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Labor Justice in the Global Economy and Global Economic Governance: A broad overview with focus on the ILO and CSR

Elizabeth A. Bennett[1]
Joseph M. Ha Associate Professor of International Affairs and Director of Political Economy
Lewis & Clark College (Portland, Oregon, US)

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1. Introduction

This chapter presents an empirical analysis of the relationship between labor and global economic governance. "Labor" refers to workers, national trade unions, global union federations (GUFs), cooperatives, labor rights defenders, and labor-oriented civil society organizations (CSOs) (Birchall 2020). It includes both the formally and informally employed, and is about half the world's population (ILO 2023). The chapter uses a labor justice lens which focuses on: *democratic justice*—the inclusion of workers and their organizations in decision-making and accountability; *socio-economic justice*—decent work, freedom from exploitation, non-discrimination, and living wages; and intergenerational justice—which considers the impact on future generations.

The chapter concludes that *labor's share of influence on global economic governance and benefits from a globalized economy are meager and declining. The relationship between waning power and diminishing profits is mutually reinforcing, creating a negative feedback loop that, over time, amplifies challenges to labor justice.*

This chapter is organized as follows: Section two describes globalization, the intensification of global value chains (GVCs), shifts in private economic governance, and the rise of private, market-based regulation. It argues that labor's influence on global economic governance has declined relative to the private sector, especially a small number of powerful "lead firms" which are multi-national corporations that orchestrate global supply chains. Section three describes the devastating impacts of these trends on socio-economic outcomes for labor. Section four examines labor justice in the context of the International Labour Organization (ILO), the international organization most responsible for the global governance of labor issues. Section five examines labor justice in the context of corporate social responsibility (CSR), which has emerged as a central feature of non-governmental global economic governance.

2. The Global Economy and Global Economic Governance

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Scholarly accounts of the global history of work make clear that labor relations—the systems that define "for whom or with whom one works, and under what rules" have long resulted in the exploitation of labor in both the local and global contexts (Hofmeester and van der Linden 2018 p. 4).

Although several significant shifts occurred in favor of labor justice in the 1800s and early 1900s, these changes neither resolved root challenges of uneven power between workers and employers, nor eliminated widespread labor injustice (Hofmeester and van der Linden 2018). For instance, the abolishment of chattel slavery was a milestone in preventing workers from being treated as mere property without personal freedom or rights. However, it did not eradicate other forms of slavery, such as debt bondage, human trafficking, and forced labor, which continue to afflict more than 30 million people (Kara 2017). Likewise, the rise of labor unions brought about improvements in wages and rights for many workers through collective bargaining agreements. However, a significant portion of workers remains excluded from such benefits, and even with these agreements, a substantial number of workers still do not receive a living wage (Miller and Williams 2009). Similarly, the increased involvement of the state in regulating labor conditions has set standards concerning working hours, health, safety, non-discrimination, and child protections. However, these regulations often fall short of being fully enacted, as evidenced by the fact that work-related fatalities still outnumber casualties in wars (Piore and Schrank 2018). Finally, although the end of colonization and the rise of democratic institutions offer workers greater capacity to influence political systems in support of labor justice, many do not live in functioning democratic states, or are not franchised in the country where they work. Over the last thirty years, another wave of significant changes has affected labor justice, as described in the following sections.

2.1 Globalization and the rise of global value chains

The 1990s ushered in a wave of globalization marked by free trade, liberalized capital, and neoliberal regulation. Goods, services, raw materials, and manufactured component parts began crossing several borders before reaching their end consumer. Nearly all economic sectors experienced growth in the number of production stages (ILO 2015). These "global value chains" (GVCs) continued to increase in length until 2011 and have since persisted at a relatively stable rate (OECD 2020; Zing, Gentile, and Dollar 2021). By 2015, one in five jobs was connected to a GVC (ILO 2015).

Globalization and GVCs shifted power dynamics in the global economy. In part, this is because the countries that had the most power to organize the new globalization era (e.g., the United States and the G-20) also had the most to gain from allowing lead firms (which are largely located within their borders) to chase cheap labor (which is largely located in poorer countries) (Held and McGrew, 2002). Today, around 70 percent of international trade involves GVCs (OECD 2023). Yet, GVC activity is concentrated among 15 percent of large firms that account for 80 percent of total trade flows (World Bank 2020). This means that there are only a few large buyers or "lead firms" while there are many "suppliers" such as factories, fisheries, plantations, and small farms (Anner 2020). This situation creates asymmetric bargaining power: a lead firm can choose from many suppliers, while suppliers have few opportunities to find better buyers. Lead firms use this power to lock suppliers into low-paying contracts with poor terms and to alter contracts with little notice (e.g., decrease production time, increase volumes, cancel orders, or revise specifications) (Locke 2013). Suppliers are thus fiercely competing against one another by offering lower prices to win difficult contracts. One way they reduce production costs is to reduce the cost of labor. They pay less than minimum wages, offer poor working conditions, outsource, hire vulnerable groups, impede labor organizing, and facilitate bonded labor (Anner 2020). Suppliers' demand for cheap labor has increased the portion of migrant, informal, and contract work, exacerbating vulnerability and disenfranchisement, as described in section 4.2 (Barrientos 2008; Mayer and Phillips 2017; Mayer et al. 2017).

2.2 Globalization and shifts in global economic governance

The past three decades have also shifted *who* governs the global economy and *how*. Most notably, large multi-national firms and investors gained social, economic, and political power (ILO 2013; Monaco and Pastorelli 2013; Witherell 2013; Mayer and Phillips 2017; Bartley 2022) while national governments face increased pressure to attract corporations and investors by promising cheap labor (Mosley 2017; Anner 2020). At the same time, labor organizing is challenged by a decline in political resources (Sung et al. 2021) and an increase in contract, temporary, and migrant work (Gold et al. 2020). In most regions of the world, union density (the portion of workers who are unionized) and union membership have declined (Schnabel 2020).

The role of civil society has also changed. In the 1990s, global social movements emerged to bring people from all over the world together to take on collective action problems and solve complex governance issues at the international level (Bennett 2012). Global social movements raised awareness about workers' rights (e.g., through anti-sweatshop campaigns) and helped link labor issues to environmental problems, indigenous rights, and other movements (Brookes and Kinzel 2019; Delautre, et al. 2021; Séhier 2023). At the same time, some argue that single-issue global social movements detracted attention from labor unions rather than bring them into the spotlight in part by focusing on civil society mobilization rather than labor organizing (Brookes and Kinzel 2019).

2.3 The rise of private economic governance

By the end of the 1990s, many labor-oriented civil society organizations became frustrated with national governments and international organizations (e.g., the WTO) as venues for change. Unable to improve *legal* regulations, they began to shame companies into *voluntarily* adopting more responsible business practices (Bartley 2007). Such attempts to (re)structure international business through non-governmental practices, agreements, and organizational forms is called "private governance" (Ponte and Sturgeon 2014). Private governance initiatives are now ubiquitous and significant in global economic governance. One of the first and most well-known examples of a private labor justice initiative is fair trade (Bennett 2020). Fair trade aims to create "a world in which justice and sustainable development are at the heart of trade structures and practices so that everyone, through their work, can maintain a decent and dignified livelihood and develop their full human potential" by promoting market access for marginalized groups, equitable trading relationships, capacity building for suppliers, and consumer awareness (WFTO and FTI 2009; Raynolds and Bennett 2015). Other private governance initiatives that commonly claim to improve labor justice include voluntary sustainability standards, social entrepreneurship, codes of conduct, and ESG (environmental-social-governance) reporting. Because lead firms, as describe in section 2.1, occupy such a powerful role in the global economy, whether and how they engage in private governance is an important question (see section 5 on CSR).

The nature, power dynamics, efficacy, consequences, and future trajectory of private governance is intensely studied and contested (Cashore et al. 2021). More optimistic accounts suggest it may substitute for inadequate public regulation (Jackson and Apostolakou 2010; Schrage and Gilbert 2021), complement public policy (Moon, Crane, and Matten 2005; Knudsen and Moon 2017) and/or support hybrid solutions and new policy innovations (Amengual 2010; Locke 2013; Eberlein et al. 2014; Sun 2022). Where legal regimes are particularly unresponsive to or unsupportive of labor, this potential is particularly significant (Scherer and Palazzo 2011; Brookes and Kinzel 2019). In this perspective, global economic governance is now more collaborative and comprehensive, providing more opportunities for labor justice. More critical analyses point to ways in which private governance dilutes public regulation (Bair 2017), compromises the state (Lebaron and Rühmkorf 2019), and/or allows states to outsource regulatory responsibilities (Bartley 2007; Mayer and Phillips 2017). They also point out the hidden costs of transferring regulatory burden from states (which have regulatory capacity) to global social movements (which often lack resources and legitimate use of force) (LeBaron and Lister 2021). In this perspective, firms now have more opportunities to regulate themselves and advance their interests, relative to voters, states, international organizations, and labor unions (Clapp and Fuchs 2009).

Drawing on empirical analysis, many scholars warn against overestimating the efficacy of the private sector to voluntarily regulate itself (Selwyn 2017; Taggart 2022; Amengual and Kuruvilla 2020). They show how private governance may *impede* sustainable development—for example, by narrowing the concept of sustainability to non-labor issues (Clapp and Fuchs, 2009)—more than support it (Ponte 2020; Dauvergne 2022).

3. Analysis: Labor Justice in the Global Economy and Global Economic Governance

3.1 Labor participation in global economic governance

Overall, workers have *less* capacity to shape the global economy than thirty years ago. Although some public institutions remain accountable to labor, they are now competing with other actors for regulatory primacy (Moseley 2017). And although many global social movements support unions, their effectiveness can be hampered by corporate intervention (Jaffee and Howard 2010; Johns et al. 2019; Lebaron and Rühmkorf 2019) or—in some contexts—state repression (Brookes and Kinzel 2019; Fransen et al. 2021). And although new public-private collaborations may technically include worker organizations, they also limit labor influence, crowd out social dialogue with unions, and blur lines between interest groups (Bair 2017; Mayer and Phillips 2017; Delautre et al. 2021).

3.2 Socio-economic outcomes and intergenerational impacts for labor

Globalization and its governance have generated devastating consequences for labor (Bengtsson and Ryner 2015; Mayer and Phillips 2017; Sung et al. 2021). Working conditions are poor, labor rights are compromised (Appelbaum and Lichtenstein 2016; Anner 2020; Delautre et al. 2021), and modern slavery is thriving (Crane et al. 2017; LeBaron and Phillips 2019). Today more than 20 million people—many in the GVC-concentrated sectors of agriculture, manufacturing, and mining—are forced to work, generating profits for their employers of over US $150 billion annually (Kara 2017; LeBaron and Rühmkorf 2019).

Gains from global economic growth are distributed very unevenly (Sung et al. 2021). Increasingly, more is going to capital investors than to labor (Piketty 2014; Autor et al. 2017). Of the share going to labor, an increasing amount is paid to CEOs rather than typical workers. CEO compensation increased 940 percent from 1978 to 2018, compared to a 12 percent increase for workers (Mishel and Wolfe 2019). This has contributed to rapidly increasing income and wealth inequality (see Malerba and Barrientos, this volume). In today's economy, being employed does not insure against being poor. About 6.4 percent of people who are employed also live in extreme poverty (less than $2.15/day at 2017 purchasing power parity, according to the World Bank), and during the pandemic this increased to 7.2 percent (ILO 2022; 2023).

Lead firms could distribute a greater share of profits to labor without significantly impacting bottom lines or consumer prices (Miller and Williams 2009; Hall and Suh 2020). One study suggests that if apparel brands paid ten cents more per t-shirt during the pandemic, the people making their garments would not have starved (Kyritsis and LeBaron 2021). Yet, evidence clearly suggests that firms do not prioritize socio-economic outcomes for labor. In the pandemic, many lead firms cancelled orders and withheld payments, passing the financial burden onto suppliers (Anner 2021). Suppliers responded by withholding payments to workers, many of whom had few alternatives to unemployment, poverty, debt, and increased vulnerability to severe forms of labor exploitation (Kyritsis and LeBaron 2021).

Socio-economic outcomes for labor are terrible and getting worse. This reality raises questions about how the most powerful venues of economic governance are approaching labor justice. The following two sections examine this question in the context of the ILO (an international organization initiated by states) and CSR (a strategy initiated by corporations). Together, they illustrate how public (governmental) and private (non-governmental) economic governance both play a role in excluding labor from economic governance and facilitating poor socio-economic outcomes for labor.

4. Public Regulation Spotlight: International Labour Organization

4.1 ILO: Labor in the democratic process

The ILO is a UN body created in 1919 to develop labor standards and provide technical assistance to national governments. It is the only intergovernmental organization in which states do not hold all decision-making power (Swepston 2019). It has a tripartite governance structure that includes governments, employers, and workers (Posthuma and Rossi 2017). The "workers' group" is organized by the International Trade Union Confederation which represents 200 million unionized workers in 168 countries and over 300 national affiliate unions (ITUC 2023). Although it aims to promote *all* workers' interests, it is formally accountable only to unions (Jakovleski et al. 2019; van der Linden 2019) and opposes expanding the workers' group to include a broader population (Standing 2008). Thus, ILO leadership excludes workers in the informal sector and unwaged labor, which is a significant portion of the workforce in many parts of the world—for example, more than 80 percent in South Asia (Marshall 2019). Although the ILO includes these groups in some programmatic work—such as the Decent Work program (Vosko 2002)—this is a significant deficit in democratic labor justice. An additional challenge for labor is that some member states are increasingly aligned with business interests and thus strengthen the employers' group by joining them in opposing fundamental rights such as freedom of association and the right to strike (Thomas and Turnbull 2021).

The worker and employer groups have conflicting views on the ILO's response to globalization. Labor asserts that GVCs and Export Processing Zones (EPZs)[2] pose unprecedented challenges to decent work. They advocate for a targeted ILO response and focus on human rights. Employers have been slower to recognize the distinct challenges posed by globalization, less supportive of a human rights agenda, and more optimistic about the efficacy of voluntary private governance and 2010 UN Guiding Principles on Business and Human Rights (Posthuma and Rossi 2017; Silva 2022). In 2016, however, the groups agreed the ILO should increase attention to GVC-related labor issues and play a more active role in coordinating multi-stakeholder governance activities (Posthuma and Rossi 2017).

4.2 ILO: Promotion of labor standards

One of the core functions of the ILO is to promote labor standards. It provides templates that other actors can draw on to design their own labor policies and legitimates the policies those actors create (van der Linden 2019). ILO standards are integrated into public policy, collective bargaining agreements, labor advocacy positions, free trade agreements, and Global Framework Agreements between transnational corporations and global union federations (Fichter and Stevis 2013; Posthuma and Rossi 2017; Cho and Marzán 2020). While the ILO's standards regime has expanded over the past three decades, coverage gaps remain. Perhaps most notably, the ILO has yet to develop standards holding lead firms liable for squeezing suppliers in ways that commonly lead to layoffs (Cho and Marzán 2020).

By some measures, the ILO has been successful in promoting labor standards. Its 1998 Core Labour Standards include freedom of association and collective bargaining (Caraway 2006).Today, they are incorporated (at least rhetorically) into most CSR initiatives (Posthuma and Rossi 2017) and IMF and World Bank operations (Caraway 2006). Similarly, the ILO's 1999 Decent Work program—which focuses on marginalized worker groups and calls for quality jobs, dignity, equality, a fair income, and safe working conditions—has been incorporated into the national economic, employment, and social policies and programmes of over 120 countries (Rantanen, et al. 2020). Likewise, the ILO's 2014 Forced Labour Protocol, which obligates states to aid victims, support undocumented migrant workers, and investigate forced labor practices influenced the development of many national policies (Posthuma and Rossi 2017). Today, labor rights are often recognized as human rights (Aeberhard-Hodges 2019; Swepston 2019).

[2] EPZs are industrial zones with special incentives set up to attract foreign investors, in which imported materials undergo some degree of processing before being exported again (ILO 2003). They are particularly challenging contexts to improve and enforce labor rights, especially freedom of association and collective bargaining (ILO 2003).

At the same time, the ILO had limited success in compelling states to implement and enforce labor standards after adopting them (van der Linden 2019). The issue of living wages is illustrative. Although the ILO is constitutionally mandated to support states in establishing a minimum wage sufficient to cover the costs of living, most countries' legal wage is below a "living wage" (Anker and Anker 2017; Guzi 2021) and in many places it is poorly enforced (Anker 2011; Marshall 2019). One of the ILO's limitations is that it has no enforcement mechanism—it relies on the public to pressure governments, NGOs to provide oversight, and powerful states to use sanctions to hold other actors accountable (Mosley 2010; van der Linden 2019). Another is inadequate resources, which increases risk of donor cooption (Standing 2008).

4.3 ILO: Facilitation of co-governance experiments

In recent years, the ILO has played a facilitative role for multi-stakeholder groups attempting to improve labor conditions (Posthuma and Rossi 2017). The Better Work Programme and the Accord on Fire and Building Safety in Bangladesh (the "Accord") are examples of this experiment in bridging levels (national and international) and types (public and private) of governance to address GVC challenges (Bair et al. 2020).

The ILO and the International Finance Corporation launched Better Work in 2007 to support suppliers and supplier host countries in meeting labor standards and marketing their compliance to lead firms. Labor is represented on the governing Global Advisory Committee and each country's domestic advisory committee (Bair 2017; Posthuma and Rossi 2017). On one hand, Better Work is commonly identified as one of the more effective responses to GVCs because it incentivizes brands to honor collective bargaining and privilege compliant suppliers (Mosley 2017; Amengual and Kuruvilla 2020). On the other hand, in some regions, the process of multiple actors interpreting labor standards and negotiating which infractions will "count" as non-compliances has actually weakened domestic regulation and ratcheted down labor codes (Amengual and Chirot 2016; Bair 2017).

The ILO facilitated the Accord in the wake of the 2013 Rana Plaza disaster, in which an apparel manufacturing building collapsed, killing and injuring more than 1,000 and 2,000 workers, respectively (Saxena 2020). The Accord is an agreement to improve worker safety signed by over 200 apparel brands, two global union federations (IndustriALL and UNI), eight Bangladesh trade unions, and four monitoring NGOs (Posthuma and Rossi 2017; Bair et al. 2020). It includes worker organizations in its governance legally requires brands to support remediation of unsafe factories and to source from them during the process (Amengual and Kuruvilla 2020). On one hand, the Accord successfully engaged 2,000 factories and millions of workers in inspections, remediation, and safety training, addressing over 100,000 building safety issues (Anner 2018; Anner 2020)—which surpasses the state response (Bair et al. 2020). On the other hand, outcomes for labor were compromised by state and industry actors reluctant to embrace labor organizing (Bair et al. 2020). After five years the Accord's activities dissipated (Amengual and Kuruvilla 2020). Fundamentally, it failed to address the broader structural issues that bring workers and factory managers to take deadly risks to comply with lead firm demands (Saxena 2020).

Although Better Work and the Accord seek to improve labor justice in countries and sectors where there is unique potential for success, neither can compel lead firms or suppliers to participate.

Some argue this non-global approach may erode the ILO's efficacy to improve labor standards *universally* (Jakovleski et al. 2019; Thomas and Turnbull 2021) or is a symptom of the ILO's waning efficacy in global economic governance (Van Der Linden 2019).

The last 30 years raised new questions about how the ILO can facilitate labor justice and whether private initiatives may have more success. The following section examines CSR from the labor justice perspective.

5. Private Regulation Spotlight: Corporate Social Responsibility

5.1 CSR: Objectives, potential, challenges

Corporate social responsibility (CSR) typically refers to private sector practices oriented around the concept of improving the workplace and society in ways that go above and beyond firms' legal obligations (Malik 2015). Over the past 30 years, CSR has become a veritable industry and recognized professional domain. Virtually every major corporation allocates staff and resources to CSR (Bair and Palpacuer 2016).[3] As described in section 5.4, some countries are now incorporating CSR into legislation, blurring lines between voluntary altruism and regulatory compliance (Gond et al. 2011; Knudsen et al. 2015; Knudsen and Moon 2017).

Although CSR aims to simultaneously bolster profits and improve socio-economic outcomes, these objectives often conflict with one another (Mayer and Gereffi 2010; Crane et al. 2014; Gold et al. 2020). At best, this tension precludes CSR from achieving radical change and distributional justice (Steensen and Villadsen 2020). At worst, it obscures the root causes of labor injustice (LeBaron and Lister 2021), sidelines the issue of competitive, one-sided contracts (Barrientos 2013), and resembles poverty profiteering (Barnett 2019). In many cases, the gap between CSR rhetoric and action substantial (Bromley and Powell 2012; van der Ven 2019), though some research points to ways in which overstated or aspirational claims may be motivating (Glozer and Morsing 2020; Schoeneborn et al. 2020).

5.2 CSR: Unions and democratic justice

CSR is not typically driven by or accountable to labor (Chun and Shin 2018; Martin et al. 2021; Séhier 2023). In turn, unions are often skeptical of CSR activities, associating them with philanthropy, perceiving them as greenwashing, and assessing them as less effective than supporting unions or defending workers' rights (Martin et al. 2021). At the same time, some unions leverage CSR to meet their own goals. They may use CSR training to disseminate information about labor rights, use CSR reporting to share union activities with external stakeholders, invoke CSR to embarrass companies into compliance, or work with CSR-oriented NGOs to advance labor rights (Gold et al. 2020). Under some conditions, CSR may benefit unions by improving wage bargaining outcomes (Goerke 2020) or attracting investors who are typically averse to unionized firms (Chantziaras et al. 2020).

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[3] By some estimates, Fortune 500 Companies alone have spent more than US 20 billion dollars on CSR in one year (Dattani et al. 2015). Given the tremendous power of lead firms, widespread concern about inequality and climate change, and broad intereFst in promoting the Sustainable Development Goals, CSR has captured a great deal of attention and interest.

CSR could do more to support democratic justice. Firms could collaborate with workers and unions when setting priorities, selecting strategies, developing codes of conduct, choosing certifications, and designing complaint response mechanisms and monitoring and remediation plans (Amengual and Chirot 2016; Graz et al. 2020; Martin et al. 2021). Additionally, multi-national firms could negotiate collective agreements with global union federations or international trade unions that require firms to contract with unionized suppliers and offer reasonable purchasing prices and policies. These are called "global framework agreements" or "international framework agreements" (Stevis 2010; Fichter and Stevis 2013; Posthuma and Rossi 2017). With clear, definitive language they can improve outcomes for labor (Fichter and Stevis 2013). Companies could also engage in "worker-driven social responsibility" by legally committing to source from suppliers that follow codes of conduct developed by workers, such as the "Food First" and "Milk with Dignity" programs in the United States (Mares and O'Neill 2019; Ford and Nolan 2020).

It should be noted that even if companies reorient CSR to support democratic justice *within* the firm, they may continue to challenge democratic justice externally. Firms may lobby for public policies that limit workers' rights or labor organizing (Lyon and Montgomery 2015; Favotto and Kollman 2021). They may also advocate for regulatory solutions that privilege private actors, sideline democratic participation (Goodman and Mäkinen 2023), or weaken domestic or international institutions' regulatory power (Schrempf-Stirling 2018).

5.3 CSR: Voluntary sustainability standards and labor justice outcomes

CSR is sometimes compared to a "fox guarding the henhouse" (Sasser et al. 2006, p. 10). Many doubt companies can develop rigorous codes of conduct, reliably audit their supply chains, and sanction themselves for non-compliance. One solution is to bring companies, NGOs, industry associations, and workers' groups together to develop industry-wide standards and have suppliers pay third-party auditors to verify compliance (e.g., examine a fishery's labor and environmental practices). The resulting "certified" products are labeled to help consumers and businesses buy-cott responsible business practices. Examples of these "voluntary sustainability standards" (VSS) systems include the Forest Stewardship Council (FSC), the Roundtable on Sustainable Palm Oil (RSPO) and Fairtrade International (Bennett 2022). About two percent of agricultural land is already certified, and this is rapidly increasing (UNFSS 2020).

VSS generate mixed results for labor justice. Despite being dubbed "multi-stakeholder initiatives," few VSS provide meaningful opportunities for labor unions, workers' associations, or labor NGOs to affect high-level decision making (Bennett 2017). The Small Producer Symbol (SPP)—which is led by smallholder farmers—and Fairtrade International are exceptional in this regard (Bennett 2016, 2017). Although standard-setting processes typically include opportunities for stakeholder input, industry efforts to weaken standards tend to dominate (van der Van 2022). Although VSS deliver some benefits for workers, under some conditions, in limited specific contexts, they largely fall short of improving socio-economic incomes (MSI 2020; Saxena 2020; Bennett 2022). Although some studies find that fair trade certifications address labor justice more than sustainability certifications (Bennett, 2017, 2018; Raynolds 2018), certifications of all kinds typically fail to distribute a great enough share of profits to suppliers to adequately remunerate their workforce (Grabs 2020; Dietz and Grabs 2021). Effectiveness appears to be contingent on several highly dynamic variables including governance, standards content, audit practices, supplier capacity, supplier country conditions, consumer demand, and—most critically—buyers' willingness to pay the cost of compliance (Grabs 2020; Bennett 2022).

The case of living wages is illustrative. Although some (mostly garment) companies have committed to paying living wages in supply chains, they typically do not even create the preconditions for implementation, such as extending order lead times, increasing prices, and developing effective complaint mechanisms (Edwards et al. 2019; Khan and Richards 2021; LeBaron et al. 2021). For many companies, supply chains include so many production sites and subcontractors that simply tracking how much workers are *actually* being paid is beyond their capacity (Edwards et al. 2019; Schrage and Gilbert 2021). Although about 20 major global brands have signed on to ACT (the "Action, Collaboration, and Transformation" initiative) which rhetorically commits them to working with suppliers whose employees have collective bargaining agreements, ACT relies on self-regulation and has not made meaningful progress (Amengual and Kuruvilla 2020; Ashwin et al. 2020a, 2020b; Coneybeer and Maguire 2022). Although VSS are uniquely positioned to promote living wages in GVCs because they already audit labor conditions, only a third of high-profile VSS include living wages in their standards and none fully implement this in practice (Bennett 2018; Edwards et al. 2019).

VSS could be reformed to improve labor justice. They could include workers in governance, raise standards, shift audit strategies, mandate living wages, hold buyers accountable for purchasing practices, and reward countries that protect labor organizing and enforce labor regulations (Bennett 2022). They could also increase support for suppliers that are organized cooperatively, offer employees stock options, or engage in profit-sharing schemes (Reed and McMurtry 2009; Blasi et al. 2014; Bennett and Grabs forthcoming). Such reforms, however, may increase the costs of production beyond what companies are willing to bear.

5.4 CSR: From voluntary to mandatory?

Given the important role that corporations play in the global economy, the inadequacy of labor laws to protect workers and promote labor justice, and apparent excitement about voluntary social responsibility initiatives, it is perhaps unsurprising that many countries and international organizations aim to make some CSR activities mandatory. Over the past two decades, several countries have passed new corporate accountability laws that encourage or require firms to engage in, report, raise spending on, and/or improve CSR (Gond et al. 2011; Phillips et al. 2016; Knudsen and Moon 2017; Haslam 2018; Bright et al. 2020).

This wave of legislation is in part motivated by new international norms regarding business resonsibility. In 2011, the UN Guiding Principles on Business and Human Rights (UNGPs) established that UN member countries must hold corporations accountable for their impact on human rights abroad (Bueno 2019). The United States, for example, must hold Nike, an American footwear company, accountable for labor exploitation abroad. Although the UNGPs are soft law and thus not legally binding, they have initiated a wave of hard laws regarding "human rights due diligence" (or HRDD) (Bright et al. 2020).

Corporate responsibility legislation varies widely in scope (e.g., single issue vs. human rights vs. all issues), requirements (e.g., prevention vs. reaction), monitoring (e.g., self-reporting vs. external audit), and consequence (e.g., none vs. legal sanction vs. civil liability). The 2017 French Duty of Vigilance Law, for example, requires companies to create, implement, and publicly report their activities to identify, prevent and address human rights and environmental harms resulting from activities in their supply chain and establishes a civil liability mechanism to facilitate accountability for non-compliance. The 2019 Dutch Child Labour Due Diligence Act, on the other hand, has narrower scope, focuses on response (not prevention), and has a weaker enforcement mechanism. It requires companies selling goods and services to Dutch end-users take action to investigate suspicions, respond with action, and issue a statement, and provides that non-compliant companies may be sanctioned (Bright et al. 2020).

Although no lead firm has, to date, been held liable for the business practices of suppliers in its value chain, recent case law has established that lead companies bear some responsibility for their subsidiaries, and this may pave the way for GVC accountability (Bright et al. 2020). On one hand, mandatory CSR may illustrate that corporations and states can collaborate on labor rights (Gond et al. 2011) and mark a shift away from decades of neoliberal regulation (Bright et al. 2020). On the other, poor enforcement mechanisms and few (if any) penalties for non-compliance make significant change unlikely (Mayer and Phillips 2017; Bueno 2019). Perversely, the resources companies allocate for compliance may actually detract from substantive changes, such as living wages (Lebaron and Rühmkorf 2019). Full assessment is contingent on implementation plays out (Weihraugh et al. 2022).

6. Conclusions

The globalization era increased trade, expanded GVCs, consolidated power among a few lead firms, and pressured suppliers to cut labor costs. The consequences for labor justice have been devastating. Unions are compromised, work is dangerous, modern slavery is thriving, and many workers remain very poor, despite a growing global economy and billionaires' rapid accumulation of wealth.

This chapter described how labor has been excluded from economic governance and how democratic injustice has played a role in hindering progress toward better socio-economic and inter-generational outcomes. Although the ILO has been successful in promoting labor standards and including (unionized) workers in governance, it faces challenges around including informal workers and enforcement mechanisms. And while CSR may put the issue of labor justice on the private sector agenda, it neither makes lead firms, suppliers, or investors accountable to labor nor addresses the systemic pressures that facilitate exploitation.

Overall, this chapter concludes that the current situation of labor justice in the global economy is untenable and prospects for reform are grim. Many "labor initiatives" seem to do more to ease the minds of the privileged than to fill the pocketbooks of the poor.

At the same time, it highlights that ***labor justice is not impossible.*** There are business models and supply chain management strategies that give workers a voice. Worker ownership, employee stock option plans, profit-sharing contracts, farmer cooperatives, collective bargaining, beneficiarydriven certification, worker-driven social responsibility, and living wage policies can all be leveraged to improve labor justice. These and other labor-oriented strategies can be supported by national governments, international organizations, multi-national lead firms, suppliers, and civil society. Although these more effective initiatives are often overshadowed by more performative, aspirational, and unenforceable approaches, that need not be the case. By asking "who decides," "who benefits, at what cost," and "where will this leave us in five, ten, or twenty years," labor advocates can assess which pathways are most likely to support labor justice.

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