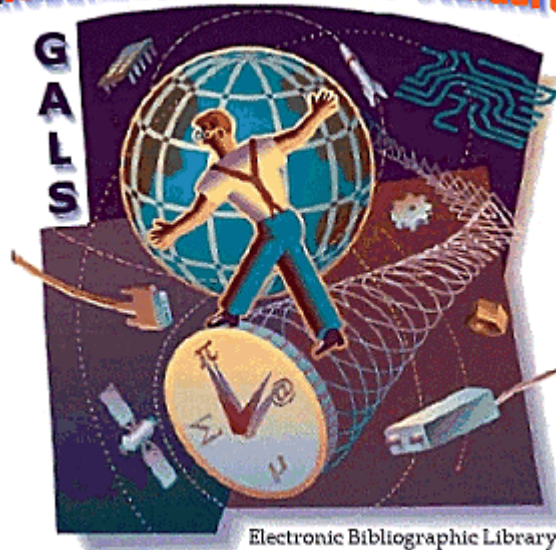


Globalization and Labor Standards



GALS Newsletter

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Country-Specific Case Studies

Diamond, Stephen F., "The Race to the Bottom Returns: China's Challenge to the International Labor Movement", *University of California Davis Journal of International Law and Policy* Vol. 10 Issue 39 (2003)

Abstract:

Professor Diamond explores the impact of China's integration into the world economy on labor relations in China and in the developed world. He begins by engaging with a long-simmering debate about whether there is a "race to the bottom" in labor standards--a flight of capital to the lowest labor cost countries. He rejects the simplistic accounts of the "race to the bottom" and says the real issue is "the ability of sophisticated multinational corporate capital to combine high-productivity technology with labor that is paid substantially less than that found in the developed world." Professor Diamond goes on to explore the ramifications of this new form of capital-labor combination. He shows how this new form of capitalism is a vast departure from the industrial relations era in which productivity and wages were linked by a variety of democratic political and economic institutions. The new era, he argues, rests upon authoritarian regimes such as the one that exists in China today. The article describes the authoritarian nature of the Chinese production system and its state-sponsored trade unions. He demonstrates that the economic success of China in recent decades depended upon state-sponsored repression of genuine trade unionism. He ends by criticizing those in the global labor movement who seek constructive engagement with existing Chinese institutions, arguing that it is more important to bring about democratic reform.

Subjects: [Country-Specific Case Studies](#), [Labor Rights in General \(Misc.\)](#)

Full-text links: || [WESTLAW](#) || [LEXIS-NEXIS](#) ||

Forced Labor

Larson, Jane E., "Prostitution, Labor and Human Rights", *University of California Davis Law Review* Vol. 37 (February 2004) p. 673-700

Abstract:

This article, originally a lecture, explores prostitution as a form of work that has been historically condemned and which can provide a current barometer of human rights. The article begins by contrasting the positions of abolitionists, who argue all prostitution constitutes human rights violations and should be abolished, and autonomists, who argue that prostitution is a means of economic survival and historically, a more efficient one for women than most menial labor. The article uses these positions to delve into the distinction between contract and bondage in labor. The author then asks whether the dichotomy of prostitution as work (where labor rights apply) or a condition of bondage (where human rights apply) is appropriate, given that many would posit labor as a human right. Finally, the article concludes that prostitution is a powerful laboratory for examining labor rights as human rights, by raising the question of when voluntary labor is so exploitative and dangerous as to violate the worker's human rights. Many international labor and human rights treaties refer to the welfare of forced sex laborers, but say nothing about the standards of women who choose prostitution, underscoring an antiquated dichotomy between

notions of helpless women and children who need saving, and women of iniquity who've chosen their fate.

Subjects: [Forced Labor](#), [Women's Rights](#)

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Women's Rights

Conaghan, Joanne, "Pregnancy, Equality and the European Court of Justice: Interrogating Gillespie", *Journal of Discrimination and Law* Vol. 3 (1998) p. 115-133

Abstract:

This article examines the decision of Gillespie v. Northern Health and Social Services Board, in order to determine whether the European Court of Justice (ECJ) has been effective in resolving the complex issues concerning sexual equality and discriminatory treatment of pregnant women in the workplace. The author begins by presenting three historical approaches to identifying discriminatory treatment of pregnant women in the workplace. In Gillespie, several female employees, while on maternity leave, received deductions in their pay and were denied the benefit of a pay increase implemented during their maternity leave. The author asserts that Gillespie used the absence of a similarly situated male to justify the decision of not fully compensating female employees who are absent due to maternity leave. The author is critical of the opinion in Gillespie, arguing that the failure to recognize that pregnancy is a condition only attributable to women in which there cannot be a similarly situated male poses serious consequences for sexual equality with consideration to pregnant women. She asserts that any decision resulting from the issue of pregnancy is sex-based, and is therefore sex discrimination if the woman suffers detrimental treatment. The author concludes by asserting that a strategic plan should be devised to improve the position of pregnant workers, who have been left unprotected by the ECJ decision.

Subjects: [Women's Rights](#)

Links to Related Projects

NEW LINK! The Marco Biagi Centre for International and Comparative Studies:
<http://www.csmb.unimo.it>

The Marco Biagi Centre for International and Comparative Studies at the University of Modena and Reggio Emilia, Italy, functions as policy resource center on comparative labor issues. Besides publishing books and law journals, the Center provides a clearinghouse of international

law journals, including the International Journal of Comparative Labour Law and Industrial Relations (<http://www.csmb.unimo.it/journal.html>). Currently only in Italian, the Center's website will soon offer an English version.

ETUI Labourline: <http://www.labourline.org/Etui>

ETUI Labourline is a database of European labor information resources covering European, international and comparative aspects of industrial relations and health and safety issues, developed by the Documentation Centres of the European Trade Union Institute and the European Trade Union Institute for Health and Safety (Brussels). The consolidated bibliographic database contains more than 20,000 references to documents focusing on industrial relations, and more than 15,000 references to documents on health and safety issues.

LabourWeb: <http://www.lex.unict.it/eurolabor/en/>

The Labour Web is a comprehensive documentation center for information about European labor law, social law, industrial relations and the welfare state. It contains up-to-date versions of European Union law, directives, pending directives, EU news, press releases, economic statistics and decisions of the European Court of Justice. It also contains a Working Papers series and subject matter reports (dossiers) on issues concerning European integration. The site also provides links to other websites that contain working papers, statistical reports, and other information about social, economic and industrial relations affairs in the European context. It is run by the Massimo D'Antona Centre for the Study of European Labour Law, at the Faculty of Law of the University of Catania.

Labor and Global Change Database: <http://www.ilir.umich.edu/lagn/>

The Labor and Global Change Database provides bibliographies, citation information and (where available) web links to the full text of research exploring connections between labor and globalization. The database aims to provide researchers with an easy means to make the results of their work widely available to other scholars and the interested public. The database is run by and continually updated by the Labor and Global Change Program of the University of Michigan.

Trade Unions and Labor Relations Database: <http://www.polwiss.fu-berlin.de/tu/english/>

The database, produced by the Institute of Labor Relations of the Otto-Suhr-Institute of the Freie University of Berlin, contains almost 7,000 citations of books, articles, working papers, brochures, proceedings etc. The bulk of the citations address aspects of labor relations in Germany, but there is a substantial body of literature in the database covering the EU and Eastern Europe.

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