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Edited by Yossi Dahan, Hanna Lerner and Faina Milman - Sivan

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Introduction

YOSSI DAHAN, HANNA LERNER, AND FAINA MILMAN-SIVAN

On Tuesday, April 23, 2014, workers at the eight-story-high Rana Plaza building near Dhaka, the capital of Bangladesh, were asked to evacuate the premises, as cracks had appeared in the walls of the upper floors. The building's top four floors, which housed several garment factories, had been illegally built on the original structure, designed to serve as office space and a shopping mall.¹ These factories manufactured clothes for European and American brands such as the US-based Wal-Mart, Italian Benetton, Spanish Mango, and British Primark and Bonmarche. Despite still-visible cracks in the building's walls, the workers in the garment factories were told to come in to work the next day, some even threatened with pay cuts if they refused,² as opposed to employees at the Brac Bank, located on one of the building's lower floors, who were instructed not to return to work. On the next day, Wednesday, April 24, 2013, the Rana Plaza building collapsed. Of the 3122 factory workers who were in the building at the time,³ 1135 were killed and hundreds injured.⁴ Many had been rescued only after being trapped under the rubble for days. It was the largest safety disaster in the history of the garment industry worldwide.⁵

¹ David Bergman and David Blair, "Bangladesh: Rana Plaza Architect Says Building Was Never Meant for Factories," *The Telegraph*, May 3, 2013.

² Arun Devnath and Mehul Srivastava, "'Suddenly the Floor Wasn't There' Factory Survivor Says," *Bloomberg*, April 25, 2013; Refayet Ullah Mirdha and Sajjadur Rahman, "Workers Forced to Join Work," *The Daily Star*, April 23, 2013.

³ The number of laborers present in the factories at the time of the collapse was reported by Bangladesh Garment Manufacturers and Exporters Association President Mohammad Atiqul, www.itv.com/news/update/2013-04-25/case-filed-against-owners-of-collapsed-building-in-dhaka/.

⁴ The death toll figures are from ILO, "One Year after Rana Plaza: Progress and the Way Forward," April 24, 2014. See: www.ilo.org/dhaka/Informationresources/Publicinformation/Pressreleases/WCMS_241591/lang-en/index.htm. See also Rana Plaza Arrangement, Coordination Committee, www.ranaplaza-arrangement.org/.

⁵ This surpassed such disasters as the 1911 New York Triangle Shirtwaist factory fire, in which 146 workers were killed, as well as more recent tragedies, such as the September 11,

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With a minimum wage for garment workers standing at roughly \$37 per month, Bangladesh, the second-leading garment exporter in the world, has the world's lowest labor costs in this area of production. In 2013, there were more than 5000 garment factories operating in Bangladesh, employing over 3.2 million workers – many of them women.⁶ Labor unions are almost non-existent in Bangladesh, with labor activists suspiciously subject to persecution and torture.⁷ The collapse of the Rana Plaza was a particularly tragic event in a series of factory disasters in the Dhaka area. In 2005, 64 workers had died and eighty others had been injured in the collapse of the Spectrum garment factory near Dhaka; in 2012, 29 workers had died in an electrical fire in a sportswear factory that supplied clothing for Western brands including Target, Gap, and JC Penney; and only five months prior to the Rana Plaza incident, 112 workers had died in a fire in the Tarzeen garment factory in Dhaka, which manufactured products for Wal-Mart and Sears.⁸

But not only was the Rana Plaza incident the deadliest in a long line of disasters caused by safety sub-standards, it may also have been a turning point in the history of sweatshops. In its aftermath, private transnational corporations collaborated, for the first time, with international labor rights organizations in an effort to prevent such disasters in the Bangladeshi garment industry in the future. In the wake of the extensive media coverage of the building's collapse, nearly 200 international apparel companies, retailers, and brands based in Europe, the US, Hong Kong, and Australia signed two agreements, known as “the Accord” and “the Alliance,” aimed at improving safety conditions in garment factories in Bangladesh.⁹ In addition, financial arrangements were made to provide some compensation to the families of the Rana Plaza victims. In late 2013, representatives from the Bangladeshi government, local and international garment industries, trade unions, and non-governmental

2012, fires in two different factories in Pakistan, the one a textile factory in Karachi, and the other, a shoemaking factory in Lahore, which killed 260 people.

⁶ Julfikar Ali Manik and Jim Yardley, “Building Collapse in Bangladesh Leaves Scores Dead,” *The New York Times*, April 24, 2013.

⁷ In April 2012, Aminul Islam, a labor organizer involved in protests against the low wages in Bangladesh's garment industry, was found dead on the outskirts of Dhaka with signs of torture on his body. Julfikar Ali Manik and Vikas Bajaj, “Killing of Bangladeshi Labor Organizer Signals an Escalation in Violence,” *The New York Times*, April 9, 2012.

⁸ “Timeline: Deadly Factory Accidents in Bangladesh,” *CBS News*, October 9, 2013, (last visited November 21, 2014).

⁹ The Accord on Fire and Building Safety in Bangladesh, <http://bangladeshaccord.org>, and the Alliance for Bangladesh Worker Safety, www.bangladeshworkersafety.org.

organizations signed the Understanding for a Practical Arrangement on Payments to the Victims of the Rana Plaza Accident and their Families, known as “the Arrangement,” establishing an independent system for providing support to the victims of the accident, their families, and dependents in line with ILO standards.¹⁰ Such collaboration between private corporations, the Bangladeshi government, and international organizations represents an innovative approach to advancing safety standards in Bangladeshi sweatshops. However, the agreements, most notably, the Accord and Alliance, were limited to a five-year period, with no legal obligation to extend them. They are, therefore, constrained in their ability to address the structural, legal, and political problems with labor rights in Bangladesh.

The need to re-examine the normative foundations of the existing regulations and implementation of international labor standards emerged strongly following the Rana Plaza disaster and ensuing regulatory developments, particularly given the distinct role played by foreign corporations in shouldering the responsibility for labor standards. Who should be responsible, both morally and legally, for remedying unjust labor conditions and protecting workers’ labor rights? To what extent and in what capacity should transnational organizations, for example, be engaged in generating and enforcing international labor standards? What moral and legal obligations should individuals and international institutions bear toward workers who reside and work in foreign countries? Is there any democratic way to generate, regulate, and enforce labor standards in a global labor market? Addressing these questions is the main purpose of this book. In doing so the book takes a unique approach, aiming at combining two research perspectives that are generally studied separately: the normative-philosophical discussion of global justice and the empirical-legal research on international labor law. By focusing on international labor as a particular sphere of justice and concretizing the abstract theories of global justice through the empirical and legal reality of international labor regulation, the book seeks to advance both the contemporary philosophical debate on global justice and the legal scholarship on international labor.

A growing number of legal scholars have recognized, in recent years, the need to bridge the gap between international labor law and normative theories of justice so as to better contend with the challenges faced by workers in today’s global economy. Law experts increasingly acknowledge

¹⁰ For the details of the Arrangement, see www.ranaplaza-arrangement.org/.

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the imperativeness, in the global era, of a re-conceptualization of the normative framework and justification of labor law through the prism of theories of justice.¹¹ The reality of economic globalization created new conditions that impede the realization of labor standards that evolved throughout the nineteenth and twentieth centuries within the political framework of the nation-state. The emergence of transnational corporations (TNCs), the growing complexity of global production chains, the dwindling capacity of states to regulate and enforce labor standards, and the increasing insecurity of workers in the global era have been analyzed by labor law scholars in such terms as “governance gap” and “deterritorialization of labor law.”¹² The new reality of economic globalization raises many persistent broad normative questions about the principles of justice that should ground the regulation, on both the national and transnational levels, of the complex relationships between the different actors and institutions that participate in the global labor market.

Philosophical theorists of global justice have also begun to recognize the need for greater focus on the empirical reality of economic globalization. As Christian Barry and Thomas Pogge have noted, “With few notable exceptions, theorists of global justice have focused on individual obligations to donate for the distant needy, on unspecified duties of affluent states to assist poor countries, or on generic and abstract ‘duties of justice’ to promote fairer global rules and institutions . . . This has led, unsurprisingly, to accounts of normative responsibilities with respect to

¹¹ Brian Langille, “What Is International Labour Law For?” *Law and Ethics of Human Rights* 3 (2009): 47–82; Brian Langille, “Putting International Labour Law on the (Right) Map,” in *Social Regionalism in a Global Economy*, eds. Adelle Blackett and Christian Levesque (New York: Routledge, 2011), 290; Brian Langille, “Imagining Post Geneva Consensus Labour Law for Post Washington Consensus,” *Comparative Labour Law and Policy Journal* 21 (2010): 523; Adelle Blackett, “Situated Reflections on International Labour Law, Capabilities, and Decent Work: The Case of Centre Maraîcher Eugène Guinois,” *Revue Québécoise de Droit International* (2007): 223; Judy Fudge, “The New Discourse of Labor Rights: From Social to Fundamental Rights,” *Comparative Labor Law and Policy Journal* 29 (2007): 29–66; Supriya Routh, *Enhancing Capabilities through Labour Law: Informal Workers in India* (London and New York: Routledge, 2014); Jude Browne, Simon Deakin and Frank Wilkinson, “Capabilities, Social Rights and European Market Integration,” in *Europe and the Politics of Capabilities*, eds. Robert Salais and Robert Villeneuve (Cambridge: Cambridge University Press, 2004), 205–221; Kevin Kolben, “A Development Approach to Trade and Labor Regimes,” *Wake Forest Law Review* 45 (2010): 358; Alan Bogg and Cynthia L. Estlund, “Freedom of Association and the Right to Contest: Getting Back to Basics,” New York University Public Law and Legal Theory Working Papers (2013). Paper 439.

¹² See, e.g., Guy Mundlak, “De-Territorializing Labor Law,” *Law and Ethics of Human Rights* 3 (2009): 189–222.

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global justice that have tended to be thin, obscure, and sometimes rather unrealistic.”¹³ This observation is particularly forceful with regard to the global labor market and the working conditions in global chains of production. A few recent – exceptional – studies have attempted to bridge the gap between the normative discussion of global justice and the empirical reality of international labor, by proposing political and institutional reforms to contend with violations of basic labor rights and labor standards in the developing world.¹⁴ However, for the most part, the global justice discourse tends to refrain from a detailed analysis of the morality of the global labor market.¹⁵

Bridging the existing gap between the normative-philosophical discussion of global justice and the empirical-legal reality of international labor is the central aim of this book. To this end, we invited experts in international labor law, philosophy, political theory, and public policy to consider, both conceptually and empirically, the various ways in which contemporary theories of global justice can either serve as an alternative foundation for international labor law or highlight the need to rethink certain aspects therein. The essays in this book thus take a fresh look at the normative assumptions on which international labor regulations – existing and proposed – are grounded. Our hope is that the normative analyses offered by the authors will provide practical insight for bolstering international labor standards and workers’ rights across the globe. For despite the growing global consensus on the need to ensure minimal labor standards (in the area of child labor and safety and health

¹³ See Christian Barry and Thomas Pogge, “Introduction,” in *Global Institutions and Responsibilities: Achieving Global Justice*, eds. Christian Barry and Thomas W. Pogge (Oxford: Blackwell, 2006), 1–2.

¹⁴ Christian Barry and Sanjay G. Reddy, *International Trade and Labour Standards: A Proposal for Linkage* (New York: Columbia University Press, 2008); Iris Young, “Responsibility and Global Labor Justice,” *The Journal of Political Philosophy* 12, no. 4 (2004): 365–388; Kate Macdonald, “Re-thinking ‘Spheres of Responsibility’: Business Responsibility for Indirect Harm,” *Journal of Business Ethics* 99, no. 4 (2011): 549–563; Aaron James, *Fairness in Practice: A Social Contract for a Global Economy* (New York: Oxford University Press, 2012); Mathias Risse, *On Global Justice* (Princeton, NJ: Princeton University Press, 2012). While there is a large body of literature on the subject of exploitation and sweatshops, much of it fails to address in detail the existing legal rules and regulations and the economic circumstances of the contemporary international labor market. For an extensive review of this literature, see Jeremy Snyder, “Exploitation and Sweatshops Labor: Perspectives and Issues,” *Business Ethics Quarterly* 20, no. 2 (2010): 187–213.

¹⁵ For detailed criticism along these lines, see: Yossi Dahan, Hanna Lerner and Faina Milman-Sivan, “Global Justice, Labor Standards and Responsibility,” *Theoretical Inquiries in Law* 12, no. 2 (2010): 117–142.

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conditions, for example), millions of workers continue to work in horrific conditions.

A grim reality

The past two decades have witnessed a significant drop globally in the estimated number of working poor, who are defined as living on less than US\$2 for each household member per day.¹⁶ Nevertheless, over half of the world's workers – more than 1.5 billion people – still work in vulnerable, contingent jobs: They are low-paid; their fundamental rights are not protected; and they have little or no security in the event of unemployment or the materialization of personal risks. The most acute social and employment challenges remain in South Asia and Sub-Saharan Africa, where 75 percent of the workers are employed in contingent labor. Moreover, the reduction in poverty rates has not been accompanied by a parallel decrease in the rate of informal employment, a sector with insufficient protection of working conditions by law or in practice through formal legislation or labor agreements.¹⁷

Across the world, core labor rights, which are considered by many to be basic human rights, are blatantly violated. While there is wide acknowledgment that child labor must be abolished, in 2012, 168 million children around the world, which is 10.6 percent of children worldwide, were still involved in child labor. Eighty-five million children engaged in “hazardous work,” which includes, for example, small-scale mining and quarrying, where the children endanger their health by carrying heavy loads for long hours, setting explosives, and inhaling harmful

¹⁶ In 2013, 839 million workers were found to be below this working poverty line, with 375 million workers subsisting on US\$1.25 a day or less. These figures, which represent 26.7 percent and 11.9 percent respectively of the world's workers, are considerably lower than the figures from the 2000s: 1.1 billion workers and 600 million workers, respectively. See: International Labour Organization (ILO), *Global Employment Trends 2014, Risk of Jobless Recovery?* 12 (Geneva: ILO, 2014). In addition, roughly a quarter of all workers in developing regions are classified as “near poor,” meaning subsisting on between US\$2 and US\$4 per household member a day. This has remained roughly unchanged since 2004. See: International Labour Organization (ILO), *World of Work Report, Developing with Jobs* 7 (Geneva: ILO, 2014).

¹⁷ International Labour Organization (ILO), *Conclusions Concerning Decent Work and the Informal Economy, International Labour Conference, 90th Session* (Geneva, 2002). Informal employment rates remain at levels of 70 percent or more of total employment in the low-income Andean and Central American countries and at 90 percent or more in some of the South-Asian and Southeast-Asian countries. International Labour Organization (ILO), *Global Employment Trends 2014, Risk of Jobless Recovery?* 13 (Geneva: ILO, 2014).

dust while crawling through narrow tunnels.¹⁸ There are an estimated one million children working in the mining industry, where they are often exposed to dangerous toxins, such as lead and mercury, while mining diamonds, gold, and precious metals in Africa; gems and rocks in Asia; and gold, coal, emeralds, and tin in South America.¹⁹

Despite the media coverage that industrial disasters such as the Rana Plaza collapse tend to receive, poor health and safety labor conditions continue to be widespread across the globe. Some 2.3 million workers die annually from workplace-related accidents and illnesses.²⁰ The majority of work-related health hazards remain prevalent in developing countries, where many of the dangerous economic sectors are located, such as the agriculture, mining, and fishing industries.

The extent to which the right to be free from forced labor is violated worldwide is similarly alarming. In 2012, the International Labour Organization (ILO) estimated that nearly 21 million people are victims of forced labor globally.²¹ This includes women and girls who are sold into prostitution and vulnerable migrant workers who are forced to work in harsh conditions when their passports are taken from them or out of fear of deportation.

Women continue to be overwhelmingly discriminated against, relative to men, in the global labor market. According to the 2013 ILO Equal Pay Report, the global earnings gap between male and female workers stands at 22.9 percent. The report moreover found that the greater the proportion of women workers in a job category, the lower the earnings for all workers across both genders in that job.²² Many of the production workers employed in Global Supply Chains (GSCs), but particularly women in developing countries, are employed in appalling conditions, working unrestricted hours and without even the most minimal safety and health conditions.

¹⁸ International Labour Organization (ILO), *Global Child Labour Trends 2008 to 2012* (Geneva: ILO, 2012).

¹⁹ International Labour Organization (ILO), *World Day Against Child Labour 2005: A Load Too Heavy: Child Labour in Mining and Quarrying*. See: www.ilo.org/ipec/Campaignandadvocacy/wdacl/2005/lang-en/index.htm.

²⁰ XX World Congress for Safety and Health at Work in 2014, *Safety and Health in Work, A Vision of Sustainable Prevention 3* (International Labour Organization et al., 2008).

²¹ International Labour Organization (ILO), *Global Estimate of Forced Labour Results and Methodology* (Geneva: ILO, 2012b).

²² International Labour Organization (ILO), *Equal Pay, An Introductory Guide* (Geneva: ILO, 2013).

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Freedom of association and the right to organize and bargain collectively are still significantly restricted in significant parts of the world. In 2014, workers in at least 53 countries were either dismissed or suspended from their work for attempting to negotiate better working conditions through collective representation.²³ Governments in at least 35 countries arrested or imprisoned workers as a tactic to prevent collective representation, and in nine of those countries, murder and unexplained disappearances of workers were used as means of intimidation.²⁴

Violations of labor rights are not unique to the developing world. In developed countries, workers are still struggling to rebound from the severe social and employment impacts of the 2008 world financial crisis, lagging well behind the prompt corporate recovery.²⁵ In conjunction with the pressures created by processes of economic integration, these effects have contributed to the increase in wage competition and inequality and dwindling of union density, which are the backdrop to the deterioration in workers' conditions in the developed world. In addition, developed states have witnessed intensified migration patterns in recent years, with growing number of migrant and offshore workers entering their borders.²⁶ One of the most troubling consequences of this development is that in many countries, workers who are not recognized as citizens of the state – such as migrant workers – are only partially or not at all protected by the domestic labor laws.²⁷

²³ International Trade Union Confederation (ITUC), *Global Rights Index, The World's Worst Countries for Workers 5* (2014).

²⁴ *Ibid.*

²⁵ "Wages and Salaries Are Still Lagging as Corporate Profits Surge," Op-ed, *New York Times*, August 31, 2014.

²⁶ There are an estimated 232 million migrants workers around the world. United Nations, *The Number of International Migrants Worldwide Reaches 232 Million*, Department of Economic and Social Affairs, Population fact No. 2013/02 (2013), http://esa.un.org/unmigration/documents/The_number_of_international_migrants.pdf. See also, Standing Guy, *The Precariat, The New Dangerous Class* (London: Bloomsbury, 2011).

²⁷ The ILO's International Labor Migration Survey revealed that fewer than half of the countries surveyed had national legislation that ensures some form of protection against discrimination at work for migrant workers. In Kuwait and Saudi Arabia, for example, the national social and labor laws do not apply to migrant workers. See: Stephanie Grant, "International Migration and Human Rights" (paper prepared for the Policy Analysis and Research Programme of the Global Commission on International Migration, September 2005); see also: Office of the UN High Commissioner for Human Rights, "Migration and Development: A Human Rights Approach," www2.ohchr.org/english/bodies/cmw/docs/HLMigration/MigrationDevelopmentHC%27spaper.pdf (last visited February 19, 2013).

Regulating labor in a global economy: a matter of justice?

With the decline in states' ability to enforce labor standards, international and regional public institutions, civil society organizations, and even private actors have stepped in to develop regulatory reforms that advance labor standards in the globalized economic reality. One endeavor, undertaken by the ILO, was the 1998 Declaration on Fundamental Rights at Work, known as the "Social Declaration," which prioritized a narrow list of core labor rights: (1) freedom of association and an effective right to collective bargaining; (2) the elimination of all forms of forced or compulsory labor; (3) the effective abolition of child labor; and (4) the elimination of discrimination in respect of employment and occupation. These four core rights were incorporated into most bilateral and multilateral trade agreements that have since followed the Declaration.²⁸ Nevertheless, as described above, these rights are consistently violated across the globe. Moreover, the focus on only four core rights has been criticized as too narrow and as compromising other ILO standards.²⁹

Perhaps the most intriguing regulatory development was the advancement of self-regulation by corporations.³⁰ In response to pressure from international labor rights NGOs and civil society organizations, in the 1990s TNCs began to formulate voluntary codes of conduct outlining standards they expect of their suppliers with regard to the labor rights of production workers.³¹ In line with Corporate Social Responsibility (CSR),

²⁸ Khalid Nadvi and Frank Wältring, *Making Sense of Global Standards*, INEF Report 58 (Duisburg: Institut für Entwicklung und Frieden, Gerhard-Mercator University, 2012): 35; Kevin Kolben, "Integrative Linkage: Combining Public and Private Regulatory Approaches in the Design of Trade and Labor Regimes," *Harvard International Law Journal* 48 (2007): 203–256; Bob Hepple, *Labour Laws and Global Trade* (Oxford: Hart, 2005); Steve Charnovitz, "The Labor Dimension of the Emerging Free Trade Area of the Americas," in *Labour Rights as Human Rights*, ed. Philip Alston (New York: Oxford University Press, 2005), 13; Brian A. Langille, "Core Labour Rights – The True Story (Reply to Alston)," *European Journal of International Law* 16 (2005): 409–437. It has similarly played a positive role in the self-regulation in global labor governance. See, e.g., Anke Hassel, "The Evolution of a Global Labor Governance Regime," *Governance* 21 (2008): 231–251.

²⁹ Philip Alston, "Core Labour Standards' and the Transformation of the International Labour Rights Regime," *European Journal of International Law* 15, no. 3 (2004): 457–521; Judy Fudge, "New Discourse of Labor Rights".

³⁰ These are merely two examples out of a variety of regulatory initiatives undertaken on the national, regional, and international levels in the last decades in the search of reinventing labor law.

³¹ Harry Arthurs, "Reinventing Labor Law for the Global Economy: The Benjamin Aaron Lecture," *Berkeley Journal of Employment and Labor Law* 22, no. 2 (2001): 271–294; Tim Bartley, "Institutional Emergence in an Era of Globalization: The Rise of Transnational

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these TNCs developed a variety of monitoring and auditing mechanisms to ensure suppliers' compliance with various rights, including labor rights, within their supply chains. In addition, international public institutions, such as the UN, have formulated general guidelines for TNCs to voluntarily self-regulate their business conduct. This includes the UN Global Compact, launched in 2000, and then subsequently, the Guiding Principles on Business and Human Rights, endorsed in 2011 by the UN Human Rights Council. Studies of international labor regulations, however, have shown that these voluntary regulatory initiatives have had only limited effectiveness.³²

While international human rights organizations, legislators, and social activists across the world search for new and more effective ways to protect workers' rights, there are those who have voiced scepticism regarding the actual need to re-regulate labor relations in the global economy. Some have argued that the abysmal working conditions in the developing world are better than the other alternatives many workers have. In this vein, prominent economist Jeffrey Sachs has stated, "My concern is not that there are too many sweatshops, but that there are too few." He contends that the subsistence-wage jobs are what will get workers in Africa out of poverty.³³ Similarly, Paul Krugman has argued that sweatshops have led to a measurable improvement in the lives of ordinary people in the developing world, partly because they offer their workers better wages than they could get elsewhere, but also because the growth of these export industries has a ripple effect on the entire economy in these countries. "The pressure on the land becomes less intense, so rural wages rise; the pool of unemployed

Private Regulation of Labor and Environmental Conditions," *American Journal of Sociology* 113, no. 2 (2007): 297–351; Dara O'Rourke, "Outsourcing Regulation: Analyzing Nongovernmental Systems of Labor Standards and Monitoring," *The Policy Studies Journal* 31 (2003): 1–29; Adelle Blackett, "Global Governance, Legal Pluralism and the Decentered State: A Labor Law Critique of Codes of Corporate Conduct," *Indiana Journal of Global Legal Studies* 8, no. 2 (2001): 401–447; Gay Seidman, *Beyond the Boycott: Labor Rights, Human Rights, and Transnational Activism* (New York: Russell Sage Foundation, 2007); Prakash Sethi, *Setting Labor Standards* (Hoboken, NJ: John Wiley and Sons, 2003); John Ruggie, *Just Business: Multinational Corporations and Human Rights* (New York: Norton Publishing Company, 2013); Lance Compa and Tashia Hinchliffe-Darricarrere, "Enforcing International Labor Rights through Corporate Codes of Conduct," *Columbia Journal of Transnational Law* 33 (1995): 663; David Vogel, "Private Global Business Regulation," *Annual Review of Political Science* 11 (2008): 261–282.

³² Richard M. Locke, *The Promise and Limits of Private Power: Promoting Labor Standards in Global Economy* (Cambridge: Cambridge University Press, 2013).

³³ Allen R. Myerson, "In Principle, a Case for More 'Sweatshops,'" *New York Times*, June 22, 1997.