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Published in:
Ethnography

Publication date:
2019

Document version
Early version, also known as pre-print

Citation for published version (APA):
Hirslund, D. V. (Accepted/In press). Brokering labour: The politics of markets in the Kathmandu construction industry. *Ethnography*.

Brokering labour

The politics of markets in the Kathmandu construction industry

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Abstract

Though there is a rich tradition for labor studies in anthropology, little attention has so far been paid to the markets that connect prospective employees with places of work. In this article I show that places of labor mobilization become sites of brokerage that index the complicated politics through which labor is rendered available to industry, particular in the context of non-formalized employment relations. Utilizing a political economic framework, I locate contemporary informal construction labor within the larger histories of employment that have characterised the Nepali state's integration into the global economy. Based on ethnographic fieldwork in Kathmandu, the article traces processes of dislocation and differentiation for construction laborers as they struggle to secure work and argues for the role precarious workers themselves play as brokers of their labor power as a protection mechanism against experiences of exploitation.

Keywords

labour brokerage, Nepal, urban ethnography, labour markets, construction industry, informalisation

Introduction

This paper is built around a puzzle. Labourers in Kathmandu's construction industry routinely complain that there is not enough work to be had, and that they sometimes go through entire months with only a few days of work. At the same time, employers likewise complain that they cannot find enough workers for their projects: private homeowners needing repairs have a hard time finding workers but so do contractors engaged in building large public infrastructure, such as hospitals and roads. Despite there being both an overabundance of available work and unemployed workers, the two are clearly unable to find common ground and resolve each other's lacuna. This observation goes against the prescriptions of classical economic theory, which teaches us that forces of supply and demand balance out in optimal market conditions based on the mediating power of prices (Wolff et al., 2012). Obviously, we do not have such conditions in the urban construction industry where both employers' and employees' matching needs go unfulfilled. But if it is not just market forces that condition exchanges in Kathmandu's labour markets, how then may we understand the relationships that underpin construction's demand for and utilisation of labour?

In this paper, I show how workers' access to employment is negotiated through specialised labour recruiters, or jobbers, and that relations of suspicion between the two parties lead labourers to develop strategies of protection, which I analyze as a form of brokerage. This labour-initiated brokerage adds to an already mediated relationship between employers and markets, thus further complicating industry's labor needs and workers' search for gainful employment. The existence of the jobber as an integral aspect of informal economies has long been recognised as an ingenious way for capitalist industries to outsource the mobilisation and organisation of labour in environments that they do not fully control (Gonzales, 1980; Gupta, 1981). Instead of the complications and high costs of finding, testing and upkeeping the labourers needed for a particular task, jobbers are paid for the smooth operation of labour supplies. However, as I argue here, the relationship between jobbers and labourers is not free of conflict, and this in turn affects the expected efficiency of the arrangement. Instead of a smoothening of market exchange, which is often assumed by both supporters and detractors of labour outsourcing (Barrientos, 2013; Lee and Sivananthiran, 1996), I argue that labourer's grounded mistrust of employers—whether jobbers or not—results in labourers developing their own, independent strategies of brokerage. In this article, I suggest that the fractured nature of labour markets sustains an atmosphere of deep suspicion, leading labourers to protect themselves through strategies of withdrawing and crafting independent paths for securing employment. Both of these strategies can be, and often are, read by employers and business elites as labour disloyalty or an undisciplined work ethic. I suggest, however, that such instances are more correctly understood as forms of labour protection against exploitation.

Responding to global forces of liberalisation, the Nepali labour market has in the past decades gone through a transformation of employment relations from being based primarily on overt forms of bondage tied to caste distinction and the political economy of agricultural production to become largely unregulated by customary demands and traditional occupations. This has resulted in a huge exodus of young, primarily male, populations from rural areas, many of whom end up working in Kathmandu's largely unregulated construction sector that absorbs the majority of the city's unskilled and poor populations. In my ethnography, I have witnessed the difficult circumstances for day laborers seeking to navigate an opaque labor market, and the hard work it requires to create a

reasonably stable income, even one several times below urban middle-class standards. It is this often invisible 'work for jobs'—as the British sociologist Guy Standing explains in his analysis of prevalent experiences of precarity (Standing, 2011)—that I am interested in analysing here because it easily escapes notice as an accompaniment to informal labour arrangements, and because it alters our understanding of how labor markets actually work.

The recent resurgence of labor studies in anthropology has offered a fresh perspective on experiences of precarity, illustrating the difficult but also often ambiguous positions for people on the periphery of global value chains and outside formal work relations (Millar, 2014). I follow this line of inquiry where precarity is not automatically synonymous with deep desperation and abject poverty but rather expressive of changes to national labor regimes that open up new spaces for people to participate in, between the dialectic of waged work and livelihood earnings (Matos, 2019). The construction laborers I worked with were in most cases not 'pushed' from the poverty of their rural livelihoods into the cities scrambling for jobs merely to survive. Rather, their journey to Kathmandu, conditioned by the persistence of semi-feudal agricultural relations rather than direct dispossession (Sugden, 2019), was conceived as an opportunity to *kamaune*, earn wages, that they could repatriate to increase their families' wealth. The dynamic I describe thus differs in some crucial aspects from the work of Jan Breman and others who have chronicled the systematic dispossessions of agricultural communities throughout particularly northern India (Breman, 1993; Levien, 2018). This difference may also explain the relative autonomy I identify among Kathmandu's construction workers, simply because they are less economically desperate. Moreover, the perspective on labor I offer here is one which looks more closely at the role markets play in distributing and mobilizing labor within the stratified layers of the construction economy. Rather than assuming a labor status, the perspective on markets open up questions about processes for accessing employment. The 'labor' status is not guaranteed but should rather be seen as a position that must be fought for within the urban labor regime as both traditional and formal ways for accessing work are unavailable to the majority of the labor-active population. It is in the context of a general crisis of underemployment that access to work itself becomes a form of precious commodity, and one which requires continuous brokerage to achieve.

This study follows a growing body of research seeking to elucidate how markets, rather than forming natural spaces for human exchange, fundamentally depend on social environments (Bolt, 2014) and are often vehemently contested as mediators of distribution (Besky, 2016). It is well understood, even in classical debates on economy, that modern markets require external constraints to enforce them as spaces of exchange. At the same time, there is a rich literature within anthropology in particular on the cultural embeddedness of markets: how beneath the slogan of rational market forces a subterranean cultural system of exchange is at work, which has deeper historical roots and operates on different principles than capitalist exchange (Gudeman, 2001; Mauss, 1966). This school of thought has developed under the heading of 'the substantive economy' and, despite its many differences, agree upon how economic processes—defined by Marshall Sahlins in 1972 as those related to the provisioning of the material needs (Sahlins, 2003)—are always embedded in social environments. There has, however, been a tendency in economic anthropology to *culturalize* the idea of the 'human economy' (Hart et al., 2010). This has had the unfortunate consequence of bracketing the role played by capitalist valuation processes in contemporary market formations. Instead, substantivist anthropology has sought to 'explain away' market forces, concentrating instead on

social formations that were outside logics of exchange value. What I seek to do here, is to integrate the specificity of laborers social environment with the crucial disciplining forces of capitalist markets where the cheapening of labour expenses co-constitute social outcomes. The result, I argue, is that markets appear neither as purely economic spaces nor as chiefly cultural products but rather as powerful and historical technologies for transforming the social forces of labour into a commensurable commodity form.

Politics of labour markets thus point to the historically specific conditions in which classed mobile bodies come to be seen as useful for socially organised economic processes, a perspective that draw on the political Marxism of Eric Wolff, E.P. Thompson and Eric Hobsbawm with their attention to large-scale regimes of power. There is by now a solid body of literature documenting the adversarial effects of what is broadly understood as the informal supsumption of labour under capitalist accumulation processes, both globally as well as in South Asia. The chief outlines of this argument concern the uprooting of traditional livelihoods, primarily based in non-urban settings, and the parallel development of new economic niches, often in an urban environment, where income-dependant, mobile population groups compete for employment in industries that are themselves fully integrated into, and subjected to, the boom and bust fluctuations of global markets. Lacking well-established institutional frameworks for mitigating and distributing the risks associated with employment in volatile and inadequately regulated industries, urban working classes routinely absorb the majority 'shocks' connected to working in this informalized, market-dependent economy. While this is clearly a political challenge in terms of how to avoid that already poor sections of society pay the price for economic transformations, the related theoretical urge that motivates this study is how we might think of current labour markets as distributors not of justice, but rather of injustice—understood here as the unequal distribution of risk. It seems to me there is a broader need in anthropological labour studies to move beyond documenting the widespread misery connected with capitalist globalisation and to probe the theoretical underpinnings of liberal economic theory, which continues to inform global economic policy. This article is therefore less concerned with advancing anthropological theory on composite exploitations than with using ethnography as a tool to argue for the layered political—i.e. power-based—constitution of labour as a commodity in market exchange.

The data presented here stem from ethnographic fieldwork on informal labor in Kathmandu's construction industry with a focus on the social and economic spaces of labor stops in mediating work experiences. 5 months of fieldwork was conducted in 2016 with an additional 2 months follow-up through annual visits between 2017 and 2019. I shall be using two well-established analytical perspectives to speak of brokering labour and the politics of inequality that develop around the construction industry. On the one hand, I use the concept of dislocation to indicate the spatialized relationships between capital and labour in general, a perspective which has been particularly influential in geography for understanding relationships between migration and economic processes.¹ On the other hand, I employ the idea of differentiation to highlight the production of distinction within the labour force, a situation which results in the proliferation of labour identities or positions and increases the complexity of labour markets (Aldrich and Weiss, 1981; Campbell, 2016). Together, these two perspectives allow for an analysis of migrant construction labor as one whose 'dislocation' to urban environments is connected with large-scale transformations of rural livelihoods and urban economies, and where access to employment becomes mediated through differences and distinctions

among workers. I shall be using the two terms relationally, in order to stress the perspective on labour as simultaneously a product of capitalist value production and of a “cultural politics of markets” (Rankin, 2004).

Dislocations of labour in Nepal

Situated at the margins of the rapid economic transformation of South Asian economies during the 20th century due in large part to its rugged terrain which complicates both infrastructural development and mechanised agriculture, Nepal—until 2008 a century-old Hindu monarchy—has been forced to develop its national economy in the peripheries first of British Crown rule in South Asia and since Indian independence in 1947 as an appendage to the needs of its southern ‘Big Brother’. Thus, in 1991, after three decades of “sluggish socio-economic development” (Devkota, 2007) 81% of the active population was primarily employed in agriculture (Khadka, 2009), though in conditions of deep poverty. The period since, following the general liberalisation of South Asian economies from the mid-1980s, has witnessed a further undermining of rural livelihoods without a parallel development of an industrial labour force—conditions for which would not be regionally competitive—leading to large rural emigration and a scattered growth of haphazard employment opportunities with construction labor accounting for 37% of non-agricultural work in 2011 (CBS, 2011). Jeevan Sharma and Antonio Donini (2012) have documented this fragmentation of livelihoods as related to four vectors of political economic change: a diversification of types of work; the weakening of semi-feudal rural arrangements; increased dependence on a monetary economy; and new avenues for mobility. Along similar lines, Michael Hoffman (2013, 2014) has shown how former bonded laborers scramble for work in local brick-kiln industries and around new urban congregations, while studies of Nepal’s garment industry has illustrated its exposure to time-bound trade subsidies that, when removed, leave laborers stranded (Graner, 2003; O’Neill, 2004; Shakya, 2018). Employment diversification, as these authors show, is not merely a descriptive aspect of the economy but an analytic of experience. Diversification is also a survival strategy.

If diversification has put the Nepal labour force at the disposal of employers through a physical relocation to sites of employment and a widening of their skill-set, the integration of labourers in new industries, not least in construction, has generally been carried out through layers of informal and ad-hoc arrangements. Instead of fixed employment relations, standardised contracts detailing the character and compensation for labour, and generalised juridical frameworks outlining the rights and duties of involved parties, contemporary non-governmental employment relations throughout Nepal continue to be permeated by verbal, ad hoc agreements. It has been estimated by the International Labour Organization (ILO 2004) that 96%, or “almost all Nepali workers” work informally. In practical terms, this means nothing more than that economic relationships are largely unregulated by supervisory structures whether these take the form of collectivised agreements or legal directives. The first generalised Labour Law to be passed in the country in 1992 officially legalised such a zone of informality by exempting businesses with 10 or less persons from registration. It also refrained from establishing permanent bodies to oversee the implementation of its safety provisions or labour rights. Elementary ILO conventions were only acceded to little by little over the next two decades, including the protocol against forced labour, which was only ratified in 2002. The slow and bumpy implementations of labour laws—such as the establishment of a national minimum wage

which was only extended to agricultural workers in 2000—attests to the incompleteness with which labour issues have been subsumed by a legal regime.

In fact, the half-baked measures to formalise the economy index the hesitancy with which the Nepali state in general has sought to bring markets under their direct control. Reflecting the rule-and-divide policies of the Shah and Rana states in the centuries leading up to the Panchayat era after 1960 in which “subjects” of the state were increasingly becoming “citizens” (Pfaff-Czarnecka, 1997), the Nepali state has been able to manage its hard-to-access territories through a decentralised and shifting sovereignty (Burghart, 1984; Regmi, 1978), rather than an abstract and formal one. Fraser Sugden has consequently shown how “semi-feudal” relations in economic transactions persist on the larger farm arrangements in the southern *Terai* plains (Sugden, 2013) and Joanna Pfaff-Czarnecka has stressed the “distributional coalitions” through which local bureaucracies and business elites constitute what in an African context has been referred to as “twilight institutions” (Lund, 2006; Pfaff-Czarnecka, 2008), i.e. the informal arrangements through which state sovereignty is performed. Unsurprisingly, therefore, the state’s role in regulating the economy contains a certain ambiguity between formalising and informalising tendencies which seeks at the same time to tighten economic excesses—such as speculative land-grabs—through legal and bureaucratic control, without disturbing the underlying dynamism in the mobilisation and disciplining of labour.

The spurious regulations of labour are therefore also a product of the historic relationship between the Nepali state, landowning or business elites and the rising power of labour unions and political parties in the second half of the 20th century. But dynamics of dislocation are not merely penetrated by a history of informalisation woven deep into the fabrics of the state. It is also possible to identify a layered process through which businesses manage resources, including labour, and the peculiar way in which this stratification gives rise to very localised, and fiercely competitive, pools around a particular resource. A growing literature has pointed our attention to the ‘*dalaal*’—or middleman—in the everyday functioning of the economy throughout South Asia (Björkman, 2015; de Neve, 2014; O’Neill, 1997). From the perspective of labour mobilisation, this phenomenon has two immediate consequences: one that economic relations become personal relations and thus overlaid with all the anthropological complexities of cultural interaction – a phenomenon that Sarah Swider from her ethnography on construction workers in Beijing refers to as “embedded employment” because of the “diversity and density of connections” (Swider, 2015: 89); and two that instead of a neat hierarchy of interrelated layers of resource mobilisation, we get compartmentalised inter-group dynamics in which relations of distance and nearness are continuously negotiated as points of leverage. This means that proximity to, for instance, sources of employment can be an advantageous position at one particular moment whereas the possibility to escape claims against abuse or disciplining measures can constitute a position of strength at another moment in the labour process.

Labour differentiation in the construction industry

Let me now turn to a brief examination of how these larger dynamics of dislocation get concretised in construction work. The construction industry exhibits the traits of layered informalisation to an almost extreme degree, as has also been noted from other contexts (Swider, 2015). Possibly because of a combination of the wide array of production processes involved in infrastructural construction

and more specific historical relationships between governance and capital mobilization in South Asia (Seddon et al., 1979), construction labor is systematically subdivided and outsourced to multiple labor contractors. These *thekedar* specialise in workers with one set of skills – brick-laying, plaster, wood work, plumbing, concrete, form work etc. – with a responsibility for just one bit of the work process. In addition to this skill-based division, there are also widely varying requirements for labour at any given moment of the production process, a situation Darren Thiel refers to as 'sequentialism' (Thiel, 2013: 77). During the construction of steel-enforced concrete, for example, workers need to work very fast and in great numbers to finish spreading out the concrete mixture when preparing for a new floor. During such moments, there are easily 50 labourers working on a smaller office building for the couple of days where speed and coordination are crucial for strength and durability, whereas other periods might specifically require non-interference or have a single plumber leisurely laying pipes for drainage inside the newly constructed walls.

There is then a temporal compartmentalisation, each section of work with its own demands for labour skills, numbers of workers, amount of coordination and intensity. But there also exists a separate process for the procurement and transportation of materials with its own subdivisions of labour, and the timing of material mobilisation interacts with, and depends upon, the timing of labour mobilisation. Each separate stage demands fresh negotiations and interactions between different elements of the labour hierarchy; delays in one area affects processes in another, and new negotiations are necessary. Each time, the role of the mediator is activated and strengthened, adding to the distance, or dislocation, between capital and labour.

Construction labour is in some ways thus diametrically opposed to industrialised factory work which operates through the concerted concentration and hierarchical supervision of procurement and production (Mollona et al., 2009). With construction, material and human resources constantly flow in and out of building sites—very little, if anything, can be assembled beforehand. The 'curse' of construction is precisely its dispersal and the distributed, fragmented sovereignty at the very same time that infrastructure becomes peculiarly tied to particular locations. Unlike service-sector work, which is becoming increasingly *place-agnostic*, construction is place-bound to an unusual degree, forcing upon the entire industry a localized quality that more abstract forms of value-generation (Whitehead, 2012) can escape from.

The Kathmandu construction industry is further disaggregated due to the geographically dispersed character of its labour force. In line with the general mobility of Nepali labour nationally and internationally (Seddon, 2005; Sijapati et al., 2016), construction labour is similarly subject to forces of geographical dislocation with a great influx of especially southern workers from the North-Indian plains and Terai areas of Nepal occupying various roles in different layers of the industry. In fact, on any single level of the industry—from investors, over contractors, through *thekedars*, skilled specialists to menial unskilled labourers ("helpers")—there is a large number of migrants and therefore an added complexity with regards to the sociocultural components of the urban economy. Three distinct processes of labour spatiality work to subdivide this segmented force even further. Based in specialised wood-carving technologies or occupying a recognised place through traditions of workmanship, historic urban castes and well-established families provide an 'aristocratic' position vis-à-vis migrant labourers and are often used for finish work or to guarantee the quality of cheaper labourers in the role as supervisors. Another pool of labour—much more flexible and docile—

consists in hordes of village (mainly male) youth who are trafficked to building sites and hired for a longer duration in order to provide cheap, backup and basic labour skills such as transportation of materials, scaffolding, brick-laying and maybe some plaster work (for an example, see Sijapati et al., 2016). A third organisation of labour is to be found in pockets around the city, in so-called “labour stops” where idle labourers congregate in the mornings and wait to be hired for shorter or longer periods. These markets for labour are in some ways the most flexible spaces for bringing the industry and labourers into contact with each other because of the possibility of hiring people on a daily basis and in large numbers. As such they constitute a crucial node in the value reproduction of the construction industry, with its very shifting and often unpredictable requirements for labourers. But as intensified spaces for negotiating employment, markets for labour also constitute acute zones of conflict over the character and compensation for employment. They are therefore also intensified zones of labour heterogeneity due to the ever-present force of dislocation.

Nepal's construction sector has grown in tandem with large-scale investments in infrastructure that were pioneered under the development programs of the *panchayat* regime between 1960 and 1990, and have since been organised into four different 'classes' according to size and levels of expertise. These distinctions regulate which companies get awarded contracts, particularly through the public procurement system, and introduces a division between big construction projects of multi-storey buildings, bridges, highways etc with high levels of regulation and private resident construction that enjoy very limited municipal oversight.ⁱⁱ In general, day laborers get hired into this poorly regulated residential sector as large-scale construction is more conducive to the bulk mobilization of labor directly from rural areas. In both cases, however, manual construction work is subcontracted through local labor contractors, thus systematising the informality of labor mobilisation and the problematics of mistrust I describe below. In fact, from the perspective of construction work, it is maybe more useful to introduce a distinction between two distinct trajectories of resource mobilisation in the industry with surprisingly few points of overlap. On the one hand, we find the economy of markets for labour and materials that I have been discussing so far. On the other hand, there exists a market for licensing, which involves access to land, procurement processes, documentation and a continuous negotiation with municipal and state bureaucracies. This duality reflects—again unlike industrial sites—that space is one of the inputs in the industry's valorisation processes and therefore a commodity whose value circulates to realise profits. The construction industry is not only hungry for labourers, particularly in a context with very little automation, it is also hungry for new territory on which to build. This latter aspect—which in the valorisation process precedes the procurement of labour and materials (what Marx called, respectively, ‘variable’ and ‘constant’ capital)—involves its own politics where the role of labour is largely invisible (because it is irrelevant). From the perspective of ‘licensing’—of getting access to land and being allowed to transform its physical properties through building technologies—labour is a secondary, and subsidiary, requirement. Labour's dislocation from the valorization of capital in the construction industry starts with this crucial schism between the politics of licensing and the politics of production.

Mistrust of contractors

I turn now to consider the dislocation of labour from the perspective of labourers themselves and the critiques that emanate from their experiences. Om is a construction labourer in Kathmandu who gets

most of his work by hanging around labour stops and getting picked up by contractors who come by to hire workers or by tapping into the local network of jobbers. The labour stop is primarily a market for negotiating employment and there are two ways of getting work. One is by being discovered by employers, or their representatives, that occasionally stop by, and this requires being alert to the sudden interest taken in labourers by either a contractor or *sahu*—an independent owner of a premise that needs repairs. The first couple of times I came to do fieldwork at labour stops, I was mistaken for someone who needed labourers and the kind of inquisitive interest I received—what work do you need done, where is it, how many do you need—quickly faded with the acknowledgment that I could not provide work. The other, and usually more efficient way of getting work, is by hooking into existing networks of labourers and their representatives when negotiating with employers.

Being new to the premises, Om had recently received work with a contractor together with two ‘friends’ from the labour area, one of whom negotiated the contract for laying optical fibre cables on one of the foreign embassy grounds in Kathmandu. It took almost a month to finish laying the 27 meters for which each was promised 300 Nepali rupees (US\$3 in 2016) per meter of work, totalling 24,300 rupees between them. In addition, they had to lay out initial expenses for the work without any guarantee that they would be reimbursed. Eventually, none of the money was returned to them and Om claimed that they were owed 50,000 rupees (US\$ 500) by the dubious *thekedar* who had now absconded. This was a difficult story to verify and not everyone who had listened to Om’s frustrations when he recounted his story more than a month later accepted it at face value: were there not advances paid by the *thekedar* and if not, why were they foolish enough to trust him? And while a salary at just over 8,000 rupees (US\$ 80) for one month’s work was too little, the demand that labourers pay for material, on the other hand, sounded strange and extravagant. Yet Om’s narrative immediately points to two reigning problematics in the relationships between labourers and their employers: one is the ‘absent presence’ of the middlemen who hire them. They are there and then they are suddenly gone; or, if they are still within reach, it is impossible to ‘catch’ them or to make arrangements with them to pay up what they owe. Labourers have repeatedly recounted a sense of exasperation at the difficulties with settling scores because the party who hired them—and now owes them money—is evading them either physically or by mere ‘empty’ talk (*gaffadi*). The other problematic concerns the arithmetic of pay. Something in Om’s calculations does not add up: the figure is too neat for detailed calculations; the salary is oddly low and the question of materials unresolved. I had asked him to specify these amounts and volunteered to break down the calculations but Om immediately lost count, and interest, too. The point was not exactly how the numbers added up but the fact that he had been cheated and now had no money to send his family.

Behind this number game lie important questions about labour mobilisation and utilisation. It was not uncommon for labourers to lose count of the calculations behind their livelihoods, reflecting different regimes of counting between owners of capital and of labourers. The former employs a price-model registering material accomplishments, such as the building of a single-brick wall at a certain height with a specified price per square feet. From the builder’s perspective, this makes perfect sense: the erection of a piece of infrastructure can be broken down into so many separate construction processes each with their own measurements and material quality. This is a builder’s blind spot: it sees only, or almost onlyⁱⁱⁱ, the infrastructure—first in anticipation as a model, then as a series of steps

whose progression can be measured against the model, and then finally as an independent and finalised structure. Labour is, again, invisibilized from this perspective.

But from the perspective of labour, this is an odd, non-intuitive and even faulty way of reckoning because it abstracts from the real-life conditions where work often takes much longer and is hampered by all sorts of unforeseen obstacles that prolongs its execution. Most importantly, however, labourer's calculations start from a livelihood perspective in which they seek to understand how much they can earn in a given period through particular forms of labour. Surveys conducted throughout the southern plains in 2014 from where the majority of construction workers in Kathmandu hail have shown that poverty and unemployment constitute the two most pressing problems in the area (Hachhethu, 2015), highlighting the importance that urban labourers attach to their sources of income. Consequently, all the detailed and intricate calculations on remuneration among labourers take into account exactly which skills are needed, the length of the working day and also the length and stability of the contract. They know, and constantly negotiate and revise, the prices to be expected for different categories of work with (female) 'helpers' ranging lowest and (male) plumbers highest. As a consequence, they can calculate quite accurately their monthly salaries and knowing very well their expenses, are acutely aware of how much they can—or cannot—save. The majority of construction workers in Kathmandu, as in other large cities in India and China (Suresh, 2010), are migrant workers and they have chosen Kathmandu and this line of work because of its relative attractiveness. How well they are paid and how secure their income is, is therefore of the utmost importance. To them, the price setting of builders is a mystification that obscures, and subsumes, the prices they seek, and demand, for their labour-power.

Jane Guyer has theorised this transaction between different scales of value as a 'conversion' that allows for the accumulation of 'marginal gains' (Guyer, 2004). *Thekedars* are exactly those groups of persons who understand both price regimes and who are able to negotiate between the demands of builders and of labourers—for a price of course. They fix a price with a builder for the construction of a particular object by translating the work (and in some cases materials) necessary into hours and days of labour-power of such-and-such a quality. Unlike in Guyer's examples where conversions occur between qualitatively different forms of valuation—numerical, material and cultural (what she terms 'nominal')—the translation taking place in construction in fact uses the same scale of quantified prices but applies it to radically different material; in Marx's terms the difference between 'dead' and 'living' labour. This is not an entirely invisible calculation, however. Because nobody trusts anybody in this informalized value-chain, builders make their own calculations and will try and lower both the numbers of hours and the daily price for the labour needed while the *thekedar*, unsurprisingly, will seek to keep these figures as high as possible as any reduction will be eating into his (rarely her) profit. So, the *thekedar* may have negotiated a contract involving a *mistri*—or skilled—worker for 1,200 rupees per day with helpers for 800 and will then seek labourers that are willing to be paid 1,000 (for *mistri* work) and 600 (as 'helper').

Labourers know this and largely accept its validity—many of them double as *thekedars* when they can get the chance—but they are deeply suspicious of *thekedars*' willingness to pay what they owe, understanding all too well the shifting grounds between loyalty and profit that penetrate at every level of this industry, and in which they also take part. Labourers' suspicion of *thekedars* thus reflects a more generalised critique about being at the receiving end of others' calculations. They expect foul

play and readily share stories with each other over the cunning ways in which they are constantly being cheated. After Om's bad experience with the runaway contractor, he had taken work in a homeowner's house where he was helping build a parking lot. For this, he received Rs. 600/day. After 8 days, he had only received Rs. 2,600 instead of Rs. 4,800 and when he finished after 12 days, he had been paid Rs. 4,000 through the owner's son as an intermediary. Now, Om was chasing the owner to get the remaining 3,200 rupees with the help of another labourer from the labour stop but without immediate success. Labourers therefore hardly make the distinction between different categories for mediating personnel, as they are all both potential sources of income and potential exploiters. Labourers negotiate work with anything from individual home owners, local 'petty' *thekedars*, professional jobbers and even occasionally small-time contractors looking to escape the middling layers. However, they share an equal suspicion of anyone who hires them because the informal character of the contract that creates endless rounds of negotiations in which labourers feel largely powerless in staking their claims.

Brokering Labour

Oddly, the cultural identities of construction workers seems to have only little impact on access to and experiences of labor in Kathmandu. While there exists a deep-seated historical division in Nepal between *parbatiya* 'hill-caste' Hindus and the diverse low-land Terai groups which have recently organized politically around a common, if strained, Madesh identity, it was regional affiliation rather than ethnicity or caste which mattered for the formation of particular labor gangs. Since migrants' entry to the city routinely happened through connections in rural areas, workers continued to build on these regional networks in their struggle to find adequate employment but these relations often cut across caste distinctions. Unlike the situation described by Mallika Shakya for the garment industry where ethnicity was occasionally used to divide the work force (Shakya, 2018), construction workers' affiliations were more fluid, maybe in reflection of the fact that they were, as T.G. Suresh has claimed for Chinese construction workers, "demobilized" populations who are "unattached to any spatial, institutional or cultural unit" (Suresh, 2010: 437).

This fluidity can also help explain the rather loose relationships between workers who were all on their own individual schedules of work and patterns of movement to and from the city with few bonds of loyalty between them and jobbers. Om's experience of being cheated on the hands of more powerful builders and middlemen through a combination of informal agreements, absconding, endless negotiations and specialised calculations reflect the more generalised class dynamics of the building industry with its sharp divisions between the spaces of planning and realisation of value on the one hand, and the spaces of labour utilisation through informalised markets on the other hand. Labourers' critique of the class-based nature of the construction industry are as such similar to the criticism registered by Andrew Haxby (2017) against elite planners by middle-class house-owners in the Kathmandu real estate markets. What appears to be relations of supply and demand with regards to real estate prices, he argues, should rather be understood as indexes of elite control. As here, the problems of speculative investments and lack of oversight benefit in particular powerful groups who are able to manipulate interest rates, building by-laws or the non-implementation of labour laws to the detriment of labour, which sits at the bottom of the construction hierarchy. Builders' power in granting or withholding pay is similarly experienced by labourers as matters of control, and their

critique is directed not as much against the idea of markets as such, as against middlemen and owners' power to escape agreed upon rates for work and thus their power, in fact, to escape market justice.

It is therefore maybe not so surprising that labourer's efforts at carving out a space of agency within a system where they have little control over payments involve efforts at distancing themselves from employers' grips of power by brokering their own labour power.^{iv} Sushil Magar is a well-known face around one of the popular labour stops, originating from Sirahat district in the Terai and with a long and colourful labour history in different lines of work since he left home for Punjab at the age of 12. He has worked in Kathmandu's construction industry for the past 6 years and works variously as mason, helper or jobber depending on the opportunities that arise. While he has been cheated on several occasions and speaks badly about both *thekedars* ("they always run away") and homeowners ("anyhow they are cheaters"), he lost his entire salary of 20,000 rupees around two years ago to a *thekedar* who had been paid Rs. 60,000 for construction work and then left with it all (*taagera bhaagy*). As a consequence, Sushil prefers shorter contracts where the loss, in case of being cheated, is reduced. Moreover, a short contract creates a shorter cycle of work-to-wages, reducing the risk of extended negotiations and complicated calculations. Like others, Sushil therefore prefers condensed work-arrangements lasting just a few days or maybe one or two weeks. But in such cases, pay should be forthcoming every 2-4 days, and if not the *thekedar* is not to be trusted and one should rather leave immediately than risk working for free.

While each labourer's experience with being cheated is unique, the strategies for dealing with the insecurity of pay are shared throughout labour pick-ups and result in generalised patterns of brokerage. Labourers, in general, will opt for short and manageable contracts where they can monitor the behaviour of the hiring party and quickly terminate work if suspicion arises of faulty play. Sushil's "rule" of expecting regular payment rather than a lump sum at the end is a way of testing this relationship. One of the important functions of the labour stops, in this regard, is to facilitate the sharing of stories about 'bad' *thekedars* and this, in turn, puts a great pressure on *thekedars* who use the stops as hiring grounds to quench evil rumours and manage their reputations.

To make up for the insecurity of employment when contracts are short—which they are as a rule in either case—labourers spend a great amount of time securing alternative jobs, so that it is not uncommon for successful masons to have several contracts at the same time which then allows them to hire labourers on their own. With multiple sources of income, they are less dependent on any one employer and can moreover use their other contracts as points of leverage in negotiations. Labourers who are successful in running parallel jobs—and this requires the experience and position that Sushil has gained after many years in the business—therefore acquire a certain level of independence as workers and will skilfully seek to negotiate the conflicting demands placed on them by employers and their middlemen so as to avoid being cheated. Om—who frustratingly observed the cynical game at the bottom of this industry—referred to it as a mixture of gambling and greediness, which he was very critical of, having spent most of his working life as a farmer in Bara district of Terai. He reasoned that if the brokering of construction work is a gamble then he might as well gamble properly and his plan was to sell off parts of his land—the exact opposite strategy of Sushil who was in turn adding to his land stock—and buy a bus to ply the crowded Ring Road around Kathmandu. For Om it was difficult to stomach the power that money transactions played in the working life of urban informal labourers—"there is money involved in every transaction in the city and this creates greediness", he

reflected—but Sushil had internalised this insecurity and learned to wield the weapon of informality in his favour by creating his own strategies of brokerage. It is therefore unsurprising that from the perspective of homeowners in the construction industry, labourers are often seen as irresponsible and known to run away from their jobs. The different perspectives of ownership and labour, with its frequently opposed interests for calculating value, reflect the ambiguous zones of power characterising negotiations over work and pay.

Labourer's strategies for dealing with their precarious employment situation are not only about handling a complicated 'greedy gamble' but express a wider desire to escape the punitive control of powerful employers, whether these are homeowners, jobbers or *thekedars*. This is in line with a more general assertiveness of labour in Nepal in the context both of the Maoist political struggle against deep caste and class hierarchies (Hoffmann, 2015) and the loosening grip of feudal patronage (Sharma and Donini, 2012), and which for informal urban laborers has opened up a space of critique as well as a critical distancing from traditional practices of subjection. The power that Sushil had acquired in juggling multiple work offers—though he complained more often of too little than too much work—thus allowed him to escape the everyday power of employers and their labour 'regime'. If he found work in one location abusive, he could—and often did—quit on the spot. It also provided him with the space for pronouncing a vocal criticism against one *thekedar*, for instance, whom he accused of ordering him around despite the fact that it was Sushil who had supplied most of his workers. Likewise, Sushil did not accept work on scaffolds that he considered too dangerous, and he was able to state this openly as a 'policy' of protection.

Possibly more significantly, Sushil and other labourers strove to gain control of their own time by choosing which days to work and taking days off when they felt overstretched, or if there were urgent errands they had to make for family and friends, or indeed, if they just felt like relaxing and hanging out with other labourers. Labour stops were also places of socialising, for sharing stories in the morning and a drink in the evening, and both Om and Sushil found pleasure in occasional drinking, though for different reasons: Om claimed it helped him drown his sorrows and Sushil that it helped him relax after a strenuous working day. Yet, they, as many others, deliberately took time off when work became too much. I particularly remember one morning when I met Sushil whistling and full of energy, and I was puzzled because the night before he had told me that he needed to leave at 6 in the morning for work. "What happened?", I asked. "I decided to take the day off and drink. Today I just feel like relaxing". This kind of skulking, I would suggest, may be read on one level as a safety valve through which laborers are able to concretely negotiate spaces of leisure. On another level, it can also be read as a form of critique, even if not directly voiced, of a punitive labor regime, though it is important to be wary of not overstating the case. Either way, the situation reflects, as also highlighted by Sharma and Donini, a context in which labourers feel both free and powerful—despite their general subjection to commodification processes. Despite a context in which work was more often lacking than overwhelming and where making ends meet was a continuous hassle for labourers—and one reason why Om had decided to leave this field of employment altogether—labourer's ability to carve out a tiny space of independence points to the fractured experiences of informality and the constant work required by laborers to secure access to a stable income.

Conclusion

In recent decades, Nepal's labor regime has been undergoing a transformation characterised by a rural exodus to international migration destinations. Changing urban economies with Kathmandu as a central node for foreign investments, however, have also seen the growth of new employment configurations in which migrant populations have been differentially and unevenly integrated. For economic anthropologists this raises the question of how relations of production become reorganised with the arrival of new population groups and what happens to labor as a social relation in the process. I have highlighted the role that markets for day labor plays in mediating workers' access to waged income and the complications that arise from outsourced and informal work arrangements which increases laborer's risk of losing their earnings. I think it is important not to lose sight of this structural component of subcontracting processes in informalised employment. For the poor labor-active population in Nepal, a major problematic concerns the lack of stable wage opportunities with the precariatized majority struggling to become employed. This has created a situation where labor markets themselves become sites of struggle and open up an interesting field of study, which can supplement and combine the burgeoning anthropological literature on markets in general with the more established field of labor anthropology. I have suggested that labor markets should be seen as social spaces where trust relations are constantly negotiated and different regimes of counting introduce schisms between jobbers and workers with the result that the latter seek to broker the terms of their labor, though with varying results. Maybe, then, an attention to the politics of markets will help us unravel the complex of interests and power relations through which economic and cultural values intersect, are reproduced and provide a contextualised understanding of political struggles over labour, livelihood and value.

ⁱ I draw here in particular on the work by David Harvey (2001) and the excellent appropriation of the spatial perspective on capitalism in more grounded empirical work (Whitehead, 2012).

ⁱⁱ After the 2015 earthquakes and the introduction of a new building code, the state has stepped up its regulation of residential building construction though this has so far had little impact on labor relations on the ground.

ⁱⁱⁱ The industry-wide standard for calculating building expenses is the BOQ – Bill of Quantities – which documents the total price for a single unit and this does in fact include labor costs. But for the Nepal case the price for labour is only a fraction of the total unit costs, as they are dwarfed by expensive material, machinery and overhead charges. For most units, labor does not amount to more than 5% of the total building expenses.

^{iv} Such acts of resistance recall Darren Thiel's analysis in his study of British construction workers (2013) who through 'dissing', 'blagging' and 'wagging' developed informal cultures as positions of autonomy against industrial managers.

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