

Book Review

Ulrich Mückenberger, Heiner Fechner, Irene Dingeldey (eds.),
2025, *Constructing Worlds of Labour - Coverage and Generosity of
Labour Law as Outcomes of Regulatory Social Policy*.
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As part of Springer's *Global Dynamics of Social Policy* series, *Constructing Worlds of Labour: Coverage and Generosity of Labour Law as Outcomes of Regulatory Social Policy* by Ulrich Mückenberger, Heiner Fechner, and Irene Dingeldey is a comprehensive and ambitious volume. Divided into three parts and composed by the three editors alongside seven additional contributors, the book addresses the complex intersection between labour law and regulatory social policy.

Part I is titled "Legal Segmentation in Regulatory Social Policy: Concept, History, Measures and Application". Part II examines the "Development and Dissemination of Both Social Protecting and Segmenting Functions of Labour Law", while Part III is aptly named "Towards a Socio-Political Paradigm Shift?"

In their introduction, the editors argue that there is a "general neglect of the role of regulatory policies [which extends to the] neglect of labour law" (p. 2). They challenge the prevailing ideology of deregulation, which, they note, often masks a pro-business re-regulation. Despite this trend, labour law continues to structure the world of work in many countries. The editors write: "our focus lies on the identification of worlds of labour (WoL) ... in a historical and global perspective" (p. 2). This includes the role of trade union policies (p. 2) and standards formulated by the International Labour Organization, even in the context of the dominant neoliberal paradigm (p. 4). Much of the analysis in the book draws on the WoL database, which covers 151 countries and includes historical data going back as far as 1880 (p. 10).

The book's central argument is that labour law doesn't just *protect* workers – it simultaneously segments them by privileging some groups (e.g., full-time, formal sector workers) while excluding others. The challenge that the traditional "liberal" view of law – and by inference: labour law – assumes, almost automatically, is that there is a legal equality among all actors in labour law. From the standpoint of political economy or industrial sociology, this is wishful thinking at best, and at worst, a dangerous hallucination or a deliberate ideology designed to camouflage the real, existing contradictions of labour relations.

In their chapter on "Legal Segmentation in the Global North and South" (p. 23), the editors emphasize that "capitalist labour regulation often coincided with periods of democratic rule and the development of a more or less encompassing welfare state" (p. 50). The absence of such welfare frameworks, as in the cases of the USA or Taiwan, leaves trade unions exposed to weak or absent regulatory systems. Conversely, the authors identify countries such as Pakistan, India, and North

Macedonia as examples of more promising developments (cf. worldjusticeproject.org). While democracy appears to be a necessary condition for robust labour law, capitalism – often with its profit-maximising agenda – is never far behind, as Pistor (2019) convincingly argues.

In their chapter on legal segmentation (p. 61), Carlino, Fechner, and Schäfer assert that understanding labour law across countries requires familiarity with “present-day legal language and its historical form ... cross-linguistically” (p. 88). This is equally true for Deakin’s chapter on “The Standard Employment Relationship” (p. 95), which critically questions whether such a relationship ever existed in practice. Based on studies from Latin America, as well as parts of Asia and Africa, the authors note that from the 1980s onward, “a regulated WoL, rather than introducing rigidities or inflexibilities into labour markets, was consistent with employment growth” (p. 119).

This finding directly challenges the dominant ideology of deregulation orthodoxy promoted by institutions such as the World Bank, the OECD, the IMF and many others since the 1980s. Nevertheless, it remains worth noting that this issue connects to an on-going debate over whether labour protections hinder or support development (Lee & McCann 2025). Perhaps two issues appear particularly significant. First, what neoliberalism sells as “deregulation” is, more often than not “deregulation” at all, but “pro-business re-regulation” that is smoke-screened deregulation. Second, the key question may not be whether labour regulation hinders or supports development but rather what kind of development the Global South needs, and whether neoliberal pro-business re-regulation intensifies competition forcing developing nations into a destructive race to the bottom.

In the next chapter, Teklè focuses on labour law in the Global South and Global North (p. 123), with a particular emphasis on discrimination. Teklè advocates for an inclusive employment law policy and concludes that “this model is convincing” (p. 138). A promising approach may be a firm reliance on the tripartite industrial relations model: employers, the state, and, crucially, trade unions – arguably the most effective vehicle for inclusive labour policies.

Heiner Fechner’s chapter on “Legal Segmentation of Work in Latin America” begins with the observation that informality rates in Latin America reach up to 54% of the workforce (p. 147). European colonisation – or more precisely, European imperialism – not only led to genocide against Indigenous peoples in South America but also caused measurable environmental changes due to mass deaths and the decline in farming (Hartnett, 2021). Fechner argues that “legal segmentation with European origin has been present in Latin American history for more than 500 years” (p. 172). He concludes that “legislation seems to have contributed to the predominance of Indigenous and Black workers in informal and precarious labour relations” (p. 174). The illusion of legal neutrality persists, despite evidence to the contrary. One is reminded of the words of Anatole France: “In its majestic equality, the law forbids rich and poor alike to sleep under bridges, beg in the streets and steal loaves of bread” (Goodale & Merry, 2017, p. 211).

In Mückenberger and Schäfer’s chapter on “Ex-Colonial Powers and Their Former Colonial Territories” (p. 181), the authors argue that “the European colonisers did not, at least not systematically, transplant their respective employment law cultures ... into their respective colonies” (p. 209). Colonialism, after all, was not about replication but about extraction – often accompanied by racism, as outlined by Lindqvist (1996) in his seminal *Exterminate All the Brutes*.

In the chapter “Non-Standard Employment Regulation Around the World” (p. 219), Gerlitz and Dingeldey argue that “low standards and low inclusion were associated with English common law, [while] French civil law countries [experienced] medium standards and medium inclusion” (p. 243). In other words, English colonialism was even less regulated than its French counterpart – an impact still evident in today’s labour laws.

In the chapter on “Global Labour Policy” (p. 287), the author notes “an increasing influence

of supranational actors ... and transnational textures of labour regulation” (p. 307). Rittich, in “The Future of Legal Segmentation” (p. 313), reminds us that legal segmentation played out both “in the colonies and in ... the metropolis” (p. 338).

Finally, the three editors conclude with a practical policy recommendation: that “entrepreneurs who comply with the ILO’s core labour standards [should] receive a higher share of tax-free access to ... markets” (p. 362). This sensible proposal is particularly relevant in the post-Trump era of global labour relations.

Although the scholarly, abstract, and at times legalistic language of the book may present challenges for non-expert readers, the volume offers a wealth of factual evidence and insightful analysis. Particularly compelling is its treatment of the colonial transfer (or non-transfer) of labour law and the lasting effects of these historical trajectories on contemporary legal and labour systems.

On reflection, one of the limitations of the book is that it leaves several questions open. Ultimately, however, most books do so, to some extent. For instance, the book focuses predominantly on *de jure* issues. In that, it remains a semi-legal text. Meanwhile, it does not analyse or even adequately capture, the *de facto* or actual practices of labour relations and labour conditions. On the upswing, the authors themselves acknowledge this gap. Beyond all this, the book’s key finding is that colonial powers did not systematically transplant the labour law frameworks that existed in their home countries. This might imply that labour governance in the Global South was – and remains – not as path-dependent as colonial masters often claimed (Said 1978 & 1994).

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