

Book Review

Marquita R. Walker (2019) *Protecting the Workforce: A Defense of Workers' Rights in Global Supply Chains*. London: Lexington Books. ISBN 9781498586160 (hardback) 9781498586177 (eBook). 198 pp. Hardback £69 eBook £29

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Since the 1970s, the way in which goods are produced and distributed has changed dramatically. Vertically integrated production systems – in which one firm owns and oversees each stage in the manufacture and delivery of goods and services – have given way to global supply chains (GSCs) where multinational corporations (MNCs) externalise production and distribution to a network of legally separate and geographically dispersed suppliers. In *Protecting the Workforce: A Defense of Workers' Rights in Global Supply Chains*, Marquita Walker explains how the construction of GSCs has allowed MNCs to abuse and oppress workers with impunity. Drawing on her experience as a union organiser, Walker argues that the antidote to this exploitation lies in the collective and provides insights into how workers can mobilise in solidarity with other groups to transform GSCs for the benefit of people and planet.

The first four chapters of the book provide a layered description of GSCs, beginning with an overview of the technological, political and legal changes which enabled their emergence. Walker likens the transition from vertically integrated production under Fordism to GSCs to earlier technology-driven transformations in capitalist production such as the industrial revolution. She emphasises that the goal of corporations in applying these technological advances is to “[wrest] control of the work process away from the worker and into the hands of management” (p. 4). The emergence of digital technology and communications systems in the late twentieth century meant that MNCs could outsource and offshore production without compromising the speed of delivery or the security of supply. These technologies allow MNCs to switch suppliers with minimal cost, creating global competition for contracts. Suppliers respond by cutting labour costs to lower their bids, while MNCs can impose tight deadlines and highly specific production methods. This power imbalance between MNCs and suppliers drives unsafe working conditions, low pay and labour law violations throughout GSCs.

In an overview of the regulatory frameworks which apply to GSCs, Walker explains how MNCs escape liability for these abuses, despite the de facto control they exercise over production. While MNCs engage in regulatory arbitrage by choosing suppliers in countries where domestic labour protections are minimal or poorly enforced, governments have entrenched an agenda of deregulation and privatisation through trade and investment agreements. In addition to top-down pressure from this regulatory framework, Walker relies on Gramsci's concept of cultural hegemony to account for the aggressive dismantling of labour and environmental protections. She gives examples of court decisions, right-wing media campaigns and state-sanctioned violence which affirm the legitimacy of corporations' limited liability and property protections while attacking unions and collective labour rights.

Deregulation, along with investment, forced labour, child labour, human trafficking and privatisation are identified as constituent components of GSCs. Walker problematises the “stability” of GSCs – though they have become the primary architecture for global production and distribution they rely on a shaky foundation of “unregulated institutional structures, lax enforcement of worker and environmental protections and neglect of enforcement mechanisms” (p. 38). This description highlights the recklessness of continuing to rely on a model which depends for survival on regulatory failure.

A separate chapter explores the growing role of the informal economy in GSCs and how the fragmentation of employment relationships in GSCs, in order to grant MNCs both maximum flexibility in their investments and control over the value of production, has destabilised and eroded labour rights not only in manufacturing but also in retail and service jobs. At the close of this chapter, Walker argues that the “solution to solving problems of fragmentation and corporate greed lies in a collective response by workers” (p. 67).

The second half of the book focuses on attempts to reform GSCs and hold MNCs accountable for the human rights violations and environmental degradation from which they currently profit. Walker discusses the potential for manmade disasters, such as the Rana Plaza building collapse, to affect policy changes which increase worker protections and corporate liability. While such events mobilise public outcry and can force governments and MNCs to act, they result in narrow, patchwork responses rather than systematic change. MNCs have sought to manage the impact of these disasters by promoting voluntary corporate social responsibility (CSR) instruments as the appropriate tool to manage the negative consequences of their activities on communities and workers. Walker notes that CSR has proved ineffective in improving working conditions in GSCs or providing workers with remedies against MNCs as it delegates the responsibility of governing GSCs to MNCs themselves and downplays the potential role of trade unions and governments. However, she is more positive regarding global framework agreements – contracts between MNCs and global union federations which specify minimum standards to be upheld in workplaces throughout GSCs. Although these agreements lack global enforcement mechanisms, their negotiation by unions and MNCs represents a recognition of the legitimate role of unions in the governance of GSCs.

Considering efforts by governments and international organisations to regulate GSCs, Walker notes that for the most part these actors have relied on the same methods MNCs promote through CSR – soft law instruments which delegate the task of identifying and addressing exploitation and abuse within GSCs to MNCs themselves without creating any legal obligation for them to do so. The non-binding United Nations Guiding Principles on Business and Human Rights have been influential in recommending that MNCs implement human rights due diligence (HRDD) – a risk management approach to assessing and resolving human rights violations – in their GSCs. However, except in a few jurisdictions where governments have integrated HRDD into their domestic law, MNCs are under no obligation to implement HRDD; even where legislation exists, MNCs are not obliged to remedy these violations. Walker reviews domestic legislative approaches such as the UK Modern Slavery Act which encourages transparency in firms’ supply chains without guaranteeing accountability for abuses or guaranteeing a remedy for victims. Interestingly, one of the most effective approaches to holding MNCs accountable is a US customs law, the Trade Facilitation and Trade Enforcement Act of 2015 which prohibits entry of goods whose manufacture involved forced labour or slavery into US ports and empowers customs officials to seize such goods and to fine MNCs. The Act provides a model for holding MNCs accountable for human rights violations committed by separate legal entities outside the receiving state’s jurisdiction.

Based on her critical evaluation of state and international efforts to control corporate behaviour, Walker returns to her central argument, that the actors most likely to address injustice in GSCs are workers themselves, through collective organisation. The final chapters of *Protecting the Workforce* review the tools which unions and workers have at their disposal, including litigation, corporate campaigns, and the strategic use of social media and existing soft law agreements. Noting the potential risks involved in each approach, Walker provides practical advice on how to manage these.

Protecting the Workforce is primarily aimed at students, both as workers and consumers. By emphasising the agency of workers, students receive a more balanced perspective on the governance of GSCs than that promoted in international media. Reporting of human rights abuses in workplaces often turns our attention to the steps corporations or governments are taking to remedy the situation rather than the role unions and other workers' collectives have played in bringing problems to light and protecting their members (see Backer, 2015). While questioning the efficacy and legitimacy of leaving MNCs to regulate GSCs, the book also highlights the role governments have played in facilitating exploitative labour practices and allowing those responsible to escape punishment. Only workers can be trusted to advocate for their interests in GSCs. While consumer campaigns raising awareness of forced labour and environmental degradation can exert pressure on MNCs, once public attention is drawn elsewhere MNCs can return to business as usual. Workers are best placed to engage in long-term resistance to exploitation in GSCs and can use their position within the production process to threaten MNC profits.

Walker succeeds not only in providing a comprehensive critique of GSCs but also in convincing the reader that we need to engage more with the systems that bring goods and services to us. Walker details the myriad transactions and connections that must take place in perfect combination for the goods we find on shelves to arrive in one piece. There is something impressive in the fact that under GSCs, production and distribution have become so complex, yet the experience of consuming goods and services is increasingly seamless. Walker's book reveals the chaotic and cruel conditions which make this possible and warns consumers not to be seduced by the apparent ease and convenience marketed by MNCs.

Reference

Backer, L.C. (2015) Regulating Multinational Corporations: Trends, Challenges, and Opportunities. *Brown Journal of World Affairs*, 22, 153. https://heinonline.org/HOL/Page?handle=hein.journals/brownjwa22&div=14&g_sent=1&casa_token=InTXgK6TME4AAAAA:GNgaGEsP2BTnoRrwVFEVwZQ0hDTaeGX82_CIWvVQsO98X953l6kbjQeY8NxcEvfKK6TloNd5VQ&collection=journals (accessed 27 January 2021).

BIOGRAPHICAL NOTE

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