Index

Adams, R. 176
Adams, Z. 50
Ades, A.F. 92
Adler, D. 241, 243
Anner, M. 251, 253
Arthurs, H. 128, 137, 152
Bakhshi, S. 92
Barry, C. 83, 90
Bazillier, R. 89
Botero, J. 33, 36, 37, 87–8, 288
labour index 48, 49
Burke, R.J. 67, 68
Busse, M. 91, 95
Cambodia, labour law reform 239–47, 283
1997 Code 240–41, 245
Arbitration Council 239, 247, 262, 279
Prakas for tripartite discussion 242–3
services 244–5
ILO Better Factories Cambodia 102–3, 110, 239, 279
arbitration mechanism 242
factory monitoring 241–2
impact 245–6
union and wages 243–4
ILO Garment Sector Project 241
inclusivity and democratisation 245–6
US–Cambodia Multi-Fibre Agreement 102–3
US–Cambodia Trade Agreement on Textiles and Apparel
241
World Bank (2004), compliance ranking 243
Cambridge Centre for Business Research 50–54
Campos, N.F. 88, 95
capabilities approach 63–78
definition 16, 46
labour and/or labour rights 64–9
affiliation/collective organisation 65–6, 68–9
as constitutive of development 133
health and safety and working hours 67–8
political participation 69, 76–7
Sen's and Nussbaum’s theories 63–4, 130–31
social rights as ‘conversion factors’ 66
workplace democracy 72, 74–8
instrumental value of labour democracy 74–5, 296
workers’ subjectivity 75–6
workplace bridge institutions 77–8
intrinsic value of labour democracy 74, 296
labour citizenship approach 72–3, 75, 167, 173, 186, 188
workplace inequality and discrimination 68–71
Central America Free Trade Agreement (CAFTA) 104, 105, 109, 111, 252
Chang, H.-J. 130, 133, 134–5, 154, 155, 156
Cheong, David 23–4, 82
child labour 134, 244
citizenship, see industrial citizenship/workplace democracy
clothing industries, see Cambodia; Lesotho clothing sector; South African clothing sector
Commission on the Legal Empowerment of the Poor 228–9
common and civil law systems 36, 37
competitive advantage factors 89–90, 96–7, 112
state interventions and 135
constitutive view of the market 133–4, 138, 156
context dependence 245–6, 252, 258, 263–4, 270, 278, 279–80, 313, 318
contract of employment 36, 41, 303–4
convergence 171
conversion factors 66
cooperative activities 110–11
coordinated capitalism 169–70
core international labour standards, see international labour standards
Corporate social responsibility 136, 310
Dahl, R. 72, 75
Deakin, Simon 18–20, 21–2, 27, 28, 33, 53–4, 66, 84, 133, 137
labour law functions 41–4, 292–8
in operational context 177–89
and Marshall checklist 318–20
Declaration on Fundamental Principles and Rights at Work 65, 67, 69–70, 101, 207, 304
Declaration on the Right to Development (1986) 207, 208–9, 214
Dehejia, V. 91
demand management 42–3, 295–6, 320
democratisation 71–8, 166, 320
citizenship approach 72–3, 75, 167, 173, 186, 188
institutional arrangements argument 72
instrumental value of labour democracy 60, 74–5
workers’ subjectivity 75–6
workplace bridge institutions 77–8
intrinsic value of labour democracy 74
Latin American development 172–3, 185–8
mixed state and non-state regulation 263, 286–7, 310
social and civil dialogue 43
see also union/collective organisation
De Soysa, I. 95
Devashish, M. 94
development, human
as transformative 61–2, 83
capabilities, see capabilities approach
global value chains 135–6
institutionalist perspectives 133–5, 137–8
neoliberal paradigm 130
orthodoxy’s co-option 129–31
and subordination 131–2
participation in the economy and 131–2
‘social rights’ 46
trade liberalisation and 92–6
multilateral agreements 97–8
positive and negative outcomes 94–6
study findings 93–4
see also development as economic development
development and equality in Latin America 162–200
countries
Argentina 183, 185, 187, 188, 189, 191, 194, 195
Brazil 185, 187, 188, 191–2, 194
Chile 183, 187–8, 191, 198
Mexico 187, 189, 191, 198
Uruguay 184–5, 188, 191, 194, 195, 197
ECLAC, see Economic Commission for Latin America and the Caribbean
functions of labour institutions and policies 176–89
democratisation and obstacles to 185–8
economic coordination
cost cutting and its results 178–80
state intervention 179
state-centred and market-centred models 178
empowerment 188–9
risk sharing 180–84
fiscal resources 183–4
pensions 183
unemployment insurance 180–82
informal employment 168–9
empowerment of the vulnerable 188–9
percentages across the region 175
protection and 181–3, 193–5
state control 190–92
institutional transformation 190–98
inequality, rate of reduction 162–4, 190
and neoliberal reforms 177
protecting domestic work 193–5
state control and labour inspectorate 190–92
subcontracting and collective bargaining 196–8
temporary employment agencies 197
institutions’ interaction in labour market 168–176
coordinated capitalism advantages 169–70
democratisation 172
governmental alignment across the region 172–3
structural heterogeneity and productive convergence 170–71
system and design shortcomings 174–6, 186
low-productivity sectors 170–71
‘enclave growth’ type 171
study aims and focus 164–8
and conclusions 198–200
concept of inclusive and integrated development 163–4
concept of institutional design 174
concept of social inequalities 164
formal employment 164
labour law, public policies and labour market 165–6
labour reform, progress and limits 168
obstacles to inclusive development 166–7
reorientation of public policies and labour institutions 166
US Free Trade Agreement 191
development as economic development 127–39
agenda foci 127–8, 157–8, 227
case studies, see Lesotho clothing sector; South African clothing sector
regional and global dynamics 152–5
see also development, human
development economics, see neoclassical/neoliberal perspectives
development friendly labour market 318–20
discrimination
caste and race discrimination 70, 229–30, 272
gender discrimination 68–71, 95, 109
domestic work 193–5, 221
women workers 221–2
work and family balance 188–9
sexual harassment 68, 258
see also inequality
discrimination laws 297
Dixit, A. 308
domestic work 193–5
Du Toit, A. 130–31
Ebert, Franz Christian 23–4, 82
Economic Commission for Latin America and the Caribbean (ECLAC) 162, 163, 170, 171, 172, 179, 180, 193
‘Cambio estructural para la igualdad’ (2012) 164–5
economic coordination 41–2, 293–5
economic south, see labour market regulation
Edmonds, E.V. 95
El Salvador, labour law reform 105, 247–53, 283
effects of reform 251–3
Forum for Economic and Social Consultation 247, 249–51
Labour Code Commission 249–50
Labour regulation and development

trade pressure and ILO programme 249–51
inclusivity and democratisation 252
US GSP 247, 249
weak democratic institutions 247–9, 252–3
union repression 248–9
Elliott, K.A. 106, 107, 113
employee protection, see protection legislation
employer re-definition 290
empowerment 43–4, 320
environmental regulations 134–5
Estlund, C. 70, 76, 133, 310
European Union
Generalized System of Preferences (GSP) 252
tripartite bargaining (‘concertation’) 46
union centralisation 186
Working Time Directive 44
evolutionary models 38–40
Eyraud, F. 94, 95

Fenwick, Colin 1, 11–12, 27, 53–4, 235, 312
Fiksenbaum, L. 67, 68
Flanagan, R.J. 89, 90, 91, 95
forced and bonded labour 99, 222–4
freedoms/unfreedoms, see capabilities approach
Freeman, R.B. 88, 106, 107, 113
Fudge, J. 66, 72, 133, 137, 156
functional equivalents 300–301

GDP factors 89
General Agreement on Tariffs and Trade (1947) 98, 141
Generalized System of Preferences (GSP) 99–100, 105, 110, 112, 113, 247, 249, 251
EU 252
US labour-related complaints under 106–7
geographic factors 92
Gereffi, G. 128, 135, 138
Glaeser, E.L. 92
global economy 95
effects on clothing sectors 24, 82–3, 90

expanding scope of labour regulation 290–91
global financial institutions 130
global value chains 128, 135–6, 214
Godfrey, Shane 24, 28, 127, 149, 151
Godínez, V. 163, 166, 171, 196
Gordon, J. 72, 74, 75, 173
Gould, W. 90, 91
governments, see state institutions; state intervention
Greenhill, B. 95–6

Harrison, A. 94
Hasan, R. 94
Havana Charter (1948) 97–8
health and safety 67, 88
Hepple, B.A. 16, 89, 138
hiring and firing regulation 267–8, 295
historical view, see evolutionary models
Howe, John 298
human capital 88
human development, see development, human

IKEA International Framework Agreement 303
incentive compatibility 313, 318
inclusive development, see democratisation; development and equality in Latin America
inclusivity of governance 313

India
Directive Principles of State Policy 209–10
Equal Remuneration Act (1976) 221–2
housing 228
labour courts 224–6
Lok Adalats 226
labour law, see right to development
Minimum Wages Act (1948) 228
National Commission for Enterprises in the Unorganised Sector 215, 219, 220, 221, 222–8, 229
Pune city 224
Index 325

Recognition of Forest Rights Act (2006) 228
Socio Economic and Caste Census 212–13
Supreme Court on bonded labour 223
indices, see labour indices
industrial citizenship/workplace democracy 72–3, 75, 167, 173, 186, 188
instrumental value of labour democracy 74–5, 296
workers’ subjectivity 75–6
workplace bridge institutions 77–8
intrinsic value of labour democracy 74, 296
labour citizenship approach 72–3, 75, 167, 173, 186, 188
see also ‘social clause’ debate
inequality 35, 92
Latin America, see development and equality in Latin America
see also discrimination
Infante, R. 170
informal employment 168–9, 290
Latin America 168–9
empowerment of the vulnerable 188–9
percentages across the region 175
protection and 181–3, 193–5
state control 190–92
Romania 267
social dialogue processes 224–6
South Asia 218–19
India 211–12
institutional capacity 238, 282–4, 313
institutionalist theories 133–5, 138, 174–6, 289, 291
International Association for the Legal Protection of Workers 82
International Finance Corporation (IFC) 103, 151
International Labour Office 236–7
role in Cambodia 27, 235, 239–47, 258, 265, 281, 283
role in El Salvador 27, 235, 237, 245, 247–53, 265, 281, 283
role in Liberia 27, 235, 245, 253–9, 279, 280, 281, 283
role in Nepal 27, 235, 259–64, 265, 279, 280, 281, 282–3, 287
role in Romania 27, 235, 264–70, 281, 284, 287
role in South Africa 27, 235, 237, 257, 271–9, 283
International Labour Organization (ILO) 37, 46, 67, 95, 225
Better Factories Cambodia (BFC) 102–3, 110, 239, 241–2, 243–4, 245–6, 279
Better Work Programme 37, 46, 67, 95, 151, 225, 287, 309
constraints upon effectiveness of 235–8
future directions 286–7
context dependence and systemic fit 279–80
Convention (No. 158) 261, 263
Conventions (Nos 87 and 98) 105, 251–2
Forced Labour Convention, 1930 (No. 29) 223
freedom of association standard 271–3
inclusivity and democratisation 280–82
labour law reforms, see individual countries’ names
tripartism orientation 279
international labour standards 46, 85
compliance impacts 88–9, 94–5, 150–51, 237
effect on production costs 90
International Monetary Fund (IMF) 62, 92, 265, 266, 269, 284
International Trade Organization 97–8
investment 92
Jütting, J.P. 306, 307
Kennedy, D. 129, 130, 156
Kerr, W.A. 92

Shelley Marshall and Colin Fenwick - 9781785364907
Downloaded from Elgar Online at 05/13/2019 09:29:30PM
via free access
Labour regulation and development

Kolben, Kevin 15–16, 21, 22–3, 60, 102–3, 263, 286, 297–8, 309
Kryvoi, Y. 107
Kucera, D. 85, 91
Kuznets, S. 21, 34–5, 37

labour citizenship 72–3, 75, 167, 173, 186, 188
labour costs 178–80, 183–4, 197
labour indices 47–52

Botero, Djankov, La Porta, Lopez-de-Silanes and Shleifer 48, 49
Cambridge index 50–54
OECD 49, 50–52
World Bank 48, 49–50
labour institutions, see union/collective organisation
labour law 18–20

and standard employment relationship 40–41, 54, 278, 286
approaches to development 137–9
as in liminal stage 127–8, 138, 157–8
‘right to develop’, see right to development
Deakin and Marshall’s checklist 318–20
evolutionary character of 39–40, 129–30
functions 41–4, 319–20
democratisation 43, 296
economic coordination 41–2, 293
empowerment 43, 297–8
maintenance of demand for goods and services 42–3, 295–6
risk distribution 42, 295
linear models 38
minimal or ‘floor of rights’ 45, 304
neoclassical 18–19, 61–2
new institutionalist 19, 35–6
object, form and institutions 84
redressing vulnerabilities and unfreedoms 298

and standard employment relationship 40–41, 54, 278, 286
structural transformation models 34–5
and legal origins approach 36–8
system interaction 19–20, 54
techniques 44–7
international labour standards 46

mandatory norms 45
modes of enforcement 45–6
open coordination 47
reflexive 44
see also labour law reform
labour law and trade policy, see trade policy and labour standards
labour law reform 235–9
case studies, see Cambodia; El Salvador; Liberia; Nepal; Romania; South Africa
context dependence and systemic fit 245, 252, 263–4, 270, 277, 279–80
Deakin’s and Marshall’s checklist 318–20
inclusivity and democratisation 237, 245–6, 252, 258, 270, 277, 280–82
labour market regulation and state capacity 238, 282–4
assumptions regarding law as a means of 284–5
beyond orthodox understanding of labour law 286
‘orthodox’/‘traditional’ issues 245–6, 257–8
tripartite discussion and empowerment 281
underlying assumptions on goals and merits of 282–5
see also labour law; labour market regulation
labour market regulation 288–314
broad view of 301–6
expanding definition of ‘employee’ 302
lessening hold of employment contract 303–4
responding to non-standard work 301–2
social clauses in trade agreements 303
social security to ‘atypical’ workers 304–5
supply chains 302–3
three-pronged strategy 307
checklist for developing and reforming 318–20
democratisation 296–7
<table>
<thead>
<tr>
<th>Economic coordination</th>
<th>319</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collective action</td>
<td>293</td>
</tr>
<tr>
<td>Industrial and technical upgrading</td>
<td>293–4</td>
</tr>
<tr>
<td>Institutional capacity</td>
<td>313</td>
</tr>
<tr>
<td>Promotion of employment</td>
<td>294–5</td>
</tr>
<tr>
<td>Efficient and cheap arbitration bodies</td>
<td>310</td>
</tr>
<tr>
<td>The employer</td>
<td>290</td>
</tr>
<tr>
<td>Empowerment and redistribution</td>
<td>297–8</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Enforcement and incentives strategies</th>
<th>306, 308–12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incentive compatibility</td>
<td>313</td>
</tr>
<tr>
<td>Incentives and education by inspectorates</td>
<td>309</td>
</tr>
<tr>
<td>Self-enforcing governance</td>
<td>308</td>
</tr>
<tr>
<td>State–private partnerships</td>
<td>309–10</td>
</tr>
<tr>
<td>Expanding scope of</td>
<td>290–91</td>
</tr>
<tr>
<td>Institutions, new architectures and forms</td>
<td>289</td>
</tr>
<tr>
<td>and economic North and South mismatch</td>
<td>289–90</td>
</tr>
<tr>
<td>Functional equivalents</td>
<td>300–301</td>
</tr>
<tr>
<td>Systemic fit and context</td>
<td>313, 318–19</td>
</tr>
<tr>
<td>Taking into account local institutional setting</td>
<td>299–300</td>
</tr>
<tr>
<td>Taking into account regulatory incongruity</td>
<td>301–6</td>
</tr>
<tr>
<td>and workers’ bargaining powers</td>
<td>297–8</td>
</tr>
<tr>
<td>Labour law debate stand-off</td>
<td>289</td>
</tr>
<tr>
<td>Labour regulation as ‘constituting’ the market</td>
<td>133, 288–9</td>
</tr>
<tr>
<td>Maintenance of demand for goods and services</td>
<td>295–6</td>
</tr>
<tr>
<td>Minimum floor of rights</td>
<td>304</td>
</tr>
<tr>
<td>Risk distribution</td>
<td>295, 319</td>
</tr>
<tr>
<td>Social dialogue</td>
<td>310–12</td>
</tr>
<tr>
<td>Inclusivity of governance</td>
<td>313, 318</td>
</tr>
<tr>
<td>Policymaker coordination</td>
<td>291–2</td>
</tr>
</tbody>
</table>

| NAALC example                      | 108–9, 111–12 |
| Political and economic factors      | 107          |
| Unilateral trade agreements         | 106–7        |
| US–Cambodia example                 | 109–10       |
| Domestic labour legislation,        | 104–5        |
| Enforcement                          | 104–5        |
| Labour institutions/workers’        | 110–12       |
| Organisations                        | 111          |
| Capacity building                    | 111          |
| Cooperative activities               | 110–11       |
| Trade agreement interventions       | 104–5        |
| Trade protectionism question        | 103, 112–14  |

| Laiglesia, J.R. de                     | 306, 307     |
| Langille, B.                           | 65–6, 69–70, 133 |
| Latin America, see development and equality in Latin America | 133 |
| Lee, E.                               | 94, 95       |

| Legal origins theory                  | 21, 36–8, 48, 236–7 |

| Lesotho clothing sector               | 139, 140, 152, 156 |
| Economic development and labour law tensions | 152 |
| Foreign direct investment             | 147–51       |
| Government incentives                 | 148          |
| South African and Taiwanese           | 147–8, 151   |
| Lesotho National Development Corporation | 148         |
| Multi-Fibre Agreement quotas          | 147          |
| Wages                                 | 139, 148–51, 156 |
| Ministry of Labour and Employment     | 148–9        |
| Wages Advisory Board                  | 148–50       |
| Lewis, A.                             | 21, 34, 35, 37 |
| Liberia, labour law reform            | 253–9, 280–81, 283 |
| ‘Americo-Liberian’ elite              | 253–4        |
| Human Development Index ranking       | 254          |
| ILO’s drafting of                     | 255–7        |
| Incremental (institutional fit)       | 138–9        |
| Limits and achievements of            | 257–8        |
Labour regulation and development

National Tripartite Committee 255, 258
Poverty Reduction Strategy 255
weak democratic institutions 253–5
linear models, limits of 34–8
structural adjustment theory, see structural adjustment theory

macroeconomic structural adjustment programmes 130
Mah, J.S. 91
Maine, H.S. 38
Malmberg, J. 53
mandatory and default rules 50
mandatory norms 45
Marshall, Shelley 1, 174, 183
migrant workers 109, 222–4
minimum floor of rights 304
mortality rates 67
negotiated labour laws 56
neoclassical/neoliberal perspectives
18–19, 61–2, 130, 133, 137–8, 162–3
and ‘orthodox’ issues 128, 129–34, 245–6, 257–8, 261, 280, 298
co-option issues 128, 131, 157, 199
multilateral trade framework 97–8
protectionism 103, 112–14
Nepal, labour law reform 259–64, 287
Constituent Assembly 259–60
Human Development Index ranking 259
ILO proposals for integrated reform
261–3, 279–80
context dependence and systemic fit 263–4
realities of practice 281, 282–3
Tripartite Taskforce 262
weak governance 259–60
Neumayer, E. 95
new institutional economics 19, 35–6
non-government organisations (NGOs) 111
North American Agreement on Labour Cooperation (NAALC) 101, 108–9, 111–12
Nugent, J.B. 88, 95
Nussbaum, M. 63–4, 67–70
Orbie, J. 105
Organisation for Economic Co-operation and Development (OECD)
‘EPL’ index 49, 50–52, 269
National Contact Points 303
‘orthodox’ issues 128, 129–34, 245–6, 257–8, 261, 280, 298
outsourcing 147–8, 179, 198, 302, 303
Palley, T.I. 88, 90
Papageorgiou, D. 94
Pavcnik, N. 92, 95
Perazzo, I. 162
Porcile, G. 170
poverty 63, 92, 131, 212–13, 227–9
prison and forced labour 99
and bonded labour 222–3
private pension schemes 45
productivity 93–4
property and contract rights 36, 134
property taxation 39
protection legislation 163, 174
country comparisons 50–52, 95
employee representation laws 51–2
see also social insurance/security; risk distribution
protectionism 103, 112–14
Rama, M. 94
Reddy, S.G. 83, 90
redistribution 89–90, 127, 128, 133, 156, 297
concept of convergence 171
South Africa 139
reflexive models 38, 44, 46, 308–9
retail dependency in clothing sector 141, 144, 153
Revenga, A. 94
right to development 207–30
approach, and implications for labour law 208–14
duty of states to enable 209–11
participation 213–14
processes of development 208–9
self-employed and informal work 211–13
social security measures 213, 228–9
Index

territorial limits on domestic labour 214
Commission on the Legal Empowerment of the Poor 228–9
Indian labour law 214–18
contract labour 217–18, 222
‘flexible’ labour market debate 216–17
government Codes 218
informal sector 218–19
judiciary, and government monitoring 224–6
migrant workers/bonded labour 222–4
social security 219–20
union power 215–16
women workers 221–2
investment and growth 215–16
labour law and social justice 227–30
ensuring employment 227
poverty and poverty reduction measures 227–9
social dialogue/access to justice 224–6
social discrimination 229–30
risk distribution 42, 132, 180–84, 295, 319; see also protection legislation
Rittich, K. 130, 131–2
Robertson, R. 110, 252
Rodrik, D. 91
Roethlisberger, C. 179, 186, 191
Romania, labour law reform 264–70, 284
as response to global financial crisis 266–8
changes to hiring and firing 267–8
unions and ILO responses 266–7
employment protection laws 268–70 corrective function evaluations 269
economic coordination 269
unemployment insurance/risk distribution 270
Human Development Index ranking 264
ILO and 266, 267
in constricted policy space 270
2005 and 2006 reforms 266
2011 reforms 267–8, 281
labour market flexibility policy 267
Social Dialogue Act 267–8
Rossel, C. 162
Rossi, A. 110
SACU 140, 143, 147, 148
Salomon, M. 209, 214
Samaniego, N. 162, 169
Samy, Y. 91
Sankaran, Kamala 6, 10–11, 26–7, 207
Sarkar, P. 53–4
Sarner, R. 91
Schrank, A. 88
Sen, A. 63–7, 73, 130–31, 137, 155–6, 298–9
Singer–Prebisch hypothesis 37
‘social clause’ debate 96–8, 303; see also industrial citizenship/workplace democracy
social dialogue 224–6
policymaker coordination 291–2
traditional and new institutions 310–12
worker agency/participation 76, 210, 213–14
social expenditure 131
social insurance/security 39, 42, 44, 304–5
India 219–20
Latin America 180–81
state pension schemes 45
see also protection legislation
’social rights’ 46, 66, 127
South Africa, labour law reform 271–9, 283
assessment of 276–9
context dependence 278
inclusivity and democratisation 277
systemic fit 277
collective bargaining 275–6
Congress of South African Trade Unions 271
ILO
Memorandum (1995) 273, 274, 275

Shelley Marshall and Colin Fenwick - 9781785364907
Downloaded from Elgar Online at 05/13/2019 09:29:30PM
via free access
273–6
key principles 274
Labour Relations Act (1995) 276
market flexibility 275
Reconstruction and Development Programme 273–5
small businesses and atypical employment 274
South African clothing sector 139–58
decline and restructuring of 140–42
domestic orientation 140
retail dependency 141, 153
trade liberalisation and competitiveness 140–41
union/collective bargaining 141
development and labour law tensions 152–5
employees, sector attribution 153
restructuring: threats to standard employment 153–4
trade liberalisation and job loss 154–5
Import Substituting Industrialisation strategy 140, 142
Industrial Policy Action Plans (IPAP 1 and 2), 143–4
KwaZulu-Natal Province 145–6
labour regulation and development 139–40
CMT operatives 144, 146–7
non-compliant employers 145–7
revised 144–7
outsourcing 147–8
retailers 141, 144, 153
SACU 140, 143, 147
trade and industrial policy 142–4
supply-side programmes 143–4
trade agreements 143
WTO-approved measures 143
wages 139–40, 141, 142, 149, 151
bargaining council 145–7, 154, 275
South African Customs Union (SACU) 140, 143, 147–8
South African Labour Relations Act (LRA) 153, 257, 274, 276
Southern African Development Community 143

standard employment relationship 40–41, 54, 139, 278, 286
state institutions 308, 309–10
state intervention 134–5, 154–5
duty of states 209–10
India 215
Latin America 179
Stiglitz, J. 16, 61, 87, 163
structural adjustment theory 33, 34–8, 301
GFls’ macroeconomic programmes 130
supply chains, power and accountability 302–3
systemic fit 19–20, 38–41, 54–5, 245, 279, 313, 318
systemic nature of labour institutions 174–6

Takala, J. 67
tariff levels 86, 142
technical and development cooperation 110
technological change 92
Tortell, L. 105
trade liberalisation 92–6
trade policy and labour standards 82–115
bilateral and regional trade agreements 100, 103, 112–13, 114
conflict and linkage between 82–4, 114–15
integration of labour standards 96–103
EU trade legislation 100
implementation mechanisms 101–3
multilateral treaties 97–8
proliferation of 100–101
‘social clause’ debate 96–8
trade-related 99–102, 112
US trade arrangements 98–9, 101
labour law and trade policy 84–6
international trade flows and tariffs 85–6, 142–3
labour law heterogeneity and analytical indicators 84–5
labour law, as driver and drain 87–92
comparative advantage factors 89–90, 96–7
core international labour standards compliance 88–9, 94–5
economic efficiency/utilitarian value 88
redistributive labour standards 89–90
socio-economic impacts 87–8
trade flows 90–92
labour provisions, effects in trade arrangements 103–14, 303
core international labour standards compliance 88–9, 94–5
compliance and dispute mechanisms 106–10
NAALC example 108–9, 111–12
political and economic factors 107
unilateral trade agreements 106–7
US–Cambodia example 109–10
on domestic labour legislation 104–5
on labour institutions/workers’ organisations 110–12
trade protectionism question 112–14
production 92–3
trade liberalisation 86, 92–4
unilateral trade agreements 113
trade preferences, see Generalized System of Preferences
transaction costs 35–6
Trigueros-Argüello, A. 252
Turnbull, P.J. 95

unilateral trade agreements 113
union/collective organisation 65–6
collective bargaining 40, 43, 68–9, 141, 275–6
country case studies
Cambodia 243
El Salvador 248–9
ILO proposals 249–51
India 215–16
Nepal 261–3
Romania 267–8
South Africa 139, 141
(SACU) 140, 143, 147, 148

collective bargaining 275, 276
freedom of association 271–3
South Asia 211
democracy and 77
economic South (‘atypical’) 291
collective action problems 293
labour provisions’ effects upon 110–12
Latin America 169–70, 173, 179
trade liberalisation effects upon 95
see also democratisation; wages
United Nations 113
Declaration on the Right to Development (1986) 207, 208–9, 214
Legal Empowerment of the Poor (2008) 304

United States
CAFTA 104, 105, 109, 111, 252
Generalized System of Preferences 247
New Deal (1930s) 43, 295
US–Cambodia Multi-Fibre Agreement 102–3, 109–10
US–Cambodia Trade Agreement on Textiles and Apparel 241

value chains 128
value chains, power and accountability 302–3
Vandaele, A. 96
vector auto regression and error correction models 52
Velásquez Pinto, M. 171, 181
von Broembsen, Marlese 24, 127

wages 88, 90
clothing industries, Lesotho and South Africa
comparison, and minimum labour standards 151
Lesotho 139, 148–51, 156
South Africa 139–40, 141, 142, 145–7, 149, 151
weekly minimum wages (2005–10) 150
weekly wages rate 149
clothing industry, Cambodia 246
forced labour, ILO’s position on 223
Labour regulation and development

minimum 43, 45, 137, 184–5, 195, 304
India 227–8
see also union/collective organisation
wages flexibility 94–5
Washington consensus 37, 61
Wass, V.J. 95
Weller, J. 174, 179, 180, 181, 183, 186, 191
Wilkinson, F. 27, 66, 84
Winters, L.A. 92
Woolcock, M. 241, 243
work-related deaths 67
workers’ organisations, see union/collective organisation
working time 44, 45, 67–8, 82
workplace democracy, see democratisation

World Bank 93
Doing Business 19, 37, 62, 236, 269, 283–4
‘employing workers index’ (EWI) 48, 49–50
International Finance Corporation (IFC) 103
Investment Climate Assessment for India 225
neo-liberal policy prescriptions 261
World Trade Organization (WTO) 86, 143
Agreement (1994) 96
Doha round 100–101
Third Recital of Marrakesh Agreement (1994) 86