneak through agricultural fields and remote internal roads. Even people engaged in relief operations were finding it difficult to reach help to the needy travellers avoiding the police. The common people had to struggle on three fronts simultaneously -- the threat of coronavirus, the scare of death by hunger and exhaustion, and the highhanded ways of the government (Ramachandran & Pandey 2020).

Thus, the bodies over which the power is exercised in attempts to make it docile become the sites of resistance, although they are confronted with conditions bound with precarity in choosing to oppose. But since “these individuals have chosen to oppose and challenge oppression, rather than to simply acquiesce”, they are bound to face difficulties for “resistance to oppression is much more difficult than collaborating” in the Foucauldian model of power though it is ‘written in’ to the exercise of power (Mills, 2005. p. 40) and there exists no power relation without resistance. The governments and administrations in India who were in the position of the sovereign, having the

legal power to suspend the validity of the law, legally placed themselves outside of the law (Agamben, 1998, p. 17). In other words, they used the health emergency that emerged due to the pandemic as an excuse to temporarily transform the existing laws as per convenience and to escape any accountability. The sovereign decisions of the state became more responsible for the deaths on roads than the virus. The authorities committed abuse under the cover of military impunity in the state of exception in the country whereby labours faced exclusion, making their lives as unqualified as to be treated with animosity.

Reinvisibilising” Migrant Workers and Restabilising the Discourse

Much had already happened by the time when the system woke up to the cries of these homebound migrant labours. Thousands had already succumbed on railway tracks and roads due to hunger, exhaustion, injuries and accidents, scorching heat and the virus. Millions of those who arrived at their native places were severely treated due to chaos at the testing sites. At the same time, visuals appeared in some places where the local authorities could be seen spraying sanitisers on groups of migrant labours sitting on the road sanitising them in a way as if they are subjects to be disposed of (Rashid, 2020). Those who tested positive were to be quarantined in separate spaces, such as government schools and hospitals in severe cases. Many of these quarantined centres lack toilets, power, food and other facilities. While the roads and tracks acted as structures for a confined movement of the labours, they also made the “visible localisation” of their atrocities and deaths without access to much legal support in the state of exception, and this also continued in the quarantine centres. While reporting this poor management in Bihar, Khan (2020) describes the horrors inside the centres:

Migrant workers are not only being killed on the roads, railway tracks and on special trains while returning to Bihar amid lockdown, they are also dying at the government-run quarantine centres in the state. More than a dozen migrant

workers died at quarantine centres across the state in the last one week due to negligence and lack of basic amenities. (Khan, 2020)

Thus, over 10 millions of labours and workers walked to their homes on foot between March and June 2020, laying bare the “invisibilisation” of migrant labours by the policymakers in India. The mostly poor and uneducated migrant could never make it to the national headlines as far as their problems are concerned. The discourse never centred around the vulnerable conditions they are exposed to in their workplaces with little or no financial and social security. Series of oppression and sustenance of their ‘invisibility’ had compelled them to accept it as their destiny resulting in the normalisation of their precarious and grievable state that only sought to maintain their docility and utility for the economy at work, producing neo-liberal individuals who become “entrepreneurs of themselves, shaping their own lives through the choices they make among the forms of life available to them” (Rose, 1999, p. 230).

These docile migrants were subtly trained to be satisfied and remain silent while the utterances pertaining to their precarious conditions were barred from being widely flown or circulated in the Indian public sphere. The circular migration of these labours never became a part of headlines in different media platforms until the pandemic. Labour laws remain unimplemented or ignored by various state and labour industry institutions. It was the pandemic that made the media react and cover the migrant labours so vigorously. For the first time in the history of the country, the discourse on migrant labours received attention. It was not limited to their exodus during the lockdown but their overall negation by the successive governments that rendered them witness such havoc in their life more horrible than the pandemic itself. The “counter power” (Foucault, 1995. p. 219) in the mass media overpowered the predominant discourse, though for a brief period, and the participation of the migrant subject, the site of resistance, in the process, was instrumental in flooding the media with the statements that

longed to be generated. The diverse consumption of mobile media technology and applications by labours to get help is noteworthy. Amoolya Rajappa (2021) studies about their mobile sensibilities:

The emotional video pleas made using basic mobile phone technology and disseminated on social media channels broadcast the pleas of stranded migrant groups. The government had made no emergency travel arrangements to rescue them from starvation in the cities that they were employed in. These passionate, angry videos, which took little effort to record and upload, were helpful in quickly mobilising help from local bodies and volunteer groups (Rajappa, 2021, p. 64).

The eventual resistance by these bodies and the discourse flooded with their unforeseen utterances in media and among the general Indian public sphere quacked the prevalent power relation. To rejuvenate its ruptures and to make the aberrations temporal, the governments started reacting proactively to the immediate needs of transportation, food and health services. Helplines were issued for guidance and emergency. Mobile vans were started to provide food and basic medical aid to the migrants en route home. Public transport was resumed in a phased manner. Home quarantine was being allowed for those who tested positive instead of the unhygienic and overcrowded quarantine centres. The state governments launched mobile-based applications for migrants and also started registering migrant labours on government websites for future assistance and employment benefits or other schemes for them. Immediate relief was released through direct benefit transfer into the migrants' accounts. Free ration schemes were announced through the Public Distribution System in various states. The union government came up with the announcement of a twenty trillion package *Atma Nirbhar Bharat* Package (Ministry of Finance, 2020), with the mantra of *Atma Nirbhar Bharat* or a "Self-Reliant India Movement", captured the media's

attention for the huge amount was equivalent to 10% of India's GDP.

However, serious questions arise when we look at all these efforts and measures and their implications for the immediate and long-term welfare of this most precarious informal workforce from the Foucauldian perspective. Are they really going to help in integrating the labours into the formal system? Is the immediate financial assistance to the migrants sufficient to meet their expenses? Will the registration process help them tackle such crises in the future? Was the package able to mitigate the losses, especially in the MSME (Micro, Small and Medium Enterprises) sector employing millions of these migrant workers? Were the home states' policy measures enacted to provide employment opportunities effective enough to prevent future outmigration?

"Make no mistake", states Samaddar (2020), as this neoliberal structuring through the package was to subsume the migrant labours' issue. Considering the current state of migrant labours, where they have been pushed back to the same disciplinary setup accompanied by enhanced levels of precarity amidst inflation, it is clear how subtly the regime has managed to reinvisibilise them from the policy discourse of the country through systematic erasure of the statements of the 'counter-power'. All the relief measures aimed at this utterance erasure to restore the power relation. Those labours who refused to return to the cities, saying "they will live on salt" (Pandey, 2020) were forced to defy their own statements and assertions, and many of them started coming back by August 2020 only as soon as the restrictions were eased. All the measures of the power were aimed at the elimination of negative statements and reducing the overall resistance to, what Foucault calls, the "anti-authority struggle" (Foucault, 1982, p. 780), which are 'local' and 'immediate' where "the main objective...is to attack not so much such and such an institution of power, or group, or elite, or class, but rather a technique, a form of power" (Foucault 1982, p. 212). Though the huge package managed to make headlines for days in favour of the regime, it was more a

liquidity package that lacked direct monetary support to MSMEs which provide jobs to millions of workers and offered the already distressed sector lending options. This was at the same time when loans worth thousands of billions of rupees of a few cronies, who own the majority of mainstream media circulating those headlines, were waived off over the years. Samaddar (2020) examines how “while the neoliberal system lost no time to forge its own responses” political parties lagged in making sense of the events.

The registration processes and formalisation of their activity appear to help them in the future, rather than attempts to render them docile, to put surveillance and control on their movement, and to maintain their utility even amidst such crises in the future. While the government managed to redirect the discourse through these efforts, many state governments of different ruling parties made significant changes in the existing labour laws in favour of the industries, undermining the threat they put on the workers’ lives (Sharma, 2020b). Thus, the superficial show of things was very subtle, unique to the disciplinary regime in rendering the subjects docile and maintaining the power relations. With the same subtlety, the migrant labours who went through extremely precarious experiences were “reinvisible”.

Conclusion

Based on the understanding of the workings of disciplinary authorities, diligent in maintaining the docility of the body of the migrant labours even during the pandemic, it can clearly be noted how subtly the resistance to power or the ‘counter-power’ was neutralised by systematically erasing or replacing the influx of those utterances from the discourse that temporarily destabilised the power relations by making the hyper-precarity of the Indian migrant labours visible and at the centre of policy and public discussions for the first time in the history of independent India. The pandemic precarity brought upon the homebound migrant labours during the lockdown exposes the inherent insensitivity and inability of the successive governments who failed to address, or instead

willingly ignored, their social and economic well-being and treated them as docile subjects to be utilised by the neoliberal economies.

Thus, instead of taking measures, discussed above to render them docile, disguised as assistance and their integration into the formal economic system, the government needs to take serious policy measures such as implementing the long pending labour reforms to reduce the precariousness of their working conditions. The centre and states must coordinate to generate sufficient employment opportunities for the migrant labours in their home states to reduce their circular migration between the source and the destination regions. The *Garib Kalyan Rozgar Abhiyaan* launched by the government in 2020 was mostly a one-time scheme to create such jobs for migrants returning to their villages but turned out to be insufficient as most of them returned to their old spaces of work in the post-covid world. There is a dire need of an “immobility infrastructure” (Wang, 2022), as suggested by Biao Xiang while speaking in a panel discussion (Krishnakutty, 2022). It involves a setup and mechanisms that can be utilised when the mobility infrastructure fails to perform in typical circumstances such as the pandemic lockdown. The absence of such a migration infrastructure (Xiang, 2014) led to the exodus of millions of these migrant labours. The 2021 draft of the national migration policy prepared by the NITI Aayog also highlights many intricacies of a migrant’s life (Rajan & Joshi, 2023). The policy looks forward to uplifting and strengthening the migrant community through cash transfers, quotas, and reservations. There is a need to increase minimum wages, create a central database, set up migration resource centres, and extend the Right to Education to children of migrants as also recommended in the policy, but significant cuts in budget allocation for landmark rural employment schemes such as Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) in the last few union budgets is disappointing. The allocated amount of 600 billion was enough merely to provide eligible households with forty days of work instead of the legally guaranteed hundred, as per the experts and critics (Nair, 2023). Nevertheless,

the article attempts to reignite debates and discussions on the upliftment policies regarding migrant labours and workers in the post-covid world through its investigation so that those in position may stop ignoring and reinvisiblising this precarious class.

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Ethical Approval

We declare that there is no human participant or patient involved in the research produced in the research paper titled '*Reinvisibilisation of Indian Migrant Labour during/post COVID-19 Pandemic: A Biopolitical Study*', and that it is not medical research and is based on real narratives that circulated through media around the sufferings of the migrant labour during the pandemic. Hence, the study does not require any ethical approval regarding the protocols of the Helsinki Declaration.

Conflict of Interest

We have no conflicts of interest to disclose

Author Contribution Statement

Rishav Bali: Conceptualisation, methodology; writing the first draft; initial reviewing and cross-checking for references; and re-writing the final draft.

Dr. Isha Malhotra: Guidance and Supervision; developing the first draft with the incorporation

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